



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, DECEMBER 8, 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:

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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. PRESENTATIONS TO THE COUNCIL

- 2.1. Presentation of the 2025 City of Gilroy Highlights Video
- 2.2. Children's Advocacy Center (CAC) For South County Presentation
- 2.3. 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.

3. 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)

4. 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.

- 4.1. Approve the minutes of the November 17, 2025 City Council Regular Meeting**
- 4.2. Approve Notice of Acceptance of Completion, and Reduction of the Faithful Performance and Payment Security Bonds for Property Improvement Agreement No. 2020-01, Town Center Multifamily Tract 10472**
- 4.3. Approve Notice of Acceptance of Completion, and Reduction of the Faithful Performance and Payment Security Bonds for Property Improvement Agreement No. 2020-02, Nebbiolo Malvasia The Glen Tract 10520**
- 4.4. Acceptance of the Annual Development Impact Fee Report for Fiscal Year 2024-2025 as Required under Government Code 66000**
- 4.5. Approval of a Contract Amendment to the Tree Maintenance Contract with West Coast Arborists, Inc in the Amount of \$69,319 for Hecker Pass Tree Pruning**
- 4.6. Adopt a FY26 and FY27 Budget Amendment Resolution to the Police Department BSCC Title II Grant Fund for \$290,225 and Approve a First Amendment To Agreement for Services of \$116,617.50 with Youth Alliance for the South County**

Restorative Justice Youth Diversion Program from January 1, 2026 through September 30, 2026

- 4.7. Award a Contract to Youth Alliance for \$130,105.14 for South County Youth Task Force (SCYTF) School-Based Youth Services**
- 4.8. Approve the Second Amendment to the Agreement with Cal-West Lighting & Signal Maintenance, Inc. for Streetlight and Traffic Signal Maintenance Services, and Adopt a Resolution Approving a Budget Amendment for the Signal/ Street Light Maintenance Project (Project No. 800340)**
- 4.9. Receive Report Regarding Upcoming 2026 Commission Vacancies per Maddy Act**
- 4.10. Authorization for Council Member Travel to the League of California Cities 2026 Mayors and Council Members Academy**
- 4.11. Adopt an Ordinance to Amend Board and Commission Terms and Appointment Process**
- 4.12. Authorize the Surplus of Sixteen Vehicles/Equipment and Authorize the Disposal of the Surplus by Auction**
- 4.13. Claim of Antonio Garcia (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)**
- 4.14. Claim of Stephanie Moretto (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)**
- 4.15. Claim of Jeff Scherck (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)**

5. PUBLIC HEARINGS

- 5.1. Consider Extending the Urgency Interim Ordinance Prohibiting the Issuance of Tobacco Retailer Permits for a Period of Ten (10) Months and Fifteen (15) Days within the Downtown Specific Plan Area**
 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:
 1. Determine this action is exempt from environmental review under California Environmental Quality Act (CEQA) pursuant to Section 15262, Section 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the

CEQA Guidelines: and

2. Adopt an extension of the Urgency Interim Ordinance established to prohibit the issuance or approval of any new Tobacco Retailer Permit for an additional ten (10) months and fifteen (15) days within the Gilroy Downtown Specific Plan Area.
3. Review, approve and issue the 10-day report as required by Government Code Section 65858(d) for the extension of the temporary moratorium.

6. INTRODUCTION OF NEW BUSINESS

6.1. Commemorative Flag Application Review for Calendar Year 2026

1. Staff Report:
Bryce Atkins, Assistant to the City Administrator
2. Public Comment
3. Possible Action:
Council consideration regarding the Commemorative Flag Flying Application for the Progressive Pride Flag.

6.2. Consideration of options and recommendations for meeting State-mandated stormwater trash capture requirements.

1. Staff Report:
John Doughty, Public Works Director
2. Public Comment
3. Possible Action:
It is recommended that the City Council authorize staff to immediately:
 1. Prepare and advertise a Request for Proposal (RFP) for the fabrication and installation of 73 connector pipe screens (a type of certified full trash capture system) to meet the City's December 2026, 30-percent MS4 trash capture mandate; and
 2. In conjunction with the bid award, return to City Council with a budget amendment to add the Connector Pipe Screen Project into the FY 26 Capital Budget with funding from Stormwater Management Fund (422).

It is further recommended that the City Council direct staff to:

1. Conduct an engineering study and finance plan to implement hydrodynamic separators to meet the 65-percent and 100-percent MS4 trash capture requirements; or
2. In alternative, develop a plan for meeting 65-percent and 100-percent

MS4 trash capture mandates under the Track 2 compliance option.

6.3. Mayoral Appointments of Council Members to Serve in Regional Representative Seats and Seats on Local Boards and Committees

1. Staff Report:
Kim Mancera, City Clerk
2. Public Comment
3. Possible Action:
Approve representative seat assignments as determined by Mayor Bozzo per California Government Code Section 40605.

6.4. Appointment of Council Member Zach Hilton to the position of Mayor Pro Tempore for 2026

1. Staff Report:
Kim Mancera, City Clerk
2. Public Comment
3. Possible Action:
Appointment of Council Member Zach Hilton to the position of Mayor Pro Tempore for 2026.

6.5. Consent the Appointment of Scot Smithee (CalPERS Retired Annuitant) as the Interim Police Chief Following Successful Completion of all Peace Officer Standards & Training (POST) Hiring Requirements and Adoption of a Resolution Approving the Appointment and Employment Agreement

1. Staff Report:
LeeAnn McPhillips, Assistant City Administrator/HR Director
2. Public Comment
3. Possible Action:
 - a) Consent the City Administrator's recommendation to appoint Scot Smithee (CalPERS Retired Annuitant) as Interim Police Chief effective upon successful completion of all Peace Officer Standards & Training (POST) Hiring Requirements.
 - b) Adopt a resolution of the City Council of the City of Gilroy approving the appointment of Scot Smithee (CalPERS Retired Annuitant) as Interim Police Chief pursuant to Government Code Section 21221(h) and authorizing the City Administrator to execute the employment agreement to include setting the employment start date following successful completion of all POST hiring requirements.

6.6. Consent the Appointment of Karl Bjarke (CalPERS Retired Annuitant) as the Interim Utilities Director Effective December 23, 2025 and Adoption of a Resolution Approving the Appointment and Employment Agreement

1. Staff Report:
LeeAnn McPhillips, Assistant City Administrator/HR Director
2. Public Comment
3. Possible Action:
 - a) Consent the City Administrator's recommendation to appoint Karl Bjarke (CalPERS Retired Annuitant) as Interim Utilities Director effective December 23, 2025.
 - b) Adopt a resolution of the City Council of the City of Gilroy approving the appointment of Karl Bjarke (CalPERS Retired Annuitant) as Interim Utilities Director effective December 23, 2025 pursuant to Government Code Section 21221(h) and authorizing the City Administrator to execute the employment agreement.

6.7. Consent the Appointment of LeeAnn McPhillips (CalPERS Retired Annuitant as of December 31, 2025) as the Interim Administrative Services & Human Resources Director/Risk Manager Effective December 31, 2025 and Adoption of a Resolution Approving the Appointment and Employment Agreement and Waiving the 180-Day Wait Period for Post-Retirement Employment

1. Staff Report:
Brad Kilger, City Administrator
2. Public Comment
3. Possible Action:
 - a) Consent the City Administrator's recommendation to appoint LeeAnn McPhillips (CalPERS Retired Annuitant as of December 31, 2025) as Interim Administrative Services & Human Resources Director/Risk Manager effective December 31, 2025.
 - b) Adopt a resolution of the City Council of the City of Gilroy approving the appointment of LeeAnn McPhillips (CalPERS Retired Annuitant as of December 31, 2025) as Interim Administrative Services & Human Resources Director/Risk Manager effective December 31, 2025 and waiving the 180-day wait period for post-retirement employment pursuant to Government Code Section 21221(h) and Section 7522.56 authorizing the City Administrator to execute the employment agreement.

7. CITY ADMINISTRATOR'S REPORTS

8. CITY ATTORNEY'S REPORTS

9. CLOSED SESSION

- 9.1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Government Code Section 54956.8 and Gilroy City Code Section 17A.8
Property: APN 808-58-004

**Negotiators: Brad Kilger, Interim City Administrator, John Doughty, Director
Public Works
Other Party to Negotiations: John Filice, Glen Loma
Negotiations: Price and Term of Payment for Sale and/or Lease**

10. ADJOURN TO OPEN SESSION

11. ADJOURNMENT

FUTURE MEETING DATES

January 2026

05 City Council Regular Meeting - 6:00 p.m.
26 City Council Regular Meeting - 6:00 p.m.

February 2026

09 City Council Regular Meeting - 6:00 p.m.
23 City Council Regular Meeting - 6:00 p.m.

March 2026

02 City Council Regular Meeting - 6:00 p.m.
16 City Council Regular Meeting - 6:00 p.m.

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