



CITY COUNCIL REGULAR MEETING AGENDA

CITY CHAMBERS, CITY HALL
7351 ROSANNA STREET, GILROY, CA
95020

MAYOR
Greg Bozzo

COUNCIL MEMBERS
Dion Bracco
Tom Cline
Terence Fugazzi
Zach Hilton
Carol Marques
Kelly Ramirez

MONDAY, AUGUST 4, 2025 | 6:00 PM

CITY COUNCIL PACKET MATERIALS ARE AVAILABLE ONLINE AT www.cityofgilroy.org
AGENDA CLOSING TIME IS 5:00 P.M. THE TUESDAY PRIOR TO THE MEETING

COMMENTS BY THE PUBLIC WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE CITY COUNCIL. Public testimony is subject to reasonable regulations, including but not limited to time restrictions for each individual speaker. ***Please limit your comments to 3 minutes.*** The amount of time allowed per speaker may vary at the Mayor’s discretion depending on the number of speakers and length of the agenda.

Written comments on any agenda item may be emailed to the City Clerk’s Office at publiccomment@cityofgilroy.org or mailed to the Gilroy City Clerk’s Office at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the City Clerk’s Office by 1 p.m. on the day of a Council meeting will be distributed to the City Council prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Administration at City Hall, 7351 Rosanna Street prior to the meeting. Any correspondence received will be incorporated into the meeting record. Items received after the 1 p.m. deadline will be provided to the City Council as soon as practicable. Written comments are also available on the City’s Public Records Portal at bit.ly/3NuS1IN.

 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’s Office at least 72 hours prior to the meeting at (408) 846-0204 or cityclerk@cityofgilroy.org to help ensure that reasonable arrangements can be made. 

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 the Staff’s ability to

post 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.

If you need assistance with translation and would like to speak during public comment, please contact the City Clerk a minimum of 72 hours prior to the meeting at 408-846-0204 or e-mail the City Clerk's Office at cityclerk@cityofgilroy.org.

Si necesita un intérprete durante la junta y gustaría dar un comentario público, comuníquese con el Secretario de la Ciudad un mínimo de 72 horas antes de la junta al 408-846-0204 o envíe un correo electrónico a la Oficina del Secretario de la Ciudad a cityclerk@cityofgilroy.org.



To access written translation during the meeting, please scan the QR Code or click this link:

Para acceder a la traducción durante la reunión, por favor escanee el código QR o haga clic en el enlace:

bit.ly/3FBiGA0

Choose Language and Click Attend | Seleccione su lenguaje y haga clic en asistir

Use a headset on your phone for audio or read the transcript on your device.

Use sus auriculares para escuchar el audio o leer la transcripción en el dispositivo.

The agenda for this regular meeting is outlined as follows:

1. **OPENING**
 - 1.1. **Call to Order**
 - 1.2. **Pledge of Allegiance**
 - 1.3. **Invocation**
 - 1.4. **City Clerk's Report on Posting the Agenda**

1.5. Roll Call

1.6. Orders of the Day

1.7. Employee Introductions

2. CEREMONIAL ITEMS - Proclamations and Awards

2.1. Centennial Wineries Proclamation

3. PRESENTATIONS TO THE COUNCIL

3.1. PUBLIC COMMENT BY MEMBERS OF THE PUBLIC ON ITEMS NOT ON THE AGENDA BUT WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL

This portion of the meeting is reserved for persons desiring to address the Council on matters within the Gilroy City Council's jurisdiction but not on the agenda. Persons wishing to address the Council are requested to complete a Speaker's Card located at the entrances and handed to the City Clerk. Speakers are limited to 1 to 3 minutes each, varying at the Mayor's discretion depending on the number of speakers and length of the 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 comments to address the Council on matters not on this agenda may be e-mailed to the City Clerk's Office at publiccomment@cityofgilroy.org or mailed to the Gilroy City Clerk's Office at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the City Clerk's Office by 1:00 pm on the day of a Council meeting will be distributed to the City Council prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Administration at City Hall, 7351 Rosanna Street, prior to the meeting. Any correspondence received will be incorporated into the meeting record. Items received after the 1:00pm deadline will be provided to the City Council as soon as practicable. Written material provided by public members under this section of the agenda will be limited to 10 pages in hard copy. An unlimited amount of material may be provided electronically.

4. REPORTS OF COUNCIL MEMBERS

Council Member Bracco – Downtown Committee, Santa Clara County Library Joint Powers Authority, Santa Clara Water Commission, Santa Clara Valley Water Joint Water Resources Committee, SCRWA

Council Member Fugazzi – Santa Clara Water Commission (alternate), Silicon Valley Regional Interoperability Authority Board (alternate), SCRWA, Visit Gilroy California Welcome Center, VTA Mobility Partnership Committee

Council Member Marques – ABAG, Downtown Committee, Santa Clara County Library Joint

Powers Authority (alternate), Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, SCRWA (alternate)

Council Member Hilton – CalTrain Policy Group, Santa Clara County Expressway Plan 2040 Advisory Board (alternate), Silicon Valley Clean Energy Authority JPA Board, South County Youth Task Force Policy Team, VTA Policy Advisory Committee

Council Member Ramirez – ABAG (alternate), Gilroy Gardens Board of Directors (alternate), Gilroy Sister Cities, Gilroy Youth Task Force (alternate), SCRWA, Santa Clara Housing and Community Development Advisory Committee

Council Member Cline – CalTrain Policy Group (alternate), Gilroy Sister Cities (alternate), Gilroy Youth Task Force, Santa Clara County Expressway Plan 2040 Advisory Board, Silicon Valley Clean Energy Authority JPA Board (alternate), Silicon Valley Regional Interoperability Authority Board, Visit Gilroy California Welcome Center (alternate), VTA Mobility Partnership Committee, VTA Policy Advisory Committee (alternate)

Mayor Bozzo – Gilroy Gardens Board of Directors, Santa Clara Valley Water Joint Water Resources Committee, South County Youth Task Force Policy Team, VTA Board of Directors (alternate), Santa Clara Housing and Community Development Advisory Committee (alternate)

5. **CONSENT CALENDAR**

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 City Council votes to approve. If removed, the item will be discussed in the order in which it appears.

5.1. **Approve the Minutes of the July 24, 2025 Special Closed Session City Council Meeting, and the July 28, 2025 Regular City Council Meeting**

6. **PUBLIC HEARINGS**

6.1. **Consideration of the Report of Abatement of Weeds and Refuse Within the City of Gilroy and Adoption of a Resolution Confirming the Imposition of Assessment Liens Against the Land**

1. Disclosure of Ex-Parte Communications
2. Staff Report:
Sharon Goei, Community Development Director
3. Open Public Hearing
4. Close Public Hearing
5. Possible Action:
Adopt a resolution allowing the assessment of fees, minus any qualifying objections, as reported by the Santa Clara County Weed Abatement

Program.

7. UNFINISHED BUSINESS

7.1. Appointment of Members to the Youth Commission

1. Staff Report:
Bryce Atkins, Assistant to the City Administrator
2. Public Comment
3. Possible Action:
Council appoint members to fill available seats on the Gilroy Youth Commission.

8. INTRODUCTION OF NEW BUSINESS

8.1. Update on the Consolidated FY26 Annual Sidewalk Replacement Project No. 25-PW-296 and Consideration of Minor Modifications and Clarifications on the Council-Approved Sidewalk Replacement Program and Adopt a Budget Amendment Resolution to Appropriate \$1.0 million of Unspent Funds from Prior Years for the Project

1. Staff Report:
John Doughty, Public Works Director
2. Public Comment
3. Possible Action:
 1. Receive report on recommended repair locations as part of the Consolidated FY26 Sidewalk Replacement Project (No. 25-PW-296);
 2. Adopt a budget amendment resolution to appropriate \$1.0 million of unspent funds from prior fiscal years for the project, from the Sidewalk Repair Reserve Fund (200); and
 3. Consider recommended revisions to the August 5, 2024 Sidewalk Replacement Program.

8.2. Initial Direction and Scope of Tobacco and Smoking Control Ordinance Update and Potential Moratorium

1. Staff Report:
Bryce Atkins, Assistant to the City Administrator
2. Public Comment
3. Possible Action:
Council provide direction regarding its desired revisions to the Smoking Control Ordinance, if any.

8.3. Six-Month Update on the Gilroy Police Department Therapy Dog Program

1. Staff Report:

Ken Binder, Interim Police Chief

2. Public Comment
3. Possible Action:
Receive the Gilroy Police Department's six-month update on the therapy dog program and provide direction on the program's future.

8.4. Introduce an Ordinance Adopting by Reference the 2025 California Building Codes with Amendments, and Set a Public Hearing on August 18, 2025, for Adoption of the Ordinance

1. Staff Report:
Sharon Goei, Community Development Director
2. Public Comment
3. Possible Action:
 1. Move to read the ordinance by title only and waive further reading.
 2. Introduce an ordinance amending Sections 6.1, 6.6, and 6.7 of Chapter 6 of the Gilroy Municipal Code adopting by reference the 2025 California Building Code, 2025 California Residential Code, 2025 California Electrical Code, 2025 California Mechanical Code, 2025 California Plumbing Code, 2025 California Energy Code, 2025 California Historical Building Code, 2025 California Existing Building Code, 2025 California Green Building Standards Code, 2024 International Property Maintenance Code, and 2024 International Swimming Pool and Spa Code, with amendments.
 3. Set a public hearing on August 18, 2025, for the adoption of the ordinance, pursuant to California Government Code Section 50022.3.

8.5. Introduce an Ordinance Adopting by Reference the 2025 California Fire Codes with Amendments, and Set a Public Hearing on August 18, 2025, for Adoption of the Ordinance

1. Staff Report:
Sharon Goei, Community Development Director
2. Public Comment
3. Possible Action:
 1. Move to read the ordinance by title only and waive further reading.
 2. Introduce an ordinance amending Sections 10.9 and 10.10 of Chapter 10 of the Gilroy Municipal Code adopting by reference the 2025 California Fire Code and 2025 California Wildland-Urban Interface Code, with amendments.
 3. Set a public hearing on August 18, 2025, for the adoption of the ordinance, pursuant to California Government Code Section 50022.3.

8.6. Approval of Gilroy Police Officers Association Memorandum of Understanding and Adoption of Resolution Approving Salary Schedules for the Period of July 1, 2025 - June 30, 2028

1. Staff Report:
LeeAnn McPhillips, Assistant City Administrator/HR Director
2. Public Comment
3. Possible Action:
 1. Adopt a resolution of the City Council of the City of Gilroy amending the budgets for FY 26 and FY 27 to implement the terms of the Gilroy Police Officers Association Memorandum of Understanding (MOU) for FY 26 and 27, appropriating proposed expenditure amendments, and authorizing the inclusion of appropriate funds in the future FY 28 budget for salary and benefit expenditures related to the implementation of the MOU.
 2. Approve a Memorandum of Understanding between the City of Gilroy and the Gilroy Police Officers Association for the period July 1, 2025 - June 30, 2028.
 3. Adopt a resolution of the City Council of the City of Gilroy approving the July 1, 2025, July 1, 2026, and July 1, 2027 salary schedules associated with the Gilroy Police Officers Association Memorandum of Understanding.

8.7. Approval of the July 1, 2025, July 1, 2026, and July 1, 2027 Salary Schedules for Full-time/Unrepresented/Exempt/Mid-Management and Appointed Employees, Part-Time/Temporary/Unrepresented/Exempt Employees, and Full-Time/Unrepresented/At-Will/Department Head Employees

1. Staff Report:
LeeAnn McPhillips, Assistant City Administrator/HR Director
2. Public Comment
3. Possible Action:
 1. Adopt a resolution of the City Council of the City of Gilroy of the City of Gilroy approving the July 1, 2025, July 1, 2026, and July 1, 2027 salary schedules for Full-Time/Unrepresented/Confidential/Exempt/Mid-Management Employees and Full-Time/Unrepresented/Exempt/Mid-Management/Appointed Employees
 2. Adopt a resolution of the City Council of the City of Gilroy of the City of Gilroy approving the July 1, 2025, July 1, 2026, and July 1, 2027 salary schedules for Part-Time/Temporary/Unrepresented/At-Will/Exempt Employees
 3. Adopt a resolution of the City Council of the City of Gilroy of the City of Gilroy approving the July 1, 2025, July 1, 2026, and July 1, 2027

salary schedules for Full-Time/Unrepresented/Exempt/At-Will/Department Head Employees

9. CITY ADMINISTRATOR'S REPORTS

10. CITY ATTORNEY'S REPORTS

11. ADJOURNMENT

FUTURE MEETING DATES

August 2025

18 City Council Regular Meeting - 6:00 p.m.

September 2025

08 City Council Regular Meeting - 6:00 p.m.

15 City Council Regular Meeting - 6:00 p.m.

October 2025

06 City Council Regular Meeting - 6:00 p.m.

20 City Council Regular Meeting - 6:00 p.m.

Meetings are webstreamed on the City of Gilroy's website at gilroy.city/meetings.



City of Gilroy
Proclamation



WHEREAS, the value of our local wineries represents assets with far-reaching cultural, historic and socioeconomic influence and lasting local community and region-wide impact and notoriety; and

WHEREAS, the Santa Clara Valley is one of the nation's most fertile agricultural regions and, under the distinct stewardship of our wineries, our agricultural heritage continues to thrive and evolve. These wineries serve as vital guardians of the land, preserving centuries-old farming traditions while innovating and adapting to modern challenges; and

WHEREAS, the commitment and dedication of our local wineries to quality and proficiency in enology is crucial in understanding factors such as grape varieties, soil composition, pH levels, and fermentation processes, thereby creating world-class, quality imbued and flavorful products; and

WHEREAS, our local wineries amplify the local economy by motivating tourism, exploration, and discovery while creating memorable day encounters and opportunities for overnight stays; and

WHEREAS, wine culture serves as a powerful social connector that transcends cultural boundaries, creating shared experiences through tastings, celebrations, and communal meals where people gather to appreciate not just the beverage itself, but the stories, traditions, and craftsmanship behind each bottle; and

WHEREAS, viticulture was first established in the Santa Clara Valley in 1802, making it one of the first commercial wine-producing regions in California. This heritage is proudly carried on by our local wineries, fostering local pride and challenging larger, more well-known regions; and

WHEREAS, family-run small businesses form the backbone of local economies, providing personalized service, deep community connections, and economic stability. The intimate connection to the land, personal commitment, and passion for the winemaking craft result in friendly, welcoming, approachable wineries that offer memorable and cherished experiences.

NOW, THEREFORE, I, GREG BOZZO, Mayor of the City of Gilroy, do hereby proclaim August 4th, 2025 as a day to honor and reflect upon the remarkable legacy of Kirigin Cellars, Besson family Vineyards and Guglielmo Winery, these

CENTENNIAL WINERIES

in our region and its profound impact on our community's heritage and economy.

Greg Bozzo, Mayor

Attested to by:

Kim Mancera, City Clerk

DRAFT

**City of Gilroy
City Council
Minutes**

Thursday, July 24, 2025 | 3:00 PM

1. OPENING

1. Call to Order

The meeting was called to order by Mayor Bozzo at 3:00 PM.

2. Roll Call

Attendance	Attendee Name
Present	Council Member Dion Bracco Council Member Tom Cline Council Member Terence Fugazzi Council Member Carol Marques Council Member Kelly Ramirez Mayor Greg Bozzo
Absent	Council Member Zach Hilton

2. CLOSED SESSION

- 1. CONFERENCE WITH LABOR NEGOTIATORS – COLLECTIVE BARGAINING UNITS Pursuant to GC Section 54957.6 and GCC Section 17A.11(4)
Collective Bargaining Units: Gilroy Police Officers Association, Inc. Representing Gilroy Police Officers; and Unrepresented Exempt Employees (Confidential, Department Heads & Council-Appointed)
City Negotiators: Jimmy Forbis, City Administrator; LeeAnn McPhillips, Assistant City Administrator and Administrative Services & Human Resources Director/Risk Manager
Anticipated Issue(s) Under Negotiation: Wages, Hours, Benefits, Working Conditions
Memorandums of Understanding: City of Gilroy and Gilroy Police Officers Association Inc.**
- 2. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT Pursuant to Government Code Section 54957 and Gilroy City Code Section 17A.11(2)
Name/Title: Interim City Administrator**

Motion

Enter into Closed Session

RESULT: Passed

MOVER: None

SECONDER: None

AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council

DRAFT

Member Kelly Ramirez, Mayor Greg Bozzo

3. ADJOURN TO OPEN SESSION

The Council returned to open session at 5:10 P.M.

Mayor Bozzo announced that there was no reportable action.

4. ADJOURNMENT

With no further business, the meeting adjourned at 5:10 P.M.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the City Council of the City of Gilroy on August 4, 2025.

Kim Mancera
City Clerk

DRAFT

DRAFT

**City of Gilroy
City Council
Minutes**

Monday, July 28, 2025 | 6:00 PM

1. OPENING

1. Call to Order

The meeting was called to order by Mayor Bozzo at 6:00 PM.

2. Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Ramirez.

3. Invocation

4. City Clerk's Report on Posting the Agenda

City Clerk Kim Mancera reported that the agenda was posted on Friday, July 25, 2025, at 2:55 P.M.

5. Roll Call

Attendance	Attendee Name
Present	Council Member Dion Bracco Council Member Tom Cline Council Member Terence Fugazzi Council Member Carol Marques Council Member Kelly Ramirez Mayor Greg Bozzo
Absent	Council Member Zach Hilton

6. Orders of the Day

7. Employee Introductions

2. COUNCIL CORRESPONDENCE (Informational Only)

1. Recommendation by the Parks and Recreation Commission to Secure an Architect to Design the Downtown Pop-Up Park.

2. Gilroy Gardens Report

3. PRESENTATIONS TO THE COUNCIL

1. PUBLIC COMMENT BY MEMBERS OF THE PUBLIC ON ITEMS NOT ON THE AGENDA BUT WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL

Mayor Bozzo opened Public Comment at 6:04 P.M.

Roselynn Bowers - commented on a denied claim by the City.

Lori Kent - commented on the removal of the traffic island at Princevalle and 6th Street.

John Blaettler - commented on the decision to remove the traffic island at Princevalle and 6th Street.

Heather DeRose - commented on the removal of the traffic island at Princevalle and 6th Street.

Ron Kirkish - commented on the ADU on Monterey Rd.

With no further speakers, Mayor Bozzo closed public comment.

4. REPORTS OF COUNCIL MEMBERS

- 1. Council Member Bracco – Downtown Committee, Santa Clara County Library Joint Powers Authority, Santa Clara Water Commission, Santa Clara Valley Water Joint Water Resources Committee, SCRWA**

Council Member Fugazzi – Santa Clara Water Commission (alternate), Silicon Valley Regional Interoperability Authority Board (alternate), SCRWA, Visit Gilroy California Welcome Center, VTA Mobility Partnership Committee

Council Member Marques – ABAG, Downtown Committee, Santa Clara County Library Joint Powers Authority (alternate), Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, SCRWA (alternate)

Council Member Hilton – CalTrain Policy Group, Santa Clara County Expressway Plan 2040 Advisory Board (alternate), Silicon Valley Clean Energy Authority JPA Board, South County Youth Task Force Policy Team, VTA Policy Advisory Committee

Council Member Ramirez – ABAG (alternate), Gilroy Gardens Board of Directors (alternate), Gilroy Sister Cities, Gilroy Youth Task Force (alternate), SCRWA, Santa Clara Housing and Community Development Advisory Committee

Council Member Cline – CalTrain Policy Group (alternate), Gilroy Sister Cities (alternate), Gilroy Youth Task Force, Santa Clara County Expressway Plan 2040 Advisory Board, Silicon Valley Clean Energy Authority JPA Board (alternate), Silicon Valley Regional Interoperability Authority Board, Visit Gilroy California Welcome Center (alternate), VTA Mobility Partnership Committee, VTA Policy Advisory Committee (alternate)

Mayor Bozzo – Gilroy Gardens Board of Directors, Santa Clara Valley Water Joint Water Resources Committee, South County Youth Task Force Policy Team, VTA Board of Directors (alternate), Santa Clara Housing and

Community Development Advisory Committee (alternate)

Council Member Bracco - No report.

Council Member Fugazzi - reported on behalf of the Board of Visit Gilroy thanking the Garlic Festival sponsors and volunteers. Watch for video shorts from Visit Gilroy coming soon.

Council Member Marques - No report

Council Member Ramirez - reported that Sister Cities is working on better communicating their mission.

Council Member Cline - reported on the Garlic Festival being back and thanked the Board, organizers and volunteers.

Mayor Bozzo - No report

5. BOARD AND COMMISSION INTERVIEWS

1. Interviews for Open Seats on the Youth Commission with Future Appointment on August 4, 2025

City Council interviewed the following applicants:

1. Alazander Cruz Bermudez
2. Ashleen Bhandal
3. Bendeict Pham
4. Biruh Abaneh
5. Diana Diakova
6. Jana Wahba
7. Jasmine Carreon
8. Jeremy Vu
9. Logan Gill
10. Maya Sanchez
11. Neha Rudrapatna
12. Sean Colin Diep
13. Sean Ethan Diep
14. Sophia Gutierrez
15. Trinidad Olguin Correa

6. CONSENT CALENDAR

Mayor Bozzo opened public comment at 6:44 P.M.

With no speakers, Mayor Bozzo closed public comment.

Council Member Cline pulled item 6.8 due to a conflict of interest.

Motion

Approve the consent calendar items 6.1 through 6.7, 6.9 and 6.10.

RESULT: **Passed**

MOVER: Council Member Carol Marques

SECONDER: Council Member Dion Bracco

AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council Member Kelly Ramirez, Mayor Greg Bozzo

1. **Approve the Minutes of the June 16, 2025 Special City Council Meeting, and the June 16, 2025 Regular City Council Meeting**
2. **Approval of the Declaration of Vehicles and Equipment as Surplus and Authorize the Disposition of the Surplus Through Auction**
3. **Acceptance of a \$275,692.08 Grant from the Department of California Highway Patrol Cannabis Tax Fund Grant Program for Driving Under the Influence Enforcement Activities and Adoption of a Resolution of the City Council of the City of Gilroy Approving a Fiscal Year 2026 Budget Amendment**
4. **Approval of the FY 25 Annual Evaluation Report for the Santa Clara County Multi-Jurisdictional Program for Public Information Associated with the Community Rating System of the National Flood Insurance Program**
5. **Approve Notice of Acceptance of Completion, and Reduction of the Faithful Performance and Payment Security Bonds for Property Improvement Agreement No. 2022-03, The Cottages - Tract 10582**
6. **Approve the Final Map and Property Improvement Agreement No. 2025-02 for Royal Way Development, Tract 10634**
7. **Approval of a Fourth Amendment to the Agreement with Circlepoint, Inc. for the Gilroy Data Center Project Environmental Impact Report in the Amount of \$25,000.00 for a Total Not-to-Exceed Contract Amount of \$309,462.20 (Paid by the Applicant)**
9. **Approve a Fifth Amendment to the Contract for CSG Consultants, Inc., Increasing the Contract Amount by \$25,000, for On-Call Engineering Plan Review and City Surveyor Services, for a Contract Total of \$480,000**
10. **Claim of Nancy Cruz (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)**

14. ITEM PULLED FOR DISCUSSION

8. **Approve the Final Map for Greenfield Development, Tract 10666**

Mayor Bozzo opened public comment at 6:45 P.M.

With no speakers, Mayor Bozzo closed public comment.

Motion

Approve

RESULT: Passed

MOVER: Council Member Kelly Ramirez

SECONDER: Council Member Terence Fugazzi
AYES: Council Member Dion Bracco, Council Member Terence Fugazzi,
Council Member Carol Marques, Council Member Kelly Ramirez,
Mayor Greg Bozzo
RECUSED: Council Member Tom Cline

7. BIDS AND PROPOSALS

1. **Approve the First Amendment to the Agreement with Cal-West Lighting & Signal Maintenance, Inc. for Streetlight and Traffic Signal Maintenance Services**

Public Works Director John Doughty provided a report.

Mayor Bozzo opened public comment at 6:56 P.M.

With no speakers, Mayor Bozzo closed public comment.

Motion

Approve the First Amendment to the Agreement with Cal-West Lighting & Signal Maintenance.

RESULT: **Passed**

MOVER: Council Member Tom Cline

SECONDER: Council Member Carol Marques

AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council Member Kelly Ramirez, Mayor Greg Bozzo

2. **Award a Contract to CSG Consultants, Inc. for On-Call Engineering Plan Review and City Surveyor Services, July 1, 2025 through June 30, 2028**

Public Works Director John Doughty provided a report.

Mayor Bozzo opened public comment at 7:12 P.M.

Gary Walton - commented on delays he has experienced through the plan check process.

James Sooner - commented on his experience with CSG.

Ron Kirkish - commented on developers having issues getting through the plan check process.

With no further speakers, Mayor Bozzo closed public comment.

Motion

Failed due to lack of motion

RESULT: **Failed**

MOVER: None
SECONDER: None
AYES: None

8. INTRODUCTION OF NEW BUSINESS

1. **Purchase of Real Property Located at 6601 Cameron Boulevard (APN 841-84-009) and Adoption of Resolution Amending the Fiscal Year 2025-26 (FY26) Budget to Appropriate \$1,185,000 for the Purchase from the Water Development Impact Fund (435)**

Public Utilities Director Heath McMahon provided a presentation and report.

Mayor Bozzo opened public comment at 7:37 P.M.

With no speakers, Mayor Bozzo closed public comment.

Motion

Approve the purchase of 6601 Cameron Boulevard (APN 841-84-009).

RESULT: **Passed**

MOVER: Council Member Kelly Ramirez

SECONDER: Council Member Tom Cline

AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council Member Kelly Ramirez, Mayor Greg Bozzo

Motion

Adopt the resolution amending the Fiscal Year 2025-2026 (FY26) budget.

RESULT: **Passed**

MOVER: Council Member Carol Marques

SECONDER: Council Member Kelly Ramirez

AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council Member Kelly Ramirez, Mayor Greg Bozzo

2. **Approval of Gilroy Management Association Memorandum of Understanding and Adoption of a Resolution Approving Associated Salary Schedules for the Period of July 1, 2025 - June 30, 2028**

Assistant City Administrator/HR Director LeeAnn McPhillips provided a presentation and report.

Mayor Bozzo opened public comment at 7:42 P.M.

With no speakers, Mayor Bozzo closed public comment.

Motion

Approve the Gilroy Management Association MOU.

RESULT: Passed
MOVER: Council Member Tom Cline
SECONDER: Council Member Carol Marques
AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council Member Kelly Ramirez, Mayor Greg Bozzo

Motion

Adopt a resolution approving associated salary schedules.

RESULT: Passed
MOVER: Council Member Kelly Ramirez
SECONDER: Council Member Tom Cline
AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council Member Kelly Ramirez, Mayor Greg Bozzo

3. Consent the Appointment of Brad Kilger (CalPERS Retired Annuitant) as the Interim City Administrator and Adoption of a Resolution Approving the Appointment and Employment Agreement

Assistant City Administrator/HR Director LeeAnn McPhillips provided a report.

Mayor Bozzo opened public comment at 7:47 P.M.

With no speakers, Mayor Bozzo closed public comment.

Motion

Appoint Brad Kilger as the Interim City Administrator.

RESULT: Passed
MOVER: Council Member Dion Bracco
SECONDER: Council Member Terence Fugazzi
AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council Member Kelly Ramirez, Mayor Greg Bozzo

Motion

Adopt a resolution approving the appointment and employment agreement.

RESULT: Passed
MOVER: Council Member Tom Cline
SECONDER: Council Member Terence Fugazzi
AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council Member Kelly Ramirez, Mayor Greg Bozzo

9. CITY ADMINISTRATOR'S REPORTS

No report.

10. CITY ATTORNEY'S REPORTS

No report.

11. CLOSED SESSION

City Attorney Faber announced the closed session item 11.1 and noted that item 11.2 is no longer needed.

City Attorney Faber opened public comment at 7:49 P.M.

With no speakers, City Attorney Faber closed public comment.

City Council entered Closed Session at 7:50 P.M.

Motion

Remain in closed session.

RESULT: Passed

MOVER: None

SECONDER: None

AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council Member Kelly Ramirez, Mayor Greg Bozzo

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957 and Gilroy City Code Section 17A.11(2) Name/Title: Jimmy Forbis, City Administrator**
2. **PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT Pursuant to Government Code Section 54957 and Gilroy City Code Section 17A.11(2) Name/Title: Interim City Administrator**

12. ADJOURN TO OPEN SESSION

Motion

Approve the document entitled "Severance Agreement and General Release of all Claims" with Jimmy Forbis.

RESULT: Passed

MOVER: None

SECONDER: None

AYES: Council Member Dion Bracco, Council Member Tom Cline, Council Member Terence Fugazzi, Council Member Carol Marques, Council Member Kelly Ramirez, Mayor Greg Bozzo

13. ADJOURNMENT

With no additional business before the Council, the meeting was adjourned at 8:10 P.M.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the City Council of the City of Gilroy on August 4, 2025.

Kim Mancera
City Clerk

DRAFT



City of Gilroy

STAFF REPORT

Agenda Item Title: **Consideration of the Report of Abatement of Weeds and Refuse Within the City of Gilroy and Adoption of a Resolution Confirming the Imposition of Assessment Liens Against the Land**

Meeting Date: August 4, 2025
From: Jimmy Forbis, City Administrator
Department: Community Development
Submitted by: Sharon Goei, Community Development Director
Prepared by: Jonathan Crick, Fire Marshal

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

Adopt a resolution allowing the assessment of fees, minus any qualifying objections, as reported by the Santa Clara County Weed Abatement Program.

EXECUTIVE SUMMARY

This hearing is the third part of the annual weed abatement process pursuant to Chapter 12 of the Gilroy City Code. City Council should take action on the costs associated with removing weeds on specific properties. Such costs constitute a lien on the property until paid, and according to the City Code, will be collected as part of the following tax roll. The City approved the County's contract for weed abatement services and associated fees at its February 24, 2025 meeting. At the April 21, 2025 meeting, the City Council set May 15th as the deadline to abate weeds for locations identified on the property abatement list. Properties inspected and found in compliance were assessed the regular inspection fee. Those locations not abated before the May 15, 2025 deadline were assessed additional fees as noted in the staff report below.

BACKGROUND

Resolution No. 2025-06 was adopted by Council on February 24, 2025, to declare

weeds a nuisance and to begin the annual weed abatement process. Under a contract with the County's Office of Vegetation Management, the County Weed Abatement Program provides the weed abatement listing, letters of notification, lot inspections, and documentation and arranges abatement services if needed. After Resolution No. 2025-06 was adopted, the County Weed Abatement Program had a preliminary list of lots requiring abatement. This includes lots on the previous list that have had failed inspections for the past three (3) years and additional lots added based on non-abatement during the prior season. All owners of the lots listed were sent a weed abatement notice, fee information, and an instruction letter package. On April 21, 2025, a public hearing was held to allow any owner of a listed lot to remove their lot from the program. Subsequently, Resolution No. 2025-32 was adopted, approving the list of properties subject to weed abatement and setting the abatement deadline to May 15, 2025. The County conducted its inspections after the May 15th deadline. Property owners could communicate directly with the County if they had problems getting their lot abated. Any lot found with weeds after the deadline was sent a notice, and a failed inspection fee was assessed. The property owners were given an additional two weeks to perform abatement before becoming subject to abatement by the County.

ANALYSIS

Pursuant to Gilroy City Code Section 12.54, attached is a report of the inspected lots, those assessed a failed inspection fee, and those that have been abated thus far. All sites on the list are assessed the \$105 inspection fee. The sites with failed inspections are assessed an additional failed inspection fee of \$597, and the lots that required abatement are assessed an additional \$961 administrative fee and the contractor's abatement charge. For 2025, there are a total of 121 properties on the list, a reduction of 29 since 2024. In 2016, there were 297 properties on the list. As properties are developed, we expect to see fewer properties on the weed abatement list in the future. For 2025, 80 lots were assessed lower category fees (\$105 to \$210), a decrease of 36 lots since last year. Twenty-five lots were assessed for the middle category fees which included an inspection fee and a failed inspection fee. This represents a decrease of 6 in the middle category from last year. Sixteen lots were assessed all the fees described above, as well as the administrative fee and the actual cost of abatement, an increase of 14 lots in this category. Some lots may have fees from the previous year. Overall, there is a gradual trend of reducing the total number of properties on the list.

The property owners listed for fee assessment were sent a copy of the proposed assessment against their property in July. They have been allowed to call, email, or meet with the Gilroy Fire Marshal and County Weed Abatement Program Manager on or before August 4, 2025, to discuss, object to, or obtain additional information about their assessment. Any property owner that did not object or did not provide a substantial reason why they should not be assessed still has an opportunity to raise objections at the lien hearing. Any property owner who met with, called, or emailed their objection and determined there was a mistake or cause for dismissing the assessment fee will be presented to the City Council for their consideration. The proposed resolution to process the assessment report, including modifications, if any, is recommended for approval.

ALTERNATIVES

There are no alternatives since this process is dictated by Chapter 12 of the Gilroy City Code. Property owners may have many reasons that their lot was not abated; however, unless the County made a mistake in identifying a lot’s ownership, there are few acceptable reasons to waive the County’s fees. All owners were notified of deadlines and costs, as required by the City Code.

FISCAL IMPACT/FUNDING SOURCE

The weed abatement program is an annual program that contracts with the County of Santa Clara for the services. Adopting the resolution authorizes the County Assessor’s office to levy the assessments as liens on the listed properties to be paid by owners and collected by the County via annual property tax bills. If the County does not collect adequate funds to meet the program budget, they can prorate the shortfall to the cities participating in the program based on the percentage of the properties from each City compared to the total number of properties in the program. It will not be known until later in the year if there is a shortfall since abatement activity will continue through October. To date, the program has operated through cost recovery administered by the County.

PUBLIC OUTREACH

The Communication and Engagement Manager has sent out weed abatement wildfire safety messaging in March and May. Targeted mailers and letters have been mailed in May, June, and July and are expected to continue as needed. The Community Development Department Fire Prevention Division webpage is being updated periodically.

NEXT STEPS

This is the final step in this year’s planned abatement process. However, if more assessments are needed for this year, a secondary assessment hearing may be held. Otherwise, any new assessments would be included in next year’s process.

Attachments:

- 1. Draft resolution, including the 2025 Gilroy Assessment Report Exhibit

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY CONFIRMING THE REPORT OF THE ABATEMENT OF WEEDS SETTING FORTH THE DESCRIPTION OF PROPERTY, NAMING THE OWNERS THEREOF, AND THE COST OF ABATING THE NUISANCE CAUSED BY THE GROWING OF WEEDS AND ACCUMULATION OF REFUSE ON THE PROPERTY, AND PROVIDING THAT SUCH COST SHALL CONSTITUTE ASSESSMENTS AGAINST THE LAND

WHEREAS, pursuant to Article III of Chapter 12 of the Gilroy City Code, the City Council of the City of Gilroy did on February 24, 2025 adopt Resolution No. 2025-06 designating certain weeds growing or existing in the City of Gilroy, and refuse accumulating in the City, to be a public nuisance and ordering the Chief of the Fire Department to give notice of the passage of said resolution by posting and publication in the same manner and for the same time as set forth in Section 12.48 of said code, and the Chief of the Fire Department did cause said notice to be so given; and

WHEREAS, pursuant to Resolution No. 2025-06, the property owners as stated on the latest tax assessor's roll of the lots or parcels determined to have weeds growing or existing, and/or refuse accumulating were duly noticed that: (1) said weeds and refuse have been determined to constitute a public nuisance, (2) a public hearing would be held at which the City Council would hear and consider any and all objections to the proposed destruction or removal of said weeds or refuse, and (3) weeds and refuse not removed by the property owners will be removed by City authorities, in which case the cost of such destruction and/or removal will be assessed upon the lots and lands from which, or from the front or rear of which, such weeds and accumulation of refuse have been destroyed or removed, and such costs will constitute a lien upon such lots or lands until paid, and will be collected upon the next tax roll upon which general municipal taxes are collected; and

WHEREAS, the City Council fixed April 21, 2025, at the hour of 6:00 o'clock p.m., or as soon as thereafter, in the Council Chambers in the City Hall at 7351 Rosanna Street, in the City of Gilroy, as the time and place for the hearing provided for in Section 12.50 of said Code, and the notice given included a statement of the said time and place of hearing; and

WHEREAS, the hearing was held on that date in accordance with the City Code and no objections were made to the proposed removal and destruction of the weeds and refuse, and the City Council thereafter adopted Resolution No. 2025-32 requiring the Chief of the Fire Department to abate said nuisance by having the weeds destroyed and the refuse removed as provided in Section 12.51 of the Gilroy City Code; and

WHEREAS, the Chief of the Fire Department has filed his report with the City Council, setting forth the actions taken in abating the nuisance, stating an account of the cost of the abatement and an assessment list and identification of each separate lot or parcel of land by description, together with the expense proposed to be assessed against each separate lot or parcel and the name of the owners or reputed owners

("Owners") thereof attached hereto as Exhibit "A" and incorporated herein by this reference; and

WHEREAS, it appears that the Chief of the Fire Department has taken all actions required of him in abating said nuisance and removing said weeds and refuse and that the cost thereof as shown in said report is correct and should be confirmed; and

WHEREAS, the City Clerk fixed August 4, 2025 at the hour of 6:00 o'clock p.m., or as soon thereafter as the item can be heard, in the Council Chambers in the City Hall at 7351 Rosanna Street, in the City of Gilroy, as the time and place for the hearing provided for in Section 12.53 of the Gilroy City Code; and

WHEREAS, the Owners were duly noticed of the hearing, at which the City Council would be presented with the report and assessment list for consideration and confirmation, the abatement costs proposed to be assessed upon the Owners and the right of all persons interested, having any objections to the report and assessment list, or to any matter or thing contained therein, to appear and be heard; and

WHEREAS, this hearing was held in accordance with the Gilroy City Code.

NOW THEREFORE, BE IT RESOLVED, that a certified copy of this resolution and of the report of the abatement of weeds be turned over to the County Director of Finance, who constitutes the Assessor and Tax Collector for the City of Gilroy, and the amounts shown on said report as the cost of the removal of the weeds and refuse from each of the respective properties and certified as unpaid shall be and constitute a lien on the property for the amount of such assessment respectively, and the Assessor and Tax Collector add the amount thereof to the next regular bill for taxes levied against respective lots and parcels of land for municipal purposes.

PASSED AND ADOPTED on this 4th day of August 2025 by the following roll call vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

APPROVED:

ATTEST:

Greg Bozzo, Mayor

Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2025-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said held on Council held **Monday, August 4, 2025**, with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Date**.

Kim Mancera
City Clerk of the City of Gilroy

(Seal)

**2025 WEED ABATEMENT PROGRAM
CITY OF GILROY
ASSESSMENT REPORT**

Exhibit A

Situs		APN	OWNER ADDRESS		TAX ROLL AMT		
1	Verbena	783-03-070	Golden Oaks Investment	P.o. Box 616	AROMAS	95004	\$105.00
2	8351 Winter Green	783-03-077	Sunset Hills Development Llc	575 Southside Dr Ste C	GILROY	95020	\$105.00
3	8341 Winter Green	783-03-081	Clayton Johnson Enterprises Inc	650 B Fremont Avenue #344	LOS ALTOS	94024	\$105.00
4	Hecker Pass	783-04-032	Hoey Ranch Company	2485 Hecker Pass Hwy	GILROY	95020-8802	\$651.00
5	820 Sunrise	783-20-049	Yang, Di P	2478 N Stevens Ave	ROSEMEAD	91770-2947	\$105.00
6	1885 Hollyhock	783-45-014	Ross, Richard John Iii	1885 Hollyhock Ln	GILROY	95020-0000	\$105.00
7	1920 Mantelli	783-45-016	Sevilla, Jerry M And Cunanan ,	Po Box 5175 Aramco Mc	DHAHRAN SAUDI ARABIA	31311	\$2,991.71
8	Hollyhock	783-45-044	Enterprise Rei 8 Llc	10440 S De Anza Blvd Ste D5a	CUPERTINO	95014	\$807.00
9	2280 Coral Bell	783-46-026	Bhagavan,I Kishen Trustee	1240 Monte Verde Ct	LOS ALTOS	94024	\$105.00
10	Strawberry	783-46-079	Le, Anh	682 Kaweah Ave	CLOVIS	93619	\$2,293.30
11	Sunflower	783-47-003	Enterprise Rei 8 Llc	24168 Big Basin Wy	SARATOGA	95070	\$6,068.72
12	1463 Pheasant	783-50-058	Palmer, Mary L	1463 Pheasant Dr	GILROY	95020-8219	\$201.00
13	8745 Wild Iris	783-52-032	Vargas, Anabel And Gomez , Manuel	1355 St Francis St	REDWOOD CITY	94061	\$210.00
14	1350 Peregrine	783-55-021	Torres, Alicia S	1350 Peregrine Dr	GILROY	95020-0000	\$201.00
15	9246 Dove	783-57-004	Ayala, Daniel J And Elizabeth L	9246 Dove Ct	GILROY	95020-0000	\$105.00
16	9231 Egret	783-58-044	Codiga, Richard And Scott-codiga ,	9231 N Egret Ct	GILROY	95020-0000	\$105.00
17	2363 Banyan	783-64-029	Issakhani, Mediko And Robert	606 Altino Blvd	SAN JOSE	95136	\$105.00
18	2333 Banyan	783-64-032	Gharibadeh, Ramsin	3344 Meadowlands Ln	SAN JOSE	95135-1624	\$105.00
19	2354 Banyan	783-65-022	Karbalaeinematmoeini, Amirhossein	2121 Cruden Bay Way	GILROY	95020-0000	\$105.00

Report Date: 7/14/2025

(List Sorted by APN)

Page 1

**2025 WEED ABATEMENT PROGRAM
CITY OF GILROY
ASSESSMENT REPORT**

Exhibit A

	Situs			APN	OWNER ADDRESS			TAX ROLL AMT
20	1820	Carob	783-72-017	Nguyen, Henry H Et Al	6971 Spumante Way	GILROY	95020-0000	\$807.00
21	1810	Carob	783-72-018	Opinski, Rose	2626 Fallbrook Dr	MERCED	95340	\$105.00
22	9145	Tea Tree	783-72-020	Sandhu, Sukhwinder	39463 Gallaudet Dr Unit 201	FREMONT	94538	\$105.00
23	9035	Tea Tree	783-72-025	Atlluri, Sasi K And Surapaneni , Sri L	1923 Saint Andrews Circle	Gilroy	95020-3008	\$105.00
24	9030	Tea Tree	783-72-026	Do, Ngoc Bich Thi Et Al	979 Story Rd #7024	SAN JOSE	95122	\$105.00
25	8971	Tea Tree	783-72-033	Bhattarai, Atul R And Ratnashree	1840 Hollyhock Ln	GILROY	95020	\$105.00
26	8955	Mimosa	783-72-036	Inneh, Emmanuel And Jennifer	8955 Mimosa Ct	GILROY	95020-7797	\$105.00
27	2273	Banyan	783-72-051	Premnath, Fleming J And Lalithabai ,	1690 Civic Center Dr Unit 301	SANTA CLARA	95050-4174	\$3,266.75
28	2283	Banyan	783-72-052	Lam, Hwai Tai C	211 Elmwood Street	MOUNTAIN VIEW	94043	\$105.00
29	2202	Columbine	783-72-061	Krupa, Stanislaw Trustee & Et Al	901 Calle Serra	SAN DIMAS	91773	\$105.00
30	95	Farrell	790-07-085	Kuang, Weiwei	1952 Eisenhower Dr	SANTA CLARA	95054-1621	\$105.00
31	103	Farrell	790-07-086	Kuang, Weiwei	1952 Eisenhower Dr	SANTA CLARA	95054-1621	\$105.00
32	111	Farrell	790-07-087	Kuang, Weiwei	1952 Eisenhower Dr	SANTA CLARA	95054-1621	\$105.00
33	119	Farrell	790-07-088	Kuang, Weiwei	1952 Eisenhower Dr	SANTA CLARA	95054-1621	\$105.00
34	171	Ronan	790-15-009	Nguyen, Thuan Trong And Le , Huong	3295 Kloetze Ln	SAN JOSE	95148-0000	\$210.00
35	7733	Monterey	799-03-054	7711 Monterey Rd Llc	5655 Silver Creek Valley Rd	SAN JOSE	95138	\$1,966.04
36	7711	Monterey	799-03-055	7711 Monterey Rd Llc	5655 Silver Creek Valley Rd	SAN JOSE	95138	\$2,178.05
37		Eigleberry	799-10-042	Bains, Jagjit Singh	3435 Harbor Ct	SAN JOSE	95127-4311	\$807.00
38	7040	Church	799-11-068	Ding, Andrew	7595 Newcastle Dr	CUPERTINO	95014-5220	\$105.00

Report Date: 7/14/2025

(List Sorted by APN)

Page 2

**2025 WEED ABATEMENT PROGRAM
CITY OF GILROY
ASSESSMENT REPORT**

Exhibit A

Situs			APN	OWNER	ADDRESS		TAX ROLL AMT	
39		Church	799-11-069	Golden Bridge Properties Llc	1669 2 Hollenbeck Ave Unit	SUNNYVALE	94087	\$210.00
40	7421	Hanna	799-18-031	Jeung, Michael A Et Al	7421 Hanna St	GILROY	95020-5723	\$210.00
41	6700	Church	799-33-001	Monsef, Cyrus	6700 Church St	GILROY	95020-6508	\$756.00
42		Filbro	799-44-093	Jen Holdco 23 Llc	2603 Camino Ramon Ste 525	SAN RAMON	95843	\$210.00
43		Royal	799-44-094	Jen Holdco 23 Llc	2603 Camino Ramon Ste 525	SAN RAMON	95843	\$210.00
44		Royal	799-44-095	Jen Holdco 23 Llc	2603 Camino Ramon Ste 525	SAN RAMON	95843	\$210.00
45		Royal	799-44-096	Jen Holdco 23 Llc	2603 Camino Ramon Ste 525	SAN RAMON	95843	\$210.00
46		Royal	799-44-097	Jen Holdco 23 Llc	2603 Camino Ramon Ste 525	SAN RAMON	95843	\$210.00
47		Royal	799-44-098	Jen Holdco 23 Llc	2603 Camino Ramon Ste 525	SAN RAMON	95843	\$210.00
48		Thomas	799-44-109	Jen Holdco 23 Llc	2603 Camino Ramon Ste 525	SAN RAMON	95843	\$210.00
49	321	Luchessa	799-44-110	Jen Holdco 23 Llc	2603 Camino Ramon Ste 525	SAN RAMON	95843	\$210.00
50	1410	1st	808-01-021	Eagle Llc	41368 Danzon Ct	FREMONT	94539	\$105.00
51	7890	Santa Teresa	808-01-022	Eagle Llc	41368 Danzon Ct	FREMONT	94539	\$105.00
52	1490	1st	808-01-023	Eagle Llc	41368 Danzon Ct	FREMONT	94539	\$105.00
53		Ponderosa	808-01-024	Pirozzoli, Monica Trustee & Et Al	366 5th St	GILROY	95020	\$651.00
54		Luchessa	808-19-030	Christopher, Donald C Et Al	305 Bloomfield Ave	GILROY	95020	\$651.00
55	6482	Greenfield	808-20-008	Suner Corporation	9761 Zuni Ln	GILROY	95020-0000	\$105.00
56	10	Luchessa	808-21-009	Yahya, Naaim A Trustee & Et Al	1835 Sullivan Ct	MORGAN HILL	95037	\$807.00
57		Vintner	808-58-005	Christopher, Donald C Et Al	305 Bloomfield Ave	GILROY	95020	\$105.00

Report Date: 7/14/2025

(List Sorted by APN)

Page 3

**2025 WEED ABATEMENT PROGRAM
CITY OF GILROY
ASSESSMENT REPORT**

Exhibit A

Situs			APN	OWNER ADDRESS				TAX ROLL AMT
58	2740	Hecker Pass	810-20-033	Owens Financial Group Inc	Po Box 2400	WALNUT CREEK	94595-0400	\$105.00
59	2480	Hecker Pass	810-20-037	Hoey, James W Trustee & Et Al	2480 Hecker Pass Hwy	GILROY	95020-0000	\$105.00
60	2300	Hecker Pass	810-20-039	Syngenta Flowers Llc	Po Box 500	SLATER	50244	\$105.00
61	925	Wildflower	810-28-026	Williams, Jakie C Trustee & Et Al	1000 Mesa Rd	GILROY	95020-6820	\$105.00
62	935	Wildflower	810-28-027	Williams, Jakie C Trustee & Et Al	1000 Mesa Rd	GILROY	95020-6820	\$105.00
63	945	Wildflower	810-28-028	Williams, Jakie C Trustee & Et Al	1000 Mesa Rd	GILROY	95020-6820	\$105.00
64	955	Wildflower	810-28-029	Williams, Jakie C Trustee & Et Al	1000 Mesa Rd	GILROY	95020-6820	\$105.00
65	950	Wildflower	810-28-032	Williams, Jakie C Trustee & Et Al	1000 Mesa Rd	GILROY	95020-6820	\$105.00
66	940	Wildflower	810-28-033	Williams, Jakie C Trustee & Et Al	1000 Mesa Rd	GILROY	95020-6820	\$105.00
67	930	Wildflower	810-28-034	Williams, Jakie C Trustee & Et Al	1000 Mesa Rd	GILROY	95020-6820	\$105.00
68	920	Wildflower	810-28-035	Williams, Jakie C Trustee & Et Al	1000 Mesa Rd	GILROY	95020-6820	\$105.00
69	910	Wildflower	810-28-036	Williams, Jakie C Trustee & Et Al	1000 Mesa Rd	GILROY	95020-6820	\$105.00
70	900	Wildflower	810-28-037	Williams, Jakie C Trustee & Et Al	1000 Mesa Rd	GILROY	95020-6820	\$105.00
71	6675	Eagle Ridge	810-60-018	Do & Partners Llc	9419 Geranium Cir	FOUNTAIN VALLEY	92708	\$807.00
72	6685	Eagle Ridge	810-60-019	Do & Partners Llc	9419 Geranium Cir	FOUNTAIN VALLEY	92708	\$807.00
73	6695	Eagle Ridge	810-60-020	Do & Partners Llc	9419 Geranium Cir	FOUNTAIN VALLEY	92708	\$807.00
74	6615	Eagle Ridge	810-72-029	Do & Partners Llc	9419 Geranium Cir	FOUNTAIN VALLEY	92708	\$807.00
75	6625	Eagle Ridge	810-72-030	Do & Partners Llc	9419 Geranium Cir	FOUNTAIN VALLEY	92708	\$807.00
76	6635	Eagle Ridge	810-72-031	Do & Partners Llc	9419 Geranium Cir	FOUNTAIN VALLEY	92708	\$807.00

Report Date: 7/14/2025

(List Sorted by APN)

Page 4

**2025 WEED ABATEMENT PROGRAM
CITY OF GILROY
ASSESSMENT REPORT**

Exhibit A

Situs			APN	OWNER ADDRESS				TAX ROLL AMT
77	6645	Eagle Ridge	810-72-032	Do & Partners Llc	9419 Geranium Cir	FOUNTAIN VALLEY	92708	\$807.00
78	6651	Eagle Ridge	810-72-033	Do & Partners Llc	9419 Geranium Cir	FOUNTAIN VALLEY	92708	\$807.00
79	6655	Eagle Ridge	810-72-034	Do & Partners Llc	9419 Geranium Cir	FOUNTAIN VALLEY	92708	\$807.00
80	6671	Eagle Ridge	810-72-035	Do & Partners Llc	9419 Geranium Cir	FOUNTAIN VALLEY	92708	\$702.00
81		Monterey	835-01-034	Union Pacific Railroad	1400 Douglas St. Stop 1690	OMAHA	68179	\$3,305.00
82		Monterey	835-01-035	Union Pacific Railroad	1400 Douglas St. Stop 1690	OMAHA	68179	\$3,305.00
83		Forest	835-01-050	Leavesley & Forest Llc	611 S Westlake Ave	LOS ANGELES	90057	\$105.00
84		Leavesley	835-01-064	Leavesley & Forest Llc	611 S Westlake Ave	LOS ANGELES	90057	\$105.00
85	210	Las Animas	835-02-013	Trl Shelton Llc	45949 Warm Springs Blvd	FREMONT	94539	\$105.00
86		Monterey	835-02-014	Union Pacific Railroad	1400 Douglas St. Stop 1690	OMAHA	68179	\$3,878.00
87	260	Las Animas	835-02-016	Clomoney Llc	Po Box 60352	SUNNYVALE	94088	\$105.00
88	230	Las Animas	835-02-061	Clomoney Llc	Po Box 60352	SUNNYVALE	94088	\$105.00
89		San Ysidro	835-04-064	J Filice & Sons Ltd	751 B First St	GILROY	95020	\$210.00
90		Las Animas	835-04-067	Montano, Lydia R And Alfred Jr	15191 Karl Ave	MONTE SERENO	95030-2229	\$651.00
91		Murray	835-04-068	Montano, Lydia R And Alfred Jr	15191 Karl Ave	MONTE SERENO	95030-2229	\$105.00
92	9096	San Ysidro	835-04-087	Quality Construction Developments	453 Ravensdale Dr	MOUNTAIN VIEW	94043	\$807.00
93	9090	San Ysidro	835-04-088	Quality Construction Developments	453 Ravensdale Dr	MOUNTAIN VIEW	94043	\$807.00
94	315	Las Animas	835-05-006	315 Las Animas Lp	445 Central Ave Ste 200	HIGHLAND PARK	60035	\$807.00
95		Forrest	835-31-032	8805 Forrest Qozb Llc	Po Box 787	DIABLO	94528	\$105.00

Report Date: 7/14/2025

(List Sorted by APN)

Page 5

**2025 WEED ABATEMENT PROGRAM
CITY OF GILROY
ASSESSMENT REPORT**

Exhibit A

Situs		APN	OWNER ADDRESS				TAX ROLL AMT
96	Monterey	841-02-046	Union Pacific Railroad	1400 Douglas St. Stop 1690	OMAHA	68179	\$8,462.00
97	395 Lewis	841-03-062	Nguyen Hung Q And Le Hong T Et Al	11485 New Ave	GILROY	95020	\$3,487.28
98	7492 Chestnut	841-07-027	Sanchez, Eloy G And Angelica M	7492 Chestnut St	GILROY	95020-5806	\$105.00
99	7472 1/2 Chestnut	841-07-043	Torres-fernandez, Elisa Et Al	7472 Chestnut St	GILROY	95020-5806	\$105.00
100	7498 Chestnut	841-07-049	Zheng, Shao Lan And Zhu ,	7498 Chestnut St	GILROY	95020-5806	\$105.00
101	South Valley	841-10-039	Pacific Gas And Electric Co.	300 Lakeside Drive	OAKLAND	94612-3534	\$210.00
102	430 Old Gilroy	841-11-075	Letterforms Inc	3843 Concord Blvd	CONCORD	94519	\$210.00
103	South Valley	841-14-058	Union Pacific Railroad	1400 Douglas St. Stop 1690	OMAHA	68179	\$3,305.00
104	South Valley	841-14-059	Union Pacific Railroad	1400 Douglas St. Stop 1690	OMAHA	68179	\$3,305.00
105	South Valley	841-14-060	Union Pacific Railroad	1400 Douglas St. Stop 1690	OMAHA	68179	\$5,597.00
106	Monterey	841-14-072	Union Pacific Railroad	1400 Douglas St. Stop 1690	OMAHA	68179	\$597.00
107	5870 Monterey	841-14-080	Garlic Farm Truck Center Llc	5000 E 2nd St Unit G	BENECIA	94510	\$210.00
108	6900 Cameron	841-17-100	Mccarthy Gilroy Llc	210 Almendra Ave	LOS GATOS	95030-7211	\$807.00
109	Venture	841-17-121	United Natural Foods West Inc	P.o. Box 990	MINNEAPOLIS	55406	\$105.00
110	Pacheco Pass	841-18-082	Amazon Data Services Inc	Po Box 80416	SEATTLE	98108-0416	\$105.00
111	402 Hadley	841-53-032	Marquez, Priscilla A	402 Hadley Ct	GILROY	95020-5839	\$105.00
112	Hoover	841-53-066	Nguyen, Thu Tam	2673 Mclaughlin Ave	SAN JOSE	95121-2752	\$2,220.95
113	850 Holloway	841-70-026	Gilroy Partners Llc	67 Mountain Blvd Unit 201	WARREN	07059	\$105.00
114	6970 Camino Arroyo	841-70-049	Temple Gilroy Llc	527 Simas Dr	MILPITAS	95035-4723	\$105.00

Report Date: 7/14/2025

(List Sorted by APN)

Page 6

**2025 WEED ABATEMENT PROGRAM
CITY OF GILROY
ASSESSMENT REPORT**

Exhibit A

Situs			APN	OWNER ADDRESS				TAX ROLL AMT
115	5885	Rossi	841-72-001	Siempre Sobre El Dinero Llc	190 N Montgomery St	SAN JOSE	95110	\$702.00
116	560	Rossi	841-72-008	Pulmuone Foods Usa Inc	2315 Moore Ave	FULLERTON	92833	\$105.00
117	5855	Rossi	841-72-009	Pulmuone Foods Usa Inc	2315 Moore Ave	FULLERTON	92833	\$105.00
118	5835	Rossi	841-72-010	Pulmuone Foods Usa Inc	2315 Moore Ave	FULLERTON	92833	\$105.00
119	5815	Rossi	841-72-011	Pulmuone Foods Usa Inc	2315 Moore Ave	FULLERTON	92833	\$105.00
120		Luchessa	841-73-005	Berry Jamieson Llc	Po Box 1802	GILROY	95021	\$105.00
121	5980	Travel Park	841-75-011	Hoang, Vince An Tri	5240 Monteverde Ln	LINCOLN	95648	\$1,670.87
							TOTAL	\$86,652.67



City of Gilroy

STAFF REPORT

Agenda Item Title: Appointment of Members to the Youth Commission
Meeting Date: August 4, 2025
From: Bryce Atkins, Assistant to the City Administrator
Department: Administration
Submitted by: Bryce Atkins, Assistant to the City Administrator
Prepared by: Bryce Atkins, Assistant to the City Administrator

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

Council appoint members to fill available seats on the Gilroy Youth Commission.

EXECUTIVE SUMMARY

BACKGROUND

The City opened the summer recruitment period ending May 28, 2025, and later extended to July 14, 2025, to fill seats on the Gilroy Youth Commission with member terms vacant or expiring as of June 30, 2027. A total of six seats with this term length are open. In addition, another two seats with a term expiring June 30, 2026, also need to be filled, for a total of eight seats to be appointed. The Council held interviews on July 28, 2025. 15 of the 18 applicants attended the interview.

ANALYSIS

The City received 18 applications. 15 applicants presented themselves for Council interview at the July 28, 2025 regular City Council Meeting. Below is the list of applicants. For those that did not attend the interview, there is an indicator next to their name on the below list.

1. Alazander Cruz Bermudez
2. Ashleen Bhandal
3. Benedict Pham
4. Biruh Abaneh
5. Diana Diakova
6. Jana Wahba
7. Jasmine Carreon
8. Jeremy Vu
9. Logan Gill
10. Maya Sanchez
11. Neha Rudrapatna
12. Noah Cuzner (did not attend interview)
13. Parker Cuzner (did not attend interview)
14. Sean Colin Diep
15. Sean Ethan Diep
16. Sophia Gutierrez
17. Trinidad Olguin Correa
18. Zafara Burzenski (did not attend interview)

ALTERNATIVES

None. Council may appoint any of the applicants to fill the eight seats currently available, or a portion thereof.

FISCAL IMPACT/FUNDING SOURCE

None.

PUBLIC OUTREACH

The City advertised the recruitment through social media and the City's website, as well as advertisement through the Gilroy Unified School District.

NEXT STEPS

Once appointments are made, staff will complete the processing of those selected to serve on the Youth Commission.

Attachments:

1. FY26 Youth Commission Applications (Redacted)

Boards/Committees/Commissions

Application Form

Please review the form and correct the highlighted items.

Profile

First Name*

Alazander

Middle Name

Last Name*

Cruz Bermudez

Home Address*

City*

Gilroy

State*

CA

Zip*

95020

Are you a registered voter within the City of Gilroy?*

No

Primary Phone*

Mobile

Alternate Phone

Select Type

E-mail Address*

Verify E-mail Address

Which School Do You Attend?*

Gilroy High School

Grade / School Year:*

9th

List your qualifications for this appointment:*

I'm a student who works hard and cares about making a difference in my community. I've volunteer with Second Harvest Food Bank, a local animal rescue Garlic City Kitty Rescue, and completed a Counselor-in-Training program where I guided and mentor younger kids as well as gained leadership and teamwork skills. I recently participated in the Morgan Hill Freedom Fest 5K run. In 8th grade, I received the Tenacity Award for always pushing through challenges and never giving up. I've also grown up supporting my younger brother with special needs, which has taught me patience, empathy, and how to be dependable. I regularly attend community and local library events. These experiences have helped me become more responsible, involved, and ready to take on leadership roles like this one. I saw the flyer for this opportunity at the Wheeler Community Gym, and believe this is a great opportunity to get more involved. I care about making a positive difference and want to be part of something that helps others. I'm ready to make an impact wherever I can.

List any service to the community including any prior appointments:*

- Volunteer at Second Harvest Food Bank
- Volunteer at a local animal rescue Gilroy Garlic Cat rescue
- Counselor-in-Training summer program
- Helped plan and contributed to donation drives for Family Giving Tree, Goodwill and foster youth closets
- Attend community and library events regularly
- Participated in the local Morgan Hill Freedom Fest 5k run

What are your goals while serving on this Board/Commission/Committee?*

I want to help create more opportunities for youth in Gilroy to participate in the community and share their ideas. I hope to represent youth voices and work on events and projects that make our city more connected and fun. I also want to grow as a leader and encourage other students to get involved and make a difference.

I want to help create more chances for youth in Gilroy to get involved, share their ideas, and make a real impact in the community. I want to represent what matters to us and help bring youth voices into city decisions. I'm excited about the idea of planning events and projects that bring people together and make Gilroy a more welcoming, fun, and supportive place for everyone. I also see this as a great opportunity to grow as a leader, learn from others, and inspire more students like me to speak up, take part, and help create positive change.

Why are you most qualified to serve on this Board/Commission/Committee?*

I believe I'm qualified to serve as a Youth Commissioner because I care about helping others and want to be a part of shaping a better future for youth in Gilroy. I've been involved in volunteer work, leadership programs, and community events, that taught me how to be responsible, work with others, and take initiative. I bring a positive attitude, strong communication, willing to listen and learn from different perspectives and keep growing.

In middle school, I led fundraising efforts and was recognized as a top seller, which helped me build confidence and taught me how to connect with others to work toward a goal. I've also grown up in a big family and around people from many different backgrounds and situations with foster siblings and family members with special needs. This has helped me become more understanding, respectful, and mindful of what others might be going through.

As a Youth Commissioner, I want to help represent youth voices in city conversations and share ideas that support students of all ages and backgrounds, ideas that help make Gilroy a better, more inclusive place for kids and teens. I know how much impact positive programs and events can have because they've made a difference in my own life, and I want to help create those same opportunities for others. That's why I'm excited about this opportunity to give back, take on more responsibility, and be part of something that helps others feel seen. This role would allow me to give back, take on more responsibility, and be part of the work that makes Gilroy a better place for young people.

By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Parks and Recreation Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.

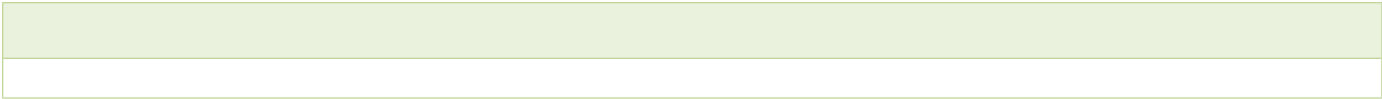
*All Commission, Board and Committee applications are a public record



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission			
Name:	Ashleen Bhandal				
Phone number(s):	[REDACTED]		email address*:	[REDACTED]	
Are you a registered voter within the City limits?			No		
Physical Address*:	[REDACTED]				
Driver's License or ID No.:	N/A		Date of Birth*:	Last 4 of SSN: N/A	
List your qualifications for this appointment:					
* 2 Years of ASB at Gilroy Prep School. Year 1: Publicity Coordinator. Year 2: Secretary. * 2 Years of Youth Board Commission, Gilroy Foundation. * 3 Years of being involved in our Temple youth program in San Jose.					
List any service to the community including any prior appointments:					
* 2 Years of ASB at Gilroy Prep School. Year 1: Publicity Coordinator. Year 2: Secretary. * 2 Years of Youth Board Commission, Gilroy Foundation.					
What are your goals while serving on this Board/Commission/Committee?					
My goals while serving on this board is to improve my leadership skills, serve the community, and make an impact for the youth of Gilroy. I have been following my fathers footsteps over the years and he has shown me the importance of being involved locally. I want to help council understand how young people see things and what's important to us. Sometimes grown-ups forget how different things can look from our point of view. I want to help create positive changes, especially in areas that affect kids and teens—like parks, schools, safety, and activities.					
Why are you the most qualified to serve on this Board/Commission/Committee?					
I'm creative and full of ideas that could help make programs or projects more fun and interesting for youth. I'm a good problem-solver and like coming up with ways to improve things that aren't working well. I'm respectful and kind, which helps me work well with people of all ages. I'm curious and ask good questions, which helps me understand things better and make thoughtful suggestions.					



✓	<p>By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.</p>
---	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



**City of Gilroy
Board, Committee, & Commission Application**

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission			
Name:	Benedict Pham				
Phone number(s):	[REDACTED]		email address*:	[REDACTED]	
Are you a registered voter within the City limits?		No			
Physical Address*:	[REDACTED]				
Driver's License or ID No.:	N/A	Date of Birth*:		Last 4 of SSN:	N/A
List your qualifications for this appointment:					
<p>I am a senior at Christopher High, bringing a set of experiences in leadership, civic engagement, and community development. Currently, I hold the positions of senior secretary for ASB and office positions for several clubs at my school. I have spearheaded initiatives that provide an outlet for student voice, promote wellness, and enhance campus culture. I also hold a seat on the Gilroy Youth Advisory Council, which works directly with the district leadership to advocate for youth needs. My strong communication skills, dedication to service, and collaborative mindset make me a well-rounded candidate for the Youth Commission.</p>					
List any service to the community including any prior appointments:					
<p>I have served on the Gilroy Youth Advisory Council for the 2024-2025 school year, where I contributed to district-wide efforts focused on student mental health, school safety, and academic support. I have also led wellness campaigns at my school, coordinated events with different clubs, and helped in establishing the foundation for a Wellness Center on campus. I've also taken part in district planning meetings, where I offered input on future goals that highlighted student voices across Gilroy.</p>					
What are your goals while serving on this Board/Commission/Committee?					
<p>If appointed, my primary goal is to make sure the Youth Commission becomes a space where youth-driven solutions can be heard and acted on. I want to focus on mental health awareness, inclusive recreational programs, and communication between city leadership and students at the high school level. Also, I would love to help in coordinating community outreach and events that honor youth accomplishments and work on immediate matters such as bullying, college readiness, and social-emotional wellness.</p>					

Why are you the most qualified to serve on this Board/Commission/Committee?

In the last year or so, I have vigorously engaged student voices at the school and district levels. I have a good understanding of how to work well with both peers and adults, through which change can really take place. My experiences in ASB, YAC, and club leadership have developed me to be organized, reliable, and responsible. The passion I hold for advocacy and my considerable experience qualify me well to serve on the Youth Commission and make a positive impact on our community.



By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission			
Name:		Biruh Abaneh			
Phone number(s):	[REDACTED]	email address*:	[REDACTED]		
Are you a registered voter within the City limits?		No			
Physical Address*:	[REDACTED]				
Driver's License or ID No.:	N/A	Date of Birth*:		Last 4 of SSN:	N/A
List your qualifications for this appointment:					
<p>I previously served one term on the Youth Commission and am familiar with the responsibilities and plans required to fill this position. I have experienced the incredible group that is the Youth Commission, and know how to gather thoughts of others, represent the youth, and provide methods to support others. I attend GECA, a great school of rigor and creativity. This opportunity provides me with knowledge on how to communicate with others, and understand the opinions and wants of others in my age. I have run for student leader positions like Vice President, and know how to spread the word and help gather thoughts and ideas. This collaboration with my partner helps me understand how to work with others to spread ideas and get our goals done.</p>					
List any service to the community including any prior appointments:					
<p>I have previously been appointed to the Youth Commission for a two-year term, and am running again. I have more than 20 hours of community service, and have gotten to know and serve those in need. I have participated in 6+ food drives, feeding hundreds of families across our city.</p>					
What are your goals while serving on this Board/Commission/Committee?					
<p>My goal is to help serve, represent, and value the youth of Gilroy by providing them with opportunities for employment, volunteer services, knowledge, and public access. With the idea of a Youth Center arising, I can help add valuable advice on organizing it, along with participating in events, funding the OppportuniTEEN Fair for later years, and considering the ideas of those who want change.</p>					
Why are you the most qualified to serve on this Board/Commission/Committee?					

I am qualified to serve for a two-year term on the Yotuh Commission because I have already acquired the experience necessary to apply to this role. My term from 8th grade to high school helped teach me a lot about managing events, organizing funds, and creating opportunities for others. Now that I am older and in high school, I can apply this knowledge more skillfully and diligently with more reach in a more diverse environment, and more understanding of how to communicate with others. My growth from being accepted into GECA and being exposed in that learning environment will help show this term, and I can be much more helpful and fix previous mistakes.



By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission			
Name:		Diana Diakova			
Phone number(s):	[REDACTED]	email address*:	[REDACTED]		
Are you a registered voter within the City limits?		No			
Physical Address*:		[REDACTED]			
Driver's License or ID No.:	N/A	Date of Birth*:		Last 4 of SSN:	N/A
List your qualifications for this appointment:					
<p>I am currently serving on the GECA Honors Tribunal as an Associate Justice. This is a restorative justice system that makes recommendations in student disciplinary matters. I also serve on the Gilroy Foundation Youth Board, where I provide insight into the needs and priorities of young residents in our community, helping to review grant applications, and shape programs that support Gilroy. I am a graduate of the Gilroy Youth Police Academy 2024, where I gained extensive knowledge about our city's policies and procedures. Beyond civic involvement, I am dedicated to empowering young leaders, as demonstrated by my involvement in AAUW Young Women Leaders. Through this organization, I have gained experience working with a team of volunteers and contributed to planning the annual YWL leadership conference. I have also shown my academic prowess by maintaining a 4.6 weighted academic GPA, and I was awarded Outstanding Student of the Year for the freshman class. This award is based on the collective vote of all 9th-grade teachers and given to only one student annually. Through these experiences, I have developed the strategic thinking, leadership skills, and collaborative mindset that will help me to serve effectively on the Youth Commission. My passion for youth advocacy, community development, and civic engagement ensures that I can make a meaningful impact in this role.</p>					
List any service to the community including any prior appointments:					
<p>I have volunteered with GUSD as a math tutor and teacher assistant at Brownell Middle School. I have almost one hundred community hours volunteering at many events hosted by the Gilroy Foundation, Gilroy Rotary Club, Gilroy Chamber of Commerce, Gilroy Downtown Business Association, and several other non-profits. As previously stated, I have dedicated my time to serving on the Gilroy Foundation Youth Board, GECA Honors Tribunal, and the AAUW Young Women Leaders.</p>					

What are your goals while serving on this Board/Commission/Committee?

I hope to use this opportunity to represent Gilroy's youth and make a positive impact in our community. I am aiming toward bridging the gap between young residents and local government, ensuring their concerns and ideas are heard. I want to work alongside my peers and city leaders to provide my unique point of view and foster community growth. Because of my enthusiasm and passion for Gilroy, I can contribute to the Commission by planning and implementing such programs in the community.

Why are you the most qualified to serve on this Board/Commission/Committee?

I am very passionate about the Youth Commission's cause, and if selected, will dedicate myself to serving the City of Gilroy. I have a lot of experience volunteering for a variety of organizations and in leadership, community outreach, and effective communication. My academic records are also exemplary, showing my commitment and tenacity toward my goals. I am eager to bring my skills, passion, and strategic mindset to serve Gilroy's residents and enhance youth participation in local governance.

<input type="checkbox"/>	<p>By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.</p>
--------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



**City of Gilroy
Board, Committee, & Commission Application**

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission	
Name: Jana Wahba			
Phone number(s):	[REDACTED]	email address*:	[REDACTED]
Are you a registered voter within the City limits?		No	
Physical Address*:	[REDACTED]		
Driver's License or ID No.:	N/A	Date of Birth*:	Last 4 of SSN: N/A
List your qualifications for this appointment:			
<p>I am qualified for this appointment because I have extensive leadership experience. I have been a member of my high school's ASB since the beginning of Freshman year; I played a large role alongside my peers in the Class of 2026 in the planning of school events like Winter Formal, Halloween Dance, and Prom. I was able to gather input from friends and strangers alike in the weeks before school events and represent the interests of my school's population. I am also qualified because of my experience working a part-time job at Gilroy Gardens. As an Admissions Associate, I was able to communicate articulately with guests and handle responsibility when it came to accurate transactions and guest complaints. I effectively represented upset guests to my supervisors and was able to suggest solutions or changes to aspects of my department. Both of the roles that I have mentioned demonstrate that I am able to handle responsibility and I can effectively communicate with others in a respectful and impactful manner.</p>			
List any service to the community including any prior appointments:			
<p>I have served the community well with over 160 community service hours. One way that I have served the youth of Gilroy is in a day-camp for younger children. I have completed around 100 hours at Star Arts Education and have interacted with children and teens who are passionate about theater. Working with the future of our town and our country has made me realize that I want to make a bigger difference in the lives of children and teens in our city.</p>			
What are your goals while serving on this Board/Commission/Committee?			
<p>One of my biggest goals when serving on this committee is to provide opportunities for the youth to explore their futures. I would like to host events and create programs that could encourage teens to consider potential careers as well as ways to interact with and give back to their community. An example could be an event at Gilroy Library where teens could meet</p>			

professionals of various fields who volunteer to present and answer questions, similar to the Career Day that I participate in at my school. I would also like to organize community outreach, for example meal packages for the youth or free educational sessions about exercise and healthy food options.

Why are you the most qualified to serve on this Board/Commission/Committee?

I am most qualified to serve on the Gilroy Youth Commission because I have experience in community outreach and representation. At my school Dr. TJ Owens Gilroy Early College Academy (GECA), I was nominated and accepted along with three of my classmates to serve a four-year term in the Honors Tribunal. Through this role, I was able to hold school-wide community circles; I collaborated with my fellow members to ask meaningful questions about aspects of our school that students wanted to see change in. After being promoted to Attorney General in Junior year, I was able to play a larger role in planning out events like Week of Kindness and Affirmation Poster-Making; going into my Senior year as Chief Justice, I am ready to make a difference both in the small community that is my school as well as the larger body of Gilroy. The leadership experience and confidence I have gained from having this role at my school makes me qualified to serve on this board for the City of Gilroy. I am able to give a voice to the youth by interacting with them and to collaborate with a team to create events and programs that will enhance the lives of the Gilroy youth.



By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission			
Name:	Jasmine Carreon				
Phone number(s):	[REDACTED]		email address*:	[REDACTED]	
Are you a registered voter within the City limits?		No			
Physical Address*:	[REDACTED]				
Driver's License or ID No.:	N/A	Date of Birth*:		Last 4 of SSN:	N/A
List your qualifications for this appointment:					
<p>-Participated in CHS's Leadership program my freshman year, developing my skills in communication, decision-making, and team management. -Participated in CHS's ASB (Associated Student Body) program my sophomore year where we personally planned and led many school-wide activities, events, and fundraisers. -Held class officer positions both years gaining experience on student representation and leadership responsibilities. -Led tennis lessons to children in a group setting, helping my communication skills.</p>					
List any service to the community including any prior appointments:					
<p>-2023 Tamale Festival -2024 Downtown Gilroy Holiday Festival & Parade -Helped coach tennis to children as a part of one of Gilroy's outreach programs. -Helped guide and plan schedules for CHS's tennis team. -To uplift and support children in need, I participated in making homemade bracelets and bookmarks as part of the CraftingSmiles Club in CHS -Designed and created holiday cards to express our gratitude and appreciation for CHS's staff during the holiday season.</p>					
What are your goals while serving on this Board/Commission/Committee?					
<p>-To amplify the voices of the youth in Gilroy and dedicate myself in ensuring that diverse perspectives are always being heard, valued, and considered when making decisions for the city and the people. This I believe is significant and can be one of the most meaningful ways we can create a positive and lasting change in our community. -When collaborating with fellow members I will push to foster meaningful programs that will help Gilroy thrive as a community. This includes advocating for mental health resources, expanding our educational opportunities, and an even more supportive environment for the young people of Gilroy.</p>					

Why are you the most qualified to serve on this Board/Commission/Committee?

I am most qualified to serve on the Board/Commission/Committee because with my two years in participating in CHS's ASB/Leadership program, I have gained the firsthand experience needed for this position in student advocacy and teamwork. I understand how to collaborate with the people around me and I know how to listen to countless different perspectives while making thoughtful decisions that I know would impact everyone. With these two years I learned about consistency and how to balance my responsibilities such as balancing ASB/Leadership with my academic classes, as well as coaching children in tennis in a Gilroy outreach program. Most importantly, I am incredibly passionate about fostering a real impact in my community and I genuinely want to represent the voices of the youth in Gilroy with full certainty.

By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission	
Name:	Jeremy Vu		
Phone number(s):	[REDACTED]	email address*:	[REDACTED]
Are you a registered voter within the City limits?		No	
Physical Address*:	[REDACTED]		
Driver's License or ID No.:	N/A	Date of Birth*:	Last 4 of SSN: N/A
List your qualifications for this appointment:			
My qualifications for this position include leadership skills, responsibility, respect, kindness, intelligence, creativity, perseverance, listening skills, and inclusion. As a capable student and avid volunteer, I have exemplified all these qualities when working alone or in a team.			
List any service to the community including any prior appointments:			
Some services to the community have included setting up community events in Eagle Ridge, volunteering and tutoring at Ciel Tutoring and the Gilroy Library, leading youth groups in Morgan Hill for the Saint Catherine of Alexandria Catholic Church, serving food for a dinner event hosted by the Knights of Columbus, and volunteering at Brownell Middle School for Mrs. Fortino, a Seventh Grade English Teacher.			
What are your goals while serving on this Board/Commission/Committee?			
One main priority and goal I hope to accomplish while serving on the Commission is helping set up the youth for success with free and public extracurricular activities offered as well as supplementary programs. Moreover, I would advertise these programs to the youth to ensure that the youth are informed of these opportunities that would benefit them. Most youth need help but have no programs to help them or have no knowledge of such programs. However, I will create programs for the aid they require and successfully inform the youth of the existence of these programs. Some of these programs could include tutoring services, fitness programs, and skill building programs for specific jobs such as business building or science catered lessons. Even further, I will create online surveys or forms for the community to openly and anonymously complete to determine what issues are the forefront of attention.			
Why are you the most qualified to serve on this Board/Commission/Committee?			

I am the most qualified for this position because of my extensive experience working with youth during my time volunteering. Moreover, I have leadership skills and many other qualities I can apply to this position. Furthermore, I have creative approaches that can be used to solve any issue regarding the youth. Adding on to this, I am open to listening to the community regarding how to help the youth with certain issues.

✓ By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission	
Name:	Logan Gill		
Phone number(s):	[REDACTED]	email address*:	[REDACTED]
Are you a registered voter within the City limits?	No		
Physical Address*:	[REDACTED]		
Driver's License or ID No.:	N/A	Date of Birth*:	Last 4 of SSN: N/A
List your qualifications for this appointment:			
<p>I am currently going into 10th grade at Christopher High School and really enjoy being involved in my community. I took a Speech and Debate class, which helped me become more confident speaking in front of others, sharing ideas, and learning how to advocate on different issues talked about in the community. I also play music at local community events and help volunteer with the Rotary Club which my mother is apart of. I've helped support many organization in Gilroy, such as with the Art Walk, senior support programs, the Gilroy Music Festival, Veterans Day Parade, and numerous downtown holiday celebrations. These experiences have taught me how to work with others, be responsible, and give back. I want to be on the Youth Commission to help make Gilroy better for kids and teens, so that they can make a difference in their community and amongst their peers.</p>			
List any service to the community including any prior appointments:			
<p>I have helped with several community events in Gilroy, including the Art Walk, senior support programs, the Gilroy Music Festival, Veterans Day celebrations, Manos, and downtown holiday events. I also play music at some of these events to support and bring joy to the community. I haven't had any formal appointments yet, but I've gained valuable experience by volunteering, working with others, and giving back to the city.</p>			
What are your goals while serving on this Board/Commission/Committee?			
<p>One of my main goals is to learn how local government works and how decisions are made that affect people in our community. I'm especially interested in being a voice for youth who may not feel heard and in speaking up for fairness and justice. I want to help create programs and events that make all young people in Gilroy feel included and supported. I also hope to grow as a leader and work with others to make a real difference.</p>			

Why are you the most qualified to serve on this Board/Commission/Committee?

I believe I'm qualified because I care deeply about my community and want to help make a difference. I've grown up in Gilroy and attended schools in the district my whole life, so I understand the needs and experiences of local youth. My family is also very involved in the community, my mom is an educator and my dad is an attorney, so I've grown up learning the importance of service, education, and fairness. I've helped with community events like the Art Walk, senior support programs, the Gilroy Music Festival, Veterans Day, and downtown holiday celebrations, and I also play music at some of these events. I've taken Speech and Debate, which has helped me become a better communicator and listener. I'm responsible, motivated, and ready to speak up for youth and help Gilroy be the best it can be.

✓ By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.



**City of Gilroy
Board, Committee, & Commission Application**

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission			
Name:		Maya Sanchez			
Phone number(s):	[REDACTED]	email address*:	[REDACTED]		
Are you a registered voter within the City limits?		No			
Physical Address*:		[REDACTED]			
Driver's License or ID No.:	N/A	Date of Birth*:		Last 4 of SSN:	N/A
List your qualifications for this appointment:					
I am an incoming senior who is on track to earn both my high school diploma and an associate's degree in natural sciences. Through organizations such as Girl Scouts and the City of Gilroy Recreation, I have helped to plan activities for summer camps with the help of fellow counselors. I served as a Teen Advisory Board member for the Gilroy Library. Through the recreation department, I was certified in CPR and first aid.					
List any service to the community including any prior appointments:					
I served as Teen Advisory Board member for the Gilroy library, where I planned helped plan events for teens and young children. For four years, I have volunteered as a camp counselor for a Girl Scout Camp. I was employed as a Recreation Leader for the city, where I helped plan and manage summer camps targeted towards children aged 6-12. I participate in local art competitions and meetings. For two years in a row, I have been a winner of the annual chalk fest in Gilroy, and I recently won third place in the District Attorney office "justice for all" poster contest. I have also attended the Gilroy Arts Roundtable meetings, where community artists meet to discuss upcoming creative events and projects. I participated in my school's Publication Club, where I interviewed staff and students on the high school and Gavilan campus. This upcoming year, I will part of GECA's tutoring program, where I will aid younger students in their coursework and high school career.					
What are your goals while serving on this Board/Commission/Committee?					
Overall, my goal is to create opportunities for fellow teens to also help the community, whatever their interests may be. For example, I would like to collaborate with the local animal shelter to possibly grant community service for teens wanting to foster kittens or other animals. I would					

also like to promote more art events, similar to the recent Art Walk that displayed student and community art.

Why are you the most qualified to serve on this Board/Commission/Committee?

I have found success in collaborating with others, and I am also attuned to the unique needs and wants of the teens in the community we are serving. During my job as a Recreation Leader, I often had to improvise activities based on the interests of individual people as I got to know them. I have enjoyed participating in community events and helping to plan them.

✓ By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission	
Name:		Neha Rudrapatna	
Phone number(s):	[REDACTED]	email address*:	[REDACTED]
Are you a registered voter within the City limits?		No	
Physical Address*:	[REDACTED]		
Driver's License or ID No.:	N/A	Date of Birth*:	
		Last 4 of SSN:	N/A
List your qualifications for this appointment:			
Some of my qualifications are: 1.I am great with communicating with people 2.I am a team player 3.I am detail oriented 4.I am a fast learner 5.I love learning new skills.			
List any service to the community including any prior appointments:			
I am the youth advisor for the Indian Association of South Santa Clara County(IASC) Children's Book Club, serving for two to three years catering to kids in Gilroy by organizing material and holding meetings at the Gilroy Library meeting room and having fun discussions with the kids about the book of the month.			
What are your goals while serving on this Board/Commission/Committee?			
Some of my goals while serving on the Gilroy Youth Commission are that I want to be able to give back to the community that I live in and have good connections with people, as well as developing a new skill set.			
Why are you the most qualified to serve on this Board/Commission/Committee?			
I am most qualified to serve on the Gilroy Youth Commission because of the following: 1. I am a great listener 2. I like talking to people and listening to issues and concerns 3. I am an analytical thinker who processes material one step at a time 4. I like to help people resolve issues and problems 5. I am good with working with people including youth			

By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission			
Name:		Sean Colin Diep			
Phone number(s):	[REDACTED]	email address*:	[REDACTED]		
Are you a registered voter within the City limits?		No			
Physical Address*:	[REDACTED]				
Driver's License or ID No.:	N/A	Date of Birth*:		Last 4 of SSN:	N/A
List your qualifications for this appointment:					
<p>2023-24, Vice-President, Gilroy Prep School ASB/Student Council 2022-23, 6th Grade Senator, Gilroy Prep School ASB/Student Council Holding office as Vice-President and 6th Grade Senator in my middle school's ASB/Student Council allowed me to grow and and gain important and useful life skills in leadership and management, team building and collaboration, time management, and project management. I was able to organize fun events and activities for my school mates, and in doing so I also developed my character by learning to be more responsible, respectful, fair, caring, and become an upstanding citizen in my school and community.</p>					
List any service to the community including any prior appointments:					
<p>I am currently in the City of Gilroy Recreation Summer Teen Volunteer Program and am excited to serve the City and our community by volunteering in summer camps, youth programs, the Senior Center, and City clean-up events, and other engaging community and City events. I truly love our City and love lending a hand wherever I can. As an incoming high school freshman, I am also looking forward to volunteering for the City of Gilroy Recreation events, NGOs, and also Also, since I was 4 years old, I have been volunteering my time and talents to entertain our senior community by playing the violin and piano during the holidays and displaying my watercolor artworks at at local senior centers, such as Merrill Gardens and Valley Pines Senior Community. I just enjoy sharing my talents with the community! Summer 2025 Volunteer, City of Gilroy Recreation: Teen Summer Leadership Program Summer 2025 Volunteer, City of Gilroy Recreation: Senior Center, City-wide clean-ups Summer 2025 Volunteer, Gilroy Downtown Business Association: Downtown Live 2024-present Volunteer, Sacred Heart: Pack-a-Bag 2023-present Regular Volunteer, St. Catherine's Parish: Reach Out Pantry, Reach Out Community Closet</p>					

What are your goals while serving on this Board/Commission/Committee?

My goal while serving on the Youth Commission is to advocate for City-led after-school extra-curricular programs for teens, such as STEM, sports, music, and arts classes. As a teenager, there are currently very limited after-school, summer, and extra-curricular programs available for children in my age group, since most after-school programs have their participant's maximum age at 12 years old. I would like to work with City leaders to create after-school programs that will positively influence and greatly benefit the City's youth, especially my fellow teenagers, and the community as a whole.

Why are you the most qualified to serve on this Board/Commission/Committee?

Having served in my school's ASB/Student Council as Vice-President and 6th Grade Senator, I have acquired and developed essential skills in leadership and management, team building and collaboration, time management, and project management. Possessing these skills make me a strong and qualified candidate for to serve on the City of Gilroy Youth Commission. Moreover, I am also eager to learn from the leaders of the City of Gilroy and also the current Youth Commissioners, and acquire additional skills and wisdom. Additionally, I am currently in the City of Gilroy Recreation Summer Teen Volunteer Program and am excited to serve the City and our community by volunteering in summer camps, youth programs, the Senior Center, and City clean-up events, and other engaging community and City events. I truly love our City and love lending a hand wherever I can.

✓ By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission			
Name:		Sean Ethan Diep			
Phone number(s):	[REDACTED]	email address*:	[REDACTED]		
Are you a registered voter within the City limits?		No			
Physical Address*:	[REDACTED]				
Driver's License or ID No.:	N/A	Date of Birth*:		Last 4 of SSN:	N/A
List your qualifications for this appointment:					
<p>My term as City of Gilroy Youth Commissioner expires at the end of June 2025, despite my being appointed just a few months ago in February. Despite my brief term, I have been part of the Loma Prieta Legislative Committee and worked with my fellow dedicated Youth Commissioners in proposing to the City Council the protection of the local endangered plant, the Loma Prieta Flower. I have also been involved in planning, organizing, and conducting the successful OpportuniTEEN Fair held last March, an event providing local teens with career and volunteer opportunities. I would love to continue serving the community and my fellow youth as Youth Commissioner. 2024-25 Commissioner, City of Gilroy Youth Commission 2024-25, Board Member, Gilroy Foundation Youth Board 2024-25 Board Member, Gilroy Library Teen Advisory Board 2024-Present, Staff, Dr.TJ Owens Early College Academy (GECA) Publications Club 2023-Present, Member, Dr.TJ Owens Early College Academy (GECA) Asian Student Union 2022-23, President, Gilroy Prep School ASB 2021-22, Vice-President, Gilroy Prep School ASB Taking on these important roles helped me learn a lot about respect and responsibility, and taking the initiative towards pursuing projects, collaborating with others, and serving my community. I have continued to use these skills and uphold these values while currently serving on the City of Gilroy Youth Commission, Gilroy Foundation Youth Board, and the Gilroy Library Teen Advisory Board. Moreover, as an active member of the Asian Student Union at GECA, I am passionate about promoting, sharing, and learning more about AAPI (Asian American Pacific Islander). I would love for the City of Gilroy to hold AAPI events to celebrate our rich culture and heritage.</p>					
List any service to the community including any prior appointments:					
<p>I care deeply about our City and am very dedicated in serving the community I live in and have been volunteering extensively at the City of Gilroy Recreation, various nonprofits and agencies, churches, and schools not just here in the City of Gilroy, but also around Santa Clara County. This past year and a half alone, I logged over 300 hours of volunteer work. I am proud to</p>					

contribute in my own way to the betterment of my community. 2024-25 Commissioner, City of Gilroy Youth Commission: Loma Prieta Legislative Committee, OpportuniTEEN Fair, etc 2024-25 Board Member, Gilroy Foundation Youth Board: Illuminate the Night, Youth Board Events, Grant Recipients Selection, etc 2024-25 Board Member, City of Gilroy Library Teen Advisory Board: Arts & Crafts Committee, Teen Advisory Board Events, etc Summer 2025 Volunteer, Asian Community Development Council: HAPI Medical Center, Citizenship Clinic Summer 2025 Volunteer, City of Gilroy Recreation: Teen Summer Leadership Program 2024-present Volunteer, Gavilan College: Science Alive 2024-present Volunteer, Sacred Heart: Pack-a-Bag 2023-present Regular Volunteer, City of Gilroy Recreation: Senior Center, Adaptive Dances, Coastal/Creek clean-ups, City-wide clean-ups, National Night Out, Breakfast with Santa, Party in the Park, etc 2023-present Regular Volunteer, Gilroy Center for the Arts: Artist Receptions, Art Walk, Easter Egg Hunt, Art Exhibits, etc 2023-present Regular Volunteer, Gilroy Downtown Business Association: Gilroy Rodeo, Heart of Gilroy, Downtown Live, La Ofrenda Festival, Beer Crawl, etc 2023-present Regular Volunteer, St. Catherine's Parish: Reach Out Pantry, Reach Out Community Closet 2023-present Regular Volunteer, Gilroy Prep School: Percussion Band, Dances, Book Fairs June 2023 Volunteer, Gilroy Gardens: Nature Program

What are your goals while serving on this Board/Commission/Committee?

I would like to continue serving as Youth Commission because I believe I will be able to greatly contribute to the various projects that the commission is planning to conduct, such as Senior Tech week and OppotuniTEEN Fair. Also, as a Filipino-Vietnamese-Chinese American, I am passionate about spreading awareness about AAPI culture and heritage in the City of Gilroy. My goal is to help the City promote AAPI culture through events and celebrations. I am sure the City of Gilroy will enjoy festivals celebrating rich AAPI cultures. I would love for Gilroy residents to enjoy delicious AAPI food and vibrant dances and events!

Why are you the most qualified to serve on this Board/Commission/Committee?

I am the optimal candidate to serve on the City of Gilroy Youth Commission because I have previous experience as Youth Commissioner and am passionate about serving our City through various projects geared towards the benefit of my fellow young citizens, the betterment of the community, and the promotion of AAPI culture and awareness. As a Gilroy citizen, I am dedicated to serving the Gilroy community through numerous volunteer work. Moreover, not only do I possess extensive leadership experience but also collaborative, organizational, and time management skills. I believe I will be able to contribute greatly to the betterment of our City by sharing my talents, knowledge, and experiences.

✓ By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission			
Name:		Sophia Gutierrez			
Phone number(s):	[REDACTED]	email address*:	[REDACTED]		
Are you a registered voter within the City limits?		No			
Physical Address*:		[REDACTED]			
Driver's License or ID No.:	N/A	Date of Birth*:		Last 4 of SSN:	N/A
List your qualifications for this appointment:					
<p>I am 14 years old and a proud Gilroy resident. I will be entering ninth grade at Christopher High School in the fall after I promote from South Valley Middle School in a few weeks. I have participated in a dual language program (English and Spanish) since elementary school and that has helped strengthen my language skills and ability to communicate with community members who also speak Spanish. I am a good student with good grades. I love the arts (I play the violin, flute and piano), enjoy reading and problem solving. These skills will help me when I listen to our youth on their needs/wants, share my ideas, help to solve problems and bring more opportunities for our Gilroy youth. As a teen living in Gilroy, I offer an important perspective and am interested in giving back to my community by helping to improve the youth experience of our community.</p>					
List any service to the community including any prior appointments:					
<p>I have served as a member of California Junior Scholarship Federation at South Valley Middle School and completed 30 plus hours of community service in one school year. I have been a teacher's assistant for the St. Mary Parish Catechism and participate in the St. Mary Youth Group. I volunteered for the Christmas Parade, and served food as a volunteer at a Holiday Posada event. I am currently participating in the Our Community Pillars Public Art Project sponsored by the Gilroy Arts Alliance. Over the past few months, I have worked with other youth and local artists in learning about Gilroy's history and walking the community to learn about the art and culture in the city. We are putting ideas together for an art mural to be placed on the pillars located at the art center. I have been a Girl Scout where I volunteered in various activities in the community and learned about teamwork and meeting goals. I was also recently accepted into GetSET program (sponsored by the Santa Clara Valley Section of the Society of Women Engineers) in Santa Clara University for girls interested in Science, Technology, and Engineering (STEM).</p>					

What are your goals while serving on this Board/Commission/Committee?

I would like to improve and expand upon the programs in the community that are offered to youth. I would like to make sure that we find opportunities to keep youth active and that help them to work together and improve relationships. Bullying is a problem in our schools and we need to work on building strong relationships. We do not have many options for recreation in the city and we need to work on that. If we have the right programs that engage young people, this can help to solve some of the bullying issues and levels of youth disengagement in our community. I also would like to make sure that youth in Gilroy have the counseling and emotional support they need. Youth are faced with many issues and pressures and we need to make sure we reach out to all Gilroy youth to assist in their well being and mental health. I would also like there to be more free recreational activities for people my age in Gilroy. I want there to be a safe space for all youth where they can do whatever they're interested in, like the arts or STEM, without being too costly so we could ensure opportunities to all. I have noticed that people my age don't try out the things they're interested in like the arts because the price to join classes or opportunities is too costly for their families. All youth should have opportunities regardless of income. I want to listen to our youth's ideas and share theirs and mine with our City Council so they can consider them when they make decisions on what's best for all Gilroy youth. Youth voice is important especially when our City leaders are asked to make decisions for our community on our behalf.

Why are you the most qualified to serve on this Board/Commission/Committee?

I am most qualified to serve on the commission because I am a good student, a good communicator, a good writer, and a proud resident of Gilroy. I am responsible, reliable, bilingual and bicultural enabling me to connect with a large population in our community. I want to elevate the voice of our youth in our community and am committed to serving my term as a youth commissioner. I love our city and I want to help make it an amazing place where all of our youth can thrive.

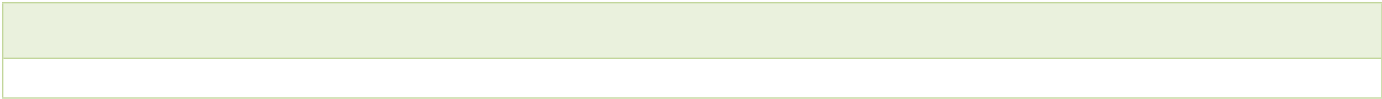
✓	<p>By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.</p>
---	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



City of Gilroy
Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Youth Commission	
Name:		Trinidad Olguin Correa	
Phone number(s):	[REDACTED]	email address*:	[REDACTED]
Are you a registered voter within the City limits?		No	
Physical Address*:	[REDACTED]		
Driver's License or ID No.:	N/A	Date of Birth*:	
		Last 4 of SSN:	N/A
List your qualifications for this appointment:			
My qualifications include teamwork skills, ability to communicate, and presentation skills. I have been an explorer for two years now and I have learned how to be in situations with police officers, community members and how to work with fellow Explorers. My qualifications also include having previously planned events with Community Solutions and Digital Nest that involved the youth.			
List any service to the community including any prior appointments:			
As a GPD Explorer, I have assisted and attended city parades, DUI checkpoints, National night out, and high school graduations. During the summer of 2024 I volunteered at the Gilroy library, and I have also volunteered at elementary and middle school events.			
What are your goals while serving on this Board/Commission/Committee?			
My goals while serving the Committe is to promote youth voices and encourage the youth to be part of current groups/ events that are ongoing. One other goal I would have will serving the Board is to get youth involved and informed about issues in the city that they may not know about, but affect them.			
Why are you the most qualified to serve on this Board/Commission/Committee?			
I am most qualified because I want the youth voice to be heard in the City Council; and from my experience in working with the community and people my age, I could make valuable recommendations on issues affecting local youth. Given my experiences of planning events for the community, and being an Explorer, I could effectively help organize, plan programs, and events, that the youth want.			



<input type="checkbox"/>	<p>By clicking on this box, I declare under penalty of perjury that I am currently a registered voter within the City limits of the City of Gilroy. Furthermore, I understand that this application and any attachments are subject to disclosure under the Public Records Act and must complete mandatory Open Government Ordinance Training. I further understand that members of the Planning Commission, Building Boards of Appeals, and Physically Challenged Board of Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.</p>
--------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



City of Gilroy

STAFF REPORT

Agenda Item Title: Update on the Consolidated FY26 Annual Sidewalk Replacement Project No. 25-PW-296 and Consideration of Minor Modifications and Clarifications on the Council-Approved Sidewalk Replacement Program and Adopt a Budget Amendment Resolution to Appropriate \$1.0 million of Unspent Funds from Prior Years for the Project

Meeting Date: August 4, 2025
From: Jimmy Forbis, City Administrator
Department: Public Works
Submitted by: John Doughty, Public Works Director
Prepared by: Ryan Osenton, Project Manager

STRATEGIC PLAN GOALS: Maintain and Improve City Infrastructure

RECOMMENDATION

1. Receive report on recommended repair locations as part of the Consolidated FY26 Sidewalk Replacement Project (No. 25-PW-296);
2. Adopt a budget amendment resolution to appropriate \$1.0 million of unspent funds from prior fiscal years for the project, from the Sidewalk Repair Reserve Fund (200); and
3. Consider recommended revisions to the August 5, 2024 Sidewalk Replacement Program.

EXECUTIVE SUMMARY

City Council adopted the FY24 and FY25 budget, and the Capital Improvement Program (CIP) for FY24 through FY28 on June 5, 2023. The FY26 Annual Sidewalk Replacement Project is included in the FY24-FY28 CIP as Project #800320. The budget allotted for the Project is \$500,000 annually. The Consolidated FY26 Annual Sidewalk Replacement Project No. 25-PW-296 has a recommended budget of \$1,500,000, utilizing funds from FY24, FY25, and FY26.

The Project consists of repairing damaged sidewalks, curb and gutter, driveway approaches, asphalt repair, tree removal, tree installation, and associated work. The Project will be funded from the Sidewalk Repair Reserve (200).

Staff is also recommending revisions to the Sidewalk Replacement Program adopted by City Council on August 5, 2024. The revisions are intended to clarify and make minor changes to the Program which are recommended as a result from the implementation of the Program over the last year.

BACKGROUND

In the spring of 2024, City staff was asked to provide a report to the City Council outlining the then current “cost-share” program for sidewalk repair/replacement. On May 6, 2024, the City Council directed staff to prepare a revised program and return to the City Council for review and possible approval.

On August 5, 2024 the City Council adopted a new program based on the following guidelines/criteria:

- Identification of sidewalk repairs is carried out by City staff in an equitable manner throughout the city taking into account the existing levels of deficiency, served traffic generators such as schools, reported concerns, and other rating factors and based on the available database.
- City staff will notify the property owners in writing of the assessed deficiencies, as well as provide an explanation of the Program including financial responsibility of the property owners and cost sharing. An initial estimate of their financial share of planned work and the process of invoicing property owners following project construction are also shared. Providing such an estimate well in advance offers the property owners a period of at least six months (period of City staff seeking bids and project construction) to enable them to plan for their cost share.
- The Public Works annual project list under this Program is prepared for all work including applicable work such as tree removal, replacement of curb and gutter, pavement repair, replacement of driveway approaches, and replacement of sidewalk segments. The overall project is then advertised for bid, the contract is awarded, the property owners are notified in advance of the work, and all work is completed.
- Following completion of the project, the City sends an invoice to each of the impacted property owners stating the actual share of the cost with a payment due date of 180 days (six months) from the date of the invoice. A reminder is sent to the property owners 30 days in advance of the due date. A payment arrangement option will also be made available for those wishing to request one within 30 days of receiving the invoice. Term of the extended payment arrangement not to exceed one year from the date of the City receiving the request. In other words, the process from the time of receiving the initial cost share estimate through the

- project completion followed by a payment plan is likely to take about two years.
- If the property owners do not pay in full or fail the payment arrangement, their fair share cost is applied as a lien against their property and is collected through the annual special assessment collection process on their annual property tax bill (divided in two payments over a 12-months period).
 - The cost sharing is consistent with current practice as follows:
 1. Sidewalk Replacement Caused by a Private Tree – 100% Property Owner Cost.
 2. Sidewalk Replacement Caused by a Public Tree – 50% City Cost / 50% Property Owner Cost.
 3. Private Tree Replacement – 100% Property Owner Cost.
 4. Public Tree Replacement – 100% City Cost.
 5. Curb and Gutter Replacement Caused by a Public or a Private Tree – 100% City Cost.
 6. Driveway Approach Replacement – 100% Property Owner Cost.
 7. Limit City cost share to repairs adjacent to individual commercial properties to \$30,000 (the currently practiced limit is \$20,000).
 - The City to fund 100% of all repairs without seeking cost sharing of residences that are: 1) owner occupied, and 2) enrolled for PG&E's Care Program (based on income and other public assistance eligibility and usually indicated on their PG&E monthly statement).
 - City Council authorized \$500,000 per year for five years, totaling \$2.5 million, with the project being funded by the Sidewalk Repair Reserve Fund (200) and supplemented by the General Fund (100). Additional funding is to be set aside annually for minor repairs of sidewalks citywide.

Prior to adoption of the new program (starting in 2006) repairs to damaged sidewalks and surrounding areas were dependent on the property owners' ability to fund all repairs costs upfront (including replacement of sidewalk, curb and gutter, and trees) and to subsequently seek reimbursement from the City for its related costs. This process limited repairs to property owners with financial means and created a process which was limited in effectiveness.

To facilitate sidewalk repair/replacement, the City Council committed funding in the FY2024-2028 Capital Improvement Program (CIP) for the City's Annual Shared Cost Sidewalk Replacement Program. The FY25 Capital Budget includes \$500,000 of Sidewalk Repair Reserve Funding (Fund 200) to cover design, construction and project management under PW Project No. 800320.

The Department of Public Works maintains a list of identified/requested and confirmed locations for sidewalk repair/replacement. Currently this list includes more than 350 confirmed locations. Based on the Engineer's Estimate of cost and the available FY25 funding, staff identified 38 locations throughout the city for immediate repair based upon the City Council adopted 2024 criteria. Locations were selected based upon multiple factors, including severity of damage, proximity to schools, length of time on the list

waiting for repairs, and immediate proximity to other locations in need of repairs that could be bundled to benefit from reduced mobilization costs.

The Project was publicly bid and Vanguard Construction was identified as the Lowest Responsive and Responsible bidder. The low bid was well above the Engineer's Estimate.

Ultimately, the City Council rejected all bids and directed City Staff to re-bid the project, consolidating unspent funds from FY24, FY25, and FY26 to allow for additional locations to be included, maximizing economies of scale with the additional budget for FY26.

ANALYSIS

The FY26 Annual Sidewalk Replacement Project includes the repair/replacement of damaged sidewalks, curb and gutter, driveway approaches, asphalt repair, tree removal, tree installation, and associated work. City Staff has confirmed 87 locations for the re-bid in August 2025 to maximize the available budget. The 87 confirmed locations included in this year's project are located at the following addresses:

- 1. 1st Street/ Monterey Hwy
- 2. 10th Street/ Princeville St
- 3. 480 9th Street
- 4. 510 9th Street
- 5. 520 9th Street
- 6. 540 9th Street
- 7. 550 9th Street
- 8. 700 9th Street
- 9. 706 9th Street
- 10. 716 9th Street
- 11. 726 9th Street
- 12. 730 9th Street
- 13. 740 9th Street
- 14. 765 9th Street
- 15. 903 Alder Street
- 16. 1470 Amber Court
- 17. 975 Andover Place
- 18. 730 Babbs Creek Drive
- 19. 740 Babbs Creek Drive
- 20. 415 Burke Drive
- 21. 7209 Church Street

22. 7217 Church Street
23. 7233 Church Street
24. 7440 Church Street
25. 7444 Church Street
26. 7449 Church Street
27. 7456 Church Street
28. 7810 Church Street
29. 7820 Church Street
30. 7830 Church Street
31. 860 Dearborn Place
32. 7531 Dowdy Street
33. 7561 Dowdy Street
34. 7630 Dowdy Street
35. 7690 Dowdy Street
36. 7311 Eigleberry St
37. 7605 El Roble Court
38. 7610 El Roble Court
39. 7620 El Roble Court
40. 7630 El Roble Court
41. 7670 El Roble Court
42. 7680 El Roble Court
43. 860 Greenwich Drive
44. 865 Greenwich Drive
45. 915 Greenwich Drive
46. 615 Johnson Way
47. 635 Johnson Way
48. 419 Madison Court
49. 429 Madison Court
50. 439 Madison Court
51. 459 Madison Court
52. 7080 Orchard Drive
53. 1383 Ousley Drive
54. 8532 Ousley Drive
55. 8622 Ousley Drive
56. 8635 Ousley Drive
57. 1551 Peregrine Drive
58. 6343 Poppyfield Street
59. 7595 Princevalle Street
60. 7610 Princevalle Street
61. 9510 Rancho Hills Dr
62. 9520 Rancho Hills Dr
63. 9580 Rancho Hills Dr
64. 9760 Rancho Hills Dr
65. 9780 Rancho Hills Dr
66. 1100 San Miguel St
67. 1110 San Miguel St

68. 7561 Santa Barbara Dr
69. 7571 Santa Barbara Dr
70. 7610 Santa Barbara Dr
71. 7589 Santa Paula Drive
72. 7610 Santa Paula Drive
73. 7620 Santa Paula Drive
74. 7196 Saratoga Place
75. 6301 Snowberry Court
76. 1560 Sunrise Drive
77. 7155 Utica Place
78. 7075 Valley Forge Drive
79. 591 Welburn Avenue
80. 700 Welburn Avenue
81. 771 Welburn Ave
82. 439 Willy Court
83. 7605 Wren Avenue
84. 7075 Yorktown Drive
85. 7085 Yorktown Drive
86. 7095 Yorktown Drive
87. 7160 Yorktown Drive

Staff is also seeking City Council approval of minor clarifications and modifications to the adopted Sidewalk Replacement Program. The revisions do not change the fundamental elements of the Program including City fronting of funds, fixed cost share between the City and property owner and required notices to Property owners. The revisions (see Attachment 8.4.25 Proposed Policy Revisions Final) clarify implementation and process-related items which have been identified over the last year of Program implementation. One more significant recommendation reintroduces the ability of a property owner to complete sidewalk and related repairs outside the City's annual program. Staff will provide a brief presentation on the revisions at the meeting.

ALTERNATIVES

FISCAL IMPACT/FUNDING SOURCE

The total recommended budget and engineer's estimate for the consolidated FY26 Sidewalk Replacement Project is approximately \$1.5 million. Staff is anticipating \$1,255,836 in construction costs and \$170,295 in contingency for potential unforeseen conditions or potential changes in the scope of work during construction, totaling \$1,426,131.

The Project will be funded by the Sidewalk Repair Reserve (200). The FY26 adopted budget includes \$0.5 million for the project. A budget amendment resolution is included

with the staff report to appropriate \$1.0 million of unspent budget from the prior fiscal years to fully fund the consolidated FY26 Sidewalk Replacement Project. There are sufficient funds available in the Sidewalk Repair Reserve Fund (200) to accommodate this expenditure. Any remaining funds will be available to use towards future projects under this budget, as this is expected to be an annual project fund through FY28. Any additional adjustments to the project's budget will be brought forward at the time of the award, if necessary.

PUBLIC OUTREACH

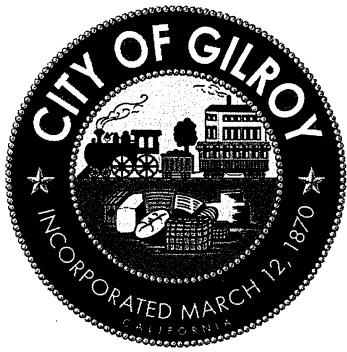
Currently identified locations' residents were notified in March by City Staff that their property had been identified as needing repairs, given an estimated repair window of Summer 2025, and were provided an initial estimate of out-of-pocket costs. The additional locations have been provided written notice of their potential inclusion in the Project and the various financial obligations associated with inclusion.

NEXT STEPS

City Staff will finalize locations for repair, notify property owners of their anticipated costs and inclusion in the Bid Package, and reissue the Bid Package for contractors. Staff is preparing to present the preferred contractor to City Council at an October City Council Meeting.

Attachments:

- 1. Attachment --August 2024 Sidewalk Policy
- 2. 8.4.25 Proposed Policy Revisions FINAL



City of Gilroy

STAFF REPORT

Agenda Item Title: Approval of the City's Revised Annual Shared Cost Sidewalk Replacement Program

Meeting Date: August 5, 2024

From: Jimmy Forbis, City Administrator

Department: Public Works

Submitted By: Heba El-Guindy, Public Works Director

Prepared By: Heba El-Guindy, Public Works Director

STRATEGIC PLAN GOALS

Maintain and Improve City Infrastructure

RECOMMENDATION

City Council to approve the revised Annual Shared Cost Sidewalk Replacement Program (PW Project No. 800320).

EXECUTIVE SUMMARY

Recommended revisions to the Annual Shared Cost Sidewalk Replacement Program (Program) are expected to streamline implementation of the Program through the establishment of a single annual construction contract managed by the City for replacement of damaged sidewalks using a more efficient process. Priority locations are to be set by the City based on staff review of various factors such as severity of damage. There are no proposed changes to the current percentage of cost sharing by abutting property owners, and provisions were added to better assist owner occupied residences with income level eligible for public assistance programs. It should be noted that cost sharing is consistent with provisions of the City Municipal Code and the State of California Streets and Highways Code.

Subject to City Council approval, implementation of the revised Annual Shared Cost Sidewalk Replacement Program will commence under a single City-managed annual contract as of FY 2024-25. This annual contract will be funded by the Council-approved Sidewalk Repair Reserve Fund (Fund 200) of an annual total amount of \$500,000 covering design, construction and construction support.

In addition, a second annual contract will be established to fund minor repairs in FY 2024-25 through FY 2027-28 using budgeted Program funds remaining from FY 2023-24. This minor repair contract is expected to reduce demands on the Sidewalk Replacement Program and increase overall efficiency. The minor repairs contract does not involve financial contribution by property owners.

BACKGROUND

The City has had a shared-cost sidewalk replacement program since 2006. City Council approved the Fiscal Years 2024-2028 Capital Improvement Program (CIP) budget that includes funding of the City's Annual Shared Cost Sidewalk Replacement Program using the Sidewalk Repair Reserve Fund (Fund 200) for an annual total amount of \$500,000 covering design, construction and construction support (PW Project No. 800320).

The Department of Public Works currently has a sidewalk project list of over 140 locations. Implementation of improvements has been dependent on the abutting property owners and their ability to fund all repairs upfront (such as replacement of sidewalk, curb and gutter, and trees) and later seek reimbursement from the City for applicable items. This ongoing process limits the City's ability to implement improvements in a timely manner, and there is no effective enforcement mechanism.

Detailed information on the existing Program and its limitations were shared with City Council as an information item during the regularly scheduled Council meeting on May 6, 2024 (Attached). As noted in the May 6th staff report, the City currently has a comprehensive database of sidewalk and curb ramp deficiencies throughout the city. In the spring of 2019, City Council funded a project to evaluate and assess the amount of deficient sidewalk and curb ramps throughout the city and the retained firm used video and Artificial Intelligence (AI) technology to perform this project. This developed database is available and has been used for example in determining locations of new curb ramps constructed using Community Development Block Grant (CDBG) funds.

Draft revisions to the Program were also shared during the Council meeting on May 6, 2024, and were since updated based on feedback received from the City Council and from community members. The revised Program is recommended per the following process:

- Identification of sidewalk repairs is carried out by City staff in an equitable manner throughout the city taking into account the existing levels of deficiency, served traffic generators such as schools, reported concerns, and other rating factors and based on the available database.
- City staff will notify the property owners in writing of the assessed deficiencies, as well as provide an explanation of the Program including financial responsibility of the property owners and cost sharing. An initial estimate of their financial share of planned work and the process of invoicing property owners following project

construction are also shared. Providing such an estimate well in advance offers the property owners a period of at least six months (period of City staff seeking bids and project construction) to enable them to plan for their cost share.

- The Public Works annual project list under this Program is prepared for all work including applicable work such as tree removal, replacement of curb and gutter, pavement repair, replacement of driveway approaches, and replacement of sidewalk segments. The overall project is then advertised for bid, the contract is awarded, the property owners are notified in advance of the work, and all work is completed.
- Following completion of the project, the City sends an invoice to each of the impacted property owners stating the actual share of the cost with a payment due date of 180 days (six months) from the date of the invoice. A reminder is sent to the property owners 30 days in advance of the due date. A payment arrangement option will also be made available for those wishing to request one within 30 days of receiving the invoice. Term of the extended payment arrangement not to exceed one year from the date of the City receiving the request. In other words, the process from the time of receiving the initial cost share estimate through the project completion followed by a payment plan is likely to take about two years.
- If the property owners do not pay in full or fail the payment arrangement, their fair share cost is applied as a lien against their property and is collected through the annual special assessment collection process on their annual property tax bill (divided in two payments over a 12-months period).
- The cost sharing is consistent with current practice as follows:
 - Sidewalk Replacement Caused by a Private Tree – 100% Property Owner Cost.
 - Sidewalk Replacement Caused by a Public Tree – 50% City Cost / 50% Property Owner Cost.
 - Private Tree Replacement – 100% Property Owner Cost.
 - Public Tree Replacement – 100% City Cost.
 - Curb and Gutter Replacement Caused by a Public or a Private Tree – 100% City Cost.
 - Driveway Approach Replacement – 100% Property Owner Cost.
 - Limit City cost share to repairs adjacent to individual commercial properties to \$30,000 (the currently practiced limit is \$20,000).
- The City to fund 100% of all repairs without seeking cost sharing of residences that are: 1) owner occupied, and 2) enrolled for PG&E's Care Program (based on income and other public assistance eligibility, and usually indicated on their PG&E monthly statement).
- A second annual contract is to be established for minor repairs fully funded by the City using funds remaining within the project account in FY 2023-24.

ANALYSIS

Anticipated advantages of the proposed Program updates:

- There is no up-front large sum of money out-of-pocket from the property owner per the current process – The City funds all project repairs and invoices the property owner for only their share of the work.
- Better support for our community members who are eligible for public assistance programs by excluding them from the cost sharing requirement.
- There is significantly less work for the homeowner – The City takes the lead on coordinating the project, the bids and the construction. The only work for the property owner is to pay the invoiced payment share.
- Improved efficiency and increased amount of work performed annually which goes towards the City's strive for a walkable and accessible street system. Also work throughout the city would be consistent as it would be performed by a single contractor's team.
- Increased productivity and the number of repairs citywide using the same amount of annual funds – Sidewalk repairs are advertised under a single project. The bids could potentially be lower since the expected price for repairs would be lower due to volume (i.e. lower unit bid price) and less mobilization costs. For example, the lowest bids received by property owners in 2024 for sidewalk replacement ranged from \$10/square foot to \$32/square foot with an average of \$21/square foot. The average bid received in 2024 for City initiated sidewalk replacement is \$20/square foot.
- Reduced demands on staff resources by increasing efficiency – Less time and effort will be needed for Program administration and coordination. For example, the City Inspector will need to coordinate with one contractor's team and focus attention on quality control, thereby replacing the current piecemeal approach.
- Reduced demands on the Sidewalk Replacement Program and increase efficiency through establishment of the second City managed contract for minor repairs in FY 2024-25 through FY 2027-28 using funds remaining within the project account in FY 2023-24.

Anticipated disadvantages of the proposed Program updates:

- Homeowners will be required to participate if their property is identified as a needed improvement, even if the homeowner is not ready for the project.
- Some homeowners may be ready and wanting to participate in the program, but the nature of the site selection criteria may not make them eligible until later years.

Resident Affordability

Below is a table, based on the average of the ten highest/largest jobs and ten lowest/smallest jobs paid in the past two years to provide an example of what residents and businesses may be financially responsible for, depending upon the size of the job and final costs. It should be noted that the shown unit cost is for a square foot of sidewalk replacement, and the ongoing practice is to always use qualified contractors with the lowest bids:

Average Sidewalk Repair Cost Reimbursed				
Scope	Square Feet	Unit Price (Per Sq. Ft)	Cost	50% Owner Share
Large Jobs (Involving Sidewalk, Curb and Gutter, Asphalt and Tree Replacement)	360	\$ 15.56	\$5,601.60	\$2,800.80
Small Jobs (Sidewalk)	117	\$ 24.86	\$2,908.62	\$1,454.31

Also as discussed above, homeowners that qualify and are enrolled for the PG&E CARE program will not be charged their share of the costs. The income requirements for the PG&E CARE program are on a scaled level based on household size. Below are the rates based on smaller household sizes. If the number of persons in the household is greater, the income level to qualify increases.

Number of Persons in Household	Total Gross Annual Household Income
1-2	\$40,880 or less
3	\$51,640 or less
4	\$62,400 or less
5	\$73,160 or less
6	\$83,920 or less

Assuming a large job on a household of 3 that makes \$51,641 (one dollar over the qualifying CARE threshold), the total share would equate to 5.4% of their annual gross income in a single year. There are many different combinations of different factors that could result in slightly higher amounts of Program payments compared to personal income, but there are more likely scenarios of smaller portions of personal income to Program payments for residents.

As discussed in the background, residents and businesses would have up to two years from the initial notification to make the payment, and then any unpaid balance at the end of any payment window or payment plan would then be applied to their property tax bill, granting potentially additional time for repayment. Below is a possible timeline from start to finish, but different circumstances may produce varied timelines within the range.

Year	Actions
Year 1	Notification of assessed deficiency, project design to construction completion, and issuance of invoices to affected property owners abutting to selected prioritized locations.
Year 2	Invoices due or payment plans approved - not to exceed 12 months.

Year	Actions
Year 3	Payment plans due, Lien Process Initiated: Notification/public hearings etc.
Year 4	Liens approved/placed on the tax roll, County tax collection/remittance to the City.

ALTERNATIVES

The alternative would be to retain the current City's Annual Shared Cost Sidewalk Replacement Program without any changes, which is not recommended due to its limitations and inefficiencies.

FISCAL IMPACT/FUNDING SOURCE

The City Council approved the Fiscal Years 2024-2028 CIP budget that funds the City's Annual Shared Cost Sidewalk Replacement Program using the Sidewalk Repair Reserve Fund (Fund 200) for an annual total amount of \$500,000 covering design, construction and construction support (PW Project No. 800320). No changes to the currently approved funding are recommended by staff.

Staff recommends utilizing the funds that remain by the end of June 2024 (currently estimated at \$260,000 after the ongoing reimbursements and planned City Center work) to fund minor repairs such as shaving sidewalks uplifted by up to 2 inches under a separate/second annual contract for four fiscal years, FY 2024-25 through FY 2027-28. This recommendation aims to expedite repairs throughout the city and reduce demands on the overall annual Program.

PUBLIC OUTREACH

Achieved through the public hearing opportunities during the City Council meetings on May 6th (Draft Program Updates) and on August 5th (Revised Program Updates incorporating feedback comments). This is in addition to public comments sought by staff on the current Program and desired changes.

NEXT STEPS

Subject to City Council approval, implementation of the revised Annual Shared Cost Sidewalk Replacement Program will commence as of FY 2024-25 through a single annual contract managed by the City. The above referenced second contract managed by the City will also be established using the Program's remaining funds of FY 2023-24 to implement minor repairs in FY 2024-25 through FY 2027-28 in order to reduce demands on the Sidewalk Replacement Program and increase overall efficiency.

CITY OF GILROY
SIDEWALK REPLACEMENT PROGRAM

Adopted August 5, 2024

Revised August 4, 2025

The City Council is committed to collaborating with property owners to provide safe and ADA compliant paths of travel throughout the public sidewalk system. Over the last two decades the City has committed funding to support repair and replacement of sidewalks, curbs and gutters. On August 5, 2024, the City Council adopted a new Program which shifted initial design, construction oversight and upfront costs away from the property owner to the City. On July 28, 2025, the City Council considered and approved minor revisions and clarifications to the Program.

The purpose of the revised program is to: 1) reduce the overall cost of work through economies of scale; 2) force prioritization of limited City resources; and 3) to relieve property owners from the burden of seeking estimates and fronting costs. The City Council committed initial funding of the Program for Fiscal Year (FY) 24 through FY 28. The Program is included in the FY 24-FY28 Five Year Capital Improvement Program. The Program outline is as follows:

- Public Works will create and maintain a database containing all documented locations of public sidewalk and related curb and gutter deficiencies. This list will be regularly updated to include sites identified (and confirmed by City staff) through Gilroy Connect, staff observation, formal City/consultant assessment or other means. The list shall be used to identify and assist in the prioritization of both minor repairs and sidewalk replacement.

- The annual Sidewalk Replacement Project, including site prioritization, is to be carried out by Public Works in an equitable manner throughout the city taking into account: 1) the severity of damage and associated liability risk; 2) served pedestrian traffic generators including schools, parks and commercial areas; 3) proximity/adjacency to other replacement sites; 4) length of time on database; and 5) other rating factors which are deemed appropriate and necessary based on best available information and standard engineering principles.

- Public Works will notify the property owners in writing that their property has been included in the upcoming sidewalk replacement project. The letter will include a

description of the assessed deficiencies, explanation of the Program including their financial responsibility and the cost sharing formulas as well as an initial estimate of their financial share of planned work. Public Works will issue this letter at least fifteen days prior to release of the public bid. A second written notice will be provided by the contractor at least one week prior to the construction beginning.

- The Public Works Annual Sidewalk Replacement Project includes, as applicable, tree removal, replacement of curb and gutter, pavement repair, replacement of driveway approaches, and replacement of sidewalk segments. The overall project is advertised for bid, the contract is awarded, the property owners are notified in advance of the work, and all work is completed under the direction of Public Works. All work is subject to State prevailing wage requirements and compliance with Department of Industrial Relations (DIR) provisions.
- Following completion of the project, the City sends an invoice to each of the property owners for their share of the actual cost with a payment due date 180 days (six months) from the date of the invoice. Public Works sends a reminder to the property owners 30 days in advance of the due date.
 - The invoice is to inform the property owner of the payment process, as well as the option to extend the payment due date by 180 days (total 12 months).
 - The property owner must request, in writing, the payment extension within 30 days of the date on the invoice.
- If a property owner does not pay in full by the applicable due date, their fair share cost is applied as a lien against their property and is collected through the annual special assessment collection process on their annual property tax bill (divided in two payments over a 12-months period). Receipt of payment from Santa Clara County will vary depending on date in which a lien is filed.
- The City-Property Owner cost share is as follows:
 - Sidewalk Replacement Caused by a Private Tree – 100% Property Owner Cost.
 - Sidewalk Replacement Caused by a Street Tree – 50% City Cost / 50% Property Owner Cost.
 - Private Tree Replacement – 100% Property Owner Cost.
 - Street Tree Replacement – 100% City Cost.
 - Curb and Gutter Replacement Caused by a Street or a Private Tree – 100% City Cost.

- Driveway Approach Replacement – 100% Property Owner Cost.
City’s maximum cost share for repairs adjacent to individual commercial properties is limited to \$30,000.

- The City will not seek reimbursement for repairs where : 1) the property/home is owner occupied, and 2) the owner is enrolled in PG&E’s Care Program (which is based on income and other public assistance eligibility, and usually indicated on their PG&E monthly statement).

- The City Council agrees to annually allocate a portion of the available sidewalk funds to minor repairs which will not be subject to cost-sharing, provided funds are available.

- A property owner may choose to complete the required work on their own subject to the following:
 - The owner obtains an encroachment permit from the City (fee will be waived).
 - All work meets City standards and specifications.
 - All work is completed by an appropriately licensed contractor.
 - The owner certifies that they understand that the cost of work will be fully borne by the owner.

Note 1: Following adoption, staff will prepare a handout document which provides greater detail along with contact information.

Note 2: Providing a preliminary estimate in advance of the bid circulation offers the property owners a period of approximately 4-6 months to prepare for the final invoice (given public bid process and actual construction).

Note 3: The process from the time of receiving the initial cost share estimate through the project completion followed by a payment plan is likely to take approximately 2-3 years.



City of Gilroy

STAFF REPORT

Agenda Item Title: Initial Direction and Scope of Tobacco and Smoking Control Ordinance Update and Potential Moratorium

Meeting Date: August 4, 2025

From: Jimmy Forbis, City Administrator

Department: Administration

Submitted by: Bryce Atkins, Assistant to the City Administrator

Prepared by: Bryce Atkins, Assistant to the City Administrator

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

Council provide direction regarding its desired revisions to the Smoking Control Ordinance, if any.

EXECUTIVE SUMMARY

The City Council adopted its Legislative Agenda which included a discussion on the Smoking Pollution Control Ordinance, looking at ways to address smoking and a potential moratorium. Staff is bringing this item to the Council to seek detailed direction regarding the following:

- Does the City Council wish to modify the Smoking Pollution Control Chapter (Chapter 19B) and/or the Tobacco Retailer Permit Article (Chapter 13, Article 8) in the City Code?
- If so, how does the Council wish the City Code to be modified regarding these regulations?

BACKGROUND

The City Council adopted its Legislative Agenda on June 2, 2025 during the adoption of the Fiscal Years 2026 and 2027 (FY26 and FY27) budgets. The Council included as

part of the Legislative Agenda a discussion on the Smoking Pollution Control Ordinance, looking at ways to address smoking and if a potential moratorium should be considered.

Current Code Provisions

Smoking Pollution Control (Chapter 19B)

Attached to this staff report is Chapter 19B from the City Code. Below is a high-level summary of the key provisions relating to the Smoking Pollution Control Chapter:

- Smoking is prohibited in the following areas:
 - Outdoor eating areas.
 - Elevators.
 - Hospitals and health care facilities.
 - Places of public assembly.
 - Public lobbies, public hallways.
 - Museums, libraries and galleries.
 - Designated nonsmoking areas.
 - Public restrooms.
 - Parks.
 - Public events.
 - Multi-unit housing.
- Employers are required to have a written smoking policy, which must be provided to all prospective employees and must be communicated annually to all employees.
- No smoking signs, as detailed in this chapter, must be posted wherever smoking is prohibited.
- Enforcement shall be by the City, and a self-certification process is required annually with business license renewal of the smoking control provisions. Failure to re-certify annually may result in denial of a business license being issued or renewed.
- Violators of any provisions shall be guilty of an infraction.
- Multi-unit housing:
 - Smoking is prohibited in all units, in common areas, and within 25 feet of windows, doors or vents.
 - Designated Smoking Areas may be allowed, but with regulatory requirements.
 - Requirements regarding the prohibitions related to smoking are to be imposed on leases, and third parties are able to enforce lease provisions in court.
 - Enforcement:
 - Each act of smoking is a separate violation.
 - Landlords/HOAs must comply with posting and lease notification requirements.
 - Violations constitute a public nuisance and may be enforced civilly or administratively.

Tobacco Retailer Permit (TRP) (Chapter 13, Article 8, Sections 13.66 through 13.83)
The TRP code provisions require the following:

- Anyone wishing to be a tobacco retailer within the city must first obtain and maintain a valid TRP for each location where the activity is to occur.
- A TRP requires compliance with the following:
 - The retail activity must be conducted at a fixed location and within the enclosed area of the tenant's facility that is completely accessible to the general public during the hours of business operation.
 - The permit must be displayed prominently in a publicly visible location at the permitted location.
 - No one younger than the legal age to purchase tobacco may be involved in the sale of tobacco.
 - Positive identification is required for anyone appearing to be younger than 27 years old.
 - No smoking is allowed inside or within 20 feet of any doorway, window, opening or other vent into the permitted premises.
 - Tobacco sales cannot be self-service.
 - TRPs are not transferrable.
 - Retailing is prohibited within 1,000 feet of schools, excepting those businesses already located within the distance before the ordinance was effective, and those businesses exempted when sold in arms-length transactions are also exempted.
- TRP applications are managed by the Finance Department, and must include:
 - A listing of the location for which the permit is sought.
 - Notification address.
 - Proof of the location receiving a valid state tobacco retailer's permit by the California Board of Equalization.
 - Declaration of any previous violations of the TRP code.
 - Proof of annual employee training and new employee training to the satisfaction of the Finance Director.
 - Other information as may be deemed necessary by the City.
 - Notification to the City in writing of any change in information submitted on an application within ten (10) business days of a change.
 - All information provided may be disclosed under the California Public Records Act.
 - A fee for the annual permit is required, established by Resolution 2014-57 at \$100.
 - A TRP must be renewed each year.
- Penalties related to TRP violations may include:
 - Bans on renewal TRPs for between 30 days and five (5) years.
 - Civil penalties between \$1,000 and \$5,000 dollars per violation.
 - City Attorney may also pursue prosecution as a misdemeanor.
 - Other civil actions and remedies may be used as well.
 - Permit moratoria at location of one to five years if TRP is revoked, unless

location is sold in arms-length transaction.

Grant Funding for Two Potential Tobacco Control Strategies

The City of Gilroy was awarded a grant for up to \$40,000 from Santa Clara County Department of Public Health to offset qualifying costs related to evaluating and potentially enacting two strategies of tobacco control. These strategies include:

- Reduce the density of tobacco outlets.
- Flavored tobacco restrictions.

The intent of the grant was to do research and then inquire of Council if these strategies were desired. This grant was received before the legislative agenda was created. Despite this, there is synergy between the two approaches (grant process and legislative agenda workplan item).

ANALYSIS

The intent of this agenda item is to determine Council's goals in this legislative agenda item:

- What is Council's intention in regulating tobacco/smoking within the City of Gilroy?
- What regulations are desired to meet the intention?
- What enforcement provisions and procedural steps are desired to enforce the desired regulations?

Once known, staff will then work with interested stakeholders, the City Attorney's Office, and other subject-matter experts to evaluate the desired regulations to determine how they might be legally and operationally implemented. Additionally, since the existing code has sections that have been in effect for over thirty years, the entire smoking pollution control ordinance may be reviewed and edits recommended to ensure compliance and consistency with current state laws regarding smoking pollution.

Potential Regulatory Activities

Below is a list of currently known potential strategies to regulate the control of tobacco within the community. This may not be an exhaustive list but is gathered from available research. The Council is requested to identify which regulations it is interested in pursuing, and members of the Council may identify other regulations not listed that they may wish to have evaluated. Final recommendation and direction would depend upon the goals of the Council as discussed above, and the evaluation of their potential application to Gilroy.

- Reducing exposure to secondhand smoke in public and common areas. The City has adopted requirements in the past to fulfill part of this strategy. The City adopted smoking restrictions in City parks in 2021, and later adopted restrictions in Multi-Unit Housing, including common areas, as well as at public events, in

2024. Additional areas, based on Santa Clara County's Tobacco Control Policies table (attached), include higher restrictions or an outright ban on smoking in outdoor dining areas, entryways, and service areas.

- Reducing the density of tobacco outlets. The City of Gilroy does not currently have this type of regulatory control in place. This strategy was included for consideration as part of the grant application for funding. Efforts to develop this strategy, should Council be interested in pursuing it, would be reimbursable for legal review and business license procedural modifications. The strategy may seek to limit the number of tobacco retailers within a certain distance of each other. For example, San Jose requires at least 500 feet between tobacco retailers. Other density options include limiting the number of retailers by population ratio, proximity to residential areas, youth-populated areas, or having a flat cap on the number of permits issued.
- Limit sales near schools. The City currently has a prohibition on tobacco retailers which extends 1,000 feet around schools. The Council could direct staff to review and evaluate increasing the distance around schools that tobacco retailers would be prohibited from selling going forward.
- Flavored tobacco restrictions/bans. This is another strategy that is within the awarded grant for consideration. Some cities have banned or limited flavor tobacco sales.
- Limit sales in pharmacies. The City does not have this as one of its tobacco control strategies. Some cities have instituted a ban on retail tobacco sales at any location where the profession of pharmacy is practiced and where prescription drugs are offered for sale.
- Restrict sales of all tobacco and/or vaping products. There is an option to outright restrict the sale of tobacco, vaping products, or both. Those cities in Santa Clara County that have placed restrictions have focused on vaping product prohibitions.
- Increasing fees for tobacco retailer permits. The current fee resolution for TRPs sets the amount at \$100 annually. Per the ordinance, the City could not collect more than the actual costs for managing the RTP and training. Since the fee was established over ten years ago, it has likely not kept up with the increase in costs over the last decade. The fee could be adjusted to more fully cover the costs of the program, and would also raise the price of entry for any new tobacco retailers seeking to open a location in Gilroy.
- Zoning changes to restrict allowable locations for tobacco retailer permits. The City could look at potential zoning changes to limit what land use and zoning areas tobacco retailers could locate within.
- Storefront advertising controls. Some cities have provisions that constrain storefront advertising for tobacco retailers.
- Infraction fine amount increases for any violation. Although it would not limit the number of tobacco retailers, the fine amounts may also be reviewed and applied to any tobacco retailers that commit infractions against the requirements of the City Code.

Other Communities in Santa Clara County

The Santa Clara County Department of Public Health maintains a table that tracks tobacco control policies for the cities within Santa Clara County. The most current table is attached.

ALTERNATIVES

None. Staff is requesting Council direction to provide the scope of modifications that it may desire, if any, to the smoking control ordinance relating to smoking and vaping. Strategies identified by the Council will then be evaluated. The Council may choose to pursue any strategy desired for evaluation.

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact from the direction presented. Staff will compile research and evaluate the strategies identified. As part of that evaluation, when the results are brought before the Council, a fiscal analysis of the strategies will be presented as part of that discussion, before final direction is provided by the Council.

PUBLIC OUTREACH

This item was included in the Legislative Agenda and was included on the publicly posted agenda for this meeting. Future agenda items and updates will be included in the City's e-newsletter, and should the Council direct strategies to be developed, the potential ordinance updates will be advertised in the local newspaper. Educational and training materials will be produced for public distribution should any new tobacco strategy be adopted by the Council.

NEXT STEPS

Once direction is received, staff will conduct an analysis of the strategies directed by the Council. Once evaluated, staff will return to Council for final direction before proceeding with any ordinance or policy updates.

Attachments:

1. Santa Clara County Tobacco Control Policies - Updated July 2025

8/2025: Tobacco Prevention Policies Across Santa Clara County Jurisdictions

Jurisdiction	Reducing Exposure to Secondhand Smoke							Reducing Youth Access & Exposure to Tobacco Products						
	Parks & Trails	Outdoor Dining Areas	Entryways	Service Areas	Public Events	Multi-Unit Housing	Common Areas of Multi-Unit Housing	Tobacco Retail Permit	Reduce Density of Tobacco Outlets	Limit Sales Near Schools	Flavored Tobacco Restrictions	Limit Sales in Pharmacies	Restricts Sale of all Tobacco (T) and/or Vaping (V) Products	
County of Santa Clara	2010	2010	2010	2010		2010	2010	2010	2010	2010	2010	2010	2019 (V)	
Campbell	2011	2011	2011	2011	2011			2012						
Cupertino	2011	2014	2014	2021	2021	2021	2021	2019	2019	2019	2019	2019	2020 (V)	
Gilroy	2021				2023	2023	2023	2014		2014				
Los Altos	2011	2018	2018	2018	2018			2020	2020	2020	2020	2020	2020 (V)	
Los Altos Hills		n/a*		n/a*	n/a*	n/a*	n/a*	n/a*	n/a*	n/a*	n/a*	n/a*	n/a*	
Los Gatos	2013	pre-2010	2016	2016	2016	2016	2016	2017	2017	2017	2017	2017	2019 (V)	
Milpitas	2012	2017	2021	2021	2021	2021	2021							
Monte Sereno	n/a*	n/a*	n/a*	n/a*	n/a*	2020	2020	n/a*	n/a*	n/a*	n/a*	n/a*	n/a*	
Morgan Hill	2012	2012	2012	2012	2012	2024	2024	2014			2019**		2019(V)	
Mountain View		2012	2012		2012	2021	2021							
Palo Alto	2013	2014	2014	2014	2014	2016	2016	2017	2017	2017	2017	2017	2020 (V)	
San Jose	pre-2010	2012		2012			2012	2011	2021	2021	2021***			
Santa Clara	2019	2019	2019	2019	2019	2019	2019							
Saratoga	pre-2010	2016	2016	2016	2016		2016	2015	2016	2016	2021	2018	2020 (V)	
Sunnyvale	2012	2016	2016	2016	2016	2016	2016				2020			

* Not included in denominator of % of county population covered by policy because don't have the specific venues/areas covered by policy (Ex. Monte Sereno & Los Altos Hills do not have any tobacco retailers)

** Includes exemption for loose-leaf tobacco products

*** Includes exemption for loose-leaf tobacco products, hookah, and premium cigars

Rev. July 2025



City of Gilroy

STAFF REPORT

Agenda Item Title: Six-Month Update on the Gilroy Police Department Therapy Dog Program

Meeting Date: August 4, 2025
From: Jimmy Forbis, City Administrator
Department: Police
Submitted by: Ken Binder, Interim Police Chief
Prepared by: Luke Powell, Police Captain

STRATEGIC PLAN GOALS: Ensure Neighborhood Equity from City Services

RECOMMENDATION

Receive the Gilroy Police Department's six-month update on the therapy dog program and provide direction on the program's future.

EXECUTIVE SUMMARY

Since the City Council accepted the donation of Therapy K9 Maui from the Leadership Gilroy Class of 2024, on January 27th, 2025, the program has gained considerable momentum and achieved broad success. Maui has completed his certification through Operation Freedom Paws and has become a recognizable and beloved presence within the community and department. Maui's social media presence has grown significantly, with strong followings on both Instagram and Facebook. His unique therapy dog stickers are popular among children and adults alike, and he was even invited to sign yearbooks at several Gilroy Unified School District (GUSD) campuses. Department personnel, City staff, and GUSD administrators have all expressed overwhelming support for the program. Maui has also participated in numerous investigative interviews, providing emotional support to violent crime victims in sensitive situations. The program continues to meet its goals of supporting mental health, building community trust, and expanding wellness outreach.

BACKGROUND

Maui was adopted from the San Martin Animal Shelter and trained by Operation Freedom Paws under Mary Cortani's direction. He began serving the Gilroy community in early 2025. Maui responds to elevated cortisol levels and provides comfort through physical contact such as leaning or resting his head on a person. These interactions have been particularly impactful in school settings, city departments, and community events.

ANALYSIS

Since the launch of the pilot program, K9 Maui has become a vital and visible part of the Gilroy community. He makes regular visits to campuses within the Gilroy Unified School District, where his calming presence has been embraced by students and staff alike. Maui has also provided emotional support to victims during investigative interviews involving violent crimes, offering comfort in difficult and emotionally charged situations. Specifically, Maui has supported six interviews with victims of violent crime, participated in two multidisciplinary interviews (MDIs), assisted in one interview with the District Attorney's Office, and provided support during three interviews in schools with students experiencing traumatic events, all in addition to his daily presence in school counseling sessions.

Since beginning his training, Maui has completed 141 hours of formal instruction at Operation Freedom Paws, demonstrating his dedication and readiness for service. He has earned multiple certifications, including:

- **Canine Good Citizen (CGC)**, which tests good manners and responsible dog ownership,
- **American Kennel Club (AKC) Urban CGC**, which demonstrates reliable behavior in public settings,
- **AKC Community Canine (CGCA)**, which evaluates advanced obedience in community environments,
- **Operation Freedom Paws Therapy Dog Program certificate.**

Maui has shown the capacity to detect and respond to heightened stress, registering nine cortisol alerts tied to traumatic events, such as family bereavements or crises at home or work.

In addition to his work within schools and investigations, Maui has participated in 23 events and presentations, both during and outside work hours. These include school events like Read Across America, class presentations, and career days, as well as community gatherings like Coffee with a Cop and National Night Out. These engagements further strengthen the department's outreach efforts.

Maui's popularity has extended to social media, where his Instagram page has received strong community engagement. To date, he has nearly 600 followers on his page, with nearly 10,000 views on his profile over the last 30 days. The page serves as a

storytelling opportunity to highlight the successes of Maui's engagement with those in need and his interaction with the community. His custom-designed therapy dog stickers have become widely requested throughout the community, and he was even invited to sign yearbooks at several local schools, a clear indication of the bond he has formed with Gilroy's youth. Additionally, Maui has his own coloring pages, with a coloring book in progress, which has been a significant hit in elementary schools, providing a fun and creative way for younger students to connect with him and the Police Department in a positive, age-appropriate manner.

Within City departments, Maui has supported wellness efforts by visiting all City Departments as part of internal wellness initiatives. Collectively, these engagements demonstrate that the program is achieving its intended goals by reducing stress, building trust, and expanding wellness and outreach services across multiple levels of the community.

ALTERNATIVES

None.

FISCAL IMPACT/FUNDING SOURCE

Maui's annual maintenance cost is already funded through the Police Department's existing canine budget. In the first six months of the program, actual expenses totaled \$4,383, with the following breakdown:

\$1,372 for food and supplies;
\$483 for veterinary services; and
\$2,528 for the officer's K9 maintenance pay.

These initial expenses were slightly higher due to one-time startup costs for equipment such as a leash, harness, collar, water and food bowls, and a travel crate. These purchases were necessary to support Maui's safe and effective deployment.

PUBLIC OUTREACH

Maui's presence in the community has been both highly visible and well-received. GUSD leadership, City staff, and residents have praised the program's impact, and Maui's social media accounts further broaden outreach and visibility. The program has significantly strengthened public trust, especially with students, youth, and vulnerable populations.

NEXT STEPS

None.

Attachments:

None



City of Gilroy

STAFF REPORT

Agenda Item Title: Introduce an Ordinance Adopting by Reference the 2025 California Building Codes with Amendments, and Set a Public Hearing on August 18, 2025, for Adoption of the Ordinance

Meeting Date: August 4, 2025
From: Jimmy Forbis, City Administrator
Department: Community Development
Submitted by: Sharon Goei, Community Development Director
Prepared by: Hipolito Olmos, Building Official

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

1. Move to read the ordinance by title only and waive further reading.
2. Introduce an ordinance amending Sections 6.1, 6.6, and 6.7 of Chapter 6 of the Gilroy Municipal Code adopting by reference the 2025 California Building Code, 2025 California Residential Code, 2025 California Electrical Code, 2025 California Mechanical Code, 2025 California Plumbing Code, 2025 California Energy Code, 2025 California Historical Building Code, 2025 California Existing Building Code, 2025 California Green Building Standards Code, 2024 International Property Maintenance Code, and 2024 International Swimming Pool and Spa Code, with amendments.
3. Set a public hearing on August 18, 2025, for the adoption of the ordinance, pursuant to California Government Code Section 50022.3.

EXECUTIVE SUMMARY

Every three years, the International Code Council updates the model building codes, which are then adopted and amended by the California Building Standards Commission (CBSC) to form the California Building Standards Code, which is Title 24 of the California Code of Regulations. This triennial code cycle aims to improve safety, sustainability, and resiliency, and incorporates the latest technology, design, and

construction methods and materials.

The California Building Standards Code is the minimum standard established in law and governs the design and construction of buildings and structures throughout California. In accordance with California Health and Safety Code, a city may establish more restrictive building standards than those in the California Building Standards Code if the city finds that local amendments are reasonably necessary because of local climatic, geological, or topographical conditions.

The 2025 edition of the California Building Standards Code was published in July 2025, representing a pivotal point for statewide and local implementation. While the set of codes becomes effective statewide on January 1, 2026, this year's local adoption process is significantly accelerated due to Assembly Bill (AB) 130.

Signed into law on June 30, 2025, AB 130 introduces new restrictions on when local jurisdictions can amend residential building standards. AB 130 mandates that local amendments to residential building standards must be filed and effective by September 30, 2025, to be permissible. Otherwise, local jurisdictions shall not amend residential building standards from October 1, 2025, through June 1, 2031 (which is nearly two code cycles). To ensure timely adoption, Community Development staff has taken a proactive approach to meet this accelerated schedule to ensure that Gilroy's safety, sustainability, and resiliency goals from the current code cycle are carried forward to the next two code cycles for residential structures and to the next code cycle for non-residential structures.

Staff recommends that the City Council adopt the latest codes with local amendments to ensure that buildings and structures in Gilroy will safeguard the public's health, safety, and general welfare. The 2025 California Building Standards Code, with local amendments, will become effective and applicable on January 1, 2026.

BACKGROUND

Every three years, the International Codes (model codes) are updated, revised, and published by the International Code Council. Corresponding to the publishing of these model codes, the California Building Standards Commission amends and adopts the model codes as the California Building Standards Code.

Title 24 of the California Code of Regulations, also referred to as the California Building Standards Code, is the minimum standard established in law for the design and construction of buildings and structures throughout California. It is updated and published on a triennial basis by the California Building Standards Commission by order of the California legislature. This regular update is referred to as a "code cycle." Each code cycle update improves safety, sustainability, and resiliency, and incorporates new technology, design, and construction methods and materials.

Throughout each code adoption cycle, amendments to the codes are developed

through an extensive public participation process. Gilroy staff serves on two of the six Code Advisory Committees for the California Building Standards Commission (chairs one Committee and serves on another).

In July 2025, the CBSC published the 2025 edition of the California Building Standards Code, making this year a code adoption year. The building regulations in the California Building Standards Code have the same force of law and take effect 180 days after their publication. On January 1, 2026, the 2025 California Building Standards Code will become effective statewide. This 2025 Code has prompted jurisdictions statewide to adopt the new code and complete local amendments as necessary.

In accordance with California Health and Safety Code, a city may establish more restrictive building standards than those in the California Building Standards Code if the city makes an express finding that each amendment is reasonably necessary because of local climatic, geological, or topographical conditions.

This year’s code adoption process presents unique challenges due to the enactment of AB 130. Signed by Governor Newsom on June 30, 2025, as part of the state budget trailer bills, AB 130 contained provisions in Sections 29, 30, and 31 that prohibit local jurisdictions from making local amendments to residential building standards except under very specific circumstances. This legislation amends the Health and Safety Code and establishes that local jurisdictions shall not amend residential building standards from October 1, 2025, through June 1, 2031 (which is nearly two code cycles), unless the local modifications are substantially equivalent to modifications that were previously filed and are effective by September 30, 2025.

The AB 130 provisions significantly accelerate the local amendment and code adoption timeline, compressing a typically three-to-four-month process to just a few weeks. In a normal code cycle, jurisdictions receive the new set of codes between July and August, and subsequently, building officials and fire marshals across jurisdictions review the new codes, collaborate regionally, and develop local amendments between August and November. As a result of AB 130, the timeline has been significantly compressed, requiring local amendments to residential building standards to be effective no later than September 30, 2025, to be permissible under AB 130.

To meet AB 130 timeline, Community Development staff has taken a proactive approach, dedicating several weeks and weekends to review and analyze a digital version of the new codes. They also developed a code adoption ordinance with local amendments to ensure Gilroy’s safety, sustainability, and resiliency goals from the current code cycle are carried forward through the next two code cycles for residential structures and the next code cycle for non-residential structures. Given the expedited timeline, minor adjustments or corrections may be necessary if errors or inconsistencies are identified later.

ANALYSIS

As part of the triennial code adoption cycle, and pursuant to California Health and Safety Code Sections 17958 and 18941.5, staff recommends that the City of Gilroy adopt the 2025 California Building Standards Code, incorporating the amendments approved during the prior code cycle(s). The parts of the 2025 California Building Standards Code that are included in this proposed adoption ordinance are the California Building Code, Residential Code, Electrical Code, Mechanical Code, Plumbing Code, Energy Code, Historical Building Code, Existing Building Code and Green Building Standards Code.

In addition to the California codes, staff proposes the continued adoption of the International Property Maintenance Code and Swimming Pool and Spa Code. These codes are critical for maintaining property standards and safety in residential and public spaces.

Furthermore, staff proposes that several local amendments that have been adopted in the previous code cycle(s) be continued, with all supporting findings included in the ordinance documentation. If approved, the Building Official will file a copy of this ordinance with the California Building Standards Commission.

The following sections summarize the code adoption and local amendments proposed to be carried forward.

Building Code

The 2025 California Building Code is proposed to be adopted by reference with the same local amendments carried forward. A close examination of the current and prior California Building Code and Municipal Code was performed. One set of amendments is made to the administrative portion to clarify that fees will be assessed per the locally adopted comprehensive fee schedule and that the plan review fees shall be paid at the time of submitting plans and before review. Another set of amendments is to parallel the sprinkler system amendments to the Fire Code by the Fire Prevention team. Another amendment is to require higher classification roof covering for hillside construction to address a local climatic condition. Higher classification roof covering is effective against higher fire-test exposure. The recent fire danger in the hillside makes this local amendment important. Another amendment is made to implement more stringent special inspection requirements for spread concrete footings due to the expansive (clay) soils and seismic activity common to this geological area. Another amendment is to implement more stringent foundation requirements, again to address the expansive (clay) soils and seismic activity common to this geological area. Provisions already addressed in the referenced codes are deleted. All design methods, such as national standards and all materials allowed under the California Building Code, are amended to be permitted in Gilroy.

Residential Code

The 2025 California Residential Code is proposed to be adopted by reference. A

thorough review of the current and prior California Residential Codes, along with the Municipal Code, was conducted. Amendments are proposed to the administrative section to specify that fees will be determined based on the local comprehensive fee schedule, and that plan review fees must be paid at the time of submission and before the review process begins. Additionally, work requiring a permit shall not be started until the permit holder or an authorized agent has posted or made available the inspection record card issued by the building official in a manner that allows the Building Official to easily record inspection details as work progresses.

Electrical Code

The 2025 California Electrical Code is proposed to be adopted by reference with the same three local amendments carried forward. First, all new electrical services are required to be underground. As some buildings in Gilroy are located in high-wind areas, amending the code to eliminate overhead services that are inherently less safe in the event of disasters will provide a higher level of safety. Second, amending the Electrical Code to require the disconnects of electrical power for each building to be in a readily accessible location on the first floor will provide a quicker means of finding the main power disconnects in a seismic, fire, or another emergency event. Third, requiring grounding systems in new buildings to be an electrode encased in concrete allows significantly higher assurances that the grounding of the building's electrical system will not deteriorate and fail due to the acidic and expansive properties of local soils. Providing equipment grounding conductors enhances the capability of keeping electrical systems grounded, which is important in high-amperage electrical services.

Plumbing Code

The 2025 California Plumbing Code is proposed for adoption by reference. A thorough review of the current and previous California Plumbing Codes, along with the Municipal Code, was conducted. As part of this review, two existing amendments will continue to be proposed. The first requires that copper or copper alloy tubing used for potable water have a minimum weight of Type "L" to address the highly corrosive and unconsolidated soils in the Santa Clara Valley, which are influenced by diverse geology and acidity. The second amendment mandates that clean-outs be installed on private property near the property line where the sewer connects to the public lateral. These clean-outs must be extended to grade with approved materials and terminated within a listed and labeled box, ensuring compliance with the City of Gilroy sewer standard SWR-5B.

In addition to the proposed amendments, the following appendices are recommended for adoption, consistent with previous code cycles. Appendix A provides guidelines for the recommended sizing of water supply systems to ensure adequate flow and pressure throughout the building. Appendix B offers explanatory notes on combination waste and vent systems, promoting proper installation and compliance. Appendix C discusses alternative plumbing systems, including innovative methods that meet code requirements and enhance sustainability. Appendix D outlines procedures for sizing stormwater drainage systems to effectively manage runoff and prevent flooding.

Appendix I sets standards for the proper installation of plumbing components to ensure safety and durability. Lastly, Appendix M includes a Peak Water Demand Calculator, a valuable tool for estimating maximum water usage to facilitate appropriate pipe sizing. Incorporating these appendices will support best practices in plumbing design and installation, maintaining consistency with prior code updates in the City of Gilroy.

Energy Code

The 2025 California Energy Code is proposed for adoption by reference. A comprehensive review of the current and previous California Energy Codes, as well as the Municipal Code, was conducted. As part of this review, two existing appendices are recommended to continue to be adopted, consistent with previous code cycles. Appendix 1-A, "Standards and Documents Referenced in the Energy Code," provides a list of standards and supporting documents that inform the code's requirements. Appendix 1-B, "Energy Commission Documents Incorporated by Reference in Their Entirety," includes specific documents from the California Energy Commission that are essential for enforcement and implementation. These appendices help ensure clarity and the consistent application of standards.

Existing Building Code

The 2025 California Existing Building Code is proposed for adoption by reference. A comprehensive review of the current and previous California Existing Building Codes, along with the Municipal Code, was conducted. As part of this review, four existing appendices are recommended to continue to be adopted, consistent with previous code cycles. Appendix A1, "Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings," provides guidelines to enhance seismic resilience for these structures. Appendix A2, "Earthquake Hazard Reduction in Existing Reinforced Concrete and Reinforced Masonry Wall Buildings with Flexible Diaphragms," offers measures to mitigate earthquake risks in buildings with specific structural features. Appendix A3, "Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light, Wood-Frame Residential Buildings," outlines techniques to improve seismic performance of typical residential constructions. Finally, Appendix A5, "Referenced Standards," lists the standards referenced throughout the code, ensuring clarity and consistency in enforcement and compliance.

Mechanical Code and Historical Building Code

The California Mechanical and Historical Building Codes are proposed to be adopted by reference in the ordinance with no local amendments.

Property Maintenance Code and Swimming Pool and Spa Code

In addition to the California codes, the International Property Maintenance Code (IPMC) and the International Swimming Pool and Spa Code (ISPSC) are proposed to continue to be included in the code adoption. Staff determined that the inclusion of the ISPSC is

needed and deemed appropriate as it contains more detailed provisions regarding the plumbing and mechanical elements and is in line with the California Codes. The IPMC is proposed to be adopted again and deemed needed and appropriate because the Gilroy Municipal Code and the State's Health and Safety Code do not have the requirements for property maintenance and housing habitability in the IPMC.

Green Building Standards Code

The 2025 California Green Building Standards Code is proposed to be adopted by reference with specific local amendments. The majority of the previous 2022 “Reach Codes” have been incorporated into the 2025 California Green Building Standards Code through the California Building Standards Commission code hearing and adoption process. This process establishes the California Building Standards Code on a triennial cycle. It involves public hearings and stakeholder input to update standards that promote energy efficiency, sustainability, and climate resilience throughout the State.

The first proposed local amendment introduces the definition of Level 2 Electric Vehicle (EV) Ready, providing detailed requirements for electric vehicle readiness in single-family homes. Amending the code is essential to reduce greenhouse gas emissions, mitigate climate change effects, and improve access to EV receptacles. Specifically, in new construction of one- and two-family dwellings and townhouses with private garages, whether attached or detached, a Level 2 EV Ready receptacle will be required to support sustainable transportation.

Additional amendments address long-term and short-term bicycle parking provisions to ensure consistency with the previously adopted 2022 Green Building Standards Code. The current requirement for short-term bicycle parking in multifamily buildings, hotels, and motels, of one bicycle parking space for every 5% of visitor parking, will be maintained by amending the new code to require one bicycle parking space for every 5% of visitor parking.

For long-term bicycle parking, the current standard of one bicycle parking space per dwelling unit will be retained, with amendments establishing one space for every one dwelling units. For hotels and motels, the existing standard of one onsite long-term bicycle parking space for every 25 rooms or fraction thereof will be maintained by amending the code to require one space for every 25 rooms or fraction thereof.

These amendments maintain consistency with existing green building standards and promote sustainable transportation. They support safe, accessible bicycle facilities that encourage active travel, reduce traffic, and improve residents' quality of life.

Conclusion

Adopting the 2025 codes with these local amendments will strengthen Gilroy’s commitment to promoting public health, safety and overall welfare through updated and consistent building standards. Therefore, staff recommends that the Council introduce

the proposed ordinance to adopt these codes and amendments and set a public hearing for August 18, 2025.

This timeline will allow notice of the public hearing to be published once a week for two successive weeks pursuant to Government Code Section 6066, ensuring transparency and compliance with State requirements. The ordinance will be effective on September 17, 2025, if adopted on August 18, 2025.

As established by the California Building Standards Commission, the 2025 California Building Standards Code with any approved local amendments will become effective and applicable on January 1, 2026.

ALTERNATIVES

The City Council may adopt the new codes without any of the amendments; adopt the new codes with only a portion of the amendments; or adopt the new codes with modifications to the amendments. Staff does not recommend these actions. Without the complete code adoption with amendments, the base code would provide only the minimum standards without considering local conditions in Gilroy.

FISCAL IMPACT/FUNDING SOURCE

There is no direct cost to the City for adopting the Codes.

PUBLIC OUTREACH

The August 4, 2025, City Council meeting agenda packet is available through the City’s webpage. Notice of the public hearing is published in the Gilroy Dispatch on August 1 and August 8, 2025.

NEXT STEPS

The City Council is asked to conduct a public hearing on August 18, 2025, for the adoption of the ordinance.

Attachments:

Draft Ordinance

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GILROY AMENDING SECTIONS 6.1, 6.6, AND 6.7 OF CHAPTER 6 OF THE GILROY MUNICIPAL CODE ADOPTING BY REFERENCE THE 2025 CALIFORNIA BUILDING CODE, 2025 CALIFORNIA RESIDENTIAL CODE, 2025 CALIFORNIA ELECTRICAL CODE, 2025 CALIFORNIA MECHANICAL CODE, 2025 CALIFORNIA PLUMBING CODE, 2025 CALIFORNIA ENERGY CODE, 2025 CALIFORNIA HISTORICAL BUILDING CODE, 2025 CALIFORNIA EXISTING BUILDING CODE, 2025 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2024 INTERNATIONAL PROPERTY MAINTENANCE CODE, AND 2024 INTERNATIONAL SWIMMING POOL AND SPA CODE, WITH AMENDMENTS

WHEREAS, the California Building Standards Commission has adopted and published an updated Title 24 of the California Code of Regulations, also referred to as the 2025 California Building Standards Code, that will become effective statewide on January 1, 2026; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5 establish the authority for a city to adopt and make local amendments and modifications to the building standards in the California Building Standards Code to establish more restrictive building standards than those contained in the California Building Standards Code; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5 permit a city to make such local amendments and modifications as the city determines are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5 require a city, before making any amendments and modifications to the California Building Standards Code, make an express finding that such amendments and modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Gilroy has reviewed and intends to adopt the 2025 California Building Standards Code; and

WHEREAS, the City Council wishes to amend portions of the California Building Standards Code to better address local conditions and makes express findings that such amendments are reasonably necessary because of local climatic, geological or topographical conditions as set forth in this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GILROY DOES ORDAIN AS FOLLOWS:

SECTION I

The City Council has duly considered the full record before it, which may include but is not limited to the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION II

The City Council hereby finds and determines that this Ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) (“CEQA”) and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the proposed Ordinance would not be an activity with potential to cause significant effect on the environment because the changes made to the California Building Standards Code within are enacted to mitigate the threats posed to public peace, health and safety from earthquakes, storms, floods, high winds and fire, and therefore is exempt from CEQA. Therefore, it can be seen with certainty that there is no possibility that the Ordinance in question may have a significant effect on the environment; accordingly, the Ordinance is categorically exempt from CEQA.

SECTION III

Section 6.1 of Chapter 6 of the Gilroy Municipal Code is hereby repealed in its entirety and replaced with the text below to read as follows:

6.1 Construction codes adopted.

For the purpose of setting forth proper regulations for the protection of the public health, safety and welfare, regulating the erection, construction, enlargement, alteration, repair, relocation, demolition, conversion, occupancy, equipment, use, height, area and maintenance of buildings and structures in the city, providing for the issuance of permits and collection of fees therefor and provisions for the violation thereof, the following construction codes are adopted, as amended, to apply in the City of Gilroy:

- (a) 2025 California Building Code;
- (b) 2025 California Residential Code;
- (c) 2025 California Electrical Code;
- (d) 2025 California Mechanical Code;
- (e) 2025 California Plumbing Code;
- (f) 2025 California Energy Code;
- (g) 2025 California Historical Building Code;

- (h) 2025 California Existing Building Code;
- (i) 2024 International Property Maintenance Code;
- (j) 2024 International Swimming Pool and Spa Code;
- (k) 2025 California Green Building Standards Code;
- (l) 2025 California Fire Code;
- (m) 2025 California Wildland-Urban Interface Code.

SECTION IV

Section 6.6 of Chapter 6 of the Gilroy Municipal Code is hereby repealed in its entirety and replaced with the text below to read as follows:

6.6 Adoption.

1. This article shall be known and cited as the Gilroy Building Safety Code.
2. The following Codes are hereby adopted by reference for the City of Gilroy:
 - (a) The 2025 California Building Code, published by the International Code Council, Inc. and the California Building Standards Commission in Part 2 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Appendix J. Amendments, if any, are set forth in Section 6.7(a). The 2025 California Building Code shall be designated and referred to as the "Building Code" for the City of Gilroy. There is one copy of said Code on file in the office of the Building Official for use and examination by the public.
 - (b) The 2025 California Residential Code, published by the International Code Council, Inc. and the California Building Standards Commission in Part 2.5 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Appendix BG. Amendments, if any, are set forth in Section 6.7(b). The 2025 California Residential Code shall be designated and referred to as the "Residential Code" for the City of Gilroy. There is one copy of said Code on file in the office of the Building Official for use and examination by the public.
 - (c) The 2025 California Electrical Code, published by the National Fire Protection Agency and the California Building Standards Commission in Part 3 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Annexes A, B, C, D, and F. Amendments, if any, are set forth in Section 6.7(c). The 2025 California Electrical Code shall be designated and referred to as

the “Electrical Code” for the City of Gilroy. There is one copy of said Code on file in the office of the Building Official for use and examination by the public.

- (d) The 2025 California Mechanical Code, published by the International Association of Plumbing and Mechanical Officials and the California Building Standards Commission in Part 4 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. Amendments, if any, are set forth in Section 6.7(d). The 2025 California Mechanical Code shall be designated and referred to as the "Mechanical Code" for the City of Gilroy. There is one copy of said Code on file in the office of the Building Official for use and examination by the public.
- (e) The 2025 California Plumbing Code, published by the International Association of Plumbing and Mechanical Officials and the California Building Standards Commission in Part 5 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Appendices A, B, C, D, I, and M. Amendments, if any, are set forth in Section 6.7(e). The 2025 California Plumbing Code shall be designated and referred to as the “Plumbing Code” for the City of Gilroy. There is one copy of said code on file in the office of the Building Official for use and examination by the public.
- (f) The 2025 California Energy Code, published by the International Code Council, Inc. and the California Building Standards Commission in Part 6 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Appendices 1-A and 1-B. Amendments, if any, are set forth in Section 6.7(f). The 2025 California Energy Code shall be designated and referred to as the “Energy Code” for the City of Gilroy. There is one copy of said Code on file in the office of the Building Official for use and examination by the public.
- (g) The 2025 California Historical Building Code, published by the International Code Council, Inc. and the California Building Standards Commission in Part 8 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. Amendments, if any, are set forth in Section 6.7(g). The 2025 California Historical Building Code shall be designated and referred to as the “Historical Building Code” for the City of Gilroy. There is one copy of said Code on file in the office of the Building Official for use and examination by the public.
- (h) The 2025 California Existing Building Code, published by the International Code Council, Inc. and the California Building Standards Commission in Part 10 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Appendices A1, A2, A3, and A5. Amendments, if any, are

set forth in Section 6.7(h). The 2025 California Existing Building Code shall be designated and referred to as the “Existing Building Code” for the City of Gilroy. There is one copy of said Code on file in the office of the Building Official for use and examination by the public.

- (i) The 2024 International Property Maintenance Code, published by the International Code Council, Inc., is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Appendix A. Amendments, if any, are set forth in Section 6.7(i). The 2024 International Property Maintenance Code shall be designated and referred to as the "Property Maintenance Code" for the City of Gilroy. There is one copy of said Code on file in the office of the Building Official for use and examination by the public.
- (j) The 2024 International Swimming Pool and Spa Code, published by the International Code Council, Inc., is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. Amendments, if any, are set forth in Section 6.7(j). The 2024 International Swimming Pool and Spa Code shall be designated and referred to as the "Swimming Pool and Spa Code" for the City of Gilroy. There is one copy of said Code on file in the office of the Building Official for use and examination by the public.
- (k) The 2025 California Green Building Standards Code, published by the International Code Council, Inc. and the California Building Standards Commission in Part 11 of Title 24 of the California Code of Regulations, also known as the CALGreen Code, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. Amendments, if any, are set forth in Section 6.7(k). The 2025 California Green Building Standards Code shall be designated and referred to as the “Green Building Standards Code” for the City of Gilroy. There is one copy of said Code on file in the office of the Building Official for use and examination by the public.

SECTION V

Pursuant to California Health and Safety Code Sections 17958. 7 and 18941.5, the City Council hereby finds that the amendments are reasonably necessary due to local climatic, geological or topographical conditions as set forth below.

- 1. Many of the modifications or changes are reasonably necessary because of the following climatic conditions.
 - (a) The region is within a climate zone that requires compliance with energy efficiency standards for building construction. The amendment adds design flexibility that will add to energy efficiency in construction while maintaining nationally recognized health and safety standards. This reason is hereinafter referred to as “Climatic I.”

- (b) The region is within a national climate zone that is designated “Very High” on the Termite Infestation Probability Map. This reason is hereinafter referred to as “Climatic II.”
2. Many of the modifications or changes are reasonably necessary because of the following geological conditions.
 - (a) The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants. This reason is hereinafter referred to as “Geological I.”
 - (b) The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of flexibility of materials and/or building systems as a contributing factor to damages that reduced the protection of the life-safety of building occupants and increased the cost of rehabilitation of structures. This reason is hereinafter referred to as “Geological II.”
3. Many of the modifications or changes are reasonably necessary because of the following topographical conditions.
 - (a) Portions of the City are in hillside areas that are hazardous fire areas that have only limited fire suppression forces and facilities available for the protection of life and property. This reason is hereinafter referred to as “Topographical I”
 - (b) Portions of the City are in hillside areas with extensive hillside construction that is prone to erosion. This reason is hereinafter referred to as “Topographical II”.
4. Some of the modifications or changes are reasonably necessary because of other climatic, geological or topographical conditions.

SECTION VI

Section 6.7 of Chapter 6 of the Gilroy Municipal Code is hereby repealed in its entirety and replaced with the text below to read as follows:

6.7 Amendments.

(a) Amendments to the Building Code

(1) Amend Section 1.8.4.2 to read as follows:

1.8.4.2 Fees. Fees shall be assessed in accordance with the adopted City of Gilroy Comprehensive Fee Schedule.

Reason for amendment: The City adopts the Comprehensive Fee Schedule annually. All Building and development fees shall be assessed in accordance with the most current and adopted Comprehensive Fee Schedule.

(2) Amend Section 105.7 to read as follows:

105.7 Placement of Permit. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.

Reason for amendment: Clarifies that the approved plans and documentations are at the job site for the inspector and contractor to follow.

(3) Amend Section 109.2 to read as follows:

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alternations requiring a permit, a fee for each permit shall be paid as required by the adopted current adopted City of Gilroy Comprehensive Fee Schedule.

Reason for amendment: The City Council reviews and adopts the City of Gilroy Comprehensive Fee Schedule. All Building and development fees shall be assessed in accordance with the most current and adopted Comprehensive Fee Schedule.

(4) Amend Section 109.4 to read as follows:

109.4 Work commencing before permit issuance. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, the fee for necessary permits shall be double the fee established by the current City of Gilroy Comprehensive Fee Schedule approved by the city council.

Reason for amendment: The City Council reviews and adopts the City of Gilroy Comprehensive Fee Schedule. All Building and development fees shall be assessed in accordance with the most current and adopted Comprehensive Fee Schedule. Doubling the permit fee is a standard procedure from prior practice and adopted codes.

(5) Add Section 109.7 to read as follows:

109.7 Plan review fees. When a plan review requires a plan checking fee, the fee shall be paid at the time of submitting plans, calculation and specifications for checking. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at an hourly rate established in the City of Gilroy Comprehensive Fee Schedule adopted by the city council.

Reason for amendment: Provides clarification of when plan review fees are paid and maintains consistency with prior adopted code cycles that additional fees may be charged as deemed necessary by the Building Official at an hourly rate as established in the most current and adopted Comprehensive Fee Schedule.

(6) Add Section 110.7 to read as follows:

110.7 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the Building Official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained and available by the permit holder until final approval has been granted by the building official.

Reason for amendment: The building official amends and adds this new section to require that the inspection card be available at the job site. The inspection card contains inspection description and building inspector signoff information to allow the inspector to follow through on each permit.

(7) Amend Section 402.5 as follows:

Delete exception.

Reason for amendment: Geological I and II

(8) Amend Section 403.3 as follows:

Delete exception.

Reason for amendment: Geological I and II

(9) Amend Section 404.3 as follows:

Delete all exceptions.

Reason for amendment: Geological I and II

(10) Amend Section 410.6 as follows:

Delete all exceptions.

Reason for amendment: Geological I and II

(11) Amend Section 903.2 to read as follows:

903.2 Where Required. Approved Automatic sprinkler system in new and existing buildings and structures shall be provided in the locations as set forth in the Gilroy Fire Code and the California Fire Code. If any conflicts occur between the California Building Code and the Gilroy Fire Code, the Gilroy Fire Code shall prevail.

Reason for amendment: Amending the Code to explicitly express that if any conflicts occur between the California Building Code and the Gilroy Fire Code, the Gilroy Fire Code shall prevail.

(12) Add Section 1505.1.3 to read as follows:

1505.1.3 Roofing requirements in a Wildland-Urban Interface Fire Area. Roofing requirements for structures located in a Wildland-Urban Interface Fire Area shall comply with Section 705A. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

Reason for addition is to require that the roof covering for structures in the hillside area is a minimum Class A, and this is necessary due to the climatic conditions of the area. The hillside area has a long history of high winds, with an associated higher risk of accelerated and more significant structure damage and higher potential for related casualties.

(13) Add Section 1505.1.4 to read as follows:

1505.1.4 Roofing. Class A roof covering shall be required for all Hillside Construction.

Reason for amendment: Amending the Code to require that the roof covering for structures in the hillside area is a minimum Class A, and this is necessary due to the climatic conditions of the area. The hillside area has a long history of high winds, with an associated higher risk of accelerated and more significant structure damage and higher potential for related casualties.

(14) Amend Section 1705.3 Exception 1 to read as follows:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based upon a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi) (17.2 MPa).

Reason for amendment: Amending the Code to require special inspection for isolated spread concrete footings of buildings of three stories or less where the structural design of

the footing is based upon a specified compressive strength of concrete greater than 2,500 psi, and this is necessary due to expansive (clay) soils and seismic activity common to this geological area.

(15) Amend Section 1808.1 by adding the following to the end of the section to read as follows:

All new foundations for building additions to R-3 occupancies shall be of the same type of foundation system as the existing structure, unless the foundation system is designed, and plans, calculations, and specifications are prepared, stamped and signed, by a California licensed engineer or architect.

Reason for amendment: Amending the Code to require all new foundations for building additions to R-3 occupancies shall be of the same type of foundation system as the existing structure, unless the foundation system is designed, and plans, calculations, and specifications are prepared, stamped and signed, by a California licensed engineer or architect, and this is necessary due to expansive (clay) soils and seismic activity common to this geological area.

(16) Adopt the following Appendix:

Appendix J - Grading

(17) Add subsections to Section J110 Erosion Control to read as follows:

J110.3 Erosion Control.

- a. The applicant shall submit an Interim Erosion and Sediment Control Plan. This can be incorporated on the Grading Plan and shall include the following information:
 1. Maximum surface runoff from the site as calculated using the method approved by the Building Official.
 2. A delineation and brief description of the surface runoff and erosion control measures to be implemented including, but not limited to, types and methods of applying mulches to be used.
 3. A delineation and brief description of vegetative measures to be taken, including but not limited to, seeding methods, the type, location and extent of existing and undisturbed vegetation types, and a schedule for maintenance and upkeep.
- b. No improvements planned. Where an applicant does not plan to construct permanent improvements on the site, or plans to leave portions of the site graded but unimproved, applicant must:

1. Submit an Interim Plan designed to control runoff and erosion on the site for the period of time during which the site, or portions thereof, remain unimproved.
 2. Submit a request for release after the completion of grading.
- c. Work Schedule. The applicant must submit a master work schedule showing the following information:
1. Proposed grading schedule.
 2. Proposed conditions of the site on each July 15, August 15, September 15, and October 15 during which the permit is in effect.
 3. Proposed schedule for installation of all interim erosion and sediment control measures including, but not limited to, the stage of completion of erosion control devices and vegetative measures on each of the dates set forth in Subsection (2).
 4. Schedule for construction of final improvements, if any.
 5. Schedule for installation of permanent erosion and sediment devices where required.
- d. Season Work (October 15 to April 15).
1. For commencement of the grading during the wet season, applicant must provide special documentation, as required by Building Official, showing the reasons other than financial, for the need to commence at that time.
 2. For continuation of activities, other than installation, maintenance or repair of measures in the interim or final plans, during the wet season, permittee must apply for and receive in writing from the Building Official, every five (5) working days, special permission to proceed.
 3. The Building Official shall grant permission under this subsection on the basis of weather forecasts, experience and other pertinent factors, which indicate the activity, may occur without excessive erosion occurring.

J110.4 Dust and Mud Control Measures. Contractors performing grading operations within the City where dry conditions or wet conditions are encountered shall adequately and effectively control dust or mud from spreading off site or onto existing structures on site. Prior to commencement of grading operations, contractor shall furnish details of proposed dust or mud control measures to the Building Official for approval. Failure to control dust or mud from grading operations shall result in suspension of grading operations until adequate measures are in place to allow continuance.

J110.5 Archeological Discovery. If in the course of any grading operation, any artifacts, human remains, or substantial fossils are discovered, all grading operations shall cease, and the discovery site shall be suitably marked and protected from further damage. A report of such findings shall be as outlined in the Zoning Ordinance.

Specifically, if human remains are discovered, the Sheriff-Coroner and the Building Official shall be notified. If no human remains are discovered, but artifacts or significant fossils are discovered, the Building Official shall be notified.

J110.6 Administration and Enforcement.

J110.6.1 Work Stoppage. Whenever the Building Official determines that the work does not comply with the terms of the permit or of this Ordinance Section, they may order the immediate cessation of all work hereunder until such corrective measures have been completed.

J110.6.2 Right of Entry. Whenever the Building Official or designated subordinate(s) have reasonable or probable cause to believe that there exists accelerated erosion and/or a violation of this Ordinance Section, they may enter such site at all reasonable times to inspect the same, to perform any duty imposed upon them by this Ordinance Section; providing that if such premises are occupied, they shall first present proper credentials and request entry, and if the premises are found to be unoccupied, they shall first make a reasonable effort to locate the owner or other person having charge or control of said premises and request entry. If such entry is refused or the owner or person having charge or control cannot be located after reasonable effort, the Building Official shall have recourse to every remedy provided by law to secure entry and abate the erosion or violation.

J110.6.3 Notification of Violation. Any person found to be in violation of the provisions of this Ordinance Section shall be required to correct the problem upon written notification from the Building Official or designated subordinate(s). Such written notification may require that certain conditions be adhered to in the correction of the problem. These may include, but are not limited to, the following:

- a. Use of specific erosion control techniques
- b. Submittal of plans and specifications to be approved by the Community Development Department, and any other department affected by such work, prior to the commencement of corrective work.
- c. Completion of corrective work within a specified time period.

J110.6.4 Abatement of Violation. If the responsible party fails to act in response to written notification of the Building Official, the violation may be declared a public nuisance and be abated as required to restore the site to its original condition. Where there is an emergency condition of erosion or sediment damaging a waterway, marsh, or other body of water, or significant habitat or archeological site, the Building Official may have the necessary corrective work done and bill the property owner or lien the property for repayment.

J110.6.5 Penalties.

- a) Any person, whether as principal, agent, employee or otherwise, or firm or corporation violating, or causing or permitting the violation of any of the provisions of this Ordinance Section shall be subject to citations and penalties set forth in the Gilroy Municipal Code, Section 1.7, Section 6.16 and Chapter 6A.
- b) Each separate day or portion thereof during which any violation occurs or continues without a good faith effort by the responsible person to correct the violation, shall be deemed to constitute a separate offense.
- c) In addition to the above noted penalties, the Building Official is hereby authorized to attach an investigation fee up to twice the grading permit fee, to any such permit issued for corrective action.

J110.6.6 Enforcement. The Building Official and or their designated subordinate(s) is hereby authorized and directed to enforce all the provisions of this Ordinance Section. For such purpose, the Building Official shall have the powers of a law enforcement officer.

J110.6.7 Appeals. Any person who believes the Building Official has erred in the technical application of this Ordinance Section may appeal such action to the Building Board of Appeals.

Reason for amendment: Geological II.

(b) Amendments to the Residential Code

- (1) Amend Section 1.8.4.2 to read as follows:

1.8.4.2 Fees. Fees shall be assessed in accordance with the adopted City of Gilroy Comprehensive Fee Schedule.

Reason for amendment: The City adopts the Comprehensive Fee Schedule annually. All Building and development fees shall be assessed in accordance with the most current and adopted Comprehensive Fee Schedule.

- (2) Amend Section R105.7 to read as follows:

R105.7 Placement of Permit. The building permit, along with all plans and documentation approved by the building official, shall be kept on the site of the work until final approval has been granted by the building official.

Reason for amendment: Clarifies that the approved plans and documentations are at the job site for the inspector and contractor to follow.

- (3) Amend Section R108.2 to read as follows:

R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alternations requiring a permit, a fee for each permit shall be paid as required by the adopted current adopted City of Gilroy Comprehensive Fee Schedule.

Reason for amendment: The City Council reviews and adopts the City of Gilroy Comprehensive Fee Schedule. All Building and development fees shall be assessed in accordance with the most current and adopted Comprehensive Fee Schedule.

(4) Amend Section R108.6 to read as follows:

R108.6 Work commencing before permit issuance. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, the fee for necessary permits shall be double the fee established by the current City of Gilroy Comprehensive Fee Schedule approved by the city council.

Reason for amendment: The City Council reviews and adopts the City of Gilroy Comprehensive Fee Schedule. All Building and development fees shall be assessed in accordance with the most current and adopted Comprehensive Fee Schedule. Doubling the permit fee is a standard procedure from prior practice and adopted codes.

(5) Add Section R108.7 to read as follows:

R108.7 Plan review fees. When a plan review requires a plan checking fee, the fee shall be paid at the time of submitting plans, calculation and specifications for checking. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items an additional plan review fee may be charged as deemed necessary by the building official at an hourly rate established in the City of Gilroy Comprehensive Fee Schedule adopted by the city council.

Reason for amendment: Provides clarification of when plan review fees are paid and maintains consistency with prior adopted code cycles that additional fees may be charged as deemed necessary by the Building Official at an hourly rate as established in the most current and adopted Comprehensive Fee Schedule.

(6) Add Section 109.5 to read as follows:

109.5 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the building official such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained and available by the permit holder until final approval has been granted by the building official.

Reason for amendment: The building official amends and adds this new section to require that the inspection card be available at the job site. The inspection card contains inspection description and building inspector signoff information to allow the inspector to follow through on each permit.

(7) Adopt the following Appendix:

Appendix BG – Sound Transmission

(c) Amendments to the Electrical Code

(1) Amend Section 230.2 by adding subsection (F) to read as follows:

230.2(F). Underground Service. All new electrical services shall be underground and installed per Section 230.30, Underground Service-Lateral Conductors. In existing commercial and industrial areas, existing overhead utilities shall be placed underground in connection with new development. In existing residential areas of the city in which development has occurred with overhead utilities in or along the frontage of properties, existing utilities shall be placed underground in connection with the development or redevelopment of property consisting of four (4) or more dwelling units.

Reason for amendment: Section is amended to require undergrounding for new electrical services. Section is also amended to remain consistent with the Gilroy Municipal code Chapter 21 Section 21.114 titled Undergrounding required with new streets and development. Many buildings in Gilroy are located in high wind areas. Due to this local climatic condition, amending the Code to provide for elimination of overhead services that are inherently less safe in the event of windstorms will provide a higher level of safety.

(2) Amend Section 230.70(A) by adding subsection (4) to read as follows:

(4) Main Service Disconnect Location. The building main service disconnect and/or disconnects shall be installed on the first-floor level of the building, in accordance with 230.70(A)(1), (A)(2), and (A)(3).

Reason for amendment: Quick access to the buildings main service disconnect is critical for emergency services. This amendment provides a quicker means of finding the location of the main power disconnects to buildings in the event of seismic events and other emergencies. This critical as Gilroy is located in an area of high seismic activities.

(3) Amend Section 250.50 by adding subsection (A) to read as follows:

Main 250.50(A). Grounding System in New Buildings. Grounding electrode systems in all new buildings shall be an electrode encased by at least 50 mm (two

inches) of concrete, located horizontally near the bottom or vertically, and within that portion of a concrete foundation or footing that is in direct contact with earth. The electrode shall consist of at least 6.0 m (20 feet) of one or more steel reinforcing bars or rods, of not less than 13 mm (½ inch) diameter or consisting of at least 6.0 m (20 feet) of bare copper conductor not smaller than 4 AWG. The connection side of this concrete-encased electrode shall be located remotely away from the main electrical service equipment.

Reason for amendment: Amending the Code allows significantly higher assurances that the grounding of the building electrical system will not deteriorate and fail due to the properties of local soils. Other types of grounding, such as rods, maybe subject to deterioration in local soils, whereas an encased electrode will not be in contact with the soils. Providing a concrete-encased electrode enhances the capability of keeping electrical systems grounded, which is important for electrical services in the City of Gilroy.

(4) Adopt the following Annex:

Annex A – Product Safety Standards

Annex B – Application Information for Ampacity Calculation

Annex C – Conduit, Tubing, and Cable Tray Fill Tables for Conductors and Fixture Wires of the Same Size

Annex D – Examples

Annex F – Availability for Critical Operations Power Systems; and Development and Implementation of Functional Performance Tests (FPTs) for Critical Operations Power Systems

(d) **Amendments to the Mechanical Code**

(1) Adopt no amendments.

(e) **Amendments to the Plumbing Code**

(1) Amend Section 604.3 to read as follows:

604.3 Copper or Copper Alloy Tube. Copper or copper alloy tube for potable water piping shall have a weight of not less than type “L”.

Reason for amendment: Most of the surface soils in the Santa Clara Valley is relatively young and unconsolidated sedimentary materials formed from a wide variety of parent materials. The varying chemical composition, degree of weathering, and the relatively acid environment have created soils of varying types, which are particularly corrosive in nature.

(2) Add Section 719.1.1 to read as follows:

719.1.1 Clean-outs shall be installed on private property adjacent to property line where the private sewer system connects to the public sanitary sewer lateral. All such line clean-outs shall be extended to grade with materials according to specifications approved by the Administrative Authority and terminate within a listed and labeled box.

Exception: If the lateral does not exceed 12 ft. from the back of sidewalk to the building drain clean-out, the run must be substantially straight.

Reason for amendment: This amendment is to comply with City of Gilroy sewer standard SWR-5B.

(3) Adopt the following Appendix:

- Appendix A – Recommended Rules for Sizing the Water Supply System
- Appendix B – Explanatory Notes on Combination Waste and Vent Systems
- Appendix C – Alternate Plumbing Systems
- Appendix D – Sizing Storm Water Drainage Systems
- Appendix I – Installation Standards
- Appendix M – Peak Water Demand Calculator

(f) Amendments to the Energy Code

(1) Adopt the following Appendix:

- Appendix 1-A – Standards and Documents Referenced in the Energy Code
- Appendix 1-B – Energy Commission Documents Incorporated by Reference in Their Entirety

(g) Amendments to the Historical Building Code

(1) Adopt no amendments.

(h) Amendments to the Existing Building Code

(1) Adopt the following Appendix:

- Appendix A1 – Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings
- Appendix A2 – Earthquake Hazard Reduction in Existing Reinforced Concrete and Reinforced Masonry Wall Buildings with Flexible Diaphragms
- Appendix A3 – Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light, Wood-Frame Residential Buildings

Appendix A5 – Referenced Standards

(i) **Amendments to the Property Maintenance Code**

(1) The codes, standards, and references in this code shall be revised as follows:

Delete the following references	Insert the following references
<ul style="list-style-type: none"> • International Building Code • International Mechanical Code • National Electrical Code • International Fire Code • International Plumbing Code • International Existing Building Code • International Residential Code • International Energy Conservation Code • International Green Construction Code • International Zoning Code • International Fuel Gas Code • Name of Jurisdiction • Jurisdiction to insert appropriate schedule • Board of appeals 	<ul style="list-style-type: none"> • 2025 California Building Code • 2025 California Mechanical Code • 2025 California Electrical Code • 2025 California Fire Code • 2025 California Plumbing Code • 2025 California Existing Building Code • 2025 California Residential Code • 2025 California Energy Code • 2025 California Green Building Standards Code • City of Gilroy Zoning Ordinance • No reference • City of Gilroy • City of Gilroy Comprehensive Fee Schedule • Hearing Officer

(2) Amend Section 102.4 to read as follows:

102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the correction of any code violation or the removal or demolition of any structure that is dangerous, unsafe, or insanitary.

Reason for amendment: To be consistent with Municipal Code Section 5B.9.

(3) Amend Section 105.3 by adding the following to the end of the section to read as follows:

Any and all costs incurred by the city in connection with securing lawful entry to a structure or premise including but not limited to, costs of investigation, staffing costs incurred in the preparation of warrants, and all subsequent costs necessary to enforce compliance with the provisions of this Code may be recovered including late payment charges and costs of collection by use of any and all available legal means.

Reason for amendment: To clarify the process of cost recovery where the Right of Entry for inspection of a premise or structure is refused.

(4) Amend Section 106.1 to read as follows:

106.1 Means of appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the hearing officer, provided that a written application for appeal is filed within 20 days

after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Reason for amendment: Gilroy Municipal Code Chapter 6A has already established an appeal process through the Administrative Hearing Officer.

(5) Delete Section **106.2 Limitations of authority** through Section **106.4 Administration**.

(6) Amend Section [A] 107.1 to read as follows:

107.1 Unlawful acts. It is hereby declared to be unlawful and a public nuisance for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any premise, building, structure or building service equipment, or cause or permit the same to be done in violation of this code or the technical codes.

Reason for amendment: To agree with 2022 California Building Code Sec. 114.1

(7) Amend Section [A] 107.5 by adding the following to the end of the section to read as follows:

Procedures used and actions taken to correct or abate violations are not limited by this code. Procedures used and actions taken under this code may be utilized in conjunction with or in addition to any other procedure applicable to the regulation of buildings or structures or property.

Reason for amendment: To be consistent with Municipal Code Section 5B.9.

(8) Amend Section 109.1 to read as follows:

109.1 Unsafe conditions. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be posted in accordance with this section and declared to be a public nuisance and the violations shall be abated by repair, rehabilitation, demolition or removal pursuant to the provisions of this code.

Reason for amendment: The section focused on condemnation only. It has been revised to more closely follow the language from Section 202 of the 1997 Abatement of Dangerous Buildings Code.

(9) Amend Section 109.1.4 to read as follows:

109.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered, occupied or maintained contrary to law; or one that is partially constructed, reconstructed or demolished upon which work is abandoned. Work is deemed abandoned when there is no valid building or demolition permit.

Reason for amendment: Incorporated portions of 1997 Abatement of Dangerous Buildings Code Section 302 (18).

(10) Amend Section 109.1.5 by adding the following paragraph to the end of the Section:

Whenever exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.

Reason for amendment: Section 302 (10) of the 1997 Abatement of Dangerous Buildings Code clearly establishes this method to determine when a building or its structural elements are excessively and/or dangerously leaning.

(11) Amend Section 109.2 by deleting the words “of condemnation”:

Reason for amendment: The section referenced posting the structure for condemnation only; however, we post several different types of placards.

(12) Amend Section 109.5 to read as follows:

109.5 Unauthorized tampering. Placards, notices, signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed, tampered with, or removed without authorization from the code official. Any person violating this subsection shall be guilty of a misdemeanor.

Reason for amendment: To include the terms “Notices” and “Placards” referenced in 2021 IPMC 111.4 & 111.7 and comply with 1997 Uniform Housing Code Sec. 1104.2 and 1997 Abatement of Dangerous Buildings Code Section 404.1.

(13) Amend Section 109.7 to read as follows:

109.7 Placarding. When the code official determines a structure, equipment or premise has been erected, constructed, enlarged, altered, repaired, moved, improved, removed, damaged, converted or demolished, equipped, used, occupied or maintained in violation of this code or the technical codes and the structure, equipment or premise constitutes a danger to the life, limb, property or safety of the public or the occupants, the code official shall post a placard on the structure, equipment or premise in a conspicuous place in or about the affected structure, equipment or premise. The placard shall clearly state the code official’s Order

regarding the structure, equipment, or premise, and specify the conditions which necessitated the posting.

Reason for amendment: The section focused on posting structures or equipment for condemnation only; however, we use several different types of postings.

(14) Amend Section 109.7.1 to read as follows:

109.7.1 Placard removal. The code official shall remove the placard whenever the defect or defects upon which the placarding action was based has been eliminated. Any person who defaces or removes a placard without the approval of the code official shall be subject to the penalties provided by this code.

Reason for amendment: The section focused on posting structures or equipment for condemnation only; however, we use several different types of placards/postings.

(15) Amend Section 109.8 to read as follows:

109.8 Prohibited occupancy. It shall be unlawful for any person, owner, owner's authorized agent or person responsible for the premise to occupy or allow to be occupied a placarded structure or premise or operate placarded equipment in violation of the code officials posted order.

Reason for amendment: The section focused on posting structures or equipment for condemnation only; however, we use several different types of posting.

(16) Add Section 109.10 to read as follows:

109.10 Recordation of notices and orders. If compliance with the order is not achieved within the time specified therein, and no appeal has been properly and timely filed, the code official is authorized to file in the office of the county recorder a certificate describing the property, and that the premise, building, structure or building service equipment is in violation of this code or the technical codes or other regulation applicable to buildings or structures or property. Whenever the ordered corrections have been completed and the violations no longer exist on the property described in the certificate, and when all fines, fees, penalties, and incurred costs associated with the property have been satisfied, the code official shall issue a new certificate certifying that all required corrections have been made.

Reason for amendment: To comply with the recordation guidelines in the 1997 Abatement of Dangerous Buildings Code Section 402.

(17) Amend Section 202 definition for Dwelling Unit to read as follows:

[A] DWELLING UNIT. A single unit, whether part of a multiple unit complex, or a detached individual residential dwelling, that provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. “Recreational vehicles” as defined by Gilroy Zoning Ordinance Section 30.2.20 shall not be used or classified as Dwelling Units and must at all times be stored with pop-outs closed and utilities disconnected in compliance with Gilroy Zoning Ordinance Section 30.33, unless they are located in an approved mobile home park or RV park.

Reason for amendment: To clarify that recreational vehicles are not dwelling units for the purposes of this code.

(18) Amend Section 202 definition for Garbage to read as follows:

GARBAGE. Garbage shall be defined pursuant to Gilroy Municipal Code Section 12.1.

Reason for amendment: Gilroy Municipal Code Section 12.1 has already defined this term.

(19) Amend Section 202 definition for Inoperable Motor Vehicle to read as follows:

INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reasons including but not limited to being registered non-operational, unlicensed, wrecked, abandoned, in a state of disrepair, missing components, incapable of being moved under its own power or is prohibited from being operated on a public street or highway for any reason pursuant to the provisions of the California Vehicle Code.

Reason for amendment: To include the intent of Gilroy Municipal Code Sec. 5C.8(b) and Sec. 15.111.

(20) Amend Section 202 definition for Rubbish to read as follows:

RUBBISH. Rubbish shall be defined pursuant to Gilroy Municipal Code Section 12.1.

Reason for amendment: Gilroy Municipal Code Section 12.1 has already defined this term.

(21) Amend Section 301.3 by adding the following paragraph to the end:

The storage of any motor vehicle, special mobile equipment, truck, boat, travel trailer, aircraft, camper, mobile home, recreational vehicle, motorcycle, appliance, furniture or the storage or accumulation of garbage, refuse or rubbish as defined by

Gilroy Municipal Code Chapter 12 or the storage of any boxes or similar storage containers, household items or residential belonging or similar objects, materials of any kind or the storage or placement of any building or structure including permit exempt storage buildings or structures, on any vacant parcel without approval of the City of Gilroy is prohibited.

Reason for amendment: To clarify uses and activities that are not allowed on vacant parcels.

(22) Amend Section 302.1 to read as follows:

302.1 Sanitation. Exterior property areas and premises shall be maintained by the property owner in a clean, safe, and sanitary condition. In residential zones, accumulations of building materials, junk, rubbish, garbage, debris, scrap materials, boxes or similar storage containers, household items or residential belonging or similar objects, except items designed for exterior use such as lawn furniture, shall not be stored or maintained in the front yard area or unenclosed patios, porches, carports, or areas visible from any street or public way or accessible to the public for a period of time in excess of seventy-two consecutive hours. Property owners shall remain liable for violations thereof regardless of any contract or agreement with any third party regarding such property. The owner of any building lot or premises within the City where a business, trade or profession has established a fixed place of business pursuant to Gilroy Municipal Code Section 13.1(b) shall also comply with the requirements of Municipal Code Section 5B.2(d)(1).

Reason for amendment: The property owner is always held responsible for the proper maintenance of their property.

(23) Amend Section 302.2 by adding the following sentence at the end of the section:

Excess or concentrated drainage shall be contained on site or directed to the nearest practicable drainage facility approved by the code official.

Reason for amendment: To comply with 2022 California Building Code Section J109.4.

(24) Amend Section 302.3 by adding the following paragraph at the end:

The owner of any building, lot or premises within the city shall maintain the sidewalks and/or walkways located upon such premises that are accessible to the general public and the public sidewalks between such premises and any adjacent public street or alley in a clean, safe and sanitary condition. Maintenance shall include the removal and proper disposal, by methods approved by the City of Gilroy, of any dangerous, unsightly and unsanitary conditions such as accumulations of garbage, refuse, rubbish, litter, dirt, gum or other substances or items, which have been placed, dropped or spilled upon the sidewalks. Where said

unsightly or unsanitary conditions have been created or caused by the owner of such building, lot or premises, whether upon the sidewalks and/or walkways located upon his premises or the public sidewalks between such premises and any adjacent public street or alley, or the sidewalks adjacent to buildings, lots or premises in the vicinity, the owner shall immediately restore the sidewalks and/or walkways to a clean, safe and sanitary condition.

Reason for amendment: This amendment clarifies the specific exterior property area requirements referenced by Section 302.1 Sanitation.

(25) Amend Section 302.4 to read as follows:

302.4 Weeds. No owner, agent, lessee or occupant or other person having charge or control of any building, lot or premises within the city shall permit excess weeds or vegetation over twelve (12) inches to remain or accumulate upon such premises or upon public sidewalks or streets or alleys between such premises and the centerline of any public street or alley. Where overgrown weeds, vegetation, shrubbery, vines or trees, create an encroachment, harborage or shelter; the code official shall require the property owner to trim, cut, destroy or remove the overgrowth, and/or raise the vegetation canopy to a height of seven feet above the ground. All noxious weeds shall be prohibited. Weeds shall be defined per Municipal Code Section 12.45.

Upon failure of the owner or agent having charge of a property to cut and destroy excess weeds or vegetation after service of a notice of violation, they shall be subject to prosecution in accordance with Section 109.3 and as prescribed by the City of Gilroy. Upon failure to comply with the notice of violation, any duly authorized employee of the City or contractor hired by the City shall be authorized to enter upon the property in violation and cut and destroy the weeds or excess vegetation growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Reason for amendment: This section is revised to comply with Municipal Code Section 12.45 and 12.46.

(26) Amend Section 302.8, Exception to read as follows:

Exception: An owner, lessee, or occupant of the property may repair, wash, clean, or service personal property, provided they comply with Gilroy Zoning Ordinance and Municipal Codes requirements.

Reason for amendment: This section is revised to comply with Zoning Ordinance and Municipal Code requirements.

(27) Amend Section 303.2 to read as follows:

303.2 Enclosures. Private swimming pools, hot tubs, spas and ponds containing water more than 18 inches in depth shall be completely enclosed by a fence, wall or other barrier not less than 60 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches from the gatepost. The vertical clearance from the ground to the bottom of the enclosure shall be a maximum of two inches (2"). The maximum vertical clearance at the bottom of the barrier may be increased to four inches (4") when the grade is a solid surface such as a concrete deck. On wood fences with horizontal members spaced less than forty-five inches (45") apart, the horizontal members shall be placed on the poolside of the barrier. The outside surface of the enclosure shall be free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over. Existing pool enclosures shall not be removed, replaced, or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

Reason for amendment: To comply with Gilroy Residential Swimming Pool & Spa Guidelines, and California Health and Safety Code Swimming Pool Safety Act, Section 115920-115929.

(28) Delete Section 304.3 Premises identification.

Reason for amendment: Gilroy Municipal Code Section 6.24(b)(1) has already established a standard for premises identification.

(29) Amend Section 304.7 to read as follows:

304.7 Roofs and drainage. The roof and flashing shall be sound, tight, and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Damaged or deteriorated roofs and flashing shall be repaired as expeditiously as possible. When emergency temporary roof repairs require the installation of tarps or plastic sheeting to prevent leaks, the temporary repairs shall not extend beyond one month, unless approved by the Code Official. Such temporary repairs must have all edges of the material fastened and restrained with sufficient tension to prevent movement or flapping in the wind. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Reason for amendment: To address California Health and Safety Code Section 17920.3(a)(14) improper.

(30) Amend Section 304.14 first sentence by deleting the words: “During the period from [DATE] to [DATE],”

Reason for amendment: Insect screens are always required to be in working conditions.

(31) Amend Section 304.15 to read as follows:

304.15 Doors. Exterior doors, door assemblies, including weather stripping, thresholds, closers and operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

Reason for amendment: To comply with California Health and Safety Code Section 17920.3.

(32) Amend Section 304.16 to read as follows:

304.16 Under-Floor areas. Under-floor access doors, hatchways and ventilation openings shall be maintained to prevent the entrance of rodents, rain, and surface drainage water. Doors shall be tight fitting and ventilation openings shall be properly screened with corrosion-resistant wire mesh having openings not exceeding ¼ inch in any dimension or alternate approved materials pursuant to 2021 California Building Code Section 1203.

Reason for amendment: To comply with California Health and Safety Code Section 17920.3.

(33) Amend Section 304.18.2 to read as follows:

304.18.2 Windows. Operable windows that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device when they are located in whole or in part within 12 feet above ground level or walking surface or 6 feet horizontally from the ground, a roof, or any other platform.

Reason for amendment: To comply with California Civil Code Section 1941.3(a)2

(34) Amend Section 305.1, first sentence, to read as follows:

305.1 General The interior of a structure and equipment therein including but not limited to cabinets, counters and hardware shall be maintained in good repair, structurally sound and in a sanitary condition.

Reason for amendment: To comply with California Health and Safety Code Section 17920.3(a)14.

(35) Amend Section 305.6 to read as follows:

305.6 Interior Doors. Every interior door, frame and hardware shall be properly installed and maintained in a workmanlike manner and capable of being opened, closed, and latched. Every interior door shall fit reasonably well within its frame and shall be securely attached to the jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

Reason for amendment: To comply with California Health and Safety Code Section 17920.3(a)14.

(36) Amend Section 308.3.1 to read as follows:

308.3.1 Garbage facilities. The owner of every dwelling unit or the proprietor, manager, owner or lessee of any hotel, restaurant, boardinghouse, rooming house or other place of business in the city shall be responsible for providing approved leak-proof, covered, outside garbage receptacles for each dwelling unit or place of business pursuant to Gilroy Municipal Code Section 12.18. Receptacles and storage areas shall be at all times kept in a sanitary condition. Receptacles shall be placed for collection in the alley behind the premises, or if there is no alley access, then on the front curb in front of the premises being served, or such other place as may be approved by the director of public works or the garbage contractor, so as to be readily accessible for removing and emptying the same. Receptacles shall be placed in the proper area for collection the evening prior to collection and shall be removed and stored at an approved location by the morning after. For dwelling units, receptacles shall be stored in the side yard, fully concealed behind a fence or gate immediately adjacent to the house or garage. Where the code official repeatedly finds a site in violation of Municipal code section 5B.2(2) or 5C.7, he or she may require the property owner to provide an additional or larger outside garbage container for the premise to use.

Reason for amendment: To comply with Gilroy Municipal Code Chapter 5 and Section 12.18 and 12.19.

(37) Amend Section 309.1 to read as follows:

309.1 Infestation. All structures shall be kept free from insect, rodent, vermin, or other infestations. When an insect, rodent, vermin or other infestation is brought to the attention of the code official, he or she may require the owner or owner's authorized agent having charge or control of the building, lot or premise to hire a licensed exterminator or other qualified professional to inspect the building, lot or premise and provide a written report verifying the presence and severity of such

infestation including in the report a recommendation for proper extermination or elimination of the infestation. All structures and/or areas in which infestations are found, shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination of the infestation is complete, the code official may request a written notice from the licensed exterminator or other qualified professional attesting to the completion and success of the recommended extermination procedures. After the infestation is eliminated, proper precautions shall be taken to prevent reinfestation.

Reason for amendment: California Health and Safety Code Sec 17920.3(12) states “Infestation of insects, vermin, or rodents as determined by the health officer” renders dwelling units substandard. The language has been amended to clarify the process.

(38) Amend Section 309.2 to read as follows:

309.2 Owner. The owner of any structure or premise shall be responsible for extermination within the structure or premise prior to renting or leasing the structure or premise. The owner of a structure or premise containing a dwelling unit, multiple occupancy, rooming house, or a nonresidential structure shall be responsible for maintaining the structure and premise in a rodent and/or pest-free condition. If an infestation is caused by an occupant substantially failing to properly maintain their occupied area of the structure or premise “as clean and sanitary as the condition of the structure or premise permits”. For as long as the occupant’s failure either substantially causes an unlivable condition to occur, or substantially interferes with the owner’s ability to repair the condition, the owner does not have to repair the condition. Where defects in a structure substantially contribute to or cause an infestation, the owner shall be responsible for correction of the defect and extermination of the infestation.

Reason for amendment: To agree with California Civil Code Section 1941.2(a).

(39) Delete Section **309.3 Single Occupant** through Section **309.5 Occupant**.

Reason for amendment: Comply with California Tenants Handbook guidelines.

(40) Delete Section **404.5 Overcrowding** through Section **404.6 Efficiency unit**.

Reason for amendment: Overcrowding is regulated by 1997 Uniform Housing Code Section 503.2 and Efficiency Units are regulated by California Building Code Section 1208.4.

(41) Amend Section 505.3 by adding the following sentence to the end of the Section:

Where there’s damage or unauthorized modification to or use of a backflow prevention device, the code official may require theft prevention cages or enclosures to be installed.

Reason for amendment: To address California Health and Safety Code Section 17920.3(a)(14) improper maintenance.

(42) Amend Section 505.4:

Delete the words: “adequate combustion air is provided” and replace with the words: “the installation complies with Chapter 5 of the California Plumbing Code and Section 904.0 of the 2022 California Mechanical Code”

Reason for amendment: To comply with California Plumbing and Mechanical code requirements.

(43) Amend Section 506.2 by adding the following sentence to the end of the Section:

Sewer line cleanout plugs, or caps shall be of an approved type and shall be securely installed and remain in place at all times except when servicing the drain line.

Reason for amendment: To address California Health and Safety Code Section 17920.3(a)(14) improper maintenance.

(44) Amend Section 602.2 to read as follows:

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances, fireplaces and portable heaters shall not be used as a means to achieve compliance with this section.

Reason for amendment: To align with the Uniform Housing Code Section 701.1 requirements.

(45) Delete the Exception in Section 602.2.

Reason for amendment: The Uniform Housing Code has always used 70 degrees as the standard. The IPMC has revised this standard to 68 degrees and the exception creates a reduction to 65 degrees. This is considered too low for this area.

(46) Amend Section 602.3 by deleting the words “during the period from [DATE] to [DATE],”

Reason for amendment: Ability to heat the dwelling unit is required year-round.

(47) Amend Section 602.3, Exception 1, last sentence to read as follows:

The winter outdoor design temperature for the locality shall be 32°F.

Reason for amendment: The Appendix D reference to the Plumbing Code did not clearly specify the temperature.

(48) Delete Section 602.3 Exceptions 2.

Reason for amendment: The Uniform Housing Code has always used 70 degrees as the standard. The IPMC has revised this standard to 68 degrees and the exception creates a reduction to 65 degrees. This is considered too low for this area.

(49) Delete Section 602.4 Occupiable work spaces

Reason for amendment: This is primarily enforced by Cal OSHA.

(50) Amend Section 603.1 to read as follows:

Mechanical equipment, kitchen hoods, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing their intended function. When new mechanical equipment is installed and the old equipment is no longer in use, the old equipment must be removed from the structure. Openings left in the walls, floors or ceilings must be properly repaired and painted. Electrical circuits and gas lines must be properly abandoned and inspected.

Reason for amendment: To address California Health and Safety Code Section 17920.3(a)(14) improper maintenance.

(51) Amend Section 604.3 to read as follows:

604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons including the improper use of extension cords as permanent wiring, the code official shall require the defects to be corrected to eliminate the hazard.

Reason for amendment: To comply with Electrical Code requirements.

(52) Amend Section 605.3 by adding the following sentence to the end of the Section:

No unobstructed beam of exterior lighting shall be directed outward from a site toward any residential use or public right-of-way.

Reason for amendment: To comply with Gilroy Zoning Code Section 30.50.44(c) guidelines.

(53) Adopt the following Appendix:

Appendix A – Boarding Standard

(j) **Amendments to the Swimming Pool and Spa Code**

(1) Adopt no amendments.

(k) **Amendments to the Green Building Standards Code**

(1) Add to Section 202 Definition as follows:

LEVEL 2 EV READY. A parking space that is served by a complete electric circuit with the following requirements:

- i. A minimum of 8.3 kVa (208/240 volt, 40-ampere) capacity wiring.
- ii. A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 30-ampere.

Reason for amendment: Amending the code is essential to reduce GHG emissions, mitigate climate change effects, and provide access to EV receptacle.

(2) Amend Section 4.106.4.1 title to read as follows:

4.106.4.1 One- and two-family dwellings and town-houses with private garages.

Reason for amendment: Removed the word “attached” between "with" and "private" to clarify that a Level 2 EV Ready receptacle shall be provided in attached or detached private garages.

(3) Amend Section 4.106.4.1.1 to read as follows:

4.106.4.1.1 New Construction. One parking space per dwelling unit shall be a Level 2 EV Ready space.

Reason for amendment: Clarify that a Level 2 EV Ready receptacle shall be provided in new one- and two-family dwellings and townhouses with private garages.

(4) Amend Section 4.106.4.4.1 to read as follows:

4.106.4.4.1 Short-term bicycle parking for multifamily buildings, hotels and motels. Provide on-site bicycle parking at a ratio of one parking space for every 5% of visitor parking, but not less than two spaces. Short-term bicycle parking shall be located within 200 feet of building entrances, and readily visible to passers-by. Acceptable parking facilities shall be conveniently accessed from the street and may include, but not be limited to:

1. Permanently anchored bicycle parking devices, racks, or lockers in an unsheltered, open area.
2. Covered or uncovered enclosures with permanently anchored bicycle parking devices or racks.

Reason for amendment: The current code requires “one bicycle parking space for every 5% of visitor parking,” while the proposed code mandates “one bicycle parking space per 10,000 square feet.” This amendment aims to maintain existing “one” short term bicycle parking for every “5%” of visitor parking requirements to ensure continued consistency.

(5) Amend Section 4.106.4.4.2 to read as follows:

4.106.4.4.2 Long-term bicycle parking for multifamily buildings. Provide on-site bicycle parking at a ratio of one parking space for every one dwelling units. Acceptable parking facilities shall be conveniently accessed from the street and may include, but not be limited to:

1. Covered, lockable enclosures with permanently anchored bicycle parking devices or racks.
2. Lockable bicycle storage rooms with permanently anchored bicycle parking devices or racks.
3. Lockable, weatherproof, permanently anchored bicycle lockers.

Reason for amendment: The current code requires “one” bicycle parking per dwelling unit, while the proposed code mandates “one” bicycle parking space for every “two” dwelling units. This amendment aims to maintain the existing requirement of one bicycle parking space per dwelling unit for long-term parking and ensure continued consistency.

(6) Amend Section 4.106.4.4.3 to read as follows:

4.106.4.4.3 Long-term bicycle parking for hotel and motel buildings. Provide one on-site long-term bicycle parking space for every 25 rooms or fraction of, but not less than two. Acceptable parking facilities shall be conveniently accessed from the street and may include, but not be limited to:

1. Covered, lockable enclosures with permanently anchored bicycle parking devices or racks.
2. Lockable bicycle storage rooms with permanently anchored bicycle parking devices or racks.
3. Lockable, weatherproof, permanently anchored bicycle lockers.

Reason for amendment: The current code requires “one” onsite long-term bicycle parking space for every “25 rooms or fraction thereof”, while the proposed code mandates “one” long-term bicycle parking space for every “25,000 square feet”. This amendment aims to maintain the existing requirement of “one” onsite long-term bicycle parking space per “25 rooms or fraction thereof” to ensure continued consistency.

SECTION VII

Upon adoption of each new California Building Standards Code, the Ordinance adopting the previously adopted California Building Standards Code is superseded in its entirety. This

Ordinance does not repeal the 2025 Ordinance that adopts by reference and amends the 2025 California Fire Code and the California Wildland-Urban Interface Code.

SECTION VIII

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision, or part shall not affect the validity of the remainder.

SECTION IX

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its final adoption by the City Council.

PASSED AND ADOPTED this ___ day of ____, 2025 by the following roll call vote:

AYES: **COUNCIL MEMBERS:**
NOES: **COUNCIL MEMBERS:**
ABSTAIN: **COUNCIL MEMBERS:**
ABSENT: **COUNCIL MEMBERS:**

APPROVED:

Greg Bozzo, Mayor

ATTEST:

Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Ordinance No. 2025-XX** is an original ordinance, or true and correct copy of a City Ordinance, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said Council held on **Monday, _____, 2025**, with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Date**.

Kim Mancera
City Clerk of the City of Gilroy

(Seal)



City of Gilroy

STAFF REPORT

Agenda Item Title: Introduce an Ordinance Adopting by Reference the 2025 California Fire Codes with Amendments, and Set a Public Hearing on August 18, 2025, for Adoption of the Ordinance

Meeting Date: August 4, 2025
From: Jimmy Forbis, City Administrator
Department: Community Development
Submitted by: Sharon Goei, Community Development Director
Prepared by: Jonathan Crick, Fire Marshal

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

1. Move to read the ordinance by title only and waive further reading.
2. Introduce an ordinance amending Sections 10.9 and 10.10 of Chapter 10 of the Gilroy Municipal Code adopting by reference the 2025 California Fire Code and 2025 California Wildland-Urban Interface Code, with amendments.
3. Set a public hearing on August 18, 2025, for the adoption of the ordinance, pursuant to California Government Code Section 50022.3.

EXECUTIVE SUMMARY

Every three years, the International Code Council updates the model building codes, which are then adopted and amended by the California Building Standards Commission (CBSC) to form the California Building Standards Code, which is Title 24 of the California Code of Regulations. This triennial code cycle aims to improve safety, sustainability, and resiliency, and incorporates the latest technology, design, and construction methods and materials.

The California Building Standards Code is the minimum standard established in law and governs the design and construction of buildings and structures throughout California. In accordance with California Health and Safety Code, a city may establish more restrictive building standards than those in the California Building Standards Code

if the city finds that local amendments are reasonably necessary because of local climatic, geological, or topographical conditions.

The 2025 edition of the California Building Standards Code was published in July 2025, representing a pivotal point for statewide and local implementation. While the set of codes becomes effective statewide on January 1, 2026, this year's local adoption process is significantly accelerated due to Assembly Bill (AB) 130.

Signed into law on June 30, 2025, AB 130 introduces new restrictions on when local jurisdictions can amend residential building standards. AB 130 mandates that local amendments to residential building standards must be filed and effective by September 30, 2025, to be permissible. Otherwise, local jurisdictions shall not amend residential building standards from October 1, 2025, through June 1, 2031 (which is nearly two code cycles). To ensure timely adoption, Community Development staff has taken a proactive approach to meet this accelerated schedule to ensure that Gilroy's safety, sustainability, and resiliency goals from the current code cycle are carried forward to the next two code cycles for residential structures and to the next code cycle for non-residential structures.

Staff recommends that the City Council adopt the 2025 California Fire Code with local amendments and the 2025 California Wildland-Urban Interface Code to carry forth existing standards, which help to ensure that buildings and structures in Gilroy will safeguard the public's health, safety, and general welfare. The 2025 California Codes, with local amendments, will become effective and applicable on January 1, 2026.

BACKGROUND

Every three years, the International Codes (model codes) are updated, revised, and published by the International Code Council. Corresponding to the publishing of these model codes, the California Building Standards Commission amends and adopts the model codes as the California Building Standards Code.

Title 24 of the California Code of Regulations, also referred to as the California Building Standards Code, is the minimum standard established in law for the design and construction of buildings and structures throughout California. It is updated and published on a triennial basis by the California Building Standards Commission by order of the California legislature. This regular update is referred to as a "code cycle." Each code cycle update improves safety, sustainability, and resiliency, and incorporates new technology, design, and construction methods and materials.

Throughout each code adoption cycle, amendments to the codes are developed through an extensive public participation process. Gilroy staff serves on two of the six Code Advisory Committees for the California Building Standards Commission (chairs one Committee and serves on another).

In July 2025, the CBSC published the 2025 edition of the California Building Standards Code, making this year a code adoption year. The building regulations in the California Building Standards Code have the same force of law and take effect 180 days after their publication. On January 1, 2026, the 2025 California Building Standards Code will become effective statewide. This 2025 Code has prompted jurisdictions statewide to adopt the new code and complete local amendments as necessary.

In accordance with California Health and Safety Code, a city may establish more restrictive building standards than those in the California Building Standards Code if the city makes an express finding that each amendment is reasonably necessary because of local climatic, geological, or topographical conditions.

This year's code adoption process presents unique challenges due to the enactment of AB 130. Signed by Governor Newsom on June 30, 2025, as part of the state budget trailer bills, AB 130 contained provisions in Sections 29, 30, and 31 that prohibit local jurisdictions from making local amendments to residential building standards except under very specific circumstances. This legislation amends the Health and Safety Code and establishes that local jurisdictions shall not amend residential building standards from October 1, 2025, through June 1, 2031 (which is nearly two code cycles), unless the local modifications are substantially equivalent to modifications that were previously filed and are effective by September 30, 2025.

The AB 130 provisions significantly accelerate the local amendment and code adoption timeline, compressing a typically three-to-four-month process to just a few weeks. In a normal code cycle, jurisdictions receive the new set of codes between July and August, and subsequently, building officials and fire marshals across jurisdictions review the new codes, collaborate regionally, and develop local amendments between August and November. As a result of AB 130, the timeline has been significantly compressed, requiring local amendments to residential building standards to be effective no later than September 30, 2025, to be permissible under AB 130.

To meet AB 130 timeline, Community Development staff has taken a proactive approach, dedicating several weeks and weekends to review and analyze a digital version of the new codes. They also developed a code adoption ordinance with local amendments to ensure Gilroy's safety, sustainability, and resiliency goals from the current code cycle are carried forward through the next two code cycles for residential structures and the next code cycle for non-residential structures. Given the expedited timeline, minor adjustments or corrections may be necessary if errors or inconsistencies are identified later.

ANALYSIS

As part of the triennial code adoption cycle, and pursuant to California Health and Safety Code Sections 17958 and 18941.5, staff recommends that the City of Gilroy adopt the 2025 California Fire Code and 2025 California Wildland-Urban Interface Code, incorporating the amendments approved during the prior code cycles.

Historically, the City of Gilroy has minimized additions and amendments to the State's base codes. The amendments staff is proposing have carried over from several code cycles spanning over years. These amendments are to maintain relative consistency with other jurisdictions in Santa Clara County, and to maintain the standards and practices that the City of Gilroy has been implementing for many years. The proposed local amendments with supporting findings are included in the ordinance documentation. If approved, the Fire Marshal will file a copy of this ordinance with the California Building Standards Commission.

The following sections summarize the code adoption and local amendments proposed to be carried forward.

Fire Code

To maintain the City's prior code amendments in the Fire Code and make further additions and/or changes to the new code, it is important that the City adopts and amends the 2025 California Fire Code.

Technical amendments supplement the State Code to reflect local conditions and hazards and are deemed necessary to maintain the current level of protection throughout the City of Gilroy that has been provided through the current Gilroy Fire Code. The language in the attached ordinance provides for the adoption of the 2025 California Fire Code, as well as the recommended amendments. Together they become the Gilroy Fire Code.

The proposed local amendments meet several needs. They provide requirements that are specific to the needs of the City of Gilroy. They provide consistent countywide requirements recommended by the Santa Clara County Fire Chiefs. They also maintain prior amendments to keep the current level of protection.

Certain climatic, geological, and/or topographical features can have a detrimental effect on emergency fire protection and emergency medical services in the City of Gilroy. The Fire Prevention team has determined that the proposed modifications to the 2025 California Fire Code are reasonably necessary due to local climatic, geological, and topographical conditions.

The amendments set forth in the attached ordinance establish the requirements of the 2025 Gilroy Fire Code. All Santa Clara County Fire Departments, through the Santa Clara County Fire Marshal's Fire Code Work Group (a subcommittee of the Santa Clara County Fire Chiefs' Association), have worked toward making the Code more uniform throughout the County. Many of the proposed amendments to the Gilroy Fire Code were developed in the previous code cycles in cooperation with other cities and fire districts within Santa Clara County to provide regulatory consistency. Except for the administrative sections of the Code, many of the amendments presented are proposed for adoption by most fire agencies in Santa Clara County.

As in prior code cycles, several amendments maintain the hazardous materials regulations that were jointly adopted by Santa Clara County and its cities which have carried over to this code cycle. These amendments are primarily to Chapters 50-67 (hazardous materials) of the California Fire Code and are re-adopted each code cycle if the California Fire Code does not contain these specific provisions.

Wildland-Urban Interface Code

The 2025 California update consolidates the wildland-urban interface (WUI) requirements, previously located in California Building Code Chapter 7A, portions of the California Residential Code, and the California Fire Code Chapter 49, into the completely new 2025 California Wildland-Urban Interface Code. This has streamlined standards, but also requires staff to carefully analyze them to ensure that Gilroy's public safety and fire prevention goals are maintained.

The 2025 California Wildland-Urban Interface Code is proposed to be adopted by reference, replacing Chapter 49 of the previous California Fire Code. The provisions of the California Wildland-Urban Interface Code apply to buildings and structures located in the wildland-urban interface or fire hazard severity zones. This is especially important in Gilroy, which has Moderate Fire Hazard Severity Zones, High Fire Hazard Severity Zones, and borders wildland areas called "State Responsibility Areas," which have Very High Fire Hazard Severity Zones (the highest hazard).

Conclusion

Adopting the new 2025 California Fire Code with local amendments and the new, consolidated 2025 California Wildland-Urban Interface Code will ensure that buildings and structures in Gilroy will safeguard the public's health, safety, and general welfare, particularly for residents and businesses located in or near wildland habitats. Therefore, staff recommends that the Council introduce the proposed ordinance adopting the 2025 California Fire Code with amendments and the 2025 California Wildland-Urban Interface Code, and set a public hearing on August 18, 2025.

This timeline will allow notice of the public hearing to be published once a week for two successive weeks pursuant to Government Code Section 6066, ensuring transparency and compliance with State requirements. The ordinance will be effective on September 17, 2025, if adopted on August 18, 2025.

As established by the California Building Standards Commission, the 2025 California Codes with any approved local amendments will become effective and applicable on January 1, 2026.

ALTERNATIVES

The City Council may adopt the new codes without any of the amendments; adopt the new codes with only a portion of the amendments; or adopt the new codes with modifications to the amendments. Staff does not recommend these actions. Without the complete code adoption with amendments, the base code would provide only the minimum standards without considering local conditions in Gilroy.

FISCAL IMPACT/FUNDING SOURCE

There is no direct cost to the City for adopting the Codes.

PUBLIC OUTREACH

The August 4, 2025, City Council meeting agenda packet is available through the City's webpage. Notice of the public hearing is published in the Gilroy Dispatch on August 1 and August 8, 2025.

NEXT STEPS

The City Council is asked to conduct a public hearing on August 18, 2025, for the adoption of the ordinance.

Attachments:

Draft Ordinance

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GILROY AMENDING SECTIONS 10.9 AND 10.10 OF CHAPTER 10 OF THE GILROY MUNICIPAL CODE ADOPTING BY REFERENCE THE 2025 CALIFORNIA FIRE CODE AND 2025 CALIFORNIA WILDLAND-URBAN INTERFACE CODE, WITH AMENDMENTS

WHEREAS, the California Building Standards Commission has adopted and published an updated Title 24 of the California Code of Regulations, also referred to as the 2025 California Building Standards Code, that will become effective statewide on January 1, 2026; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5 establish the authority for a city to adopt and make local amendments and modifications to the building standards in the California Building Standards Code to establish more restrictive building standards than those contained in the California Building Standards Code; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5 permit a city to make such local amendments and modifications as the city determines are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7, and 18941.5 require a city, before making any amendments and modifications to the California Building Standards Code, make an express finding that such amendments and modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Gilroy has reviewed and intends to adopt the 2025 California Fire Code and 2025 California Wildland-Urban Interface Code; and

WHEREAS, City Council wishes to amend portions of the California Fire Code to better address local conditions and makes express findings that such amendments are reasonably necessary because of local climatic, geological or topographical conditions as set forth in this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GILROY DOES ORDAIN AS FOLLOWS:

SECTION I

The City Council has duly considered the full record before it, which may include but is not limited to the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION II

The City Council hereby finds and determines that this Ordinance has been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) (“CEQA”)

the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and is categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Adoption of the proposed Ordinance would not be an activity with potential to cause significant effect on the environment because the changes made to the California Building Standards Code within are enacted to mitigate the threats posed to public peace, health and safety from earthquakes, storms, floods, high winds and fire, and therefore is exempt from CEQA. Therefore, it can be seen with certainty that there is no possibility that the Ordinance in question may have a significant effect on the environment; accordingly, the Ordinance is categorically exempt from CEQA.

SECTION III

Section 10.9 of Chapter 10 of the Gilroy Municipal Code is hereby repealed in its entirety and replaced with the text below to read as follows:

10.9 Code Adoption.

1. This article shall be known and cited as the Gilroy Fire and Wildland-Urban Interface (WUI) Code.
2. Codes are hereby adopted by reference for the City of Gilroy:
 - (a) The 2025 California Fire Code, published by the International Code Council, Inc. and the California Building Standards Commission in Part 9 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. The adoption includes Appendices B, BB, C, CC, D, and H, consistent with the California State Fire Marshal and County of Santa Clara adoptions. Amendments are set forth in Section 10.10. The 2025 California Fire Code shall be designated and referred to as the "Fire Code" for the City of Gilroy. There is one copy of said Code on file in the office of the Fire Marshal for use and examination by the public.
 - (b) The 2025 California Wildland-Urban Interface Code, published by the International Code Council, Inc. and the California Building Standards Commission in Part 7 of Title 24 of the California Code of Regulations, is hereby adopted and referred to, and by this reference expressly incorporated and made a part of this Chapter as though fully set forth herein. Amendments, if any, are set forth in Section 10.10. The 2025 California Wildland-Urban Interface Code shall be designated and referred to as the "Wildland-Urban Interface Code" for the City of Gilroy. There is one copy of said Code on file in the office of the Fire Marshal for use and examination by the public.

SECTION IV

Pursuant to California Health and Safety Code Sections 17958. 7 and 18941.5, the City Council hereby finds that the amendments are reasonably necessary due to local climatic, geological or topographical conditions, or to impose proper more stringent standards for fire and panic safety, as set forth below.

(1) Climatic Findings. The precipitation averages 13.86 inches per year. Approximately 90% of the precipitation falls during the months of November through April, and 10% from May through October. Relative humidity drops to 20 or lower during the dry months (summer). Temperatures have been recorded as high as 115 degrees Fahrenheit. This area has been subject to drought. It is anticipated that drought conditions will continue to occur in the future. Such conditions allow natural vegetation and outdoor combustible materials to be in a dry state for a large portion of the year, making them more susceptible to ignition and rapid burning. These conditions combined create high fire danger during the summer and fall months.

(2) Geological Findings. The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants. This is especially critical in the facilities housing hazardous materials or occupancies requiring safe and quick evacuation in order to get to a safe location. Early warning of fire, early fire suppression and control of spread are important.

(3) Topographical Findings. A major rail corridor through the central portion of town divides the City. There are no overpasses available within the City boundaries. This can impair response and can serve to isolate the City's Fire Response capability. A major highway also divides the City. There are portions of the City where there is only one overpass to access a substantial geographical area. There are no alternate routes within City boundaries; and

The highway is also part of a major truck transportation route. If an accident, or earthquake makes the overpass un-crossable this will isolate the area and impact response times; and the City has a substantial industrial area within a flood plain. Flooding in the area would isolate the area from the City's Fire Response capability; and

The City has areas that are within hillside and open spaces defined as State Response Areas. The grade and narrow and/or lack of roadways impair the Fire Response to these areas. The presence of large areas of natural vegetation that is dry and highly ignitable during the dry and hot summer and fall months can create increase fire responses and impair fire response to other incidents. Water flow in the hillside areas is impacted as fire flows fall below 1500 gpm; and

The City is a great distance from any large metropolitan area. Response times from the nearest metropolitan fire department is a minimum of half an hour and during traffic periods in excess of 45 minutes. This serves to further isolate the City and impair Fire Response as there are fewer fire responders in the immediate area. Information on the nature of an incident in a timely manner is of greater importance than in a metropolitan area where a first alarm sends more personnel than the entire on-duty staffing of the Gilroy Fire Department. Measures which provide early fire detection, suppression and prevention of fire spread are warranted based on these findings.

(4) Fire and Panic Safety Findings – Hazardous Materials. Hazardous Materials use, handling and storage present unique emergency response requirements. The Gilroy Fire Department does not have its own hazardous materials team and the nearest mutual aid team is in excess of 45 minutes response time; and

The City of Gilroy relies solely on ground water for water supply and much of the area of Gilroy is in a recharge area. Hazardous Materials Spills can threaten that supply and additional measures are needed to ensure that these materials do not threaten that supply; and

Because Gilroy is remote from the main metropolitan areas, there are fewer ambulance and hospital services available to provide for large numbers of persons with injuries. Hazardous Materials and other intensive industrial uses place a competing burden on the delivery of fire services. Hazardous Material and/or facilities using, storing hazardous materials require additional controls to ensure that such hazards can be controlled; and

(5) Fire and Panic Safety Findings – Automatic Fire Sprinklers. The City's water system is reliable and capable of providing adequate pressures and reliability to allow the use of automatic fire sprinkler systems to be economical and practical to be included in all new construction. Response to fires, medical aid and other disasters can result in fire responders to be called to multiple calls or to calls that require more suppression resources than may be on duty. Therefore, fire sprinkler systems are relied upon to provide for quick and reliable fire suppression or control. To this end, these systems are needed at a lower threshold than the International Codes provide. These systems also need to be designed to provide quick effective and complete fire protection in their activation in order to minimize the effects of fire and panic.

SECTION V

Section 10.10 of Chapter 10 of the Gilroy Municipal Code is hereby repealed in its entirety and replaced with the text below to read as follows:

10.10 Code Amendments.

(a) Amendments to the Fire Code

Chapter 1 is adopted in its entirety as amended below.

SECTION 101.1 TITLE. AMENDED

101.1 Title. These regulations shall be known as the City of Gilroy Fire Code, hereinafter referred to as “THIS CODE”.

Reason for amendment: The International Fire Code provides for the local agency to insert appropriate language to identify this as the City of Gilroy Fire Code.

SECTION 103.2 APPOINTMENT. AMENDED

103.2.1 Appointments. The Fire Marshal Carries out the functions of the fire code official on behalf of and under the direction of the Fire Chief and implements, administers, and enforces the provisions of this code. The Fire Marshal’s Office is established within the City of Gilroy as the Office of Fire Prevention.

Reason for amendment: The International Fire Code creates a department of fire prevention and the term “fire code official” is used throughout. The amendment inserts language that describes how the Fire Marshal carries out the functions as the “fire code official” within the structure of the Fire Marshal’s Office within the City of Gilroy.

SECTION 113.4 VIOLATIONS. AMENDED

113.4 Violation Penalties. who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor; provided, however, that where the City Attorney or his or her duly authorized agents has determined that such action would be in the best interest of justice, the City Attorney may specify in the accusatory pleading, citation or amendment thereto that the violation shall be prosecuted as an infraction. Infraction fines are implemented pursuant to Gilroy City Code Section 1.7. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Reason for amendment: To identify the method and types of enforcement processes to be used to enforce the code. The model code requires the local agency to insert appropriate language. The language provided is consistent with the current code and procedures.

Chapter 2 is adopted in its entirety as amended below.

SECTION 202 GENERAL DEFINITIONS. ADDED

Corrosive Liquid. Corrosive liquid is:

1. any liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action; or
2. any liquid having a pH of 2 or less or 12.5 or more; or
3. any liquid classified as corrosive by the U.S. Department of Transportation; or
4. any material exhibiting the characteristics of corrosivity in accordance with Title 22, California Code of Regulations §66261.22.

MODERATELY TOXIC GAS. A chemical or substance that has a median lethal concentration (LC50) in air more than 2000 parts per million but not more than 5000 parts per million by volume of gas or vapor, when administered by continuous inhalation for an hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment consolidates definitions and allows the city to maintain the current standard used by the Gilroy CUPA Program.

Chapter 3 is adopted consistent with the State's adoption.

Chapter 4 is adopted consistent with the State's adoption.

Chapter 5 is adopted in its entirety as amended below.

SECTION 503.1 WHERE REQUIRED. AMENDED

503.1 Where Required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and in accordance with the fire departments access standards.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment allows the city to maintain the current standard used by the Gilroy Fire Department and the Gilroy City Streets.

SECTION 503.1.2 ADDITIONAL ACCESS. AMENDED

503.1.2 Additional Access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Fire apparatus access roadways to buildings or building projects shall be reviewed and approved by the fire code official. All emergency vehicle accesses (EVA's) shall meet engineering design standards similar to a public roadway or public driveway and be maintained by the property owner.

Thresholds for additional access are as follows:

- a. For residential developments, there shall be a minimum of two approved fire access roadways when there are more than 30 one-family, two-family residential units, or more than 100 multi-family residential units. The fire code official, in cooperation with the Fire Chief, will determine secondary access needs for dwellings in the Wildland Urban Interface Fire Area. In no case will more than 10 dwellings exist without a secondary fire access roadway in a Wildland Urban Interface Fire Area.
- b. Where there is an individual building exceeding 3 stories in height or exceeds 62,000 sq. ft. in area, there shall be two separate access roadways to access the structure.
- c. Where a building complex exceeds 120,000 sq. ft. of total building area it shall be provided with two separate and approved access roadways to the complex.

Reason for amendment: Pursuant to Section 503.1.2 the fire code official is authorized to determine when more than one fire apparatus access road is required. Due to variability in local traffic conditions, alternate routes of ingress and egress are needed, particularly in circumstances where the hazard is increased (e.g. large subdivision, large multi-family residences, residences in a WUI environment, flood plain areas, large buildings, etc.). This amendment maintains the secondary access threshold used in Gilroy for many code cycles. This amendment is also consistent with other jurisdictions in Santa Clara County, and throughout California.

SECTION 503.2.1 DIMENSIONS. AMENDED

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) for engines, and 26 feet (7925 mm) for aerial fire apparatus exclusive of shoulders, except for approved gates or barricades in accordance with Sections 503.5.1 and 503.6. The unobstructed vertical clearance shall be a minimum of 13 feet 6 inches (4115 mm), or as determined by the fire code official.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment allows the city to maintain the current standard used by the Gilroy Fire Department and the Gilroy City Streets. This amendment is also consistent with other jurisdictions in Santa Clara County.

SECTION 503.2.4 TURNING RADIUS AMENDED

503.2.4 Turning radius. The required turning radius of a fire apparatus access road *shall be determined by the fire code official and a minimum of 30 feet (9144 mm) inside, and a minimum of 50 feet (15240 mm) outside.*

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment allows the city to maintain the current standard used by the Gilroy Fire Department and the Gilroy City Streets. This amendment is also consistent with other jurisdictions in Santa Clara County.

SECTION 503.2.5 DEAD ENDS. AMENDED

503.2.5 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet (45m720 mm) in length shall be provided with an approved turn-around area for turning around the fire apparatus. The turn-around shall consist of a bulb shaped cul-de-sac that accommodates the fire apparatus turning radius. Parking of vehicles within the fire apparatus turning radius shall not be permitted. Obstructions by fences or gates that may interfere with the use of turn-around are not permitted. Fire Turn-Around parking restrictions shall be identified by painting the curb red. On private property signage shall be provided indicating that it is a Fire Turnaround Dead end roads in excess of 750 ft. require special approval and may be required to have additional apparatus turn outs or greater width.

Exceptions:

1. An alternative design turn-around may be approved when the number of units served by the turn-around is less than 10 and the design is one of the published fire apparatus turn-around templates.
2. In the Residential Hillside Zone alternative designs are allowed when they can be shown to provide a minimum 3-point turn and when approved by the Fire Chief.

Reason for amendment: This is a Gilroy Fire amendment to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards. Pursuant to Section 503 the Fire Chief is authorized to approve the type of turn around to be provided.

SECTION 503.2.7 GRADE. AMENDED

503.2.7 Grade. The maximum grade of the fire department apparatus road shall not exceed 15%, unless approved by the fire code official.

Reason for amendment: The Fire Chief is authorized to establish the grade for fire apparatus access roads. This is a Gilroy Fire amendment to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards.

SECTION 503.5 REQUIRED GATE OR BARRICADES

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails, or other accessways, not including the public streets, alleys, or highways. *The minimum width for commercial applications is 20 feet (6096 mm), and 14 feet (4268 mm) for single-family dwellings.* Electric gate operators, where provided shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs and is consistent with the City of Gilroy's past practices for gates.

SECTION 503.6 SECURITY GATES. AMENDED

503.6 Security Gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. When electronic gates are installed across one or more of the fire access roadways they shall be provided with automatic opening devices that can be activated by the fire department during a response to the location (e.g. Click 2 Enter or approved equivalent for gated communities). They shall also be provided with KNOX key over-ride switches. Electric gate operators, where provided shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. The minimum width for commercial applications is 20 feet (6096 mm), and 14 feet (4268 mm) for single-family dwellings.

Reason for amendment: This is a Gilroy amendment continued from the last code cycle and it is to maintain consistency with current Gilroy Fire Department Policies and practices for use of automatic opening devices for new gate installations and for gates in new gated communities where response time is impeded by lack of guard shacks/security staffing. This is a Gilroy Fire amendment to maintain the current standard used by Gilroy Fire Department and Gilroy City Street Standards. This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs.

SECTION 503.7 AERIAL FIRE APPARATUS ACCESS ROADS. ADDED

503.7 Aerial fire apparatus access roads. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 ft. (9144m), approved aerial fire apparatus access roads shall be provided. For a pitched roof the measurement of the highest roof surface is to the intersection of the roof to the exterior wall, or the top of a parapet wall, whichever is greater. At least one of the access routes shall be located a minimum of 15 ft. and a maximum of 30 ft. from the building, and shall be positioned parallel to one entire side of the building. Overhead utility and power lines shall not be located over the aerial fire apparatus road and the building. When adequate aerial access cannot be provided other means shall be provided by alternate methods and /or materials to compensate for the inadequate access. Such shall include but not be limited to: non- combustible construction components, area separation walls, and specialized access components.

Reason for amendment: This Gilroy amendment is intended to ensure adequate aerial access for tall structures by the fire department. Based on model language from the International Fire Code, it is designed to allow optimal positioning of aerial apparatus and to avoid excessively steep ladder angles when responding to emergencies on upper floors.

SECTION 504.5 ACCESS CONTROL DEVICES. ADDED

Section 504.5 Access Control Devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to within and throughout the building, are installed, such devices be approved by the fire code official. All electrically powered access control devices shall be provided with an approved means for deactivation or unlocking from a single location or as otherwise approved by the fire code official. Access Control devices must also comply with Chapter 10.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. The amendment represents no change from the current standard used by Gilroy for maintaining access to buildings that have security devices (bars etc.) that impede emergency access.

SECTION 505 PREMISES IDENTIFICATION. AMENDED

505.1 Address Identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (102153 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

The following is a guideline for adequate address number dimensions:

- The number posted up to 49 feet from the public street shall be of one solid color which is contrasting to the background and be at least six (6) inches high with a half (1/2) inch stroke.
- The number posted from 50 to 100 feet from the public street shall be of one solid color which is contrasting to the background and be at least six (6) inches high with a one (1) inch stroke.
- The number posted over 100 to 199 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (10) inches high with a one and a half (1 1/2) inch stroke.
- The number posted over 200 to 299 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (18) inches high with a one and a half (2) inch stroke.

- The number posted over 300 to 400 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (24) inches high with a one and a half (2½) inch stroke.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. The guidelines help to ensure that firefighters can readily see the address numbers from varying distances.

SECTION 505.1.1 ILLUMINATION. ADDED

505.1.1 Illumination. New buildings shall have illuminated address numbers. Illumination shall be provided throughout the entire period of darkness.

Reason for amendment: This is a Gilroy amendment to maintain consistency with current Gilroy Security Ordinance for requiring illuminated addresses for new construction. The amendment represents no change from the current standard used by Gilroy.

SECTION 505.3 COMPLEX PREMISE IDENTIFICATION. ADDED

Section 505.3 Complex Premises Identification. When there are several multi-family units within a development, or single-family units that do not face a street or where units have an alley as the only drivable access (paseo frontage), an illuminated site diagram shall be installed at each driveway entrance to the development that shows the location and addresses of all units and the fire system device locations.

Reason for amendment: This is a Gilroy amendment to maintain consistency with current Gilroy Security Ordinance for signage for complexes where addressing is confusing due to building and/or street design. Alley type access developments have the units addressed from a street, but the alley is typically perpendicular to the street. This makes identification of the address difficult without having a complex diagram. This amendment represents no change from the current standard used by Gilroy.

SECTION 507.5 FIRE HYDRANT SYSTEMS. AMENDED

507.5 Fire hydrant systems. Fire hydrants systems shall comply with sections 507.5.1 through 507.5.6 and Appendices C and CC, or by an approved method. Hydrants on public streets shall be installed to the City of Gilroy Public Works Standard Details. Private Fire Hydrant systems shall be installed pursuant to NFPA 24 and maintained and tested pursuant to NFPA 25 by the property owner. Private fire hydrant systems shall not share the same water supply lines with a private domestic supply and shall be on its own separate fire water mains.

Reason for amendment: The Gilroy amendment maintains consistency with current Gilroy policies and practices.

Chapter 6 is adopted in its entirety as amended below.

**SECTION 603.11 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS.
ADDED**

603.11 Immersion Heaters. electrical immersion heaters used in dip tanks, sinks, vats and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standard required for immersion heaters. Such heaters without emergency shut off have been the cause of several fires.

SECTION 605 FUEL-FIRED APPLIANCES

Amend Section 605.5 as follows:

605.5 Portable unvented heaters. Portable unvented fuel-fired heating equipment shall be prohibited in occupancies in Groups A, B, E, I, R-1, R-2, R2.1, R2.2, R-3, R3.1 and R-4 and ambulatory care facilities.

Exceptions:

1. Portable unvented fuel-fired heaters listed in accordance with UL 647 are permitted to be used in one and two-family dwellings, where operated and maintained in accordance with the manufacturer's instructions.
2. Portable outdoor gas-fired heating appliances in accordance with Section 605.5.2.

Amend Section 605.5.2.1.1 as follows:

605.5.2.1.1 Prohibited locations. The storage or use of portable outdoor gas-fired heating appliances is prohibited in any of the following locations:

1. Inside of any occupancy where connected to the fuel gas container.
2. Inside of tents, canopies and membrane structures.
3. On exterior balconies, and rooftops.

Exceptions: As authorized by the fire code official.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. The Gilroy amendment maintains consistency with current Gilroy policies and practices

Chapter 7 is adopted consistent with the State's adoption.

Chapter 8 is adopted consistent with the State's adoption.

Chapter 9 is adopted in its entirety as amended below.

SECTION 903.2 AUTOMATIC SPRINKLER SYSTEMS - WHERE REQUIRED. AMENDED

903.2 Automatic Sprinkler Systems. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.12 whichever is the more restrictive and Sections 903.2.14 through Sections 903.2.21. For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

1. An automatic sprinkler system shall be installed throughout all new buildings and structures greater than 1,000 square feet.

Exception: Group S-2 or U occupancies used exclusively for vehicle parking or solar arrays that do not exceed 5,000 square feet.

2. An automatic sprinkler system shall be installed throughout existing Group A, B, E, F, I, L, M, R, S, and U buildings and structures when an addition increases the building area by more than 1,000 square feet or when the total resulting building area exceeds 3,600 square feet, except as otherwise exempted by state law for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) constructed on parcels where the existing primary residence is not sprinklered.

3. Any change of occupancy or change in use of any building when that change in use would place the building into a more hazardous division of the same occupancy group.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. Additionally, the California Residential Code requires all new residential structures, regardless of size to have automatic fire sprinklers. This amendment also maintains the current standard used in Gilroy.

SECTION 903.1.1 NFPA 13 SPRINKLER SYSTEMS. AMENDED

903.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1 and local standards. For new buildings having no designated use or tenant, the minimum sprinkler design density shall be Ordinary Hazard Group 2. Where future use or tenant is determined to require a higher density, the sprinkler system shall be augmented to meet the higher density.

Reason for amendment: This amendment maintains the current standard used in Gilroy.

SECTION 903.3.1.3 NFPA 13D SPRINKLER SYSTEMS. AMENDED

903.3.1.3 NFPA 13D Sprinkler systems. Automatic sprinkler systems installed in one- and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D and local water supply standards. Attached garages must be equipped with fire sprinklers. Home in the Wildland-Urban interface shall have fire sprinkler head protection for covered outdoor rooms, covered outdoor patios, and covered front porches. An approved signaling device shall be installed on the exterior (e.g. bell) and interior (e.g. horn or alarm) of the dwelling. The riser shall be located inside of the garage or an approved protective enclosure, a fire sprinkler shall be installed in attic spaces to protect the force air unit and attic access and a spare head box with one of each type of fire sprinkler shall be provided.

Reason for amendment: This amendment maintains the current local standards used in Gilroy. Residential sprinkler systems do not need to be monitored, however, if there is not a signaling device to warn the occupant or community of the fire sprinkler activation, the fire sprinkler system can operate for an extended period of time creating significant water damage to the structure. To protect the riser from damage or tampering they have been approved only in a protected area. This amendment maintains the current standard used in Gilroy.

SECTION 907.1.6 FIRE ALARM CERTIFICATION. ADDED

907.1.6 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate. The protected premise shall be issued a UUFX type certification from Underwriters Laboratories (UL).

Reason for amendment: This amendment maintains the current standard required for record keeping per NFPA standards. This amendment maintains the current standard used in Gilroy.

SECTION 909.22.1 SMOKE CONTROL SYSTEMS. AMENDED

Section 909.22.1 Schedule. A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and operational testing shall be established and operational testing must occur at least annually.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. This amendment maintains the current standard used in Gilroy.

Chapter 10 is adopted consistent with the State's adoption.

Chapter 11 is adopted consistent with the State's adoption.
Chapter 12 is adopted consistent with the State's adoption.
Chapters 13 through 19 reserved for future use.
Chapter 20 is adopted consistent with the State's adoption.
Chapter 21 is adopted consistent with the State's adoption.
Chapter 22 is adopted consistent with the State's adoption.
Chapter 23 is adopted in its entirety as amended below.

SECTION 2306 PRECAUTIONS AGAINST FUEL RELEASE

Amend Section 2306.7.4.1 as follows:

2306.7.4.1 Quick Disconnect Fittings. Quick disconnect fittings are not permitted to remain in place for future use on pressurized piping when they are installed below the impact valve.

Reason for Amendment: Enhanced Safety Measures for Fuel Dispensers

This amendment introduces a critical safeguard designed to prevent the accidental release of pressurized fuel. While fuel dispensers are equipped with impact valves (also known as shear valves) intended to stop fuel flow in the event the dispenser is knocked over from a vehicle impact (or other cause), a potential vulnerability exists when the quick disconnect is left in place below the impact valve.

Chapter 24 is adopted consistent with the State's adoption.
Chapter 25 is adopted consistent with the State's adoption.
Chapter 26 is adopted consistent with the State's adoption.
Chapter 27 is adopted consistent with the State's adoption.
Chapter 28 is adopted consistent with the State's adoption.
Chapter 29 is adopted consistent with the State's adoption.
Chapter 30 is adopted consistent with the State's adoption.
Chapter 31 is adopted consistent with the State's adoption.
Chapter 32 is adopted consistent with the State's adoption.
Chapter 33 is adopted in its entirety as amended below.

SECTION 3305 PRECAUTIONS AGAINST FIRE

Amend Section 3305.5 as follows:

3305.5 Fire watch. Where required by the fire code official or the site safety plan established in accordance with Section 3303.1, a fire watch shall be provided for building demolition and for building construction. Fire watch is not intended to facilitate occupancy during ongoing construction in a new building.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs to provide a consistent standard for ensuring that fire walls are

completed during building construction to provide exit stairways during the construction of any multi-story building. This maintains the same requirement from prior code adoption cycle.

Chapter 34 is adopted consistent with the State's adoption.

Chapter 35 is adopted consistent with the State's adoption.

Chapter 36 is adopted consistent with the State's adoption.

Chapter 37 is adopted consistent with the State's adoption.

Chapter 38 is reserved for further use.

Chapter 39 is adopted consistent with the State's adoption.

Chapter 40 is adopted consistent with the State's adoption.

Chapter 41 is adopted consistent with the State's adoption.

Chapters 42 through 47 reserved for future use.

Chapter 48 is adopted consistent with the State's adoption.

Chapter 49 - The contents of Chapter 49 have all been deleted except for the following statement: "The requirements for wildland-urban interface areas are now located in Part 7, California Wildland-Urban Interface Code. See section 102.13 wildland urban interface. The provisions of Part 7, California Wildland-Urban Interface Code shall apply to buildings and structures located in the wildland urban interface (WUI) or fire hazard severity zone." The State Fire Marshal has adopted the entire chapter as amended noted in the matrix adoption table. These requirements shall be applied to buildings constructed in the Gilroy Residential Hillside Zone, the Moderate Fire Hazard Severity Zone, and the High Fire Hazard Severity Zone.

Chapter 50 is adopted in its entirety as amended below.

SECTION 5001 GENERAL. AMENDED

5001.2.2.2 Health Hazards. The material categories listed in this section are classified as health hazards. A material with a primary classification as a health hazard can also pose a physical hazard.

1. Highly toxic and toxic materials.
2. Corrosive materials.
3. Moderately toxic gas.
4. Other health hazards.

SECTION 5003.1.3.1 TOXIC, HIGHLY TOXIC, MODERATELY TOXIC AND SIMILARLY USED OR HANDLED MATERIALS. ADDED

5003.1.3.1 Toxic, Highly Toxic, Moderately Toxic Gases and Similarly Used or Handled Materials. The storage use and handling of toxic, highly toxic and moderately

toxic gases in amounts exceeding Table 5003.1.1(2), Table 5003.1.1(4) and/or Table 6004.2.1.4 shall be in accordance with this chapter and Chapter 60. Any toxic, highly toxic or moderately toxic material that is used or handled as a gas or vapor shall be in accordance with the requirements for toxic, highly toxic or moderately toxic gases.

SECTION 5003.1.5 OTHER HEALTH HAZARDS. ADDED

5003.1.5 Other Health Hazards. The storage, use and handling of materials classified as other health hazards including carcinogens, irritants and sensitizers in amounts exceeding 810 cubic feet for gases, 55 gallons for liquids and 5,000 pounds for solids shall be in accordance with Section 5001 and Section 5003.

SECTION 5003.1.6 ADDITIONAL SPILL CONTROL AND SECONDARY CONTAINMENT REQUIREMENTS. ADDED

5003.1.6 Additional Spill Control and Secondary Containment Requirements. In addition to the requirements set forth in Section 5004.2. An approved containment system is required for any quantity of hazardous materials that are liquids or solids at normal temperature, and pressure (NTP) where a spill is determined to be a plausible event and where such an event would endanger people, property, natural resources, or the environment. The approved containment system may be required to include a combination of spill control and secondary containment meeting the design and construction requirements set forth in Section 5004.2.

SECTION 5003.2.2.1 DESIGN AND CONSTRUCTION. AMENDED

5003.2.2.1 Design and Construction. Piping, tubing, valves, fittings and related components used for hazardous materials shall be in accordance with the following:

1. Piping and tubing shall be identified in accordance with ASME A13.1 and the Santa Clara County Fire Chiefs Marking Requirements and Guidelines for Hazardous Materials and Hazardous Waste to indicate the material conveyed.
2. Where gases or liquids having a hazard ranking of:

Health hazard Class 3 or 4

Flammability Class 4

Reactivity Class 4

In accordance with NFPA 704 are carried in pressurized piping above 15 pounds per square inch gauge (psig) (103 Kpa), an approved means of leak detection, emergency shutoff or excess flow control shall be provided. Where the piping originates from

within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical.

Exceptions:

1. Piping for inlet connections designed to prevent backflow.
2. Piping for pressure relief devices.
3. Secondary containment or equivalent protection from spills or leaks shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Tables 6004.2.1.4. Secondary containment includes, but is not limited to double-walled piping.

Exceptions:

1. Secondary containment is not required for toxic corrosive gases if the piping is constructed of inert materials.
2. Piping under sub-atmospheric conditions if the piping is equipped with an alarm and fail-safe-to-close valve activated by a loss of vacuum.
4. Expansion chambers shall be provided between valves whenever the regulated gas may be subjected to thermal expansion. Chambers shall be sized to provide protection for piping and instrumentation and to accommodate the expansion of regulated materials.

SECTION 5003.2.2.2 ADDITIONAL REGULATION FOR SUPPLY PIPING FOR HEALTH HAZARD MATERIALS. AMENDED

5003.2.2.2 Additional Regulation for Supply Piping for Health Hazard Materials. Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 shall be in accordance with ASME B31.3 and the following:

1. All primary piping for toxic, highly toxic and moderately toxic gases shall pass a helium leak test of 1×10^{-9} cubic centimeters/second where practical, or shall pass testing in accordance with an approved, nationally recognized standard. Tests shall be conducted by a qualified "third party" not involved with the construction of the piping and control systems.

SECTION 5003.5.2 VENTILATION DUCTING. ADDED

5003.5.2 Ventilation Ducting. Ducts venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

SECTION 5003.5.3 "H" OCCUPANCIES. ADDED

5003.5.3 “H” Occupancies. In "H" occupancies, all piping and tubing may be required to be identified when there is any possibility of confusion with hazardous materials transport tubing or piping. Flow direction indicators are required.

SECTION 5003.10.4 ELEVATORS USED TO TRANSPORT HAZARDOUS MATERIALS. AMENDED

5003.10.4.3 Highly toxic, toxic, moderately toxic gases, asphyxiate gases, and corrosive gases shall be limited to a container of a maximum water capacity of 1 lb.

SECTION 5004.2.1 STORAGE. AMENDED

5004.2.1 Spill Control for Hazardous Material Liquids. Rooms, buildings or areas used for storage of hazardous material liquids shall be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Sumps and collection systems, including containment pallets in accordance with Section 5004.2.3.

SECTION 5004.2.2. INCOMPATIBLE MATERIALS

5004.2.2. Incompatible Materials. Incompatible shall be separated from each other in independent secondary containment systems.

Reason for amendments: These are county-wide amendments recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. It will maintain the current standard used in Gilroy.

Chapter 51 is adopted consistent with the State’s adoption.

Chapter 52 is reserved for future use.

Chapter 53 is adopted consistent with the State’s adoption.

Chapter 54 is adopted in its entirety as amended below.

SECTION 5402 DEFINITIONS

Amend Section 5402.1 to read:

5402.1 Definition. The following term is defined in Chapter 2:

**CORROSIVE.
CORROSIVE LIQUIDS.**

*Chapter 55 is adopted consistent with the State's adoption.
Chapter 56 is adopted in its entirety as amended below.*

SECTION 5601.1.3 FIREWORKS. AMENDED

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks, including those fireworks classified as Safe and Sane by the California State Fire Marshal, are prohibited.

Exception: The use of fireworks for fireworks displays as allowed in Section 5608 and the sale and use of Safe and Sane Fireworks pursuant to Gilroy City Code Section 10.A.

Reason for amendment: This exception maintains that safe and sane fireworks may be stored, used and sold during the 4th of July and in conformance to Chapter 10A of the Gilroy City Code.

Chapter 57 is adopted in its entirety as amended below.

SECTION 5704 STORAGE. AMENDED

5704.2.7.5.8 Overfill Prevention.

Exception: Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less need only comply with Section 5704.2.9.7.5.1 (1.1).

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa Clara County Hazardous Materials Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The amendment consolidates the requirement from different codes into one text. It will maintain the current standard used in Gilroy.

SECTION 5704.2.7.5.9 AUTOMATIC FILLING OF TANKS. ADDED

5704.2.7.12 Automatic and / or Remote Filling of Tanks. Systems that remotely or automatically fill flammable or combustible liquid tanks shall be equipped with overfill protection, as approved by the fire code official, that sends an alarm signal to a constantly attended location and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested on an annual basis and records of such testing shall be maintained and made available for review for a period of five (5) years.

Reason for amendment: This is a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards adopted as part of the Santa

Clara County Hazardous Materials Ordinance and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The amendment consolidates the requirement from different codes into one text. It will maintain the current standard used in Gilroy.

Chapter 58 is adopted consistent with the State's adoption.

Chapter 59 is adopted consistent with the State's adoption.

Chapter 60 is adopted in its entirety as amended below.

SECTION 6001.1 GENERAL. AMENDED

6001.1 Scope. The storage and use of highly toxic, toxic and moderately toxic materials shall comply with this chapter. Compressed gases shall also comply with Chapter 53.

SECTION 6004.1 GENERAL. AMENDED

6004.1 General. The storage and use of highly toxic, toxic, and moderately toxic compressed gases shall comply with this section.

6004.1.1 Special limitations for indoor storage and use by occupancy. The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases in certain occupancies shall be subject to the limitations contained in Sections 6004.1.1.1 through 6004.1.1 .3.

6004.1.1.1 Group A, E, I or U occupancies. Moderately toxic, toxic and highly toxic compressed gases shall not be stored or used within Group A, E, I or U occupancies.

6004.1.1.2 Group R occupancies. Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used in Group R occupancies.

6004.1.1.3 Offices, retail sales, and classrooms. Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used in offices, retail sales, or classroom portions of Group B, F, M, or S occupancies.

SECTION 6004.2 INDOOR STORAGE AND USE. AMENDED

6004.2 Indoor Storage and Use. The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.2.1 through 6004.2.4.

SECTION 6004.2.1 APPLICABILITY. AMENDED

6004.2.1 Applicability. The applicability of regulations governing the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 6004.2.1.1 through 6004.2.1.4.

SECTION 6004.2.1.4 QUANTITIES EXCEEDING THE MINIMUM THRESHOLD QUANTITIES BUT NOT EXCEEDING THE MAXIMUM ALLOWABLE QUANTITIES PER CONTROL AREAS. ADDED

6004.2.1.4 Quantities exceeding the minimum threshold quantities but not exceeding the maximum allowable quantities per control area. The indoor storage or use of highly toxic, toxic, and moderately toxic gases in amounts exceeding the minimum threshold quantities per control area set forth in Table 6004.2.1.4 but not exceeding maximum allowable quantity per control area set forth in Table 5003.1.1(2) shall be in accordance with Sections 5001, 5003, 6001, 6004.1, and 6004.4

ADD TABLE 6004.2.1.4 MINIMUM THRESHOLD QUANTITIES FOR HIGHLY TOXIC, TOXIC AND MODERATELY TOXIC GASES FOR INDOOR STORAGE AND USE

Minimum Threshold Quantities for Highly Toxic, Toxic, and Moderately Toxic Gases for Indoor Storage and Use	
Highly Toxic	20 cubic feet
Toxic	405 cubic feet
Moderately Toxic	405 cubic feet

SECTION 6004.4 GENERAL INDOOR REQUIREMENTS. ADDED

6004.4 General Indoor Requirements. The general requirements applicable to the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.4 through 6004.4.8.2

SECTION 6004.4.1 CYLINDER AND TANK LOCATION. ADDED

6004.4.1 Cylinder and Tank Location. Cylinders shall be located within gas cabinets, exhausted enclosures, or gas rooms. Portable and stationary tanks shall be located within gas rooms or exhausted enclosures.

Exceptions: Where a gas detection system is provided in accordance with 6004.4.8

SECTION 6004.4.2 VENTILATED AREAS. ADDED

6004.4.2. Ventilated Areas. The room or area in which gas cabinets or exhausted enclosures are located shall be provided with exhaust ventilation. Gas cabinets or exhausted enclosures shall not be used as the sole means of exhaust for any room or area.

SECTION 6004.4.3 PIPING AND CONTROLS. ADDED

6004.4.3. Piping and Controls. In addition to the requirements of Section 5003.2.2, piping and controls on stationary tanks, portable tanks, and cylinders shall comply with the following requirements:

1. Stationary tanks, portable tanks, and cylinders in use shall be provided with a means of excess flow control on all tank and cylinder inlet or outlet connections.

Exceptions:

1. Inlet connections designed to prevent backflow.
2. Pressure relief devices.

SECTION 6004.4.4 GAS ROOMS. ADDED

6004.4.4 Gas rooms. Gas rooms shall comply with Section 5003.8.4 and both of the following requirements:

1. The exhaust ventilation from gas rooms shall be directed to an exhaust system.
2. Gas rooms shall be equipped with an approved automatic sprinkler system. Alternative fire-extinguishing systems shall not be used.

SECTION 6004.4.5 TREATMENT SYSTEMS. ADDED

6004.4.5 Treatment systems. The exhaust ventilation from gas cabinets, exhausted enclosures and gas rooms, required in Section 6004.4.1 shall be directed to a treatment system. The treatment system shall be utilized to handle the accidental release of gas and to process exhaust ventilation. The treatment system shall be designed in accordance with Sections 6004.2.2.7.1 through 6004.2.2.7.5 and Chapter 5 of the California Mechanical Code.

Exceptions:

1. Highly toxic, toxic, and moderately toxic gas storage. A treatment system is not required for cylinders, containers, and tanks in storage where all of the following controls are provided:
 - 1.1 Valve outlets are equipped with gas-tight outlet plugs or caps.
 - 1.2 Hand-wheel-operate dated valves have handles secured to prevent movement.
 - 1.3 Approved containment vessels or containment systems are provided in accordance with Section 6004.2.2.3.

2. Highly toxic, toxic, and moderately toxic gases-use. Treatment systems are not required for highly toxic, toxic, and moderately toxic gases supplied by stationary tanks, portable tanks, or cylinders where a gas detection system complying with Section 6004.4.8 and listed or approved automatic-closing fail-safe valves are provided. The gas detection system shall have a sensing interval not exceeding 5 minutes. Automatic-closing fail-safe valves shall be located immediately adjacent to cylinder valves and shall close when gas is detected at the permissible exposure limit (PEL) by a gas sensor monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure or gas room.

SECTION 6004.4.5.1 DESIGN. ADDED

6004.4.5.1 Design. Treatment systems shall be capable of diluting, adsorbing, absorbing, containing, neutralizing, burning, or otherwise processing the contents of the largest single vessel of compressed gas. Where a total containment system is used, the system shall be designed to handle the maximum anticipated pressure of release to the system when it reaches equilibrium.

SECTION 6004.4.5.2 PERFORMANCE. ADDED

6004.4.5.2. Performance. Treatment systems shall be designed to reduce the maximum allowable discharge concentrations of the gas to one-half immediate by dangerous to life and health (IDLH) at the point of discharge to the atmosphere. Where more than one gas is emitted to the treatment system, the treatment system shall be designed to handle the worst-case release based on the release rate, the quantity and the IDLH for all compressed gases stored or used.

SECTION 6004.4.5.3 SIZING. ADDED

6004.4.5.3. Sizing. Treatment systems shall be sized to process the maximum worst-case release of gas based on the maximum flow rate of release from the largest vessel utilized. The entire contents of the largest compressed gas vessel shall be considered.

SECTION 6004.4.5.4 STATIONARY TANKS.

6004.4.5.4 Stationary Tanks. Stationary tanks shall be labeled with the maximum rate of release for the compressed gas contained based on valves or fittings that are inserted directly into the tank. Where multiple valves or fittings are provided, the maximum flow rate of release for valves or fittings with the highest flow rate shall be indicated. Where liquefied compressed gases are in contact with valves or fittings, the liquid flow rate shall be utilized for computation purposes. Flow rates indicated on the label shall be converted to cubic feet per minute (cfm/min) (m³/s) of gas at normal temperature and pressure (NTP).

SECTION 6004.4.5.5 PORTABLE TANKS AND CYLINDERS.

6004.4.5.5 Portable Tanks and Cylinders. The maximum flow rate of release for portable tanks and cylinders shall be calculated based on the total release from the cylinder or tank within the time specified in Table 6004.2.2.7.5. Where portable tanks or cylinders are equipped with approved excess flow or reduced flow valves, the worst-case release shall be determined by the maximum achievable flow from the valve as determined by the valve manufacturer or compressed gas supplier. Reduced flow and excess flow valves shall be permanently marked by the valve manufacturer to indicate the maximum design flow rate. Such markings shall indicate the flow rate for air under normal temperature and pressure.

SECTION 6004.4.6 EMERGENCY POWER. ADDED

6004.4.6. Emergency Power. Emergency power shall be provided for the following systems in accordance with Section 604:

1. Exhaust ventilation system
2. Treatment system
3. Gas detection system
4. Smoke detection system

SECTION 6004.4.6.1 FAIL-SAFE SYSTEMS.

6004.4.6.1. Fail-Safe Systems. Emergency power shall not be required for mechanical exhaust ventilation and treatment systems where approved fail-safe systems are installed and designed to stop gas flow.

SECTION 6004.4.7 AUTOMATIC FIRE DETECTION SYSTEMS.

6004.4.7. Automatic Fire Detection System. An approved automatic fire detection system shall be installed in rooms or areas where highly toxic, toxic, and moderately toxic compressed gases are stored or used. Activation of the detection system shall sound a local alarm. The fire detection system shall comply with Section 907.

SECTION 6004.4.8 GAS DETECTION SYSTEMS. ADDED

6004.4.8. Gas Detection System. A gas detection system complying with Section 916 shall be provided to detect the presence of gas at or below the PEL or ceiling limit of the gas for which detection is provided.

Exceptions:

1. A gas detection system is not required for toxic and moderately toxic gases when the physiological warning threshold level for the gas is at a level below the accepted PEL for the gas.

2. A gas detection system is not required for highly toxic, toxic, and moderately toxic gases where cylinders, portable tanks, and all non-continuously welded connects are within a gas cabinet or exhausted enclosures.

SECTION 6004.4.8.1 ALARMS.

6004.4.8.1 Alarms. The gas detection system shall initiate a local alarm and transmit a signal to an approved location.

SECTION 6004.4.8.2 SHUT OFF OF GAS SUPPLY. ADDED

6004.4.8.2. Shut off of gas supply. The gas detection system shall automatically close the shut-off valve at the source on gas supply piping and tubing related to the system being monitored for whichever gas is detected.

Exceptions: Automatic shutdown is not required for highly toxic, toxic, and moderately toxic compressed gas systems where all of the following controls are provided:

1. Constantly attended/supervised.
2. Provided with emergency shutoff valves that have ready access.

Reason for amendments: These are county-wide amendments for Chapter 60 recommended by the Santa Clara County Fire Chiefs.

Chapter 61 is adopted consistent with the State's adoption.

Chapter 62 is adopted consistent with the State's adoption.

Chapter 63 is adopted consistent with the State's adoption.

Chapter 64 is adopted in its entirety as amended below.

SECTION 6405.3.1 SILANE DISTRIBUTION SYSTEMS AUTOMATIC SHUTDOWN. ADDED

6405.3.1 Silane Distribution Systems Automatic Shutdown. Silane distribution systems shall automatically shut down at the source upon activation of the gas detection system at levels above the alarm level and/or failure of the ventilation system for the silane distribution system.

Reason for amendment: All the amendments to Section 6004 that follow are part of a county-wide amendment recommended by the Santa Clara County Fire Chiefs. It maintains the current standards and accepted practices within the County of Santa Clara and maintains consistency with the Hazardous Materials Release Response Regulations in the California Health and Safety Code. The International Fire Code does not include

provisions for gases that are moderately toxic. This amendment preserves the original Toxic Gas Ordinance Provisions. It will maintain the current standard used in Gilroy.

Chapter 65 is adopted consistent with the State's adoption.

Chapter 66 is adopted consistent with the State's adoption.

Chapter 67 is adopted consistent with the State's adoption.

Chapters 68 through 79 reserved for future use.

Chapter 80 is adopted consistent with the State's adoption.

APPENDIX A NOT ADOPTED BY THE STATE FIRE MARSHAL.

APPENDIX B is adopted in its entirety as amended below.

SECTION B105 FIRE-FLOW REQUIREMENTS FOR BUILDINGS

Amend Section B105.2 to read:

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.1(2) and B105.2.

Exceptions: [SFM] Group B, S-2, and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

1. California State Parks buildings of an accessory nature (restrooms).
2. Safety roadside rest areas (SRRA) and public restrooms.
3. Truck inspection facilities (TIF), CHP office space, and vehicle inspection bays.
4. Sand/salt storage buildings, storage of sand and salt.

The maximum fire flow reduction for all commercial buildings greater than 30,000 square feet and residential podium buildings shall not exceed 25 percent of the fire flow specified in Table B105.1(2). The maximum fire flow reduction for all other buildings shall not exceed 50 percent of the fire flow specified in Table B105.1(2).

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs. These amendments limit the amount that fire flow can be reduced. This amendment is a carry-over from previous code cycle adoption in Gilroy. This amendment ensure that large projects have adequate fire flow for the proposed project.

APPENDIX BB is adopted consistent with the State's adoption.

APPENDIX C is adopted in its entirety as amended below.

SECTION C102 NUMBER OF FIRE HYDRANTS

Amend Section C102.1 to read:

C102.1 Minimum number of fire hydrants for a building. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1, utilizing the base fire flow without fire sprinkler reduction.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs.

SECTION C103 FIRE HYDRANTS SPACING

Amend Section C103.1 to read:

C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the California Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with Sections C103.2 and C103.3, but in no case shall the average spacing be more than 300 feet on center.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs and is consistent with the City of Gilroy's existing standards and specifications.

APPENDIX CC is adopted consistent with the State's adoption.

APPENDIX D is adopted in its entirety as amended below.

SECTION D103 MINIMUM SPECIFICATIONS

Amend Section D103.2 as follows:

D103.2 Grade. The maximum grade of a fire department apparatus access road shall not exceed 15 percent unless approved by the fire code official.

Amend Section D103.3 as follows:

D103.3 Turning radius. The required turning radius of a fire apparatus access roads shall be a minimum of 30 inside, and a minimum of 50 outside.

Amend Section D103.4 to read:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4, as approved by the fire code official.

Amend Table D103.4 to read:

TABLE D103.4

**REQUIREMENTS FOR DEAD-END
 FIRE APPARATUS ACCESS ROADS**

Length (feet)	WIDTH (feet)	TURAROUDS REQUIRED
0 – 150	26	Not required, unless determined necessary by the fire code official
151 – 500	26	120-foot Hammerhead, 60-foot “Y” or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
500– 750	26	120-foot Hammerhead, 60-foot “Y” or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria: the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 20 feet (6096 mm).
2. Gates shall be of the horizontal swing, horizontal slide, vertical lift or vertical pivot type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Methods of locking shall be submitted for approval by the fire code official.
7. Electric gate operators, where provided, shall be listed in accordance with UL 325.
8. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

Reason for amendment: This is a County-wide amendment recommended by the Santa Clara County Fire Chiefs.

APPENDIX H is adopted consistent with the State’s adoption.

(b) Amendments to the Wildland-Urban Interface Code

The Wildland-Urban Interface Code is adopted consistent with the State’s adoption, with no amendments.

The requirements shall be applied to buildings constructed in the Gilroy Residential Hillside Zone, the Moderate Fire Hazard Severity Zone, and the High Fire Hazard Severity Zone.

SECTION VI

Upon adoption of each new California Building Standards Code, the Ordinance adopting the previously adopted California Building Standards Code is superseded in its entirety. This Ordinance does not repeal the 2025 Ordinance that adopts by reference and amends parts of the 2025 California Building Standards Code.

SECTION VII

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision, or part shall not affect the validity of the remainder.

SECTION VIII

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its final adoption by the City Council.

PASSED AND ADOPTED this __ day of ____, 2025 by the following roll call vote:

AYES: **COUNCIL MEMBERS:**

NOES: **COUNCIL MEMBERS:**

ABSTAIN: **COUNCIL MEMBERS:**

ABSENT: **COUNCIL MEMBERS:**

APPROVED:

Greg Bozzo, Mayor

ATTEST:

Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Ordinance No. 2025-XX** is an original ordinance, or true and correct copy of a City Ordinance, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said Council held on **Monday, _____, 2025**, with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Date**.

Kim Mancera
City Clerk of the City of Gilroy

(Seal)



City of Gilroy

STAFF REPORT

Agenda Item Title: Approval of Gilroy Police Officers Association Memorandum of Understanding and Adoption of Resolution Approving Salary Schedules for the Period of July 1, 2025 - June 30, 2028

Meeting Date: August 4, 2025
From: Brad Kilger, Interim City Administrator
Department: Administrative Services
Submitted by: LeeAnn McPhillips, Assistant City Administrator/Administrative Services and Human Resources Director/Risk Manager
Prepared by: LeeAnn McPhillips, Assistant City Administrator/Administrative Services and Human Resources Director/Risk Manager

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

1. Adopt a resolution of the City Council of the City of Gilroy amending the budgets for FY 26 and FY 27 to implement the terms of the Gilroy Police Officers Association Memorandum of Understanding (MOU) for FY 26 and 27, appropriating proposed expenditure amendments, and authorizing the inclusion of appropriate funds in the future FY 28 budget for salary and benefit expenditures related to the implementation of the MOU.
2. Approve a Memorandum of Understanding between the City of Gilroy and the Gilroy Police Officers Association for the period July 1, 2025 - June 30, 2028.
3. Adopt a resolution of the City Council of the City of Gilroy approving the July 1, 2025, July 1, 2026, and July 1, 2027 salary schedules associated with the Gilroy Police Officers Association Memorandum of Understanding.

EXECUTIVE SUMMARY

The City of Gilroy is a public employer and consistent with the Meyers-Milias-Brown Act (MMBA), the City engages in a collective bargaining process with represented employees through bargaining units. The process typically occurs over a three to four month period before the expiration of the existing labor contract. City employees (except executives and certain others) are organized into five different bargaining units and are represented by unions or associations. The product of the collective bargaining process is an MOU ("Memorandum of Understanding" or "Memoranda" for plural). MOUs specify the terms and conditions of employment.

The Gilroy Police Officers Association (GPOA) is one of the five City of Gilroy labor organizations. This labor group represents approximately seventy employees (Sergeants, Corporals, Officers, and Detention Services Officers) in the Gilroy Police Department. This agenda item is for the review and approval of the MOU for the GPOA bargaining group for the next three fiscal years, FY 26 - FY 28.

BACKGROUND

Staff recently concluded negotiations with the Gilroy Police Officers Association (GPOA) for a successor Memorandum of Understanding (MOU), including salary increases for the period July 1, 2025–June 30, 2028, in conformance with Council direction. A final copy of the MOU and the corresponding salary schedules are attached for the Council's review and approval. Staff worked with GPOA bargaining unit members to prepare the changes to the MOU document. The final draft of the MOU has been reviewed by representatives of the GPOA labor group and designated representatives from the GPOA bargaining team have signed-off on the final documents. The remaining members of the GPOA negotiations team and the City negotiations team will sign the documents following approval by the Council.

The focus of these negotiations was to maintain competitive compensation within the City's budget parameters. A key objective of the City is to recruit and retain high-quality employees. Retaining talented police department employees to serve and protect the community is a top priority for the organization. The three-year term of the MOU will provide stability for employees and the department as a whole, allowing staff to plan and budget for the agreed-upon salary increases. The MOU will also serve as a good tool for recruiting new employees to the department.

The main areas of change for the GPOA MOU are summarized below:

- Three-year contract (July 1, 2025–June 30, 2028)
- Salary increases as follows:
 1. 3% salary increase effective July 1, 2025.
 2. 3% salary increase effective July 1, 2026.
 3. 3% salary increase effective July 1, 2027.

- Increase salary steps F and G from 2.5% steps to 5% steps (aligns with other labor groups); Step G requires 10 years of service.
- Beginning 1/1/28, add a second tier to the Master Officer Program, which increases the Master Officer pay differential from 5% to 7.5% for those qualifying employees with 15 years of service.
- Continue the current City contribution to the Retiree Medical Trust (RMT) at the rate of \$300 per employee per month; eliminate prior sunset clause.
- Terminate the Health Reimbursement Arrangement (a post-employment benefit) for new hires on or after 7/1/25.
- Increase the City's contribution to medical and dental insurance by five percent (5%) on January 1, 2026, January 1, 2027, and January 1, 2028.
- Freeze medical-in-lieu pay (applies to those employees who waive medical coverage) at current levels for existing employees; \$500 cap for new hires.
- Incorporate current side letters, such as the side letter, to increase holiday pay when Council approved the Cesar Chavez holiday during the term of the last MOU.
- Other minor clean-up/clarification language to update the MOU - no cost associated with these updates.

FISCAL IMPACT/FUNDING SOURCE

The cost to provide a 1% compensation increase to the GPOA group is approximately \$130,091. The average annual compensation cost over the three-year MOU term is approximately \$390,000 or a total cost of approximately \$1.2M. This is a 100% General Fund expense. Certain benefits from the current MOU carry over to the new MOU with no changes. Therefore, these costs are not included in the new costs associated with the newly negotiated MOU. An additional budget appropriation of approximately \$321,000 in each year is required to cover the FY 26 and FY 27 costs associated with the implementation of the MOU. Therefore, a budget amendment resolution is included with this staff report. Outside of this budget amendment, the adopted FY 26 and FY 27 budgets include sufficient appropriations to accommodate the financial impacts of the MOU. FY 28 costs will be included when developing the FY 28 budget.

PUBLIC OUTREACH

Consistent with Gilroy's Open Government Ordinance, a draft redline copy of the MOU was posted on the City's website for ten days prior to Council approval.

NEXT STEPS

Following Council approval, the following steps will be taken:

- Remaining parties to sign the MOU
- Finalize and post the fully executed MOU on the City's website
- Implement the MOU changes based on the effective dates included in the MOU

Attachments:

1. Budget Amendment Resolution
2. GPOA MOU
3. GPOA Salary Resolution & Salary Schedules

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY AMENDING THE BUDGET FOR THE CITY OF GILROY FOR FY 26 AND FY 27 TO IMPLEMENT THE TERMS OF THE GILROY POLICE OFFICERS ASSOCIATION MEMORANDUM OF UNDERSTANDING (MOU) FOR FISCAL YEARS 26 AND 27, APPROPRIATING PROPOSED EXPENDITURE AMENDMENTS, AND AUTHORIZING THE INCLUSION OF APPROPRIATE FUNDS IN THE FUTURE FY 28 BUDGET FOR SALARY AND BENEFIT EXPENDITURES RELATED TO THE IMPLEMENTATION OF THE MOU

WHEREAS, the City Administrator prepared and submitted to the City Council a budget for the City of Gilroy for Fiscal Years 2025-2026 and 2026-2027, and the City Council carefully examined, considered and adopted the same on June 2, 2025; and

WHEREAS, City Staff has prepared and submitted to the City Council proposed amendments to said budget for Fiscal Years 2025-2026 and 2026-2027 for the City of Gilroy in the staff report dated August 4, 2025 for the Approval of the Memorandum of Understanding with the Gilroy Police Officers Association and related Salary Schedules from July 1, 2025 through June 30, 2028.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GILROY, AS FOLLOWS:

1. The appropriations for Fiscal Year 2025-2026 shall be increased by \$321,000, by the Finance Director, to implement the terms of the Gilroy Police Officers Association Memorandum of Understanding pertaining to the Fiscal Year 2025-2026 Budget of the City.
2. The appropriations for Fiscal Year 2026-2027 shall be increased by \$321,000, by the Finance Director, to implement the terms of the Gilroy Police Officers Association Memorandum of Understanding pertaining to the Fiscal Year 2026-2027 Budget of the City.
3. The appropriate funds to implement the remaining terms of the Memoranda of Understanding shall be included in the future FY2027-2028 budget.

PASSED AND ADOPTED this 4th day of August, 2025 by the following roll call vote:

AYES: **COUNCIL MEMBERS:**
NOES: **COUNCIL MEMBERS:**
ABSTAIN: **COUNCIL MEMBERS:**
ABSENT: **COUNCIL MEMBERS:**

APPROVED:

Greg Bozzo, Mayor

ATTEST:

Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2025-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said held on Council held **Monday, August 4, 2025** with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Date**.

Kim Mancera
City Clerk of the City of Gilroy

(Seal)

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE CITY OF GILROY

AND

**THE GILROY POLICE OFFICERS ASSOCIATION,
INC.**

July 1, 2025 through June 30, 2028

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF GILROY
AND
THE GILROY POLICE OFFICERS ASSOCIATION
July 1, 2025 through June 30, 2028**

TABLE OF CONTENTS

ARTICLE I. - PARTIES TO THE AGREEMENT 1

ARTICLE II. - RECOGNITION AND SCOPE 1

ARTICLE III. - CITY RIGHTS 1

Section A. In General 1

Section B. Rights Enumerated 1

Section C. Employee Rights Not Impaired 2

Section D. Rights of the Association 2

Section E. Employee Orientation 2

ARTICLE IV. - SALARIES AND OTHER COMPENSATION 2

Section A. Salaries 2

Section B. Retention Steps 3

Section C. Retirement Contribution 4

Section D. Educational Incentive - Sworn Personnel 5

Section E. Educational Incentive - Non-Sworn Personnel 5

Section F. Master Officer Program 5

Section G. Overtime 8

Section H. Stand-By Pay 10

Section I. FTO Pay 10

Section J. Call Back Pay 10

Section K. Holiday Pay 11

Section L. Bilingual Pay 12

Section M. K-9 and Mounted Unit Compensation 12

Section N. Working out of Classification 13

Section O. Retiree Medical Trust 13

Section P. Retention/Recognition Incent./Health Reimb. Arng. . 14

Section Q. Differential Calculations 15

ARTICLE V. - INSURANCE PROGRAMS 15

Section A. Medical and Dental Insurance 15

Section B. Life Insurance 16

Section C. Long Term Disability Insurance 17

Section D. Family Medical Leave Act 17

ARTICLE VI. - LEAVES 17

Section A. Vacation 17

Section B. Sick Leave 18
 Section C. Sick Leave for Job Connected Injury 18
 Section D. Family Sick Leave 19
 Section E. Bereavement Leave 19
 Section F. Court Duty 19
 Section G. Leave of Absence Without Pay 20
 Section H. Unauthorized Absences 20
 Section I. Pregnancy Leave 20
 Section J. Personal Leave 20
 Section K. Employee Release Time 21
 Section L. Physical Fitness Incentive Program 21

ARTICLE VII. - MISCELLANEOUS 21
 Section A. Uniform Allowance 21
 Section B. Residency Requirement 22
 Section C. Corporal 22
 Section D. Training Time 22
 Section E. Authorized Deductions 22
 Section F. Peace Officers Bill of Rights 23
 Section G. Contract Grievance 23
 Section H. Administrative Appeals/POBR 25
 Section I. Work Schedules 26
 Section J. Bulletin Boards 27
 Section K. Shift Selection 27
 Section L. Substance Abuse Policy 27
 Section M. Safety Vests 27
 Section N. Probationary Period 27
 Section O. Detective/ACT Vehicles 28
 Section P. Non-Discrimination 28
 Section Q. Rotation of Special Assignments 28
 Section R. DMV Pull Notice Program 28
 Section S. Lost or Damaged Equipment 28
 Section T. Tuition Reimbursement 29
 Section U. Payroll Date and Direct Deposit 29
 Section V. Labor-Mgt Committee on Workers Comp Carve Out 29

ARTICLE VIII. - PEACEFUL PERFORMANCE 30

ARTICLE IX. - FULL UNDERSTANDING 30
 Section A. Full Understanding 30
 Section B. Re-Opener for HR Rules and Regulations 30

ARTICLE X. - SAVINGS PROVISION 30

ARTICLE XI. - TERM 31

EXHIBITS:

Exhibit A Salary Table for the Period Beginning July 1, 2025

Exhibit B Salary Table for the Period Beginning July 1, 2026

Exhibit C Salary Table for the Period Beginning July 1, 2027

Exhibit D Physical Fitness Program Documents

Exhibit E Record of Counseling Template

Exhibit F GPD Policy 1029 - Shift Selection

Exhibit G Substance Abuse Policies

Exhibit H GPD Policy 706 - Vehicle Use

Exhibit I GPD Policy 1004 - Promotional and Special
Assignment Policy

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE CITY OF GILROY

AND THE

GILROY POLICE OFFICERS ASSOCIATION, INC.

POLICE UNIT

JULY 1, 2025- JUNE 30, 2028

ARTICLE I. PARTIES TO THE AGREEMENT

This Memorandum of Understanding is jointly prepared and executed by representatives of the CITY of Gilroy hereinafter CITY) and the Gilroy Police Officers ASSOCIATION, Inc. (hereinafter ASSOCIATION) for presentation to, and consideration by, the City Council of CITY.

ARTICLE II. RECOGNITION AND SCOPE

CITY hereby recognizes ASSOCIATION as the recognized employee organization for purposes of Government Code 3500 et seq. and the Employer/Employee relations policy of CITY. Such recognition shall extend only to the representation of employees holding permanent positions in the Police Unit. Wage and benefit changes contained herein apply only to sworn Peace Officer classifications, and the classification of Multi-Service Officer/Detention Services Officer.

ARTICLE III. CITY RIGHTS

Section A: In General:

All CITY rights and functions, except those which are expressly abridged by this agreement, shall remain vested with CITY.

Section B. Rights Enumerated:

Nothing in this Agreement shall be construed to restrict any legal or inherent exclusive CITY rights with respect to matters of general legislative or managerial policy which include but are not limited to: the right to determine the mission of its constituent sections; set standards of selection for employment and promotion; train, direct and assign its employees; require overtime work; take disciplinary action, subject to the employees' right to appeal; relieve its employees from duty because of lack of work or for other legitimate reasons; maintain the efficiency of the CITY operations; determine the methods, means and personnel by which CITY operations are to be conducted; determine the content of job classifications; take all necessary actions to

prepare for and carry out its mission in emergencies; and exercise complete control and discretion over its organizations and the technology of performing its work. CITY has the right to make reasonable rules and regulations pertaining to employees consistent with this Agreement.

Section C. Employee Rights Not Impaired:

The exercise of CITY management rights shall not preclude grievants from presenting a grievance in accordance with the Human Resources Rules and Regulations, concerning an adverse effect of the exercise of such rights upon him/her; provided, however, the basic right of management to act hereunder or make decisions is unimpaired. Nothing herein shall abridge or impair any rights granted by Government Code Section 3300 et seq.

Section D. Rights of the ASSOCIATION:

This Agreement is not intended to restrict the right of CITY to consult with ASSOCIATION regarding matters within the right of CITY to determine. Nothing herein shall abridge or impair any rights granted to the ASSOCIATION by Government Code Section 3500-3510.

Section E. Employee Orientation

CITY and ASSOCIATION have agreed to maintain the current process for POA involvement in the orientation of new bargaining unit employees. This process includes: Human Resources providing long term disability (LTD) enrollment forms and the Department allowing GPOA approximately 30 minutes during the first week of the department's new hire orientation process.

ARTICLE IV. SALARIES AND OTHER COMPENSATION

Section A. Salaries:

1. Effective the start of the pay period beginning July 1, 2025, the salaries for all bargaining unit members (except those who are Y-rated) shall be increased by three percent (3.0%).
2. Effective the start of the pay period beginning July 1, 2026, the salaries for all bargaining unit members (except those who are Y-rated) shall be increased by three percent (3.0%).
3. Effective the start of the pay period beginning July 1, 2027, the salaries for all bargaining unit members (except those who are Y-rated) shall be increased by three percent (3.0%).

4. Note: if the effective date for a raise or equity adjustment falls on a date which is not the beginning of a pay period (e.g., once the biweekly payroll is implemented), the effective date shall be moved to the beginning of the first full pay period which is closest to the identified date (e.g., if the pay period starts on June 28, the pay raise will be effective June 28).

Section B. Retention Steps

1. Step F (5 Years)

Effective January 1, 2024, the City added a new Step F to the salary schedule for each bargaining unit classification. Step F was set approximately 2.5% higher than the existing Step E. In addition to the normal requirements for Step Advancement (12 months of “meets standards” or better performance at Step E), an employee must have completed five (5) years of service in the bargaining unit.

Effective July 1, 2025, Step F will be set approximately 5.0% higher than the existing Step E. In addition to the normal requirements for Step Advancement (12 months of “meets standards” or better performance at Step E), an employee must have completed five (5) years of service in the bargaining unit.

Any employee already at Step F as of June 30, 2025 will move to the new Step F effective July 1, 2025.

2. Step G (10 Years)

Effective January 1, 2025, the City added a new Step G to the salary schedule for each bargaining unit classification. Step G was set approximately 2.5% higher than the existing Step F. In addition to the normal requirements for Step Advancement (12 months of “meets standards” or better performance at Step F), an employee must have completed five (5) years of service in the bargaining unit.

Effective July 1, 2025, Step G was set approximately 5.0% higher than the new Step F. In addition to the normal requirements for Step Advancement (12 months of “meets standards” or better performance at Step F), an employee must have completed ten (10) years of service in the bargaining unit.

Any employee who is at current Step G as of June 30, 2025, but who does not meet the 10-year service requirement for new Step G, will revert to the new Step F until they meet the requirements for new Step G. Any employee who is at current Step G as of June 30, 2025, and who meets the 10-year service requirement for new Step G will move to the new Step G effective July 1, 2025.

Section C. Retirement Contribution:Police Safety CalPERS Group:

- **Tier One – Police Safety Employees Hired Prior to January 6, 2011**

The city shall provide the 3% at 50 CalPERS retirement plan (Government Code Section 21363.1) for GPOA employees in the Police Safety CalPERS Category that were hired to a full-time Police Safety position with the city of Gilroy prior to January 6, 2011. Effective July 1, 2013, the employee shall pay the nine (9%) employee contribution as a pre-tax payroll deduction pursuant to IRC 414(h)(2). The plan shall include:

- One (1) year Final Compensation - pursuant to CA Government Code Section 20042
- Credit for Unused Sick Leave - pursuant to CA Government Code Section 20965
- 4th Level 1959 Survivor Benefit - pursuant to CA Government Code Section 21574
- Military Service Credit - pursuant to CA Government Code Section 21024
- Death Benefit - pursuant to CA Government Code Section 21620

- **Tier 2 – Police Safety Employees Hired On or After January 6, 2011, but Prior to January 1, 2013 and Classic Members Hired On or After January 1, 2013**

The city shall provide the 2% at 50 CalPERS retirement plan for GPOA employees in the Police Safety CalPERS category that were hired to a full-time Police Safety position with the city of Gilroy on or after January 6, 2011, but prior to January 1, 2013 OR to employees hired to a full-time position on or after January 1, 2013 who are categorized as a “classic” member of CalPERS. The employee shall pay a nine (9%) employee contribution as a pre-tax payroll deduction pursuant to IRC 414(h)(2). The plan shall include:

- One (1) year Final Compensation - pursuant to CA Government Code Section 20042
- Credit for Unused Sick Leave - pursuant to CA Government Code Section 20965
- 4th Level 1959 Survivor Benefit - pursuant to CA Government Code Section 21574
- Military Service Credit - pursuant to CA Government Code Section 21024
- Death Benefit - pursuant to CA Government Code Section 21620

- **Tier 3 – Police Safety Employees Hired On or After January 1, 2013 Categorized as New CalPERS Members**

The city shall provide the 2.7% at 57 CalPERS retirement plan for GPOA employees in the Police Safety CalPERS category that were hired to a full-time Police Safety position with the city of Gilroy on or after January 1, 2013 who are categorized as a “new” member of CalPERS. Employees in this category shall have a pre-tax payroll deduction for 50% of the total normal cost of the plan as identified annually by CalPERS. This employee payroll deduction amount may change from year to year as required by PEPR. Three year average final compensation is included with this formula. The plan shall include:

- Credit for Unused Sick Leave - pursuant to CA Government Code Section 20965
- 4th Level 1959 Survivor Benefit - pursuant to CA Government Code Section 21574
- Military Service Credit - pursuant to CA Government Code Section 21024
- Death Benefit - pursuant to CA Government Code Section 21620

For example, effective July 1, 2014, GPOA employees categorized as a “new” member of CalPERS have a pre-tax payroll deduction of 12% which is 50% of the total normal cost of the plan as identified by CalPERS.

Section D. Educational Incentive-Sworn Personnel:

Educational incentive pay shall be provided as follows:

1. An additional five (5%) percent for possession of an Associate of Arts Degree or an Intermediate P.O.S.T. certificate.
2. An additional seven and one-half (7.5%) percent for possession of a Bachelors (or higher) Degree or an Advanced P.O.S.T. Certificate. The amounts payable above are not cumulative; the maximum payment is seven and one half (7.5%) percent.
3. All college units/courses must come from a college or university accredited by the Western Association of Schools and Colleges or approved by P.O.S.T.

Section E. Educational Incentive - Non-Sworn Personnel:

Courses must be applicable towards a degree and usable by the particular employee in their employed ASSOCIATION or for advancement with the CITY classification.

1. Three and one-half (3.5%) percent increase in base pay for employees completing thirty (30) college semester units, or possession of a Basic P.O.S.T. Certificate.
2. One and one-half (1.5%) percent additional increase in base pay for employees completing sixty (60) college semester units or possession of an Intermediate P.O.S.T. Certificate. Maximum total five (5%) percent.
3. All course units are subject to approval by the CITY Administrator or designee with recommendation from the employees Department Head.
4. All college units/courses must come from a college or university accredited by the Western Association of School and Colleges or approved by P.O.S.T.

Section F. Master Officer Program:

1. Bargaining unit members who meet the following requirements shall receive a 5% Master Officer pay differential (5% of base pay only) in lieu of specialty pays.
2. Initial Program Requirements for any employee in this Unit wishing to join the Master Officer Program.
 - a. Ten (10) years with Gilroy Police Department (GPD). Up to five (5) years of the ten (10) year full-time classification requirement may be met by the employee having held full-time employment in the same classification with another law

enforcement agency. The lateral time must be in the same classification the employee holds with Gilroy Police Department.

- b. Effective January 1, 2028, the City will add a second tier to the Master Officer Program. Employees with ten (10) years with Gilroy Police Department (GPD) shall receive a five percent (5%) Master Officer Pay Differential. Employees with fifteen (15) years with Gilroy Police Department (GPD) shall receive a seven and one-half percent (7.5%) Master Officer Pay Differential. Up to five (5) years of the service requirement may be met by the employee having held full-time employment in the same classification with another law enforcement agency. The lateral time must be in the same classification the employee holds with Gilroy Police Department.
- c. Nine (9) years in designated specialties with GPD.
 - (1) Must have at least one (1) year each in at least three (3) different specialties. DSO's may qualify with two (2) different specialties.
 - (2) Specialty assignments must be at least one year in length to initially qualify. Thereafter, partial years may count toward requalification.
 - (3) "Full time" specialties count one year per year of time in specialty. Officers hired in as a lateral officer may count one full-time specialty from their prior law enforcement agency subject to the review and acceptance by the city at the city's sole discretion. Lateral officers will be required to submit written documentation for the City's consideration.
 - (4) "Half time" specialties count one-half of year per year of time in specialty.
 - (5) "Quarter time" specialties count one-quarter of year per year of time actively serving as an instructor in one or more of the areas noted below.
 - (6) Three (3) years of qualifying time must be full-time specialties (per the list below). The City, at its sole discretion, may consider an application for Master Officer with less than three years in full-time specialties when the employee's participation in the full-time specialty assignment ends prior to three years as a result of budget reductions causing the specialty assignment to be eliminated.
 - (7) Employee can simultaneously perform up to three (3) specialties.
 - (8) Supervisors coordinating specialty units who are also members of those specialty units get credit for being a member of the specialty, or for being the coordinator, but not for both simultaneously.

3. Qualifying Specialties:

a. Full Time

- (1) Traffic
- (2) Detectives
- (3) SCCSET, REACT, or other full-time task force position (the City will continue to recognize service in task force positions that re no longer active, such as RATFF, DEA, and AB 109)
- (4) Canine
- (5) School Resource Officer (SRO)

(6) Administration Sergeant (Internal Affairs, PIO, etc.)

(7) ACT

(8) FTO (not including Corporal)

Note: Employees who have at least one year as a Corporal prior to 7/1/06 may use one year of Corporal time as FTO time for Master Officer Program purposes.

(9) Community Engagement Team (CET)

(10) SWAT/CRT

b. Half Time

(1) CSI

(2) Arson

(3) MAIT

(4) Firearms Instructor

(5) Defensive Tactics Instructor (City will continue to recognize service as a Less Lethal Instructor)

(6) Specialty Assignment Coordinators (including, but not limited to, Reserves, MSO, CSI, FTO, etc.)

(7) Mounted Unit

(8) Honor Guard

(9) Drug Recognition Expert

(10) Electronic Forensic Examiner

(11) Drone Unit

(12) Explorer Advisor

c. Quarter Time

(1) First Aid/CPR Instructor

(2) Driving Instructor

(3) Explorer Advisor

(4) Critical Incident Stress Debrief (CISD) Team Member

(5) Parent Project Instructor

(6) Fitness Program Coordinator

(7) Homeless Liaison Officer (no longer active, but City will continue to recognize service)

(8) Specialty Assignment Coordinator (Bike Team, Dual Sport)

(9) SCC Crowd Control Task Force (no longer active, but City will continue to recognize service)

4. Application Process:

a. Employee must submit application with appropriate backup information documenting their qualifications.

b. Employees are responsible for maintaining their qualifications and for providing written proof of compliance to Police Administration.

5. Timeline for Submission of Master Officer Documentation.

a. Master Officer Pay starts the first of the month following submission (of a complete packet) and approval of the Master Officer qualification packet provided

that the packet is submitted to Field Operations Captain by the 15th of the prior month.

6. The number and type of specialty assignments (full-time or collateral) shall remain at the discretion of the Chief of Police.
7. Per General Order 5.4, specialty assignments (full-time and collateral) shall continue to be one year and may be extended by the Chief of Police for an additional one-year period to a maximum of five years. No maximum tenure for collateral, part-time assignments as listed in GO 5.4.
8. Maintenance of Master Officer Status and Related Pay. In order for an employee to maintain their Master Officer Status and Related Pay once they have originally qualified, Master Officers must complete a. **AND** b. below:
 - a. Starting January 1, 2007, every three years, complete at least one “update class” (at least 24 hours) in a “qualifying specialty” (i.e., a specialty which the employee used to qualify for Master Officer status). The 24-hour requirement does not need to be at the same class or at the same time.
 - b. Every five years, complete at least one full year in any qualifying specialty. Employees may count time in half time and quarter time specialties; however, the time must total a full year, i.e. employee must complete two years in an assignment that is in the half time category and four years in an assignment that is in the quarter time category.
9. Re-Institution of Master Officer Pay. In order to have Master Officer Pay re-instituted, the employee must complete both a. **AND** b. below:
 - a. Completion of an “update class” (at least 24 hours) in a “qualifying specialty” (i.e., a specialty which the employee used to qualify for Master Officer status).
 - b. Completion of a full year in any qualifying specialty. Employees may count time in half time and quarter time specialties; however, the time must total a full year, i.e. employee must complete two years in an assignment that is in the half time category and four years in an assignment that is in the quarter time category.
 - c. Master Officer Pay will be re-instituted effective the July 1 or January 1 following the successful completion of the requirement noted above.

Section G. Overtime:

1. Overtime shall apply as follows:
 - a. For employees working a 4-10 schedule, overtime compensation at the rate of time and one half (1.5) will be paid for hours worked in excess of ten (10) hours per day and/or forty (40) hours per week.
 - b. For employees working a 3-12.5 schedule, overtime compensation at the rate of time and one half (1.5) will be paid for hours worked in excess of one-hundred and sixty (160) hours in the twenty-eight (28) day FLSA 7K work schedule identified in Section III. F. of the City of Gilroy HR Rules and Regulations.

- c. Paid time off shall count as hours worked for overtime calculation purposes. Therefore, unless an employee takes unpaid leave, any time worked outside of an employee's regular work schedule will normally result in overtime.
2. All employees covered by this Memorandum of Understanding (sworn and non-sworn) shall have the option of earning compensatory time off at time-and-one-half (1.5) in lieu of cash payment. All employees, except those assigned to SCCSET, shall have the option of accruing a maximum of eighty (80) hours. Bargaining unit members assigned to SCCSET may accrue up to two hundred (200) hours of compensatory time off. Bargaining unit members are responsible for reducing their compensatory time off banks to eighty (80) hours before leaving SCCSET.
3. Effective immediately, compensatory time off shall not be available for voluntary outside work assignments. For the purposes of this section, the term "outside assignment" means overtime that is work at special events where the event's sponsor reimburses the City for its overtime expenses.
4. Prescheduled non-emergency overtime shall be scheduled with at least 3 positions for regular full-time officers for each reserve officer position. One person assignments may be staffed by reserves if a reserve officer is the next person in the rotation. If a sufficient number of regular officers have not signed up for events within One Hundred and Sixty Eight (168) hours of the assignment, the available slot(s) may be opened to reserves.

Notwithstanding the above; the "Portuguese Parade" may be staffed entirely with Reserve officers.

Pre-scheduled non-emergency overtime not filled pursuant to Section 4 above, shall be filled through mandatory assignment of regular officers not less than One Hundred and Twenty (120) Hours prior to the assignment. Assignments will be made by reverse seniority.

5. The City has identified a potential issue involving constructive receipt tied to an employee's choice to earn compensatory time off instead of cash for overtime work. The POA is currently requesting a legal opinion on that topic. GPOA will notify the City no later than September 1, 2018 if its legal counsel disagrees with the opinion of the City's legal counsel. In that event, the parties agree to meet and confer over ways to address the City's concern.

If the GPOA does not so notify the City on or before September 1, 2018, employees will be required to make an irrevocable advance election in writing once a year, before December 31, to cash out all or a portion of the compensatory time off that will be earned in the following calendar year (January 1 – December 31). Such payment is subject to the approval of the Department. Payment will be made at the last possible payroll date during the calendar year in which the compensatory time accrues, but in no circumstances past December 31 of such calendar year.

Section H. Stand-By Pay:

Employees required to standby by the Department (including telephone standby for court appearances) shall be compensated at the rate of one-half (.5) of his/her regular hourly base pay.

Employees assigned to standby shall:

1. Be reachable by telephone or vehicle radio;
2. Be ready to respond immediately to calls for service or court;
3. Remain a reasonable distance from the police station or court; and
4. Refrain from the use of intoxicants which might impair the ability of the officer to perform assigned duties.
5. The employee must confirm stand-by status daily and be placed on stand-by each individual business day by calling GPD's subpoena Police Records Technician or by calling the Deputy District Attorney that is handling the specific court case.

Section I. FTO Pay:

Employees in the classification of Police Officer who are formally assigned by the Department as Field Training Officers shall receive FTO pay of five (5%) percent during the hours they are actually assigned a trainee (including reserve trainees). This five percent (5%) FTO pay shall also be included for any overtime worked as a FTO. Due to the difficulty in tracking FTO overtime rates in the compensation bank described in Section F (Overtime) of this MOU, FTO overtime will be paid in the payroll cycle in which it is accrued, and cannot be placed in the compensation bank.

Section J. Call Back Pay:

1. Employees called back to work shall receive a minimum of three (3) hours compensation, calculated at time one one-half (1.5). Call back, including court appearances, is defined as any time at court or work that does not continue into or continue after regular duty time.
2. Paragraph (1.) above is not intended to apply to remote appearances (i.e., attendance at meetings, trainings, court, or other events). Remote attendance includes but is not limited to: telephonic, video, or virtual attendance.
 - a. Employees making remote court appearances that do not continue into or continue after regular duty time shall receive a minimum of one and one-half (1.5) hours of compensation, calculated at time and one-half. Compensation for remote court appearances includes preparation time and waiting time.
 - b. Employees receiving phone or video calls shall be compensated at a minimum of one (1) hour of straight time. Additional calls made within the same hour will not be

entitled to any additional compensation. Supervisory approval should be obtained prior to making a business related call to an employee during non-duty hours. Excluded from any compensation for phone calls at home are text or voice messages, calls to correct employee errors or omissions that need immediate attention, court cancellations, calls to work, courtesy calls and special detail calls (including notification calls to supervisors of specialized units).

3. In interpreting this section:

- a. Any scheduled event/meeting occurring within thirty (30) minutes of the end of an employees shift will be assumed to be a continuation of regular duty time.
- b. Any unscheduled event occurring after the employee has physically left work will be considered callback unless the Department has held the employee over.
- c. The City has the option of holding over employees in lieu of call back for any length of time upon notification to the employee prior to the event/meeting.
- d. If an employee is called back and any of the 3 hour minimum overlaps into the start of their regular shift, then the employee is paid OT for the exact amount of time actually worked prior to the start of their regular shift. For example: if an employee starts work at 1600 hours, has court at 1400 hours and is done at 1500 hours; they are free to leave (it is not the practice nor intent of the department to hold an employee over for the remaining time, if any) and be paid (and covered under workers' compensation) until they start work at 1600 hours.

Section K. Holiday Pay:

All bargaining unit members shall receive Holiday Pay as compensation for scheduled staffing without regard to holiday. Holiday pay shall be paid at the rate of 7.01% of base pay.

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Cesar Chavez Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Day

Section L. Bilingual Pay:

Employees who demonstrate the ability to effectively communicate in both Spanish and English shall receive an additional five (5%) percent of their respective base salaries. Employees speaking languages other than Spanish, for which there is a demonstrated need and the employee regularly utilizes in the performance of his/her duties shall also be paid the bilingual differential upon the approval of the Chief of Police.

Section M. K-9 and Mounted Unit Compensation:

The city reserves the right to evaluate the animals associated with these assignments every ninety (90) days to ensure they are trained and/or deployable. If animals are not trained and/or deployable, the city reserves the right to evaluate the situation and may cause removal from the specialty assignment.

K-9

Employees assigned to K-9 duties (including both apprehension and therapy canines) shall be paid for the care, feeding, exercise, transport and maintenance grooming of the canines. The City and the Association have considered the time that canine officers typically spend on canine care, and determined it to be four (4) additional hours per week. Canine Officers shall be paid four (4) hours per week of overtime (time and one-half) based on an hourly rate equal to the California minimum wage (currently \$16.50/hour). This compensation will be paid with the City's regular monthly payroll cycle in an amount of 17.33 hours per month ($17.33 \times 12/52 = 4$). Time spent caring for the canine is considered part of the employee's normal work hours and part of required duties. It is the intent and understanding of the parties that this pay meets the definition of special compensation under 2 CCR 571.

Payroll Note: This is the equivalent of 26 hours (17.33×1.5) at a straight time rate equal to the California minimum wage (currently \$16.50/hour).

Mounted

Employees assigned to the Mounted Unit Program shall receive an additional four (4) hours per week of overtime (time and one-half) based on an hourly rate equal to the California minimum wage (currently \$16.50/hour). This compensation will be paid with the City's regular monthly payroll cycle in an amount of 17.33 hours per month ($17.33 \times 12/52 = 4$). This compensation is mutually acknowledged to cover the time required to care for, train, feed, etc. the employee's assigned horse. Time spent caring for the horse is considered part of the employee's normal work hours and part of required duties. It is the intent and understanding of the parties that this pay meets the definition of special compensation under 2 CCR 571.

Payroll Note: This is the equivalent of 26 hours (17.33×1.5) at a straight time rate equal to the California minimum wage (currently \$16.50/hour).

Section N. Working Out Of Classification:

Employees assigned by the Chief of Police, or his/her designee, to work as an acting Corporal or acting Sergeant shall be paid at the lowest salary step in the higher range providing a minimum of five (5%) percent increase for each full shift worked.

In accordance with Government Code 20480, an employee assigned to work in an out-of-class appointment may not exceed 960 hours worked in the appointment within a fiscal year if the employee is appointed to an upgraded or higher classification that is vacant during a recruitment for a permanent appointment. This limitation does not apply to a position that is temporarily unavailable due to a leave of absence.

Section O. Retiree Medical Trust:

1. The Association has joined the PORAC Retiree Medical Trust (Trust), the sole purpose of which is to provide funding for medical expenses and health insurance costs for eligible retirees or qualified family members of eligible retirees as established by the Trust. Participation in the Trust shall be the complete and sole responsibility of the Association. The City shall not have any involvement in the Trust's design, its administration, or in the benefits paid; nor shall the City have any responsibility for any actions of the Trust or its trustees or of Association with respect to the Trust. The Association will indemnify, defend and hold harmless the City, its agents, officers, and employees, against any and all claims or legal proceedings regarding the operation of the Trust.
2. City will continue to contribute \$300 per month on behalf of each bargaining unit member, in one aggregate check, to the Trust, which will include a report on the employees covered by the aggregate contribution.
3. The Association shall have the option, during the life of this agreement, to establish a mandatory employee contribution to the Trust including, but not limited to, an active employee contribution and/or a percentage of accrued vacation at retirement. The Association will notify the City at least thirty (30) days prior to the beginning of any mandatory employee contributions, and the City will transfer that amount to the Trust in one aggregate check. Future changes to the mandatory employee contribution amount will occur at the start of a calendar year and POA will notify the Human Resources Department of the new contribution rate at least thirty (30) days prior to changing the mandatory employee contributions.

Employee Contribution: Beginning with the payroll cycle following the establishment of the Retiree Medical Trust, the City shall deduct, on a pre-tax basis, from each covered employee's payroll \$150.00 per month to the Trust. Effective July 1, 2022 through June 30, 2023, the City shall deduct, on a pre-tax basis, from each covered employee's payroll \$75.00 per month to the Trust. Effective July 1, 2023 through June 30, 2024, employees will not make a monthly pre-tax contribution to the trust.

- a. No employee election forms will be allowed or requested and there is no option for the employee to receive these funds in cash. This employee contribution amount may change in future calendar years following the procedure noted in 3, above. .

- b. Vacation Cash Out: Effective October 1, 2021, upon a covered employee's separation from City of Gilroy employment, one hundred percent (100%) of the dollar amount of the employee's vacation cash out shall be deducted on a pre-tax basis and transferred to the Trust. There is no option for the employee to receive the one hundred percent (100%) portion of the vacation cash out in cash. The percentage amount noted above may change in future calendar years following the procedure noted in 3. above.
4. The parties recognize the complexity of maintaining both the Trust and the Retention/Recognition Program and agree that successor MOU negotiations will include negotiations over continued contributions to the Trust and the potential transition from the Retention/Recognition Program to the Trust.

Section P. Retention/Recognition Incentive/Health Reimbursement Arrangement:

1. Retiree Allowance – Eligibility, Amount and Timing

An Eligible Retiree, as defined below, shall be eligible to receive a Monthly Allowance, also defined below, from the City until reaching the age of sixty-five (65). An "Eligible Retiree" is a Unit employee that satisfies all of the following requirements:

- Was a member of the POA bargaining unit as of July 1, 2025.
- Is at least fifty years old.
- Has retired from service with the City through CalPERS on or after July 1, 2001. An individual is deemed to be retired from service with the City if his or her effective retirement date is within 120 days of separation from employment with the City and he or she is receiving a retirement allowance from CalPERS resulting from the individual's service to the City.
- Has rendered services to the City for at least fifteen (15) years.
- A Unit employee retiring on or after July 1, 2014, must elect to participate in the City's retiree health reimbursement arrangement.

The "Monthly Allowance" shall be equal to \$15 for each year of service with the City of Gilroy up to a maximum monthly allowance of \$300.

Benefits under this section begin the first day of the month following the cessation of City-paid medical benefits. For example, if an employee retires on May 1st and City-paid medical benefits continue through May 31st, the employee will receive his or her first payment under this provision in the month of June. If medical benefits extend to June 30th, then the benefits under this section will begin in the month of July.

2. Eligible Retirees On or After July 1, 2014

The Monthly Allowance for any Unit employee that qualifies as an Eligible Retiree on or after July 1, 2014, including City employees hired or rehired on or after January 1, 2013, shall be made available to the Eligible Retiree under the City's retiree only health reimbursement arrangement ("Plan") for the purpose of receiving nontaxable reimbursements of qualifying health care expenses under Sections 105(b) and 213(d) of the Internal Revenue Code.

A condition to receiving the Monthly Allowance and participating in the Plan is the submission of an election form to participate in the Plan. An Eligible Retiree retiring on or after July 1, 2014, that does not elect to participate in the Plan will forfeit the Monthly Allowance. Reimbursements from the Plan shall be subject to substantiation that the Eligible Retiree incurred eligible expenses.

Section Q. Differential Calculations:

Effective the first of the month following final MOU approval, all differential pays, including educational incentive pay, bilingual pay, holiday pay, Master Officer pay, etc., shall be calculated on base pay on an individual basis with no compounding.

For example:

- Education Pay = Base x Education Incentive Pay %
- Holiday Pay = Base x Holiday Pay %
- Bilingual Pay = Base x Bilingual Pay %

ARTICLE V. INSURANCE PROGRAMS

Section A. Medical and Dental Insurance:

1. The City shall provide a cafeteria program dollar contribution for each GPOA employee. The cafeteria plan contribution amount is established as of January 1, 2018 as the plan year for health plan coverage is the calendar year. The City cafeteria contribution amount shall increase by 5% each January 1 of the MOU using the January 1, 2018 amount as the baseline starting point. Any health plan rate increases in excess of the annual City contribution amount each year shall be paid by the employee.

The baseline monthly city cafeteria plan contribution amounts effective as of January 1, 2018 are:

Employee Only	\$833.47
Employee + 1	\$1,642.90
Employee + 2 or more	\$2,095.13

2. The contribution amounts include any mandatory PERS PEMHCA contribution and the mandatory Dental Contribution.
3. The contribution amount that the employee qualifies to receive is based upon the number of individuals that the employee enrolls in a medical plan.

4. The employee may purchase other insurance benefits with any remaining contribution amount or through payroll deduction. Some of these benefits may be eligible for a pre-tax deduction. . The employee may not waive dental insurance. The employee must enroll himself or herself, along with qualifying dependents, in the Dental plan.

Employees waiving medical insurance, or whose medical insurance is less than the City contribution are entitled to the following:

- a) Hired prior to July 1, 2025
 - o Bargaining unit members hired by the City on or before June 30, 2025 who waive medical coverage are entitled to \$939.36 in taxable cash less the medical contribution required by CalPERS and less the dental premium.
 - o If a bargaining unit member hired by the City on or before June 30, 2025 spends less than the following amounts on medical and dental premiums, the balance will be paid to the employee as taxable cash.

Employee Only	\$1,172.78
Employee +1 dependent	\$2,311.73
Employee +2 or more	\$2,948.05

- b) Hired on or after July 1, 2025
 - o Bargaining unit members who are newly hired by the City on or after July 1, 2025 who waive medical coverage are entitled to \$939.36 in taxable cash less the medical contribution required by CalPERS and less the dental premium. However, the taxable cash paid to an employee in this group after the CalPERS and dental deductions may not exceed \$500.

5. The employee may waive medical coverage under this program and enroll in dental insurance provided they show proof of other medical insurance coverage. If the employee waives medical insurance, pursuant to the *Flores v. City of San Gabriel* case, the City includes this “cash in lieu” payment as part of the regular rate of pay for calculating FLSA overtime premiums. The City will cease including “cash in lieu” as part of the regular rate in the event that it is no longer legally required to do so.

6. Notwithstanding any other provision of this Agreement, the parties agree to meet and confer over the impact of the Affordable Care Act upon request of either party. Negotiations between the parties shall commence within 14 days upon notice of either party. The parties shall negotiate in good faith in an effort to reach a mutual agreement. Applicable impasse dispute resolution procedures shall apply.

Section B. Life Insurance:

The City shall continue to provide a \$5,000 Life Insurance Policy for Non-Sworn Unit members and a \$15,000 Life Insurance Policy for Sworn Unit members for the term of this agreement.

Section C. Long Term Disability Insurance:

The City shall contribute up to thirty-six dollars (\$36) per employee per month toward the Long Term/Short Term Disability Insurance Program currently offered through the Association for unit members. The premiums paid by the city on behalf of the members will be considered taxable income so that any benefits received by the member are non-taxable.

Section D. Family Medical Leave Act:

Employees on leave under the Family Medical Leave Act will receive insurance benefits in the same manner that contributions would have been made for the employee if not on FMLA Leave. Employees are required to make any required contributions even if on unpaid leave.

ARTICLE VI. LEAVES

Section A. Vacation:

Full time employee shall accrue vacation as follows:

<u>Years of Service</u>	<u>Monthly Accrual</u>	<u>Annual Accrual</u>
1-5 Years	6.67 hours	80 hours
6-15 Years	10 hours	120 hours
More than 15 Years	13.33 hours	160 hours

Vacation schedules shall be posted annually. Sign up shall be on the basis of seniority within classification. Senior employees shall have first preference, unless exercise of such preference interferes with the service of the department.

Vacation is granted for the purpose of it being taken annually. However, with approval of the Department Head concerned, an employee may opt to accrue up to two (2) years vacation leave for an extended vacation. Effective January 1, 2017, employees at or above the maximum balance will no longer accrue vacation time until such time that the employee’s vacation balance drops below the maximum balance allowed.

Vacation time shall accrue while the employee is on paid leave. An employee falling ill or incurring injury while on vacation may terminate that vacation and convert to sick leave or leave without pay upon submission of written notice detailing the reasons therefore and upon approval of the CITY Administrator.

An employee of the CITY for one (1) year or more shall, upon termination, receive payment for all accrued unused vacation time. No employee shall receive payment in lieu of vacation while remaining in CITY service.

Section B. Sick Leave:

Employees shall accrue sick leave at the rate of one (1) 8-hour day per month. Sick leave may be used as it accrues. Employees shall accrue sick leave while on paid vacation.

Employees who have been on sick leave for three (3) or more consecutive work days may be required to present a written verification of inability to work signed by a treating physician or other health care provider to their immediate supervisor upon returning to work. In addition, a supervisor may require a health care provider's verification upon return to work if the supervisor has a reasonable belief that the employee has used sick leave for any reason other than those listed in Sections VII.A.2 and VII.A.2a of the City's Human Resources Rules and Regulations. The supervisor must request the sick leave verification prior to the employee's return to work. Employees will use sick leave time to procure the health care provider's verification and will be responsible for any payment required for the verification.

The City will investigate allegations of sick leave or medical appointment abuse prior to imposing discipline pursuant to Section VII.A.2.e of the City's Human Resources Rules and Regulations.

Section C. Sick Leave For Job Connected Injury:

An employee's sick leave will be affected when he/she is injured on the job and is unable to work as follows:

1. Employees who qualify for worker's compensation benefits under Labor Code 4850 shall be provided benefits consistent with California state law.
2. All other employees will be allowed thirty (30) calendar days industrial injury/illness leave before any deduction from accumulated sick leave, if any.
3. If an employee receives a workers compensation check for LC 4850 type benefits, the employee is required to deposit the check with Human Resources as soon as possible.
4. When industrial injury/illness leave is exhausted, the employee can receive either the Workers Compensation benefits and the difference equal to full pay with appropriate deductions from accumulated sick leave or full pay with appropriate deductions from accumulated sick leave and deposit the Workers Compensation with the CITY.
5. Upon depletion of the sick leave, and/or other benefits available, the employee will receive the Workers Compensation benefit and be placed upon a Leave of Absence without pay.
6. The following procedures are required in order to ensure that medical bills arising from a work-related illness or injury are paid by the Workers Compensation insurance carrier:
 - a. When an employee is injured or is taken ill on the job, get medical attention as needed. The employee should arrive at the medical facility/physical with a Medical Service Order. These are available in every department. If

the employee presents the proper authenticated form to the medical facility, the facility will send the bill to the insurance carrier rather than to the employee or the CITY.

- b. The department concerned should send an Accident Report to the Human Resources Department within one working day of the incident. It is from this document that the Employer's Report is prepared for the insurance carrier, so both speed and accuracy are essential.
- c. The Human Resources Department will, within two (2) working days of receipt of the Accident Report, submit the Employer's Report to the insurance carrier.

Section D. Family Sick Leave:

An employee may be granted family sick leave by the Department Head up to, but not to exceed, fifty (50) hours per fiscal year to care for sick dependents. Dependents will include spouse, children, or other relatives presently living with the employee. The employee is given the option of deducting this leave from either his/her accumulated sick leave or his/her earned vacation. Per California State Law, the City shall designate half of an employee's annual sick leave accrual for family sick leave. Therefore, family sick leave is currently capped at 50 hours per fiscal year.

Section E. Bereavement Leave:

Employees may take up to three (3) days of paid bereavement leave for the death of immediate family members, per occurrence.

For the purpose of this section, immediate family is defined as: Grandmother, Grandfather, Mother, Father, Step-Mother, Step-Father, Mother-in-Law, Father-in-Law, Brother, Sister, Step-Brother, Step-Sister, Husband, Wife, Domestic Partner, Natural Born Child, Adopted Child, and/or Step-Child.

Employees may take up to two (2) additional days off per instance of bereavement involving an immediate family member using the employee's eligible leave banks.

Leave may also be granted in the case of the death of others with whom the employee has a significant relationship. Such leave shall be granted in the sole discretion of the CITY Administrator, without any right to appeal.

Section F. Court Duty:

An employee summoned for jury duty will be excused from work but must present written proof of the jury duty to his/her supervisor with a copy to the Human Resources Director. The summoned employee shall have a choice of receiving full pay while on jury duty and reimbursing the CITY for any jury duty compensation received, or he/she may keep the jury duty compensation and not receive CITY pay for the time away from work. The above jury duty compensation reimbursable to the CITY does not include travel, meals, or lodging.

Section G. Leave of Absence Without Pay:

A leave of absence without pay may be granted to an employee who is required by medical authorities to extend sick leave or finds it necessary to extend vacation leave beyond accumulated benefits. Said leave will constitute a break in service and must be recommended by the appropriate department head and approved by the CITY Administrator.

The employee on a leave of absence without pay may continue medical and life insurance upon his/her payment of all premiums. Uniform allowance, auto allowance, retirement credit, seniority in the pay plan, sick leave credit, vacation credit and other fringe benefit credits shall not accumulate during the leave of absence. Accumulated seniority prior to the leave of absence will not be lost.

Section H. Unauthorized Absences:

Absence without justifiable reason for three (3) consecutive working days shall constitute automatic resignation (see Human Resources Rules and Regulations).

Section I. Pregnancy Leave:

A female employee will be granted leave for pregnancy involving miscarriage, childbirth, or recovery therefrom. A leave with pay will be governed by accumulated sick leave and/or vacation benefits. A leave without pay will be governed by the section "Leave of Absence Without Pay" (see Section VI). Said leave will be for a reasonable length of time not to exceed 120 calendar days. Other employees will be granted leave to care for dependents as set forth in emergency leave (see Section VI).

Section J. Personal Leave:

Each employee will be granted Personal Leave annually. Employees will accrue personal leave at a rate of 1.67 hours per month. However, the full amount of leave is credited and available to the employee on July 1 of each year; or in a pro-rated amount for employees hired after July 1. Except for an employee who honorably retires directly from City of Gilroy service, in the event an employee leaves City service after using more Personal Leave than he or she has earned, the City will deduct the overage from vacation or CTO prior to pay out. Personal Leave is not cumulative.

The amount of Personal Leave authorized is 20 hours per fiscal year. Personal leave days must be used in the fiscal year they are earned and all unused hours will be forfeited. Personal leave days/hours cannot be used if overtime would be needed to cover the absence.

Section K. Employee Release Time:

1. ASSOCIATION Officers (maximum of 5) shall be allowed to utilize a cumulative total of one hundred and twenty (120) hours per year of release time for ASSOCIATION business and attendance of ASSOCIATION related functions including, but not limited to meetings, seminars and schools. Release time shall be granted subject to minimum requirements of the Department and is subject to Department Head and/or CITY Administrator approval.
2. Association Representatives who are scheduled to work between the hours of 5:00 pm and 7:40 am shall be released from duty at least 8 hours prior to any scheduled meetings with the City/Department representatives concerning matters within the scope of representation. When the meeting is a formal meet and confer session regarding the negotiation of an MOU, such release time shall not be charged to the one hundred and twenty (120) hours time bank described in paragraph 1 above.

Section L. Physical Fitness Incentive Program:

Employees may be granted up to twenty (20) hours of Fitness Leave Time every six months based upon their performance with a physical fitness assessment as documented in Exhibit D - Physical Fitness Incentive Program. The awarded time will be held in a separate leave bank with a maximum accrual of forty (40) hours.

ARTICLE VII. MISCELLANEOUS

Section A. Uniform Allowance:

Uniformed members of the Police Department shall receive:

- a. Initial uniform allowance of \$575.
- b. Sworn personnel shall receive \$116.67 per month.
- c. Non-Sworn personnel shall receive \$77.75 per month.
- d. Uniform allowance will be paid on a monthly basis.
- e. All listed amounts may be converted to bi-weekly amounts upon implementation of bi-weekly payroll, and as required by CalPERS for reporting purposes (classic members).
- f. CITY will furnish badge and safety equipment.
- g. Employees hereafter assigned to the Special Operations Group (SOG) shall receive a one-time Two Hundred (\$200.00) dollar payment in recognition of the additional uniform/equipment requirements.

- h. Employees hereafter assigned to the Hostage Negotiations Team (HNT) shall receive a one-time One Hundred Fifty (\$150.00) dollar payment in recognition of the additional uniform/equipment requirements.

Section B. Residency Requirement:

Employees shall be required to establish and maintain residency within 45 minutes normal driving time from the Gilroy Police Station (this is mutually understood to include Los Banos). Employees will have 18 months from their date of hire to comply with this requirement. The Chief of Police shall have the right to waive enforcement of this rule, in his/her sole discretion.

Section C. Corporal:

Corporal shall be a permanent classification. The CITY may appoint Corporals from either a Sergeants list or a Corporals list.

If a Corporals list is in effect, however, it shall be used until it has expired under the CITY's Rules.

Section D. Training Time:

1. When an employee is assigned to a training course away from home, the location of the training course shall be determined as the employee's work location for the period of training involved. Overtime will be paid only if classroom time exceeds the designated work schedule. For example, in the event that the class is twenty-four (24) hours and the class hours are unequally distributed over three (3) work days, no overtime will be paid unless the total classroom hours exceed twenty four (24) hours.
2. When an employee attends training, his/her schedule during the time of training shall be considered an eight (8) hour workday and the Department may alter the employee's regularly scheduled days off to provide in-lieu days off if the training attended is on a regularly scheduled day off. When an employee attends a 40 hour, 5 day school or more, he/she will be considered to be on an 8-hour workday schedule and shall be entitled to two (2) days off that week and the employees work schedule shall be automatically adjusted.

Section E. Authorized Deductions:

The CITY agrees to deduct from the wages of its employees initiation fees and dues, and to transmit such monies to the financial secretary of the ASSOCIATION.

Deductions will be made based on the ASSOCIATION's certification that it has and will maintain an authorization, signed by the individual from whose salary or wages the deduction or reduction is to be made. The CITY shall direct employee requests to cancel or change deductions to the ASSOCIATION and shall rely on information

provided by the ASSOCIATION regarding whether deductions were properly canceled or changed

Section F. Peace Officers Bill of Rights:

The parties mutually acknowledge the requirements of Section 3300 et.seq. of the Government Code.

Section G. Contract Grievance:

It is the intent of the parties to this Agreement to provide an alternative method of resolving employees grievances. A "contract grievance" is any dispute between the CITY and an employee, or, between the CITY and the Association regarding:

- suspension without pay, demotions or removals and/or;
- the interpretation or application of any Article in this Memorandum of Understanding (Agreement).

In order to elect the procedure provided herein the affected employee must give written notice of his/her intent to proceed under this contract article at the time the grievance is filed. Such written election shall contain an unequivocal and unconditional waiver of the employee's right to proceed, under the terms of the CITY Charter and/or the Human Resources Rules and Regulations, to the Personnel Commission or the CITY Council in consideration of being granted the right to proceed under this contractual procedure. In no event will any employee be allowed to pursue more than one appeal or grievance procedure. This grievance procedure does not replace City Charter Section 1004.

The employee is entitled to have representation at each step of the procedure. All grievances under this Article shall be in writing, dated, and signed by the employee or the Association. Grievances concerning the interpretation or application of this Agreement shall clearly set forth the basis for the grievance and the provisions of this Agreement alleged to have been misinterpreted or misapplied. Grievances that appeal a suspension without pay, demotion or removal shall be commenced at the CITY Administrator grievance level following the procedure as specified below in Section 5. These grievances also must clearly state the basis for the appeal.

1. Initially, all written grievances, except written appeals of discipline (suspension without pay, demotions or removals), shall be filed with the immediate supervisor within fifteen (15) calendar days following the event or events giving rise to the grievance. The immediate supervisor shall arrange a meeting with the employee and/or the Association to address the grievance. The immediate supervisor shall issue a written decision on the grievance within ten (10) calendar days of the employee-supervisor meeting.
2. In the event that the immediate supervisor does not resolve the grievance, the employee or Association may appeal the matter in writing to the division head (or equivalent level management employee as designated by management as appropriate) within ten (10) calendar days of the date of the immediate supervisor's written decision. The division

head or equivalent level management employee as designated by management (“designee”) shall arrange a meeting with the employee and/or the Association, as appropriate to address the grievance appeal. The employee or his/her representative shall be allowed adequate time to present their side of the matter during the meeting. The division head (or designee) shall issue a written decision on the grievance within ten (10) calendar days of the meeting.

3. In the event the matter is not adequately resolved at the division head (or designee) level, the employee or Association may appeal the matter in writing to the Chief of Police (or designee) within ten (10) calendar days of the date of the division head (or designee) written decision. The Chief of Police (or designee) shall arrange a meeting with the employee and/or the Association to address the grievance appeal. The employee and/or the Association shall be allowed adequate time to present his/her side of the matter during the meeting. The Chief of Police (or designee) shall issue a written decision on the grievance within ten (10) calendar days of the meeting.
4. In the event the matter is not adequately resolved at the Chief of Police (or designee) level, the employee or the Association may appeal the matter in non-disciplinary grievances in writing to the CITY Administrator within ten (10) calendar days of the date of the Chief of Police’s (or designee’s) written decision. The employee’s or Association’s written appeal to the CITY Administrator must include the written responses received from the immediate supervisor, the division head (designee) and the Chief of Police (designee). The CITY Administrator shall arrange a meeting with the employee and/or the Association to address the grievance appeal. The employee and/or the Association shall be allowed adequate time to present their side of the matter during the meeting. The CITY Administrator shall issue a written decision on the grievance within ten (10) calendar days of the meeting.
5. Grievances appealing discipline (suspension without pay, demotions or removals) shall be commenced at the CITY Administrator level by filing a written appeal with the CITY Administrator within fifteen (15) calendar days of the date that the Notice of Discipline is issued to the employee. The written appeal shall clearly set forth a statement of the bases and facts supporting the appeal and the remedy sought. The CITY Administrator shall arrange a meeting with the employee and/or the Association to address the appeal. The CITY Administrator shall issue a written decision on the discipline appeal within ten (10) calendar days of the meeting.
6. If the grievance is not resolved CITY Administrator level, the Association only may request, in writing to the CITY Administrator within ten (10) calendar days of receipt of the CITY Administrator’s written decision, that the whole matter, on the same basis, proceed to final and binding arbitration.
7. The parties may mutually agree upon the selection of the Arbitrator or shall jointly request the State Mediation and Conciliation Service to provide a list of seven (7) persons qualified to act as arbitrators. Within fourteen (14) calendar days following receipt of the list from State Mediation and Conciliation Service, the parties shall meet to select the arbitrator. The Arbitrator shall be selected by the alternative strike method. The right to strike the first name shall be determined by a coin toss. The Arbitrator shall agree, as a part of their engagement agreement, to issue their decision within 30 days of the completion of the hearing process.

8. In matters involving discipline, the Arbitrator shall have the authority to determine whether the CITY, in taking the disputed disciplinary action, had just cause for such action, as cause is specifically defined by Human Resources Rules and Regulations Section V.B.1 entitled "Causes for Disciplinary Action" and shall have authority to uphold, reduce or set aside the discipline including reinstatement and restoration of back salary.
9. In matters involving the interpretation or application of this Agreement, the parties agree that the Arbitrator shall not add to, subtract from, change or modify any provision of this Agreement and shall be authorized only to apply existing provisions of this Agreement to the specific facts involved as to interpret only applicable provisions of the Agreement.
10. Any grievance not filed or appealed within the time limits specified in this Section shall be considered settled on the basis of the last disposition given and shall terminate the grievance process. In the event the grievance is not answered within the time limits set forth herein, the grievance shall be deemed denied and either the employee, where provided, or the Association may appeal the grievance to the next higher step within the time limits provided. The parties agree that the time limits set forth herein are of the essence of this procedure and are to be strictly complied with. The time limits set forth above may be waived but only by the mutual, written agreement of the City and the Grievant/Association.
11. The CITY and Association shall share equally the cost of the Arbitrator, including both fees and expenses. Each party, however, shall bear the cost of its presentation including preparation and post hearing briefs.

Section H. Administrative Appeals/Police Officers Bill of Rights:

When an officer believes that he/she has been subjected to "punitive action" (defined as a written reprimand or transfer or reassignment for the purpose of punishment, and for which no other appeal or grievance procedure is available under this MOU or the City's Human Resources Rules), the employee may appeal such "punitive action" under this procedure.

Within ten (10) working days of receipt of notice of such punitive action the employee shall first discuss it with his/her immediate supervisor, who shall have five (5) working days to review and attempt to resolve the matter.

If the supervisor cannot resolve the matter to the employee's satisfaction, or fails to respond, the employee shall have the right to appeal the decision to the Chief of Police within five (5) working days after receipt of the supervisor's decision. The hearing before the Chief shall be informal in nature and the rules of evidence will not apply. The employee shall have the right to representation of his/her choice and the right to call witnesses and to introduce evidence. At the conclusion of the hearing, the Chief shall have five (5) working days to render a written decision.

If the employee is dissatisfied with the Chief's decision, the employee shall have five (5) working days after receipt thereof to appeal the Chief's decision to the City Administrator. The appeal shall be in writing and shall set forth the basis of the appeal, the reasons therefore, and the proposed resolution. The City Administrator (or his

personal designee) shall hold a hearing within ten (10) working days, under the same procedures as the hearing before the Chief, and shall render a final, written decision addressing all issues in dispute no later than ten (10) working days after the conclusion of the hearing.

The time limits set forth herein may be extended by the mutual agreement of the parties.

Adverse evaluations are not discipline and may not be appealed pursuant to this Section. Within thirty (30) days of receiving an adverse evaluation, an employee may submit a written response to that evaluation to the Chief of Police. The employee's response will be attached to the adverse evaluation and will be placed with the evaluation into the employee's human resources file.

This procedure is in lieu of any other procedure or appeal under the MOU and the CITY's rules, and shall be the sole administrative remedy available to employees covered hereunder.

Attached for reference, and marked Exhibit E, is the template for a Record of Counseling.

Section I. Work Schedules:

All Bargaining Unit employees shall have a workweek of seven (7) calendar days, commencing at 0001 hours on Monday.

1. 12 Plan Variation (3-12.5/4-10 Plan). All sworn employees assigned to the Patrol Division shall work on a weekly basis a shift of three (3) twelve and a half (12.5) hour days or four (4) ten (10) hour days per week. Employees assigned to twelve and a half (12.5) hour shifts shall make up the difference of weekly hours worked with a ten (10) hour day assigned each month. Generally, the make-up days will be scheduled concurrent with the employees regularly scheduled work week, however, there may be exceptions, i.e. adjustments for training sites, special details, or other events necessitating a different day.
2. Detective Schedules. Sworn employees assigned to the Detectives Division shall work on a 4-10 work schedule. The schedule may provide for six (6) day per week coverage with individual schedules to be determined by the Chief of Police.
4. Schedule changes. All unit members will normally be scheduled consecutive work days and consecutive days off; with regular starting and stopping times for each shift.

Except in cases of emergency, no employee shall have his/her shift changed or his/her starting or stopping times changed without at least seven (7) calendar days advance notice prior to any change.

It is recognized that schedules may be altered to facilitate shift changes, changes in assigned days off between shift changes, training requirements, special operations, or emergency situations, including the long term illness or disability

on the part of department members. It is not intended that employees will have their regular work schedule changed on a weekly or frequent basis.

5. Light Duty. Employees working light duty shall be assigned to work either four (4) ten (10) hour days or five (5) eight (8) hour days depending upon which schedule best suits their assignment; as determined by the Chief of Police.
6. Flexible schedules. All bargaining Unit employees may, with the mutual agreement of their supervisor, agree to flexible schedules or adjustment of hours, to provide the ability to change schedules to accommodate training or other events. More permanent adjustments to an employee's work hours or days worked require approval from the appropriate Captain.

Section J. Bulletin Boards:

The ASSOCIATION may install at its own expense, a bulletin board of reasonable size and construction. The bulletin board shall be placed in a location approved by CITY; it may be used for official ASSOCIATION business, but may not be used to post inflammatory or defamatory material.

Section K. Shift Selection:

Shift selection shall be in accordance with Policy Number 1029 a copy of which is attached and marked Exhibit F.

Paragraph (d) of Policy 1029.1.1 will be modified to read: Exceptions to seniority shift bidding may be made by the department based upon the legitimate operational needs related to sexual harassment issues, the Americans with Disabilities Act, or other legal requirements or restrictions which the City or Department must follow, **or prior or current romantic relationships which cause significant disruption to the workplace.**

Section L. Substance Abuse Policy:

The CITY and ASSOCIATION have agreed on the implementation of a Substance Abuse Policy. The Policy is attached and marked Exhibit G.

Section M. Safety Vests:

The Department shall provide safety vests for all unit employees and shall replace them per the National Institute of Justice testing standards.

Section N. Probationary Period:

The probationary period for newly hired employees shall be eighteen (18) months. The probationary period for promotions shall remain unchanged.

Section O. Detective/ACT Vehicles:

Policy Number 706 guides the use of Detective and ACT vehicles. A copy is attached and marked Exhibit H.

Section P. Non-Discrimination:

Neither the City nor the Association shall discriminate against any employee covered by this Agreement in a manner which would violate any applicable laws because of race, creed, color, national origin, age, sex, marital status, disability, Association membership or non-membership.

Section Q. Rotation of Special Assignment:

The rotation of special assignments shall follow Policy No. 1004 which is attached and marked Exhibit I.

Section R. DMV Pull Notice Program:

Employees who are required to operate motorized vehicles on city business are required to be safe drivers and operate vehicles in a safe manner. Employees whose positions require that they operate vehicles on city business, must possess and maintain a valid California drivers license appropriate for the job and vehicle(s) to be operated. Employees required to operate motorized vehicles while on duty must also either: (1) enroll in the City's department of motor vehicles employer pull-notice program, or (2) provide the city with periodic updates of his or her driving record.

1. If an employee enrolls in the DMV employer pull notice program, the employee must fill out a City-specified enrollment/waiver form directing the DMV to provide the City with periodic updates of the employee's driving record.
2. If an employee elects not to enroll in the DMV employer pull notice program, the employee is responsible for providing the City with periodic updates of the employee's driving record. These updates shall be provided annually during the month of January and every time the employee receives a citation or other entry on his or her driving record which impacts his or her ability to operate a motor vehicle while on duty, including but not limited to the revocation or temporary suspension of the employee's drivers' license.

Section S. Lost or Damaged Equipment:

Loss and/or damage to any City property will be documented on a Property Damage Report Form and reviewed by the Accident Review Board. Damage that is the "fault" of the employee will be noted by the supervisor and included in annual employee performance appraisals. Further, repeated "at fault" property damage may be grounds

for disciplinary or other appropriate action given the cost to the organization and community.

Section T. Tuition Reimbursement:

Effective July 1, 2018, Bargaining Unit members attending accredited community colleges, colleges, trade schools or universities may apply for reimbursement of one hundred percent (100%) of the actual cost of tuition, books, fees or other student expenses for pre-approved job-related and career development courses.

In addition, employees attending city-approved, job-related continuing education courses, certification programs, or training conferences may also receive tuition reimbursement for the cost of registration, tuition, books, testing, and/or certifications (including certification renewals).

Course work shall be completed on the employee's own time at the employee's own expense.

Upon successful completion of the pre-approved class or training program, the employee shall provide all written documentation on allowable costs and completion/grade/certification/score, etc. to the Police Chief and Human Resources for review and processing. The maximum tuition reimbursement for employees is \$1,000.00 per fiscal year.

Reimbursement is contingent upon the successful completion of the course. Successful completion means a grade of "B" or better for undergraduate and graduate courses, full attendance and completion of the training program, and a passing score for non-graded programs that involve certification or testing. All claims for tuition reimbursement require the pre-approval of the Police Chief and the Human Resources Director. Tuition Reimbursement Request Forms are available in the Human Resources Department.

Section U. Payroll Date and Direct Deposit:

Employees are paid monthly on the first City Hall working day of the month, unless an earlier date is designated by the City for a particular month. The City will notify the Association prior to implementing the bi-weekly payroll calendar as part of the implementation of the new ERP.

All unit employees shall enroll in direct deposit within sixty (60) days of employment. Employees shall maintain direct deposit. Employees needing an exception to direct deposit shall submit a written request stating the reasons for the exception to the Human Resources Director for consideration. The decision of the Human Resources Director shall be final.

Section V. Labor-Management Committee on Workers Compensation Carve Out Program:

During the first year of this MOU, the parties agree to establish a labor-management committee to explore a possible workers compensation carve out program with the possibility of a side letter agreement in year two of this MOU.

ARTICLE VIII. PEACEFUL PERFORMANCE

During the life of this Agreement no work stoppages, strikes, slowdowns, or picketing shall be caused or sanctioned by the ASSOCIATION, and no lockouts shall be made by the CITY.

ARTICLE IX. FULL UNDERSTANDING

Section A: Full Understanding:

This Memorandum of Understanding sets forth the full and entire understanding of the parties regarding the matters set forth herein; and any other prior or existing understanding or agreements by the parties, whether formal or informal, regarding any such matters are hereby superseded or terminated in their entirety, if they conflict with this Memorandum of Understanding.

It is agreed and understood that each party hereto voluntarily and unqualifiedly waives its rights to negotiate, and agrees that the other party shall not be required to negotiate with respect to any matter covered herein during the term of this Memorandum of Understanding. Nothing in this paragraph shall preclude the parties from jointly agreeing to meet and confer on any issue(s) within the scope of representation during the term of this Agreement.

Matters not included herein; which relate primarily to the scope of representation, shall not be changed without the City first giving notice to the Association and affording the Association the opportunity to meet and confer. Impasses regarding such discussions shall be resolved consistent with Section 1004 (c) of the City Charter as it existed on July 1, 1994.

Section B: Reopener for HR Rules and Regulations:

Upon request by the City, the City and Union agree to reopen negotiations on the Human Resources Rules and Regulations to address any substantive changes to the Human Resources Rules and Regulations. GPOA shall be provided with an opportunity to review and sign the final Human Resources Rules and Regulations prior to adoption by the City Council.

ARTICLE X. SAVINGS PROVISION

If any provisions of this Memorandum of Understanding are held to be contrary to law by a court of competent jurisdiction, such provisions will not be deemed valid and subsisting except to the extent permitted by law, but all other provisions will continue in full force and effect.

ARTICLE XI.

TERM

The Memorandum of Understanding represents the entire Agreement between the CITY and ASSOCIATION on subjects contained herein and shall become of full force and effect on July 1, 2025, unless otherwise noted, and shall continue in full force and effect until midnight June 30, 2028. The ASSOCIATION shall provide the CITY with its proposals for the period beginning July 1, 2028 no later than April 1, 2028.

<u>For the City of Gilroy:</u> <u>Signature/Date</u>	<u>For the Gilroy Police Officers Association:</u> <u>Signature/Date</u>
<p>_____ Charles Sakai, Chief Negotiator, Labor Negotiations Counsel, Sloan Sakai Yeung Wong, LLP</p>	<p>DocuSigned by: <i>Peter Hoffmann</i> 7/30/2025 <small>88A97CB44579426...</small> Peter Hoffmann, Chief Negotiator, Labor Negotiations Representative, Rains Lucia Stern, PC</p>
<p>_____ Brad Kilger, Interim City Administrator</p>	<p>Signed by: <i>Dustin Odell</i> 7/30/2025 <small>374710BD7E1443F...</small> Dustin Odell, GPOA President</p>
<p>_____ LeeAnn McPhillips, Assistant City Administrator/Administrative Services & Human Resources Director/Risk Manager</p>	<p>_____ Jason Arbrun, GPOA Executive Board Member</p>
<p>_____ Juan Rocha, Police Captain</p>	<p>_____ Cameron Helms, GPOA Negotiator</p>

**POLICE UNIT
SALARY SCHEDULE
(Effective July 1, 2025)**

(3% Increase and Change Steps F and G from 2.5% Steps to 5.0% Steps)

Job Classification Title	Job Class/ Salary Range		Step A	Step B	Step C	Step D	Step E	Step F*	Step G*
Police Sergeant	700	SP35	10,839.42 130,073	11,381.50 136,578	11,949.75 143,397	12,548.83 150,586	13,174.92 158,099	13,833.67 166,004	14,525.33 174,304
Police Corporal	701	SP33	9,777.42 117,329	10,265.50 123,186	10,778.58 129,343	11,319.08 135,829	11,884.67 142,616	12,478.92 149,747	13,102.83 157,234
Police Officer	702	SP32	9,134.25 109,611	9,590.92 115,091	10,071.00 120,852	10,573.17 126,878	11,103.08 133,237	11,658.25 139,899	12,241.17 146,894
Detention Services Officer	752	NP29	6,835.08 82,021	7,177.17 86,126	7,535.50 90,426	7,912.08 94,945	8,307.83 99,694	8,723.25 104,679	9,159.42 109,913

SP = Sworn Personnel Classifications

NP = Non-Sworn Personnel Classifications

Holiday Pay: 7.01% of base pay in lieu of holidays (GPOA MOU Article IV, Section J)

Bilingual Pay: 5% of base pay based on Police Chief's approval and test (GPOA MOU Article IV, Section K)

Master Officer Pay: 5% of base pay in lieu of specialty pays (GPOA MOU Article IV, Section E)

Canine and Mounted Unit Officers receive an additional \$429.00 per month (GPOA MOU Article IV, Section M)

*Step F - 5.0% Retention Step (merit step, one year at Step E, and completion of 5 years of service requirement per MOU). *Step G - 5.0% Retention Step (merit step, one year at Step F, and completion of 10 years of service requirement per MOU).

NP Classes receive \$77.75 per month uniform allowance.

SP Classes receive \$116.67 per month uniform allowance.

SP/CIRT receive a one time \$200.00 uniform/equipment requirement

SP/CIRT receive a one time \$150.00 uniform/equipment requirement

SP/HNT receive a one time \$150.00 uniform/equipment requirement

SWORN PERSONNEL

5% Educational incentive available for an AA/AS Degree or an Intermediate POST Certificate.

7.5% Educational incentive available for a BA/BS Degree (or higher) or an Advanced POST Certificate.

(Maximum educational total: 7.50%)

NON-SWORN PERSONNEL (DSO)

3.5% Educational incentive available for 30 semester college units or Basic POST Certificate.

5.0% Educational incentive available for 60 semester college units or Intermediate POST Certificate.

(Maximum educational total: 5.0%)

Note: Annual salary amounts are rounded to the nearest dollar. Steps A - G are approximately 5% between steps.

Rev. 07/25

**POLICE UNIT
SALARY SCHEDULE
(Effective July 1, 2026)
(3% Increase)**

Job Classification Title	Job Class/ Salary Range		Step A	Step B	Step C	Step D	Step E	Step F*	Step G*
Police Sergeant	700	SP35	11,164.58 133,975	11,722.92 140,675	12,308.25 147,699	12,925.33 155,104	13,570.17 162,842	14,248.67 170,984	14,961.08 179,533
Police Corporal	701	SP33	10,070.75 120,849	10,573.50 126,882	11,101.92 133,223	11,658.67 139,904	12,241.17 146,894	12,853.25 154,239	13,495.92 161,951
Police Officer	702	SP32	9,408.25 112,899	9,878.67 118,544	10,373.17 124,478	10,890.33 130,684	11,436.17 137,234	12,008.00 144,096	12,608.42 151,301
Detention Services Officer	752	NP29	7,040.17 84,482	7,392.50 88,710	7,761.58 93,139	8,149.42 97,793	8,557.08 102,685	8,984.92 107,819	9,434.17 113,210

SP = Sworn Personnel Classifications

NP = Non-Sworn Personnel Classifications

Holiday Pay: 7.01% of base pay in lieu of holidays (GPOA MOU Article IV, Section J)

Bilingual Pay: 5% of base pay based on Police Chief's approval and test (GPOA MOU Article IV, Section K)

Master Officer Pay: 5% of base pay in lieu of specialty pays (GPOA MOU Article IV, Section E)

Canine and Mounted Unit Officers receive an additional \$429.00 per month (GPOA MOU Article IV, Section M)

*Step F - 5.0% Retention Step (merit step, one year at Step E, and completion of 5 years of service requirement per MOU). *Step G - 5.0% Retention Step (merit step, one year at Step F, and completion of 10 years of service requirement per MOU).

NP Classes receive \$77.75 per month uniform allowance.

SP Classes receive \$116.67 per month uniform allowance.

SP/CIRT receive a one time \$200.00 uniform/equipment requirement

SP/CIRT receive a one time \$150.00 uniform/equipment requirement

SP/HNT receive a one time \$150.00 uniform/equipment requirement

SWORN PERSONNEL

5% Educational incentive available for an AA/AS Degree or an Intermediate POST Certificate.

7.5% Educational incentive available for a BA/BS Degree (or higher) or an Advanced POST Certificate.

(Maximum educational total: 7.50%)

NON-SWORN PERSONNEL (DSO)

3.5% Educational incentive available for 30 semester college units or Basic POST Certificate.

5.0% Educational incentive available for 60 semester college units or Intermediate POST Certificate.

(Maximum educational total: 5.0%)

Note: Annual salary amounts are rounded to the nearest dollar. Steps A - G are approximately 5% between steps.

Rev. 07/25

**POLICE UNIT
SALARY SCHEDULE
(Effective July 1, 2027)
(3% Increase)**

Job Classification Title	Job Class/ Salary Range		Step A	Step B	Step C	Step D	Step E	Step F*	Step G*
Police Sergeant	700	SP35	11,499.50 137,994	12,074.58 144,895	12,677.50 152,130	13,313.08 159,757	13,977.25 167,727	14,676.17 176,114	15,409.92 184,919
Police Corporal	701	SP33	10,372.83 124,474	10,890.67 130,688	11,435.00 137,220	12,008.42 144,101	12,608.42 151,301	13,238.83 158,866	13,900.83 166,810
Police Officer	702	SP32	9,690.50 116,286	10,175.00 122,100	10,684.33 128,212	11,217.08 134,605	11,779.25 141,351	12,368.25 148,419	12,986.67 155,840
Detention Services Officer	752	NP29	7,251.33 87,016	7,614.25 91,371	7,994.42 95,933	8,393.92 100,727	8,813.83 105,766	9,254.50 111,054	9,717.17 116,606

SP = Sworn Personnel Classifications

NP = Non-Sworn Personnel Classifications

Holiday Pay: 7.01% of base pay in lieu of holidays (GPOA MOU Article IV, Section J)

Bilingual Pay: 5% of base pay based on Police Chief's approval and test (GPOA MOU Article IV, Section K)

Master Officer Pay: 5% of base pay in lieu of specialty pays (GPOA MOU Article IV, Section E)

Canine and Mounted Unit Officers receive an additional \$429.00 per month (GPOA MOU Article IV, Section M)

*Step F - 5.0% Retention Step (merit step, one year at Step E, and completion of 5 years of service requirement per MOU). *Step G - 5.0% Retention Step (merit step, one year at Step F, and completion of 10 years of service requirement per MOU).

NP Classes receive \$77.75 per month uniform allowance.

SP Classes receive \$116.67 per month uniform allowance.

SP/CIRT receive a one time \$200.00 uniform/equipment requirement

SP/CIRT receive a one time \$150.00 uniform/equipment requirement

SP/HNT receive a one time \$150.00 uniform/equipment requirement

SWORN PERSONNEL

5% Educational incentive available for an AA/AS Degree or an Intermediate POST Certificate.

7.5% Educational incentive available for a BA/BS Degree (or higher) or an Advanced POST Certificate.

(Maximum educational total: 7.50%)

NON-SWORN PERSONNEL (DSO)

3.5% Educational incentive available for 30 semester college units or Basic POST Certificate.

5.0% Educational incentive available for 60 semester college units or Intermediate POST Certificate.

(Maximum educational total: 5.0%)

Note: Annual salary amounts are rounded to the nearest dollar. Steps A - G are approximately 5% between steps.

Rev. 07/25

Fitness Incentive Program

Six Month Incentive Criteria

Within the “Maintenance” category, an employee can earn hours off simply by maintaining a wellness/fitness level of 15 total points or above. The high the points earned, the higher the hours off awarded.

Maintenance Program	
Points	Hours of Compensatory Time Off
35	20
34	20
33	20
32	20
31	20
30	20
29	18
28	18
27	17
26	17
25	16
24	16
23	15
22	15
21	14
20	14
19	13
18	13
17	12
16	12

Within the “Improvement” category, an employee can only earn hours off by consistently improving every six months.

Improvement Program	
Points	Hours of Compensatory Time Off
22	3 point increase = 5 hours / 6 point increase = 10 hours
21	3 point increase = 5 hours / 6 point increase = 10 hours
20	3 point increase = 5 hours / 6 point increase = 10 hours
19	3 point increase = 5 hours / 6 point increase = 10 hours
18	3 point increase = 5 hours / 6 point increase = 10 hours
17	3 point increase = 5 hours / 6 point increase = 10 hours
16	3 point increase = 5 hours / 6 point increase = 10 hours
15	2 point increase = 5 hours / 4 point increase = 10 hours
14	2 point increase = 5 hours / 4 point increase = 10 hours
13	2 point increase = 5 hours / 4 point increase = 10 hours
12	2 point increase = 5 hours / 4 point increase = 10 hours
11	2 point increase = 5 hours / 4 point increase = 10 hours
10	2 point increase = 5 hours / 4 point increase = 10 hours

NAME: _____ AGE: _____ HGT: _____ WGT: _____ DATE: _____

AGE GROUP 20 YEARS TO 29 YEARS

RESTING HEART RATE		
Fit Score	Males	Females
5	≤ 60	≤ 65
4	61 - 67	66 - 72
3	68 - 73	73 - 78
2	74 - 79	79 - 84
1	≥ 80	≥ 85
Resting Heart Rate:		
Your Fit Score:		

1.5 MILE WALK/RUN		
Fit Score	Males	Females
5	≤ 11:29	≤ 13:39
4	11:30 - 12:09	13:40 - 15:09
3	12:10 - 13:24	15:10 - 15:54
2	13:25 - 14:29	15:55 - 17:54
1	≥ 14:30	≥ 17:55
1.5 Mile Walk/Run:		
Your Fit Score:		

FLEXIBILITY		
Fit Score	Males	Females
5	≥ 15.75	≥ 16.50
4	14.00 - 15.50	14.75 - 16.25
3	12.00 - 13.75	12.75 - 14.50
2	10.50 - 11.75	10.75 - 12.50
1	≤ 10.25	≤ 10.50
Flexibility:		
Your Fit Score:		

SITUPS		
Fit Score	Males	Females
5	≥ 52	≥ 52
4	44 - 51	44 - 51
3	35 - 43	35 - 43
2	24 - 34	24 - 34
1	0 - 23	0 - 23
Situps:		
Your Fit Score:		

PUSHUPS		
Fit Score	Males	Females
5	≥ 40	≥ 25
4	34 - 39	20 - 40
3	27 - 33	14 - 19
2	21 - 26	9 - 13
1	0 - 20	0 - 8
Pushups:		
Your Fit Score:		

RESTING BLOOD PRESSURE				
Fit Score	Males		Females	
	Systolic	Diastolic	Systolic	Diastolic
5	≤ 112	≤ 72	≤ 100	≤ 68
4	113 - 118	73 - 76	101 - 110	69 - 72
3	119 - 122	77 - 80	111 - 116	73 - 76
2	123 - 130	81 - 84	117 - 120	77 - 80
1	≥ 131	≥ 85	≥ 121	≥ 81
Resting Blood Pressure:				
Your Fit Score:				

NAME: _____ AGE: _____ HGT: _____ WGT: _____ DATE: _____

AGE GROUP 30 YEARS TO 39 YEARS

RESTING HEART RATE		
Fit Score	Males	Females
5	≤ 60	≤ 65
4	61 - 67	66 - 72
3	68 - 73	73 - 78
2	74 - 79	79 - 84
1	≥ 80	≥ 85
Resting Heart Rate:		
Fit Score:		

1.5 MILE WALK/RUN		
Fit Score	Males	Females
10	≤ 11:50	≤ 13:54
8	11:50 - 12:54	13:55 - 15:14
6	12:55 - 13:44	15:15 - 16:04
4	13:45 - 14:44	16:05 - 18:24
2	≥ 14:45	≥ 18:25
1.5 Mile Walk/Run:		
Fit Score:		

FLEXIBILITY		
Fit Score	Males	Females
5	≥ 15.75	≥ 16.50
4	14.00 - 15.50	14.75 - 16.25
3	12.00 - 13.75	12.75 - 14.50
2	10.50 - 11.75	10.75 - 12.50
1	≤ 10.25	≤ 10.50
Flexibility:		
Fit Score:		

SITUPS		
Fit Score	Males	Females
5	≥ 50	≥ 50
4	42 - 49	42 - 49
3	32 - 41	32 - 41
2	21 - 31	21 - 31
1	0 - 20	0 - 20
Situps:		
Fit Score:		

PUSHUPS		
Fit Score	Males	Females
5	≥ 37	≥ 23
4	31 - 36	18 - 22
3	24 - 30	12 - 17
2	18 - 23	7 - 11
1	0 - 17	0 - 6
Pushups:		
Fit Score:		

RESTING BLOOD PRESSURE				
Fit Score	Males		Females	
	Systolic	Diastolic	Systolic	Diastolic
5	≤ 110	≤ 74	≤ 100	≤ 68
4	111 - 120	75 - 78	105 - 110	71 - 74
3	121 - 124	79 - 80	111 - 118	75 - 80
2	125 - 132	81 - 88	119 - 122	81 - 82
1	≥ 133	≥ 89	≥ 123	≥ 83
Resting Blood Pressure:				
Fit Score:				

NAME: _____ AGE: _____ HGT: _____ WGT: _____ DATE: _____

AGE GROUP 40 YEARS TO 49 YEARS

RESTING HEART RATE		
Fit Score	Males	Females
5	≤ 60	≤ 65
4	61 - 67	66 - 72
3	68 - 73	73 - 78
2	74 - 79	79 - 84
1	≥ 80	≥ 85
Resting Heart Rate:		
Fit Score:		

1.5 MILE WALK/RUN		
Fit Score	Males	Females
10	≤ 12:04	≤ 15:09
8	12:05 - 13:24	15:10 - 16:04
6	13:25 - 14:14	16:05 - 17:54
4	14:15 - 15:19	17:55 - 19:29
2	≥ 15:20	≥ 19:30
1.5 Mile Walk/Run:		
Fit Score:		

FLEXIBILITY		
Fit Score	Males	Females
5	≤ 15.50	≤ 16.25
4	13.75 - 15.25	14.50 - 16.00
3	11.75 - 13.50	12.5 - 14.25
2	10.25 - 11.50	10.50 - 12.25
1	≤ 10.00	≤ 10.25
Flexibility:		
Fit Score:		

SITUPS		
Fit Score	Males	Females
5	≥ 47	≥ 47
4	39 - 46	39 - 46
3	28 - 38	28 - 38
2	17 - 27	17 - 27
1	0 - 16	0 - 16
Situps:		
Fit Score:		

PUSHUPS		
Fit Score	Males	Females
5	≥ 34	≥ 18
4	28 - 33	14 - 17
3	21 - 27	9 - 13
2	15 - 20	5 - 8
1	0 - 14	0 - 4
Pushups:		
Fit Score:		

RESTING BLOOD PRESSURE				
Fit Score	Males		Females	
	Systolic	Diastolic	Systolic	Diastolic
5	≤ 111	≤ 76	≤ 105	≤ 70
4	112 - 120	77 - 80	106 - 112	71 - 74
3	121 - 126	81 - 84	113 - 118	75 - 80
2	127 - 136	85 - 90	119 - 126	81 - 82
1	≥ 137	≥ 91	≥ 127	≥ 83
Resting Blood Pressure:				
Fit Score:				

NAME: _____ AGE: _____ HGT: _____ WGT: _____ DATE: _____

AGE GROUP 50 YEARS TO 59 YEARS

RESTING HEART RATE		
Fit Score	Males	Females
5	≤ 60	≤ 65
4	61 - 67	66 - 72
3	68 - 73	73 - 78
2	74 - 79	79 - 84
1	≥ 80	≥ 85
Resting Heart Rate:		
Fit Score:		

1.5 MILE WALK/RUN		
Fit Score	Males	Females
10	≤ 12:54	≤ 15:44
8	12:55 - 14:04	15:45 - 17:29
6	14:05 - 15:09	17:30 - 18:54
4	15:15 - 16:04	18:55 - 20:29
2	≥ 16:05	≥ 20:30
1.5 Mile Walk/Run:		
Fit Score:		

FLEXIBILITY		
Fit Score	Males	Females
5	≤ 15.25	≤ 16.00
4	13.50 - 13.25	14.25 - 15.75
3	11.50 - 13.25	12.25 - 14.00
2	10.00 - 11.25	10.25 - 12.00
1	≤ 9.75	≤ 10.00
Flexibility:		
Fit Score:		

SITUPS		
Fit Score	Males	Females
5	≥ 44	≥ 44
4	36 - 43	36 - 43
3	24 - 35	24 - 35
2	13 - 23	13 - 23
1	0 - 12	0 - 12
Situps:		
Fit Score:		

PUSHUPS		
Fit Score	Males	Females
5	≥ 30	≥ 14
4	24 - 29	10 - 13
3	17 - 23	6 - 9
2	11 - 16	3 - 5
1	0 - 10	0 - 2
Pushups:		
Fit Score:		

RESTING BLOOD PRESSURE				
Fit Score	Males		Females	
	Systolic	Diastolic	Systolic	Diastolic
5	≤ 116	≤ 78	≤ 111	≤ 70
4	117 - 122	79 - 80	112 - 120	71 - 78
3	123 - 130	81 - 86	121 - 126	79 - 82
2	131 - 140	87 - 90	127 - 140	83 - 90
1	≥ 141	≥ 91	≥ 141	≥ 91
Resting Blood Pressure:				
Fit Score:				



Police Department

7301 Hanna Street
GILROY, CALIFORNIA
95020

Telephone (408) 846-0310
FAX: (408) 846-0387
<http://www.ci.gilroy.ca.us>

Date: 3/8/07
To: Officer
Cc: Captain, Working File
From: Supervisor
RE: **Record of Counseling**

This is not intended to be maintained as part of the personnel file. It shall be retained in a working file for a period of two years and is used for employee evaluation purposes.

[Click here and type your memo text]

3305 Government Code- Comments adverse to interest; personnel files; opportunity to read and sign; refusal to sign

No public safety officer shall have any comment adverse to his interest entered in his personnel file, or any other file used for any personnel purposes by his employer, without the public safety officer having first read and signed the instrument containing the adverse comment indicating he is aware of such comment, except that such entry may be made if after reading such instrument the public safety officer refuses to sign it. Should a public safety officer refuse to sign, that fact shall be noted on that document, and signed or initialed by such officer.

3306 Government Code- Response to adverse comment in personnel file; time

A public safety officer shall have 30 days within which to file a written response to any adverse comment entered in his personnel file. Such written response shall be attached to, and shall accompany, the adverse comment.

To the employee:

I have read the Record of Counseling, and understand my rights of attachment under the Government Code Sections listed above. I also acknowledge this Record of Counseling will be placed in a working file and could be included in an Annual Personnel Evaluation. I further understand I may have additional rights under the Peace Officers Bill of Rights Act, other state or federal laws, the MOU between the City of Gilroy and GPOA, GPD Policy Manual, and / or City of Gilroy ordinances or rules.

Comments Attached (circle one) **YES / NO**

Employee: _____

Date: _____

Supervisor: _____

Date: _____

Shift Selection

1029.1 PURPOSE AND SCOPE

The Gilroy Police Department understands that shift work can create hardships on employees and that constant changing of work shifts can affect the efficiency of employees. It is the desire of the department to stabilize, to the extent possible, the work hours of its employees. The department further desires to ensure that it is operating efficiently while giving the employee flexibility to meet their needs.

1029.1.1 PROCEDURE

- (a) Patrol shift rotation will occur every six months. The shift rotation will occur on the first Monday in September and the first Monday in March unless that day is a holiday, in which case the rotation will occur on the second Monday of the month.
- (b) Employees assigned to patrol will select their team on a seniority basis within their respective ranks.
- (c) Sign-up sheets will be placed in the briefing room a minimum of one month prior to the shift change. Each employee is encouraged to sign up as soon as possible after the person ahead of them has selected.
- (d) Exceptions to seniority shift bidding may be made by the department based upon the legitimate operational needs relating to sexual harassment issues, The Americans with Disabilities Act or other legal requirements or restrictions which the City or Department must follow.
- (e) Employees may also be assigned to specific teams for legitimate organizational needs such as the distribution of probationary employees, training requirements or personnel hardships. Such assignments shall be limited in number. No more than ten percent (10%) of the employees assigned to patrol, rounded to the nearest whole number, may be assigned through this process during any single shift change.
- (f) When an employee is going to be assigned to a team under the provisions in Sections D & E, the Field Operations Commander will notify the POA President of the assignment.
- (g) When exceptions are made to the seniority bidding process, they shall be made in such a way as to minimize the impact on seniority.
- (h) The department retains the exclusive right to determine team and shift staffing levels consistent with the provisions of the MOU.

ALCOHOL AND CONTROLLED SUBSTANCE ABUSE POLICY

I. PURPOSE

It is the intention of this policy to eliminate alcohol and substance abuse and its effects in the workplace. While the City of Gilroy has no intention of intruding into the private lives of its employees, involvement with alcohol or controlled substances off the job can take its toll on job performance and employee safety. Our concern is that employees are in a condition to perform their duties safely and efficiently, in the interest of their fellow workers and the public as well as themselves. The presence of alcohol or controlled substances on the job, and the influence of alcohol or substances on employees during working hours, are inconsistent with this objective.

This policy provides guidelines for the detection and deterrence of alcohol or substance abuse. It also outlines the responsibilities of City Managers and employees. To that end the City will act to eliminate any alcohol or substance abuse (illegal drugs, prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform the functions of the particular job) which increases the potential for accidents, absenteeism, substandard performance, poor employee moral or damage to the City's reputation. All persons covered by this policy should be aware that violation of the policy may result in discipline, up to and including termination, or in not being hired.

Supervisors will be trained to recognize abusers and become involved in this control process. Alcohol and substance abuse will not be tolerated, and disciplinary action up to and including termination, will be used as necessary to achieve this goal.

In recognition of the public service responsibilities entrusted to the employees of the City, and that alcohol and substance abuse usage can hinder a person's ability to perform duties safely and effectively the following policy against alcohol and substance abuse is hereby adopted by the City.

II. POLICY

It is City policy that employees shall not be under the influence or of in possession of alcohol or controlled substances; nor possess alcohol or drugs while on City property, in City vehicles, at work locations, while on duty or subject to being called to duty; nor sell or provide alcohol or drugs to any other employee or to any person while such employee is on duty or subject to being called, nor have their ability to work impaired as a result of the use of alcohol or drugs.

While proper use of medically prescribed medications and drugs is not a violation of this policy, failure by the employee to notify his/her supervisor, before beginning work, when taking medications or drugs which could foreseeable interfere with the safe and effective performance of duties or operation of City equipment can result in discipline, up to and

including termination. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, clearance from a City approved physician may be required.

Upon reasonable suspicion, the City reserves the right to search, without employee consent, all areas and property which the City controls or his joint control with an employee, including but not limited to City owned or leased vehicles, lockers, tool boxes, cabinets (employee's), desks, etc. Otherwise the City may notify the appropriate law enforcement agency that an employee may have illegal drugs in his or her possession or in an area not jointly or fully controlled by the City.

The City may require employment physical exams upon employment with the City. When reasonable suspicion exists, refusal to submit immediately to an alcohol or controlled substance analysis when requested by the City Administrator and/or Department Heads or law enforcement personnel may constitute insubordination and may be grounds for refusal to hire or discipline.

Employees reasonably believed to be under the influence of alcohol or drugs shall be required to arrange for safe transportation from the work site.

III. EMPLOYEE ASSISTANCE PROGRAM

A major focus of this program is to provide assistance to employees in overcoming alcohol or substance abuse problems.

Employees who think they may have an alcohol or substance abuse problem are urged to voluntarily seek confidential assistance from the Employee Assistance Program. The City will be supportive of those who seek help voluntarily. The City will be equally firm in identifying, refusing to hire and disciplining those who violate this policy.

The City is committed to providing reasonable accommodation to those employees whose alcohol or substance abuse problem classifies them as handicapped under Federal and/or State law.

The City has established a voluntary Employee Assistance Program (EAP) to assist those employees who voluntarily seek help for alcohol or substance abuse problems. Employees should contact their supervisors or the EAP for additional information (1-800-344-4222).

IV. APPLICATION

This policy applies to all employees of and to all applicants for positions with the City. This policy applies to any alcohol use and all substances, drugs, or medications, legal or illegal, which could impair an employees ability to effectively and safely perform the functions of the job.

V. EMPLOYEE RESPONSIBILITIES

An employee must:

- A. not report to work or be subject to duty while his/her ability to perform job duties is impaired due to on or off duty use of alcohol or controlled substances;
- B. not possess or use alcohol or impairing drugs (illegal drugs and prescription drugs without a prescription) during working hours or while subject to duty, on breaks, during meal periods or at any time while on City property;
- C. not directly or through a third party sell or provide alcohol or drugs to any person, including any employee, while either employee or both employees are on duty or subject to being called;
- D. submit immediately to an alcohol or substance abuse test when requested by a responsible City representative;
- E. notify his/her supervisor, before beginning work, when taking medications or drugs, prescription or non-prescription, which may interfere with the safe and effective performance of duties or operation of equipment; and
- F. provide within 24 hours of request bona fide verification of a current valid prescription of any potentially impairing drug or medication identified when a substance abuse screen/test is positive. The prescription must be in the employee's name.
- G. notify the City, within five (5) days, of any criminal convictions for drug related offenses involving the workplace.

VI. MANAGEMENT RESPONSIBILITIES AND GUIDELINES

- A. The City shall provide each employee with a copy of this policy.
- B. The Personnel Director shall be responsible for notifying the Federal contracting agency of any criminal convictions of employees for drug related activity in the workplace within ten (10) days after receiving notice of such convictions.
- C. The City shall maintain a drug-free awareness program advising employees about:
 - The dangers of drug abuse in the workplace;
 - The City's policy of maintaining a drug-free workplace;
 - The availability of the City's EAP and other rehabilitation programs;

- The penalties that may be imposed for drug/alcohol abuse violations.
- D. Managers and Supervisors are responsible for reasonable enforcement of this policy.
- E. Managers and Supervisors may request that an employee submit to an alcohol or substance abuse test when a Manager or Supervisor has a reasonable suspicion that an employee is under the influence of alcohol or drugs while on the job or subject to being called. At least two management supervisory level personnel shall be involved in any decision to order a drug/alcohol test. At least one of whom shall be at the Department Head level. Whenever available, the Personnel Director shall be involved in the decision making process. This is not a random testing program.
 - 1. The alcohol or substance test may test for alcohol or substances which could impair an employees ability to effectively and safely perform the functions of his/her job, including, but not limited to, prescription medications, heroin, cocaine, morphine and its derivatives, P.C.P., methadone, barbiturates, amphetamines, marijuana and other cannabinoids.
 - 2. "Reasonable Suspicion" is a belief based on objective facts sufficient to lead a reasonably prudent supervisor to suspect that employee is under the influence of alcohol or drugs so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his/her job safely is reduced.

For example, any of the following, along or in combination, may constitute reasonable suspicion:

- 1. Alcohol odor on breath;
- 2. Slurred speech;
- 3. Unsteady walking and movement;
- 4. An accident involving City property; if in combination with other elements of reasonable suspicion.
- 5. Physical altercation;
- 6. Verbal altercation;
- 7. Unusual behavior;
- 8. Possession of alcohol or drugs;
- 9. Information obtained from reliable person with personal knowledge.

- F. Any Manager or Supervisor requesting an employee to submit to an alcohol or substance abuse test should document in writing the facts constituting reasonable suspicion that the employee in question is under the influence of alcohol or drugs.
- G. Any Manager or Supervisor encountering an employee who refuses an order to submit to an alcohol or substance abuse analysis upon request shall remind the employee of the requirements and disciplinary consequences of this policy. Where there is reasonable suspicion that the employee is then under the influence of alcohol or drugs, the Manager or Supervisor should retain the employee for a reasonable time until the employee can safely transported home.
- H. Managers and Supervisors shall not physically search the person of employees, nor shall they search the personal possession of employees without the freely given consent of, and in the presence of, the employee.
- I. Managers and Supervisors shall notify their Department Head or designee when they have reasonable suspicion to believe that an employee may have alcohol or illegal drugs in his or her possession or in an area not jointly or fully controlled by the City. If the Department Head or designee concurs that there is reasonable suspicion of alcohol or illegal drugs possession, the Department Head shall notify the appropriate law enforcement agency.

VII. RESULTS OF ALCOHOL AND SUBSTANCE

A. Pre-employment Physical

- 1. If the substance abuse screen is positive at the pre-employment physical, the applicant must provide within 24 hours of request bona fide verification of a valid current prescription for the substance identified in the substance abuse screen. If the alcohol test reflects positive, the applicant must provide a verifiable and acceptable explanation for the test result. If the prescription is not in the applicants name or the applicant does not provide acceptable verification, or if the alcohol or substance abuse is one that is likely to impair the applicant's ability to perform the job duties, the applicant may not be hired.

B. During Employment Tests (Reasonable Suspicion)

- 1. A positive result from an alcohol or substance abuse analysis may result in disciplinary action, up to and including discharge.
- 2. If the substance abuse screen is positive, the employee must provide within 24 hours of request bona fide verification of a valid current

prescription for the substance identified in the alcohol or substance abuse screen. The prescription must be in the employee's name. If the employee does not provide acceptable verification of a valid prescription or if the employee has not previously notified his or her supervisor, the employee will be subject to disciplinary action up to and including discharge. If the alcohol test reflects positive, the applicants must provide a verifiable and acceptable explanation for the test result.

3. If an alcohol test reflects alcohol content or the substance abuse screen is positive, the City shall conduct an investigation to gather all facts. The decision to discipline or discharge or assist with rehabilitation will be carried out in conformance with the City's rules.

VIII. CONFIDENTIALITY

Laboratory reports or test results shall not appear in an employee's general personnel folder. Information of this nature will be contained in a separate confidential medical folder that will be securely kept under the control of the Personnel Director. The reports or test results may be disclosed to the City management on a strictly need-to-know basis and to the tested employee upon request. No unauthorized access to the confidential files will be permitted under any circumstances. Disclosures, without patient consent, may also occur when: (1) the information is compelled by law or by judicial or administrative process; (2) the information has been placed at issue in a formal dispute between the employee and employee; (3) the information is to be used in administering an employee benefit plan; (4) the information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure.

ATTACHMENT "A"

TESTING PROCESS AND STANDARDS

Substance testing shall comply with the following standards and procedures:

- A. The drug testing process shall be one that is scientifically proven to be at least as accurate and valid as urinalysis using an immunoassay screening test, with all positive screening results being confirmed utilizing gas chromatography/mass spectrometry before a sample is considered positive. The alcohol testing process shall be one that is scientifically proven to be at least as accurate and valid as urinalysis using an enzymatic assay screening test, with all positive screening results being confirmed using gas chromatography before a sample is considered positive.

- B. Substance to be tested for shall include, but are not limited to:
 - 1. Amphetamines and Methamphetamines
 - 2. Cocaine
 - 3. Marijuana/Cannabinoids (THC)
 - 4. Opiates (narcotics)
 - 5. Phencyclidine (PCP)
 - 6. Barbiturates
 - 7. Benzodiazepines
 - 8. Methaqualone
 - 9. Alcohol

In addition, with the approval of the Human Resources Department, testing may be conducted for other controlled substances when the appointing authority reasonably suspects the use of other substances.

- C. After consulting with expert staff of the laboratory or laboratories selected to perform the testing under this Article, the Personnel Department shall set test cutoff levels that will identify positive test samples when minimizing false positive test results. Cutoff levels for the most common substances are as follows:

<u>Drug</u>	<u>Level</u>
Amphetamines Amphetamine Methamphetamine	300
Barbiturates	300
Cocaine	300

Cannabinoids	100
Opiates	300
Phencyclid	75
*Nanograms per milliliter	
Alcohol (sensitivity equivalent to .08% by weight)	.02% gm/deciliter

- D. Test samples will be collected in a clinical setting such as a laboratory collection station, doctor's office, hospital or clinic or in another setting approved by the Human Resources Department on the basis that it provides for at least an equally secure and professional collection process. The Human Resources Department shall specify procedures to ensure that true samples are obtained and that the employees' privacy is reasonably maintained.
- E. The Human Resources Department shall specify measures to ensure that a strict chain of custody is maintained for the sample from the time it is taken, through the testing process, to its final disposition.
- F. Drug/Alcohol tests shall be performed by a commercial laboratory selected based on its meeting standards that are the same as those used by the National Institute on Drug Abuse (NIDA) to certify laboratories engaged in urine drug testing for Federal agencies (Mandatory Guidelines for Federal Workplace Drug Testing Program, Federal Register, Vol. 53, No. 69) or those used by the College of American Pathologists (CAP) to accredit laboratories for forensic urine drug testing (standards for Accreditation, Forensic Urine Drug Testing Laboratories, College of American Pathologists).
- G. The sample collection process shall include the opportunity for the employee to provide information about factors other than illegal drug use, such as taking legally prescribed medication that could cause a positive test result. At the employee's option, this information may be submitted in a sealed envelope to be opened only by the Medical Review Officer if the test result is positive.
- H. The employee shall receive a full copy of any test results and related documentation of the testing process.
- I. All confirmed positive samples shall be retained by the testing laboratory in secure storage for one year following the test or until the sample is no longer needed for appeal proceedings or litigation, whichever is longer. At the employee's request and expense, the sample may be retested by that laboratory or another laboratory of the employee's choice.

Choice of another laboratory shall be subject to the standards in F, above.

MEDICAL REVIEW OFFICER

The Human Resources Director shall designate one or more Medical Review Officers, who shall be licensed physicians, to receive test results from the laboratory. Upon receiving results, the Medical Review Officer shall:

- A. Review the results and determine if the standards and procedures required by this Article have been followed.
- B. For positive results, interview the affected employee to determine if factors other than illegal drug use may have caused the result.
- C. Consider any assertions by the affected employee of irregularities in the sample collection and testing process.
- D. Based on the above, provide a written explanation of the test results to the appointing power or his/her designee. The employee shall also receive a copy of this explanation.

**ALCOHOL AND CONTROLLED SUBSTANCE ABUSE POLICY
SIGNATURE PAGE**

I have read and understand the contents of the Alcohol And Controlled Substance Abuse policy.
I agree to comply with the policy.

Signature of Employee

Date

cc: Personnel File

Drug- and Alcohol-Free Workplace

1012.1 PURPOSE AND SCOPE

The intent of this policy is to deter the misuse or abuse of legal or illegal substances that create a threat to the safety and health of any employee or member of the public. The Gilroy Police Department discourages alcohol and drug abuse and strives to achieve a workforce free from the influence of drugs and alcohol.

This policy is to work in concert with the City of Gilroy Charter and Human Resources Rules & Regulations.

1012.2 POLICY

The consumption of illegal drugs is strictly prohibited and the consumption of alcohol by on-duty personnel is generally prohibited except as necessary and expressly authorized in the performance of an official special assignment. Sworn officers who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Personnel who have consumed an amount of an alcoholic beverage or taken any medication that would tend to adversely affect their mental or physical abilities shall not report for duty. Personnel shall notify the Watch Commander or appropriate supervisor as soon as they are aware that they will not be able to report to work. If personnel are unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner.

1012.2.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON-DUTY

Department employees shall not purchase or possess alcohol or other controlled substances on City property, at work, or while on-duty except in the performance of a special assignment as described in this policy.

Department employees shall not illegally manufacture any alcohol or drugs while on-duty, on City property or at any other time.

1012.2.2 USE OF PRESCRIBED MEDICATIONS

Any employee who is required to take any medication with side effects which might impair his/her ability to fully and safely perform all requirements of the position shall report the need for such medication to the immediate supervisor prior to commencing any on-duty status. No employee shall be permitted to work or drive a department-owned or department-leased vehicle while taking such potentially impairing medication without a written release from his/her physician.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1012.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public.

Gilroy Police Department

Gilroy PD Policy Manual

Drug- and Alcohol-Free Workplace

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Watch Commander or appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

1012.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair the member's abilities, without a written release from the member's physician.

1012.4 MEMBER RESPONSIBILITIES

If any personnel inform a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with the safe and efficient performance of his/her duties, the employee may be required to obtain clearance from his/her physician before he/she continues to work.

If a supervisor reasonably believes, based upon objective facts, that any person's ability to perform his/her duties safely and efficiently may be impaired by the consumption of alcohol or other drugs, the supervisor may ask the person whether he/she has consumed any alcohol or other drugs and, if so the amount and type of alcohol or other drug consumed and the time of consumption, and the name of the person who prescribed the controlled substance.

If the supervisor reasonably believes, based on objective facts, that a person is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the person from continuing work and shall transport him/her or cause him/her to be transported safely away from the Department.

1012.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1012.5.1 ADDITIONAL SCREENING TESTS FOR OFFICERS

The Department may request an employee to submit to a screening test if the employee:

Gilroy Police Department

Gilroy PD Policy Manual

Drug- and Alcohol-Free Workplace

- (a) Is a law enforcement officer and, during the performance of his/her duties, discharges a firearm other than by accident.
- (b) During the performance of his/her duties, drives a motor vehicle in such a manner as to cause bodily injury to him/herself or another person or substantial damage to property.

1012.5.2 SCREENING TEST REFUSAL

An employee is subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test as requested.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested by his/her appointing authority, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

1012.6 WORK RESTRICTIONS

The Department recognizes the confidentiality and privacy due employees. Disclosure of any information relating to chemical abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process. The written results of any screening test may be provided to the employee but will remain confidential and separate from the employee's other personnel files.

1012.7 SCREENING TESTS

A supervisor may require an employee to submit to a screening under any of the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing the employee's ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm in the performance of the employee's duties (excluding training or authorized euthanizing of an animal).
- (c) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death, or substantial property damage.
- (d) The employee drives a motor vehicle in the performance of the employee's duties and becomes involved in an incident that results in bodily injury, death, or substantial damage to property.

1012.7.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.

Gilroy Police Department

Gilroy PD Policy Manual

Drug- and Alcohol-Free Workplace

- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1012.7.2 DISCIPLINE

An employee may be subject to disciplinary action if the employee:

- (a) Fails or refuses to submit to a screening test as requested.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that the employee took the controlled substance as directed, pursuant to a current and lawful prescription issued in the employee's name.

1012.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1012.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the member's confidential medical file in accordance with the Personnel Records Policy.

Vehicle Use

706.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Gilroy to provide assigned take-home vehicles.

706.2 POLICY

The Gilroy Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments, and other considerations.

706.2.1 SHIFT ASSIGNED VEHICLES

Personnel assigned to routine scheduled field duties shall log onto the in-car computer inputting the required information when going on duty. If the vehicle is not equipped with a working in-car computer, they shall notify the Communications Center for entry of the vehicle number on the shift roster. If the employee exchanges vehicles during the shift, the new vehicle number shall be entered.

Employees shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

706.2.2 UNSCHEDULED USE OF VEHICLES

Personnel utilizing a vehicle for any purpose other than their normally assigned duties shall first notify the Watch Commander of the reasons for use and notify the Communications Unit with vehicle number, mileage, and operator ID. This section does not apply to personnel permanently assigned an individual vehicle (e.g., command staff, investigators, Property Evidence Technician, Station Sergeant, NRU Sergeant, etc).

706.2.3 UNDERCOVER VEHICLES

Unmarked units, if not assigned to an individual employee, shall not be used without first obtaining approval from the respective unit supervisor.

706.2.4 PARKING

City owned vehicles should be parked in their assigned stalls. Employees shall not park privately owned vehicles in any stall assigned to a City owned vehicle or in other areas of the parking lot not designated as a parking space unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

Gilroy Police Department

Gilroy PD Policy Manual

Vehicle Use

706.2.5 INSPECTIONS

The interior of any vehicle that has been used to transport any person other than an employee should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized items have not been left in the vehicle.

706.3 USE OF VEHICLES

706.3.1 SHIFT ASSIGNED VEHICLES

The Patrol Admin Sergeant shall ensure a copy of the shift assignment roster indicating member assignments and vehicle numbers is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during the member's shift, the new vehicle number shall be documented on the roster.

706.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform the member's regular assignment.

706.4.1 KEYS

All uniformed field personnel approved to operate marked patrol vehicles shall be issued their own personal unit key as part of their initial equipment distribution upon hiring. Personnel assigned a permanent vehicle shall be issued keys for their respective vehicle. The loss of any assigned key shall be promptly reported in writing through the employee's chain of command.

706.5 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Watch Commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

706.6 MAINTENANCE

- (a) Each employee is responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicle.
 - 1. Employees may use the wash racks at the maintenance yard.
 - 2. Cleaning/maintenance supplies will be provided by the City.
- (b) Employees shall make daily inspections of their assigned vehicle for service/maintenance requirements and damage.

Gilroy Police Department

Gilroy PD Policy Manual

Vehicle Use

- (c) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to employees under their command to ensure the vehicles are being maintained in accordance with policy.
- (d) Routine maintenance and oil changes shall be done in accordance with the shop schedule. The vehicles will normally be serviced at the City maintenance shop.
 - 1. When leaving a vehicle at the maintenance shop, the employee will complete a vehicle repair form explaining the service or repair and place them near the fleet white board in the PD parking garage.

706.6.1 ACCESSORIES AND/OR MODIFICATIONS

No modifications, additions or deletions of any equipment or accessories shall be made to the vehicle without written permission from the Police Department Fleet Manager.

706.7 VEHICLE DAMAGE, ABUSE AND MISUSE

When a City-owned vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction.

When a collision involves a City vehicle or when a member of this department is an involved driver in a collision that occurs in this jurisdiction, and the collision results in serious injury or death, the California Highway Patrol should be summoned to investigate the collision.

The employee involved in the collision shall complete the City's vehicle collision form. If the employee is unable to complete the form, the supervisor shall complete the form.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the shift sergeant.

An administrative investigation will be conducted to determine if there is any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

706.8 TOLL ROAD USAGE

Law enforcement vehicles are not routinely exempted from incurring toll road charges. Pursuant to the non-revenue policy of the toll roads, law enforcement agencies responding to an emergency or incident on the toll roads, while on duty, are exempt from paying the toll. Commuting, or returning to the City after an emergency does not qualify for this exemption and personnel using City owned vehicles are subject to the toll charge. To avoid unnecessary toll road violation charges, all employees operating a City owned vehicle upon the toll road shall adhere to the following:

- (a) All employees operating a City owned vehicle for any reason other than an initial response to an emergency shall stop and pay the appropriate toll charge. Employees may submit for reimbursement from the City for any toll fees.

Gilroy Police Department

Gilroy PD Policy Manual

Vehicle Use

- (b) All employees passing through the Toll Plaza or booth during a response to an emergency shall draft a memo to their respective Division Commander with five working days explaining the circumstances.

Promotional and Special Assignment Policy

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the Gilroy Police Department.

1004.1.1 GENERAL REQUIREMENTS

The following conditions will be used in evaluating employees for promotion and special assignment:

- (a) Present a professional, neat appearance.
- (b) Members of the SWAT team must maintain a physical condition which aids in their performance. Members must also be able to satisfactorily complete a fitness test every six months.
- (c) Demonstrate the following traits:
 - 1. Emotional stability and maturity
 - 2. Stress tolerance
 - 3. Sound judgment and decision-making
 - 4. Personal integrity and ethical conduct
 - 5. Leadership
 - 6. Initiative
 - 7. Ability to confront and/or deal with issues both positive and/or negative
 - 8. Ability to conform to organizational goals and objectives.

1004.2 SWORN NON-SUPERVISORY SELECTION PROCESS

The following positions are considered Special Assignments and are not considered promotions:

- (a) Anti-Crime Team
- (b) Detective
- (c) K-9 Officer
- (d) School Resource Officer
- (e) Traffic Officer

1004.2.1 COLLATERAL SPECIAL ASSIGNMENTS

The following positions are considered collateral special assignments and are not considered promotions:

- (a) Mounted Unit

Gilroy Police Department

Gilroy PD Policy Manual

Promotional and Special Assignment Policy

- (b) Bike Field Operations
- (c) CIRT
- (d) MAIT
- (e) Firearms Training Staff
- (f) Defensive Tactics Instructor
- (g) Field Training Officer
- (h) Critical Incident Stress/Peer Support
- (i) Crime Scene Investigators
- (j) Arson Investigator
- (k) CPR/First Aid Instructor
- (l) Reserve Coordinator
- (m) Explorer Advisor

1004.2.2 DESIRABLE QUALIFICATIONS

The following qualifications will be considered:

- (a) Experience
- (b) Probationary status
- (c) Has shown an expressed interest in the position applied for
- (d) Education, training and demonstrated abilities in related areas; such as, enforcement activities, investigative techniques, report writing, public relations, etc.
- (e) Complete any training required by POST or law

1004.3 POSTING FOR SPECIAL ASSIGNMENT VACANCIES

Occasionally special assignment vacancies become known due to the natural rotation of department personnel back to Patrol. When anticipated vacancies in special assignments are known, the respective Division Commander or designee shall post those openings at least three months prior to the date of the anticipated vacancy.

1004.4 LENGTH OF ASSIGNMENT

A policy of rotation into department special assignments for a maximum period of time is essential to the overall effectiveness of the department and to the individual seeking to further his/her career goals. Further, it is felt that a minimum commitment to a special assignment is necessary to ensure continuity and stability within programs and to maximize the benefits of formal on-the-job training.

Any deviation from the maximum or minimum tenures in a special assignment must be approved by the Chief of Police. Extensions may be granted annually if beneficial to the organization and the employee.

Gilroy Police Department

Gilroy PD Policy Manual

Promotional and Special Assignment Policy

The following are the current minimum and maximum lengths of tenure for special assignments:

Special Assignment	Minimum	Maximum
Investigations Division	1 Year	5 Years
Station Sergeant	1 Year	5 Years
School Resource Officer	1 Year	5 Years
Motor/Traffic Officer	1 Year	5 Years
M.A.I.T.	1 Year	None
FTO	1 Year	None
Hostage Negotiations Team	1 Year	None
Defensive Tactics Instructor	1 Year	None
Firearms Instructor	1 Year	None
SOG	1 Year	None
Mounted Unit	1 Year	None
Bicycle Unit	1 Year	None

1004.5 APPOINTMENT PROCESS

The following criteria apply to Special Assignments:

- (a) The Special Assignment will be posted in accordance with section 1004.3.
- (b) Memorandums of interest will be requested as well as an example of the applicant's investigative work or other examples as deemed necessary by the Special Assignment supervisor.
- (c) The supervisor or designee for whom the candidate will work will schedule interviews with each candidate.
- (d) Based on Specialty Assignment supervisors' recommendations and those of the Division Commander after the interview, the Division Commander will submit his/her recommendation(s) to the Chief of Police.
- (e) A complete administrative evaluation as determined by the Chief of Police. This shall include a review of supervisors' recommendations. Each supervisor who has supervised or otherwise been involved with the candidate will submit these recommendations.
- (f) Appointment by the Chief of Police.

The policy and procedures for all positions may be waived for temporary assignments, emergency situations or for training.

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY ESTABLISHING THE JULY 1, 2025, JULY 1, 2026, AND JULY 1, 2027 SALARY SCHEDULES FOR EMPLOYEES REPRESENTED BY THE GILROY POLICE OFFICERS ASSOCIATION

WHEREAS, the City Council does establish salaries for city officers and employees by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GILROY, AS FOLLOWS:

1. The salaries effective July 1, 2025 for Gilroy Police Officers Association employees as set forth in the attached salary schedule consisting of one (1) page is hereby approved and established adding a three percent (3%) salary increase and changing Steps F and G from 2.5% steps to 5% steps.
2. The salaries effective July 1, 2026 for Gilroy Police Officers Association employees as set forth in the attached salary schedule consisting of one (1) page is hereby approved and established adding a three percent (3.0%) salary increase.
3. The salaries effective July 1, 2027 for Gilroy Police Officers Association employees as set forth in the attached salary schedule consisting of one (1) page is hereby approved and established adding a three percent (3.0%) salary increase.

PASSED AND ADOPTED this 4th day of August, 2025 by the following roll call vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

APPROVED:

Greg Bozzo, Mayor

ATTEST:

Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2025-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said held on Council held **Monday, August 4, 2025** with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Date**.

Kim Mancera
City Clerk of the City of Gilroy

(Seal)

**POLICE UNIT
SALARY SCHEDULE
(Effective July 1, 2025)**

(3% Increase and Change Steps F and G from 2.5% Steps to 5.0% Steps)

Job Classification Title	Job Class/ Salary Range		Step A	Step B	Step C	Step D	Step E	Step F*	Step G*
Police Sergeant	700	SP35	10,839.42 130,073	11,381.50 136,578	11,949.75 143,397	12,548.83 150,586	13,174.92 158,099	13,833.67 166,004	14,525.33 174,304
Police Corporal	701	SP33	9,777.42 117,329	10,265.50 123,186	10,778.58 129,343	11,319.08 135,829	11,884.67 142,616	12,478.92 149,747	13,102.83 157,234
Police Officer	702	SP32	9,134.25 109,611	9,590.92 115,091	10,071.00 120,852	10,573.17 126,878	11,103.08 133,237	11,658.25 139,899	12,241.17 146,894
Detention Services Officer	752	NP29	6,835.08 82,021	7,177.17 86,126	7,535.50 90,426	7,912.08 94,945	8,307.83 99,694	8,723.25 104,679	9,159.42 109,913

SP = Sworn Personnel Classifications

NP = Non-Sworn Personnel Classifications

Holiday Pay: 7.01% of base pay in lieu of holidays (GPOA MOU Article IV, Section J)

Bilingual Pay: 5% of base pay based on Police Chief's approval and test (GPOA MOU Article IV, Section K)

Master Officer Pay: 5% of base pay in lieu of specialty pays (GPOA MOU Article IV, Section E)

Canine and Mounted Unit Officers receive an additional \$429.00 per month (GPOA MOU Article IV, Section M)

*Step F - 5.0% Retention Step (merit step, one year at Step E, and completion of 5 years of service requirement per MOU). *Step G - 5.0% Retention Step (merit step, one year at Step F, and completion of 10 years of service requirement per MOU).

NP Classes receive \$77.75 per month uniform allowance.

SP Classes receive \$116.67 per month uniform allowance.

SP/CIRT receive a one time \$200.00 uniform/equipment requirement

SP/CIRT receive a one time \$150.00 uniform/equipment requirement

SP/HNT receive a one time \$150.00 uniform/equipment requirement

SWORN PERSONNEL

5% Educational incentive available for an AA/AS Degree or an Intermediate POST Certificate.

7.5% Educational incentive available for a BA/BS Degree (or higher) or an Advanced POST Certificate.

(Maximum educational total: 7.50%)

NON-SWORN PERSONNEL (DSO)

3.5% Educational incentive available for 30 semester college units or Basic POST Certificate.

5.0% Educational incentive available for 60 semester college units or Intermediate POST Certificate.

(Maximum educational total: 5.0%)

Note: Annual salary amounts are rounded to the nearest dollar. Steps A - G are approximately 5% between steps.

Rev. 07/25

**POLICE UNIT
SALARY SCHEDULE
(Effective July 1, 2026)
(3% Increase)**

Job Classification Title	Job Class/ Salary Range		Step A	Step B	Step C	Step D	Step E	Step F*	Step G*
Police Sergeant	700	SP35	11,164.58 133,975	11,722.92 140,675	12,308.25 147,699	12,925.33 155,104	13,570.17 162,842	14,248.67 170,984	14,961.08 179,533
Police Corporal	701	SP33	10,070.75 120,849	10,573.50 126,882	11,101.92 133,223	11,658.67 139,904	12,241.17 146,894	12,853.25 154,239	13,495.92 161,951
Police Officer	702	SP32	9,408.25 112,899	9,878.67 118,544	10,373.17 124,478	10,890.33 130,684	11,436.17 137,234	12,008.00 144,096	12,608.42 151,301
Detention Services Officer	752	NP29	7,040.17 84,482	7,392.50 88,710	7,761.58 93,139	8,149.42 97,793	8,557.08 102,685	8,984.92 107,819	9,434.17 113,210

SP = Sworn Personnel Classifications

NP = Non-Sworn Personnel Classifications

Holiday Pay: 7.01% of base pay in lieu of holidays (GPOA MOU Article IV, Section J)

Bilingual Pay: 5% of base pay based on Police Chief's approval and test (GPOA MOU Article IV, Section K)

Master Officer Pay: 5% of base pay in lieu of specialty pays (GPOA MOU Article IV, Section E)

Canine and Mounted Unit Officers receive an additional \$429.00 per month (GPOA MOU Article IV, Section M)

*Step F - 5.0% Retention Step (merit step, one year at Step E, and completion of 5 years of service requirement per MOU). *Step G - 5.0% Retention Step (merit step, one year at Step F, and completion of 10 years of service requirement per MOU).

NP Classes receive \$77.75 per month uniform allowance.

SP Classes receive \$116.67 per month uniform allowance.

SP/CIRT receive a one time \$200.00 uniform/equipment requirement

SP/CIRT receive a one time \$150.00 uniform/equipment requirement

SP/HNT receive a one time \$150.00 uniform/equipment requirement

SWORN PERSONNEL

5% Educational incentive available for an AA/AS Degree or an Intermediate POST Certificate.

7.5% Educational incentive available for a BA/BS Degree (or higher) or an Advanced POST Certificate.

(Maximum educational total: 7.50%)

NON-SWORN PERSONNEL (DSO)

3.5% Educational incentive available for 30 semester college units or Basic POST Certificate.

5.0% Educational incentive available for 60 semester college units or Intermediate POST Certificate.

(Maximum educational total: 5.0%)

Note: Annual salary amounts are rounded to the nearest dollar. Steps A - G are approximately 5% between steps.

Rev. 07/25

**POLICE UNIT
SALARY SCHEDULE
(Effective July 1, 2027)
(3% Increase)**

Job Classification Title	Job Class/ Salary Range		Step A	Step B	Step C	Step D	Step E	Step F*	Step G*
Police Sergeant	700	SP35	11,499.50 137,994	12,074.58 144,895	12,677.50 152,130	13,313.08 159,757	13,977.25 167,727	14,676.17 176,114	15,409.92 184,919
Police Corporal	701	SP33	10,372.83 124,474	10,890.67 130,688	11,435.00 137,220	12,008.42 144,101	12,608.42 151,301	13,238.83 158,866	13,900.83 166,810
Police Officer	702	SP32	9,690.50 116,286	10,175.00 122,100	10,684.33 128,212	11,217.08 134,605	11,779.25 141,351	12,368.25 148,419	12,986.67 155,840
Detention Services Officer	752	NP29	7,251.33 87,016	7,614.25 91,371	7,994.42 95,933	8,393.92 100,727	8,813.83 105,766	9,254.50 111,054	9,717.17 116,606

SP = Sworn Personnel Classifications

NP = Non-Sworn Personnel Classifications

Holiday Pay: 7.01% of base pay in lieu of holidays (GPOA MOU Article IV, Section J)

Bilingual Pay: 5% of base pay based on Police Chief's approval and test (GPOA MOU Article IV, Section K)

Master Officer Pay: 5% of base pay in lieu of specialty pays (GPOA MOU Article IV, Section E)

Canine and Mounted Unit Officers receive an additional \$429.00 per month (GPOA MOU Article IV, Section M)

*Step F - 5.0% Retention Step (merit step, one year at Step E, and completion of 5 years of service requirement per MOU). *Step G - 5.0% Retention Step (merit step, one year at Step F, and completion of 10 years of service requirement per MOU).

NP Classes receive \$77.75 per month uniform allowance.

SP Classes receive \$116.67 per month uniform allowance.

SP/CIRT receive a one time \$200.00 uniform/equipment requirement

SP/CIRT receive a one time \$150.00 uniform/equipment requirement

SP/HNT receive a one time \$150.00 uniform/equipment requirement

SWORN PERSONNEL

5% Educational incentive available for an AA/AS Degree or an Intermediate POST Certificate.

7.5% Educational incentive available for a BA/BS Degree (or higher) or an Advanced POST Certificate.

(Maximum educational total: 7.50%)

NON-SWORN PERSONNEL (DSO)

3.5% Educational incentive available for 30 semester college units or Basic POST Certificate.

5.0% Educational incentive available for 60 semester college units or Intermediate POST Certificate.

(Maximum educational total: 5.0%)

Note: Annual salary amounts are rounded to the nearest dollar. Steps A - G are approximately 5% between steps.

Rev. 07/25



City of Gilroy

STAFF REPORT

Agenda Item Title: Approval of the July 1, 2025, July 1, 2026, and July 1, 2027 Salary Schedules for Full-time/Unrepresented/Exempt/Mid-Management and Appointed Employees, Part-Time/Temporary/Unrepresented/Exempt Employees, and Full-Time/Unrepresented/At-Will/Department Head Employees

Meeting Date: August 4, 2025
From: Brad Kilger, Interim City Administrator
Department: Administrative Services
Submitted by: LeeAnn McPhillips, Assistant City Administrator/HR Director
Prepared by: LeeAnn McPhillips, Assistant City Administrator/HR Director

STRATEGIC PLAN GOALS: Not Applicable

RECOMMENDATION

1. Adopt a resolution of the City Council of the City of Gilroy of the City of Gilroy approving the July 1, 2025, July 1, 2026, and July 1, 2027 salary schedules for Full-Time/Unrepresented/Confidential/Exempt/Mid-Management Employees and Full-Time/Unrepresented/Exempt/Mid-Management/Appointed Employees
2. Adopt a resolution of the City Council of the City of Gilroy of the City of Gilroy approving the July 1, 2025, July 1, 2026, and July 1, 2027 salary schedules for Part-Time/Temporary/Unrepresented/At-Will/Exempt Employees
3. Adopt a resolution of the City Council of the City of Gilroy of the City of Gilroy approving the July 1, 2025, July 1, 2026, and July 1, 2027 salary schedules for Full-Time/Unrepresented/Exempt/At-Will/Department Head Employees

EXECUTIVE SUMMARY

The City has groups of unrepresented employees who do not belong to a union, bargaining group, or employee association. The management-level unrepresented employee groups are as follows:

1. Full-Time/Unrepresented/Confidential/Exempt/Mid-Management Employees and Full-Time/Unrepresented/Exempt/Mid-Management/Appointed Employees (7 employees)
2. Part-Time/Temporary/Unrepresented/At-Will/Exempt Employees (5 employees)
3. Full-Time/Unrepresented/Exempt/At-Will/Department Head Employees (7 employees)

This agenda item is to review and approve the salary and benefit resolutions and salary schedules for these three unrepresented employee groups for the period of FY 26 - FY 28 (three years).

Recruitment and retention of these unrepresented employees is very important to the organization, especially as it relates to the leadership and continuity these managers provide to the organization.

BACKGROUND

Consistent with Council direction, staff has prepared the resolutions and salary schedules for the three groups of unrepresented management-level employees of the City. The three-year term associated with these salary resolutions and corresponding salary schedules will provide stability for the employees, and the organization overall, and allows staff to plan and budget for the scheduled increases. Having unrepresented employee compensation defined assists with retention and recruitment of new employees. The details for each group are noted below:

Full-Time/Unrepresented/Confidential/Exempt/Mid-Management Employees and Full-Time/Unrepresented/Exempt/Mid-Management/Appointed Employees

Consistent with the Gilroy Management Association MOU that was recently approved, this group will receive the same salary and benefit changes:

- Salary increases as follows:
 - 3% salary increase effective 7/1/2025
 - 2.5% salary increase effective 7/1/2026
 - 2.5% salary increase effective 7/1/2027
- Increase (5%) each January of the three-year period to City contribution for medical and dental benefits, using the current City contribution amount as the baseline.

- Freeze the medical-in-lieu at current levels for existing employees; \$500 cap for new hires. In exchange for freezing medical-in-lieu at the current level, along with the cap for new hires, a one-time payment of \$1,000 will be paid to each of the employees in this group who, as of June 1, 2025, waive coverage.
- Continue the ability to cash out up to 40 hours of vacation leave once per fiscal year
- Add additional deferred compensation benefits as follows:
 - Increase City contribution to deferred compensation from \$30 per month to \$130 per month, effective July 1, 2026
 - Increase City contribution to deferred compensation from \$130 per month to \$230 per month, effective July 1, 2027

Part-Time/Temporary/Unrepresented/At-Will/Exempt Employees

- Salary increases as follows:
 - 3% salary increase effective 7/1/2025
 - 2.5% salary increase effective 7/1/2026
 - 2.5% salary increase effective 7/1/2027

Full-Time/Unrepresented/Exempt/At-Will/Department Head Employees

- Salary increases as follows:
 - 3% salary increase effective 7/1/2025
 - 3% salary increase effective 7/1/2026
 - 3% salary increase effective 7/1/2027
- Increase (5%) each January of the three-year period to City contribution for medical and dental benefits, using the current City contribution amount for department heads as the baseline.
- Freeze the medical-in-lieu at current levels for existing employees; \$500 cap for new hires. In exchange for freezing medical-in-lieu at the current level, along with the cap for new hires, a one-time payment of \$1,000 will be paid to each of the department head employees who, as of June 1, 2025, waive coverage.
- Allow department heads to cash out up to 100 hours of leave (vacation, personal leave, administrative leave) once per fiscal year (current amount is 80 hours).
- Add additional deferred compensation benefits as follows:
 - Increase City contribution to deferred compensation from \$30 per month to \$130 per month, effective July 1, 2026.

- Increase City contribution to deferred compensation from \$130 per month to \$230 per month, effective July 1, 2027
- Department heads receive all other benefits consistent with the GMA MOU.

FISCAL IMPACT/FUNDING SOURCE

The cost for the new salary and benefit changes described in this staff report over the three-year period is estimated to be \$370,000 or approximately \$123,333 annually (average). Approximately 76% of this cost is paid by the General Fund, and 24% paid by other funds. The adopted fiscal year 2025-26 and 2026-27 budgets include sufficient appropriations to accommodate the financial impacts of the salary and benefit updates.

NEXT STEPS

Following Council approval, the following steps will be taken:

- Finalize and post the salary schedules on the City's website.
- Implement the salary and benefit changes based on the effective dates included in the staff report and resolution.

Attachments:

1. FT Unrepresented Mid-Mgt Exempt Confidential Appointed Salary and Benefit Resolution with Salary Schedules 7.1.25-6.30.28
2. PT Temp Unrepresented Exempt Salary Resolution with Salary Schedules 7.1.25-6.30.28
3. Unrepresented At-Will Department Head Salary and Benefit Resolution with Salary Schedules 7.1.25-6.30.28

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY ESTABLISHING THE JULY 1, 2025, JULY 1, 2026, AND JULY 1, 2027 SALARY SCHEDULES FOR FULL-TIME/UNREPRESENTED/CONFIDENTIAL/EXEMPT/MID-MANAGEMENT EMPLOYEES AND FOR FULL-TIME/UNREPRESENTED/EXEMPT/MID-MANAGEMENT/APPOINTED EMPLOYEES

WHEREAS, the City Council does establish salaries for city officers and employees by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GILROY, AS FOLLOWS:

1. The salaries effective July 1, 2025 for Full-Time/Unrepresented/Confidential/Exempt/Mid-Management Employees and Full-Time/Unrepresented/Exempt/Mid-Management/Appointed Employees as set forth in the attached salary schedule consisting of one (1) page is hereby approved and established adding a three percent (3%) salary increase.
2. The salaries effective July 1, 2026 for Full-Time/Unrepresented/Confidential/Exempt/Mid-Management Employees and Full-Time/Unrepresented/Exempt/Mid-Management/Appointed Employees as set forth in the attached salary schedule consisting of one (1) page is hereby approved and established adding a two and one-half percent (2.5%) salary increase.
3. The salaries effective July 1, 2027 for Full-Time/Unrepresented/Confidential/Exempt/Mid-Management Employees and Full-Time/Unrepresented/Exempt/Mid-Management/Appointed Employees as set forth in the attached salary schedule consisting of one (1) page is hereby approved and established adding a two and one-half percent (2.5%) salary increase.
4. Full-Time/Unrepresented/Confidential/ Exempt/Mid-Management Employees and Full-Time/Unrepresented/Exempt/Mid-Management/Appointed Employees shall receive all of the benefits contained in Gilroy Management Association MOU.

PASSED AND ADOPTED this 4th day of August, 2025 by the following roll call vote:

Resolution No. 2025-XX

Unrepresented Exempt Mid-Management (Confidential and Appointed) Salary Schedules July 1, 2025 – June 30, 2028

City Council Regular Meeting | August 4, 2025

Page 2 of 3

AYES: **COUNCIL MEMBERS:**
NOES: **COUNCIL MEMBERS:**
ABSTAIN: **COUNCIL MEMBERS:**
ABSENT: **COUNCIL MEMBERS:**

APPROVED:

Greg Bozzo, Mayor

ATTEST:

Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2025-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said held on Council held **Monday, August 4, 2025** with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Date**.

Kim Mancera
City Clerk of the City of Gilroy

(Seal)

FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT EMPLOYEES
FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT COUNCIL-APPOINTED EMPLOYEES
SALARY SCHEDULE
Effective July 1, 2025
(3.0% Salary Increase)

FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT EMPLOYEES:

Job Classification Title	Job Class Number	Monthly Minimum	Monthly Maximum	Annual Minimum	Annual Maximum
Assistant to the City Administrator	3501	\$12,756.92	\$17,521.67	\$153,083	\$210,260
Finance Manager	3502	\$11,019.75	\$15,135.33	\$132,237	\$181,624
Senior Human Resources Analyst	3523	\$9,519.67	\$13,074.67	\$114,236	\$156,896
Senior Management Analyst (City Administrator's Office)	3524	\$9,066.67	\$12,451.92	\$108,800	\$149,423
Human Resources Analyst	3506	\$8,633.92	\$11,858.75	\$103,607	\$142,305
Management Analyst (City Administrator's Office)	3522	\$8,223.58	\$11,295.08	\$98,683	\$135,541
Management Analyst Trainee (City Administrator's Office)	3525	\$7,401.25	\$10,165.58	\$88,815	\$121,987

FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT COUNCIL-APPOINTED EMPLOYEES:

Job Classification Title	Job Class Number	Monthly Minimum	Monthly Maximum	Annual Minimum	Annual Maximum
Council Services, Records, & Elections Manager/City Clerk	2000	\$11,019.75	\$15,135.33	\$132,237	\$181,624

Notes:

Annual figures are rounded to the nearest \$1.00 which is the base for the Tyler Munis HCM Salary Table data. Unless stated otherwise by Council resolution, salary increases and benefits includes those provided within the Gilroy Management Association MOU.

The last three percent (3%) of the established salary range requires the following: completion of 5 years of full-time City of Gilroy service; salary placement greater than 95% of the regular range for more than one year; and a meets expectations or better annual performance evaluation.

Total Cash Compensation salary ranges include all forms of compensation and other applicable forms of cash/cash equivalent compensation. Where approved, additional compensation may be made for bilingual pay, shift differential, car allowance/car provided, uniform allowance, and other forms of Council approved compensation.

PERS Miscellaneous Employees:

Employees that are designated by CalPERS and the City of Gilroy as "classic members" of the PERS Miscellaneous group have an 8% deduction under IRC 414(h)(2) for the employee contribution to the CalPERS 2.5% @ 55 retirement plan. Employees that are designated by CalPERS and the City of Gilroy as "new members" of the PERS Miscellaneous group shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2) for the CalPERS 2% at 62 retirement plan.

FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT EMPLOYEES
FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT COUNCIL-APPOINTED EMPLOYEES
SALARY SCHEDULE
Effective July 1, 2026
(2.5% Salary Increase)

FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT EMPLOYEES:

Job Classification Title	Job Class Number	Monthly Minimum	Monthly Maximum	Annual Minimum	Annual Maximum
Assistant to the City Administrator	3501	\$13,075.83	\$17,959.75	\$156,910	\$215,517
Finance Manager	3502	\$11,295.25	\$15,513.75	\$135,543	\$186,165
Senior Human Resources Analyst	3523	\$9,757.67	\$13,401.50	\$117,092	\$160,818
Senior Management Analyst (City Administrator's Office)	3524	\$9,293.33	\$12,763.25	\$111,520	\$153,159
Human Resources Analyst	3506	\$8,849.75	\$12,155.25	\$106,197	\$145,863
Management Analyst (City Administrator's Office)	3522	\$8,429.17	\$11,577.50	\$101,150	\$138,930
Management Analyst Trainee (City Administrator's Office)	3525	\$7,586.25	\$10,419.75	\$91,035	\$125,037

FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT COUNCIL-APPOINTED EMPLOYEES:

Job Classification Title	Job Class Number	Monthly Minimum	Monthly Maximum	Annual Minimum	Annual Maximum
Council Services, Records, & Elections Manager/City Clerk	2000	\$11,295.25	\$15,513.75	\$135,543	\$186,165

Notes:

Annual figures are rounded to the nearest \$1.00 which is the base for the Tyler Munis HCM Salary Table data. Unless stated otherwise by Council resolution, salary increases and benefits include those provided within the Gilroy Management Association MOU.

The last three percent (3%) of the established salary range requires the following: completion of 5 years of full-time City of Gilroy service; salary placement greater than 95% of the regular range for more than one year; and a meets expectations or better annual performance evaluation.

Total Cash Compensation salary ranges include all forms of compensation and other applicable forms of cash/cash equivalent compensation. Where approved, additional compensation may be made for bilingual pay, shift differential, car allowance/car provided, uniform allowance, and other forms of Council approved compensation.

PERS Miscellaneous Employees:

Employees that are designated by CalPERS and the City of Gilroy as "classic members" of the PERS Miscellaneous group have an 8% deduction under IRC 414(h)(2) for the employee contribution to the CalPERS 2.5% @ 55 retirement plan. Employees that are designated by CalPERS and the City of Gilroy as "new members" of the PERS Miscellaneous group shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2) for the CalPERS 2% at 62 retirement plan.

FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT EMPLOYEES
FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT COUNCIL-APPOINTED EMPLOYEES
SALARY SCHEDULE
Effective July 1, 2027
(2.5% Salary Increase)

FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT EMPLOYEES:

Job Classification Title	Job Class Number	Monthly Minimum	Monthly Maximum	Annual Minimum	Annual Maximum
Assistant to the City Administrator	3501	\$13,402.75	\$18,408.75	\$160,833	\$220,905
Finance Manager	3502	\$11,577.67	\$15,901.58	\$138,932	\$190,819
Senior Human Resources Analyst	3523	\$10,001.58	\$13,736.50	\$120,019	\$164,838
Senior Management Analyst (City Administrator's Office)	3524	\$9,525.67	\$13,082.33	\$114,308	\$156,988
Human Resources Analyst	3506	\$9,071.00	\$12,459.17	\$108,852	\$149,510
Management Analyst (City Administrator's Office)	3522	\$8,639.92	\$11,866.92	\$103,679	\$142,403
Management Analyst Trainee (City Administrator's Office)	3525	\$7,775.92	\$10,680.25	\$93,311	\$128,163

FULL-TIME UNREPRESENTED EXEMPT MID-MANAGEMENT COUNCIL-APPOINTED EMPLOYEES:

Job Classification Title	Job Class Number	Monthly Minimum	Monthly Maximum	Annual Minimum	Annual Maximum
Council Services, Records, & Elections Manager/City Clerk	2000	\$11,577.67	\$15,901.58	\$138,932	\$190,819

Notes:

Annual figures are rounded to the nearest \$1.00 which is the base for the Tyler Munis HCM Salary Table data. Unless stated otherwise by Council resolution, salary increases and benefits include those provided within the Gilroy Management Association MOU.

The last three percent (3%) of the established salary range requires the following: completion of 5 years of full-time City of Gilroy service; salary placement greater than 95% of the regular range for more than one year; and a meets expectations or better annual performance evaluation.

Total Cash Compensation salary ranges include all forms of compensation and other applicable forms of cash/cash equivalent compensation. Where approved, additional compensation may be made for bilingual pay, shift differential, car allowance/car provided, uniform allowance, and other forms of Council approved compensation.

PERS Miscellaneous Employees:

Employees that are designated by CalPERS and the City of Gilroy as "classic members" of the PERS Miscellaneous group have an 8% deduction under IRC 414(h)(2) for the employee contribution to the CalPERS 2.5% @ 55 retirement plan. Employees that are designated by CalPERS and the City of Gilroy as "new members" of the PERS Miscellaneous group shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2) for the CalPERS 2% at 62 retirement plan.

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY ESTABLISHING THE JULY 1, 2025, JULY 1, 2026, AND JULY 1, 2027 SALARY SCHEDULES FOR PART-TIME/TEMPORARY/UNREPRESENTED/AT-WILL/ EXEMPT EMPLOYEES

WHEREAS, the City Council does establish salaries for city officers and employees by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GILROY, AS FOLLOWS:

1. The salaries effective July 1, 2025 for Part-Time/Temporary/Unrepresented/At-Will/ Exempt Employees as set forth in the attached salary schedule consisting of one (1) page is hereby approved and established adding a three percent (3%) salary increase.
2. The salaries effective July 1, 2026 for Part-Time/Temporary/Unrepresented/At-Will/ Exempt Employees as set forth in the attached salary schedule consisting of one (1) page is hereby approved and established adding a two and one-half percent (2.5%) salary increase.
3. The salaries effective July 1, 2027 for Part-Time/Temporary/Unrepresented/At-Will/ Exempt Employees as set forth in the attached salary schedule consisting of one (1) page is hereby approved and established adding a two and one-half percent (2.5%) salary increase.

PASSED AND ADOPTED this 4th day of August, 2025 by the following roll call vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

APPROVED:

Greg Bozzo, Mayor

ATTEST:

Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2025-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said held on Council held **Monday, August 4, 2025** with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Date**.

Kim Mancera
City Clerk of the City of Gilroy

(Seal)

PART-TIME/TEMPORARY UNREPRESENTED EXEMPT MID-MANAGEMENT EMPLOYEES
SALARY SCHEDULE
Effective July 1, 2025
(3.0% Rate Increase)

Job Classification Title	Job Class Number	Hourly Rate Minimum	Hourly Rate Maximum
PT/Relief Fire Division Chief	9105	\$69.55	\$90.12
Limited Duration Extra Help CalPERS Retired Annuitant	9985	TBD based on duties assigned	TBD based on duties assigned
Interim Appointment - CalPERS Retired Annuitant	9986	TBD based on duties assigned	TBD based on duties assigned

Notes:

All of the above classifications are exempt, part-time/temporary positions that will have a weekly pay rate computer based on the employee's established weekly work schedule. All part-time/temporary employees are unrepresented/at-will/non-benefited positions.

PART-TIME/TEMPORARY UNREPRESENTED EXEMPT MID-MANAGEMENT EMPLOYEES
SALARY SCHEDULE
Effective July 1, 2026
(2.5% Rate Increase)

Job Classification Title	Job Class Number	Hourly Rate Minimum	Hourly Rate Maximum
PT/Relief Fire Division Chief	9105	\$71.29	\$92.37
Limited Duration Extra Help CalPERS Retired Annuitant	9985	TBD based on duties assigned	TBD based on duties assigned
Interim Appointment - CalPERS Retired Annuitant	9986	TBD based on duties assigned	TBD based on duties assigned

Notes:

All of the above classifications are exempt, part-time/temporary positions that will have a weekly pay rate computer based on the employee's established weekly work schedule. All part-time/temporary employees are unrepresented/at-will/non-benefited positions.

PART-TIME/TEMPORARY UNREPRESENTED EXEMPT MID-MANAGEMENT EMPLOYEES
SALARY SCHEDULE
Effective July 1, 2027
(2.5% Rate Increase)

Job Classification Title	Job Class Number	Hourly Rate Minimum	Hourly Rate Maximum
PT/Relief Fire Division Chief	9105	\$73.07	\$94.68
Limited Duration Extra Help CalPERS Retired Annuitant	9985	TBD based on duties assigned	TBD based on duties assigned
Interim Appointment - CalPERS Retired Annuitant	9986	TBD based on duties assigned	TBD based on duties assigned

Notes:

All of the above classifications are exempt, part-time/temporary positions that will have a weekly pay rate computer based on the employee's established weekly work schedule. All part-time/temporary employees are unrepresented/at-will/non-benefited positions.

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY ESTABLISHING THE JULY 1, 2025, JULY 1, 2026, AND JULY 1, 2027 SALARY SCHEDULES FOR FULL-TIME/UNREPRESENTED/EXEMPT/AT-WILL/ DEPARTMENT HEAD EMPLOYEES

WHEREAS, the City Council does establish salaries for city officers and employees by resolution; and

WHEREAS, in addition to the salary and benefits contained in the Gilroy Management Association MOU, Department Head employees may receive additional benefits due to the time and demands expected of Department Head employees.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GILROY, AS FOLLOWS:

1. The salaries effective July 1, 2025 for Full-Time/Unrepresented/Exempt/At-Will/ Department Head employees as set forth in the attached salary schedule consisting of two (2) pages is hereby approved and established adding a three percent (3%) salary increase.
2. The salaries effective July 1, 2026 for Full-Time/Unrepresented/Exempt/At-Will/ Department Head employees as set forth in the attached salary schedule consisting of two (2) pages is hereby approved and established adding a three percent (3%) salary increase.
3. The salaries effective July 1, 2027 for Full-Time/Unrepresented/Exempt/At-Will/ Department Head employees as set forth in the attached salary schedule consisting of two (2) pages is hereby approved and established adding a three percent (3%) salary increase.
4. In addition to all of the benefits contained in Gilroy Management Association MOU, including the FY 27 and FY 28 increases to the City's contribution to deferred compensation, the Department Heads shall receive the option to cash out up to 100 hours of leave time (vacation, administrative, or personal leave) once per fiscal year (November Election/Payout with December payroll) and continue the existing cost share of medical and dental insurance premiums with a five percent (5%) increase (using the 1/1/2025 Department Head group contribution amount as the baseline) to the City's contribution in January of each year.

PASSED AND ADOPTED this 4th day of August, 2025 by the following roll call vote:

AYES: **COUNCIL MEMBERS:**
NOES: **COUNCIL MEMBERS:**
ABSTAIN: **COUNCIL MEMBERS:**
ABSENT: **COUNCIL MEMBERS:**

APPROVED:

Greg Bozzo, Mayor

ATTEST:

Kim Mancera, City Clerk

CERTIFICATE OF THE CLERK

I, **KIM MANCERA**, City Clerk of the City of Gilroy, do hereby certify that the attached **Resolution No. 2025-XX** is an original resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Gilroy at a Regular Meeting of said held on Council held **Monday, August 4, 2025** with a quorum present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this **Date**.

Kim Mancera
City Clerk of the City of Gilroy

(Seal)

FULL-TIME UNREPRESENTED EXEMPT AT-WILL DEPARTMENT HEAD EMPLOYEES
SALARY SCHEDULE
Effective July 1, 2025
(3.0% Salary Increase)

Job Classification Title	Job Class Number	Monthly Minimum	Monthly Maximum	Annual Minimum	Annual Maximum
Administrative Services & Human Resources Director/Risk Manager	3103	\$17,056.25	\$23,427.67	\$204,675	\$281,132
Community Development Director	3100	\$17,056.25	\$23,427.67	\$204,675	\$281,132
Finance Director	3113	\$17,056.25	\$23,427.67	\$204,675	\$281,132
Fire Chief	3102	\$17,056.25	\$23,427.67	\$204,675	\$281,132
Police Chief	3101	\$17,056.25	\$23,427.67	\$204,675	\$281,132
Public Works Director	3132	\$17,056.25	\$23,427.67	\$204,675	\$281,132
Utilities Director	3104	\$17,056.25	\$23,427.67	\$204,675	\$281,132

Notes:

Annual figures are rounded to the nearest \$1.00 which is the base for the Tyler Munis HCM Salary Table data. Unless stated otherwise by Council resolution, benefits include those provided within the Gilroy Management Association MOU.

Total Cash Compensation salary ranges include all forms of compensation and other applicable forms of cash/cash equivalent compensation. Where approved, additional compensation may be made for shift differential, car allowance/car provided, uniform allowance, and other forms of Council approved compensation.

The last three percent (3%) of the established salary range requires the following: completion of 5 years of full-time City of Gilroy service; salary placement greater than 95% of the regular range for more than one year; and a meets expectations or better annual performance evaluation.

Department heads who demonstrate through testing that they are bilingual in Spanish/English and will use this skill regularly in their job can receive 5% bilingual pay if approved by the City Administrator.

At the City Administrator's discretion, a department head may be selected to serve in the role of Assistant City Administrator as a temporary special assignment. While appointed to this temporary special assignment, the department head will continue to fulfill the responsibilities of their regular department head position. In addition, the department head will perform additional duties and special projects in support of the City Administrator, to include serving as the Acting City Administrator when the City Administrator is unavailable due to vacation, training conference, illness, etc. While serving in this special assignment, the department head is eligible to receive 5% special assignment pay, a pay which is non-PERSable.

A department head may only earn one additional pay differential. For example, a department head can earn bilingual pay OR special assignment pay, but not pay for both.

PERS Miscellaneous Employees:

Employees that are designated by CalPERS and the City of Gilroy as “classic members” of the PERS Miscellaneous group have an 8% deduction under IRC 414(h)(2) for the employee contribution to the CalPERS 2.5% @ 55 retirement plan. Employees that are designated by CalPERS and the City of Gilroy as “new members” of the PERS Miscellaneous group shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2) for the CalPERS 2% at 62 retirement plan.

PERS Police Safety Employees:

If hired prior to January 5, 2011, the applicable retirement plan is the CalPERS 3% at 50 plan. Under this plan, the employee shall pay the employee contribution of 9% at a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall not longer apply.

If hired after January 5, 2011, but prior to January 1, 2013, the applicable retirement plan is the CalPERS 2% at 50 plan. Under this plan, the employee shall pay the employee contribution of 9% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “classic member, the applicable retirement plan is the CalPERS 2% at 50 plan. Under this plan, the employee shall pay the employee contribution of 9% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “new member”, the applicable retirement plan is the CalPERS 2.7% at 57 plan. Under this plan, the employee shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2).

PERS Fire Safety Employees:

If hired prior to January 5, 2011, the applicable retirement plan is the CalPERS 3% at 55 plan. Under this plan, the employee shall pay the employee contribution of 9% at a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall not longer apply.

If hired after January 5, 2011, but prior to January 1, 2013, the applicable retirement plan is the CalPERS 2% at 55 plan. Under this plan, the employee shall pay the employee contribution of 7% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “classic member, the applicable retirement plan is the CalPERS 2% at 55 plan. Under this plan, the employee shall pay the employee contribution of 7% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “new member”, the applicable retirement plan is the CalPERS 2% at 57 plan. Under this plan, the employee shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2).

FULL-TIME UNREPRESENTED EXEMPT AT-WILL DEPARTMENT HEAD EMPLOYEES
SALARY SCHEDULE
Effective July 1, 2026
(3.0% Salary Increase)

Job Classification Title	Job Class Number	Monthly Minimum	Monthly Maximum	Annual Minimum	Annual Maximum
Administrative Services & Human Resources Director/Risk Manager	3103	\$17,567.92	\$24,130.50	\$210,815	\$289,566
Community Development Director	3100	\$17,567.92	\$24,130.50	\$210,815	\$289,566
Finance Director	3113	\$17,567.92	\$24,130.50	\$210,815	\$289,566
Fire Chief	3102	\$17,567.92	\$24,130.50	\$210,815	\$289,566
Police Chief	3101	\$17,567.92	\$24,130.50	\$210,815	\$289,566
Public Works Director	3132	\$17,567.92	\$24,130.50	\$210,815	\$289,566
Utilities Director	3104	\$17,567.92	\$24,130.50	\$210,815	\$289,566

Notes:

Annual figures are rounded to the nearest \$1.00 which is the base for the Tyler Munis HCM Salary Table data. Unless stated otherwise by Council resolution, benefits include those provided within the Gilroy Management Association MOU.

Total Cash Compensation salary ranges include all forms of compensation and other applicable forms of cash/cash equivalent compensation. Where approved, additional compensation may be made for shift differential, car allowance/car provided, uniform allowance, and other forms of Council approved compensation.

The last three percent (3%) of the established salary range requires the following: completion of 5 years of full-time City of Gilroy service; salary placement greater than 95% of the regular range for more than one year; and a meets expectations or better annual performance evaluation.

Department heads who demonstrate through testing that they are bilingual in Spanish/English and will use this skill regularly in their job can receive 5% bilingual pay if approved by the City Administrator.

At the City Administrator's discretion, a department head may be selected to serve in the role of Assistant City Administrator as a temporary special assignment. While appointed to this temporary special assignment, the department head will continue to fulfill the responsibilities of their regular department head position. In addition, the department head will perform additional duties and special projects in support of the City Administrator, to include serving as the Acting City Administrator when the City Administrator is unavailable due to vacation, training conference, illness, etc. While serving in this special assignment, the department head is eligible to receive 5% special assignment pay, a pay which is non-PERSable.

A department head may only earn one additional pay differential. For example, a department head can earn bilingual pay OR special assignment pay, but not pay for both.

PERS Miscellaneous Employees:

Employees that are designated by CalPERS and the City of Gilroy as “classic members” of the PERS Miscellaneous group have an 8% deduction under IRC 414(h)(2) for the employee contribution to the CalPERS 2.5% @ 55 retirement plan. Employees that are designated by CalPERS and the City of Gilroy as “new members” of the PERS Miscellaneous group shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2) for the CalPERS 2% at 62 retirement plan.

PERS Police Safety Employees:

If hired prior to January 5, 2011, the applicable retirement plan is the CalPERS 3% at 50 plan. Under this plan, the employee shall pay the employee contribution of 9% at a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall not longer apply.

If hired after January 5, 2011, but prior to January 1, 2013, the applicable retirement plan is the CalPERS 2% at 50 plan. Under this plan, the employee shall pay the employee contribution of 9% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “classic member, the applicable retirement plan is the CalPERS 2% at 50 plan. Under this plan, the employee shall pay the employee contribution of 9% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “new member”, the applicable retirement plan is the CalPERS 2.7% at 57 plan. Under this plan, the employee shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2).

PERS Fire Safety Employees:

If hired prior to January 5, 2011, the applicable retirement plan is the CalPERS 3% at 55 plan. Under this plan, the employee shall pay the employee contribution of 9% at a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall not longer apply.

If hired after January 5, 2011, but prior to January 1, 2013, the applicable retirement plan is the CalPERS 2% at 55 plan. Under this plan, the employee shall pay the employee contribution of 7% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “classic member, the applicable retirement plan is the CalPERS 2% at 55 plan. Under this plan, the employee shall pay the employee contribution of 7% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “new member”, the applicable retirement plan is the CalPERS 2% at 57 plan. Under this plan, the employee shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2).

FULL-TIME UNREPRESENTED EXEMPT AT-WILL DEPARTMENT HEAD EMPLOYEES
SALARY SCHEDULE
Effective July 1, 2027
(3.0% Salary Increase)

Job Classification Title	Job Class Number	Monthly Minimum	Monthly Maximum	Annual Minimum	Annual Maximum
Administrative Services & Human Resources Director/Risk Manager	3103	\$18,094.92	\$24,854.42	\$217,139	\$298,253
Community Development Director	3100	\$18,094.92	\$24,854.42	\$217,139	\$298,253
Finance Director	3113	\$18,094.92	\$24,854.42	\$217,139	\$298,253
Fire Chief	3102	\$18,094.92	\$24,854.42	\$217,139	\$298,253
Police Chief	3101	\$18,094.92	\$24,854.42	\$217,139	\$298,253
Public Works Director	3132	\$18,094.92	\$24,854.42	\$217,139	\$298,253
Utilities Director	3104	\$18,094.92	\$24,854.42	\$217,139	\$298,253

Notes:

Annual figures are rounded to the nearest \$1.00 which is the base for the Tyler Munis HCM Salary Table data. Unless stated otherwise by Council resolution, benefits include those provided within the Gilroy Management Association MOU.

Total Cash Compensation salary ranges include all forms of compensation and other applicable forms of cash/cash equivalent compensation. Where approved, additional compensation may be made for shift differential, car allowance/car provided, uniform allowance, and other forms of Council approved compensation.

The last three percent (3%) of the established salary range requires the following: completion of 5 years of full-time City of Gilroy service; salary placement greater than 95% of the regular range for more than one year; and a meets expectations or better annual performance evaluation.

Department heads who demonstrate through testing that they are bilingual in Spanish/English and will use this skill regularly in their job can receive 5% bilingual pay if approved by the City Administrator.

At the City Administrator's discretion, a department head may be selected to serve in the role of Assistant City Administrator as a temporary special assignment. While appointed to this temporary special assignment, the department head will continue to fulfill the responsibilities of their regular department head position. In addition, the department head will perform additional duties and special projects in support of the City Administrator, to include serving as the Acting City Administrator when the City Administrator is unavailable due to vacation, training conference, illness, etc. While serving in this special assignment, the department head is eligible to receive 5% special assignment pay, a pay which is non-PERSable.

A department head may only earn one additional pay differential. For example, a department head can earn bilingual pay OR special assignment pay, but not pay for both.

PERS Miscellaneous Employees:

Employees that are designated by CalPERS and the City of Gilroy as “classic members” of the PERS Miscellaneous group have an 8% deduction under IRC 414(h)(2) for the employee contribution to the CalPERS 2.5% @ 55 retirement plan. Employees that are designated by CalPERS and the City of Gilroy as “new members” of the PERS Miscellaneous group shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2) for the CalPERS 2% at 62 retirement plan.

PERS Police Safety Employees:

If hired prior to January 5, 2011, the applicable retirement plan is the CalPERS 3% at 50 plan. Under this plan, the employee shall pay the employee contribution of 9% at a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall not longer apply.

If hired after January 5, 2011, but prior to January 1, 2013, the applicable retirement plan is the CalPERS 2% at 50 plan. Under this plan, the employee shall pay the employee contribution of 9% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “classic member, the applicable retirement plan is the CalPERS 2% at 50 plan. Under this plan, the employee shall pay the employee contribution of 9% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “new member”, the applicable retirement plan is the CalPERS 2.7% at 57 plan. Under this plan, the employee shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2).

PERS Fire Safety Employees:

If hired prior to January 5, 2011, the applicable retirement plan is the CalPERS 3% at 55 plan. Under this plan, the employee shall pay the employee contribution of 9% at a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall not longer apply.

If hired after January 5, 2011, but prior to January 1, 2013, the applicable retirement plan is the CalPERS 2% at 55 plan. Under this plan, the employee shall pay the employee contribution of 7% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “classic member, the applicable retirement plan is the CalPERS 2% at 55 plan. Under this plan, the employee shall pay the employee contribution of 7% as a pre-tax payroll deduction under IRC 414(h) (2). Effective July 1, 2013, EPMC shall no longer apply.

If hired after December 31, 2012 and designated by CalPERS and the city of Gilroy as a “new member”, the applicable retirement plan is the CalPERS 2% at 57 plan. Under this plan, the employee shall pay 50% of the normal cost as established by CalPERS. The normal cost may vary from year to year and this amount shall be a pre-tax payroll deduction under IRC 414(h) (2).