



CITY COUNCIL REGULAR MEETING AGENDA

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

AMENDED AGENDA
Added Items 10.3, 11.1 and 11.2

5:00 CLOSED SESSION
6:00 REGULAR MEETING

MONDAY, SEPTEMBER 14, 2026 | 6:00 PM

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

Remote Participation

Gilroy City Council meetings are held in person. The community may attend in person or via Zoom (video/teleconference). The meetings are also live-streamed on the [City's website](#) and [YouTube](#).

Those wishing to participate in the meetings remotely may join using the following link: <https://bit.ly/GilroyCityCouncilMeetings>. Additionally, Zoom participants must be running the latest version or will be required to update to it before joining the meeting remotely.

Remote participation is also available by calling (669) 900-6833 and entering webinar ID: 930 2066 6240#. Dial *9 to raise your hand, and be called upon to speak for up to 3 minutes. Dial *6 to unmute.

Public Comment

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.

Public comment will be heard first from those attending in person, with the submission of a speaker card. Once that is complete, we will move to those on Zoom who have their virtual hand raised. Following public comment from Zoom, we will close the public comment period for that item.

Please note: Once the third speaker has provided comment on an item, there will be no further speaker cards or

MAYOR
Greg Bozzo

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

virtual raised hands taken for that item.

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.

Written comments will not be read aloud during the meeting. They will be provided to the City Council, included in the meeting record, and posted on the City's website as submitted. Communications sent to the City Council are public records and may be disclosed pursuant to the California Public Records Act and the Ralph M. Brown Act, unless exempt from disclosure under applicable law. Personal information, including email addresses, telephone numbers, home addresses, and other contact information, is not required to be included with your public comments. Please do not include any information that you do not want to be made public.



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:

www.cityofgilroy.org/translate

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.

1. **CLOSED SESSION - 5:00 PM**
 - 1.1. **Call to Order**
 - 1.2. **Roll Call**
 - 1.3. **Opportunity for Public Comment on Closed Session**
 - 1.4. **CONFERENCE WITH LABOR NEGOTIATORS - COLLECTIVE BARGAINING UNIT**
Pursuant to GC Section 54957.6 and GCC Section 17 A.11 (4)

Collective Bargaining Unit: Local 2805, IAFF Fire Unit Representing Gilroy Firefighters

City Negotiators: Matt Morley, City Administrator; Michael Horta, Human Resources Director/Risk Manager; LeeAnn McPhillips, Extra Help Special Assistant – Human Resources/Risk Management

Anticipated Issues(s) Under Negotiation: Wages, Hours, Benefits, Working Conditions; Memorandums of Understanding: City of Gilroy and Gilroy Firefighters Local 2805
 - 1.5. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) and Paragraph (1) of Subdivision (e) of Government Code Section 54956.9, Gilroy Code Section 17A.11(3)(b). One case
 - 1.6. **PUBLIC APPOINTMENT / PUBLIC PERFORMANCE EVALUATION**
Government Code section 54957(b)(1); Gilroy City Code Section 17A.11(2)

Title: City Attorney

2. ADJOURN TO OPEN SESSION

Report of any action taken in Closed Session and vote or abstention of each Council Member if required by Government Code Section 54957.1 and GCC Section 17A.13(b); Public Report of the vote to continue in closed session if required under GCC Section 17A.11(5).

The agenda for this regular meeting is outlined as follows:

3. REGULAR MEETING - 6:00 PM

3.1. Call to Order

3.2. Roll Call

3.3. City Clerk's Report on Posting the Agenda

3.4. Pledge of Allegiance

3.5. Invocation

3.6. Orders of the Day

3.7. Employee Introductions

4. CEREMONIAL ITEMS - Proclamations and Awards

4.1. Childhood Cancer Awareness Month Proclamation

5. COUNCIL CORRESPONDENCE (Informational Only)

5.1. Recommendation from the Open Government Commission to Approve Proclamation Request and Activities for Open Government Week November 16-20, 2026

6. PRESENTATIONS TO THE COUNCIL

6.1. 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.

7. REPORTS OF COUNCIL MEMBERS

Council Member Bracco – 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 – Gilroy Sister Cities, 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 – ABAG, CalTrain Policy Group (alternate), 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), Cities Association of Santa Clara County, Gilroy Youth Task Force (alternate), Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, 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), Cities Association of Santa Clara County (alternate)

8. 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.

- 8.1. Approve the minutes of the August 8, 2026 Coffee with the Mayor and the August 17, 2026 City Council Regular Meeting**
- 8.2. Approval of the Fiscal Year 2026 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**
- 8.3. Adoption of an Ordinance Amending Chapter 30, Article L of the Gilroy City Code Relating to Architectural and Site Review Permit Process and to Enhance Public Outreach**
- 8.4. Adopt a Resolution amending the FY2026-27 Capital Improvement Program Budget by appropriating an additional \$95,000 of Community Facilities District (CFD) funds to the Precast Concrete Fence Project, and approving an additional \$95,000 of contingency for the construction contract with Silicon Valley Paving, Inc. for the Project**
- 8.5. Release of Unclaimed Checks to the City's General Fund in Accordance with California Government Code Section 50053**
- 8.6. Claim of Kimberly San Filippo (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)**
- 8.7. Approval of Second Redundant Internet Connectivity and Managed Network Services**
- 8.8. Award Five, Three-Year On-Call Engineering Support Contracts For a Total Not-to-Exceed \$450,000 Combined Aggregate Between All Contracts, With an Option of Two Additional, One-Year Extension Options of \$150,000 Combined Aggregate to: (1) Carollo Engineers, Inc; (2) BKF Engineers; (3) Provost & Pritchard Consulting Group; (4) Schaaf & Wheeler Consulting Civil Engineers; (5) WHB Engineers**
- 8.9. Approval of a Single Source Purchasing Contract With Fairfield Chevrolet (California Police Cars) in the Amount of \$194,392.28 for the Purchase of Two Fully Upfitted Chevrolet Tahoe Police Responder Vehicles**
- 8.10. Reappropriate \$17,462.89 of Fiscal Year 2026 Economic Development Program Expenses to Fiscal Year 2027 for Downtown Tree Light Repairs**
- 8.11. Letter in Support of Assembly Bill 1761: Improving the Energy Bill Transparency**

9. PUBLIC HEARINGS

- 9.1. Introduction of an Ordinance of the City Council of the City of Gilroy Amending Specified Provisions of Article VIII of Chapter 13 of the Gilroy City Code Relating**

to Tobacco Retailer Permits, Compliance, Enforcement, and Penalties

1. Disclosure of Ex-Parte Communications
2. Staff Report:
Sharon Goei, Community Development Director
3. Open Public Hearing
4. Close Public Hearing
5. Recommended Action:
 1. Motion to read the ordinance by title only and waive further reading;
 2. Introduce an Ordinance of the City Council of the City of Gilroy amending specified provisions of Article VIII of Chapter 13 of the Gilroy City Code relating to Tobacco Retailer Permits, compliance, enforcement, and penalties.

10. INTRODUCTION OF NEW BUSINESS

10.1. Presentation of Development Services Fee Study

1. Staff Report:
Sharon Goei, Community Development Director
2. Public Comment
3. Recommended Action:
Receive fee study presentation and direct staff to schedule a public hearing for City Council consideration of a resolution updating and establishing various user fees in the Comprehensive Fee Schedule, effective January 1, 2027.

10.2. Update on Homeless Encampment at Sixth Street and Camino Arroyo Drive

1. Staff Report:
Matt Morley, City Administrator
2. Public Comment
3. Recommended Action:
Receive an update on the homeless encampment at Sixth Street and Camino Arroyo Drive and provide input on next steps to staff.

10.3. Consider Adopting an Urgency Interim Ordinance Imposing a Temporary Moratorium on the Acceptance, Processing, and Approval of Applications and Entitlements for New Data Center Facilities Citywide, for a Period Not to Exceed 45 Days

1. Staff Report:
Matt Morley, City Administrator

2. Public Comment
3. Recommended Action:
 1. Determine the action of adopting the Urgency Interim Ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines;
 2. Adopt an Urgency Interim Ordinance imposing a temporary moratorium, citywide, on the acceptance, processing, and approval of applications and entitlements for new Data Center facilities, for a period not to exceed 45 days, pursuant to California Government Code Section 65858; and
 3. Make findings, as incorporated in the ordinance, that adoption of the ordinance is necessary for the immediate preservation of the public health, safety, and welfare of the City and its residents.

11. FUTURE COUNCIL INITIATED AGENDA ITEMS

11.1. Request to Establish Free Community-Wide Infant Swimming Resource Pilot Program: FAIR Memo (CM Ramirez)

1. Staff Report:
Matt Morley, City Administrator
2. Public Comment
3. Recommended Action:
Council consideration of a future agenda item regarding the potential to establish a free community-wide infant swimming resource pilot program.

11.2. Request to Establish a Legislative Action Committee: FAIR Memo (CM Ramirez)

1. Staff Report:
Matt Morley, City Administrator
2. Public Comment
3. Recommended Action:
Council consideration of a future agenda item regarding the potential to establish a Legislative Action Committee.

12. CITY ADMINISTRATOR'S REPORTS

13. CITY ATTORNEY'S REPORTS

14. ADJOURNMENT