City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Call and Notice of Special Meeting

Santa Clara Stadium Authority

Successor Agency to the City of Santa Clara Redevelopment Agency

Tuesday, May 25, 2021 **4:00 PM** **Virtual Meeting**

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

• Via Zoom:

o https://santaclaraca.zoom.us/j/99706759306

Meeting ID: 997-0675-9306 or

o Phone: 1(669) 900-6833

• Via the City's eComment (now available during the meeting)

• Via email to PublicComment@santaclaraca.gov

As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Chair calls for a Special Meeting of the Governing Board of the Stadium Authority and the Governing Board of the Successor Agency to the City of Santa Clara Redevelopment Agency to commence and convene on May 25, 2021, at 4:00 pm for a Special Meeting to be held virtually via Zoom to consider the following matter(s) and to potentially take action with respect to them.

4:00 PM CLOSED SESSION

Call to Order

Roll Call

Public Comment

The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.

1.A **21-707** Conference with Legal Counsel-Existing Litigation (CC, SARDA)
Pursuant to Gov. Code § 54956.9(d)(1)
County of Santa Clara, et al., v. City of San Jose, et al.
Santa Clara County Superior Court Master Case Number (consolidated) 105CV046005

1.B **21-712** Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Properties: 890 Walsh Avenue, Santa Clara, APN: 224-04-057
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Parties: L.A.W. LLC
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

1.C **21-786** Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. Diana J. Alman, Trustee of the Douglas S. Alman Family Trust, et al., Santa Clara County Superior Court Case Number 21CV377630

1.D **21-787** Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. Jitendra G. Patel and Shashi J. Patel, et al., Santa Clara County Superior Court Case Number 21CV377579

1.E **21-788** Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. Dollinger Lafayette Associates, et al., Santa Clara County Superior Court Case Number 20CV374460

Convene to Closed Session

6:00 PM COUNCIL REGULAR/SPECIAL STADIUM AUTHORITY MEETING

**Open Session to be heard at 6:00 p.m. or shortly thereafter*

Pledge of Allegiance and Statement of Values

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

2. **21-721** Action to Continue the Discussion on Consideration of the Sale of the Loyalton Ranch Property to August 17, 2021

Recommendation: Continue the Discussion on Consideration of the Sale of the Loyalton Ranch Property to August 17, 2021.

3. **21-702** Action to Continue the Adoption of Ordinance No. 2030 to reinstate the International Exchange Commission, and amend the powers, functions, and duties of the Cultural Commission - Continued to August 17, 2021

Recommendation: Continue the adoption of Ordinance No. 2030 to reinstate the International Exchange Commission, and amend the powers, functions, and duties of the Cultural Commission to August 17, 2021.

STUDY SESSION

4. **21-524** Joint Study Session to review Proposed FY 2021/22 and FY 2022/23 Biennial Operating Budget and FY 2021/22 Capital improvement Program Budget Adjustments and to review the Proposed FY 2021/22 Municipal Fee Schedule

Recommendation:
1. Review and provide input on the Proposed FY 2021/22 and FY 2022/23 Biennial Operating Budget and FY 2021/22 Capital Improvement Program Amendments.
2. Review and provide input on the Proposed FY 2021/22 Municipal Fee Schedule.
3. Provide direction on the implementation of a Transient Occupancy Tax rate increase that received voter approval in November 2020.
4. Provide direction to the City Manager to return to Council with a Parks and Recreation fee cost recovery policy for Council consideration.

SPECIAL ORDER OF BUSINESS

5.A **21-710** Proclamation of Asian American and Pacific Islander Heritage Month

5.B **21-743** Recognize Local Student for Achievement in the Telugu Book of Records and Super Kids of India

5.C **21-646** Verbal Report from City Manager regarding COVID-19 Pandemic

CONSENT CALENDAR

[Items listed on the CONSENT CALENDAR are considered routine and will be adopted by one motion. There will be no separate discussion of the items on the CONSENT CALENDAR unless discussion is requested by a member of the Council, staff, or public. If so requested, that item will be removed from the CONSENT CALENDAR and considered under CONSENT ITEMS PULLED FOR DISCUSSION.]

6.A 21-11 Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:

Santa Clara Tourism Improvement District - March 18, 2021
Santa Clara Tourism Improvement District - April 16, 2021
City-School Liaison Committee - March 3, 2021
City-Mission College Liaison Committee - November 30, 2021
Cultural Commission - April 5, 2021
Board of Library Trustees - April 5, 2021
Historical and Landmarks Commission - April 1, 2021
Planning Commission - April 28, 2021

6.B 21-583 Action on Bills and Claims Report (CC, SA) for the period April 10th, 2021 - April 23rd, 2021

Recommendation: Approve the list of Bills and Claims for April 10, 2021 - April 23, 2021.

6.C 21-427 Action on Agreements for Sales, Use, Tax Audit and Recovery Services; Property Tax Audit and Management Services; and Transient Occupancy Tax Audit Services

Recommendation:

1. Authorize the City Manager to execute an agreement with MuniServices, LLC, doing business as Avenu MuniServices LLC, for Sales, Use and Transactions Tax Audit and Recovery Services for a five-year term starting July 1, 2021 and ending on June 30, 2026, with maximum compensation not to exceed $1,500,000, subject to the appropriation of funds;
2. Authorize the City Manager to execute an agreement with HdL Coren & Cone for Property Tax Audit and Management Services for a five-year term starting July 1, 2021 and ending on June 30, 2026, with maximum compensation not to exceed $100,000, subject to the appropriation of funds;
3. Authorize the City Manager to execute an agreement with MuniServices, LLC, doing business as Avenu MuniServices LLC, for Transient Occupancy Tax Audit Services for a five-year term starting July 1, 2021 and ending on June 30, 2026, with maximum compensation not to exceed $150,000, subject to the appropriation of funds; and
4. Authorize the City Manager to execute amendments to each of the agreements to add funds as required in the event revenues recovered exceed staff's estimates and/or additional related audit services are required, subject to the appropriation of funds.

6.D **21-1078** Action on Agreement for Services with NAZ & CO., doing business as True Blue Automation Services, for Electrical Support Services for the City's Water, Sewer and Storm Assets

Recommendation:

1. Authorize the City Manager to execute an agreement with NAZ & CO., doing business as True Blue Automation Services, for electrical support services for the City's water, sewer, and storm assets, for an initial one-year term starting on or about July 1, 2021 and ending on June 30, 2022, with maximum compensation not-to-exceed $300,000 and to make minor adjustments to the agreement to facilitate execution; and
2. Authorize the City Manager to exercise up to four one-year options to extend the term of the agreement after the initial one-year term through June 30, 2026, subject to the annual appropriation of funds.

6.E **21-508** Action on an Agreement and Covenant Running with the Land to Allow Private Improvements within the Public Right-of-Way at 801 Martin Avenue

Recommendation:

1. Approve and authorize the City Manager to execute the Agreement and Covenant Running with the Land allowing the installation and maintenance of private improvements within the public right-of-way at 801 Martin Avenue [APN 224-04-090 SC 19,351];
2. Authorize the City Manager to make minor, non-substantive modifications to the Agreement, if necessary; and
3. Authorize the recordation thereof.

6.F 21-519 Action on an Agreement with Business Recovery Services, Inc., dba Bank Up Corporation, for Remittance Lockbox Processing Services for Utility Payments

Recommendation:

1. Authorize the City Manager to execute an agreement with Business Recovery Services, Inc., dba Bank Up Corporation, for Remittance Lockbox Processing Services with an initial term starting on July 1, 2021 and ending on June 30, 2024 for a total maximum not-to-exceed amount of $120,000, subject to the appropriation of funds;
2. Authorize the City Manager to execute amendments over the initial term of the agreement, not-to-exceed $20,000 as contingency to cover any unanticipated service requirements including additional checks for processing, subject to the appropriation of funds; and
3. Authorize the City Manager to execute up to two (2) additional one-year options to extend the term through June 30, 2026, subject to the appropriation of funds.

6.G 21-528 Action on Agreements with the County of Santa Clara for the Countywide AB 939 Implementation Fee and Countywide Household Hazardous Waste Collection Program

Recommendation:

1. Approve and Authorize the City Manager to execute the Agreement for Countywide AB 939 Implementation Fee to collect and distribute the AB 939 Implementation Fee over the three-year term of the agreement;
2. Approve and authorize the City Manager to execute the Agreement for Countywide Household Hazardous Waste Collection Program with the County of Santa Clara to enable residents to participate in the Countywide Household Hazardous Waste Collection Program for a three-year term;
3. Authorize the City Manager to execute future amendments to the Agreement for Countywide Household Hazardous Collection Program with the County of Santa Clara to adjust the annual augmentation over the baseline 4 percent participation level; and
4. Authorize the City Manager to execute future license agreements with the County of Santa Clara that enable drop-off events to be conducted on the Public Works Corporation Yard premises.

6.H 21-667 Authorize the City Manager to execute an Amendment to the Agreement with Wallace Roberts & Todd, LLC for Downtown Precise Plan Consultant Services pending funding proposed as part of the FY 2021/22 and FY 2022/23 Proposed Operating Budget

Recommendation:

1. Authorize the City Manager to execute and amend the agreement with Wallace Roberts & Todd, LLC to provide added Downtown Precise Plan Consultant Services, subject to modifications as agreed to by the City Manager in coordination with the City Attorney; increase the maximum compensation not to exceed amount by $300,000 (from $578,346 to $878,346), subject to the annual appropriation of funds; and
2. Authorize the City Manager to execute an amendment to increase maximum compensation in the event that additional services are required, subject to the annual appropriation of funds.

6.I 21-545 Action to Amend the Agreement Between TruePoint Solutions, LLC, and the City of Santa Clara

Recommendation:

1. Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement between TruePoint Solutions, LLC, and the City of Santa Clara to extend the term of the agreement ending on June 30, 2022, and increase the maximum compensation amount by $215,436 for a total maximum compensation of $1,100,518 to provide additional services for data conversion, continued system configuration, and project management consultation hours, subject to the appropriation of funds; and
2. Authorize the City Manager to exercise the option to extend the term of the Agreement between TruePoint Solutions, LLC, and the City of Santa Clara for one year after June 30, 2022; and increase the not to exceed amount by $50,000, if necessary, subject to the appropriation of funds.

6.J **21-561** Action on 2021 Q1 Legislative Update and Proposed Amendments to the 2021 Energy Legislation, Regulations, and Issues and Public Safety Legislative Advocacy Positions

Recommendation: 1. Note and file the 2021 Q1 Legislative Update; and
2 Approve the amended 2021 Energy Legislation, Regulations, and Issues and Public Safety Legislative Advocacy Positions.

6.K **21-568** Informational Report on COVID-19 Legislative Updates from Townsend Public Affairs for April 5 - May 9, 2021

Recommendation: Note and file the Informational Report on COVID-19 Legislative Updates from Townsend Public Affairs for April 5 - May 9, 2021.

6.L **21-673** Written Petition submitted by Amrit S. Kulkarni requesting the City Council hear appeals regarding permit and environmental process determinations regarding three Use Permit Applications for Bloom Fuel Cell Power System projects filed for 2960 Corvin Drive, 2970/3000 Corvin Drive, and 2200 Mission College Boulevard

Recommendation: Staff recommends that no action be taken.

6.M **21-581** Informational Report on Dates and Purpose of Stadium Authority and Stadium Manager Meetings and Corresponding Minutes for the Period January 1, 2021 to March 31, 2021

Recommendation: Note and file the quarterly report on Stadium Authority and Stadium Manager Meetings and Corresponding Minutes for the period of January 1, 2021 to March 31, 2021.

6.N **21-662** Informational Report Regarding Bi-yearly Project Status Report of the GIS Services Program

Recommendation: Note and file the Informational Report regarding the Bi-yearly Project Status Report of the GIS Services Program.

6.O **21-767** Action to Approve/Ratify Agreement with Management Partners for Executive Evaluation Facilitation

Recommendation: Approve/ratify the agreement with Management Partners for facilitation of the City Attorney performance evaluation process.

6.P **21-729** Report from the City Attorney on California Voter Rights Act (CVRA) Litigation

Recommendation: Note and file report.

6.Q **21-722** Action on a Written Petition submitted by Robert Mezzetti, II Requesting to Discuss Amendment No. 3 to the Exclusive Negotiation Agreement by and between the City, VTA and Republic Metropolitan an LLC for the proposed project located at 500 S. Benton Street (APN 230-08-061 and 230-08-078)

Recommendation: That Council take no action on the petition and do not place the item on a future agenda.

6.R **21-778** Action on Stadium Authority & Special City Council Meeting Minutes of March 2, 2021 and Council & Authorities Concurrent and Special Stadium Authority Minutes of March 9, 2021

Recommendation: Approve the Stadium Authority & Special City Council Meeting Minutes of March 2, 2021 and Council & Authorities Concurrent and Special Stadium Authority Minutes of March 9, 2021.

STADIUM AUTHORITY CONSENT CALENDAR

6.S **21-485** Action on Stadium Authority Bills and Claims for the Month of March 2021

Recommendation: Approve the list of Stadium Authority Bills and Claims for March 2021.

6.T **21-1137** Action on an Agreement with KPMG LLP to provide auditing services for the Santa Clara Stadium Authority

Recommendation: Approve and authorize the Executive Director to execute an agreement with KPMG LLP to provide auditing services for the Santa Clara Stadium Authority for FY 2020/21 through FY 2024/25 in the amount not-to-exceed $754,554.

6.U Request from the Stadium Manager for Authority to Execute Amendment No. 1 to Concessions Operating Agreement with Levy Premium Foodservice Limited Partnership

A. **21-740** Request from the Stadium Manager for Authority to Execute Amendment No. 1 to Concessions Operating Agreement with Levy Premium Foodservice Limited Partnership

B. **21-742** Report from the Stadium Authority Regarding the Stadium Manager's Request to Execute Amendment No.1 to Concessions Operating Agreement with Levy Premium Foodservice Limited Partnership

Recommendation: Alternative 1

1. Approve the Stadium Manager's request for authority to execute Amendment No. 1, with the redlined changes outlined in Attachment 3, to the Concessions Operating Agreement with Levy which will extend the term of the agreement by one year and modify the Investment Use Fee Schedule and the amortization schedules for the Capital Investment, Innovation, Refresh Investment, and Hub for Next Generation Sports Entertainment Funds to align with the new agreement term, at no cost to the Stadium Authority.

6.V Request from the Stadium Manager for Approval to Add Stadium Builder Licenses to Field Seating in the North and South Endzones of Levi's Stadium

A. **21-745** Request from the Stadium Manager for Approval to Add Stadium Builder's Licenses to Temporary Field Seats in the North and South Endzones of Levi's Stadium

B. **21-736** Stadium Authority Response Regarding the Stadium Manager's Proposal to Add Stadium Builder's Licenses to Temporary Field Seats in the North and South Endzones of Levi's Stadium

Recommendation: Alternatives 1 and 2:

1. Take no action on the Stadium Manager's proposal to add Stadium Builder Licenses to the 64 temporary field seats in the North and South endzones of Levi's Stadium; and
2. Direct the Stadium Manager to present revenue options, based on previous direction, within three months for the Board to consider.

PUBLIC PRESENTATIONS

[This item is reserved for persons to address the Council or authorities on any matter not on the agenda that is within the subject matter jurisdiction of the City or Authorities. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting. Although not required, please submit to the City Clerk your name and subject matter on the speaker card available in the Council Chambers.]

CONSENT ITEMS PULLED FOR DISCUSSION

PUBLIC HEARING/GENERAL BUSINESS

7. 21-155 Public Hearing: Adoption of a Resolution of Formation of the Santa Clara Tourism Improvement District under the Property and Business Improvement District Law of 1994

Recommendation: Alternative 1: Adopt a Resolution of Formation to establish the Santa Clara Tourism Improvement District (SCTID) for five years starting July 1, 2021 if there is no legally sufficient protest.

8. 21-701 Adopt a Resolution Approving the Proposed Charter Amendment to enact Council District elections and Introduction of an Ordinance Establishing District Boundaries to conduct By-District Elections in Santa Clara

Recommendation: Staff recommends:

1. Adopt Resolution directing the City Clerk to bring back a resolution to call for a Special Municipal Election on June 7, 2022 for the purpose of placing one measure on the ballot that, if passed, would amend the Santa Clara City Charter sections 600, 700.1 and 700.2, as set forth in Exhibit A, in accordance with the requirements of section 10403 of the California Elections Code; and
2. Approve introduction of an Ordinance for the Council District Boundary Map for Councilmember elections as the map to be used for elections beyond 2020,subject to changes required by the redistricting process.

9. **21-1163** Public Hearing: Adoption of a Resolution Setting Rates for Overall Solid Waste Services and Annual Clean-up Campaign in the Exclusive Franchise Area

Recommendation:

1. Adopt a Resolution setting the overall rates to be charged to rate payers for the collection and disposal of garbage, refuse, yard trimmings, recycling, annual Clean-up Campaign, and Household Hazardous Waste in the exclusive franchise area, effective for the utility bills issued for services rendered on and after July 1, 2021;
3. Authorize the City Manager to incorporate the transfer of $33,600 from the General Fund to the Solid Waste Fund into Biennial FY 2021/22 and FY 2022/23 Operating Budget and each subsequent operating budget; and
4. Direct the City Manager to bring forward an amendment to the Proposed Biennial FY 2021/22 and 2022/23 Operating Budget that allocates $75,000 from the Solid Waste Fund unrestricted ending fund balance in FY 2021/22 to hire a consultant to develop alternatives to the current annual Clean-up Campaign format and conduct a customer survey.

10. **21-760** Public Hearing: Action on a Resolution Establishing the Average Per-Acre Land Values and Updating the Parkland In-Lieu Fee Schedule for FY2021/22 for New Residential Development

Recommendation: Adopt a Resolution to Establish the Parkland In-Lieu Fee Schedule for New Residential Development for FY2021/22 In Accordance with Title 17 ("Development") Chapter 35 ("Park and Recreational Land") of the City Code using the December 31, 2020 land valuation report.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

21-717 Update on City Council and Stadium Authority Staff Referrals

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, June 8, 2021.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive $30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA); Bayshore North Project Enhancement Authority (BNPEA); Public Facilities Financing Corporation (PFFC)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.

21-707 **Agenda Date: 5/25/2021**

SUBJECT

Conference with Legal Counsel-Existing Litigation (CC, SARDA)
Pursuant to Gov. Code § 54956.9(d)(1)
County of Santa Clara, et al., v. City of San Jose, et al.
Santa Clara County Superior Court Master Case Number (consolidated) 105CV046005

21-712 **Agenda Date: 5/25/2021**

SUBJECT

Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Properties: 890 Walsh Avenue, Santa Clara, APN: 224-04-057
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Parties: L.A.W. LLC
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

21-786 **Agenda Date: 5/25/2021**

SUBJECT

Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. Diana J. Alman, Trustee of the Douglas S. Alman Family Trust, et al., Santa Clara County Superior Court Case Number 21CV377630

21-787 **Agenda Date: 5/25/2021**

SUBJECT

Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. Jitendra G. Patel and Shashi J. Patel, et al., Santa Clara County Superior Court Case Number 21CV377579

21-788 **Agenda Date: 5/25/2021**

SUBJECT

Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. Dollinger Lafayette Associates, et al., Santa Clara County Superior Court Case Number 20CV374460

21-721 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action to Continue the Discussion on Consideration of the Sale of the Loyalton Ranch Property to August 17, 2021

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
On May 4, 2021, the City Council continued the discussion on consideration of the sale of the Loyalton Ranch Property to May 25, 2021.

DISCUSSION
As a result of a large number of items being scheduled for the May 25, 2021 Council agenda, staff is now requesting that the Council continue this item to August 17, 2021.

ENVIRONMENTAL REVIEW
The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT
There is no impact to the City for preparing this report.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> .

RECOMMENDATION
Continue the Discussion on Consideration of the Sale of the Loyalton Ranch Property to August 17, 2021.

Reviewed by: Nora Pimentel, Assistant City Clerk
Approved by: Deanna J. Santana, City Manager

21-702 **Agenda Date: 5/25/2021**

INFORMATIONAL REPORT TO COUNCIL

SUBJECT
Action to Continue the Adoption of Ordinance No. 2030 to reinstate the International Exchange Commission, and amend the powers, functions, and duties of the Cultural Commission - Continued to August 17, 2021

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND & DISCUSSION

At the April 6, 2021 Council and Authorities Concurrent meeting, proposed Ordinance No. 2030 was introduced for the purpose of publication.

Staff requested this item be continued from the April 20, 2021 Council meeting to the May 25, 2021 Council meeting to fully address the questions posed and discussion that occurred at the April 6, 2021 Council meeting. The questions and discussion included:

- What does the Santa Clara Sister Cities Association Grant cover?
- Why do we list $4,200 for official travel to one sister city for two representatives when we note a recent trip for one cost $4,126.69?
- Can the funds remain in the Mayor and Council office budget rather than with the International Exchange Commission?
- General discussion about the estimated budget also took place.

For agenda management purposes, staff is requesting this item be continued to the August 17, 2021 Council meeting.

ENVIRONMENTAL REVIEW
The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT
There is no impact to the City other than administrative staff time and expense.

COORDINATION
This report has been coordinated with the City Attorney’s Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov .

A summary of proposed Ordinance No. 2030 was published to the Santa Clara Weekly April 14, 2021, and copies were posted in three public places and made available for public inspection at the City Clerk's Office.

RECOMMENDATION

Continue the adoption of Ordinance No. 2030 to reinstate the International Exchange Commission, and amend the powers, functions, and duties of the Cultural Commission to August 17, 2021.

Reviewed by: Robyn Sahid, Assistant to the City Manager
Approved by: Deanna J. Santana, City Manager

21-524 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT

Joint Study Session to review Proposed FY 2021/22 and FY 2022/23 Biennial Operating Budget and FY 2021/22 Capital improvement Program Budget Adjustments and to review the Proposed FY 2021/22 Municipal Fee Schedule

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

City Charter *Section 1302 Budget - Submission to City Council* requires that at least 35 days prior to the beginning of each fiscal year, or at such prior date thereto determined by the City Council, the City Manager shall submit to the City Council the proposed budget.

On February 1, 2021 and February 2, 2021, the City Council held Council Priority Setting Sessions to review the state of the organization, discuss policy priorities, and key data that provide direction on managing the City going forward. As part of those sessions, the City Council confirmed the following Council Strategic Pillars that are incorporated into the budget:

1. Promote and Enhance Economic, Housing and Transportation Development
2. Deliver and Enhance High Quality Efficient Services and Infrastructure
3. Enhance Community Sports and Recreational and Arts Assets
4. Enhance Community Engagement and Transparency
5. Ensure Compliance with Measure J and Manage Levi's Stadium
6. Manage Strategically Our Workforce Capacity and Resources
7. Promote Sustainability and Environmental Protection

The City Council also reviewed and adopted a set of Budget Principles during the Council Priority Setting Sessions. These Budget Principles were established to provide a general framework and approach for developing the City's budget, ensuring fiscal stability by considering both the short and long-term impacts of any funding decisions. For FY 2021/22, the principles were modified to 1) recognize that the budget will be balanced with ongoing solutions to the extent possible; 2) added a principle to address the budget shortfall with a combination of ongoing and a one-time solutions to balance the competing goals of aligning ongoing revenues and expenditures and minimizing the service delivery impacts to the community; 3) added a principle to continue cost controls measures until General Fund revenues and expenditures are in balance; and 4) modified the principle that would maintain the Budget Stabilization Reserve (BSR) at a minimum of 15% of expenditures if an exception to the Council Policy for the BSR is considered.

The Proposed Budget was developed in accordance with these guiding principles that can be found

in the ***Budget and Fiscal Policies*** section of the budget document. The Proposed Budget is attached to this memorandum and can be found online at: <https://www.santaclaraca.gov/home/showpublisheddocument/73855/637560118815870000>

DISCUSSION

The annual budget serves as a financial plan and operational guide that reflects the policies, goals, and priorities of the City Council and community while also maintaining fiscal stability.

Proposed FY 2021/22 and FY 2022/23 Biennial Operating Budget

The expenditures in the FY 2021/22 Proposed Budget total $1.0 billion and reflect a reduction of 15.5% from the FY 2020/21 Adopted Budget. In FY 2022/23, the budget increases to $1.03 billion as a result of annual adjustments to salaries and benefits and non-personnel costs and the timing of capital projects. The FY 2021/22 Proposed Budget is below the FY 2020/21 Adopted Budget of $1.12 billion primarily because the carryover of capital funds from FY 2020/21 to FY 2021/22 has not yet been factored into the budget. In addition, the FY 2020/21 Adopted Budget did not fully incorporate the impact of COVID-19; Phase 1 rebalancing actions for the budget were approved later in March 2021. The FY 2021/22 Proposed General Fund budget is also lower as this budget includes additional Phase 2 budget reduction proposals necessary to mitigate the economic impacts from the pandemic.

Table 1: FY 2021/22 and FY 2022/23 Proposed Budget

FY 2021/22 and FY 2022/23 Proposed Budget			
Fund Type	**FY 2020/21 Adopted Budget**	**FY 2021/22 Proposed Budget**	**FY 2022/23 Proposed Budget**
General Fund	$ 285,968,205	$ 282,561,469	$ 261,431,495
Special Revenue Funds	22,709,200	28,214,477	28,201,923
Enterprise Funds	693,847,310	670,175,848	784,562,413
Internal Service Funds	37,533,057	41,211,645	39,254,113
Debt/Other	17,263,562	39,291,994	19,847,647
Less (Transfers, Contributions, and Reserves)*	(210,359,204)	(178,378,596)	(205,298,512)
Subtotal Operating Budget	**$ 846,962,130**	**$ 883,076,837**	**$ 927,999,079**
Capital Funds	342,174,078	124,900,686	100,712,350
Less (Transfers, Contributions, and Reserves)*	(3,986,654)	(6,682,539)	0
Total Capital Budget	**$ 338,187,424**	**$ 118,218,147**	**$ 100,712,350**
Total Budget	**$ 1,185,149,554**	**$ 1,001,294,984**	**$ 1,028,711,429**

* Adjusts for transfers, contributions and reserves to avoid double counting of the same funds (e.g., internal service funds are excluded)

The Proposed Budget is presented at a challenging time as the City continues to face a COVID-19 induced General Fund shortfall of $29 million in FY 2021/22. At the same time, there is cause for cautious optimism as economic conditions are projected to significantly improve later in 2021. With the effective roll-out of the COVID-19 vaccines, businesses and the community are expected to begin resuming a greater degree of normal activities in FY 2021/22. This enables the judicious use of one-

time solutions, primarily federal stimulus funds, to solve a portion of the budget shortfall, allowing time for General Fund revenues to recover. While more difficult budget reductions are still necessary to bring the budget into balance, the use of one-time funds avoids more severe service impacts that would otherwise have been required.

The Proposed Budget incorporates actions to close a portion of the $29 million General Fund funding gap with ongoing expenditure reductions of $5.0 million as well as additional revenues of $1.3 million, leaving a remaining balance of $22.7 million that is addressed with one-time funds. When combined with the small forecasted surplus in FY 2022/23 of $3.4 million, the General Fund deficit totals $19.3 million in FY 2022/23. This shortfall is proposed to be solved with General Fund revenues expected to be generated from additional fees and the use of the Budget Stabilization Reserve and the Land Sale Reserve. Based on the latest forecast and the budget-balancing strategy for FY 2021/22 and FY 2022/23, a shortfall of $14.6 million would remain after the two-year budget period.

Table 2: FY 2021/22 and FY 2022/23 General Fund Balancing

FY 2021/22 and FY 2022/23 Biennial Operating Budget General Fund Balancing ($ in millions)			
	FY 2021/22	**FY 2022/23**	**FY 2023/24**
Forecast (Shortfall)/Surplus (Factors in Phase 1 Budget Reductions of $12.7 M)	**($29.0 M)**	**$3.4 M**	**$4.2 M**
Carried Over Deficit from Prior Year (Due to Use of One-Time Solutions)		**($22.7 M)**	**($18.8 M)**
Ongoing Actions			
Proposed Budget Expenditure Changes	$5.0 M		
Proposed Budget Revenues	$1.3 M	$0.5 M	
Total Proposed Budget Ongoing Solutions	**$6.3 M**	**$0.5 M**	
Remaining Shortfall After Ongoing Solutions	**($22.7 M)**	**($18.8 M)**	**($14.6 M)**
One-Time Actions			
Transfer to the Special Liability Fund	($5.2 M)		
Federal Stimulus Funding	$25.9 M		
Budget Stabilization Reserve	$1.9 M	$15.6 M	
Land Sale Reserve		$3.2 M	
One-Time Expenditure Reductions/Other Adjustments	$0.1 M		
Total Proposed Budget One-Time Solutions	**$22.7 M**	**$18.8 M**	
Remaining Budget Shortfall/Surplus	**$0.0 M**	**$0.0 M**	**($14.6 M)**

The combined use of ongoing and one-time funds to address the budget shortfall is intended to balance the competing goals of aligning ongoing revenues and expenditures and minimizing the service delivery impacts to the community, which is one of the budget principles adopted for FY 2021/22

The budget actions brought forward in this Proposed Budget are considered Phase 2 of the budget actions necessary to address the COVID-19 impacts. On March 9, 2021, the City Council approved the Phase 1 budget reductions, which included the freezing of 43.50 positions and ongoing General Fund expenditure reductions of $12.7 million. This second phase of balancing actions relies less on ongoing expenditure reductions, with those totaling $5.0 million, and more on the use of federal stimulus funds, other reserves, and additional revenues. Combined, the Phase 1 and 2 budget reductions eliminate approximately 10% of the discretionary General Fund budget for departments.

Table 3: General Fund Phase 1 and Phase 2 Budget Reductions

Department	Phase 1 Proposals (March 2021)	Proposed Budget (Phase 2) Proposals	Total Phase 1 and 2 Proposals	% of Discretionary Budget
Mayor and City Council	($0.02 M)	($0.00 M)	($0.02 M)	(16.8%)
City Attorney	($0.14 M)	($0.00 M)	($0.14 M)	(11.1%)
City Clerk	($0.19 M)	($0.00 M)	($0.19 M)	(16.7%)
City Manager/ Non-Departmental	($1.88 M)	($0.03 M)	($1.91 M)	(12.7%)
Community Development	($0.31 M)	(0.27 M)	($0.58 M)	(19.7%)
Finance/Auditor	($0.30 M)	($0.13 M)	($0.43 M)	(17.8%)
Fire	($2.66 M)	(1.25 M)	($3.91 M)	(9.5%)
Human Resources	($0.20 M)	($0.25 M)	($0.45 M)	(16.6%)
Information Technology	($0.73 M)	($0.34 M)	($1.07 M)	(11.4%)
Library	($0.24 M)	($0.73 M)	($0.97 M)	(10.0%)
Parks & Recreation	($1.61 M)	($0.92 M)	($2.53 M)	(16.4%)
Police	($3.65 M)	($0.51 M)	($4.16 M)	(7.2%)
Public Works	($0.75 M)	($0.92 M)	($1.67 M)	(8.8%)*
Total	**($12.68 M)**	**($5.35 M)**	**($18.03 M)**	**(10.2%)**

* The Public Works actions would total approximately 14% when factoring in the Vehicle Replacement Fund savings generated from the electric vehicle replacements from SVP funds.

To develop proposed General Fund budget proposals for FY 2021/22, departmental staff evaluated departmental operations and services to identify budget actions with the least impact. Revenue strategies include bringing fees closer to cost recovery and a limited number of new fees as well as transfers from the Vehicle Replacement Fund to reflect savings generated from replacing a portion of the City's vehicle inventory with electric vehicles funded by Silicon Valley Power (SVP). The revenue opportunities that require voter approval are not assumed in the budget but will be an important strategy to help close the ongoing budget shortfall.

In addition to addressing a portion of the General Fund shortfall, budget proposals included in the Proposed Budget address a limited number of General Fund critical needs, to meet development services needs through fee-funded additions, and to support special and enterprise fund activities. The budget proposals are highlighted in the ***Transmittal Letter*** and described in more detail in the ***City Departments*** section of the Proposed Budget.

Proposed FY 2021/22 Capital Improvement Program Amendments

The City Council approved the FY 2020/21 and 2021/22 Biennial CIP Budget in June 2020. This action approved a two-year capital budget and presented a five-year capital improvement plan. While the focus of this year's budget is operations, several budget amendments to the FY 2021/22 Adopted Capital Budget are also recommended. Further detail can be found in the ***Appendices*** section of the Proposed Budget.

These actions address health and safety issues (such as replacing defibrillators and adding diesel exhaust removal systems in the Fire stations), adjust projects based on the latest cost estimates and schedules, recognize and appropriate grant revenues, and address a limited number of new needs identified.

Priority Matrix

Due to the urgent needs regarding COVID-19, the City Council decided at their 2021 Council Priority Setting Session on February 1st and 2nd that service priorities would focus primarily on COVID-19 Assistance and Relief. This includes programs for food distribution, rental assistance, small business support and more.

The Priority Matrix is included in the ***Appendices*** section of the Proposed Budget.

Business Tax Overview

At the Council Priority Setting Session, information was requested on a potential Business Tax measure. Staff will present information and a timeline to potentially pursue a measure for the November 2022 ballot as part of the May 25, 2021 Budget Study Session.

Transient Occupancy Tax Direction

In November 2020, Santa Clara voters approved to increase the Transient Occupancy Tax rate by up to 4% from the current rate of 9.5%. The Proposed Budget assumes that the City Council will implement 2 percent of the 4 percent potential rate increase in FY 2021/22. A separate resolution to bring this forward is expected to be brought forward to the City Council later this calendar year.

Proposed FY 2021/22 Municipal Fee Schedule

The City's Municipal Fee Schedule is reviewed annually by City staff as part of the normal course of operations. Periodically, a cost of service study is performed to identify the City's full costs of providing fee-related services. Incremental updates typically occur in the years in between comprehensive studies. This update represents an interim year update with minor, incremental, changes proposed that incorporate feedback received during the prior fee update and feedback received subsequent to adoption of the City's current schedule of fees. The fee schedule was most recently comprehensively updated in 2020 and was influenced by a comprehensive cost of service study completed in calendar year 2019.

User and regulatory fees are established by the City Council. This item and staff's recommendations are intended to be considered upon completion of a public hearing that is scheduled for June 22, 2021. The public hearing provides all interested parties with an opportunity to comment or request clarification regarding any of the fees proposed for update. Prior to the public hearing, the City publishes a newspaper notice of the public hearing and notifies all interested parties that have requested to be notified regarding proposed fee updates.

The City's Municipal Fee Schedule identifies fees for services and activities provided at the request of, or on behalf of, a single party as opposed to the public at large. These fees are commonly referred to as "user and regulatory fees" Examples of user and regulatory fees collected by the City

of Santa Clara and municipalities throughout California include, but are not limited to:

- Planning Fees, for services such as entitlement review and review for compliance with the zoning code
- Building Fees, for services such as permitting of new construction or modifications to existing structures
- Engineering Fees, for services such as map review, encroachment permitting, and public improvement review
- Utility Fees, for services such as requests for sewer lateral inspections, and restoration of discontinued service
- Police Fees, for services such as vehicle impound and false alarm response
- Fire Fees, for services such as annual inspections and construction review to ensure compliance with the fire code
- Recreation Fees, for services such as program participation and facility rentals
- Administrative Fees, for services such as requests for public records

User and regulatory fees specifically exclude:

- Taxes
- Assessments
- Franchise Fees
- Development Impact Fees
- Fines or Penalties
- Utility Rates and Services Charges

Since this is an interim year, the vast majority of fees are proposed to increase by the most recent annual change in the regional consumer price index (CPI). The CPI change for the most recent year was 1.72%. This minor recalibration of fees is simply intended to maintain cost recovery levels consistent with the fees previously adopted by the City Council. Other adjustments implement specific inflators for certain fees, align with mandates, and provide further clarification.

In addition to the general changes proposed for fees, several discrete changes are proposed. The changes include:

Table 4: Proposed FY 2021/22 Municipal Fee Changes

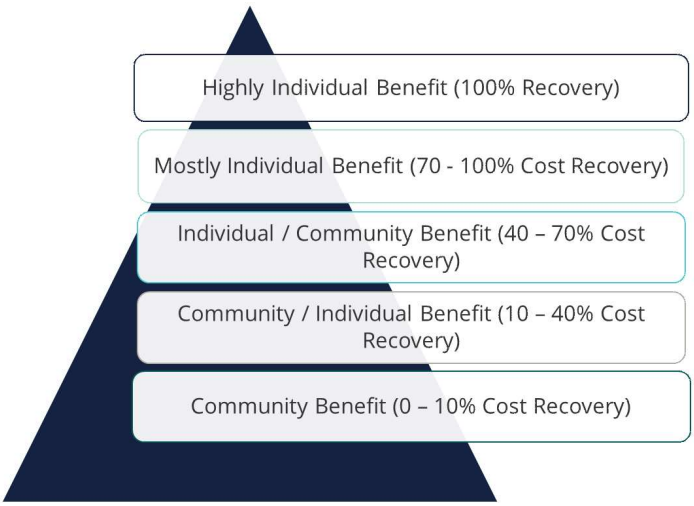
#	Action	Fee Description	Proposed Fee	Targeted Recovery
Public Works Fees				
1	Establish New Fee for Service	Stormwater Municipal Regional Permit (MRP) Regulated Project Operations and Maintenance Administrative Fee	$193	100%
2	Establish New Fee for Service	Stormwater Planning Application Review Fee	$773	100%
3	Establish New Fee for Service	Stormwater Mgmt. Building Application Review Fee	$1,546	100%
4	Establish New Fee for Service	Solid Waste Mgmt. Planning Application Review Fee	$773	100%
5	Establish New Fee for Service	Solid Waste Mgmt. Building Application Review Fee	$773	100%
6	Establish New Fee for Service	Solid Waste Mgmt. Construction & Demolition Materials Management Plan Fee	$193	100%
Community Development Fees				
7	Establish New Fee for Service	Building Conformance Fee	Valuation x $0.00032	100%
Finance Fees				
8	Increase Existing Fee to Target Full Cost Recovery	Billing Service Charge for Late Payments	$14 or 1.5% per account, whichever is greater	100%
Fire Fees				
9	Begin Collecting Technology Fee	Begin Collecting City Adopted Technology Fee for Permits Processed Through Accela Permitting System	3.37% of Fee	100%

These changes are intended to offset the costs of providing these services.
A comprehensive review of fees is currently underway. Results of the comprehensive study will be ready for review in Fiscal Year 2021/22. This study is expected to include an evaluation of Parks and Recreation fees and potential adjustments to improve cost recovery and align these fees based on market demand and comparable fees in neighboring jurisdictions.

Parks and Recreation Fee Recovery Policy

The Proposed Budget balancing strategy assumes additional revenues from improving the cost recovery of Parks and Recreation fees. Currently, these fees are 17% cost recovery with a General Fund subsidy of approximately $12 million. While some of these fees were adopted below cost

recovery, further discussion of adopting more specific targets of cost recovery based on the primary beneficiary of the service. The chart below is an example of targeted cost recovery levels by user benefit.



This type of model would target parks and recreation fees for those activities that benefit the individual at 100% cost recovery, and target fees below cost recovery for those that provide a wider community benefit. Specific fee recommendations would be brought forward later in FY 2021/22 to amend the municipal fee schedule for parks and recreation fees; however, any current feedback and direction to (1) understand whether the Council would like to engage in improved cost recovery per the budget principles and (2) provide feedback on a framework to evaluate improved parks and recreation cost recovery would help to focus future discussion.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environment Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

The FY 2021/22 and FY 2022/23 Proposed Biennial Operating Budget totals $883.1 million and $928.0 million, respectively. The Capital Budget totals $118.2 million in FY 2021/22.

The Budget is scheduled for the City Council's consideration for adoption on June 22, 2021.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's

Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Review and provide input on the Proposed FY 2021/22 and FY 2022/23 Biennial Operating Budget and FY 2021/22 Capital Improvement Program Amendments.
2. Review and provide input on the Proposed FY 2021/22 Municipal Fee Schedule.
3. Provide direction on the implementation of a Transient Occupancy Tax rate increase that received voter approval in November 2020.
4. Provide direction to the City Manager to return to Council with a Parks and Recreation fee cost recovery policy for Council consideration.

Reviewed by: Kenn Lee, Director of Finance
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. FY 2021/22 and FY 2022/23 Proposed Biennial Operating Budget and FY 2021/22 Capital Improvement Program Amendments
2. FY 2021/22 Proposed Municipal Fee Schedule



FY2021/22 and FY 2022/23

Proposed Operating Budget

City of Santa Clara

The Center of What's Possible

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City of Santa Clara

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City of Santa Clara
The Center of What's Possible

May 7, 2021

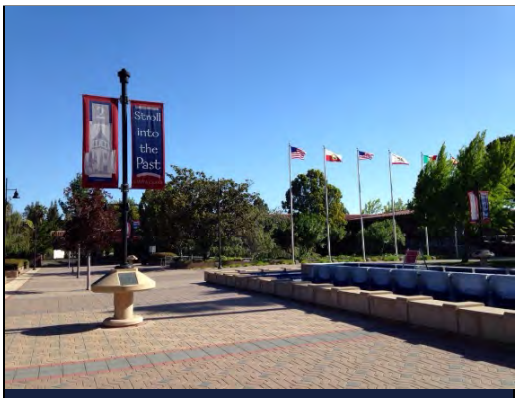
Honorable Mayor, City Council and Residents of Santa Clara,

The Proposed Biennial Operating Budget for fiscal years (FY) 2021/22 and 2022/23 is presented for consideration and continues the biennial budget process that alternates between an operating and capital budget. This year's budget focuses on our day-to-day operations that support vital City services. Amendments to the FY 2021/22 capital budget are also included.

As part of the budget deliberation process, two City Council study sessions are scheduled for May 25, 2021 and June 8, 2021 before the public hearing and planned budget adoption on June 22, 2021.

The Proposed Budget is presented at a challenging time as the City continues to face a COVID-19 induced General Fund shortfall of $29 million in FY 2021/22. COVID-19 has already impacted two fiscal years by declining revenue (e.g., FYs 2019/20 and 2020/21). Unfortunately, more difficult budget reductions are necessary to bring the budget into balance and the use of one-time federal stimulus funds avoids more severe service impacts that would otherwise have been required. At the same time, there is cause for cautious optimism as economic conditions are projected to significantly improve later in 2021.

With the effective roll out of the COVID-19 vaccines, business and the community are expected to begin resuming a greater degree of normal activities in FY 2021/22. This enables the judicious use of one-time solutions, primarily federal stimulus funds, to solve a portion of the budget shortfall, allowing time for General Fund revenues to recover. This Proposed Budget incorporates Phase 2 reduction proposals to close more of this gap. The Phase 2 reductions, however, are less than initially contemplated when the balancing strategy was presented as part of the Council Priority Session in February given the availability of $25.9 million of federal stimulus funds and the prospect of improved economic performance in 2021.



Budget Milestones:

May 7: Release of Proposed Budget

May 25: City Council Study Session on Proposed Budget and Municipal Fee Schedule

June 8: City Council Study Session on Proposed Budget and Municipal Fee Schedule

June 22: Public Hearing and Adoption of FY 2021/22 and FY 2022/23 Biennial Operating Budget and Amendments to the FY 2021/22 Capital Budget and Public Hearing and Adoption of Municipal Fees Schedule

July 1: Start of Fiscal Year 2021/22

The budget actions brought forward in this Proposed Budget are considered Phase 2 of the budget actions necessary to address the COVID-19 impacts. On March 9, 2021, the City Council approved the Phase 1 budget reductions, which included the freezing of 43.50 positions and ongoing General Fund expenditure reductions of $12.7 million. This second phase of balancing actions relies less on ongoing expenditure reductions, with those totaling $5.0 million, and more on the use of federal stimulus funds, other reserves, and additional revenues.

These combined strategies are intended to balance the competing goals of aligning ongoing revenues and expenditures and minimizing the service delivery impacts to the community, which is one of the budget principles adopted for FY 2021/22. The one-time federal stimulus funding is the key component of this strategy, and these funds allow for the City to monitor the rate of economic recovery, make further determinations of how recovery favorably impacts our revenue projections (if at all), and enables the City to address its General Fund shortfall without needlessly making more significant budget and service reductions. In short, the federal stimulus funding prevents premature budget/service reductions and allows for economic recovery, for which we are not able to determine. It is important to note that this action takes place with already approximately 550 part-time/as-needed employees being eliminated from the City and 57.50 full-time positions eliminated, with approval of this proposed budget. This is an incredible loss of capacity and reinforces our continued message that we are an organization in transition due to COVID-19 induced impacts.

The FY 2021/22 Budget Principles adopted by the City Council on February 1, 2021 allow for the Budget Stabilization Reserve (BSR) to drop to 15% of General Fund expenditures as an exception to the City's budget policy that sets the reserve goal at 25%. The proposed budget balancing strategy for the biennial budget relies on the use of the General Fund BSR ($17.5 million) and the Land Sale Reserve ($3.2 million) over the two-year period. The BSR is projected to total 21% of General Fund expenditures in FY 2021/22 and drop to 15% of expenditures in FY 2022/23 in line with the policy exception. The BSR is intended to be used to weather economic downturns, emergency financial crisis or disaster situations. The use of the BSR to address impacts from COVID-19 definitely meets this intended use.

With the use of one-time funds to bring the budget into balance in FY 2021/22 and FY 2022/23, it is currently projected that a General Fund shortfall of $14.6 million will remain to be addressed in the next biennial budget (which approximately reflects our January 2020 projected shortfall in the Ten-Year General Financial Forecast of $13.3 million). This shortfall figure, however, may be reduced if the economic rebound is more vigorous and General Fund revenues outperform the current projections. This also allows time to pursue other balancing options, such as additional revenues that are in line with other neighboring jurisdictions and other potential cost reductions.

Total Budget Overview

The expenditures in the FY 2021/22 Proposed Budget total $1.0 billion and reflect a reduction of 15.5% from the FY 2020/21 Adopted Budget. In FY 2022/23, the budget increases to $1.03 billion as a result of annual adjustments to salaries and benefits and non-personnel costs and the timing of capital projects. The FY 2021/22 Proposed Budget is below the FY 2020/21 Adopted Budget of $1.12 billion primarily because the carryover of capital funds from FY 2020/21 to FY 2021/22 has not yet been factored into the budget. In addition, the FY 2020/21 Adopted Budget did not fully incorporate the impact of COVID-19; Phase 1 rebalancing actions for the budget were approved later in March 2021. The FY 2021/22 Proposed General Fund budget is also lower as this budget includes additional Phase 2 budget reduction proposals necessary to mitigate the economic impacts from the pandemic. In addition, the General Fund budget incorporates the shift of the Building Development Services to a new special fund, resulting in

lower General Fund expenditures, offset by the one-time transfer of the General Fund Building Inspection Reserve to the new development fund in FY 2021/22.

Table 1 summarizes the total proposed budgets by fund group.

Table 1: FY 2021/22 and FY 2022/23 Proposed Budget

FY 2021/22 and FY 2022/23 Proposed Budget			
Fund Type	**FY 2020/21 Adopted Budget**	**FY 2021/22 Proposed Budget**	**FY 2022/23 Proposed Budget**
General Fund	285,968,205	282,561,469	261,431,495
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Total Budget	**1,185,149,554**	**1,001,294,984**	**1,028,711,429**

* Adjusts for transfers, contributions and reserves to avoid double counting of the same funds (e.g., internal service funds are excluded)

The FY 2021/22 and FY 2022/23 Proposed Budget incorporates actions to bring the budget into balance, particularly in the General Fund that represents approximately one quarter of the total budget. Staff has carefully analyzed all department budget proposals, taking into account the fiscal year projected resources, anticipated service impacts to Santa Clara residents and businesses, and City Council goals, principles and priorities.

The Proposed Budget also factors in recommended changes to FY 2021/22 capital projects, including a limited number of high priority projects funded by the General Fund Capital Projects Reserve as well as those funded by other funds.

Guiding Framework

On February 1, 2021 and February 2, 2021, the City Council held Council Priority Setting Sessions to review the state of the organization, discuss policy priorities, and key data that provide direction on managing the City going forward. At this year's sessions, the focus was on the City's fiscal outlook and COVID-19 response and recovery. As part of those sessions, the City Council confirmed the following Council Strategic Pillars:

1. Promote and Enhance Economic, Housing and Transportation Development
2. Deliver and Enhance High Quality Efficient Services and Infrastructure
3. Enhance Community Sports and Recreational and Arts Assets
4. Enhance Community Engagement and Transparency
5. Ensure Compliance with Measure J and Manage Levi's Stadium

6. Manage Strategically Our Workforce Capacity and Resources
7. Promote Sustainability and Environmental Protection



The City Council also reviewed and adopted a set of Budget Principles during the Council Priority Setting Sessions. These Budget Principles were established to provide a general framework and approach for developing the City's budget, ensuring fiscal stability by considering both the short and long-term impacts of any funding decisions. For the FY 2021/22, the principles were modified to 1) recognize that the budget will be balanced with ongoing solutions to the extent possible; 2) added a principle to address the budget shortfall with a combination of ongoing and a one-time solutions to balance the competing goals of aligning ongoing revenues and expenditures and minimizing the service delivery impacts to the community; 3) added a principle to continue cost controls measures until General Fund revenues and expenditures are in balance; and 4) modified the principle that would maintain the Budget Stabilization Reserve (BSR) at a minimum of 15% of expenditures if an exception to the Council Policy for the BSR is considered.

The FY 2021/22 Budget Principles can be found in the ***Budget and Fiscal Policies*** section of this document.

Summary of Budgeted Positions

The FY 2021/22 Proposed Budget reflects a net reduction of 57.50 positions from the FY 2020/21 Adopted Budget level as shown in Table 2 below. The General Fund budget balancing actions account for the reduction of 60.50 positions, including the freeze of 43.50 positions approved on March 9, 2021 (Phase 1) and the elimination of an additional 17.0 positions recommended in the Proposed Budget (Phase 2). Other actions result in a net add of 3.0 positions, including the proposed addition of 5.0 positions (4.0 fee-funded positions to support development activity and 1.0 SVP-funded Attorney in the City Attorney's Office), offset by the reduction of 2.0 position in the Base Budget to account for the staffing level funded by the Related project. Positions funded by the Related reflect the timing of City positions necessary to support that project; several of these additional positions will be required as that development occurs in the next few years. The changes by department are described in further detail below and in each department section of this document.

Table 2: Summary of Position Changes (All Funds)

Summary of Position Changes (All Funds)	
FY 2020/21 Budget	**1,151.50**
Base Budget Changes (funding of Related positions)	(2.00)
Phase 1 Funded Position Reductions (Approved March 9, 2021)	(43.50)
FY 2021/22 Phase 2 General Fund Reductions	(17.00)
FY 2021/22 Proposed Position Adds (SVP and Building Fee Funded)	5.00
FY 2021/22 Budgeted Positions	**1,094.00**
FY 2022/23 Proposed Net Additional Positions	0.00
FY 2022/23 Budgeted Positions	**1,094.00**

The following table below summarizes the budgeted position changes by department. Base Budget changes reflect position changes previously approved by the City Council at a separate City Council meeting, with the majority of these positions eliminated as part of the Phase 1 budget reductions. A detailed summary of Base Budget position changes can be found in the Department sections of this document.

Table 3: Summary of Funded Positions by Department

Summary of Funded Positions by Department						
Department	FY 2020/21 Adopted	2021/22 Base/ Phase 1 Changes	2021/22 Proposed / Phase 2 Changes	FY 2021/22 Proposed	Change	FY 2022/23 Proposed
Mayor and City Council	**9.00**	0.00	0.00	**9.00**	0.00	**9.00**
City Attorney	**8.00**	(1.00)	1.00	**8.00**	0.00	**8.00**
City Auditor	**3.33**	(0.33)	0.00	**3.00**	0.00	**3.00**
City Clerk	**7.00**	(1.00)	0.00	**6.00**	0.00	**6.00**
City Manager/Non-Departmental*	**24.00**	(5.00)	0.00	**19.00**	0.00	**19.00**
Community Development	**68.75**	(0.75)	4.00	**72.00**	0.00	**72.00**
Electric Utility	**198.00**	0.00	0.00	**198.00**	0.00	**198.00**
Finance	**69.42**	(0.67)	0.00	**68.75**	0.00	**68.75**
Fire	**168.25**	(13.75)	0.00	**154.50**	0.00	**154.50**
Human Resources	**15.75**	0.00	(1.75)	**14.00**	0.00	**14.00**
Information Technology	**7.00**	0.00	(1.00)	**6.00**	0.00	**6.00**
Library	**46.75**	0.00	(4.25)	**42.50**	0.00	**42.50**
Parks and Recreation	**82.75**	(4.00)	(2.00)	**76.75**	0.00	**76.75**
Police	**239.00**	(15.00)	(3.00)	**221.00**	0.00	**221.00**
Public Works	**131.50**	(4.00)	(5.00)	**122.50**	0.00	**122.50**
Water and Sewer Utilities	**73.00**	0.00	0.00	**73.00**	0.00	**73.00**
Total	**1,151.50**	**(45.50)**	**(12.00)**	**1,094.00**	**0.00**	**1,094.00**

* The City Manager's Office also oversees the Non-Departmental functions (e.g., citywide administration, risk and insurance, communications, community/special programs and initiatives, economic/real estate development, COVID relief programs, state and federal legislative coordination, etc.)

Ten-Year Financial Forecast and Economic Outlook

The FY 2022 – 2032 Ten-Year General Financial Forecast (Forecast) provides an updated assessment of the City's fiscal health. The Forecast includes projections of ongoing General Fund revenues and expenditures for a ten-year period beyond the adopted biennial budget. The Forecast serves as a strategic planning tool to assist the City Council, staff, and the public with decision-making as they work to adopt the FY 2021/22 and FY 2022/23 Biennial Operating Budget and consider long-term financial strategies for the City. The Forecast also identifies known risk factors and vulnerabilities, and it provides a foundation for evaluating priorities and understanding trade-offs moving forward.

In January 2021, the Administration prepared the Forecast for discussion at the Council Priority Setting Session. At that time, the Forecast showed a substantial General Fund shortfall of $41.7 million in FY 2021/22 as a result of COVID-19 impacts on City revenues, with improvement in the remaining years of the Forecast. The projected shortfall of $41.7 million was equivalent to 14.8% of forecasted expenditures, while the surpluses in the out years of $1.5 million to $5.5 million were relatively small, ranging from 0.5% to 1.9% of expenditures annually.

Since the development of the Forecast in January, staff has continued to refine the revenue estimates and the expenditure budget. The Phase 1 budget reductions ($12.7 million) as well as other net zero adjustments result in an improvement to the estimated budget deficit in FY 2021/22. With the Council approval of Phase 1 in March 2021, and with continued revision, the shortfall has been revised downwards from $41.7 million to $29 million. The revised shortfall of $29 million is equivalent to 11.2% of General Fund expenditures in FY 2021/22, while the small surpluses of $1.3 million to $4.2 million in the remaining years range from 0.5% to 1.5% of expenditures.

Table 4: FY 2022-32 General Fund Ten-Year Financial Forecast Net Operating Margin

FY 2022-2032 General Fund Ten-Year Financial Forecast Net Operating Margin - Ongoing Surplus/(Deficit) ($ in millions)										
FY 2021/22	**FY 2022/23**	**FY 2023/24**	**FY 2024/25**	**FY 2025/26**	**FY 2026/27**	**FY 2027/28**	**FY 2028/29**	**FY 2029/30**	**FY 2030/31**	**FY 2031/32**
($29.0 M)	**$3.4 M**	**$4.2 M**	**$1.3 M**	**$ 2.3 M**	**$ 2.5 M**	**$ 2.0 M**	**$2.1 M**	**$2.4 M**	**$1.9 M**	**$1.9 M**
As a percentage of projected operating expenditures										
11.2%	1.3%	1.5%	0.5%	0.8%	0.8%	0.7%	0.7%	0.7%	0.6%	0.6%

The Forecast compares ongoing revenues and expenditures. The model assumes shortfalls or surpluses are solved with ongoing solutions in the prior year. To the extent solutions to close the gap, or ongoing dollars are not fully spent in years with surpluses, these figures would carry over to the next fiscal year. It does not factor in one-time funding sources or items funded on a pay-as-you-go method with one-time sources.

The Forecast does not include the following:

- One-time funding sources and one-time expenditure needs;
- The cost to address unmet/deferred capital infrastructure needs;
- Revenue and staffing impacts of development projects; and
- Additional contributions to Reserves (Budget Stabilization Reserve, Capital Projects Reserve, Pension Reserve).

Historically, the City has funded many of capital infrastructure and equipment needs with one-time funds on a pay-as-you-go basis. The use of one-time funds as the funding mechanism for capital improvements and various equipment that rely on the General Fund creates challenges. The lack of sufficient one-time funding has resulted in a backlog of unmet/deferred infrastructure needs. Staff will continue to evaluate potential options to create capacity to address those funding needs.

In addition to the elements described above that are not factored into the Forecast, the City has identified various factors that could have potential positive or negative impacts on the Forecast. These include:

- More robust economic recovery following the COVID-19 vaccinations;
- Future economic slowdown/recession;
- The re-assessment of non-residential properties for property tax purposes;
- State/federal legislative changes and legal challenges;
- Labor costs outside the budget assumptions;
- CalPERS actuarial changes or reform actions;
- Unanticipated critical capital/infrastructure needs; and
- Maintenance impacts and timing of development projects.

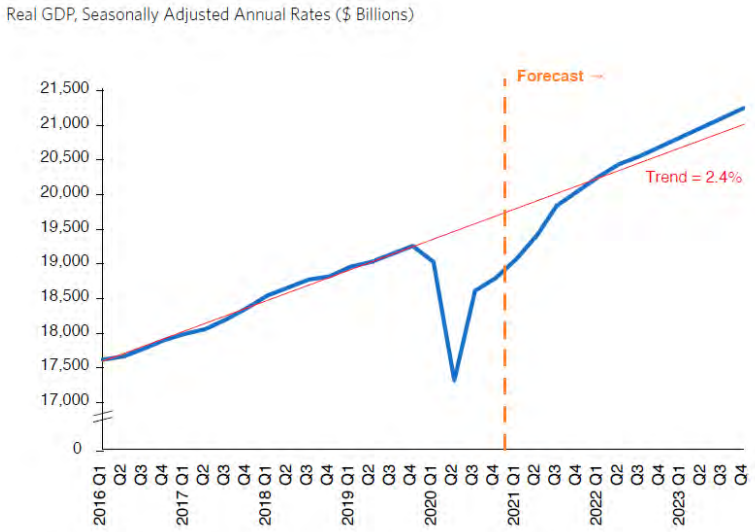
Economic Outlook

COVID-19 spurred the abrupt end to the longest economic expansion in U.S. history, impacting communities across the country. In 2020, the nation saw record breaking increases in unemployment and declines in economic activity. These impacts, however, have been uneven, with some sectors significantly negatively impacted, such as leisure and hospitality and retail, and other sectors remaining strong, such as housing.

Economic conditions are expected to improve in 2021. According to the March 2021 UCLA Anderson Forecast, robust economic growth and recovery is expected in 2021, following the worst economic decline in the last 60 years. This growth is expected to be driven by "a partial release of pent-up savings, a resumption of services consumption back to previous trends, and a robust housing sector. Offsetting some of this growth is a return of above-average consumption of goods to prior trends. During the pandemic, Americans consumed more goods and fewer services. We expect these patterns to reverse as the pandemic wanes and the economy fully reopens."[1]

As described in the March 2021 UCLA Anderson Forecast, the Gross Domestic Product (GDP) declined by 3.5% in 2020 when compared to 2019 levels. That Forecast assumes strong GDP growth of 6.3% in 2021, 4.6% in 2022, and 2.7% growth in 2023. This rate of growth would return real GDP to its 2019 peak by the end of the 2nd quarter 2021 and to its prior trend by the first quarter 2022.

[1] ULCA Anderson Forecast for the Nation and California, March 2021 Report



Source: Bureau of Economic Analysis and UCLA Anderson Forecast
Notes: Pre-pandemic trend line shown in light red.

Economic indicators have been improving for several months following the severe declines. The unemployment rates continue to improve at the national, state, and local level, with this region outperforming both the nation and state. On a national level, the unemployment rate was 6.0% in March 2021. This rate was well below the record setting high of 14.7% in April 2020 but is still 2.5 percentage points higher than the pre-pandemic level of 3.5% in February 2020. In March 2021, the number of unemployed persons fell to 9.7 million, which reflects continued improvement but is still 4.0 million higher than the February 2020 level. Job growth was widespread in March 2021, led by gains in leisure and hospitality, public and private education, and construction.[2]

The following charts from the U.S. Bureau of Labor Statistics show the dramatic impacts of COVID-19 on U.S. employment and the subsequent improvement that has occurred to date.

Chart 1. Unemployment rate, seasonally adjusted, March 2019 – March 2021

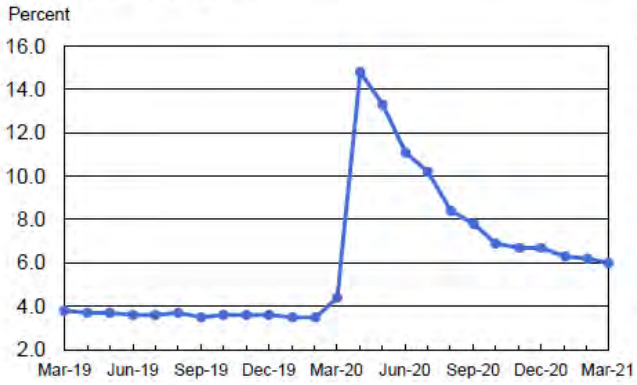


Chart 2. Nonfarm payroll employment, seasonally adjusted, March 2019 – March 2021



[2] https://www.bls.gov/news.release/pdf/empsit.pd

After the State's largest increase in the unemployment rate in April 2020, the California unemployment rate has dropped to 8.3% by March 2021. California has now regained nearly 44% of the 2.7 million jobs lost due to COVID-19 in March and April 2020.[3]

The unadjusted unemployment rate in the San José-Sunnyvale-Santa Clara Metropolitan Statistical Area (MSA) was 5.2% in March 2021, significantly higher than the pre-COVID-19 level of 2.6% in February 2020. Between March 2020 and March 2021, employment in this region dropped by 80,000 jobs, or 6.9%. The largest drops were in leisure and hospitality (down 39,300 jobs), private educational and health services (down 11,300 jobs), and government (down 8,000 jobs).[4]

The hotel industry is one of the heavily impacted sectors and the decline in activity has significantly impacted the City's General Fund Transient Occupancy Tax (TOT) revenues. Through March 2021, collections in this category are down 87% when compared to the prior fiscal year. Forecasters do expect improvement in this sector in the second half of 2021 and beyond with the continued roll out of vaccinations and additional stimulus funds. CBRE, a full-service real estate services and investment firm, forecasts a return to 2019 average daily rate and revenue per available room levels in 2024. Gains, however, are expected to vary by market with the business cities and those relying on international travel with the lowest gains compared with 2019. On the other end of the spectrum, leisure-based destinations and secondary and tertiary markets will see the highest gains.[5]

With its reliance on business travel, Santa Clara's hotel activity is expected to take time to recover. There are some local hotels that remain closed, such as the Hilton and the Avatar hotels, and the Biltmore is under renovation. From the extremely low starting point in the current fiscal year, strong growth is projected over the next several years with collections hitting the pre-COVID levels in 2026 and factoring in a two-percentage point increase in the TOT rate.

General Fund Budget Balancing Strategy

Given the updated projected General Fund shortfall of $29.0 million in FY 2021/22, the budget balancing strategy for the FY 2021/22 and FY 2022/23 Biennial Operating Budget incorporates a combination of ongoing expenditure reductions and increased revenues as well as one-time solutions, including the use of federal stimulus funding and reserves. The purpose of the stimulus funds is to save jobs and preserve services by providing the critical time to evaluate the post COVID-19 recovery and allow for a slower phase-in of any community impacts. Section 603(C) of the Coronavirus Local Fiscal Recovery Fund identifies eligible uses for the funds, including the provision of government services and offsetting revenue losses:

> "(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency."

As shown in Table 5 below, $6.3 million of the FY 2021/22 General Fund deficit is proposed to be solved with ongoing expenditure reduction and additional revenues, leaving a remaining balance of $22.7 million. One-time solutions close this funding gap, most significantly the use of federal stimulus funds. One-time

[3] https://edd.ca.gov/newsroom/unemployment-march-2021.htm
[4] https://www.labormarketinfo.edd.ca.gov/file/lfmonth/sjos$pds.pdf
[5] https://www.businesstravelnews.co7m/Procurement/CBRE-Vaccines-Stimulus-Spur-Second-Half-2021-US-Hotel-Forecast

funding is also proposed to replenish the Special Liability Fund that is used to cover legal actions against the City. Because $22.7 million of the FY 2021/22 shortfall is solved one-time, this shortfall will carry over to FY 2022/23 and adjusted based on economic recovery, cost or savings from labor agreements, and any additional administrative actions that reduce the shortfall. When combined with the small forecasted surplus in FY 2022/23 of $3.4 million, the General Fund deficit totals $19.3 million in FY 2022/23. This shortfall is proposed to be solved with General Fund revenues expected to be generated from additional fees and the use of the Budget Stabilization Reserve and the Land Sale Reserve. Based on the latest forecast and the budget balancing strategy for FY 2021/22 and FY 2022/23, a shortfall of $14.6 million would remain after the two-year budget period.

Table 5: FY 2021/22 and FY 2022/23 General Fund Balancing

FY 2021/22 and FY 2022/23 Biennial Operating Budget General Fund Balancing ($ in millions)			
	FY 2021/22	**FY 2022/23**	**FY 2023/24**
Forecast (Shortfall)/Surplus (Factors in Phase 1 Budget Reductions of $12.7 M)	**($29.0 M)**	**$3.4 M**	**$4.2 M**
Carried Over Deficit from Prior Year (Due to Use of One-Time Solutions in FY 2021/22 and 2022/23)		**($22.7 M)**	**($18.8 M)**
Ongoing Actions			
Proposed Budget Expenditure Changes	$5.0 M		
Proposed Budget Revenues	$1.3 M	$0.5 M	
Total Proposed Budget Ongoing Solutions	**$6.3 M**		
Remaining Shortfall After Ongoing Solutions	**($22.7 M)**	**($18.8 M)**	**($14.6 M)**
One-Time Actions			
Transfer to the Special Liability Fund	($5.2 M)		
Federal Stimulus Funding	$25.9 M		
Budget Stabilization Reserve	$1.9 M	$15.6 M	
Land Sale Reserve		$3.2 M	
One-Time Expenditure Reductions/Other Adjustments	$0.1 M		
Total Proposed Budget One-Time Solutions	**$22.7 M**	**$18.8 M**	
Remaining Budget Shortfall/Surplus	**$0.0 M**	**$0.0 M**	**($14.6 M)**

To develop proposed General Fund budget proposals for FY 2021/22, departmental staff evaluated departmental operations and services to identify budget actions with the least impact. Revenue strategies include bringing fees closer to cost recovery and a limited number of new fees as well as transfers from the Vehicle Replacement Fund to reflect savings generated from replacing a portion of the City's vehicle inventory with electric vehicles funded by Silicon Valley Power (SVP). The revenue opportunities that require voter approval are not assumed in the budget but will be an important strategy to help close the ongoing budget shortfall.

The General Fund balancing actions brought forward in the Proposed Budget are the second phase of reductions to address the budget shortfall resulting from COVID-19. On March 9, 2021, the City Council approved a series of budget reductions that reduced costs by $12.7 million and froze 43.50 positions. The Phase 2 reductions in this document reduce costs by $5.3 million, of which $5.0 million is ongoing, and eliminate an additional 17.0 positions. In total, the Phase 1 and 2 budget actions reduce costs by $18.0 million and the number of positions by 60.50.

As presented in June 2020 during the budget deliberations with the City Council, the City's budget balancing efforts would be addressed in two phases to obtain more data of the actual fiscal impacts of COVID-19, with some departments taking higher cuts in Phase 1 and others in Phase 2. The table below summarizes these reductions by department and compares the reductions to the percent of each department's discretionary budget, which excludes items such as the required retirement unfunded liability cost and fee or reimbursement-related costs.

Table 6: General Fund Phase 1 and Phase 2 Budget Reductions

Department	Phase 1 Proposals (March 2021)	Proposed Budget (Phase 2) Proposals	Total Phase 1 and 2 Proposals	% of Discretionary Budget
Mayor and City Council	($0.02 M)	($0.00 M)	($0.02 M)	(16.8%)
City Attorney	($0.14 M)	($0.00 M)	($0.14 M)	(11.1%)
City Clerk	($0.19 M)	($0.00 M)	($0.19 M)	(16.7%)
City Manager/ Non-Departmental	($1.88 M)	($0.03 M)	($1.91 M)	(12.7%)
Community Development	($0.31 M)	($0.27 M)	($0.58 M)	(19.7%)
Finance/Auditor	($0.30 M)	($0.13 M)	($0.43 M)	(17.8%)
Fire	($2.66 M)	($1.25 M)	($3.91 M)	(9.5%)
Human Resources	($0.20 M)	($0.25 M)	($0.45 M)	(16.6%)
Information Technology	($0.73 M)	($0.34 M)	($1.07 M)	(11.4%)
Library	($0.24 M)	($0.73 M)	($0.97 M)	(10.0%)
Parks & Recreation	($1.61 M)	($0.92 M)	($2.53 M)	(16.4%)
Police	($3.65 M)	($0.51 M)	($4.16 M)	(7.2%)
Public Works	($0.75 M)	($0.92 M)	($1.67 M)	(8.8%)*
Total	**($12.68 M)**	**($5.35 M)**	**($18.03 M)**	**(10.2%)**

* The Public Works actions would total approximately 14% when factoring in the Vehicle Replacement Fund savings generated from the electric vehicle replacements from SVP funds.

Overall, the reductions in Phase 1 and 2 eliminate approximately 10% of the discretionary General Fund budgets in departments. The City Council appointees (Attorney, Auditor and City Manager's Offices) and strategic support departments (e.g., Human Resources, Finance, Assistant Clerk) have the largest average decline of 13%, followed by the non-public safety direct service departments (e.g., Library and Parks and Recreation) at 12%, and, lastly, the public safety departments (Police and Fire) at 8%. This

reflects the goals to maintain public safety to the extent possible and to minimize direct service reductions to the community.

The reductions in the City leadership and strategic support functions are becoming increasingly more difficult as there is less flexibility on the types of services delivered (payroll, accounts receivable/payable, hiring, employee relations, legal support, Information Technology support, agenda support, City Council support). Staff will continue to seek ways to reduce costs in its delivery of these services.

Proposed Budget Highlights

Budget proposals are recommended to address a portion of the General Fund shortfall, to address a limited number of General Fund critical needs, to meet development services needs through fee-funded additions, and to support special and enterprise fund activities.

Highlights of these proposals are provided below and are aligned to the City's strategic pillars:

Promote and Enhance Economic, Housing and Transportation Development

- **CDBG and Housing Funds** – The COVID-19 pandemic has caused a disproportionate financial impact on lower-income households. Although the City is reducing staff and service levels in certain areas due to revenue shortfalls, it remains committed to maintaining the same level of service in its housing programs to provide aid to its most vulnerable residents. The FY 2021/22 budget includes over $2 million to fund public services designed to assist low-income families and children in encompassing services such as Tenant-Based Rental Assistance and Family Advocacy Services. The City also remains committed to new affordable housing with over $36 million in local funds already earmarked through FY 2020/21 for the construction and development of affordable housing projects. One of the largest projects is the Agrihood mixed-used development, which will provide 361 new housing units including 165 affordable senior apartments. One of the unique elements of the Agrihood Project is that it will also incorporate 1.5 acres of open agricultural space, a groundbreaking design that received an award from the American Planning Association of Northern California for an "Innovation in Green Community Planning".

- **Convention Center** – After a challenging year, the Convention Center is expected to start recovering in FY 2021/22. With the COVID-19 facility closure, the Budget has been significantly impacted, and it will take time to reach pre-COVID-19 activity levels. As a result of the shelter-in-place order, the Convention Center's management and operations team, Spectra, went through several rounds of furloughs and lay-offs. With the anticipated easing of restrictions on travel, businesses, and events, Spectra will take a phased approach in bringing on staff in the next two fiscal years, with a goal of having staffing levels at 19 by the end of FY 2021/22 and staffing levels at 32 by the end of FY 2022/23 (current staffing level is 2 positions). In FY 2021/22, the Convention Center is projected to have 211 events, with approximately 120,000 in attendance. In FY 2022/23, the Convention Center is projected to have 374 events, with approximately 250,000 in attendance. When compared to the Convention Center forecast that was adopted as part of the FY 2019/20 and FY 2020/21 Operating Budget, these new event projections represent a nearly 60% and 30% drop in number of events in their respective fiscal years. These estimates are based on effects due to COVID-19 restrictions, business contracted, as well as additional business generated by the sales team.

- **Downtown Master Plan** – Capital funding is added to support work identified by the Downtown Task Force at the April 6, 2021 Council meeting. This includes additional tasks associated with the Downtown Precise Plan such as preparation of a form-based zoning code and a downtown sign ordinance. This will also fund additional Downtown Community Task Force meetings with the consultant team to review current development projects within the Plan area.

Deliver and Enhance High Quality Efficient Services and Infrastructure

- **Community Development** – Fee-supported budget proposals are recommended to improve service and efficiency and support the high volume of development activity. These additions include contractual services for third party plan check and inspections, 1.0 Permit Technician, 1.0 Management Analyst, 1.0 Office Specialist, 1.0 Office Assistant, as-needed staffing support, ongoing contractual support for the Accela permit system, plans and documents digital scanning services, remote workstations for vehicles, and credit card machines. Budget actions also shift 1.0 Planner from the General Fund to the fee-supported Building program. The Proposed Budget also incorporates a new Building Development Fee Fund and the associated revenues and costs will be shifted from the General Fund to this new fund. This allows greater transparency on the resources used to support this function.

- **Electric Utility** – Proposals are recommended to ensure compliance with North American Electric Reliability Company (NERC) requirements and to work more effectively through various investments such as updated Computer Aided Design (CAD) drawings, a field audit of SVP's electric distribution system, and implementation of an automated process for maintaining SVP system circuit models in the distribution system planning software. In addition, the addition of one Assistant City Attorney position is recommended in the City Attorney's Office, funded by Electric Utility to enhance the legal support necessary to support the electric utility.

- **Water and Sewer** – In the Water and Sewer Funds, resources are aligned with the expected activity, including adjustments to water purchases, expected contributions to the Regional Wastewater Facility operating and maintenance costs, and other operational costs. The revenue estimates in the water and sewer enterprise funds are also aligned with the expected activity levels and reflect anticipated rate increases.

- **Capital Improvement Program** – Work will continue on improving the City's infrastructure through the implementation of capital projects approved as part of the FY 2020/21 and FY 2021/22 Biennial Capital Budget. Amendments to the FY 2021/22 capital budget are also included with this document as described in more detail below.

Enhance Community Sports and Recreational and Arts Assets



- **Parks and Recreation Capital Improvements:** Capital projects incorporated into the FY 2021/22 capital budget continue to support the parks infrastructure, with planned investments in the Maywood Park and Warburton Park playground rehabilitations as well as a new accessible entrance and additional parking at Central Park. The Reed and Grant Sports Park is also now open, providing five lighted sports fields, four synthetic turf fields, one natural grass field, as well as a playground, concession stand, restrooms, and on-site parking.

Enhance Community Engagement and Transparency

- **City Manager and Non-Departmental:** The addition of funding of $50,000 is recommended to support the Task Force on Diversity, Equity, and Inclusion.

Ensure Compliance with Measure J and Manage Levi's Stadium

- The Stadium Authority's stand-alone Fiscal Year 2021/22 Operating, Debt and Capital Budget was adopted by the Stadium Authority Board on March 23, 2021. The $65 million budget provides the necessary funding to administer the duties of the stadium authority, including support for operating the Stadium for non-NFL events through a management company, advancement of the FY 2021/22 work plan, payment of debt service obligations, and maintenance of a five-year capital plan. The Adopted Budget included the deletion of a Deputy City Manager position, the addition of a Management Analyst position, and funding of $38 million for debt service expenses. The capital budget totals $14.6 million and includes funding for general building, security, furnishings and equipment, and public safety investments.

Manage Strategically Our Workforce Capacity and Resources

- **Police** – Three positions are proposed for elimination, including 1.0 vacant Jail Service Officer position assigned to the Temporary Holding Facility, 1.0 Public Safety Dispatcher position that has remained unassigned for two years, and 1.0 vacant Community Service Officer (CSO) in the Records and Evidence Unit.

- **Fire** – A reduction in overtime is proposed, resulting in the reconfiguration of the rescue apparatus and hazardous materials apparatus services and the realignment of the dedicated staff for these units to the relief pool. A funding augmentation is recommended for resiliency training in FY 2022/23 (the first-year cost will be absorbed by the department).

- **Parks and Recreation** – Ongoing reduction proposals are recommended that would reduce recreation facility hours, as-needed staff to support adult sports, eliminate programming at the low use Montague pool, reduce staff for the Theater Program and Therapeutics Program, eliminate funding for the Jr. Giants and reduce cultural commission community grants. One-time proposals are recommended that would reduce cultural commission events and replace the 2021

Art & Wine Festival with a family-friendly, one-day four-hour event to be held in late August or early September that is promoted to City residents.

- **Library** – Ongoing reduction proposals are recommended to eliminate the Footsteps2Brilliance funding, reduce vacant positions in the Adult and the Youth Services Units, Technology Program, and Mission Branch Library, reduce as-needed staffing to support in-person programming and events, and reduce library materials resources. Library hours are not reduced as a result of these reduction proposals.

- **Public Works** – Ongoing reduction proposals include the elimination of five vacant positions in the Streets Division and the elimination of maintenance funding. One-time proposals include the elimination of as-needed staffing in Facilities, Field Services, Land and Property Development, and Traffic Divisions. There is also a proposal to reduce the General Fund transfer to the Downtown Parking Maintenance District Fund as there is unrestricted fund balance available to cover this cost for two years.

- **City Manager and Non-Departmental** – The elimination of funding for the Miss Santa Clara Pageant ($12,000) is recommended and the Championship Team funding will be shifted to the Community Grants program ($36,000). There is an additional $4,000 recommended reduction to the overall Community Grants program.

- **Strategic Support** – The ongoing elimination of 1.75 positions in the Recruiting, Classification and Employee Development Division in the Human Resources Department and the one-time reduction in funding for the City Auditor position are recommended. Budget proposals in the Information Technology Department include the reduction in the as-needed budget for cable, franchise and telephone services, the elimination of 1.0 Management Analyst position, and the elimination of a Unisys contractual Project Manager position.

Promote Sustainability and Environmental Protection

- **Electric Utility** – Proposals are recommended to support several initiatives funded by the Greenhouse Gas Program in an effort to expedite Greenhouse Gas (GHG) emission reduction. These include additions to the Battery Storage Program, the Bike, Pathway, and Park Program, the City Electric Vehicle (EV) Replacement Program, and Distributed Energy Resources Management. The EV Replacement Program also results in General Fund savings as this program will replace vehicles that would have otherwise been funded by the General Fund.



General Fund Revenues and Fees

The General Fund budget balancing strategy includes additional revenues of $1.3 million in FY 2021/22 and an additional $0.5 million in FY 2022/23. The largest component of this change is the transfer of almost $1.0 million in both FY 2021/22 an FY 2022/23 from the Vehicle Replacement Fund to the General Fund to reflect the available savings resulting from the EV Replacement Program.

Changes in various fees for services result in an increase of $0.6 million. This includes a limited number of new Public Work engineering fees to recover costs (storm drain non-point source fee, solid waste plan review fee, and trash management plan fee) and fee adjustments to increase costs recovery for fire operational permit fees ($0.2 million) and the billing service charge for late utility payments ($0.2 million). These fee adjustments will be presented in the Proposed FY 2021/22 Municipal Fee schedule that will released under separate cover. The fee schedule is planned to be presented as part of the Proposed Budget study sessions and adopted on June 22, 2021. In FY 2022/23, additional fee adjustments are expected to be brought forward after the completion of the fee study that is currently underway. This is expected to focus on Parks and Recreation fees in an effort to improve cost recovery and align these fees based on market demand and comparative neighboring cities.

Downward adjustments totaling $0.2 million in Parks and Recreation fee revenue is expected due to budget reductions that reduce fee activity (aquatics, adult sports, therapeutics, theater program, and Art and Wine Festival).

Utility Rate Changes

For the City's Utility funds, the Proposed Budget is built on the assumption of various rate changes, with some of the key rates highlighted below.

Table 7: Select Rate Changes for Utility Services

Utility Service	FY 2020/21	FY 2021/22	% Change
Water - Residential per HCF	$6.69	$6.95	3.8%
Recycled Water - Irrigation per HCF	$3.74	$3.93	5.0%
Sewer - Residential Single Family per month	$44.53	$45.76	2.7%
Solid Waste - 32 Gallon Cart (Includes recycling and yard waste charges)	$44.10	$49.05	11.2%
Solid Waste - 3-Cubic Yard Bin (Serviced one time per week)	$322.03	$389.02	20.8%
Electric - Residential per KWH (Effective January 1, 2022)	$0.1289	$0.1327	3.0%

The water and sewer rate increases represent Water and Sewer Utility staff estimates. Rates are approved by the City Council annually with the 2021 Rate Hearing scheduled for June 22, 2021. Proposed Solid Waste rate increases were brought forward to Council on March 10, 2021. A Public Hearing is scheduled for May 25, 2021. Electric rate increases are scheduled to be posted in October 2021 with

anticipated Council approval in December 2021 for an effective start date of new rates on January 1, 2022.

Transient Occupancy Tax Rate Increase

In November 2020, Santa Clara voters approved to increase the Transient Occupancy Tax rate by up to 4% from the current rate of 9.5%. The Proposed Budget assumes that the City Council will implement 2 percent of the 4 percent potential rate increase in FY 2021/22. A separate resolution to bring this forward is expected to be brought forward to the City Council later this calendar year.

Future Revenue Opportunities

While not incorporated into the budget figures presented in the Proposed Budget, the Administration will continue to evaluate future revenue opportunities that can help address a portion of the remaining ongoing General Fund shortfall, better position the City moving forward, address capital infrastructure needs, and align the City's revenues with other jurisdictions. At the Council Priority Setting Session, information was requested on a potential Business Tax measure. Staff will present information and a timeline to potentially pursue a measure for the November 2022 ballot as part of the May 25, 2021 Budget Study Session.

Other potential measures include: 1) establish a Utility Tax; 2) increase to the Property Documentary Transfer Tax; and 3) addition of a General Obligation Bond or Parcel Tax to fund capital infrastructure needs.

Amendments to the FY 2021/22 Adopted Capital Budget

The City Council approved the FY 2020/21 and 2021/22 Biennial CIP Budget in June 2020. This action approved a two-year capital budget and presented a five-year capital improvement plan. While the focus of this year's budget is operations, several budget amendments to the FY 2021/22 Adopted Capital Budget are also recommended. Further detail can be found in the ***Appendices*** section of this document. Some of the key budget amendments are summarized below:

- Fire projects ($0.5 million) – capital investments are recommended to fund the replacement of defibrillators used by the Fire Department paramedics and automated external defibrillators (AEDs) placed in various City facilities, to replace diesel exhaust removal systems in seven fire stations, to install alerting systems in the fire stations, to assess repairs to the Fire Training Tower, and to implement the Accela system for Fire Department annual operational permits.

- Silicon Valley Power Electric Utility projects (-$11.1 million) – funding adjustments to several projects are recommended to reflect current project timelines and necessary project augmentations. Funding will support improvements to transmission systems, transformers, transmission lines, receiving stations, as well as other infrastructure needs. Funding is also removed for projects that are not expected to move forward in FY 2021/22 based on the current project timelines.

- Parks projects ($0.5 million) – adds grant funding to support the Maywood Park Playground Rehabilitation project and shifts funds from the Rotary Park Playground Rehabilitation project to the Henry Schmidt Playground Rehabilitation project given the failure of the equipment at the Henry Schmidt park.

- Downtown Master Plan ($0.3 million) – adds funding to support work identified by the Downtown Task Force to complete additional tasks associated with the Downtown Precise Plan.

- COVID-19 Safety Improvements ($0.1 million) – adds funding for facility improvements necessary to safely reopen facilities and address any COVID-19 safety protocols.

- Street and Highways – adds grant funding to augment the Lafayette Basset Bike Lane project and allocates General Fund Capital Project Reserve funding to fund emergency street tree services, tree removals, and tree plantings in FY 2021/22.

- Sewer projects (-$6.8 million) – a reduction to the contributions for the San José/Santa Clara Regional Wastewater Facility based on the latest budget allocation figures provided by the City of San José.

The carryover of unexpended capital project funds from FY 2020/21 to FY 2021/22 is necessary in order to continue or complete projects beyond the current fiscal year. As appropriations lapse annually on June 30th, recommendations to carryover funding will be brought forward under separate cover for City Council consideration as part of the budget adoption in June 2021.

Status of Reserves

The Proposed Budget incorporates reserves in various funds as reflected in the Source and Use Statements.

General Fund Reserves

- Budget Stabilization Reserve (BSR) – This reserve is used as an allocation for weathering economic downturns, emergency financial crisis or disaster situations. Per Council policy, the BSR target is equal to the cost of the City's General Fund operations for three months, or 25% of the expenditure budget. Given the significant impacts of COVID-19 on the City's budget, the City Council adopted the FY 2021/22 budget principles that allow this reserve to drop to 15% of budgeted expenditures. The proposed balancing strategy includes use of the Budget Stabilization Reserve (BSR) of $1.9 million in FY 2021/22 and $15.6 million in FY 2022/23. The Reserve would total $55.6 million or 21% of the operating budget expenditures in FY 2021/22 and drop to $40.0 million or 15% in FY 2022/23.

- Land Sale Reserve – The Land Sale Reserve allocates the proceeds from the sale of City-owned land. This reserve is projected to total $24.7 million in FY 2021/22 and drop to $21.5 million in FY 2022/23. The use of $3.2 million of this reserve is planned in FY 2022/23 as a General Fund budget balancing action.

- Capital Projects Reserve – The Capital Projects Reserve is used to support the City's Capital Improvement Program. The target funding level for this reserve is a minimum of $5 million. This reserve is projected to drop below this level in FY 2021/22 to $4.2 million in order to fund critical health and safety projects, such as the replacement of defibrillators, AEDs, and Fire station diesel exhaust systems as well as funding for critical tree services and the Downtown Master Plan.

Utility Fund/Other Reserves

The Utility Funds incorporate various reserves to cover shortfalls in operating revenues, maintain strong bond ratings, cover day-to-day operating costs, and ease the burden on ratepayers associated with large rate increases. These typically include an Operations and Maintenance Reserve (generally set at three months of operations), a construction reserve and a rate stabilization reserve. The Utility Funds also include a Pension Trust Reserve. Select other reserves are set aside in various funds as necessary, such as debt reserves and workers' compensation and general liability reserve for claims.

City Council Priority Matrix

Due to the urgent needs regarding COVID-19, the City Council decided at their 2021 Council Priority Setting Session on February 1st and 2nd that service priorities would focus primarily on COVID-19 Assistance and Relief. This includes programs for food distribution, rental assistance, small business support and more.

The Priority Matrix is included in the Appendices section of this document.

Stadium Authority

The Stadium Authority exists as a public body, separate and distinct from the City, and is established to provide for development and operation of Levi's Stadium. It is structured so that the City will not be liable for debts or obligations of the Stadium Authority. The Stadium Authority's stand-alone Proposed Fiscal Year 2021/22 Operating, Debt and Capital Budget was adopted by the Stadium Authority Board on March 23, 2021 and can be found at https://www.santaclaraca.gov/home/showpublisheddocument?id=72128. This budget reflects the revenues and expenditures related to the support of the Stadium; expenditures related to the Stadium Authority can also be found in the ***General Fund Non-Departmental*** section of this document.

Next Steps

As part of the budget deliberation process, two City Council study sessions are scheduled for May 25, 2021 and June 8, 2021 before the public hearing and planned budget adoption on June 22, 2021.

An overview of the Proposed FY 2021/22 and 2022/23 Biennial Operating Budget and the Proposed Municipal Fee Schedule will be presented at the May 25th Study Session. Staff will also present Council Priority Matrix and information and a timeline to potentially pursue a Business Tax measure for the November 2022 ballot as part of this study session.

Summary

The Proposed Fiscal Year 2021/22 and 2022/23 Biennial Operating Budget uses a combination of strategies to balance the budget, including the use of federal stimulus funds, reserves, new revenues, and expenditure reductions. This document is intended to provide the City Council and the community with a transparent plan that facilitates discussion of City services and the alignment of proposals with City Council and community priorities.

On March 9, 2021, Phase 1 General Fund budget reductions were approved to address a portion of the General Fund budget shortfall resulting from COVID-19. This Proposed Budget incorporates Phase 2

reduction proposals to close more of this gap. The Phase 2 reductions, however, are less than initially contemplated when the balancing strategy was presented as part of the Council Priority Session in February given the availability of federal stimulus funds and the prospect of improved economic performance in 2021. As General Fund performance improves in the future, the goal would be to restore the Phase 1 and Phase 2 budget reductions with priority given to public safety restorations.

City departments worked together as a team to prepare this fiscally responsible, balanced budget. The hard work and dedication of City's Department Heads and employees is greatly appreciated as we work through COVID-19 induced impacts and transition the organization with notably less resources. With this budget, we have balanced the competing goals of aligning ongoing revenues and expenditures and minimizing the service delivery impacts to the community. In closing, I want to thank the City Council for our continued strong partnership in supporting vital City services while also ensuring the fiscal health of the City. It is through this strong partnership that we have already overcome significant budget deficits, grown our reserves to unprecedented levels, and continued to provide a wide range of public services that our community enjoys.

Respectfully submitted,

Deanna J. Santana
City Manager

Kenn Lee
Director of Finance

SANTA CLARA AT A GLANCE

The City of Santa Clara (City) has always reflected the progressive, bellwether nature of California. It is one of the oldest cities in the state, an agricultural powerhouse in the 1800s, and the birthplace of many of the technology innovations that created Silicon Valley in the 1900s. Today, it maintains its leading-edge status as a community that is nationally recognized for its livability and a city that has a sustainable, bright future powered by the private investment of billions of dollars in new development and growth opportunities.

History

Santa Clara was incorporated in 1852 as a Charter City with a Council/Manager form of government although it existed as a community for hundreds of years prior to that as a village for Ohlone Indians and their ancestors. European explorers came to the area in the mid-1700s and settled it as a military and religious outpost. It is called the “Mission City” in reference to the Mission Santa Clara de Asis, which opened in 1777 as one of 21 Spanish missions established by Franciscan padres along El Camino Real in California.



Size

Santa Clara encompasses 18.41 square miles in the heart of Northern California’s Santa Clara County, also known as Silicon Valley, in recognition of the region’s leadership in technology innovations that changed the way the world lives, works, learns and plays. It is part of the burgeoning South Bay metropolitan area that includes the City of San José, the 10th largest city in the U.S., and the wider nine-county San Francisco Bay Area that is the fastest growing region in the state.

Population[1]



The 2020 population of the City of Santa Clara is estimated at 129,104 and is one of the most diverse in the nation with about 44% of residents born outside the U.S. Over half of the population is non-Caucasian. The City’s residents are also highly skilled and educated, with over 60% of adults holding a bachelor’s degree or higher. The median age is 33.9 years and the median household income is reported at $126,006.

Business[1,2]

More than 12,350 licensed businesses are registered to conduct business in City of Santa Clara, ranging from entrepreneurial start-ups, to longstanding family owned firms, to the international headquarters of Fortune 500 corporations. Together these Santa Clara businesses represent an employment base of over 126,000. Almost half the land in the City of Santa Clara is zoned for commercial use and millions of square feet of new office and retail projects are under development or in planning stages, greatly expanding the City's capacity to accommodate businesses that want to start, relocate or expand in a high energy, dynamic environment. Major employers within the City are Applied Materials Inc., Intel Corporation, California's Great America and Advanced Micro Devices Inc.

City Services

Santa Clara is a full-service city with its own police and fire departments and energy, water and sewer utilities. Other core services include a nationally ranked library, 259 acres of developed parkland and 95 acres of undeveloped parkland, award winning services and recreational programs for seniors and youth, neighborhood beautification, free citywide outdoor Wi-Fi, special events and support of history and art museums and other cultural and performing arts. In 2020, the City of Santa Clara was named the 14th Safest City in America and ranked the 2nd most dynamic metro area in the United States due to its outstanding economic performance.



Housing[1]



There are 44,669 households in the City and housing stock continues to expand through new transit-oriented developments that offer lifestyle alternatives to the City's traditional single-family neighborhoods and carefully preserved historic homes. The City is in the midst of a metropolitan area that is one of the highest priced housing markets in America. The median price to purchase a single-family home is $1,430,000 and to rent a one-bedroom apartment is $2,000. Santa Clara has invested millions of dollars in affordable housing projects that provide 1,479 units for low income seniors, families, homeless and disabled residents.

Transportation

In addition to its own 240 miles of City-owned roads and streets, Santa Clara is crisscrossed by State Highway 101 and two regional expressways. Public transit services in the City include buses, light rail, Caltrain and Amtrak. An extension of BART into the South Bay will terminate in Santa Clara, and the Norman Y. Mineta San José International Airport is on the border of the City. Santa Clara has also placed a priority on providing bike lanes and completing the San Tomas Aquino/Saratoga Creek Trail that will link with other trails in the South Bay.

Education[1]



Public schools serving residents of Santa Clara are under the authority of independent school districts, but the City works closely with them to provide quality educational opportunities for grades K-12 and students attending Mission College for a two-year degree or professional development. Santa Clara University, the oldest institution of higher learning in California, is in the historic Downtown Quad area of the City and enrolls 5,438 undergraduate students and 3,296 graduate students.

Infrastructure[1]



Each year, the City makes significant investments in maintaining, expanding, and improving civic infrastructure for the benefit of residents and businesses. It offers the lowest combined water, sewer and electric rates in the nine Bay Area counties. Through the utility's Santa Clara Green Power program, the City of Santa Clara ranks 4th in the nation by the Environmental Protection Agency (EPA) in the Green Power Community Rankings Based on Green Power Usage where GPCs are towns, villages, cities, counties, or tribal governments in which the local government, businesses, and residents collectively use green power. Over the past few years, the City's water storage and delivery system has been upgraded and it is one of the most successful purveyors of recycled water at about one billion gallons each year. The City is a partner in the San José-Santa Clara Regional Wastewater Facility and is investing $300 million over the next 30 years to update the aging facility and expand capacity.

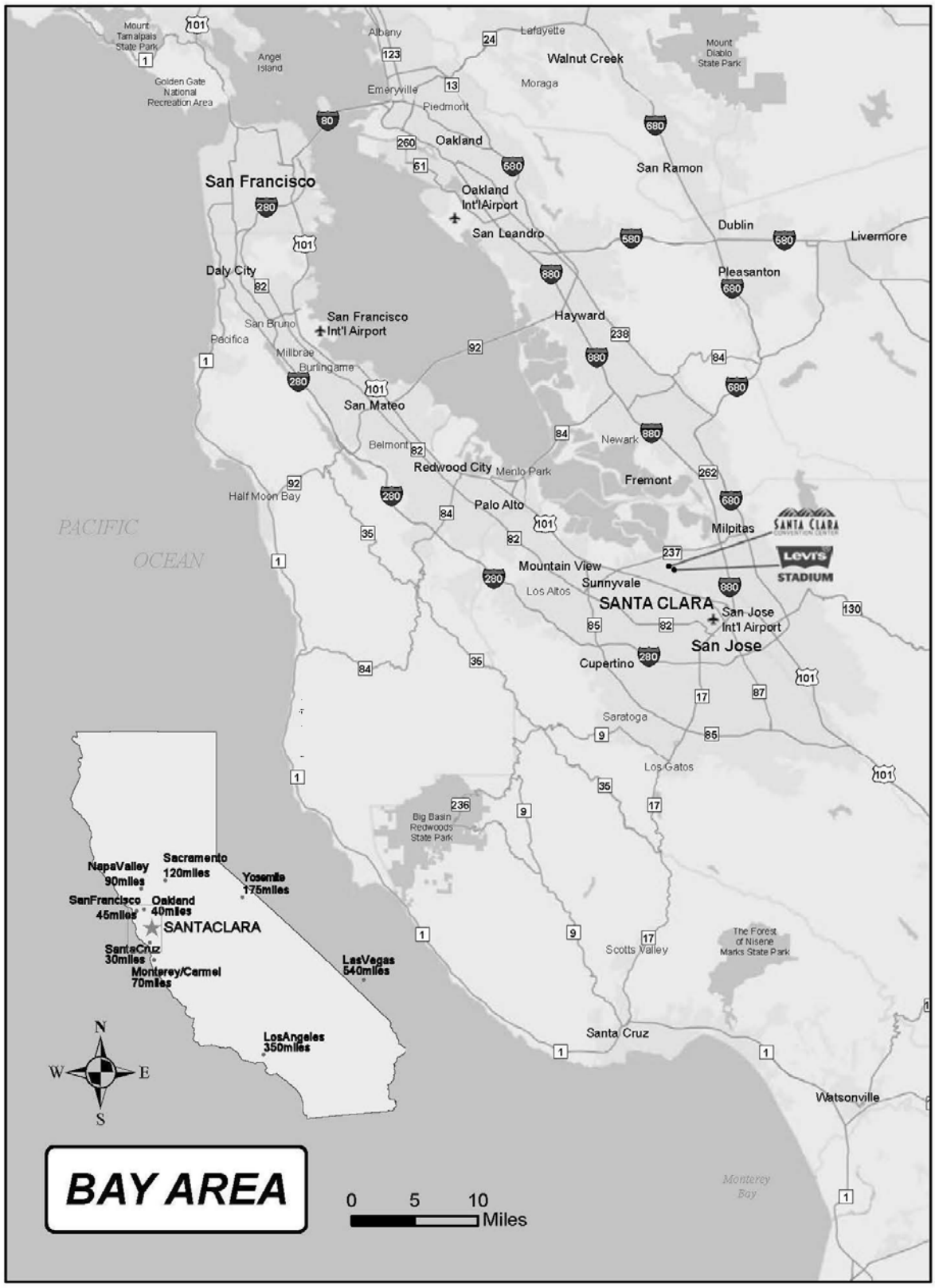
Economic Development

The City of Santa Clara welcomes business, and that strategic attitude is paying off with billions of dollars in private investment currently under construction or in the pipeline. As these projects come online, the City's economic base is broadened and diversified, ensuring greater fiscal stability in the future as well as increased revenues to the City's budget to replace the loss of Redevelopment Agency funding.



Development projects approved over the past fiscal year include office space, residential, affordable housing, retail, and mixed-use developments. Some of the largest projects include: Related Santa Clara, a new multi-phased, mixed-use development of up to 9.16 million gross square feet of office buildings, retail and entertainment facilities, residential units, hotel rooms, surface and structured parking facilities; Scott Boulevard office project with construction of a new six-story, 237,107 square foot office building, two-story 13,643 square foot amenity building, four-level parking structure and associated site improvements on a 5.8 acre site at the northeast corner of Scott Boulevard and Garrett Drive; and Catalina II Residential Development Project, a 1.7 acre project site on the north side of El Camino Real adjacent Civic Center Park to construct 39 for-sale townhomes units. With the Council approval of the Tasman East Specific Plan, five developments were approved on Calle de Luna and Calle del Mundo with more than 1,500 residential units in several multi-story buildings, 191 assisted living units in a 20-story building, 150 multi-family units in an eight-story building and a 347-unit apartment building and more than 25,000 square feet of retail spaces. More information on new development projects can be found on the City's website SantaClaraCA.gov/business- development under the "Development Projects" link.

1 California Department of Finance Demographic Research Unit; Jan 2019 and Jan 2020 City Population Table
US Census QuickFacts 2019
Santa Clara County Association of Realtors Year End Statistics 2020
Santa Clara University Student Bulletin 2019-2020
Zumper Rent Prices –April 2021
Environmental Protection Agency – Green Power Communities January 25, 2021
Data Commons Organization - Ranking by Median Age
2 Reference USA database, Infogroup Inc.
Muni Services Sales Tax Digest Summary
America's Labor Market Information System (ALMIS) Employer Database, 2020 1st Edition


Mount Tamalpais State Park
Golden Gate National Recreation Area
Angel Island
Albany
Emeryville
Piedmont
Oakland
Lafayette
Walnut Creek
Moraga
Mount Diablo State Park
San Ramon
Dublin
Livermore
Pleasanton
San Leandro
Oakland Int'l Airport
San Francisco
Daly City
San Bruno
Pacifica
Millbrae
Burlingame
San Francisco Int'l Airport
San Mateo
Hayward
Belmont
Redwood City
Menlo Park
Newark
Fremont
Half Moon Bay
Palo Alto
Milpitas
PACIFIC
OCEAN
Mountain View
Sunnyvale
Los Altos
SANTA CLARA
San Jose Int'l Airport
San Jose
Cupertino
Saratoga
Los Gatos
Big Basin Redwoods State Park
Scotts Valley
The Forest of Nisene Marks State Park
Santa Cruz
Watsonville
Monterey Bay
SANTA CLARA
LEVI'S STADIUM
NapaValley 90miles
Sacramento 120miles
Yosemite 175miles
SanFrancisco 45miles
Oakland 40miles
SANTACLARA
SantaCruz 30miles
Monterey/Carmel 70miles
LasVegas 540miles
LosAngeles 350miles
N
W
E
S
BAY AREA
0 5 10
Miles

Community Profile[1]

Geography



Persons per Square Mile
Santa Clara: 7,013
County: 1,495

Land in Square Miles
Santa Clara: 18.41
County: 1,312

Population

Santa Clara | County



129,104 | 1,961,969

Age

Santa Clara | County

Median Age 33.9 years | Median Age 37.1 years



Age 18-64: 62% | Age 18-64: 59%

Foreign Born



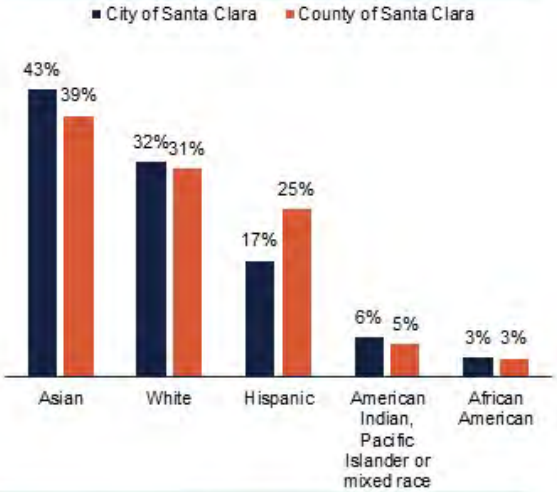
Santa Clara: 44%
County: 39%

Median Family Income

Santa Clara $126,006 | County $124,055



Diversity



Education

High School Graduate or Higher

Santa Clara 93% | County 88%



Bachelor's Degree or Higher

Santa Clara 60% | County 52%

Labor Market

Labor Force
Santa Clara: 69,500
County: 1,013,000

Unemployment Rate
Santa Clara: 4.4%
County: 5.1%

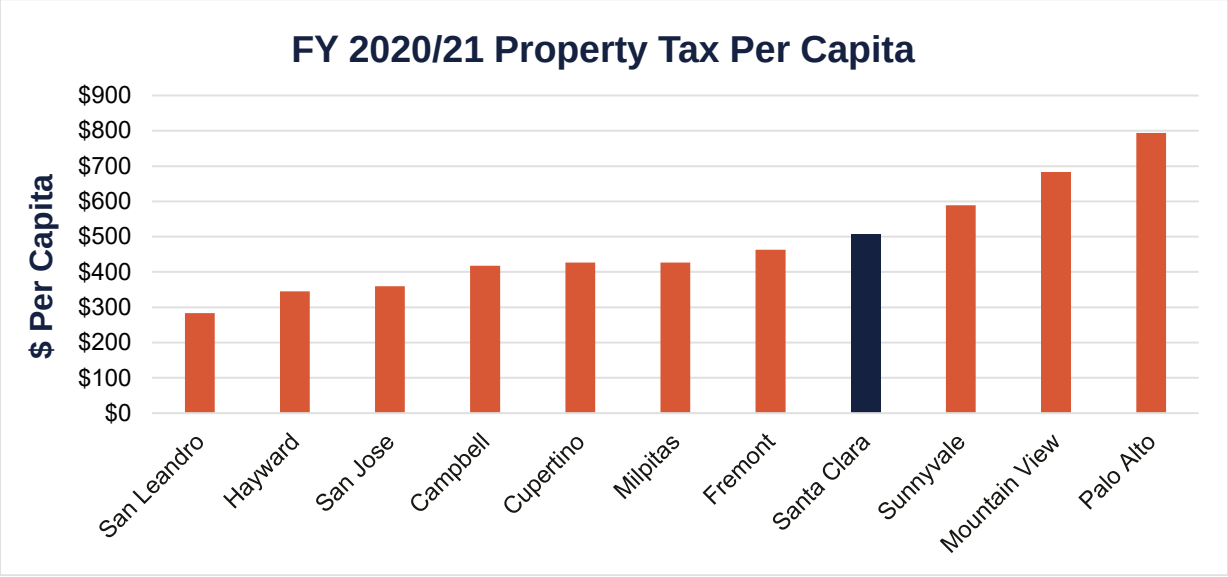


[1]US Census QuickFacts July 2019; CA EDD – Labor Market Info, March 2021; CA Dept. of Finance Demographic Research Unit, May 2020 City Population Table; Data Common Organization Ranking By Median Age

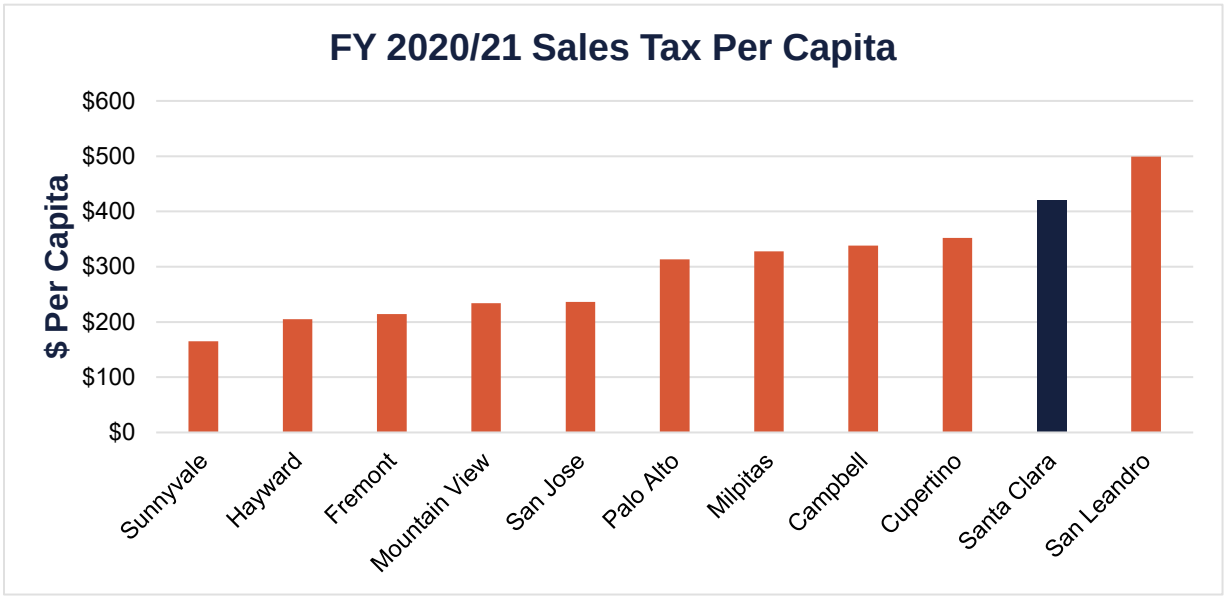
SANTA CLARA COMPARISON TO OTHER LOCAL CITIES IN THE LOCAL REGION

The following graphs compare FY 2020/21 per capita revenues from key sources and total budgeted expenditures for FY 2020/21 in the City of Santa Clara to other cities in the local region. Sales tax and property tax categories are included as they are the top two revenue sources for the City.

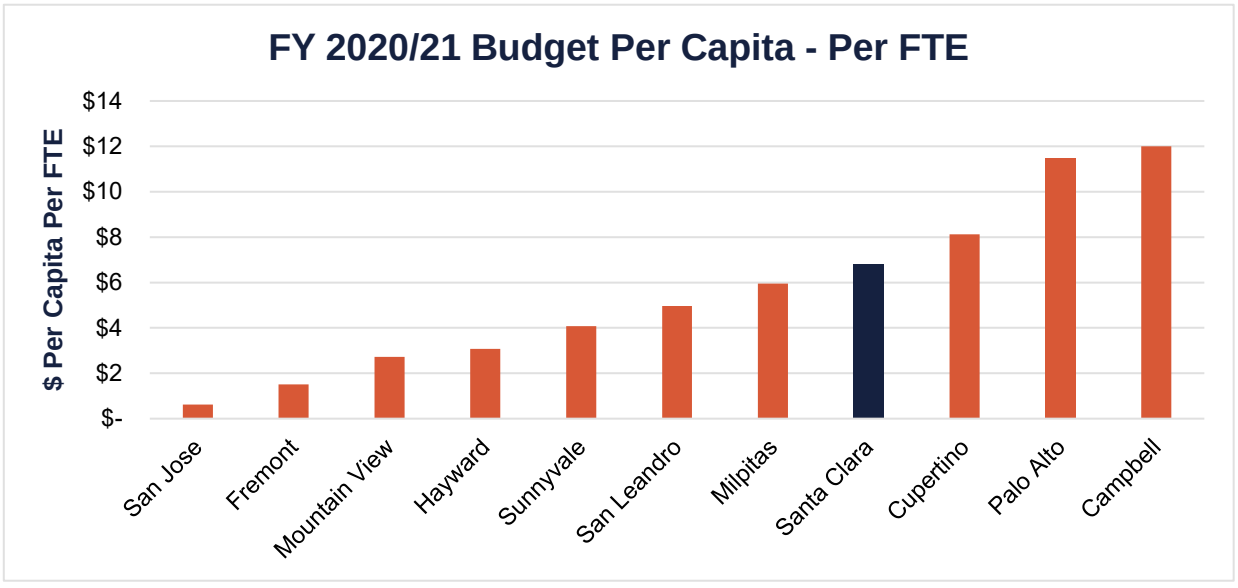
Cities' budgets in relation to their respective population and personnel, defined as Full Time Equivalent (FTE), are examined. Expenditures are from all funds for operations and capital improvement projects. Additionally, Cities' Administration, defined as Council and its direct day-to-day support staff, including offices of City Manager, City Attorney, City Clerk[1] and City Auditor[1], budgeted expenditures and personnel are also quantified.



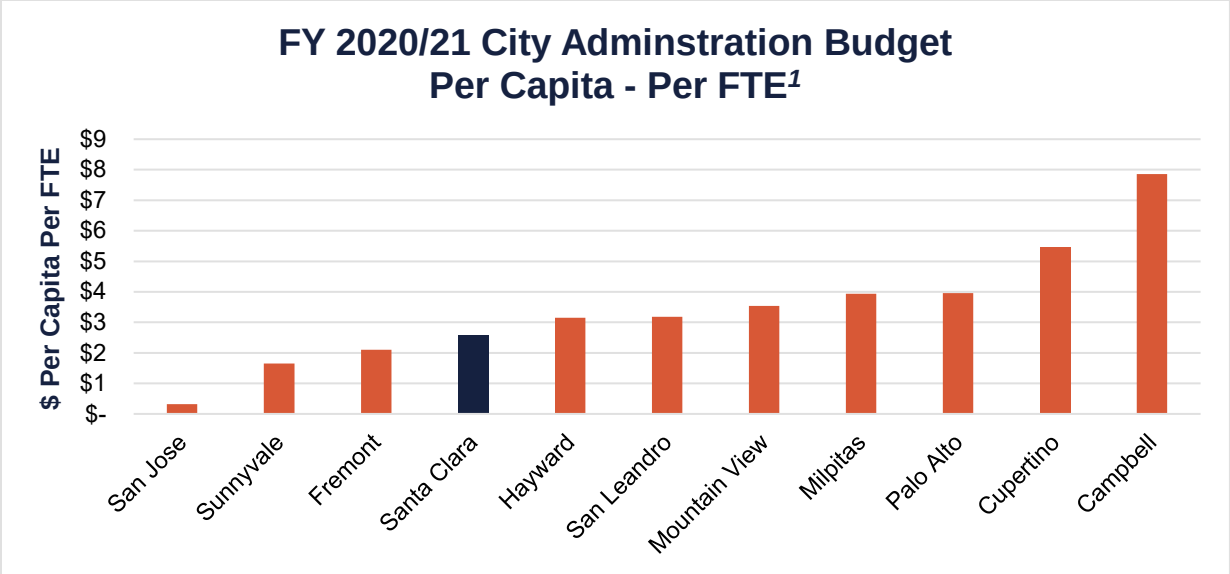
Source: City of Milpitas FY 2020/21 Adopted Budget



Source: City of Milpitas FY 2020/21 Adopted Budget

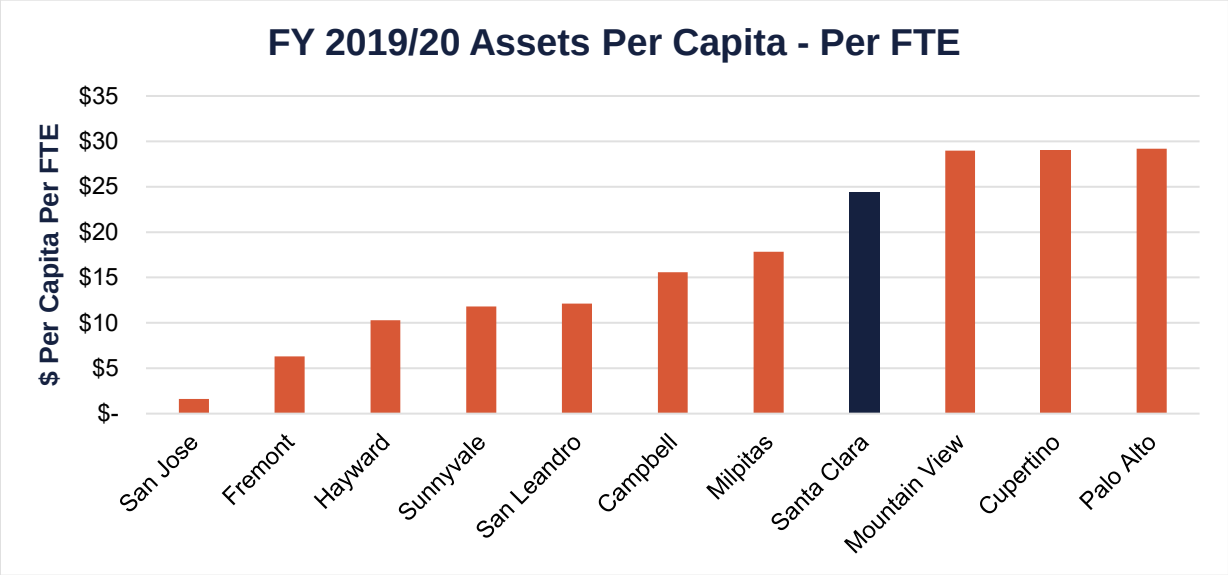


Source: Each city FY 2020/21 Adopted Budget



Source: Each city FY 2020/21 Adopted Budget

[1]City Clerk and City Auditor are not their own independent departments consistently across jurisdictions in the local region.



Source: Each city FY 2020/21 Adopted Budget and FY 2019/20 CAFR

Roster of City Council and Commission Members

City Council

Mayor	**Lisa M. Gillmor**
Councilmember District 1	**Kathy Watanabe**
Councilmember District 2	**Raj Chahal**
Councilmember District 3	**Karen Hardy**
Councilmember District 4	**Kevin Park**
Councilmember District 5	**Sudhanshu Jain**
Councilmember District 6	**Anthony J. Becker**

Board of Library Trustees

Leonne Broughman, Jan Hintermeister, Stephen Ricossa, Debbie Tryforos

Civil Service Commission

Tahir Naim, Willie D. Brown Jr., John Casey, Franklin J. Felizardo, Carolyn McAllister

Cultural Commission

Candida Diaz, Debra von Huene, Jonathan Marinaro, Niha Mathur, Louis Samara, Teresa Sulcer

Historical and Landmarks Commission

Kathleen Romano, Michael Celso, Megan Swartzwelder, Stephen Estes, Patricia Leung, J.L. Standifer, Ana Vargas-Smith

Housing Commission

Darius Brown, Carmen Pascual

Parks and Recreation Commission

Burt Field, George Guerra, Andrew Knaack, Kelly Gonzalez, Joe Martinez, Derrick Carter-House, Eversley Forte

Planning Commission

Nancy A. Biagini, Yuki Ikezi, Ricci Herro, Qian Huang, Lance Saleme, Priya Cherukuru

Salary Setting Commission

Eric Chu, Marjorie Banko, MV Kumar, John Sontag, David B. Stealey

Senior Advisory Commission

Wanda Buck, Grant L. McCauley, Nancy Toledo, Helen E. Narciso, Judy Hubbard, Ana Segovia

Youth Commission

Aarav Gupta, Ahmad Ismail, Jasmine Kelly-Tanti, Khadeejah Khan, Adrianne Krivokapic-Zhou, Colin Lim, Kayla Phan, Rajvi Khanjan Shroff, Riya Mehta Palak Parikh, Smrithi Suresh, Natasha Yen, Kavya Sriram, Amy Zuo, Sarah Zuo

As of July 1, 2021

Executive Management Team

City Manager
Deanna J. Santana

City Attorney
Brian Doyle

City Clerk
Hosam Haggag

Assistant City Manager
Ruth Shikada

Assistant City Manager
Cynthia Bojorquez

Fire Chief
Ruben Torres

Director of Finance
Kenn Lee

Director of Information Technology
Gaurav Garg

Chief Electric Utility Officer
Manuel Pineda

Director of Public Works
Craig Mobeck

City Auditor
Vacant

Chief Operating Officer
Nadine Nader

Chief of Police
Pat Nikolai

Director of Human Resources
Aracely Azevedo

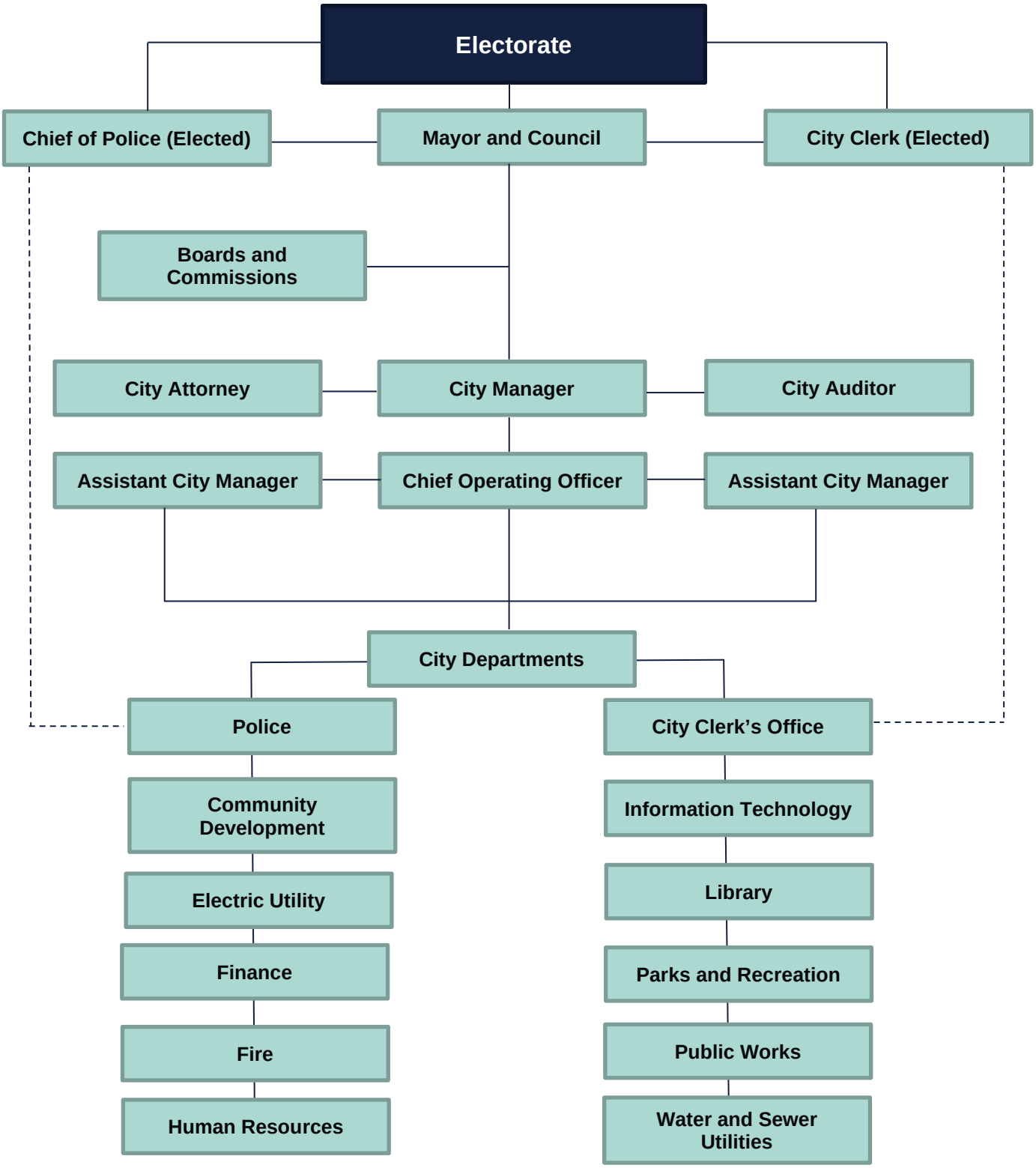
Director of Parks and Recreation
James Teixeira

City Librarian
Vacant

Director of Water and Sewer Utilities
Gary Welling

Director of Community Development
Andrew Crabtree

CITY ORGANIZATION CHART



City Organization by Department/Division/Program

Mayor and City Council Offices

Mayor and City Council
- 1611 – City Council Program

City Attorney's Office

City Attorney
- 2411 – Program Administration
- 2412 – Program Litigation

City Clerk's Office

Elected City Clerk
- 2314 – Elections

Assistant City Clerk
- 2311 – Council/Administration Support
- 2312 – Public Information/Legislation Records Management
- 2313 – Political Reform Act

City Auditor's Office

City Auditor
- 3352 – City Auditor Administration
- 3353 – City Auditor Services

City Manager's Office

City Council Support
- 1021 – Policy Support for Decision Making
- 1022 – Intergovernmental Relations and Advocacy

Leadership and Management Services
- 1031 – Day-to-Day Operations
- 1032 – Strategic Planning
- 1033 – Community Outreach and Engagement

Community Development Department

Building
- 5532 – Plan Review and Permit Services
- 5533 – Field Inspection
- 5534 – Housing Inspection

Housing and Community Services
- 5542 – Federal State Grant
- 5543 – Neighborhood Conservation and Improvement Program
- 5544 – Community Development
- 5545 – Affordable Housing
- 5546 – Housing Authority
- 5547 – City Affordable Housing
- 5548 – Community Development Housing Successor

Planning
- 5522 – Development Review
- 5523 – Advanced Planning
- 5524 – Historical Preservation
- 5525 – Code Enforcement

Electric Utility Department

Administrative Services
- 1316 – Administrative Services

Business Services
- 1311 – Rates and Budget
- 1324 – Electric Compliance
- 1358 – Risk Management

Customer Development and Project Management
- 1313 – Key Accounts
- 1317 – Fiber Enterprise
- 1361 – SVP Engineering

Resource Planning and Engagement
- 1312 – Public Benefits
- 1315 – Green Power Program
- 1319 – SVP Electric Vehicle Program
- 1325 – Greenhouse Gas Program
- 1356 – Resource Management

Revenue and Resources
- 1321 – Revenues and Resources Costs

Utility Operations
- 1351 – SVP System Support
- 1362 – Power System Controls
- 1371 – Communications & Meter Technical Support
- 1372 – Substation Maintenance
- 1376 – Transmission & Distribution
- 1377 – Generation

Finance Department

Accounting
- 3322 – General Accounting

Administrative Services
- 3362 – Citywide Fiscal Planning

Budget
- 3315 – Budget and Financial Analysis

Municipal Services
- 3332 – Utility Billing Services
- 3333 – Revenue Receipting/Cashiering
- 3334 – Business Certificate
- 3335 – Field Services
- 3336 – Administration
- 3337 – Contact Center/Communication

Purchasing
- 3341 – Warehouse
- 3343 – Purchasing
- 3344 – Mail Services

Fire Department

Administration
- 7821 – Administration

Community Risk Reduction
- 7832 – Prevention and Hazardous Materials
- 7833 – Certified United Program Agency (CUPA)

Emergency Medical Services
- 7861 – Emergency Medical Services

Field Operations
- 7822 – Emergency Response

Office of Emergency Services
- 7823 – Office of Emergency Services (OES)

Training
- 7841 – Training – Fire

Human Resources Department

Employee Benefits and Records
- 2514 – Records – Compensation
- 2515 – HR Workers' Compensation & Safety

Recruitment, Classification and Staff Development
- 2521 – Selection – Classification
- 2525 – Recruitment, Staff Development and Labor Relations

Information Technology Department

Contract Services
- 1931 – Contract Services

Enterprise Services
- 1911 – Application Services
- 1912 – IT Web Services
- 1913 – GIS Services

Infrastructure and Support
- 1921 – Infrastructure and Support

Telecommunication Services
- 1941 – IT Telecommunication Services

Library Department

Administration
- 1221 – Administration
- 1261 – Donations for Programs
- 1263 – Literacy Grants

Adult Services
- 1234 – Read Santa Clara
- 1241 – Reference and Adult Collections
- 1244 – Local History

Branch Services
- 1233 – Mission Library
- 1235 – Northside Branch
- 1236 – Bookmobile and Mobile Library Services

Customer Services
- 1245 – Customer Services

Facilities
- 1271 – Facilities

Technical and Technology Services
- 1251 – Technical Services
- 1272 – Technology

Youth Services
- 1231 – Youth Services
- 1232 – Library – Young Adult

Parks and Recreation Department

Administration
- 1121 – Administration
- 1122 – Park Development
- 1123 – Park Projects
- 1151 – Teen Activities
- 1157 – Special Recreation
- 1171 – Citywide Special Events

Cemetery
- 0125 – Perpetual Care
- 0131 – Endowment Care
- 1162 – Maintenance of Grounds
- 1163 – Maintenance of Buildings
- 1164 – Operations

Parks
- 1132 – Parks
- 1133 – Pools
- 1134 – Buildings
- 1135 – Operations

Recreation
- 1141 – Health and Wellness
- 1142 – Recreation – Administration
- 1143 – Youth Activity Center and Programs
- 1144 – Senior Center & Therapeutic Recreation Programs
- 1145 – Community Recreation Center and Programs
- 1146 – Recreation Facilities
- 1147 – Aquatics
- 1148 – Sports and Athletics
- 1149 – Teen Center Activities and Programs

Senior Nutrition Program
- 1112 – Senior Nutrition Program

Police Department

Administrative Services
- 7742 – Administration
- 7744 – Professional Stand
- 7745 – Department Support
- 7746 – Community Services Police
- 7747 – 911 Dispatch/Communications
- 7752 – Police Grants

Communication Acquisitions
- 7781 – Communication Equipment Amortization

Field Operations
- 7722 – General Patrol
- 7723 – Traffic
- 7724 – Emergency Response/Temporary Holding Facility

Investigations
- 7732 – General Investigation
- 7733 – Special Enforcement Team
- 7734 – Records

Special Operations
- 7761 – Special Operations General
- 7764 – Special Operations – Specialized Teams
- 7765 – Special Operations – Reserves

Department of Public Works

Engineering – Administration
- 4411 – Administration – General Services
- 4412 – Administration – Developer Projects
- 4413 – Administration – Capital Improvement Projects

Engineering – Design
- 4441 – Design – General Services
- 4442 – Design – Developer Projects
- 4443 – Design – Capital Improvement Projects

Engineering – Field Services
- 4461 – Field Services – General Services
- 4462 – Field Services – Developer Projects
- 4463 – Field Services – Capital Improvement Projects

Engineering – Land and Property Development
- 4451 – Land and Property Development – General Services

Department of Public Works

- 4452 – Land and Property Development – Development Support

Engineering – Traffic
- 4431 – Traffic – General Services
- 4432 – Traffic – Developer Projects
- 4433 – Traffic – Capital Improvement Projects
- 4434 – Traffic Signal Management
- 4435 – Traffic Striping and Signing

Facility Services
- 2222 – Maintenance Repair
- 2223 – Janitorial
- 2961 – Convention Center Maintenance District

Fleet Management
- 2111 – Fleet Acquisitions
- 2123 – Fleet Operations

Streets
- 2911 – Street Maintenance
- 2921 – Storm System Maintenance
- 2924 – Non-Point Source
- 2931 – Garbage Collection
- 2932 – Clean Green Collection
- 2933 – Clean Up Campaign
- 2934 – Residential Recycling
- 2935 – Street Sweeping
- 2936 – Household Hazardous Waste
- 2941 – Parking District Maintenance
- 2951 – Landscape Maintenance
- 2952 – Street Tree Program
- 2971 – Traffic Maintenance

Water and Sewer Utilities Department

Recycled Water Program
- 1522 – System Maintenance
- 1525 – South Bay Water Recycling Maintenance

Sewer
- 1511 – System Administration
- 1512 – System Maintenance
- 1514 – Operations
- 1515 – San José-Santa Clara Water Pollution Control Plant
- 1516 – Storm Pump Maintenance

Solar Utility
- 1532 – Solar – System Maintenance

Water Construction, Maintenance, Operations
- 1422 – Water System Maintenance
- 1423 – Water Construction
- 1424 – Water System Operations

Water Engineering
- 1411 – Administrative Design
- 1412 – Water Quality
- 1413 – Water Resources

Non-Departmental

Citywide Programs
- 3611 – Citywide Programs

Citywide Strategic Programs & Initiatives
- 3631 – Citywide Strategic Programs & Initiatives

Stadium Operations
- 3621 – Stadium – General Administration
- 3622 – Stadium – Police
- 3623 – Stadium – Fire
- 3624 – Stadium – Public Works

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BUDGET AND FISCAL POLICIES

We present the relevant policies and practices that define specifically the way the City manages its budget, reserves, interfund loans, investments and debt with the goal of long-term fiscal sustainability. The City Council reviews and approves budgetary policies as part of the annual budget process. Investment and debt policy statements are referenced in this section; however, reviewed and approved by the City Council under separate cover.

Appropriation Control

The City Council is responsible for approving the appropriation of fiscal resources to cover estimated expenditures for each fiscal year. Expenditures are appropriated in each fund to departments, offices, and agencies for various goods, services, and capital projects described in the budget. The legal appropriation control is established at the department level in each fund. For select funds where expenditures are not allocated to a specific department, the appropriation control is established at the fund level. For capital funds, the appropriation control is at the project level. Transfers of funding between budgetary funds require City Council appropriation and approval. City Council approval is required for a budget amendment during the fiscal year which may include the use of reserves or fund balances, and approval of appropriations of grant monies. Per Article XIII, Section 1305 of the City Charter, appropriations lapse at the end of each fiscal year; therefore, unencumbered funds allocated for specific projects, donations, and grants require City Council appropriation for use in the following fiscal year.

Budgetary transfers between accounts or expenditure category may be done through Finance Department or City Manager's Office approval as long as they are conducted within the legal appropriation control limit set by the City Council.

Balanced Budget

The City Council considers General Fund budget decisions with long-term implications based on information from the Ten-Year Financial Forecast. One-time sources are used to cover one-time uses. The budget is structurally balanced when forecasted ongoing sources cover ongoing uses. Budgets shall be structurally balanced to the extent possible. Reserves should be considered to balance a budget only in the context of a plan to return to a structural balanced budget.

Budget Monitoring and Reporting

Financial reports on actual performance in relation to budget are prepared by the Finance Department through monthly financial statements. These reports are prepared and presented to the City Council, per City Charter requirements (Section 802) the City Manager shall be required to keep the City Council advised of the financial condition and future needs of the City. City Departments are responsible for reviewing these monthly financial reports and identifying potential budget problems and recommending corrections through budget amendments.

Long Term Financial Forecast

The Finance Department prepares a Ten-Year General Fund Financial Forecast which is incorporated into the budget planning process and presented to the City Council annually. This forecast is updated annually and considers current and future economic conditions, revenue projections, and spending scenarios based on the

latest available assumptions. Capital improvement plans are created and published on a five-year basis to provide a long-term plan of the City's capital funding plan.

Municipal Fees and Charges

User fees are reviewed and adjusted for on an annual basis with the goal of maximizing cost recovery. The City Council may consider and approve any fee that is below 100% cost recovery, requiring a General Fund subsidy if it is in the public's best interest. User fees are adopted by the City Council annually through the Municipal Fee Schedule. Utility fees and certain other fees and assessments can also be approved separate from the Municipal Fee Schedule. Parks and Recreation fees are established by the Parks and Recreation Director and published in the Activity Guide.

Capital Planning

The City Council reviews and adopts a two-year Capital Improvement Program Budget which includes a five-year capital improvement program. Projects included in the capital improvement program are to be consistent with the City's General Plan. Per State Government Code Section 65401, the Planning Commission reviews the capital improvement program for conformance to the City's General Plan and proposes recommended considerations for the City Council. Funding sources are identified for all projects included in the capital improvement plan.

The Capital Improvement Program (CIP) is submitted by City departments and reviewed by the City Manager's Office, the Finance Department, and the Public Works Department. The review process considers City priorities and identifies the most urgent projects for capital funding by program area, master plans or needs assessments which identify the most critical projects for repair and replacement.

Department of Public Works staff reviews project estimates and evaluates the current bidding environment. Project contingency reserves are established based on the type of project and the project estimate type (engineering or preliminary estimates). Operating and maintenance costs are identified for planning purposes when projects are completed and come online.

General Fund Reserves

The City Council allocates available resources to General Fund contingency reserves through various reserves designated for emergency use or restricted future uses. Restrictions are established by policy, or through legally segregated development-related fee reserves collected from users.

- Budget Stabilization Reserve (formerly the Working Capital Reserve) – is used as an allocation for weathering economic downturns, emergency financial crisis or disaster situations. The reserve target is equal to the cost of the City's General Fund operations for three months (90-day working capital reserve).
- Capital Projects Reserve – is used to support the City's CIP. The minimum target is $5.0 million with a goal of having sufficient funds to fund capital projects included in the City's biennial capital budget and five-year CIP.
- Land Sale Reserve – this reserve allocates proceeds from the sale of City-owned land.
- Building Inspection Reserve – allocates user fees in the Community Development Department's Building Inspection Division. The funds from this reserve are used to fund inspection services or

projects directly related to the Building Inspection Division activities. Funding can only be used to support user fee related activities when annual revenues are insufficient to cover annual expenditures. Individual user fees are included and approved under separate cover as part of the Municipal Fee Schedule.

- Advanced Planning Fee Reserve – this reserve allocates a portion of user fees for the update and amendment of the City's General Plan. Individual user fees are included and approved under separate cover as part of the Municipal Fee Schedule.

Utility Funds Reserves

The City conducts regular cost of service studies to evaluate rates and charges for each utility with projected needs and expenditures. The May 2018 water and sewer cost of service study included recommendations to establish a reserve policy in order to cover shortfalls in operating revenues, maintain strong bond ratings, cover day-to-day operating costs, and ease the burden on ratepayers associated with large rate increases. The following reserves in the water, sewer and recycled water utilities funds address those recommendations:

- Operations and Maintenance Reserve – this reserve is used to cover day-to-day expenses, address unforeseen cost increases or revenue shortfalls, and protect against emergency financial crises or disaster situations. The reserve target is equal to the cost of the individual utility's operations for three months (90-day working capital reserve).
- Construction Reserve – this reserve is used to support each utility's CIP or fund unforeseen and unbudgeted capital costs. The target minimum goal is a balance of the following year's planned capital improvement program.
- Rate Stabilization Reserve – this reserve is used to absorb short-term revenue shortfalls and is designed to stabilize utility rates and avoid wide swings in rates charged to utility customers over time. The target minimum goal is a balance of 10% of each utility's projected current year rate payer revenue.

In addition to the reserves cited above, the City's Electric Utility Fund has established rate stabilization and cost reduction reserves. These reserves are intended to stabilize electric utility rates and set aside as a buffer for unforeseen expenditures or revenue shortfalls.

Other Reserves

The City may include additional reserves set aside for specific purposes based on legal, policy, or budgetary purposes. Some of these include reserves for historical preservation, pension costs, vehicle or fleet replacement, workers' compensation costs, or to fund potential future general liability claims against the City.

- Pension Stabilization Reserve – this reserve sets aside funds to address the City's pension unfunded accrued liability. The targeted annual funding contribution is 1% of the City's unfunded pension liability.

Interfund Loans and Advances

Interfund loans are loans from one City fund to another City fund for a specific purpose, with a requirement for repayment. Interfund loans should be short-term in nature and shall not be used to solve ongoing structural budget deficits. The department managing the borrowing fund should complete the interfund loan agreement.

The agreement should include the amount requested, loan period, description of the loan and repayment terms. Interest shall accrue at the City's pooled investment rate at the time of the loan approval. A summary of outstanding interfund loans are also included in the City's Comprehensive Annual Financial Report. In addition, advances from the General Fund have been approved by the City Council that may be paid back by other revenue sources.

Investment Policy

The City undertakes investment related activities that are made with prudence. On an annual basis, the City formalizes these activities in the Investment Policy Statement which is adopted by a resolution of the City Council (https://www.santaclaraca.gov/home/showdocument?id=66753). The policy is to invest public funds, including bond proceeds, reserves and other special City funds, in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City and conforming to all state and local statutes governing the investment of public funds.

The City of Santa Clara Charter gives the Director of Finance the authority and responsibility to deposit and invest all City funds. It authorizes the Director of Finance to invest the City's idle cash in allowable investment vehicles with a maximum remaining maturity of five years at the time of purchase. The City Council may grant express authority either specifically or as part of an approved investment program to invest in vehicles with remaining maturity that exceeds the five-year restriction. Authority must be given to the Director of Finance at least three months prior to the investment. California Government Code also allows the City to invest in the same investment vehicles as authorized by the City Council. The Director of Finance establishes written depository and investment policy procedures for the operation of the investment program consistent with the City Investment Policy, establishes a process of independent review by an external auditor and provides monthly investment reports to the City Council.

Debt Policy

The City believes that debt is an equitable means of financing projects and represents an important source of meeting fiscal responsibilities. The City obtains and maintains long-term debt for large capital improvement projects. The Finance Department manages the City's debt with prudence, diligence, and attention to prevailing economic conditions and applicable laws. It manages issuance of debt, administers debt proceeds, prepares ongoing disclosure, handles debt and tax compliance, and makes debt service payments. City departments with debt-financed capital programs coordinate with the Finance Department in implementing and handling debt related transactions. Semiannual updates are prepared by the Finance Department on outstanding debt for the City of Santa Clara, its Agencies and Corporations. This report is presented as a standard management practice that provides a valuable overview of the current status of the City's long-term debt obligations. The current City Council approved debt policy can be found online at: (http://santaclaraca.gov/home/showdocument?id=63748).

Donation Policy

Donations may be offered in the form of cash, real or personal property. "Designated" donations are donations where the donor specifies intended use by a particular City department, location, or purpose. "Undesignated" donations are given to the City as a whole, for an unspecified use. Donations of any kind which might be perceived or interpreted as an attempt to influence actions of the City Council or City Administration will not be accepted. All donations are presented to the City Manager for compliance with the policy. As part of the annual budget process, for anticipated monetary donations, staff will bring forward for Council consideration a balanced appropriation for revenue and expenditures to facilitate the acceptance of donations throughout the

fiscal year. Donations valued at $100,000 or greater require City Council acceptance and appropriation of funds. Donations valued less than $100,000 may be accepted with the monetary donations available to departments for expenditure as part of the adoption of the annual budget. A report of all donations received by the City is presented to City Council as part of the Monthly Financial Report. The appropriation of anticipated donations can be found in each respective City department and corresponding Source and Use of Funds Statement in this document.

Community Grants Policy

The budget includes an allocation of $100,000 for Community Grants to offset the cost of City fees in support of the Council approved Community Grants Policy. Annually, and subject to availability of funds, the City Council shall establish grant appropriations as part of the approval of the budget. Community grants, subject to availability of funds, shall not exceed $10,000 per applicant, per year. To receive grant funds, grant applications must be submitted at least 90 days before the planned event/activity being funded, regardless of the form of the grant, and will be evaluated by the City Manager's Office on a case-by-case and "first come-first served" basis, throughout the fiscal year. Applicants are encouraged to submit their applications at the beginning of the fiscal year, for events or activities occurring at any time during that fiscal year, to maximize opportunity for availability of funds. The City Manager's Office shall approve or deny an applicant's request based upon eligibility criteria, and subject to funding availability as approved by the City Council through the adoption of the annual budget. Grants for community events shall not be provided for waiver of or reimbursement for already discounted permit fees. Grants for attendance at youth state, national, or international competitions or performances shall be limited to costs of registration, hotel, transportation and food for participants and coaches/chaperones only. Due to short notice to advance to state, national, or international competitions, applicants shall submit an application within one week of advancing to such competitions. In all cases, the City reserves the right to reject any and all applications in the event the City Manager's Office identifies a potential conflict of interest or the appearance of a conflict of interest. Submission of an application in no way obligates the City to award a grant and the City reserves the right to reject any or all applications, wholly or in part, at any time, without penalty.

Stadium Authority Policy

The Stadium Authority exists as a public body, separate and distinct from the City, and is established to provide for development and operation of Levi's Stadium. It is structured so that the City will not be liable for debts or obligations of the Authority. The governing board duties and the fiscal policies that govern the Stadium Authority are included in the stand-alone Operating, Debt, and Capital Budget that is adopted by the Stadium Authority Board. This can be found at https://www.santaclaraca.gov/our-city/santa-clara-stadium-authority. This budget reflects the revenues and expenditures related to the support of the Stadium and can also be found in the General Fund Non-Department section of this document titled Stadium Operations.

Policy Development

Staff has established this Budget and Fiscal Policies section in an effort to improve governance, transparency, and establish policies to govern the budget. These policies will be reviewed annually and enhanced as capacity allows.

OUTSTANDING LOANS AND ADVANCES

Interfund loans are loans from one City fund to another City fund for a specific purpose, with a requirement for repayment. A detailed listing of outstanding loans and advances is included in the following table:

Receiving Fund	Originating Fund	Loan/Advance Details (Payback Source, Term, Interest Rate)	Outstanding Amount (as of June 30, 2020)
Parks and Recreation Capital Fund	General Fund (May 22, 2018, RTC 18-124) Loan for the Reed Street – Grant Street Sports Park Project from the Land Sale Reserve	This loan bears interest based on the City's weighted average portfolio rate. This loan will be repaid in annual installments from Mitigation Fee Act revenue (25% of the revenue is allocated for loan repayment) until the loan is paid in full.	$ 9,033,044
Cemetery Fund	General Fund	This advance bears no interest and will be repaid when funds become available. The advance is a long-term subsidy of operations pending mausoleum project funding in future years which is expected to generate additional revenues.	6,339,380
Total Interfund Loans and Advances			**$ 15,372,424**

Budget Guide

The following information is presented to help the reader understand the way the City allocates budgets and accounts for the operations of the City. Explanations are presented in two categories: Budget Book Details and Fund Accounting.

Understanding the Budget

Budget Definition

The budget of the City is a detailed operating plan that identifies estimated costs and program benefits in relation to estimated revenues. The budget is prepared in accordance with Generally Accepted Accounting Principles (GAAP), except encumbrances which are recognized as expenditures when legal contracts or commitments are entered into. The budget for governmental funds has been prepared on a modified accrual basis, recognizing revenue when they are measurable and available to be used to finance expenditures in the fiscal year. Expenditures are recognized when they occur, regardless of when cash is received or disbursed. The budgets for proprietary funds are prepared on a full accrual basis, recognizing revenue and expenditure activity for the fiscal year for which the activity occurred. The budgetary accounting basis and the consolidated annual financial reports include the reconciliation between GAAP modified and/or full accrual accounting for the financial reports and the budgetary basis budget. All of the year-end financial reports are kept on the basis of modified or full accrual accounting. The budget includes the adopted services to be provided during the fiscal year and the associated appropriations to cover the costs of the adopted programs, projects, services and activities. These are funded by the estimated revenue and/or fund balance available to finance the adopted service levels.

Budget Process

The budget process is the mechanism through which policy decisions are made, implemented and controlled. The City Charter requires that the City establish a budgetary system for general operations and prohibits expending funds for which there is no legal appropriation. The City is required to adopt an annual operating budget on or before June 30 for the ensuing fiscal year that begins July 1.

The procedures to establish the budget are as follows:

1. In December, departments review their annual budget to determine what their base budget needs to be for the following year, in order to keep the City Council-approved level of service currently provided. Once these adjustments are identified, base budget requests are submitted to the Finance Department for review.

2. After receiving all base budget requests and corresponding back-up documentation to support the requests, the Finance Department meets with the City Manager's Office to review all department requests. Once these meetings take place, the base budget is established for each department.

3. The City Manager's Office, along with the Finance Department, coordinate a citywide presentation to kick off the budget process in February to provide a brief overview to departments of what is expected in their submissions as well as a timeline of due dates for service level change requests.

Budget Process

4. At the beginning of February, there is a City Council operating and strategic priority setting retreat. Any recommendations that come forward during this retreat are incorporated into service level change requests. During this retreat, the Ten-Year General Fund Financial Forecast is also presented to City Council.

5. Departments submit to the Finance Department all service level change requests for the operating budget, as well as any critical needs for adjustments in their Capital Improvement Program budget. The Finance Department reviews all submissions, working with departments to resolve any questions or outstanding issues.

6. Budget meetings are held between the City Manager's Office and the Finance Department to review all service level change requests in both the operating and capital improvement program budgets. After these meetings have taken place, decisions are finalized based on the items presented, balancing each fund's budget and incorporating City Council priorities.

7. The City Manager submits to the City Council a proposed operating budget for the two following fiscal years, as well as any capital adjustments for the following fiscal year, commencing July 1. Submission to City Council is at least thirty-five (35) days prior to the beginning of each fiscal year.

8. Public hearings are conducted to obtain City Councilmembers' and residents' comments. Copies of the proposed budget shall be available for inspection by the public in the office of the City Clerk at least ten days prior to these hearings.

9. The budget is legally enacted through passage of a minute order.

From the effective date of the budget, the amounts stated therein as proposed expenditures/expenses, become appropriations to the applicable funds. In order to amend the budget during the year, departments must submit a Report to Council, explaining the need for the change and budget implications. Upon review and approval of the City Council, the budget may be amended. For the Operating Budget, the legal level of budgetary control is at the fund and department level. For funds that do not have an associated department, the legal level of budgetary control is at the fund level.

In addition to the biennial appropriated operating budget, every other year a Capital Improvement Program (CIP) Budget is adopted and a five-year capital needs plan is updated and accepted by the City Council for the City's anticipated capital projects to be funded over the next five years. For the CIP Budget, the legal level of budgetary control is at the project level.

Budget Book Details

The Operating Budget includes a ***City Manager's Transmittal Letter*** that provides an overview of the organization, the short- and long-term issues facing the City, City Council priorities and the changes to the budget as they align to strategic initiatives. The ***City Profile and Organization Chart*** section provides basic facts about the City, a detailed roster of elected officials including Boards and Commissions, the City's executive team, comparison of key revenue and expenditure data to other local cities and the City organization chart. The ***Budget and Fiscal Policies*** section provides detailed policy framework driving the development of the budget, including a glossary and acronym index. The ***Budget Summary*** details the total City budget across all funds, with adjusting entries reconciling to a total net City budget. ***Graphs and Tables*** are included detailing expected revenue, expenditures and budgeted positions. A ***Debt Service*** section summarizes the City's debt policy and outstanding obligations.

A new section detailing each City fund now includes funds previously unbudgeted. The ***Statement of Sources and Uses of Funds*** section details revenues, expenditures and fund balance position including prior year actual activity, current year budget and estimated revenue and expenditures, and two-adopted budget years. This section is organized by accounting fund type detailed later in this section.

Department sections detail each department mission and objectives broken into divisions and programs. A summary of accomplishments from the past year, objectives for the next two years and budget highlights are included. A table summarizing Dollars by Division and Program, Dollars by Fund and Dollars by Category provide multiple views of the budgeted dollars. Position budgets are developed initially in the fall of the preceding year with an interface of salary and benefits data with the Human Resources/Payroll system. These positions are reviewed and amended based on Council-approved service levels with allocations reflected by fund, division, and program. A summary of positions by division and program, by fund and by job classification are included in each department. Budget reconciliations are included in each department section. This section summarizes changes from the prior Adopted Budget, including one-time and ongoing changes to the Base Budget and recommended Service Level Changes. After the budget reconciliation are the service level change requests. This portion of the department section includes a description of the request, the dollar amount in each adopted year and any position change resulting from the request. Each service level change discusses the performance impact and notes the alignment to the City Council priorities represented in a strategic pillar.

Categories of Expenditures

Salaries - Includes regular salaries, overtime pay, vacation pay, holiday, separation payouts and premium pays such as out-of-class pay, night differential pay, hazard pay, evidence tech pay and paramedic pay. These costs are primarily driven by the number of positions budgeted within the program.

Benefits - Includes Medicare, social security, health allocation, other post-employment benefits (OPEB), and CalPERS retirement costs. Other benefits such as Voluntary Employee Beneficiary Association (VEBA), dental, life insurance, uniform allowance, meal allowance, employee assistance program, auto allowance, mobile phone allowance and professional development are included, if applicable.

Materials/Services/Supplies - Includes all expenditure items that the department has direct control over such as contract costs, supplies, equipment purchases and utility charges. For the second year of the Biennial Operating Budget, a 2% increase to costs has been applied to most line items.

Categories of Expenditures

Resource and Production - Consists mainly of costs related to the purchasing or generating of electricity, water, or recycled water as well as disposing of solid waste matter and sewage effluent for the respective City utilities.

Interfund Services - Includes two types of expenses. The first type is for charges that one department or fund charges to another for services provided, which includes charges calculated by the Indirect Cost Allocation Plan. An example would be charges that Public Works incurs to the General Fund Police Department to maintain police vehicles. The Indirect Cost Allocation Plan includes costs that are typically termed "citywide overhead". Most of these costs are those expenditures which provide support services or oversight to another department or fund citywide. These costs are allocated based on an allocation factor, such as employee count or budgeted expenditures, which is used as the basis for distributing costs to departments or funds receiving the support or benefit. Examples of such expenditures that are allocated are for services provided by the City Manager's Office, City Attorney's Office, Finance and Human Resources. These service costs are allocated to other departments or funds in the Full Cost Allocation Plan. This plan was recently updated by a third-party consultant and will be reviewed every two or three years and include modest increases between updates. The second type of allocated charge is citywide in nature, funded through the City's internal service funds. Citywide liability insurance costs and information technology costs are apportioned to departments or funds in the City.

Capital Outlay - Includes small capital expense purchases not budgeted within the Capital Improvement Projects budget. Most individual capital purchases with a cost of less than $5,000 are expensed in this category.

Transfers to Other Funds - Includes all money moving to other funds. Transfers can be between the operating and capital improvement program budget to provide funding for capital projects or between different operating funds. Transfers to other funds are included in the department budget sections.

Debt Service – Funding provided to pay for the City's Debt Service obligations. These costs have been excluded from department budgets and detailed in a separate Debt Service section in the document.

Strategic Pillars

The following are the strategic pillars established by the City Council to provide a framework for this budget document. In each department section, service level changes and performance and workload measures aligned to one of the Council-approved pillars below:



Enhance Community Engagement and Transparency



Deliver and Enhance High Quality Efficient Services and Infrastructure



Manage Strategically Our Workforce Capacity and Resources



Promote and Enhance Economic, Housing and Transportation Development



Promote Sustainability and Environmental Protection



Enhance Community Sports and Recreational and Arts Assets



Ensure Compliance with Measure J and Manage Levi's Stadium

Performance and Workload Measures

In program budgeting, Performance and Workload Measures are used to measure the performance of the department. These measures align budget dollars allocated to provide services with City Council priorities through Strategic Pillars in an effort to drive budgetary decision making. These measures provide insight into how efficiently or effectively the City is providing services in each major program. They are the measures through which the value of services can be assessed by Council and the public. Workload measures provide insight into the volume of effort that is required to provide each service. Performance and Workload Measures tend to remain the same year after year to provide longitudinal data which allows trends to be evaluated. There are, however, some programs which do not have performance measures. These are in areas where quantifiable results are either not appropriate or where it would be too costly to gather the information. Additionally, there are programs where there are no results/budget for particular years, as noted by "N/A". This indicates that the measure was either: (1) new for the budget year, (2) the program is closed/closing for the budget year, or (3) the measure moved to another program due to a department reorganization of structure. All measures are tied to a strategic pillar, displayed by the icons in the Performance and Workload Measures tables. Performance and Workload Measures proposed for addition or deletion are noted on each measure.

Fund Accounting

The accounts of the City are organized and operated on the basis of funds, each of which is considered a separate accounting entity. Government resources are allocated to and accounted for in individual funds based upon the purposes for which the resources are to be spent. A general description of each follows:

Governmental Fund Types

Governmental funds are those through which most governmental functions of the City are financed. The following are the City's Governmental Fund Types:

General Fund - Used to account for the general operations of the City.

Special Revenue Funds - Used to account for the proceeds of specific revenue sources that are legally restricted to expenditure for specific purposes. Examples of Special Revenue Funds include the Downtown Parking Maintenance District Fund and the Housing Authority Fund.

Debt Service Funds - Used to account for the accumulation of financial resources to be used for the payment of principal and interest on General Government Operating and Capital long-term obligations, which are not accounted for in proprietary funds. These funds consist of the General 2010 Lease Agreement that refunded the 1997 Certificates of Participation ("COPS") issued for the Police Administration building and the 2013 COPS issued for the Central Park Library building.

Capital Improvement Program Funds - Used to account for financial resources to be used for the acquisition or construction of General Government major capital facilities. Capital projects funds are organized by the following fund groups: Enterprise, Streets and Highways, General Government, and Authority funds. Further information on these fund groups and the capital improvements they support can be found in the adopted Capital Improvement Program Budget book.

Proprietary Fund Types

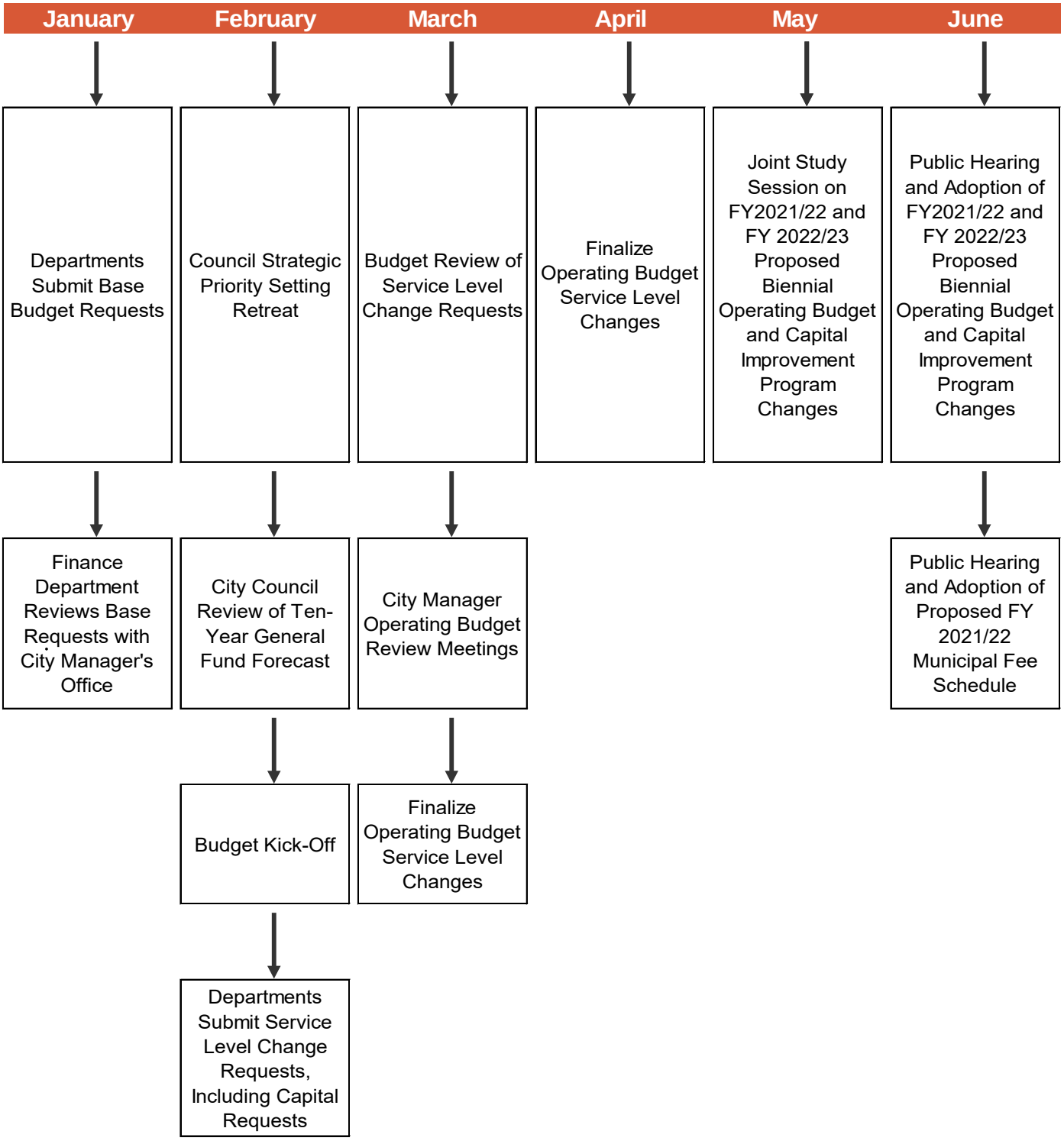
Proprietary funds are used to account for the City's ongoing organizations and activities which are similar to those often found in the private sector. Proprietary Fund Types include Enterprise Funds and Internal Service Funds and are described as follows:

Enterprise Funds - Used to account for operations (a) that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs and expenses, including depreciation, of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability or other purposes. Examples of Enterprise Funds include the Electric Utility Fund and the Water Utility Fund.

Internal Service Funds - Used to account for the financing of goods, services or facilities provided by one department or agency to other departments or agencies of the City, or to other governments, on a cost-reimbursement basis. Services provided include vehicle replacement, vehicle maintenance and operations, information technology, communications equipment, public works capital projects management, special liability insurance claims, workers' compensation insurance and claims, and unemployment insurance. Examples of Internal Service Funds include the Special Liability Fund and Workers' Compensation Fund.

While each department section provides for a budget breakdown by fund, this budget document also includes statements of sources and uses for all of the City's funds, categorized by the type of fund as described above. Each of these financial statements includes the 2019/20 Actuals, 2020/21 Amended Budget, 2020/21 Estimate, and the 2021/22 and 2022/23 Proposed Budget. The 2020/21 Amended Budget is the adopted budget in addition to any budget amendments that were approved by City Council throughout the fiscal year, while the Estimate column shows what the expected revenue and expenditures will be for 2020/21. The Proposed Budget columns take into account the base budget plus all service level changes that are recommended in this document.

Budget Calendar



BUDGET PRINCIPLES FOR FY 2021/22

(Approved by the City Council on February 1, 2021)

1. Make decisions within the context of the City's Code of Ethics and Values, especially being Fiscally Responsible, Communicative, and Service-Oriented.
2. Consider budget decisions with long-term implications taking into account data from the Ten-Year Financial Forecast.
3. To the extent possible, align ongoing expenditures with ongoing revenues to avoid negative impacts on future budgets and maintain the City's high financial management standards.
4. To address the projected General Fund shortfall, use a combination of ongoing and one-time solutions to balance the competing goals of aligning ongoing revenues and expenditures and minimizing the service delivery impacts to the community.
5. Continue cost control measures until the ongoing General Fund revenues and expenditures are in alignment.
6. If an exception to the Council Policy to set the General Fund Budget Stabilization Reserve at or above 25% of adopted budget expenditures is considered, maintain the Reserve level at a minimum of 15% of expenditures.
7. Focus on projects and services that benefit the community as a whole.
8. Pursue economic development objectives and strategies to foster new public and private investment within Santa Clara, and to create employment opportunities.
9. Balance between compensation adjustments to retain and attract employees and funding for positions.
10. Use one-time unrestricted revenues (e.g., annual General Fund surplus) for one-time uses such as increasing reserves, funding capital or Information Technology projects, paying off debt, and/or paying off unfunded pension or other post-employment benefits liabilities.
11. Inform and communicate clearly and broadly to residents, businesses and employees regarding the City's fiscal position and budget; schedule hearings to promote active participation in the City Council's budget deliberations.
12. With limited exceptions, establish fees based on full cost recovery where individuals/businesses rather than the community at-large are benefitting from City services. This preserves limited unrestricted resources for providing services that benefit the community as a whole.
13. Focus on business process redesign in order to improve employee productivity and the quality, flexibility, and cost-effectiveness of service delivery (e.g., streamlining, simplifying, reorganizing functions, and reallocating resources).
14. Explore expanding existing revenue sources and/or adding new revenue sources.
15. Engage employees to contribute new and innovative ideas during the department budget development process.
16. Use the General Plan as a primary long-term fiscal planning tool and link ability to provide City services to development policy decisions

GLOSSARY

The following explanations of glossary and terms are presented to aid in understanding the information included in this document:

Abatement - A complete or partial cancellation of a levy imposed by a government and usually applied to tax levies, special assessments and service charges.

Accounting System - The total structure of records and procedures which discover, record, classify, summarize and report information on the results of operations and the financial position of a government or any of its funds, fund types, balanced account groups, or organizational components.

Accrual Basis of Accounting - A method of accounting that recognizes the financial effect of transactions, events, and interfund activities when they occur, regardless of the timing of related cash flows.

Adopted Budget - The annual City budget as approved by City Council on or before June 30 for the fiscal year beginning July 1. This adopted budget establishes the legal authority for the expenditure of funds. This formal action by the City Council sets the spending path for the year.

Agency Fund – To account for assets held by the City as an agent for individuals, private organizations, other governments, and/or other funds.

Allocation - To divide or distribute financial resources or expenditures for a specific purpose to particular funds or departments.

American Recovery and Reinvestment Act (ARRA) - An act established by the federal government in February 2009 whose intent is to create and save jobs, spur economic activity and focus on long term growth through the funding of various projects and initiatives.

Appropriation - A legal authorization granted by the City Council to make expenditures and to incur obligations for specific purposes. For purposes of the Capital Improvement Program (CIP) budget, appropriations are automatically renewed, for the life of the project, unless altered or revoked. For the operating budget, appropriations lapse at the end of the fiscal year to the extent they have not been expended or encumbered.

Appropriations Limit - The California State Constitution limits a city's appropriations growth rate to two factors: changes in population, and either the change in California per capita income or the change in the local assessment roll due to non-residential new construction.

Assessed Valuation - A valuation set upon real estate or other property by a government as a basis for levying taxes. In California, the assessed valuation subject to ad valorem tax levy is governed by Proposition 13 and AB8 (1978).

Assets - A probable future economic benefit obtained or controlled by a particular entity as a result of past transactions or events. This includes financial resources such as cash, receivables, inventory and plant and equipment, net of depreciation.

Audit - A formal examination of the City's accounts by an independent audit firm to determine whether the City's financial statements fairly present the City's financial position and results of operations in conformity with Generally Accepted Accounting Principles.

Authorized Positions - Regular positions authorized in the budget to be employed during the fiscal year.

Balanced Budget - The budget for a fund is balanced when total budgeted resources, including revenues, transfers in from other funds, and available fund balance from the previous year, meets or exceeds total budgeted uses of resources, including expenses and transfers out to other funds.

Base Budget - The ongoing expense level necessary to maintain service levels previously approved by the City Council.

Basis of Accounting - The timing of recognition, that is, when the effects of transactions or events are recognized for financial reporting or budgeting purposes. The three bases of accounting for governmental agencies are: (1) cash basis (when cash is received or paid), (2) accrual basis (when the underlying transaction or event takes place), and (3) modified accrual basis (revenues are recognized in the accounting period in which they become available and measurable and expenditures are recognized in the accounting period in which the fund liability occurred).

Beginning Fund Balance - The amount of prior year's unappropriated funds used to finance appropriated expenses in the current budget year.

Biennial Budget - A consolidated budget document presented on a biennial basis that includes the City's Operating Budget and CIP Budget. The Operating and Capital Budgets are presented in alternating years to the City Council for approval.

Bond - A city may raise capital by issuing a written promise to pay a specified sum of money, called the face value or principal amount, at a specified date or dates in the future, together with periodic interest at a specific rate.

Bond Rating - An evaluation of a bond issuer's credit quality and perceived ability to pay the principal and interest on time and in full. Three agencies regularly review city bonds and generate bond ratings: Moody's Investors Service, Standard and Poor's and Fitch Ratings.

Budget - A plan of financial operation embodying an estimate of proposed expenditures for a given period and the estimated financial resources available to finance them. Used without any modifier, the term usually indicates a financial plan for a single fiscal year.

Budget Public Hearing - A public meeting at which any member of the community may appear and be heard regarding any item in the proposed budget as presented by the City Manager to the City Council.

Budget Transmittal Letter - A general discussion of the budget as presented in writing by the City Manager to the City Council. The message contains an explanation of principal budget items and summaries found in the budget.

Budgetary Control - The control or management of a government or enterprise in accordance with an approved budget for the purpose of keeping expenses within the limitations of authorized appropriations.

Capital Asset - Land, buildings, equipment, improvements to buildings, and infrastructure (i.e., roads, bridges and other immovable assets). The City's policy is to capitalize equipment with a cost exceeding $5,000 and building, improvements and infrastructure with costs exceeding $20,000. A capital asset is defined as an asset with a useful life extending beyond a single accounting period.

Capital Improvement - A permanent addition to the City's assets, including the design, construction or purchase of land, buildings, or facilities, or major renovations of same.

Capital Improvement Program (CIP) Budget - A plan of annual appropriation for capital improvements and various kinds of major facility maintenance. These projects are often multi-year in length, which requires funding beyond the two-year period in the biennial budget.

Capital Outlay - Appropriations spent for the purchase or improvement of assets with an estimated useful life of greater than one year. Capital Outlay is budgeted in the operating budget in the Other Operating Expenditure Category.

Certificates of Participation (COPs) - Long-term financing utilizing a lease, installment sale agreement or loan agreement. Certificates of Participation (COPs) allow investors to purchase participation in a stream of lease payments, installment payments or loan payments relating to the acquisition or construction of specific equipment, land or facilities. The lending agreement is secured by a lease on the acquired asset or other assets of the City.

Charges for Services - Fees and charges levied by City departments for services rendered (example: utility charges to customers, recreation program fees, engineering fees, etc.).

Comprehensive Annual Financial Report (CAFR) - The official annual report of the City's financial condition at the conclusion of the fiscal year, June 30. The report is prepared to conform to Generally Accepted Accounting Principles (GAAP) for governmental units and provides a quantitative look at the operating success, financial health, and compliance of the City's reporting units.

Community Development Block Grant (CDBG) - Provides eligible metropolitan cities and urban counties with annual direct grants to revitalize neighborhoods; expand affordable housing and economic opportunities; and/or improve community facilities and services, principally to benefit low- and moderate-income persons.

Community Facilities District (CFD) - A special district that can issue debt for the planning, design, acquisition, construction, and/or operation of public facilities, as well as provide public services. Special tax assessments levied by the district are used to fund public improvements, repay any debt, and maintain the district. A CFD can be formed only if approved by two-thirds of affected property owners.

Consumer Price Index (CPI) - A statistical measure of a weighted average of prices of a specified set of goods and services purchased by wage earners in urban areas.

Contingency - A budgetary reserve set aside for emergency or unanticipated expenditures, revenue shortfalls, and/or unknown expenditures.

Debt - Obligations of the City to repay, with or without interest, some amount of money resulting from the borrowing of money or from the purchase of goods and services. Debts of governments include bonds, notes and COPs.

Debt Financing - Issuance of bonds and other debt instruments to finance municipal improvements and services.

Debt Service - Payment of the principal and interest on an obligation resulting from the issuance of bonds, COPs or other debt instruments.

Deficit - An excess of expenditures or expenses over revenue (resources).

Department - An organizational unit comprised of divisions and/or programs. It is the basic unit of service responsibility encompassing a broad mandate of related activities. Department directors generally report directly to the City Manager's Office, for instance, Fire and Finance.

Depreciation - An allocation of the cost of fixed assets (buildings, plant or equipment) over the estimated useful life of the asset.

Designation - A portion of fund equity set aside by Council Action for a specific purpose.

Dissolution Act - Also known as Redevelopment Dissolution Act; on December 29, 2011 the California Supreme Court found the Dissolution Act (ABx1 26) constitutional in the California Redevelopment Association vs. Matosantos case. The Act continued the suspension and prohibition of most redevelopment activities in effect since late June 2011; dissolved RDAs as of February 1, 2012; created successor agencies and oversight boards; and established roles for the County-Auditor Controller, the Department of Finance and State Controller’s Office in the dissolution process and satisfaction of enforceable obligations of former RDAs.

Division - An organizational unit within a City department. For instance, Fire Protection, Fire Prevention, and Fire Training.

Encumbrance - Obligations in the form of purchase orders, contracts or salary commitments which are chargeable to an appropriation and for which a part of the appropriation is reserved. They cease to be encumbrances when paid.

Enterprise Fund - Used to account for operations: a) that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs and expenses, including depreciation or capital replacement, of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

Environmental Impact Report (EIR) - An assessment of the likely influence a project might have on the environment.

Equity - The net assets of a fund (i.e. the assets less the liabilities on a fund balance sheet).

Expenditure - Actual cash disbursements for the cost of goods delivered or services rendered to the City in a Governmental Fund.

Expenditure Object Category (Expenditure Category) - Expenditure categories are a group of similar expenditure objects.

Expense - The cost incurred from providing goods or services related to the City's operations in Proprietary Funds.

Fee - The payment for direct receipt of a public service by the party who benefits from the service.

Fiscal Year - The time period designated by the City signifying the beginning and ending period for recording financial transactions. Consistent with all cities and counties in the State of California, the City of Santa Clara has specified July 1 to June 30 as its fiscal year.

Franchise - A special privilege granted by a government, permitting the continued use of public property, such as city streets and usually involving the elements of a monopoly or regulation, for example cable TV, gas, refuse, and others.

Full-Time Equivalent - Refers to one full-time equivalent position, which equals 40 hours per week, 52 weeks per year.

Fund - An independent fiscal and accounting entity with a self-balancing set of accounts recording its assets, liabilities, fund equity, revenues and expenditures or expenses and other changes in residual fund equity or balances, segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, limitations or public policy.

Fund Balance - The amount of financial resources immediately available for use. Generally, this represents the difference between unrestricted current assets over current liabilities.

Fund Type - A category into which funds with similar characteristics are grouped. The fund types used in the City budget are General, Special Revenue, Capital Projects, Enterprise, Internal Service and Debt Service funds.

Gas Tax – State tax received from gasoline sales utilized solely for street related purposes, such as new construction, rehabilitation or maintenance.

General Fund - The primary fund of the City used to account for all revenues and expenditures of the City not accounted for in another fund. Examples of departmental operations accounted for in the General Fund include the City Council, Police and Fire Departments, Library, Parks and Recreation, and others.

Generally Accepted Accounting Principles (GAAP) - Uniform minimum standards and guidelines for financial accounting and reporting that govern the form and content of the financial statements of an entity. GAAP encompass the conventions, rules and procedures necessary to define accepted accounting practice at a particular time. GAAP provide a standard by which to measure financial presentations. The primary authoritative body on the application of GAAP to State and local governments is the GASB (Governmental Accounting Standards Board).

Governmental Accounting - The composite activity of analyzing, recording, summarizing, reporting, and interpreting the financial transactions of governments.

Governmental Accounting Standards Board (GASB) - The authoritative accounting and financial reporting standard-setting body for government entities.

Governmental Fund - A fund type to account for tax-supported activities. There are four different types of governmental funds: the General Fund, Special Revenue Funds, Debt Service Funds and Capital Projects Funds.

Grant - Contributions of cash or other assets from another government entity to be used or expended for a specific purpose, activity or facility. An example is the Community Development Block Grant given by the federal government.

HOME Program – Federal housing assistance program that provides funds to low- and very low- income families for both rental units and privately-owned dwellings.

Housing and Urban Development (HUD) - The Federal agency whose mission is to increase home ownership, support community development and increase access to affordable housing free from discrimination.

Housing Authority - The City of Santa Clara Housing Authority was established by Resolution 11-7827 on February 22, 2011 to ensure the provision of safe and sanitary housing for persons of low income.

Indirect Cost Allocation Plan - The City uses an indirect cost allocation plan to ensure that enterprises and certain special revenue supported operations pay for themselves and are not subsidized by City taxpayers. General Fund supported central services costs such as payroll, accounting, data processing, personnel, city management and facilities maintenance are allocated to those funds benefiting from these services based on statistical data reflecting use of these support services.

Infrastructure - Facilities on which the continuance and growth of a community depend on such as roads, water lines, sewers, public buildings, parks and airports.

Interest and Rent - Interest income on investments and rental income received on property owned by the City.

Interfund Services - Services provided by one fund within the City for the benefit of another fund for which the fund that benefits is charged a fee (i.e., payroll services for the Electric Utility Department).

Interfund Transfers - With Council approval, resources may be transferred from one City fund to another. The purpose of the majority of transfers is to reimburse a fund that has made expenditures on behalf of another fund. Less often, a transfer may be made to open or close a fund.

Intergovernmental - Revenue received from other government entities (i.e., grants).

Internal Service Funds - These funds account for special activities and services performed by a designated department for other departments in the City on a cost reimbursement basis.

Legal Debt Limit - Per section 6.07 of the City Charter, bonded indebtedness of the City may not exceed 10% of the total assessed valuation of property within the City, exclusive of any indebtedness incurred for the purpose of water supply, sewers or storm drains.

Levi's Stadium - The stadium is located at 4900 Marie P. DeBartolo Way, Santa Clara and is the home of the San Francisco 49ers professional football team. It has a permanent seating capacity of approximately 68,500 seats with expansion to approximately 75,000 seats for larger events, such as an NFL Super Bowl. The stadium was built based on the City of Santa Clara approved Measure J, the Santa Clara Stadium Taxpayer Protection and Economic Progress Act, on June 8, 2010.

Levy - An amount of taxes, special assessments or service charges imposed by a government for the support of government activities.

Liability - Probable future sacrifices of economic benefits arising from present obligations of a particular entity to transfer assets or provide services to other entities in the future as a result of past transactions or events. That is, a financial obligation or claim of financial resources of a specific fund to be liquidated at a future date.

Long-term Debt - Debt with a maturity of more than one year after the date of issue.

Mission - The overriding purpose of the department, division, or program.

Modified Accrual Basis of Accounting - Revenues are recognized in the accounting period in which they become available and measurable; expenditures are recognized in the accounting period in which the fund liability is incurred (if measurable), except for unmatured interest on general long-term debt and certain similar accrued obligations, which should be recognized when due.

Municipal Code - A compilation of City Council approved ordinances currently in effect. The Code defines City policy in various categories, for example, Civil Service rules, traffic regulations, sanitation and health standards, building regulations and planning and zoning regulations.

Object Category - See Expenditure Object Category.

Operating Budget - The portion of the budget that pertains to the City's daily operations and activities engaged in to provide services to the community. The operating budget contains appropriations for such expenditures as personnel (salaries, wages and benefits), supplies and materials, utilities, travel and fuel.

Ordinance - A formal legislative enactment by City Council. It has the full force and effect of law within City boundaries unless pre-empted by a higher form of law (State or federal). An ordinance has a higher legal standing than a resolution. Revenue raising measures, such as the imposition of taxes, special assessments and service charges are some examples of actions that would require the enactment of an ordinance.

Other Financing Sources - Changes in residual fund equity or balances not arising from revenues or expenditures/expenses. Includes governmental fund general long-term debt proceeds, amounts equal to the present value of minimum lease payments arising from capital leases, proceeds from the sale of general fixed assets and operating transfers in.

Performance Measures - This is a non-financial measurement of activity such as number of meters read, number of bills sent, number of customer service calls handled and response time to emergency calls. Performance-based budgeting incorporates performance measures into the budget process.

Program - A program is a specific service or activity that falls under departmental divisions. Programs provide for a lower level of detail regarding a Department's function. For instance, the Administration and Emergency Response programs are under the Fire Protection Division.

Property Tax - An ad valorem (based on value) tax on real property and tangible personal property levied by the local government on the property located within the City's jurisdiction. Property tax is determined by two factors: the assessed value of the property and the tax rate for the area in which the property is located.

Public Facilities Financing Corporation (PFFC) - The City of Santa Clara Public Facilities Financing Corporation (PFFC) was formed in 1997 for the purpose of issuing COPs to provide financing for the construction of major City facilities. Members of the City Council are also members of the PFFC Board. Debt service on the COPs is secured by lease payments made by the City's General Fund to the PFFC for the use of the constructed facilities for public purposes. In accordance with lease agreements, the PFFC assigns lease payments received from the City to the trustee for payment to the certificate holders.

Redevelopment Dissolution Act - See Dissolution Act.

Reimbursement - Repayments of amounts remitted on behalf of another party, or interfund transactions that constitute reimbursements to a fund for expenditures or expenses initially made from it but properly applied to another fund.

Reserve - An account used to earmark a portion of fund balance to indicate that it is not available for expenditure or legally segregated for a specific future use.

Resolution - A special or temporary legislative order of the City Council/Agency/Authority. If it is not in conflict with any higher form of law, such as a state statute or constitutional provision, it has the full force and effect of law within the boundaries of the City. A resolution requires less legal formality and has a lower legal status than an ordinance.

Revenue - Resources received by the government available for use in supporting services including such items as taxes, fees, permits, licenses, grants and interest.

Risk Management - An organized attempt to protect a government's assets against accidental loss in the most economical method. The City is exposed to various risks of losses related to torts, errors and omissions, general liability, injuries to employees and unemployment claims. Claims, expenditures and liabilities are reported when it is probable that a loss has occurred and the amount of that loss can be reasonably estimated using actuarial methods or other estimating techniques. These losses include an estimate of claims that have been incurred but not reported.

Sales Tax - A tax imposed by the government on retailers at the point of sale for the privilege of selling tangible personal property. It is usually calculated as a percentage of the selling price and collected by the retailer from the consumer. The rate in the City of Santa Clara is 9.0%.

Silicon Valley Power (**SVP)** - The City's Electric Utility Department provides electricity to City residents and businesses under the name Silicon Valley Power.

Special Assessment – A compulsory levy made against certain properties to defray part or all of the cost of a specific improvement or service deemed to primarily benefit those properties.

Special Revenue Fund – A fund in which revenue collected is restricted by the City, State or federal government as to how the city might spend its resources.

Sports and Open Space Authority (SOSA) – The City of Santa Clara Sports and Open Space Authority (SOSA) was created by the City Council in 1974 for the acquisition and development of open space within the City. The members of the City Council are also members of SOSA's Board of Directors and, as such, are authorized to transact business and exercise power to purchase, lease or otherwise obtain and dispose of real and personal property, to acquire, construct, maintain, repair, manage and operate real and personal property, including leasing to private operators for commercial purposes, surplus space which is not economical to use for open space planning.

Stadium Authority – The Stadium Authority was established by the City Council in 2011 to provide for the development and operation of Levi's Stadium. The Stadium Authority's governing board is the seven members of the City Council. The Stadium Authority will own, develop, construct, operate and maintain the Stadium, and have all powers granted to it by the City. The Stadium Authority is a separate and distinct legal entity, and the City is not liable for the debts or obligations of the Stadium Authority.

Strategic Pillar – The City Council adopted seven focus areas for City operations: 1. Promote and Enhance Economic, Housing and Transportation Development; 2. Deliver and Enhance High Quality Efficient Services and Infrastructure; 3. Enhance Community Sports, Recreational and Arts Assets; 4. Enhance Community Engagement and Transparency; 5. Ensure Compliance with Measure J and Manage Levi's Stadium; 6. Manage Strategically our Workforce Capacity and Resources; and 7. Promote Sustainability and Environmental Protection.

Subsidy – A grant by a government entity to another government entity to pay all or a portion of an activity of the government deemed advantageous to the public.

Successor Agency to the Former Redevelopment Agency of the City of Santa Clara – Pursuant to State legislation ABx1 26, the "Dissolution Act," the Redevelopment Agency (RDA) of the City of Santa Clara was dissolved effective February 1, 2012. The City has elected to become the Successor Agency for the RDA non-housing functions, responsible for paying off the former Redevelopment Agency's existing debts, disposing of the former Redevelopment Agency's properties and assets to help pay off debts, returning revenues to the local government entities that receive property taxes, and winding down the affairs of the former Redevelopment Agency. The City has also elected to retain the former Redevelopment Agency's housing functions, including retaining all of the housing assets, rights, power, duties, obligations and functions previously performed by the Redevelopment Agency in administering its Low and Moderate Income Housing Fund.

Surplus – An excess of revenue (resources) over expenditures or expenses.

Taxes – Compulsory charges levied by a government for the purpose of financing services performed for the common benefit. The term does not include specific charges made against particular persons or property for permanent benefits such as special assessments. Neither does the term include charges for services rendered only to those paying such charges as, for example, water service charges.

Ten-Year Financial Plan – A strategic planning document showing the estimated results of operations and capital improvement project requirements over the next ten years. This plan is reviewed and accepted by Council and no appropriations result from that acceptance.

Theme – The capital budget is aligned to twelve categories (Administrative Facilities, Community Facilities, Convention Center, Electric Utility, Other Community Projects, Parks and Trails, Sewer Utility, Solid Waste, Storm Drains, Technology and Equipment, Transportation, and Water and Recycled Water Utilities).

Tourism Improvement District (TID) – The Santa Clara Tourism Improvement District was established in 2004 as a marketing revenue supplement to assist the Santa Clara Convention and Visitors Bureau (CVB) with marketing the City of Santa Clara to hotel and convention center groups and visitors. The activities to be provided to the district will be funded by the levy of assessments.

Transient Occupancy Tax (TOT) – A locally controlled tax imposed on travelers who stay in temporary lodging facilities for stays thirty days or less. The rate in the City of Santa Clara is currently 9.5%.

Trust Fund – Used to account for assets held by the City in a trustee capacity.

User Charges – The payment of a fee for direct receipt of a public service by the party benefiting from the service.

ACRONYMS

AB	Assembly Bill
ADA	American with Disabilities Act
AIPG	All Inclusive Playground Grant
AMH	Automatic Handling System
ARRA	American Recovery and Reinvestment Act
ASAI	Average System Availability Index
BAREC	Bay Area Research Extension Center
BLS	Basic Life Support
BMP	Below Market Price
BNPEA	Bayshore North Project Enhancement Authority
BSR	Budget Stabilization Reserve
CAFR	Comprehensive Audited Financial Report
CAHF	City Affordable Housing Fund
CalOES	State of California Office of Emergency Services
CalPERS	California Public Employees' Retirement System
CCTV	Closed-Circuit Television
CDBG	Community Development Block Grant
CEQA	California Environmental Quality Act
CFD	Community Facilities District
CIP	Capital Improvement Program
CLT	Contribution In-Lieu of Tax
CMMS	Computerized Maintenance Management System
CNG	Compressed Natural Gas
COLA	Cost of Living Adjustment
COP	Certificates of Participation
COPS	Citizens' Option for Public Safety
CPI	Consumer Price Index
CPR/AED	Cardiopulmonary Resuscitation/Automated External Defibrillator
CPRS	California Parks and Recreation Society
CRC	Community Recreation Center
CSMFO	California Society of Municipal Finance Officers

CVB	Convention-Visitors Bureau
DA	Development Agreement
DDA	Disposition and Development Agreement
DTSC	Department of Toxic Substances Control
DVR	Donald Von Raesfeld Power Plant
EEO	Equal Employment Opportunity
EIR	Environmental Impact Report
EMS	Emergency Medical Services
EMT	Emergency Medical Technician
EOC	Emergency Operations Center
EOL	End of Life
EOPS	Enforceable Obligation Payment Schedule
ERAF	Educational Revenue Augmentation Fund
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FF&E	Furniture, Fixtures and Equipment
FHRMS	Finance Human Resources Management System
FMIS	Finance Management Information System
FOG	Fats, Oils, and Grease
FPPC	Fair Political Practices Commission
FTE	Full Time Equivalent (Employee)
FTHB	First Time Homebuyer
FY	Fiscal year
GAAP	Generally Accepted Accounting Practices
GASB	Governmental Accounting Standards Board
GDP	Gross Domestic Product
GFGC	General Fund General Contingency
GFOA	Government Finance Officers Association
GIS	Geographical Information Systems
GPS	Global Positioning System
GSI	Green Stormwater Infrastructure
GWh	Giga Watt Hour
HA	Housing Authority

HIPPA	Health Insurance Portability and Accountability Act
HMG	Hazard Mitigation Grant
HMI	Human Mechanical Interface
HOME	Home Investment Partnerships Act
HR	Human Resources
HUD	Housing and Urban Development
HVAC	Heating, Ventilation, and Air Conditioning
IBEW	International Brotherhood of Electric Workers
ISC/CRC	International Swim Center/Community Recreation Center
IT	Information Technology
JPA	Joint Power Agreement
kWh	Kilo Watt Hour
LED	Light Emitting Diodes
LEED	Leadership in Energy and Environmental Design
LF	Linear Feet
LLEBG	Local Law Enforcement Block Grants Program
LPD	Land, Property and Development
m:s	minutes: seconds
MCC	Motor Control Center
MOU	Memorandum of Understanding
MRP	Municipal Regional Stormwater National Pollutant Discharge Elimination Permit
Muni	Municipal
N/A	Not Applicable
NCIP	Neighborhood Conservation and Improvement Program
NCPA	Northern California Power Agency
NEPA	National Environmental Policy Act
O&M	Operations and Maintenance
OBAG	One Bay Area Grant
OSHA	Occupational Safety and Health Administration
OTS	California Office Traffic Safety
PBC	Public Benefits Charge
PCA	Property Condition Assessment
PEMHCA	Public Employees' Medical and Hospital Care Act (California)

PEPRA	Public Employees' Pension Reform Act of 2013
PERS	Public Employees' Retirement System
PG&E	Pacific Gas and Electric
PLC	Programmable Logic Control
POP	Problem Oriented Policing
RDA	Redevelopment Agency
RMRA	Roadway Repair and Accountability Act
RMRP	Retiree Medical Reimbursement Program
ROPS	Recognized Obligation Payment Schedule
RWF	Regional Wastewater Facility
SA	Successor Agency
SAIDI	System Average Interruption Duration Index
SB	Senate Bill
SCADA	Supervisory Council and Data Acquisition
SCAT	Specialized Crime Action Team
SCPD NSU	Santa Clara Police Department - Nuisance Suppression Unit
SCSA	Santa Clara Stadium Authority
SDPS	Storm Drain Pump Station
SFM	State Fire Marshal
SFPUC	San Francisco Public Utilities Commission
SOSA	Sports and Open Space Authority
SRT	Special Response Team
STACT	San Tomas Aquino Creek Trail
STEM	Science, Technology, Engineering and Math
SVACA	Silicon Valley Animal Control Authority
SVP	Silicon Valley Power (City owned Electric Utility)
SWRCB	State Water Resources Control Board
TBRA	Tenant-Based Rental Assistance
TDA	Transportation Development Act
TDM	Traffic Demand Management
TMP	Transportation Management Program
TOT	Transient Occupancy Tax
TPAC	Treatment Plant Advisory Committee

UMIS	Utility Management Information System
Uncl	Unclassified Employee
VLF	Vehicle License Fee
VoIP	Voice Over Internet Protocol
WiFi	Wireless Fidelity Communication Technology
WPCP	Water Pollution Control Plant

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BUDGET SUMMARY | SOURCES

	FY 2020/21 Adopted	FY 2021/22 Proposed	Change %	FY 2022/23 Proposed	Change %
Revenue Sources[1]:					
Property Tax	66,982,000	71,639,000	7.0%	75,069,000	4.8%
Sales Tax	55,600,000	58,183,000	4.6%	60,959,000	4.8%
Transient Occupancy Tax	17,625,000	9,000,000	(48.9%)	12,600,000	40.0%
Franchise Tax	4,738,000	4,630,000	(2.3%)	4,780,000	3.2%
Gas Tax	5,000,000	5,200,000	4.0%	5,400,000	3.8%
Other Taxes	1,323,400	1,826,327	38.0%	1,866,617	2.2%
Planning Fees	7,600,000	6,400,000	(15.8%)	6,617,000	3.4%
Other Fees	11,519,264	33,026,672	186.7%	71,584,111	116.7%
Licenses and Permits	10,977,295	11,637,995	6.0%	12,008,995	3.2%
Fines and Penalties	1,570,000	1,496,135	(4.7%)	1,534,089	2.5%
Rents and Leases	12,566,046	6,385,633	(49.2%)	8,200,883	28.4%
Electric Utility	472,604,941	519,666,171	10.0%	586,240,686	12.8%
Electric Special Revenues	34,457,035	31,839,508	(7.6%)	34,475,644	8.3%
Water Utility	55,065,496	47,500,000	(13.7%)	46,312,500	(2.5%)
Sewer Utility	48,390,852	42,976,233	(11.2%)	42,997,704	0.0%
Water Recycling Utility	6,587,910	5,200,000	(21.1%)	5,200,000	0.0%
Solid Waste Services	30,782,000	33,135,000	7.6%	35,579,000	7.4%
Storm Drain Fees	1,460,000	2,908,000	99.2%	2,944,000	1.2%
Miscellaneous Charges for Services	10,742,506	5,449,367	(49.3%)	6,279,342	15.2%
Grant Revenue	3,424,975	5,947,223	73.6%	989,097	(83.4%)
Housing Related	3,181,969	2,025,391	(36.3%)	2,025,016	(0.0%)
Other Agencies	4,415,814	30,772,913	596.9%	4,632,112	(84.9%)
Other Revenues	26,621,727	11,643,813	(56.3%)	16,920,287	45.3%
State Revenues	1,076,000	162,000	(84.9%)	162,000	0.0%
Traffic Mitigation	1,731,500	1,531,500	(11.6%)	1,531,500	0.0%
Interest Income	11,799,080	10,010,228	(15.2%)	10,199,344	1.9%
Reimbursements	6,394,216	5,614,872	(12.2%)	5,878,752	4.7%
Developer Contributions	25,836,212	10,436,803	(59.6%)	6,767,701	0.0%
Sale of Land or Property	0	100,000	0.0%	80,000	(20.0%)
Bond Proceeds	0	18,588,216	0.0%	0	(100.0%)
Interdepartmental Revenue	83,888,206	84,471,722	0.7%	87,069,620	3.1%
Transfers In	132,716,912	106,559,744	(19.7%)	44,563,785	(58.2%)
Capital Revenue Carryover	38,895,449	0	(100.0%)	0	0.0%
Gross Revenue	**1,195,573,805**	**1,185,963,466**	**(0.8%)**	**1,201,467,785**	**1.3%**

BUDGET SUMMARY | SOURCES

	FY 2020/21 Adopted	FY 2021/22 Proposed	Change %	FY 2022/23 Proposed	Change %
Revenue Sources[1]:					
Less Transfers In and Interfund Revenues[2]	(216,605,118)	(191,031,466)	(11.8%)	(131,633,405)	(31.1%)
Net Revenue	**978,968,687**	**994,932,000**	**1.6%**	**1,069,834,380**	**7.5%**
Capital Improvement Program Carryover	189,826,723	0	(100.0%)	0	0.0%
Use of Reserves / (Contributions to)	16,354,144	6,362,894	(61.1%)	(42,613,951)	(769.7%)
Total Net Sources	**1,185,149,554**	**1,001,294,894**	**(15.5%)**	**1,027,220,429**	**2.6%**

BUDGET SUMMARY | USES

	FY 2020/21 Adopted	FY 2021/22 Proposed	Change %	FY 2022/23 Proposed	Change %
Expenditures[1]:					
Operating Budget[3]:					
City Council	834,241	829,205	(0.6%)	859,377	3.6%
City Attorney's Office	2,716,125	3,097,380	14.0%	3,222,887	4.1%
City Clerk's Office	2,070,555	1,470,231	(29.0%)	1,871,218	27.3%
City Auditor	1,240,346	1,075,970	(13.3%)	1,250,526	16.2%
City Manager's Office	6,173,978	5,442,069	(11.9%)	5,695,535	4.7%
Community Development Department	30,259,964	23,938,049	(20.9%)	23,217,718	(3.0%)
Electric Utilities Department	512,340,772	529,959,140	3.4%	614,266,787	15.9%
Finance Department	16,216,074	16,363,472	0.9%	17,207,791	5.2%
Fire Department	58,731,539	59,017,130	0.5%	61,681,272	4.5%
Human Resources Department	4,477,933	4,133,810	(7.7%)	4,313,246	4.3%
Information Technology Department	13,248,605	12,284,229	(7.3%)	12,272,415	(0.1%)
Library Department	11,964,848	10,764,727	(10.0%)	11,159,488	3.7%
Parks and Recreation Department	24,671,467	22,730,688	(7.9%)	23,788,034	4.7%
Police Department	78,901,925	78,754,471	(0.2%)	82,455,066	4.7%
Public Works Department	79,410,091	79,366,436	(0.1%)	82,480,815	3.9%
Water and Sewer Utilities Department	127,401,846	95,628,494	(24.9%)	119,239,036	24.7%
Non-Departmental[4]	57,752,555	61,949,938	7.3%	34,553,443	(44.2%)
Other Agency	9,540	5,420	(43.2%)	5,420	0.0%
Internal Services	11,644,908	15,358,000	31.9%	13,915,290	(9.4%)
Debt Service	17,254,022	39,286,574	127.7%	19,842,227	(49.5%)
Gross Operating Budget	**1,057,321,334**	**1,061,455,433**	**0.4%**	**1,133,297,591**	**6.8%**
Less Transfers Out and Interfund Expenses[2]	(210,359,204)	(178,378,596)	(15.2%)	(205,298,512)	15.1%
Net Operating Budget	**846,962,130**	**883,076,837**	**4.3%**	**927,999,079**	**5.1%**
Capital Improvement Program Budget:					
Total Capital Improvement Program	338,352,279	120,937,972	(64.3%)	96,689,893	(20.1%)
Public Works Management Services	3,821,799	3,962,714	3.7%	4,022,457	1.5%
Less Transfers Out	(3,986,654)	(6,682,539)	67.6%	0	(100.0%)
Total Capital Improvement Program Budget[3]	**338,187,424**	**118,218,147**	**(65.0%)**	**100,712,350**	**(14.8%)**
Total Net Uses	**1,185,149,554**	**1,001,294,984**	**(15.5%)**	**1,028,711,429**	**2.7%**

[1]Excludes Stadium Authority operating budget
[2]Excludes internal service fund operating budget, non-City Convention Center activities and all transfers
[3]Positions funded in the Related Santa Clara Developer Fund are not reflected in department lines, but in the Total Capital Improvement Program budget
[4]Includes the Convention Center operating budget

BUDGET SUMMARY | TRANSFER SCHEDULE

	Proposed FY 2021/22 Transfer		Proposed FY 2022/23 Transfer	
Fund	**In**	**Out**	**In**	**Out**
From General Fund (001)		39,146,855		6,675,584
To Convention Ctr Maintenance District Fund (026)	771,349		842,700	
To Special Liability Insurance Fund (082)	5,200,000		0	
To Cemetery Fund (093)	850,000		870,000	
To Solid Waste (096)	33,600		33,600	
To Parks and Rec Operating Grant Trust Fund (111)	3,445		3,445	
To Building Development Services Fee Fund (158)	18,013,097		0	
To Public Facilities Financing Corporation Fund (431)	2,501,439		1,402,275	
To Parks and Recreation Capital Fund (532)	200,000		200,000	
To Streets and Highways Capital Fund (533)	8,681,129		2,743,545	
To Storm Drain Capital Fund (535)	592,169		262,849	
To Fire Department Capital Fund (536)	837,110		247,536	
To Library Department Capital Fund (537)	7,872		8,173	
To Public Buildings Capital Fund (538)	397,953		13,448	
To General Government Capital Fund (539)	719,283		39,283	
To Electric Utility Capital Fund (591)	330,000		0	
To Cemetery Capital Fund (593)	8,409		8,730	
Subtotal Transfer from General Fund	**39,146,855**	**39,146,855**	**6,675,584**	**6,675,584**
From Vehicle Replacement Fund (050)		960,000		960,000
To General Fund (001)	960,000		960,000	
Subtotal Transfer from Vehicle Replacement Fund	**960,000**	**960,000**	**960,000**	**960,000**
From Perpetual Care Fund (076)		500		500
To Cemetery Fund (093)	500		500	
Subtotal Transfer from Perpetual Care Fund	**500**	**500**	**500**	**500**
From Endowment Care Fund (077)		28,000		28,000
To Cemetery Fund (093)	28,000		28,000	
Subtotal Transfer from Endowment Care Fund	**28,000**	**28,000**	**28,000**	**28,000**
From Electric Utility Fund (091)		21,970,805		62,796,486
To General Fund (001)	677,733		712,503	
To Electric Debt Service Fund (491)	16,305,884		16,548,917	
To Streets and Highways Capital Fund (533)	90,000		0	
To Street Lighting Capital Fund (534)	0		2,980,000	
To General Government Capital Fund (539)	596,323		596,323	
To Electric Utility Capital Fund (591)	4,300,865		41,958,743	
Subtotal Transfer from Electric Utility Fund	**21,970,805**	**21,970,805**	**62,796,486**	**62,796,486**
From Water Utility Fund (092)		5,943,936		4,018,936
To General Government Capital Fund (539)	158,936		158,936	
To Water Utility Capital Fund (592)	5,785,000		3,860,000	
Subtotal Transfer from Water Utility Fund	**5,943,936**	**5,943,936**	**4,018,936**	**4,018,936**

BUDGET SUMMARY | TRANSFER SCHEDULE

	Proposed FY 2021/22 Transfer		Proposed FY 2022/23 Transfer	
Fund	**In**	**Out**	**In**	**Out**
From Cemetery Fund (093)		822		822
To General Government Capital Fund (539)	822		822	
Subtotal Transfer from Cemetery Fund	**822**	**822**	**822**	**822**
From Sewer Utility Fund (094)		8,051,061		33,489,987
To Sewer Utility Debt Service Fund (494)	1,889,035		1,889,035	
To General Government Capital Fund (539)	50,278		50,278	
To Water Utility Capital Fund (592)	500,000		500,000	
To Sewer Utility Capital Fund (594)	5,611,748		31,050,674	
Subtotal Transfer from Sewer Utility Fund	**8,051,061**	**8,051,061**	**33,489,987**	**33,489,987**
From Solid Waste Fund (096)		276,621		476,621
To Solid Waste Capital Fund (596)	250,000		450,000	
To General Government Capital Fund (539)	26,621		26,621	
Subtotal Transfer from Solid Waste Fund	**276,621**	**276,621**	**476,621**	**476,621**
From Water Recycling Fund (097)		50,000		50,000
To Recycled Water Capital Fund (597)	50,000		50,000	
Subtotal Transfer from Water Recycling Fund	**50,000**	**50,000**	**50,000**	**50,000**
From Gas Tax Fund (121)		2,482,144		3,509,479
To Streets and Highways Capital Fund (533)	2,482,144		3,509,479	
Subtotal Transfer from Gas Tax Fund	**2,482,144**	**2,482,144**	**3,509,479**	**3,509,479**
From Road Maintenance and Rehabilitation (SB1) Fund (122)		2,100,000		2,100,000
To Streets and Highways Capital Fund (533)	2,100,000		2,100,000	
Subtotal Transfer from Road Maintenance and Rehabilitation (SB1) Fund	**2,100,000**	**2,100,000**	**2,100,000**	**2,100,000**
From Traffic Mitigation Fund (123)		2,184,927		1,815,000
To Streets and Highways Capital Fund (533)	2,184,927		1,815,000	
Subtotal Transfer from Traffic Mitigation Fund	**2,184,927**	**2,184,927**	**1,815,000**	**1,815,000**
From Building Development Services Fund (158)		172,099		177,582
To General Fund (001)	163,362		168,845	
To General Government Capital Fund (539)	1,737		1,737	
To Building Special Programs & Training Fund (220)	7,000		7,000	
Subtotal Transfer from Building Development Services Fund	**172,099**	**172,099**	**177,582**	**177,582**

BUDGET SUMMARY | TRANSFER SCHEDULE

	Proposed FY 2021/22 Transfer		Proposed FY 2022/23 Transfer	
Fund	**In**	**Out**	**In**	**Out**
From Electric Operating Grant Trust Fund (191)		13,042,487		1,532,587
To Vehicle Replacement Fund (050)	1,030,000		400,000	
To Electric Utility Fund (091)	6,760,648		0	
To Electric Utility Capital Fund (591)	4,851,839		1,132,587	
To Streets and Highways Capital Fund (533)	400,000		0	
Subtotal Transfer from Electric Operating Grant Trust Fund	**13,042,487**	**13,042,487**	**1,532,587**	**1,532,587**
From Building Special Programs and Training Fund (220)		1,765		1,765
To General Fund (001)	1,765		1,765	
Subtotal Transfer from Building Special Programs and Training Fund	**1,765**	**1,765**	**1,765**	**1,765**
From Bridge District #2 Debt Fund (463)		80,000		80,000
To Streets and Highways Capital Fund (533)	80,000		80,000	
Subtotal Transfer from Bridge District #2 Debt Fund	**80,000**	**80,000**	**80,000**	**80,000**
From Sewer Utility Debt Service Fund (494)		18,588,216		0
To Sewer Utility Capital Fund (594)	18,588,216		0	
Subtotal Transfer from Sewer Utility Debt Service	**18,588,216**	**18,588,216**	**0**	**0**
From Parks and Recreation Capital Fund (532)		5,051,782		0
To General Fund (001)	3,026,782		0	
To Streets and Highways Capital Fund (533)	2,025,000		0	
Subtotal Transfer from Parks and Recreation Capital Fund	**5,051,782**	**5,051,782**	**0**	**0**
From Storm Drain Capital Fund (535)		1,455,000		1,455,000
To General Fund (001)	1,454,000		1,454,000	
To General Government Capital Fund (539)	1,000		1,000	
Subtotal Transfer from Storm Drain Fund	**1,455,000**	**1,455,000**	**1,455,000**	**1,455,000**
From Tasman East Infrastructure Improvement Fund (541)		175,757		0
To General Fund (001)	175,757		0	
Subtotal Transfer from Tasman East Infrastructure Improvement Fund	**175,757**	**175,757**	**0**	**0**
Total Transfers	**121,762,777**	**121,762,777**	**119,168,349**	**119,168,349**

BUDGET SUMMARY | REVENUE SUMMARY

Fund Type		FY 2020/21 Adopted	FY 2021/22 Proposed	Change %	FY 2022/23 Proposed	Change %
General Fund						
001	General Fund	247,940,776	256,794,819	3.6%	241,923,684	(5.8%)
Total General Fund		**247,940,776**	**256,794,819**	**3.6%**	**241,923,684**	**(5.8%)**
Special Revenue Funds						
463	Bridge Maintenance District #2 Fund	0	80,000	100.0%	80,000	100.0%
158	Building Development Services Fund	0	31,643,097	100.0%	14,112,000	100.0%
220	Building Special Programs and Training Fund	44,995	63,395	40.9%	63,395	0.0%
165	City Affordable Housing Fund (165)	781,703	657,000	(16.0%)	657,000	0.0%
027	Community Facilities District No. 2019-1 (Lawrence Station) Fund	123,400	376,327	205.0%	387,617	3.0%
026	Convention Center Maintenance District Fund	1,850,949	1,698,119	(8.3%)	1,878,119	10.6%
025	Downtown Parking Maintenance Fund	169,771	14,200	(91.6%)	14,200	0.0%
077	Endowment Care Fund	108,000	118,000	9.3%	118,000	0.0%
121	Gas Tax Fund	3,100,000	2,900,000	(6.5%)	3,100,000	6.9%
562	Housing and Urban Development Fund	5,150,000	1,957,103	(62.0%)	1,865,000	(4.7%)
164	Housing Authority Fund	285,000	261,000	(8.4%)	261,000	0.0%
169	Housing Successor Agency Fund	531,000	350,000	(34.1%)	350,000	0.0%
112	Library Operating Grant Trust Fund	47,500	0	(100.0%)	0	0.0%
101	Other City Departments Operating Grant Trust Fund	48,944	0	(100.0%)	0	0.0%
111	Parks and Recreation Operating Grant Trust Fund	147,984	147,984	0.0%	147,984	0.0%
076	Perpetual Care Fund	500	500	0.0%	500	0.0%
177	Police Operating Grant Trust Fund	166,000	0	(100.0%)	0	0.0%
221	Public, Educational, and Governmental Fee Fund	150,000	200,000	33.3%	200,000	0.0%
122	Road Maintenance and Rehabilitation (SB1) Fund	2,225,000	2,400,000	7.9%	2,400,000	0.0%
123	Traffic Mitigation Fund	1,681,500	1,681,500	0.0%	1,681,500	0.0%
Total Special Revenue Funds		**16,612,246**	**44,548,225**	**168.2%**	**27,316,315**	**(38.7%)**

BUDGET SUMMARY | REVENUE SUMMARY

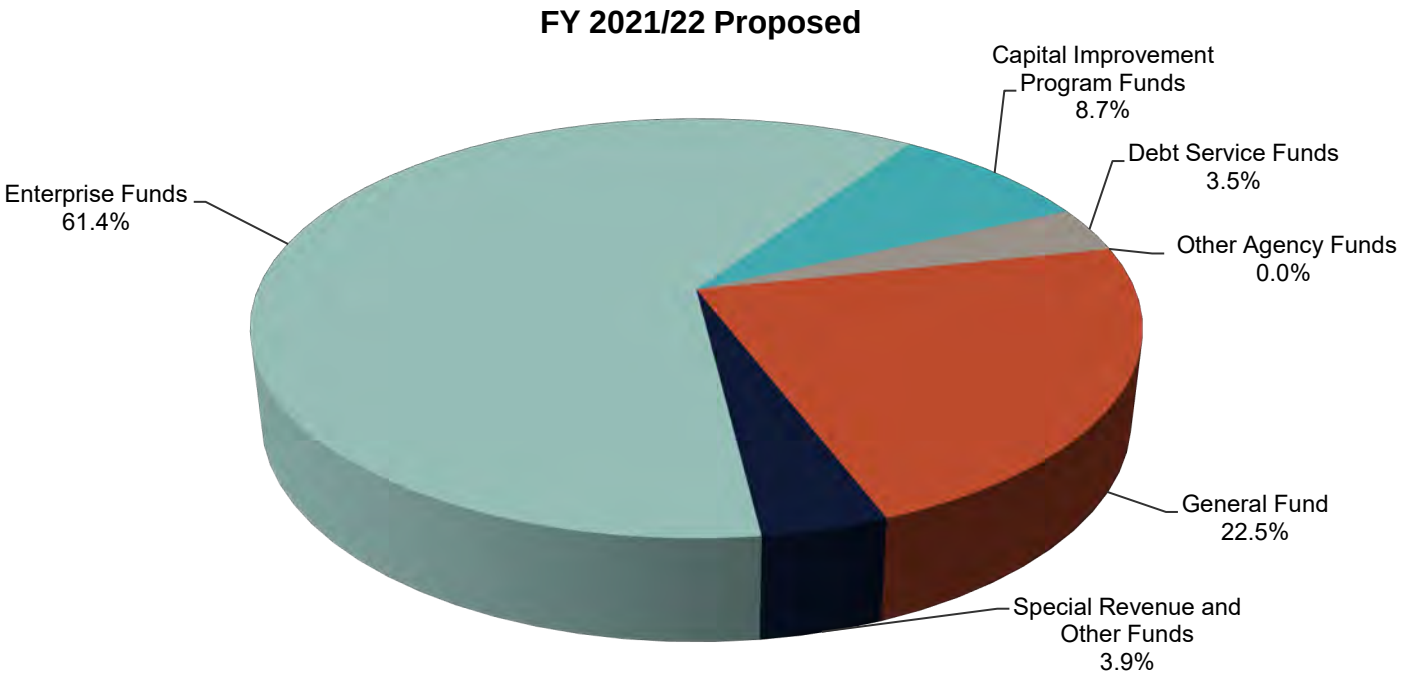
Fund Type		FY 2020/21 Adopted	FY 2021/22 Proposed	Change %	FY 2022/23 Proposed	Change %
Enterprise Funds						
093	Cemetery Fund	1,390,269	1,478,500	6.3%	1,498,500	1.4%
860	Convention Center Enterprise Fund	21,912,206	8,352,205	(61.9%)	13,603,635	62.9%
191	Electric Operating Grant Trust Fund	34,457,035	31,883,769	(7.5%)	34,522,118	8.3%
091	Electric Utility Fund	492,548,336	530,687,026	7.7%	594,686,986	12.1%
094	Sewer Utility Fund	45,495,100	39,756,481	(12.6%)	40,459,345	1.8%
096	Solid Waste Fund	31,219,000	33,643,600	7.8%	36,087,600	7.3%
097	Water Recycling Fund	7,064,710	5,703,831	(19.3%)	5,708,446	0.1%
092	Water Utility Fund	57,220,287	49,489,630	(13.5%)	48,358,520	(2.3%)
Total Enterprise Funds		**691,306,943**	**700,995,042**	**1.4%**	**774,925,150**	**10.5%**
Internal Service Funds						
048	Communication Acquisitions Fund	536,853	584,334	8.8%	606,984	3.9%
053	Fleet Operations Fund	5,164,721	5,116,150	(0.9%)	5,277,356	3.2%
045	Information Technology Services Fund	13,248,605	12,084,229	(8.8%)	12,072,415	(0.1%)
044	Public Works Capital Projects Management Fund	3,821,799	3,962,714	3.7%	4,114,234	3.8%
082	Special Liability Insurance Fund	6,001,170	12,343,000	105.7%	7,930,290	(35.8%)
081	Workers' Compensation Fund	0	5,665,000	100.0%	5,835,000	3.0%
087	Unemployment Insurance Fund	3,458,289	550,000	(84.1%)	150,000	(72.7%)
050	Vehicle Replacement Fund	5,572,738	4,582,911	(17.8%)	4,012,324	(12.5%)
Total Internal Service Funds		**37,804,175**	**44,888,338**	**18.7%**	**39,998,603**	**(10.9%)**
Capital Improvement Program Funds[1]						
593	Cemetery Capital Fund	300,000	8,409	(97.2%)	0	(100.0%)
591	Electric Utility Capital Fund	64,213,994	18,482,704	(71.2%)	30,397,677	64.5%
536	Fire Department Capital Fund	396,729	837,110	111.0%	251,602	(69.9%)
539	General Government Capital Fund	4,290,889	1,555,000	(63.8%)	912,104	(41.3%)
537	Library Department Capital Fund	8,699	7,872	(9.5%)	0	(100.0%)
532	Parks and Recreation Capital Fund	16,073,188	12,563,788	(21.8%)	200,000	(98.4%)

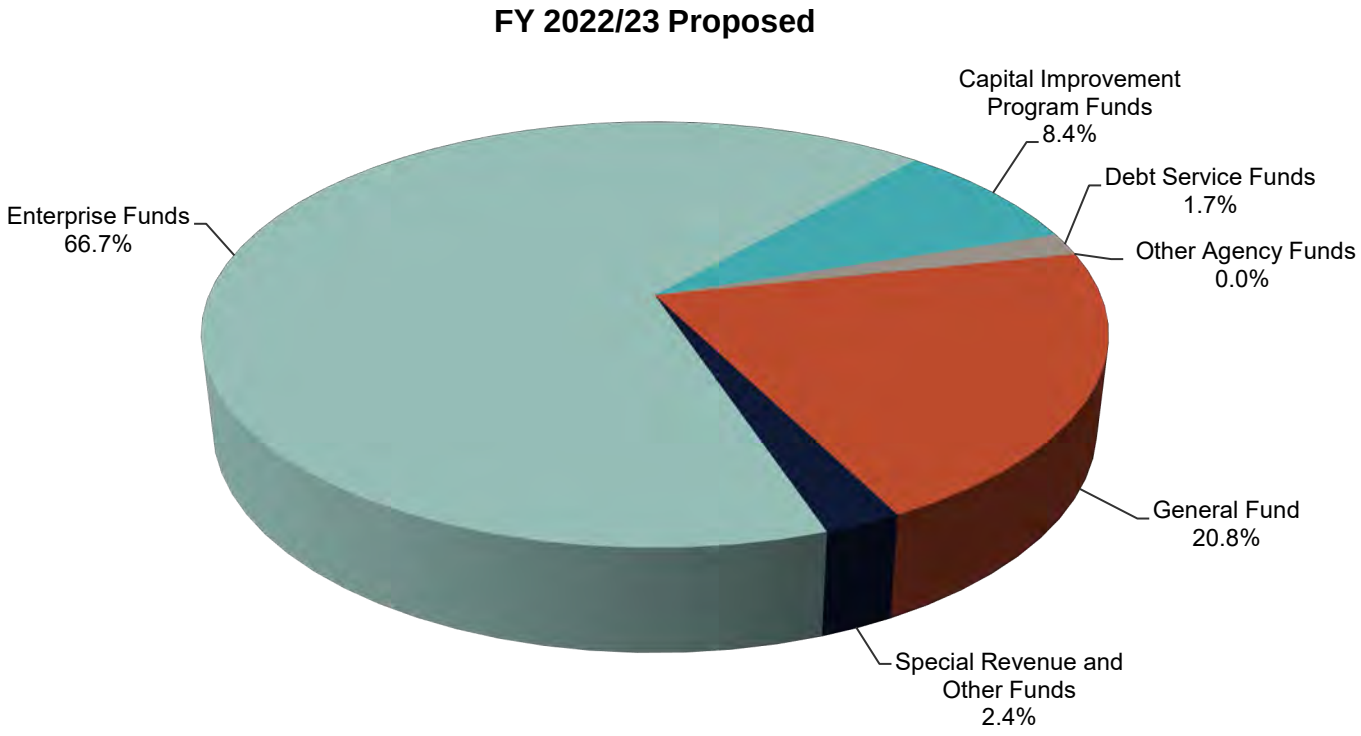
BUDGET SUMMARY | REVENUE SUMMARY

Fund Type		FY 2020/21 Adopted	FY 2021/22 Proposed	Change %	FY 2022/23 Proposed	Change %
Capital Improvement Program Funds[1]						
538	Public Buildings Capital Fund	2,836,063	397,953	(86.0%)	112,231	(71.8%)
597	Recycled Water Capital Fund	550,000	50,000	(90.9%)	50,000	0.0%
540	Related Santa Clara Developer Fund	162,062	968,103	497.4%	2,501,585	158.4%
541	Tasman East Infrastructure Improvement Fund	0	1,192,891	100.0%	0	(100.0%)
594	Sewer Utility Capital Fund	42,114,351	28,380,716	(32.6%)	40,757,915	43.6%
596	Solid Waste Capital Fund	745,459	439,700	(41.0%)	668,833	52.1%
535	Storm Drain Capital Fund	5,949,447	2,046,169	(65.6%)	1,817,582	(11.2%)
534	Street Lighting Capital Fund	125,000	0	(100.0%)	75,000	100.0%
533	Streets and Highways Capital Fund	42,174,930	26,234,803	(37.8%)	13,357,027	(49.1%)
592	Water Utility Capital Fund	4,610,000	6,285,000	36.3%	6,360,000	1.2%
Total Capital Improvement Program Funds		**184,550,811**	**99,450,218**	**(46.1%)**	**97,461,556**	**(2.0%)**
Other Agency Funds						
801	Sports and Open Space Authority Fund	1,000	250	(75.0%)	250	0.0%
Total Other Agency Funds		**1,000**	**250**	**(75.0%)**	**250**	**0.0%**
Debt Service Funds						
491	Electric Utility	13,419,211	16,305,884	21.5%	16,548,917	1.5%
431	Public Facilities Financing Co	2,505,844	2,503,439	(0.1%)	1,404,275	(43.9%)
494	Sewer Utility	1,432,799	20,477,251	1329.2%	1,889,035	(90.8%)
Total Debt Service Funds		**17,357,854**	**39,286,574**	**126.3%**	**19,842,227**	**(49.5%)**
Grand Total Revenues		**1,195,573,805**	**1,185,963,466**	**(0.8%)**	**1,201,467,785**	**1.3%**

[1]The FY 2022/23 Capital Improvement Program information reflects the third year of the five-year CIP plan from the FY 2020/21 and 2021/22 Adopted Capital Improvement Program Budget. The proposed budget for FY 2022/23 and FY 2023/24 will be determined in next year's capital budget cycle.

BUDGET SUMMARY | REVENUE BY FUND TYPE





BUDGET SUMMARY | EXPENDITURES SUMMARY

Fund	Type	FY 2020/21 Adopted	FY 2021/22 Proposed	Change %	FY 2022/23 Proposed	Change %
General Fund						
001	General Fund	285,968,205	282,561,469	(1.2%)	261,431,495	(7.5%)
Total General Fund		**285,968,205**	**282,561,469**	**(1.2%)**	**261,431,495**	**(7.5%)**
Special Revenue Funds						
463	Bridge Maintenance District #2 Fund	0	80,000	100.0%	80,000	0.0%
158	Building Development Services Fund	0	12,428,158	100.0%	12,581,772	1.2%
220	Building Special Programs and Training Fund	44,995	44,995	0.0%	44,995	0.0%
165	City Affordable Housing Fund (165)	1,556,772	1,431,111	(8.1%)	1,447,378	1.1%
027	Community Facilities District No. 2019-1 (Lawrence Station) Fund	98,720	286,798	190.5%	350,507	22.2%
026	Convention Center Maintenance District Fund	1,861,380	1,698,119	(8.8%)	1,878,119	10.6%
025	Downtown Parking Maintenance Fund	152,762	138,163	(9.6%)	142,308	3.0%
144	Engineering Operating Grant Trust Fund	49,621	0	(100.0%)	0	0.0%
079	Expendable Trust Fund	166,000	0	(100.0%)	0	0.0%
077	Endowment Care Fund	18,000	28,000	55.6%	28,000	0.0%
121	Gas Tax Fund	2,567,856	2,482,144	(3.3%)	3,509,479	41.4%
562	Housing and Urban Development Fund	5,150,000	3,684,839	(28.4%)	2,575,398	(30.1%)
164	Housing Authority Fund	552,222	363,099	(34.2%)	368,411	1.5%
169	Housing Successor Agency Fund	5,964,944	915,640	(84.6%)	932,072	1.8%
112	Library Operating Grant Trust Fund	59,000	0	(100.0%)	0	0.0%
101	Other City Departments Operating Grant Trust Fund	48,944	0	(100.0%)	0	0.0%
111	Parks and Recreation Operating Grant Trust Fund	147,984	147,984	0.0%	147,984	0.0%
076	Perpetual Care Fund	500	500	0.0%	500	0.0%
177	Police Operating Grant Trust Fund	166,000	0	(100.0%)	0	0.0%
221	Public, Educational, and Governmental Fee Fund	0	200,000	100.0%	200,000	0.0%
122	Road Maintenance and Rehabilitation (SB1) Fund	2,100,000	2,100,000	0.0%	2,100,000	0.0%
123	Traffic Mitigation Fund	2,003,500	2,184,927	9.1%	1,815,000	(16.9%)
Total Special Revenue Funds		**22,709,200**	**28,214,477**	**24.2%**	**28,201,923**	**(0.04%)**

BUDGET SUMMARY | EXPENDITURES SUMMARY

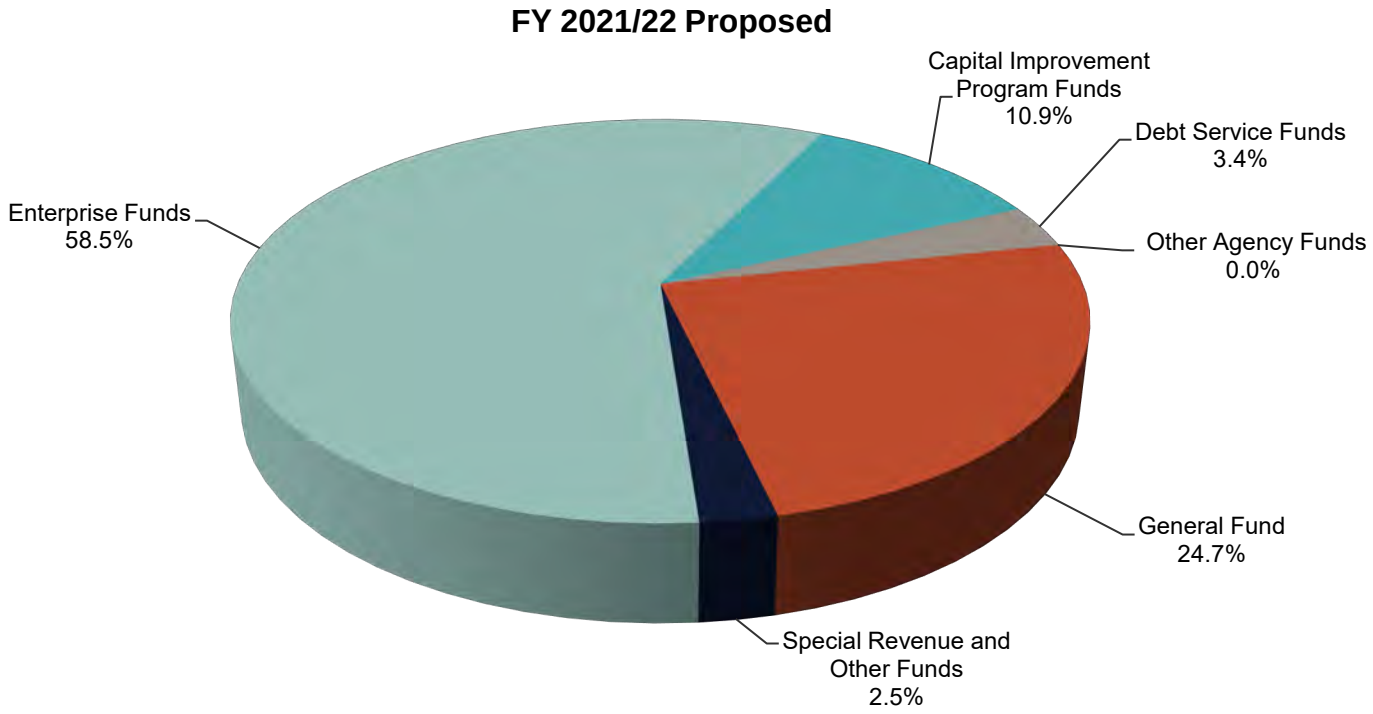
Fund Type		FY 2020/21 Adopted	FY 2021/22 Proposed	Change %	FY 2022/23 Proposed	Change %
Enterprise Funds						
093	Cemetery Fund	1,415,694	1,481,057	4.6%	1,535,529	3.7%
860	Convention Center Enterprise Fund	19,357,548	9,581,861	(50.5%)	14,428,381	50.6%
191	Electric Operating Grant Trust Fund	34,339,731	32,910,111	(4.2%)	34,522,118	4.9%
091	Electric Utility Fund	478,001,041	497,049,029	4.0%	579,744,669	16.6%
094	Sewer Utility Fund	67,554,521	36,727,359	(45.6%)	62,519,070	70.2%
096	Solid Waste Fund	33,331,450	33,525,296	0.6%	35,092,680	4.7%
097	Water Recycling Fund	6,417,938	5,759,582	(10.3%)	5,805,348	0.8%
092	Water Utility Fund	53,429,387	53,141,553	(0.5%)	50,914,618	(4.2%)
Total Enterprise Funds		**693,847,310**	**670,175,848**	**(3.4%)**	**784,562,413**	**17.1%**
Internal Service Funds						
048	Communication Acquisitions Fund	536,853	584,334	8.8%	606,984	3.9%
053	Fleet Operations Fund	5,271,715	5,161,720	(2.1%)	5,330,229	3.3%
045	Information Technology Services Fund	13,248,605	12,084,229	(8.8%)	12,072,415	(0.1%)
044	Public Works Capital Projects Management Fund	3,835,476	3,962,713	3.3%	4,114,234	3.8%
082	Special Liability Insurance Fund	6,001,170	9,143,000	52.4%	7,930,290	(13.3%)
081	Workers' Compensation Fund	71,000	5,665,000	7878.9%	5,835,000	3.0%
087	Unemployment Insurance Fund	2,995,500	550,000	(81.6%)	150,000	(72.7%)
050	Vehicle Replacement Fund	5,572,738	4,060,649	(27.1%)	3,214,961	(20.8%)
Total Internal Service Funds		**37,533,057**	**41,211,645**	**9.8%**	**39,254,113**	**(4.7%)**
Capital Improvement Program Funds[1]						
593	Cemetery Capital Fund	300,000	8,409	(97.2%)	0	(100.0%)
591	Electric Utility Capital Fund	151,587,864	45,406,027	(70.0%)	30,397,677	(33.1%)
536	Fire Department Capital Fund	1,006,169	837,110	(16.8%)	251,602	(69.9%)
539	General Government Capital Fund	14,258,074	1,555,000	(89.1%)	912,104	(41.3%)
537	Library Department Capital Fund	189,559	7,872	(95.8%)	0	(100.0%)
532	Parks and Recreation Capital Fund	15,754,131	12,137,071	(23.0%)	3,892,990	(67.9%)

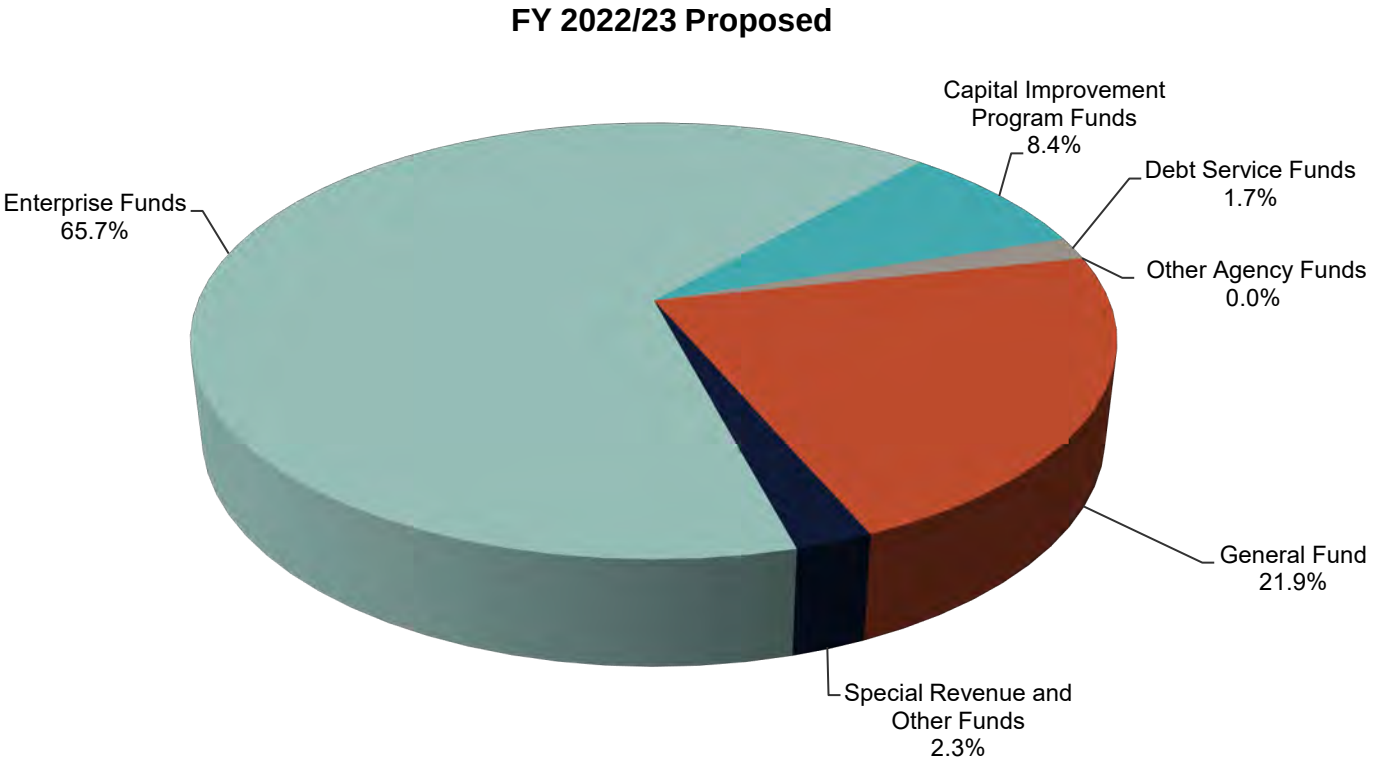
BUDGET SUMMARY | EXPENDITURES SUMMARY

Fund Type		FY 2020/21 Adopted	FY 2021/22 Proposed	Change %	FY 2022/23 Proposed	Change %
Capital Improvement Program Funds[1]						
538	Public Buildings Capital Fund	11,305,028	397,953	(96.5%)	112,231	(71.8%)
597	Recycled Water Capital Fund	550,000	50,000	(90.9%)	50,000	0.0%
540	Related Santa Clara Developer Fund	162,062	968,103	497.4%	2,501,585	158.4%
541	Tasman East Infrastructure Improvement Fund	0	199,514	100.0%	0	(100.0%)
594	Sewer Utility Capital Fund	64,912,819	28,142,955	(56.6%)	40,328,667	43.3%
596	Solid Waste Capital Fund	1,032,000	623,700	(39.6%)	654,885	5.0%
535	Storm Drain Capital Fund	11,511,345	2,047,169	(82.2%)	1,818,582	(11.2%)
534	Street Lighting Capital Fund	5,992,109	0	(100.0%)	75,000	100.0%
533	Streets and Highways Capital Fund	54,502,918	26,234,803	(51.9%)	13,357,027	(49.1%)
592	Water Utility Capital Fund	9,110,000	6,285,000	(31.0%)	6,360,000	1.2%
Total Capital Improvement Program Funds		**342,174,078**	**124,900,686**	**(63.5%)**	**100,712,350**	**(19.4%)**
Other Agency Funds						
801	Sports and Open Space Authority Fund	9,540	5,420	(43.2%)	5,420	0.0%
Total Other Agency Funds		**9,540**	**5,420**	**(43.2%)**	**5,420**	**0.0%**
Debt Service Funds						
491	Electric Utility	13,315,379	16,305,884	22.5%	16,548,917	1.5%
431	Public Facilities Financing Co	2,505,844	2,503,439	(0.1%)	1,404,275	(43.9%)
494	Sewer Utility	1,432,799	20,477,251	1329.2%	1,889,035	(90.8%)
Total Debt Service Funds		**17,254,022**	**39,286,574**	**127.7%**	**19,842,227**	**(49.5%)**
Grand Total Expenditures		**1,399,495,412**	**1,186,356,119**	**(15.2%)**	**1,234,009,941**	**4.0%**

[1]The FY 2022/23 Capital Improvement Program information reflects the third year of the five-year CIP plan from the FY 2020/21 and 2021/22 Adopted Capital Improvement Program Budget. The proposed budget for FY 2022/23 and FY 2023/24 will be determined in next year's capital budget cycle.

BUDGET SUMMARY | EXPENDITURES BY FUND TYPE





BUDGET SUMMARY | SUMMARY OF FUND ACTIVITY

Fund	Beginning Fund Balance	Revenue and Transfers	Total Sources Available	Expenditures and Transfers	Ending Fund Balance	Total Uses Available	*
			FY 2021/22				
General Fund	**141,285,445**	**256,794,819**	**398,080,264**	**282,561,469**	**115,518,795**	**398,080,264**	10
Special Revenue and Other Funds							
Bridge Maintenance District #2 Fund	113,396	80,000	193,396	80,000	113,396	193,396	
Building Development Services Fund	0	31,643,097	31,643,097	12,428,158	19,214,939	31,643,097	6
Building Special Programs and Training Fund	209,886	63,395	273,281	44,995	228,286	273,281	
City Affordable Housing Fund	2,742,708	657,000	3,399,708	1,431,111	1,968,597	3,399,708	3
Community Facilities District No. 2019-1 (Lawrence Station) Fund	238,523	376,327	614,850	286,798	328,052	614,850	4
Convention Center Maintenance District Fund	107,095	1,698,119	1,805,214	1,698,119	107,095	1,805,214	
Downtown Parking Maintenance Fund	710,321	14,200	724,521	138,163	586,358	724,521	7
Endowment Care Fund	1,787,424	118,000	1,905,424	28,000	1,877,424	1,905,424	
Engineering Operating Grant Trust Fund	322,683	0	322,683	0	322,683	322,683	
Expendable Trust Fund	276,717	0	276,717	0	276,717	276,717	
Gas Tax Fund	3,007,200	2,900,000	5,907,200	2,482,144	3,425,056	5,907,200	9
Housing and Urban Development Fund	3,478,405	1,957,103	5,435,508	3,684,839	1,750,669	5,435,508	3
Housing Authority Fund	2,230,541	261,000	2,491,541	363,099	2,128,442	2,491,541	
Housing Successor Agency Fund	3,464,772	350,000	3,814,772	915,640	2,899,132	3,814,772	3
Library Operating Grant Trust Fund	5,988	0	5,988	0	5,988	5,988	
Other City Departments Operating Grant Trust Fund	296,438	0	296,438	0	296,438	296,438	
Parks and Recreation Operating Grant Trust Fund	2,646	147,984	150,630	147,984	2,646	150,630	
Perpetual Care Fund	38,244	500	38,744	500	38,244	38,744	
Police Operating Grant Trust Fund	325,964	0	325,964	0	325,964	325,964	
Public Donations Fund	29,481	0	29,481	0	29,481	29,481	
Public, Educational, and Governmental Fee Fund	2,355,967	200,000	2,555,967	200,000	2,355,967	2,555,967	
Road Maintenance and Rehabilitation (SB1) Fund	180,741	2,400,000	2,580,741	2,100,000	480,741	2,580,741	9
Traffic Fair Share Fund	7,941,970	0	7,941,970	0	7,941,970	7,941,970	
Traffic Mitigation Fund	4,883,667	1,681,500	6,565,167	2,184,927	4,380,240	6,565,167	9
Total Special Revenue and Other Funds	**34,750,777**	**44,548,225**	**79,299,002**	**28,214,477**	**51,084,525**	**79,299,002**	

BUDGET SUMMARY | SUMMARY OF FUND ACTIVITY

Fund	Beginning Fund Balance	Revenue and Transfers	Total Sources Available	Expenditures and Transfers	Ending Fund Balance	Total Uses Available	*
			FY 2021/22				
Enterprise Funds							
Cemetery Fund	97,149	1,478,500	1,575,649	1,481,057	94,592	1,575,649	
Convention Center Enterprise Fund	2,465,939	8,352,205	10,818,144	9,581,861	1,236,283	10,818,144	8
Electric Operating Grant Trust Fund	55,169,794	31,883,769	87,053,563	32,910,111	54,143,452	87,053,563	
Electric Utility Fund	282,809,812	530,687,026	813,496,838	497,049,029	316,447,809	813,496,838	5,9
Sewer Utility Fund	26,776,559	39,756,481	66,533,040	36,727,359	29,805,681	66,533,040	5
Solid Waste Fund	5,695,104	33,643,600	39,338,704	33,525,296	5,813,408	39,338,704	
Water Recycling Fund	5,641,112	5,703,831	11,344,943	5,759,582	5,585,361	11,344,943	
Water Utility Fund	13,123,750	49,489,630	62,613,380	53,141,553	9,471,827	62,613,380	5
Total Enterprise Funds	**391,779,219**	**700,995,042**	**1,092,774,261**	**670,175,848**	**422,598,413**	**1,092,774,261**	
Internal Service Funds							
Communication Acquisitions Fund	756,611	584,334	1,340,945	584,334	756,611	1,340,945	
Fleet Operations Fund	506,991	5,116,150	5,623,141	5,161,720	461,421	5,623,141	
Information Technology Services Fund	3,304,636	12,084,229	15,388,865	12,084,229	3,304,636	15,388,865	
Public Works Capital Projects Management Fund	285,323	3,962,714	4,248,037	3,962,713	285,324	4,248,037	
Special Liability Insurance Fund	1,754,952	12,343,000	14,097,952	9,143,000	4,954,952	14,097,952	5
Unemployment Insurance Fund	0	550,000	550,000	550,000	0	550,000	
Vehicle Replacement Fund	9,101,595	4,582,911	13,684,506	4,060,649	9,623,857	13,684,506	
Workers' Compensation Fund	5,161,414	5,665,000	10,826,414	5,665,000	5,161,414	10,826,414	
Total Internal Service Funds	**20,871,522**	**44,888,338**	**65,759,860**	**41,211,645**	**24,548,215**	**65,759,860**	
Capital Improvement Program Funds							
Cemetery Capital Fund	0	8,409	8,409	8,409	0	8,409	
Electric Utility Capital Fund	57,073,952	18,482,704	75,556,656	45,406,027	30,150,629	75,556,656	1,9
Fire Department Capital Fund	104,000	837,110	941,110	837,110	104,000	941,110	
General Government Capital Fund	1,043,703	1,555,000	2,598,703	1,555,000	1,043,703	2,598,703	
Library Department Capital Fund	9,247	7,872	17,119	7,872	9,247	17,119	
Parks and Recreation Capital Fund	13,965,410	12,563,788	26,529,198	12,137,071	14,392,127	26,529,198	
Public Buildings Capital Fund	408,270	397,953	806,223	397,953	408,270	806,223	

BUDGET SUMMARY | SUMMARY OF FUND ACTIVITY

Fund	Beginning Fund Balance	Revenue and Transfers	Total Sources Available	Expenditures and Transfers	Ending Fund Balance	Total Uses Available	*
			FY 2021/22				
Recycled Water Capital Fund	1,378,477	50,000	1,428,477	50,000	1,378,477	1,428,477	
Related Santa Clara Developer Fund	3,000	968,103	971,103	968,103	3,000	971,103	
Sewer Utility Capital Fund	36,813,867	28,380,716	65,194,583	28,142,955	37,051,628	65,194,583	
Solid Waste Capital Fund	1,627,831	439,700	2,067,531	623,700	1,443,831	2,067,531	1
Storm Drain Capital Fund	1,962,046	2,046,169	4,008,215	2,047,169	1,961,046	4,008,215	
Street Lighting Capital Fund	250,784	0	250,784	0	250,784	250,784	
Streets and Highways Capital Fund	11,547,601	26,234,803	37,782,404	26,234,803	11,547,601	37,782,404	
Tasman East Infrastructure Improvement Fund	0	1,192,891	1,192,891	199,514	993,377	1,192,891	6
Water Utility Capital Fund	22,313,819	6,285,000	28,598,819	6,285,000	22,313,819	28,598,819	
Total Capital Improvement Program Funds	**148,502,007**	**99,450,218**	**247,952,225**	**124,900,686**	**123,051,539**	**247,952,225**	
Other Agency Funds							
Sports and Open Space Authority Fund	14,557	250	14,807	5,420	9,387	14,807	7
Total Other Agency Funds	**14,557**	**250**	**14,807**	**5,420**	**9,387**	**14,807**	
Debt Service Funds							
Electric Utility Debt Service Fund	11,618,827	16,305,884	27,924,711	16,305,884	11,618,827	27,924,711	
Public Facilities Financing Corporation Fund	725,272	2,503,439	3,228,711	2,503,439	725,272	3,228,711	
Sewer Utility Debt Service Fund	4,663,690	20,477,251	25,140,941	20,477,251	4,663,690	25,140,941	
Total Debt Service Funds	**17,007,789**	**39,286,574**	**56,294,363**	**39,286,574**	**17,007,789**	**56,294,363**	
Total City Funds	**754,211,316**	**1,185,963,466**	**1,940,174,782**	**1,186,356,119**	**754,618,663**	**1,940,974,782**	

BUDGET SUMMARY | SUMMARY OF FUND ACTIVITY

Fund	Beginning Fund Balance	Revenue and Transfers	Total Sources Available	Expenditures and Transfers	Ending Fund Balance	Total Uses Available	*
			FY 2022/23				
General Fund	**115,518,795**	**241,923,684**	**357,442,479**	**261,431,495**	**96,010,984**	**357,442,479**	7
Special Revenue and Other Funds							
Bridge Maintenance District #2 Fund	113,396	80,000	193,396	80,000	113,396	193,396	
Building Development Services Fund	19,214,939	14,112,000	33,326,939	12,581,772	20,745,167	33,326,939	
Building Special Programs and Training Fund	228,286	63,395	291,681	44,995	246,686	291,681	
City Affordable Housing Fund	1,968,597	657,000	2,625,597	1,447,378	1,178,219	2,625,597	3
Community Facilities District No. 2019-1 (Lawrence Station) Fund	328,052	387,617	715,669	350,507	365,162	715,669	4
Convention Center Maintenance District Fund	107,095	1,878,119	1,985,214	1,878,119	107,095	1,985,214	
Downtown Parking Maintenance Fund	586,358	14,200	600,558	142,308	458,250	600,558	7
Endowment Care Fund	1,877,424	118,000	1,995,424	28,000	1,967,424	1,995,424	
Engineering Operating Grant Trust Fund	322,683	0	322,683	0	322,683	322,683	
Expendable Trust Fund	276,717	0	276,717	0	276,717	276,717	
Gas Tax Fund	3,425,056	3,100,000	6,525,056	3,509,479	3,015,577	6,525,056	9
Housing and Urban Development Fund	1,750,669	1,865,000	3,615,669	2,575,398	1,040,271	3,615,669	1
Housing Authority Fund	2,128,442	261,000	2,389,442	368,411	2,021,031	2,389,442	
Housing Successor Agency Fund	2,899,132	350,000	3,249,132	932,072	2,317,060	3,249,132	3
Library Operating Grant Trust Fund	5,988	0	5,988	0	5,988	5,988	
Other City Departments Operating Grant Trust Fund	296,438	0	296,438	0	296,438	296,438	
Parks and Recreation Operating Grant Trust Fund	2,646	147,984	150,630	147,984	2,646	150,630	
Perpetual Care Fund	38,244	500	38,744	500	38,244	38,744	
Police Operating Grant Trust Fund	325,964	0	325,964	0	325,964	325,964	
Public Donations Fund	29,481	0	29,481	0	29,481	29,481	
Public, Educational, and Governmental Fee Fund	2,355,967	200,000	2,555,967	200,000	2,355,967	2,555,967	
Road Maintenance and Rehabilitation (SB1) Fund	480,741	2,400,000	2,880,741	2,100,000	780,741	2,880,741	9
Traffic Fair Share Fund	7,941,970	0	7,941,970	0	7,941,970	7,941,970	
Traffic Mitigation Fund	4,380,240	1,681,500	6,061,740	1,815,000	4,246,740	6,061,740	
Total Special Revenue and Other Funds	**51,084,525**	**27,316,315**	**78,400,840**	**28,201,923**	**50,198,917**	**78,400,840**	

BUDGET SUMMARY | SUMMARY OF FUND ACTIVITY

Fund	Beginning Fund Balance	Revenue and Transfers	Total Sources Available	Expenditures and Transfers	Ending Fund Balance	Total Uses Available	*
			FY 2022/23				
Enterprise Funds							
Cemetery Fund	94,592	1,498,500	1,593,092	1,535,529	57,563	1,593,092	7
Convention Center Enterprise Fund	1,236,283	13,603,635	14,839,918	14,428,381	411,537	14,839,918	8
Electric Operating Grant Trust Fund	54,143,452	34,522,118	88,665,570	34,522,118	54,143,452	88,665,570	
Electric Utility Fund	316,447,809	594,686,986	911,134,795	579,744,669	331,390,126	911,134,795	
Sewer Utility Fund	29,805,681	40,459,345	70,265,026	62,519,070	7,745,956	70,265,026	4
Solid Waste Fund	5,813,408	36,087,600	41,901,008	35,092,680	6,808,328	41,901,008	4,5
Water Recycling Fund	5,585,361	5,708,446	11,293,807	5,805,348	5,488,459	11,293,807	
Water Utility Fund	9,471,827	48,358,520	57,830,347	50,914,618	6,915,729	57,830,347	4
Total Enterprise Funds	**422,598,413**	**774,925,150**	**1,197,523,563**	**784,562,413**	**412,961,150**	**1,197,523,563**	
Internal Service Funds							
Communication Acquisitions Fund	756,611	606,984	1,363,595	606,984	756,611	1,363,595	
Fleet Operations Fund	461,421	5,277,356	5,738,777	5,330,229	408,548	5,738,777	4
Information Technology Services Fund	3,304,636	12,072,415	15,377,051	12,072,415	3,304,636	15,377,051	
Public Works Capital Projects Management Fund	285,323	4,114,234	4,399,557	4,114,234	285,323	4,399,557	
Special Liability Insurance Fund	5,754,953	7,930,290	13,685,243	7,930,290	5,754,953	13,685,243	
Unemployment Insurance Fund	0	150,000	150,000	150,000	0	150,000	
Vehicle Replacement Fund	9,623,857	4,012,324	13,636,181	3,214,961	10,421,220	13,636,181	
Workers' Compensation Fund	5,161,414	5,835,000	10,996,414	5,835,000	5,161,414	10,996,414	
Total Internal Service Funds	**25,348,215**	**39,998,603**	**65,346,818**	**39,254,113**	**26,092,705**	**65,346,818**	
Capital Improvement Program Funds							
Electric Utility Capital Fund	30,150,629	30,397,677	60,548,306	30,397,677	30,150,629	60,548,306	
Fire Department Capital Fund	104,000	251,602	355,602	251,602	104,000	355,602	
General Government Capital Fund	1,043,703	912,104	1,955,807	912,104	1,043,703	1,955,807	
Library Department Capital Fund	9,247	0	9,247	0	9,247	9,247	
Parks and Recreation Capital Fund	14,392,127	200,000	14,592,127	3,892,990	10,699,137	14,592,127	9

BUDGET SUMMARY | SUMMARY OF FUND ACTIVITY

FY 2022/23							
Fund	Beginning Fund Balance	Revenue and Transfers	Total Sources Available	Expenditures and Transfers	Ending Fund Balance	Total Uses Available	*
Capital Improvement Program Funds							
Public Buildings Capital Fund	408,270	112,231	520,501	112,231	408,270	520,501	
Recycled Water Capital Fund	1,378,477	50,000	1,428,477	50,000	1,378,477	1,428,477	
Related Santa Clara Developer Fund	3,000	2,501,585	2,504,585	2,501,585	3,000	2,504,585	
Sewer Utility Capital Fund	37,051,628	40,757,915	77,809,543	40,328,667	37,480,876	77,809,543	
Solid Waste Capital Fund	1,443,831	668,833	2,112,664	654,885	1,457,779	2,112,664	
Storm Drain Capital Fund	1,961,046	1,817,582	3,778,628	1,818,582	1,960,046	3,778,628	
Street Lighting Capital Fund	250,784	75,000	325,784	75,000	250,784	325,784	
Streets and Highways Capital Fund	11,547,601	13,357,027	24,904,628	13,357,027	11,547,601	24,904,628	
Tasman East Infrastructure Improvement Fund	993,377	0	993,377	0	993,377	993,377	
Water Utility Capital Fund	22,313,819	6,360,000	28,673,819	6,360,000	22,313,819	28,673,819	
Total Capital Improvement Program Funds	**123,051,539**	**97,461,556**	**220,513,095**	**100,712,350**	**119,800,745**	**220,513,095**	
Other Agency Funds							
Sports and Open Space Authority Fund	9,387	250	9,637	5,420	4,217	9,637	7
Total Other Agency Funds	**9,387**	**250**	**9,637**	**5,420**	**4,217**	**9,637**	
Debt Service Funds							
Electric Utility Debt Service Fund	11,618,827	16,548,917	28,167,744	16,548,917	11,618,827	28,167,744	
Public Facilities Financing Corporation Fund	725,272	1,404,275	2,129,547	1,404,275	725,272	2,129,547	
Sewer Utility Debt Service Fund	4,663,690	1,889,035	6,552,725	1,889,035	4,663,690	6,552,725	
Total Debt Service Funds	**17,007,789**	**19,842,227**	**36,850,016**	**19,842,227**	**17,007,789**	**36,850,016**	
Total City Funds	**754,618,663**	**1,201,467,785**	**1,956,086,448**	**1,234,009,941**	**722,076,507**	**1,956,086,448**	

BUDGET SUMMARY | SUMMARY OF FUND ACTIVITY

***Explanations for Beginning Fund Balance and Ending Fund Balance Changes Greater Than 10%**

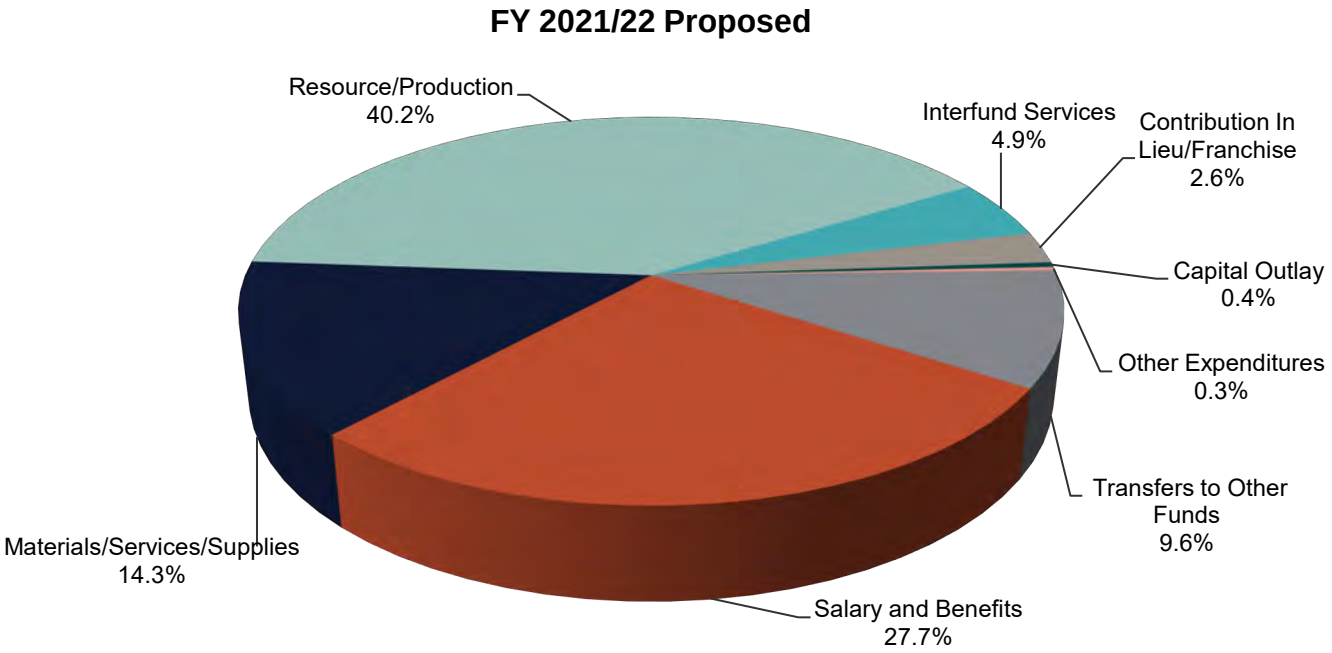
1. The accumulation of surplus revenues and/or expenditure savings is being used for budget balancing purposes.
2. The beginning fund balance includes carryover of the prior year's budget. If these carryovers are removed, the change in fund balance is less than 10%.
3. The accumulation of savings is being used for various one-time uses.
4. This fund's expenditure budget is determined using rates, fees and charges estimates for cost recovery; reflects the ramp up of activity
5. The accumulation of savings is being used to support future years' uses and/or also to establish recommended reserve levels.
6. The establishment or elimination of the fund.
7. The planned draw down of accumulated fund balance and/or reserves
8. The revenue and expenditure activity in this fund are provided and managed by an outside agency.
9. Changes in expenditure levels related to timing changes in capital expenditures.
10. Reflects the transfer of the $18.0 million from the Building Inspection Reserve to the new Building Development Services Fund

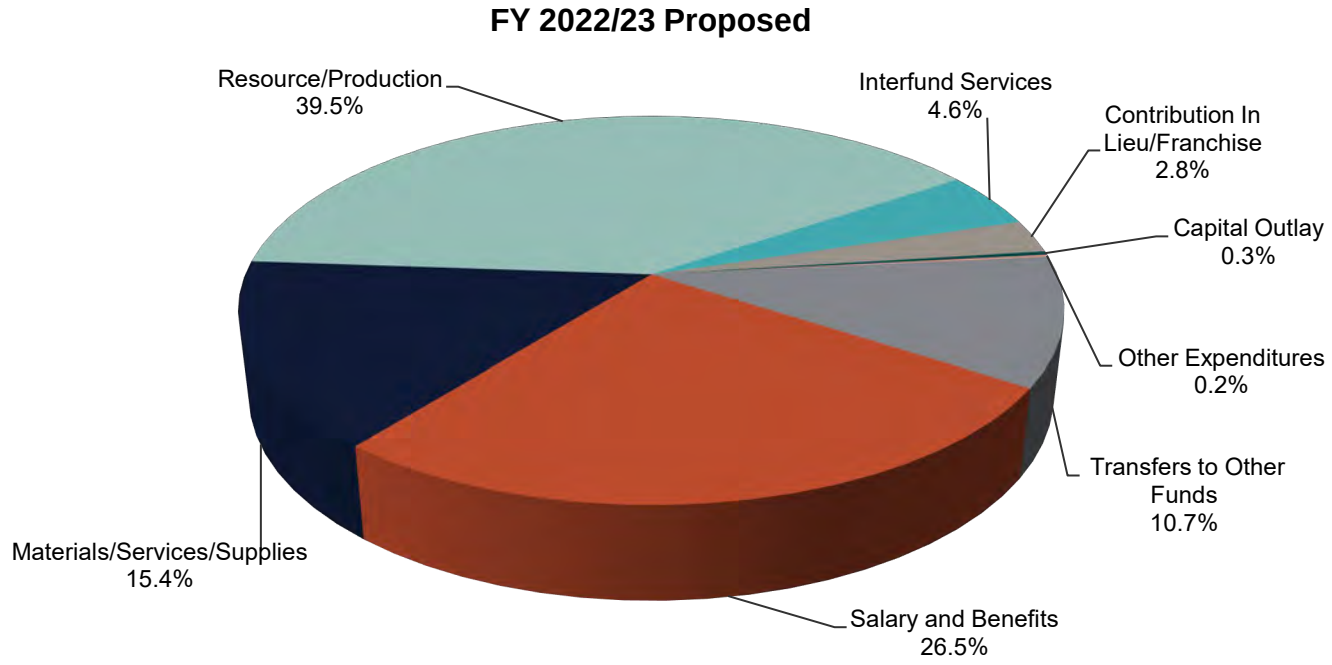
BUDGET SUMMARY | OPERATING EXPENDITURES BY CATEGORY

	FY 2020/21 Adopted	FY 2021/22 Proposed	% Change	FY 2022/23 Proposed	% Change
Salary and Benefits					
Salary	162,701,907	158,632,659	(2.5%)	165,188,682	4.1%
As-Needed	8,446,842	7,619,027	(9.8%)	7,969,445	4.6%
Overtime	12,092,108	12,706,889	5.1%	13,131,196	3.3%
Retirement	63,553,138	68,861,733	8.4%	73,638,136	6.9%
Health Allocations	13,790,521	14,234,180	3.2%	14,848,740	4.3%
Medicare	2,613,230	2,604,007	(0.4%)	2,705,656	3.9%
Social Security	6,015,509	5,741,672	(4.6%)	5,858,570	2.0%
Other Benefits	8,257,503	8,534,797	3.4%	8,529,052	(0.1%)
Total Salary and Benefits	**277,470,758**	**278,934,964**	**0.5%**	**291,869,477**	**4.6%**
Non-Personnel					
Materials/Services/Supplies	164,169,507	144,124,957	(12.2%)	169,454,005	17.6%
Resource/Production	375,028,473	404,159,859	7.8%	434,128,218	7.4%
Interfund Services	49,287,663	49,555,097	0.5%	50,882,490	2.7%
Contribution In Lieu/Franchise	25,037,085	26,480,848	5.8%	30,407,775	14.8%
Capital Outlay	4,411,476	4,041,376	(8.4%)	3,207,018	(20.6%)
Other Expenditures	4,508,643	3,016,419	(33.1%)	1,872,322	(37.9%)
Transfers to Other Funds	128,499,259	96,491,919	(24.9%)	117,713,349	22.0%
Total Non-Personnel	**750,942,106**	**727,870,475**	**(3.1%)**	**807,665,177**	**11.0%**
Total Operating Expenditures by Category[1]	**1,028,412,864**	**1,006,805,439**	**(2.1%)**	**1,099,534,654**	**9.2%**

[1]All years exclude debt service funds and internal service fund expenses not assigned to a department.

BUDGET SUMMARY | OPERATING EXPENDITURES BY CATEGORY



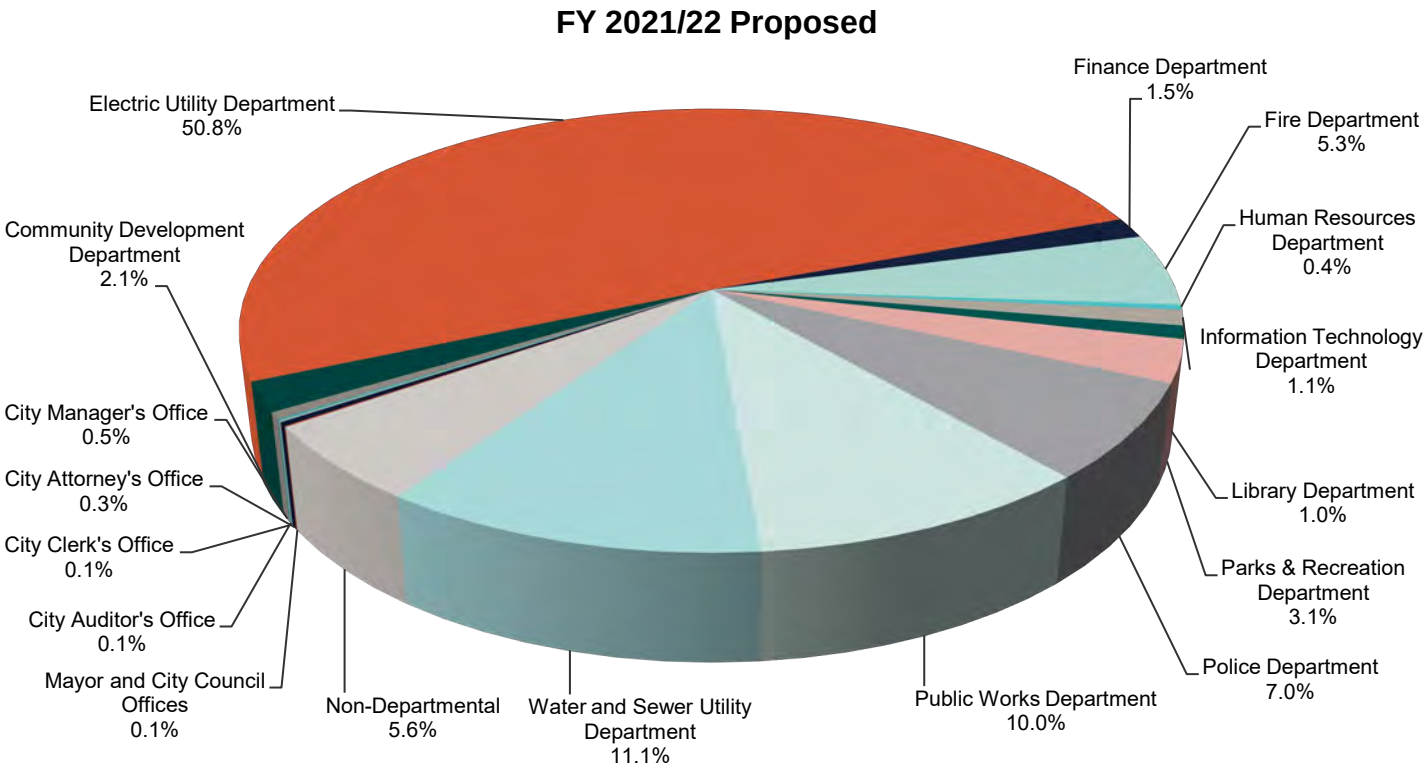


BUDGET SUMMARY | EXPENDITURES BY DEPARTMENT AND FUND TYPE

	FISCAL YEAR 2021/22					
	General Fund	Internal Service Fund	Special Revenue Funds	Enterprise Funds	Capital Improvement Program Funds	Grand Total
Departments/Offices						
Mayor and City Council Offices	829,205					829,205
City Attorney's Office	3,097,380					3,097,380
City Clerk's Office	1,470,231					1,470,231
City Auditor's Office	1,075,970					1,075,970
City Manager's Office	5,442,069					5,442,069
Community Development Department	5,070,207		18,867,842		330,000	24,268,049
Electric Utility Department				529,959,140	45,406,027	575,365,167
Finance Department	16,363,472				675,000	17,038,472
Fire Department	59,017,130				837,110	59,854,240
Human Resources Department	4,133,810					4,133,810
Information Technology Department		12,084,229	200,000		600,000	12,884,229
Library Department	10,764,727				7,872	10,772,599
Parks & Recreation Department	20,786,349		463,282	1,481,057	11,910,480	34,641,168
Police Department	78,170,137	584,334				78,754,471
Public Works Department	23,972,705	13,185,082	8,683,353	33,525,296	34,026,746	113,393,182
Water and Sewer Utility Department				95,628,494	30,139,348	125,767,842
Non-Departmental	52,368,077			9,581,861	968,103	62,918,041
Total Operating Expenditures[1]	**282,561,469**	**25,853,645**	**28,214,477**	**670,175,848**	**124,900,686**	**1,131,706,125**

[1]All years exclude debt service funds and internal service fund expenses not assigned to a department.

BUDGET SUMMARY | EXPENDITURES BY DEPARTMENT AND FUND TYPE

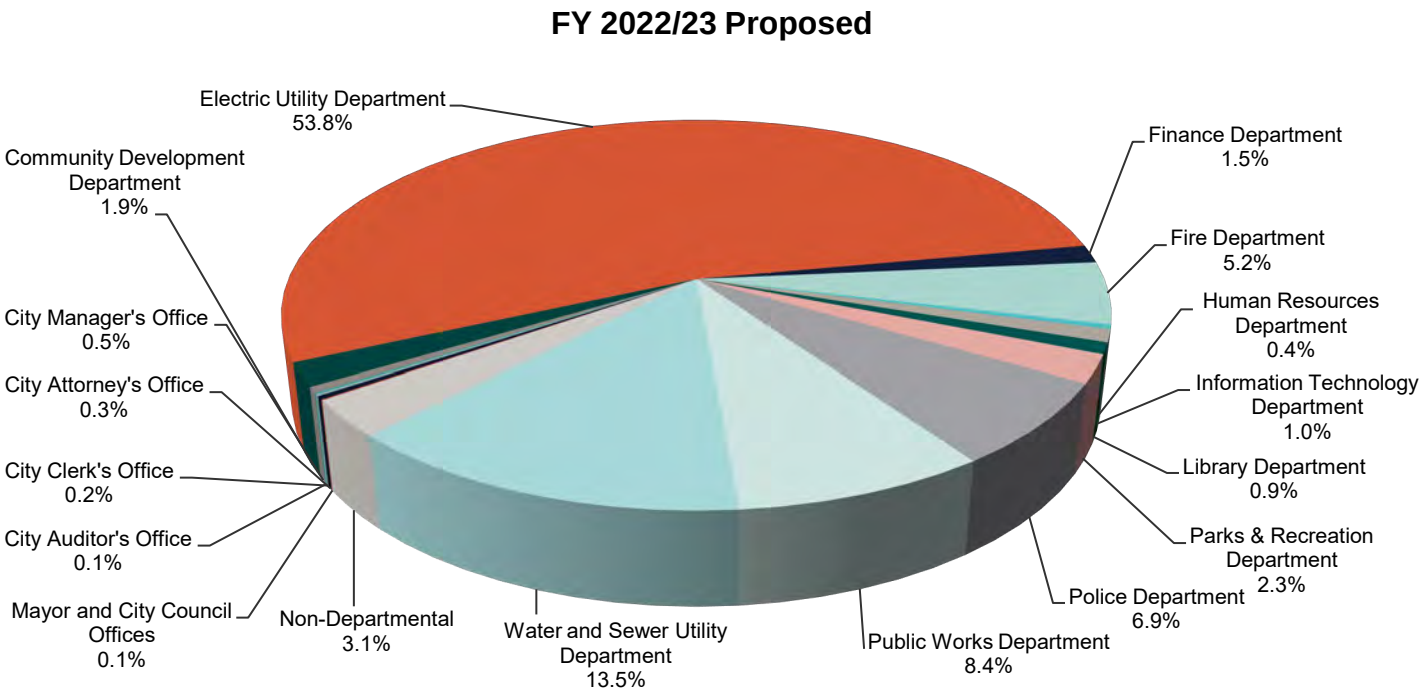


BUDGET SUMMARY | EXPENDITURES BY DEPARTMENT AND FUND TYPE

	FISCAL YEAR 2022/23					
	General Fund	Internal Service Fund	Special Revenue Funds	Enterprise Funds	Capital Improvement Program Funds[2]	Grand Total
Departments/Offices						
Mayor and City Council Offices	859,377					859,377
City Attorney's Office	3,222,887					3,222,887
City Clerk's Office	1,871,218					1,871,218
City Auditor's Office	1,250,526					1,250,526
City Manager's Office	5,695,535					5,695,535
Community Development Department	5,267,692		17,950,026			23,217,718
Electric Utility Department				614,266,787	30,472,677	644,739,464
Finance Department	17,207,791				575,000	17,782,791
Fire Department	61,681,272				251,602	61,932,874
Human Resources Department	4,313,246					4,313,246
Information Technology Department		12,072,415	200,000		300,000	12,572,415
Library Department	11,159,488					11,159,488
Parks & Recreation Department	21,725,514		526,991	1,535,529	3,892,990	27,681,024
Police Department	81,848,082	606,984				82,455,066
Public Works Department	25,203,805	12,659,424	9,524,906	35,092,680	18,059,581	100,540,396
Water and Sewer Utility Department				119,239,036	43,167,915	162,406,951
Non-Departmental	20,125,062			14,428,381	2,501,585	37,055,028
Total Operating Expenditures[1]	**261,431,495**	**25,338,823**	**28,201,923**	**784,562,413**	**99,221,350**	**1,198,756,004**

[1]All years exclude debt service funds and internal service fund expenses not assigned to a department.
[2]The FY 2022/23 Capital Improvement Program information reflects the third year of the five-year CIP plan from the FY 2020/21 and 2021/22 Adopted Capital Improvement Program Budget. The proposed budget for FY 2022/23 and FY 2023/24 will be determined in next year's capital budget cycle.

BUDGET SUMMARY | EXPENDITURES BY DEPARTMENT AND FUND TYPE



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Summary of Budgeted Positions by Department/Office

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Department/Office					
Mayor and City Council Offices**	10.00	9.00	9.00	0.00	9.00
City Attorney's Office	7.00	8.00	8.00	0.00	8.00
City Auditor's Office	3.33	3.33	3.00	(0.33)	3.00
City Clerk's Office	5.00	7.00	6.00	(1.00)	6.00
City Manager's Office/Non-Departmental	22.00	24.00	19.00	(5.00)	19.00
Community Development Department	66.00	68.75	72.00	3.25	72.00
Electric Utility Department	197.00	198.00	198.00	0.00	198.00
Finance Department	61.42	69.42	68.75	(0.67)	68.75
Fire Department	167.25	168.25	154.50	(13.75)	154.50
Human Resources Department	15.75	15.75	14.00	(1.75)	14.00
Information Technology Department	7.00	7.00	6.00	(1.00)	6.00
Library Department	46.75	46.75	42.50	(4.25)	42.50
Parks and Recreation Department	82.75	82.75	76.75	(6.00)	76.75
Police Department	239.00	239.00	221.00	(18.00)	221.00
Department of Public Works	128.50	131.50	122.50	(9.00)	122.50
Water and Sewer Utilities Department	73.00	73.00	73.00	0.00	73.00
Total Budgeted FTE by Department/Office	**1,131.75**	**1,151.50**	**1,094.00**	**(57.50)**	**1,094.00**

**The positions above represent all funded positions. This excludes the 43.50 positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*
***Mayor and City Councilmember positions shown as 7.0 Full-Time Equivalents (budgeted positions).*

Summary of Budgeted Positions by Fund

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Fund					
General Fund (001)*	805.84	815.59	717.46	(98.13)	717.46
Special Revenue Funds					
Housing and Urban Development (562)	2.47	2.47	3.30	0.83	3.30
City Affordable Housing (165)	1.71	1.71	1.20	(0.51)	1.20
Housing Successor (169)	1.61	1.61	1.55	(0.06)	1.55
Downtown Parking Maintenance District (025)	0.50	0.50	0.50	0.00	0.50
Housing Authority (164)	0.43	0.43	0.65	0.22	0.65
Building Development Services Fund	0.00	0.00	43.00	43.00	43.00
Convention Center Maintenance District (026)	0.10	0.10	0.10	0.00	0.10
Subtotal Special Revenue Funds	**6.82**	**6.82**	**50.30**	**43.48**	**50.30**
Enterprise Funds					
Electric (091, 191)	197.00	182.00	198.50	16.50	198.50
Water Utility (092)	47.40	47.25	47.25	0.00	47.25
Sewer Utility (094)	22.20	22.45	22.45	0.00	22.45
Solid Waste (096)	6.65	6.65	6.65	0.00	6.65
Cemetery (093)	5.00	5.00	5.00	0.00	5.00
Recycled Water (097)	3.40	3.30	3.30	0.00	3.30
Convention Center Enterprise (860)	0.00	0.00	1.50	1.50	1.50
Subtotal Enterprise Funds	**281.65**	**266.65**	**284.65**	**18.00**	**284.65**
Internal Service Funds					
Fleet Management (053)	15.75	15.75	14.75	(1.00)	14.75
Public Works Capital Projects Management (044)	14.69	14.69	14.34	(0.35)	14.34
Information Technology Services (045)	7.00	7.00	6.00	(1.00)	6.00
Subtotal Internal Service Funds	**37.44**	**37.44**	**35.09**	**(2.35)**	**35.09**
Capital Improvement Program Funds					
Electric Utility Capital (591)	0.00	16.00	0.00	(16.00)	0.00
Related Santa Clara Developer (540)	0.00	9.00	6.50	(2.50)	6.50
Subtotal Capital Improvement Program Funds	**0.00**	**25.00**	**6.50**	**(18.50)**	**6.50**
Total Budgeted FTE by Fund	**1,131.75**	**1,151.50**	**1,094.00**	**(57.50)**	**1,094.00**

Note: The reduction in the General Fund includes the shift of 39.0 positions to the new Building Development Services Fund.

**The positions above represent all funded positions. This excludes the 43.50 positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Summary of Frozen Positions by Department

***As approved by City Council on March 9, 2021 as part of the COVID-19 Phase 1 Budget Rebalancing**

Department	Classification	FTE
City Attorney's Office	Legal Office Specialist III	1.00
City Clerk's Office	Deputy City Clerk	1.00
City Manager's Office/Non-Departmental	Assistant City Manager	1.00
City Manager's Office/Non-Departmental	Deputy City Manager	1.00
City Manager's Office/Non-Departmental	Office Specialist III	1.00
Community Development	Associate Planner	1.00
Community Development	Office Specialist II	0.75
Finance	Office Specialist III	1.00
Fire	Firefighter	12.00
Fire	Quality Improvement Nurse	0.75
Human Resources	Human Resources Division Manager	1.00
Parks and Recreation	Grounds Maintenance Worker I	1.00
Parks and Recreation	Grounds Maintenance Worker II	2.00
Parks and Recreation	Office Specialist II	1.00
Police	Office Specialist II	1.00
Police	Police Records Specialist	2.00
Police	Police Sergeant	2.00
Police	Police Officer	6.00
Police	Community Service Officer	4.00
Public Works	Assistant Engineer	1.00
Public Works	Associate Engineer	1.00
Public Works	Automotive Technician III	1.00
	Total Positions Frozen	**43.50**

Summary of Frozen Positions for Related Santa Clara

***Positions approved by City Council in November 2019 to support the Related project that are currently frozen based on the anticipated project schedule**

Department	Classification	FTE
Fire Department	Deputy Fire Marshal	1.00
Public Works	Public Works Inspector	1.00
	Total Positions Frozen	**2.00**

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DEBT SERVICE

Overview

Under the authority of the City Manager, the City executes debt instruments, oversees the accounting and reporting of debt, administers debt proceeds, manages continuing disclosure and debt compliance requirements, and makes debt service payments, while acting with prudence, diligence, and attention to prevailing economic conditions.

The City of Santa Clara uses debt financing as a tool to maintain its long-term financial stability by paying for certain expenditures over time. Debt financing is also a tool for managing cash flow when large, one-time outlays are required as in the case of constructing a new building or large-scale upgrades to infrastructure. This section provides a summary of the City's debt service for the ten-year forecast period. Included is the Computation of Legal Debt Margin, which calculates the City's debt limit as defined by the City Charter. Also included is a debt service schedule representing the currently outstanding debt of the City. The City does not currently have any outstanding general obligation debt.

Debt Policies

The Santa Clara City Charter, Section 1309, limits the allowable bonded indebtedness of the City at 15% of the total assessed valuation of property within the City, exclusive of revenue bonds or any indebtedness that has been or may be incurred for the purposes of acquiring, constructing, extending, or maintaining municipally owned utilities, for which purposes a further indebtedness may be incurred by the issuance of bonds, subject only to the provisions of the State constitution and the City Charter.

Section 1321 of the City Charter further provides for the issuance of revenue bonds when authorized at an election as provided therein. The City Charter also gives City Council the power to issue revenue bonds to finance the generation, production, transmission, and distribution of electric energy, including the acquisition and/or construction of lands and facilities therefor, without authorization at an election.

The City's Debt Management Policy provides guidance for the issuance of bonds and other forms of indebtedness to finance land acquisition, construction, equipment, and other capital requirements of the City. While the issuance of debt is an appropriate method of financing capital projects and major equipment acquisitions, such issuance shall be carefully monitored.

The issuance of debt shall be closely aligned with the cash flow requirements of the projects being financed. Within the limitations of the City Charter, determining the amount of indebtedness the City can afford begins by assessing the sufficiency of future revenues. The amount of debt issued is based on the requirements of the approved Capital Improvement Program, subject to the condition that sufficient revenues are projected to be available to pay debt service. Factors such as debt service coverage requirements outlined in the bond indentures, the impact on the residents (tax rates), and any impact on the bond ratings will be carefully considered. Different factors are considered for each type of credit. For example, electric, water or sewer bonds will take into consideration the impact on customer utility rates. Other factors such as providing debt capacity for future programs and existing and forecasted fund balances, including reserves, will also be taken into consideration.

The City believes that debt is an equitable means of financing projects and represents an important source of meeting fiscal responsibilities. The City obtains and maintains long-term debt for large capital improvement projects. The Finance Department manages the City’s debt with prudence, diligence, and with attention to prevailing economic conditions and applicable laws. It manages issuance of debt, administers debt proceeds, prepares ongoing disclosure, handles debt and tax compliance, and makes debt service payments. City departments with debt-financed capital programs coordinate with the Finance Department in implementing and handling debt related transactions. Semiannual updates are prepared by the Finance Department on outstanding debt for the City of Santa Clara, its Agencies and Corporations. This report is presented as a standard management practice that provides a valuable overview of the current status of the City’s long-

term debt obligations. The current City Council approved debt policy can be found online at: http://santaclaraca.gov/home/showdocument?id=63748.

Long-Term Debt Planning

The City employs a comprehensive multi-year, long-term capital improvement planning program that is updated every two years. Debt management is a major component of the financial planning model which incorporates projected financing needs for infrastructure development that is consistent with the City's growth, while at the same time measuring and assessing the cost and timing of any debt issuance.

Issuer Credit Rating

The City seeks to obtain and maintain the highest possible credit ratings for all categories of short- and long-term debt. The City's bonds are rated favorably by major bond rating agencies, Fitch and Standard and Poor's (S&P). The City's Certificates of Participation are rated 'AA' by S&P. The City's Electric Revenue Bonds are rated 'AA-' by Fitch and 'A+' by S&P. Maintaining high bond ratings has resulted in a broader market for the City's bonds and lower interest costs to the City.

Public Facilities Financing Corporation

The City of Santa Clara Public Facilities Financing Corporation (PFFC) was formed in 1997 for the purpose of issuing Certificates of Participation (COPs) to provide financing for the construction of major City facilities. Members of the City Council are also members of the PFFC Board. Debt service on COPs is secured by lease payments made by the City's General Fund to the PFFC for use of the constructed facilities for public purposes. In accordance with lease agreements, the PFFC assigns lease payments received from the City to the trustee for payment to the certificate holders.

Long-Term Debt Obligations

Certificates of Participation (COPs) are a debt instrument evidencing a pro-rata share in a specific pledged revenue source, usually lease payments. These lease payments are typically secured by an installment sale or leaseback agreement. Revenues are pledged to pay lease payments, and such lease payments are used to pay debt service on the COPs. The lessor typically assigns the lease and the payment to a trustee, which distributes the payments to certificate holders. These obligations do not constitute indebtedness under the State constitutional debt limitation and are not subject to voter approval.

Lease Revenue Bonds are a lease obligation secured by a leaseback arrangement with a public entity, where general operating revenues are pledged to pay the lease payments, and in turn are used to pay debt service on the debt. These obligations do not constitute indebtedness under the State constitutional debt limitation and are not subject to voter approval.

In connection with COPs and Lease Revenue Bonds, payments to be made under valid leases are payable only in the year in which use and occupancy of the leased property is available, and lease payments may not be accelerated. Lease financing requires the fair market rental value of the leased property to be equal to or greater than the required debt service or lease payment schedule. The governmental lessee is obligated to place in its annual budget the rentals that are due and payable during each fiscal year the lessee has use of the leased property.

Installment Sale Agreements are debt obligations secured by the assignment of installment payments required to be paid by the City from certain pledged revenues, such as revenues from an enterprise, in an amount sufficient to pay the installment payments, including interest. The City's outstanding Installment Sale Agreements are payable solely from the City's Sewer Utility and is not secured by any pledge of ad valorem taxes or General Fund revenues of the City. These obligations do not constitute indebtedness under the State constitutional debt limitation and are not subject to voter approval.

Revenue Bonds are obligations payable from revenues generated by an enterprise, such as electric, water, or wastewater utilities. The City's outstanding utility Revenue Bonds are payable solely from the City's Electric Utility and Sewer Utility Enterprise Funds and are not secured by any pledge of ad valorem taxes or General Fund revenues of the City.

Summary of FY 2021/22 and 2022/23 Debt Service

The Biennial Operating Budget includes $20,698,358 in debt service FY 2021/22 and $19,842,127 in debt service for FY 2022/23. A ten-year debt service schedule is shown herein.

2010 City of Santa Clara Lease Agreement (Police Administration Building Project)

On July 13, 2010, the City entered into an agreement with the PFFC in order to provide funds to refund outstanding 1997 Certificates of Participation, which were originally issued to provide financing to build a new Police Administration building. The PFFC entered into a separate agreement with the assignee, Bank of America, N.A. Debt service on the Lease Agreement is secured by lease payments made by the City to the assignee for use of the Police Administration site. On March 22, 2012, Bank of America sold and transferred the Lease Agreement to Capital One Public Financing, LLC with no change to the terms, covenants, or conditions of the contract or the payment schedule. Lease payments are due semiannually beginning February 1, 2011 through February 1, 2022 and bear a coupon rate of 3.65%.

2013 Refunding Certificates of Participation (Central Park Library Project)

On March 28, 2013, the PFFC issued $18.54 million of Refunding Certificates of Participation (2013 COPs) to provide funds to refund outstanding 2002A Certificates of Participation, which were originally issued to provide financing to build a new Central Park Library. The 2013 COPs mature annually beginning February 1, 2014 through February 1, 2032 and bear coupon rates ranging from 2.00% to 3.75%. Debt Service is secured by lease payments to be made by the City to the PFFC for use of the library site. The PFFC assigns the lease payments to the certificate owners.

Installment Sale Agreement, Series 2016 (Trimble Road Sewer Project)

On March 8, 2016, the City entered into a $12.0 million Installment Sale Agreement with the PFFC in order to provide funds for the Trimble Road Trunk Sanitary Sewer Improvement Project. The PFFC entered into a separate Assignment Agreement with DNT Asset Trust, a wholly owned subsidiary of JPMorgan Chase National Association (the “Agreement”), to assign its rights under the Installment Sale Agreement to DNT Asset Trust. The Agreement has an interest rate of 2.14% and semiannual payments are due beginning August 1, 2016 through February 1, 2031. Installment payments on the Agreement are secured by a pledge of net revenues of the Wastewater System.

Installment Sale Agreement, Series 2020 (Regional Wastewater Facility)

The City co-owns the Regional Wastewater Facility with the City of San José. Major improvements are being made to the facility, with the City’s portion of the costs budgeted as a separate project in the City’s current Capital Improvement Program budget. On June 11, 2020, the City entered into an Installment Sale Agreement (the “ISA”) with the PFFC to provide a portion of the City’s costs related to the San Jose/Santa Clara Regional Wastewater Facility Project (the “Project”). The PFFC entered into a separate Assignment Agreement with JPMorgan Chase Bank, N.A. (the “Assignment Agreement”), to assign its rights under the ISA to JPMorgan Chase Bank, N.A. The ISA in the amount of $50.0 million carries a variable rate of interest equal to 80% of 1-month LIBOR (reset daily), plus 0.95% per annum, on any drawn amounts. The City may draw on the Installment Sale Agreement as necessary with an initial $20.0 million drawn on the date of closing. Interest is due each January 1 and July 1, commencing January 1, 2021. Principal on outstanding advances is due on or before July 1, 2024. In addition, the PFFC shall pay an undrawn fee on any amount not yet drawn at a rate of 0.325% per annum on each interest payment date. Installment payments on the Agreement are secured by a pledge of net revenues of the Wastewater System on a subordinate basis to the Trimble Road Installment Payments.

Electric Revenue Refunding Bonds, Series 2013A

On April 24, 2013, SVP issued $64.38 million of Electric Revenue Refunding Bonds, Series 2013A (Electric 2013A Bonds), to provide funds, together with other available moneys, to refinance outstanding Electric 2003A Bonds. The Electric 2013A Bonds mature annually beginning on July 1, 2014 through July 1, 2028 and bear coupon rates ranging from 3.00% to 5.00%. Debt service on the Electric 2013A Bonds is secured by a pledge of net revenues of the Electric Utility Enterprise Fund.

The Electric 2013A Bonds maturing July 1, 2023 through July 1, 2028 were refunded on April 10, 2020 by the Subordinate Electric Revenue Refunding Bonds, Series 2020-2 described below. The refunding of a portion of the Electric 2013A Bonds resulted in overall savings of $1,706,384.

Electric Revenue Refunding Bonds, Series 2018A

On December 18, 2018, SVP issued $48.80 million of Electric Revenue Refunding Bonds, Series 2018A (Electric 2018A Bonds) to refinance $54.58 million outstanding principal amount of Variable Rate Demand Electric Revenue Bonds, Series 2008B and terminate a related interest rate swap transaction. The Electric 2018A Bonds mature annually beginning on July 1, 2019 through July 1, 2027 and bear coupon rates of 5.00%. Debt service on the Electric 2018A Bonds is secured by a pledge of net revenues of the Electric Utility Enterprise Fund.

Subordinate Electric Revenue Refunding Bonds, Series 2020-1, 2020-2, and 2020-3

Series 2020-1 Bonds
On April 10, 2020, SVP issued $52.985 million of Subordinate Taxable Electric Revenue Refunding Bonds, Series 2020-1 (Electric 2020-1 Bonds) on a taxable basis to refinance $54.83 million outstanding principal amount of Electric Revenue Refunding Bonds, Series 2011 A. The Electric 2020-1 Bonds bear a 1.74% taxable coupon rate, mature annually beginning on July 1, 2028 through July 1, 2032, and were sold at an All-In True Interest Cost of 1.43%.

On April 2, 2021, the Electric 2020-1 Bonds were converted to tax-exempt bonds bearing a 1.36% coupon rate. Debt service on the Electric 2020-1 Bonds is secured by a pledge of Available Electric Revenues of SVP on a basis subordinate to outstanding Senior Electric Revenue Bonds, if any.

Series 2020-2 Bonds
On April 10, 2020, SVP issued $34.315 million of Subordinate Taxable Electric Revenue Refunding Bonds, Series 2020-2 (Electric 2020-2 Bonds) to refinance $30.725 million of outstanding Electric Revenue Refunding Bonds, Series 2013 A. The Electric 2020-2 Bonds bear a 1.31% coupon rate, mature annually beginning on July 1, 2023 through July 1, 2028, and were sold at an All-In True Interest cost of 1.21%. Debt service on the Electric 2020-2 Bonds is secured by a pledge of Available Electric Revenues of SVP on a basis subordinate to outstanding Senior Electric Revenue Bonds, if any.

The Electric 2020-2 Bonds were initially issued on a taxable basis, with the potential to be converted to tax-exempt bonds in the future. This structure potentially allows the City to lower interest costs and capture additional savings upon conversion to a tax-exempt rate when the Electric 2020-2 Bonds can be current refunded under applicable tax law.

Series 2020-3 Bonds
On April 10, 2020, SVP issued $16.72 million of Subordinate Tax-Exempt Electric Revenue Refunding Bonds, Series 2020-3 (Electric 2020-3 Bonds) to refinance $19.413 million outstanding principal amount of Subordinated Electric Revenue Bonds, Series 2014. The Electric 2020-3 Bonds bear a 0.58% coupon rate, mature annually beginning on July 1, 2020 through July 1, 2024, and were sold at an All-In True Interest Cost of 0.70%. Debt service on the Electric 2020-3 Bonds is secured by a pledge of Available Electric Revenues of SVP on a basis subordinate to outstanding Senior Electric Revenue Bonds, if any.

CITY OF SANTA CLARA
ASSESSED AND ESTIMATED ACTUAL VALUE OF TAXABLE PROPERTY
Last Ten Fiscal Years
(In Thousands)

Fiscal Year Ending June 30	Net Local Secured Roll [1]	State Assessed Valuation	Net Unsecured Roll	Net Assessed Valuation	Total Assessed Valuation	Valuation	% of Growth of Assessed Valuation	Total Direct Tax Rate
2010 / 11	19,949,252	3,689	3,634,484	23,587,425	23,704,433	99.51%	-3.95%	1.11%
2011 / 12	19,818,648	4,641	3,892,148	23,715,437	23,830,461	99.52%	0.54%	1.14%
2012 / 13	20,475,348	4,641	4,702,675	25,182,664	25,295,792	99.55%	6.19%	1.16%
2013 / 14	22,216,962	4,641	4,680,536	26,902,139	27,012,697	99.59%	6.83%	1.14%
2014 / 15	24,294,056	4,183	4,352,204	28,650,443	28,758,679	99.62%	6.50%	1.13%
2015 / 16	27,659,960	4,183	5,157,346	32,821,489	32,927,777	99.68%	14.56%	1.16%
2016 / 17	30,672,596	4,183	5,856,885	36,533,664	36,638,297	99.71%	11.31%	1.15%
2017 / 18	33,449,607	3,896	6,553,560	40,007,063	40,109,539	99.74%	9.51%	1.16%
2018 / 19	36,596,483	354	7,266,592	43,863,429	43,964,914	99.77%	9.64%	1.13%
2019 / 20	38,502,828	870	7,629,244	46,132,942	46,232,453	99.78%	5.17%	1.20%

Note:
(1) Net of Home Owner Property Tax Relief.
Source: County of Santa Clara, Department of Finance

City of Santa Clara
Legal Debt Margin Information
Last Ten Fiscal Years
(In Thousands)

Fiscal Year Ending June 30	Net Assessed Valuation	Debt Limit- 15% of Assessed Valuation [1]	Debt Applicable to Limit	Legal Debt Margin
2010 / 11	23,587,425	3,538,114	-	3,538,114
2011 / 12	23,715,437	3,557,316	-	3,557,316
2012 / 13	25,182,664	3,777,400	-	3,777,400
2013 / 14	26,902,139	4,035,321	-	4,035,321
2014 / 15	28,650,444	4,297,567	-	4,297,567
2015 / 16	32,821,489	4,923,223	-	4,923,223
2016 / 17	36,533,664	5,480,050	-	5,480,050
2017 / 18	40,007,063	6,001,059	-	6,001,059
2018 / 19	43,863,429	6,579,514	-	6,579,514
2019 / 20	46,132,942	6,934,868	-	6,934,868

Note:

(1) Section 1309 of the City Charter of the City states: "Bonded Debt Limit. The bonded indebtedness of the City may not in the aggregate exceed the sum of fifteen percent (15%) of the total assessed valuation of property within the City, exclusive of revenue bonds or any indebtedness that has been or may hereafter be incurred for the purposes of acquiring, constructing, extending, or maintaining municipally owned utilities for which purposes a further indebtedness may be incurred by the issuance of bonds, subject only to the provisions of the State Constitution and this Charter."

Sources: County of Santa Clara, Department of Finance and City of Santa Clara

DEBT SERVICE SCHEDULE

Bond Issue	Actual 2019/20	Current 2020/21	Proposed 2021/22	Proposed 2022/23	Plan 2023/24	Plan 2024/25	Plan 2025/26	Plan 2026/27	Plan 2027/28	Plan 2028/29	Plan 2029/30	Plan 2030/31
Current Debt Issued												
Lease Financing:												
2010 Lease Financing												
(Police Administration Building Project)												
Principal	994,000	1,030,000	1,065,000	0	0	0	0	0	0	0	0	0
Interest	103,678	67,069	29,164	0	0	0	0	0	0	0	0	0
Arbitrage Computation	1,022	3,500	1,000	0	0	0	0	0	0	0	0	0
	1,098,700	1,100,569	1,095,164	0	0	0	0	0	0	0	0	0
Total Lease Financing	1,098,700	1,100,569	1,095,164	0	0	0	0	0	0	0	0	0
Certificates of Participation:												
2013 Refunding COPs												
(Central Park Library Project)												
Principal	865,000	900,000	940,000	980,000	1,030,000	1,085,000	1,120,000	1,150,000	1,195,000	1,235,000	1,280,000	1,325,000
Interest	537,875	503,275	467,275	420,275	371,275	319,775	285,869	249,469	209,219	167,394	122,625	74,625
Administrative Costs	1,165	2,000	1,000	2,000	0	0	0	0	0	0	0	0
Arbitrage Computation	0	0	0	1,900	0	0	0	0	1,900	0	0	0
	1,404,040	1,405,275	1,408,275	1,404,175	1,401,275	1,404,775	1,405,869	1,399,469	1,406,119	1,402,394	1,402,625	1,399,625
Total Certificates of Participation	1,404,040	1,405,275	1,408,275	1,404,175	1,401,275	1,404,775	1,405,869	1,399,469	1,406,119	1,402,394	1,402,625	1,399,625
Installment Sale Agreement:												
2016 Sanitary Sewer Improvements (Trimble Road Sewer Project)												
Principal	730,013	745,719	761,763	778,152	794,893	811,995	829,465	847,310	865,540	884,161	903,183	922,615
Interest	214,152	191,730	175,687	159,298	142,556	125,454	107,985	90,139	71,910	53,288	34,266	14,834
Arbitrage Computation	0	0	2,150	0	0	0	0	2,150	0	0	0	0
	944,165	937,449	939,600	937,450	937,449	937,449	937,450	939,599	937,450	937,449	937,449	937,449
2020 Sanitary Sewer Improvements (Regional Wastewater Facility)												
Principal	0	0	0	0	0	38,588,216	0	0	0	0	0	0
Interest	0	493,200	951,585	951,585	951,585	0	0	0	0	0	0	0
Arbitrage Computation	190,500	0	0	0	0	0	0	0	0	0	0	0
	190,500	493,200	951,585	951,585	951,585	38,588,216	0	0	0	0	0	0

DEBT SERVICE SCHEDULE

Bond Issue	Actual 2019/20	Current 2020/21	Proposed 2021/22	Proposed 2022/23	Plan 2023/24	Plan 2024/25	Plan 2025/26	Plan 2026/27	Plan 2027/28	Plan 2028/29	Plan 2029/30	Plan 2030/31
Current Debt Issued												
Total Installment Sale Agreement	1,134,665	1,432,799	1,889,035	1,889,035	1,889,034	39,525,665	939,600	937,449	937,450	937,449	937,449	937,449
Revenue Bonds:												
Electric Revenue Refunding Bonds, Series 2011 A												
Principal	54,830,000	0	0	0	0	0	0	0	0	0	0	0
Interest	5,916,663	0	0	0	0	0	0	0	0	0	0	0
Trustee	2,100	0	0	0	0	0	0	0	0	0	0	0
Arbitrage Computation	0	0	0	0	0	0	0	0	0	0	0	0
	60,748,763	0	0	0	0	0	0	0	0	0	0	0
Electric Revenue Refunding Bonds, Series 2014												
Principal	22,998,000	0	0	0	0	0	0	0	0	0	0	0
Interest	401,704	0	0	0	0	0	0	0	0	0	0	0
Arbitrage Computation	1,700	0	0	0	0	0	0	0	0	0	0	0
	23,401,404	0	0	0	0	0	0	0	0	0	0	0
Electric Revenue Refunding Bonds, Series 2013 A												
Principal	34,635,000	4,115,000	4,320,000	4,545,000	0	0	0	0	0	0	0	0
Interest	5,117,800	546,125	335,250	113,625	0	0	0	0	0	0	0	0
Trustee	1,955	1,955	1,955	1,955	0	0	0	0	0	0	0	0
Arbitrage Computation	0	0	0	1,900	0	0	0	0	0	0	0	0
	39,754,755	4,663,080	4,657,205	4,662,480	0	0	0	0	0	0	0	0
Electric Revenue Refunding Bonds, Series 2018 A												
Principal	4,205,000	4,485,000	4,785,000	5,110,000	5,440,000	5,795,000	6,005,000	6,320,000	6,655,000	0	0	0
Interest	2,229,750	2,117,625	1,885,875	1,638,500	1,374,750	1,093,875	798,875	490,750	166,375	0	0	0
Trustee	2,375	2,350	2,350	2,350	2,350	2,350	2,350	2,350	2,350	0	0	0
Arbitrage Computation	1,350	0	0	0	0	0	1,350	0	1,350	0	0	0
	6,438,475	6,604,975	6,673,225	6,750,850	6,817,100	6,891,225	6,807,575	6,813,100	6,825,075	0	0	0

DEBT SERVICE SCHEDULE

Bond Issue	Actual 2019/20	Current 2020/21	Proposed 2021/22	Proposed 2022/23	Plan 2023/24	Plan 2024/25	Plan 2025/26	Plan 2026/27	Plan 2027/28	Plan 2028/29	Plan 2029/30	Plan 2030/31
Current Debt Issued												
Revenue Bonds:												
Electric Revenue Refunding Bonds, Series 2020-1												
Principal	0	0	0	0	0	0	0	0	0	6,555,000	12,745,000	12,910,000
Interest	207,436	901,451	538,445	720,596	720,596	720,596	720,596	720,596	720,596	676,022	544,782	370,328
Trustee	0	3,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Arbitrage Computation	0	0	0	0	0	0	1,350	0	0	0	1,350	0
	207,436	904,951	540,945	723,096	723,096	723,096	724,446	723,096	723,096	7,233,522	13,293,632	13,282,828
Electric Revenue Refunding Bonds, Series 2020-2												
Principal	0	0	0	0	5,755,000	5,695,000	5,910,000	5,975,000	6,050,000	4,930,000	0	0
Interest	101,143	325,907	449,527	425,201	320,663	262,268	203,082	142,469	81,141	25,143	0	0
Trustee	0	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	0	0	0
Arbitrage Computation	0	0	0	0	0	0	0	1,350	0	1,350	0	0
	101,143	328,407	452,027	427,701	6,078,163	5,959,768	6,115,582	6,121,319	6,133,641	4,956,493	0	0
Electric Revenue Refunding Bonds, Series 2020-3												
Principal	0	980,000	3,900,000	3,925,000	3,945,000	3,970,000	0	0	0	0	0	0
Interest	21,820	67,466	79,982	57,290	34,467	11,513	0	0	0	0	0	0
Trustee	0	2,500	2,500	2,500	2,500	2,500	0	0	0	0	0	0
Arbitrage Computation	0	0	0	0	0	0	0	0	0	0	0	0
	21,820	1,049,966	3,982,482	3,984,790	3,981,967	3,984,013	0	0	0	0	0	0
Total Electric Revenue Bonds	130,673,795	13,551,379	16,305,884	16,548,917	17,600,325	17,558,102	13,647,603	13,657,515	13,681,811	12,190,015	13,293,632	13,282,828
Total Current Debt Issued	**134,311,200**	**17,490,022**	**20,698,358**	**19,842,127**	**20,890,634**	**58,488,542**	**15,993,072**	**15,994,433**	**16,025,381**	**14,529,858**	**15,633,706**	**15,619,902**

DEBT SERVICE FUNDS | ELECTRIC UTILITY DEBT SERVICE FUND (491)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Bond Reserve	9,113,750	3,632,533	3,632,533	3,632,533	3,632,533
Reserve for Debt Service	19,471,835	7,882,462	7,882,462	7,986,294	7,986,294
Total Beginning Fund Balance	**28,585,585**	**11,514,995**	**11,514,995**	**11,618,827**	**11,618,827**
Revenue					
Bond Proceeds	104,020,000	0	0	0	0
Interests	296,690	103,832	103,832	0	0
Total Revenue	**104,316,690**	**103,832**	**103,832**	**0**	**0**
Transfers From					
Electric Utility Fund	9,592,693	13,315,379	13,551,379	16,305,884	16,548,917
Total Transfers From	**9,592,693**	**13,315,379**	**13,551,379**	**16,305,884**	**16,548,917**
Total Source of Funds	**142,494,968**	**24,934,206**	**25,170,206**	**27,924,711**	**28,167,744**
Expenditures					
Debt Service	17,285,877	13,305,529	13,538,574	16,294,079	16,535,212
Administrative Costs	315,657	9,850	12,805	11,805	13,705
Bond Refund	113,378,439	0	0	0	0
Total Expenditures	**130,979,973**	**13,315,379**	**13,551,379**	**16,305,884**	**16,548,917**
Ending Fund Balance					
Bond Reserve	3,632,533	3,632,533	3,632,533	3,632,533	3,632,533
Reserve for Debt Service	7,882,462	7,986,294	7,986,294	7,986,294	7,986,294
Total Ending Fund Balance	**11,514,995**	**11,618,827**	**11,618,827**	**11,618,827**	**11,618,827**
Total Use of Funds	**142,494,968**	**24,934,206**	**25,170,206**	**27,924,711**	**28,167,744**

DEBT SERVICE FUNDS | PUBLIC FACILITIES FINANCING CORPORATION FUND (431)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Debt Reserve	711,662	707,202	707,202	707,202	707,202
Unrestricted	794,822	17,689	17,689	18,070	18,070
Total Beginning Fund Balance	**1,506,484**	**724,891**	**724,891**	**725,272**	**725,272**
Revenue					
Interest	10,673	5,500	381	2,000	2,000
Total Revenue	**10,673**	**5,500**	**381**	**2,000**	**2,000**
Transfers From					
General Fund	1,710,474	2,500,344	2,500,344	2,501,439	1,402,275
Total Transfers From	**1,710,474**	**2,500,344**	**2,500,344**	**2,501,439**	**1,402,275**
Total Source of Funds	**3,227,631**	**3,230,735**	**3,225,616**	**3,228,711**	**2,129,547**
Expenditures					
Debt Service	2,500,553	2,500,344	2,500,344	2,501,439	1,402,275
Administrative Costs	2,187	5,500	0	2,000	2,000
Total Expenditures	**2,502,740**	**2,505,844**	**2,500,344**	**2,503,439**	**1,404,275**
Ending Fund Balance					
Debt Reserve	707,202	707,202	707,202	707,202	707,202
Unrestricted	17,689	17,689	18,070	18,070	18,070
Total Ending Fund Balance	**724,891**	**724,891**	**725,272**	**725,272**	**725,272**
Total Use of Funds	**3,227,631**	**3,230,735**	**3,225,616**	**3,228,711**	**2,129,547**

DEBT SERVICE FUNDS | SEWER UTILITY DEBT SERVICE FUND (494)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Debt Reserve	3,164,632	4,663,690	4,663,690	4,663,690	4,663,690
Total Beginning Fund Balance	**3,164,632**	**4,663,690**	**4,663,690**	**4,663,690**	**4,663,690**
Revenue					
Interests	0	0	0	0	0
Debt Proceeds	20,000,000	0	0	18,588,216	0
Total Revenue	**20,000,000**	**0**	**0**	**18,588,216**	**0**
Transfers From					
Sewer Utility Fund	2,438,223	1,432,799	1,432,799	1,889,035	1,889,035
Total Transfers From	**2,438,223**	**1,432,799**	**1,432,799**	**1,889,035**	**1,889,035**
Total Source of Funds	**25,602,855**	**6,096,489**	**6,096,489**	**25,140,941**	**6,552,725**
Expenditures					
Debt Service	944,165	1,432,799	1,432,799	1,889,035	1,889,035
Interest Expense	190,500	0	0	0	0
Total Expenditures	**1,134,665**	**1,432,799**	**1,432,799**	**1,889,035**	**1,889,035**
Transfers To					
Sewer Utility Capital Fund	19,804,500	0	0	18,588,216	0
Total Transfers To	**19,804,500**	**0**	**0**	**18,588,216**	**0**
Ending Fund Balance					
Debt Reserve	4,663,690	4,663,690	4,663,690	4,663,690	4,663,690
Total Ending Fund Balance	**4,663,690**	**4,663,690**	**4,663,690**	**4,663,690**	**4,663,690**
Total Use of Funds	**25,602,855**	**6,096,489**	**6,096,489**	**25,140,941**	**6,552,725**

TEN-YEAR GENERAL FUND FINANCIAL FORECAST

JANUARY 2021 FORECAST

In January 2021, a Ten-Year General Fund Forecast was prepared comparing anticipated General Fund revenues and expenditures to provide policy makers and the public an updated assessment of the City's financial health.

The Forecast showed a substantial General Fund shortfall of $41.7 million in FY 2021/22 as a result of COVID-19 impacts on City revenues, with improvement in the remaining years of the Forecast. COVID-19 spurred the abrupt end to the longest economic expansion in U.S. history, impacting communities across the country. In 2020, the nation saw record breaking increases in unemployment and declines in economic activity. The City's revenues have also been significantly impacted, with the largest decline experienced in the Transient Occupancy Tax category.

Looking forward, economic conditions are expected to improve in 2021. According to the March 2021 UCLA Anderson Forecast, robust economic growth and recovery is expected in 2021, following the worst economic decline in the last 60 years. While economic recovery is expected, it is expected to take time to reach pre-pandemic levels.

JANUARY 2021 FORECAST

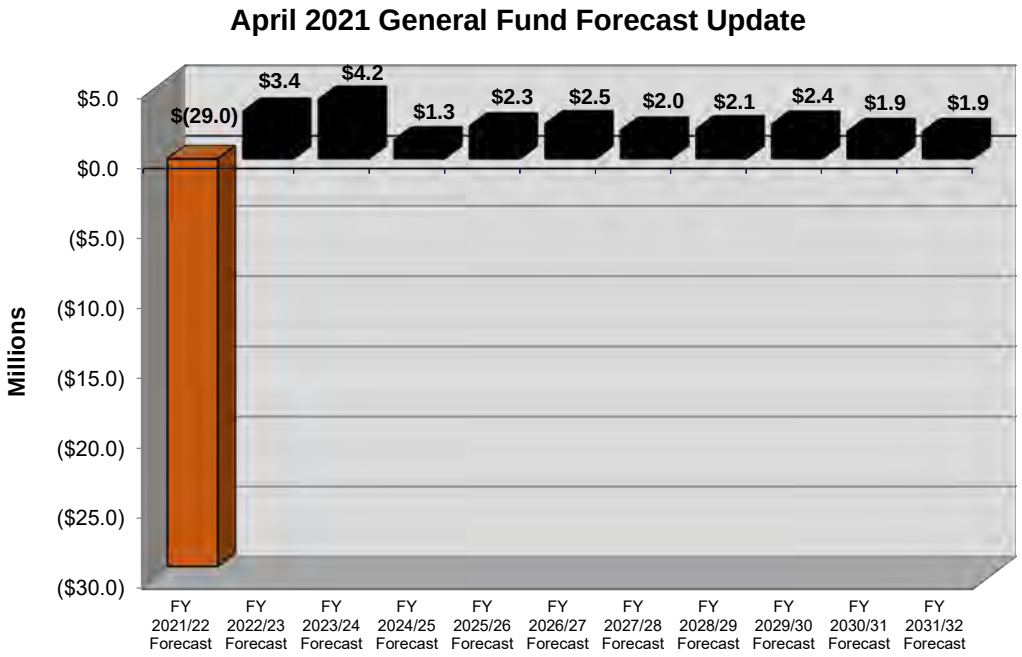
FY 2022-2032 General Fund Ten-Year Financial Forecast
Net Operating Margin - Ongoing Surplus/(Deficit)
($ in millions)

2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
($41.7 M)	$5.5 M	$2.5 M	$1.5 M	$2.3 M	$2.4 M	$2.5 M	$1.7 M	$2.6 M	$2.3 M	$2.5 M
As a percentage of projected operating expenditures										
(14.8%)	1.9%	0.8%	0.5%	0.7%	0.7%	0.7%	0.5%	0.7%	0.6%	0.6%

FORECAST UPDATE

Since the development of the Forecast in January 2021, the City Council approved ongoing General Fund budget reductions on March 9, 2021. Those Phase 1 actions reduced the FY 2021/22 General Fund shortfall from $41.7 million to $29 million. Staff also continued to refine the revenue estimates and expenditure budget for the General Fund, resulting in a net-zero impact on the forecast. The remaining years of the forecast continue to show small surpluses ranging from $1.3 million to $4.2 million in each year as reflected in the chart on the following page.

The revised shortfall of $29 million is equivalent to 11.2% of General Fund expenditures in FY 2021/22, while the small surpluses in the remaining years range from 0.5% to 1.5% of expenditures.



Following are the changes from the January 2021 Forecast.

Category	Description of General Fund Change	FY 2021/22 $ Impact
January 2021 Shortfall		**($41.7 M)**
Phase 1 Budget reductions	General Fund budget reductions approved by the City Council on March 9, 2021	$12.7 M
Property Tax	Net increase in Property Tax to reflect higher excess Education Revenue Enhancement Fund (ERAF) revenue based on updated information from the County of Santa Clara and lower assumed property tax growth	$2.4 M
Charges for Services	Updated Cost Allocation Plan based on consultant study, updated fees and reimbursements	($1.6 M)
Lease Revenue/ Other Adjustments	Lower lease revenue to reflect the updated timing for the Related project and other net downward adjustments	($0.8 M)
Subtotal Changes		**$12.7 M**
Revised Shortfall		**($29.0 M)**

City of Santa Clara

Ten-Year Financial Forecast 2022 - 2032

January 2021

PURPOSE

The Ten-Year General Financial Forecast (Forecast) provides policy makers and the public an updated assessment of the City's fiscal health. The Forecast includes projections of ongoing General Fund revenues and expenditures for a ten-year period beyond the adopted biennial budget.

The Forecast serves as a strategic planning tool to assist the City Council, staff, and the public with decision-making as they work to adopt the FY 2021/22 and FY 2022/23 Biennial Operating Budget and consider long-term financial strategies for the City. The Forecast also identifies known risk factors and vulnerabilities, and it provides a foundation for evaluating priorities and understanding trade-offs moving forward.

EXECUTIVE SUMMARY

The Forecast compares anticipated General Fund revenues with base expenditures, which include the projected costs of providing the current level of service. Individual projections of revenues and expenditures are developed based on trend analyses, input from available economic reports, consultant recommendations, departments, updated salary and benefit information, and non-personnel costs. The most current information available is incorporated into the Plan and refined on a moving forward basis.

This Forecast shows a substantial General Fund shortfall of $41.7 million in FY 2021/22 as a result of COVID-19 impacts on City revenues, with improvement in the remaining years of the Forecast. The projected shortfall of $41.7 million is equivalent to 14.8% of forecasted expenditures, while the surpluses in the out years of $1.5 million to $5.5 million are relatively small, ranging from 0.5% to 1.9% of expenditures annually. The model assumes shortfalls or surpluses are solved with ongoing solutions in the prior year. To the extent solutions to close the gap, or ongoing dollars are not fully spent in years with surpluses, these figures would carry over to the next fiscal year.

FY 2022-2032 General Fund Ten-Year Financial Forecast
Net Operating Margin - Ongoing Surplus/(Deficit)
($ in millions)

2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
($41.7 M)	$5.5 M	$2.5 M	$1.5 M	$2.3 M	$2.4 M	$2.5 M	$1.7 M	$2.6 M	$2.3 M	$2.5 M
As a percentage of projected operating expenditures										
(14.8%)	1.9%	0.8%	0.5%	0.7%	0.7%	0.7%	0.5%	0.7%	0.6%	0.6%

The Forecast compares ongoing revenues and expenditures. It does not factor in one-time funding sources or items funded on a pay-as-you-go method with one-time sources. The Forecast also assumes that the Building Development Program will be 100% cost recovery, and the Building Reserve is used to balance any differences between projected revenues and expenditures.

The Forecast does not include the following:

- One-time funding sources and one-time expenditure needs;
- The cost to address unmet/deferred capital infrastructure needs;
- Revenue and staffing impacts of development projects; and
- Additional contributions to Reserves (Budget Stabilization Reserve, Capital Projects Reserve, Pension Reserve).

Historically, the City has funded many capital infrastructure and equipment needs with one-time funds on a pay-as-you-go basis. The use of one-time funds as the funding mechanism for capital improvements and various equipment that rely on the General Fund creates challenges. The lack of sufficient one-time funding has resulted in a backlog of unmet/deferred infrastructure needs. Staff will continue to evaluate potential options to create capacity to address those funding needs.

In addition to the elements described above that are not factored into the Forecast, the City has identified various risk factors that could have a potential impact on the Forecast. These include:

- More significant impacts from COVID-19 and the vaccine roll out timing;
- Prolonged economic slowdown/recession;
- The re-assessment of non-residential properties for property tax purposes;
- State/federal legislative changes and legal challenges;
- Labor costs outside the budget assumptions;
- Updated Cost Allocation Plan and Fee Study that are underway;
- CalPERS actuarial changes or reform actions;
- Unanticipated critical capital/infrastructure needs; and
- Maintenance impacts and timing of development projects.

As the City has experienced in the past and with the latest COVID-19 pandemic, General Fund revenues may exceed or fall below expectations based on changes in economic or non-economic conditions. This type of volatility has been seen in the City's largest General Fund revenues, Property Tax, Sales Tax, and Transient Occupancy Tax (TOT). As a result of the pandemic, TOT receipts have been the most severely impacted, with a decline of almost 90% through the first half of FY 2020/21. Various cost elements can also vary from year to year, such as retirement costs that are impacted by the earnings assumptions and performance of the California Public Employees Retirement System (CalPERS).

Staff will continue to closely monitor revenue performance and expenditures and will refine the revenue and expenditure figures during the development of the Biennial Operating Budget for FY 2021/22 and FY 2022/23.

ECONOMIC OUTLOOK

National Economy

COVID-19 spurred the abrupt end to the longest economic expansion in U.S. history, impacting communities across the country. In 2020, the nation saw record breaking increases in unemployment and declines in economic activity. While many of the economic indicators have improved over the last several months, there are still major impacts for many individuals and businesses.

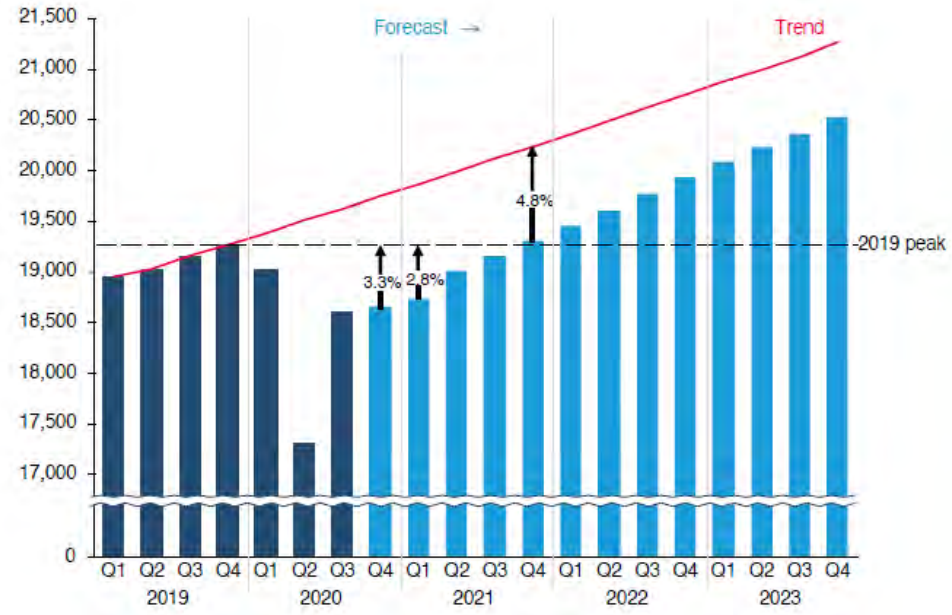
With the pandemic response, there are uneven impacts to businesses and residents with some facing significant hardships. As described in the December 2020 UCLA Anderson Forecast, there are still 20.5 million Americans receiving some form of unemployment insurance, approximately one-third of households have found it somewhat or very difficult to pay for usual household expenses during the pandemic, almost nine percent of households are not current on rent or mortgage, and 12 percent of households experience food insecurity where there is sometimes or often not enough food to eat[1]. At the same time, the stock market ended 2020 at record highs.

With the roll out of mass vaccinations, economic performance is expected to improve in 2021 and during the forecast period. However, the economy is not expected to make up all the lost ground and reach the levels that would have otherwise been attained without the pandemic.

As shown in the chart, the UCLA Anderson Forecast projects the Gross Domestic Product (GDP) to reach its previous peak by the end of 2021 but is still expected to be well below the pre-COVID trend[1].

Based on the December 2020 projections, Federal Reserve policymakers also expect the U.S. to experience a healthy recovery in 2021 with projected GDP growth of 4.2%. The Federal Open Market Committee members also projected unemployment to fall to 5% in 2021 but would not reach pre-pandemic lows until 2023.[2]

Real GDP Levels and Trends, $ Billions



Source: U.S. Department of Commerce, Bureau of Economic Analysis and UCLA Anderson Forecast
Notes: Real GDP growth rate, seasonally adjusted annual rate

[1] UCLA Anderson Forecast, December 2020 Economic Forecast
[2] https://www.businessinsider.com/federal-reserve-economic-outlook-us-recovery-gdp-unemployment-fomc-meeting-2020-12

In December 2020, the U.S. unemployment rate of 6.7% and the number of unemployed persons of 10.7 million were much well below the peak in April 2020 but remain well above the pre-pandemic levels in February 2020 (3.5% unemployment and 5.7 million unemployed). In addition, the number of persons not in the labor force who currently want a job totaled 7.3 million in December 2020, up 2.3 million from the February 2020 figure. These individuals were not counted as unemployed because they were not actively looking for work during the last four weeks or were unavailable to take a job. Of those not in the labor force in December, 4.6 million persons were prevented from looking for work due to the pandemic, up from 3.9 million in November 2020. The following charts show the U.S. unemployment rates and the change in employment from December 2018 through December 2020.[3]

Chart 1. Unemployment rate, seasonally adjusted, December 2018 – December 2020

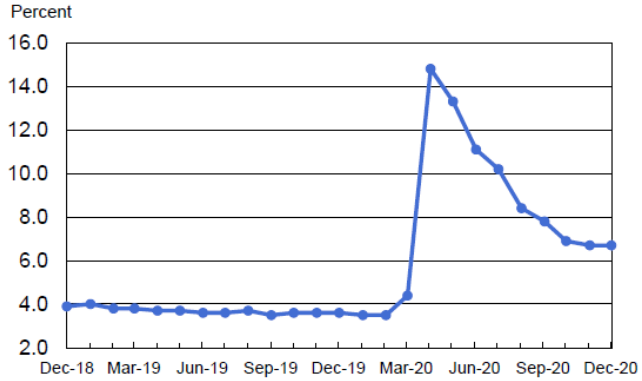
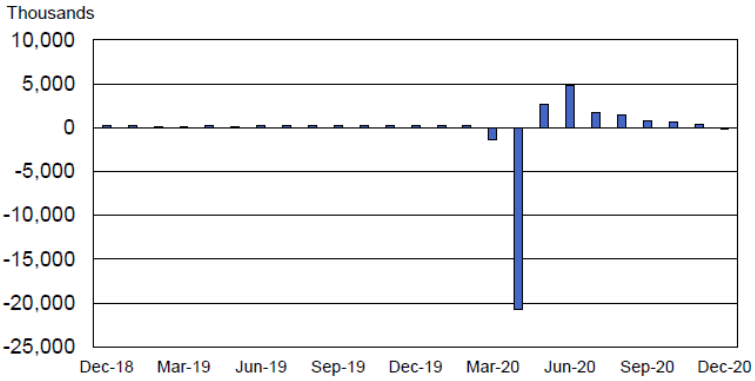


Chart 2. Nonfarm payroll employment over-the-month change, seasonally adjusted, December 2018 – December 2020



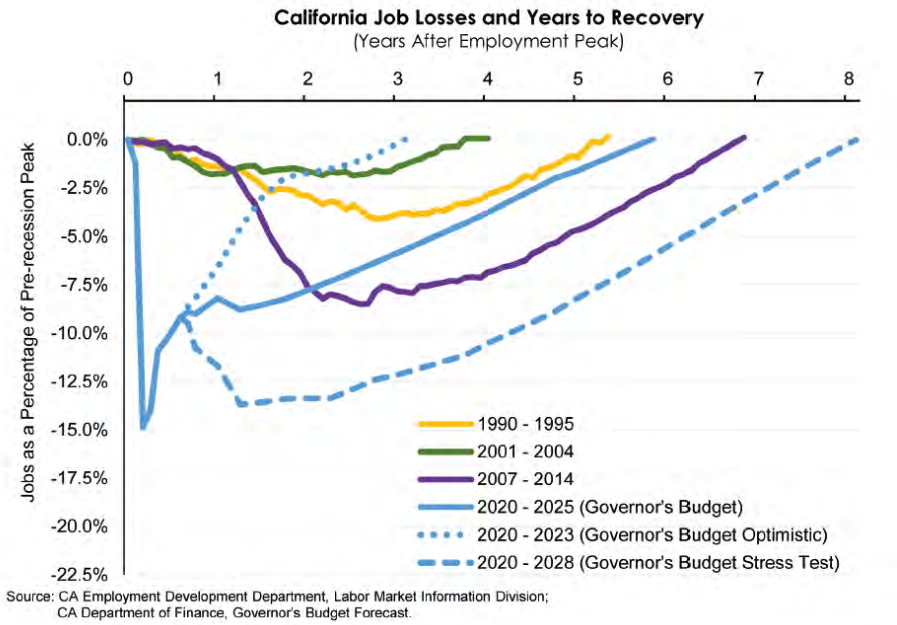
U.S. economic growth is dependent on consumer spending, which accounts for approximately 70% of the GDP. According to the Conference Board Consumer Confidence Survey, consumer confidence increased in January 2021, after decreasing in December 2020. The Present Situation Index (consumers' assessment of current business and labor market conditions) decreased, while the Expectations Index (consumers' short-term outlook for income, business and labor conditions) increased. "Consumers' appraisal of present-day conditions weakened further in January with COVID-19 still the major suppressor," said Lynn Franco, Senior Director of Economic Indicators at the Conference Board. "Consumers' expectations for the economy and jobs, however, advanced further, suggesting that consumers foresee conditions improving in the not-too-distant future. In addition, the percent of consumers who said they intend to purchase a home in the next six months improved, suggesting that the pace of home sales should remain robust in early 2021." [4]

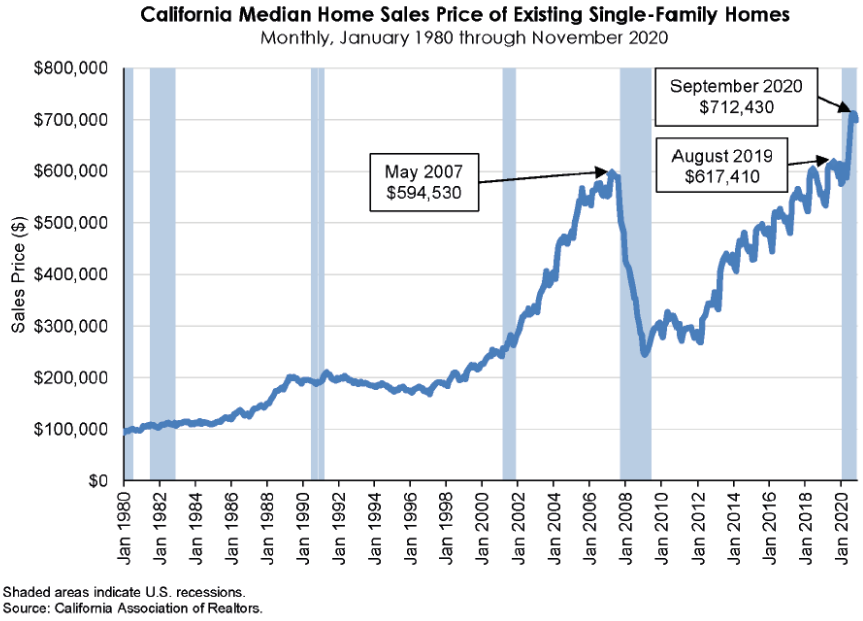
[3] https://www.bls.gov/news.release/pdf/empsit.pdf
[4] https://conference-board.org/data/consumerconfidence.cfm

California Economy

The economy of California is the largest in the United States, and if California were a sovereign nation, it would rank as the world's fifth largest economy.[5]

As reported in the California's Fiscal Outlook prepared by the Legislative Analyst Office (LAO), COVID-19 has been an unprecedented disruption to the California economy. After the economy ground to a halt in the spring 2020, there was a rapid rebound in economic activity as Californians adjusted to the realities of the pandemic. The recovery, however, has been incomplete and uneven, with many low-wage workers still out of work, while many high-wage workers have not faced the same job losses. Certain sectors, such as leisure and hospitality remain depressed, while other sectors, such as technology, remain strong. According to the LAO, reaching full recovery will be a slow process that will depend heavily on the management of the virus.[6]





Mirroring the nation, job losses have been concentrated in low-wage sectors. In its January Proposed Budget for FY 2021/22, the Governor's economic outlook assumed that employment in California would not return to the overall level of 2019 jobs until 2025.[4]

Despite COVID-19, the California housing market has remained strong, reflecting the continuing ability of high-income households to purchase homes[7].

[5] http://www.dof.ca.gov/Forecasting/Economics/Indicators/Gross_State_Product/
[6] https://lao.ca.gov/Publications/Report/4297
[7] http://www.ebudget.ca.gov/2021-22/pdf/BudgetSummary/EconomicOutlook.pdf

Regional Economy

The local economy has also been impacted by COVID-19, with drops in employment and significant impacts to certain businesses. Like the nation and California, unemployment remains well above pre-COVID levels with uneven impacts to various job sectors. Looking to FY 2021/22 and beyond, employment is expected to continue to improve.

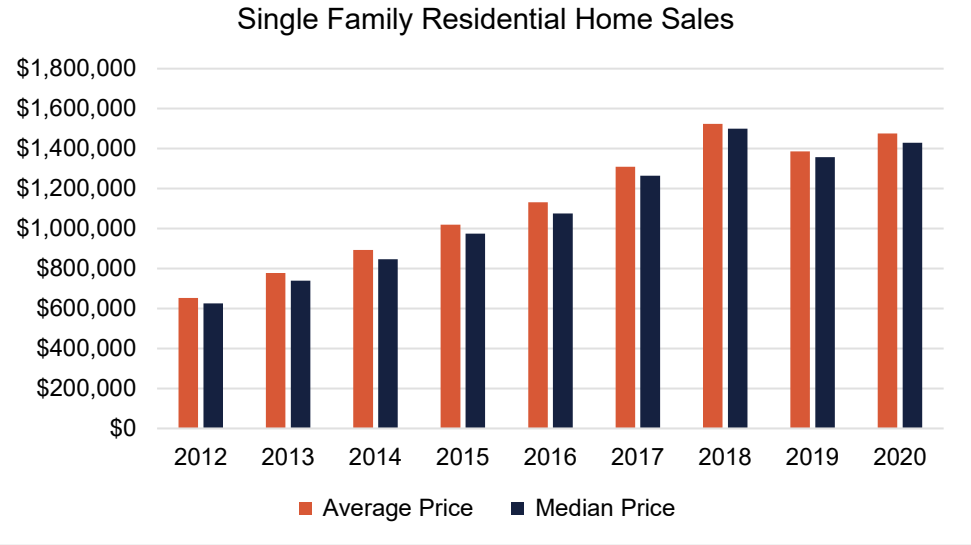
Unemployment Rate (Not Seasonally Adjusted)			
	Dec 2018	Dec 2019	Dec 2020
Nation	3.7%	3.4%	6.5%
California	4.1%	3.7%	8.8%
San José-Sunnyvale-Santa Clara Metropolitan Statistical Area	2.6%	2.3%	6.0%
Source: California Employment Development Department, U.S. Bureau of Labor Statistics			

The unemployment rates at the local, State, and national levels remain roughly double the pre-COVID levels but have significantly improved from the peaks experienced in spring 2020. The unemployment rate in this region remains below the State and nation.

In 2020, a total of 80,300 jobs, or 6.9%, were lost to the region. With the COVID-19 restrictions, the largest drop was in the leisure and hospitality sector, which lost 33,400 jobs. The next largest drops were in the manufacturing (down 10,900 jobs), Information (down 10,300 jobs), Other Services (down 7,200), Trade, Transportation and Utilities (down 7,000 jobs), government (down 5,500 jobs), and private educational and health services (down 5,000 jobs). The professional and business services (up 2,300 jobs) was the only major industry to experience growth in 2020.[8]

Property values in Santa Clara remain high. In 2020, the median price of a single-family home totaled $1.43 million, which was up from the 2019 level of $1.36 million as shown in the Single-Family Residential Home Sales chart. This strong residential performance has been experienced throughout the State.

There are significant development projects underway in Santa Clara that will bring new revenues as well as new costs. The financial impacts of these developments have not been factored into this forecast given the uncertainty regarding the timing. However, it is anticipated that this additional development activity will have a positive impact on the forecast.



Source: Santa Clara County Association of Realtors

[8] https://www.labormarketinfo.edd.ca.gov/file/lfmonth/sjos%24pds.pdf

GENERAL FUND OVERVIEW

This Forecast projects a substantial deficit in FY 2021/22, followed by small surpluses in the remaining year as the economy improves. The following table displays the projected General Fund revenues and expenditures for FY 2021/22 and an additional ten years. It also shows the cumulative shortfall and the net operating margin that accounts for the incremental shortfalls and surpluses (assuming each preceding shortfall or surplus is addressed completely with ongoing solutions in the year it appears) for each year of the forecast.

Because it is the City's goal to remain in balance on an ongoing basis, the incremental figure (Net Operating Margin) is useful in that it shows the additional shortfall or surplus attributed to a particular fiscal year. To the extent that a shortfall is not resolved or a surplus is not expended on an ongoing basis, it is important to understand that the remaining budget gap or surplus will carry over to the following year. As an example, in FY 2020/21, the projected General Fund budget shortfall of $22.7 million was addressed on a one-time basis with the use of the Budget Stabilization Reserve. Because that shortfall was not addressed with ongoing solutions, it carries over to FY 2021/22 and accounts for over half of the $41.7 million shortfall projected for FY 2021/22.

FY 2022-2032 General Fund Ten-Year Financial Forecast
($ in millions)

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
Projected Revenues	$ 239.6	$ 255.3	$ 268.2	$ 281.0	$ 293.1	$ 304.1	$ 316.1	$ 328.1	$ 340.4	$ 353.0	$ 366.0
Projected Expenditures	$ 281.3	$ 291.5	$ 301.9	$ 313.2	$ 323.0	$ 331.6	$ 341.2	$ 351.5	$ 361.2	$ 371.5	$ 382.1
Cumulative (Shortfall)/ Surplus	($41.7)	($36.2)	($33.7)	($32.2)	($29.9)	($27.5)	($25.1)	($23.4)	($20.8)	($18.5)	($16.1)
Net Operating Margin	($41.7)	$5.5	$2.5	$1.5	$2.3	$2.4	$2.5	$1.7	$2.6	$2.3	$2.5
% of Expenses	(14.8%)	1.9%	0.8%	0.5%	0.7%	0.7%	0.7%	0.5%	0.7%	0.6%	0.6%

Note: The Forecast does not include the operating and maintenance costs of capital projects under development, the cost to address unmet/deferred infrastructure needs, the cost to fully fund public safety equipment replacement, additional contributions to reserves, one-time funding sources, and one-time expenditure needs. It is assumed that the development fee program will be 100% cost recovery.

General Fund Operating Margin

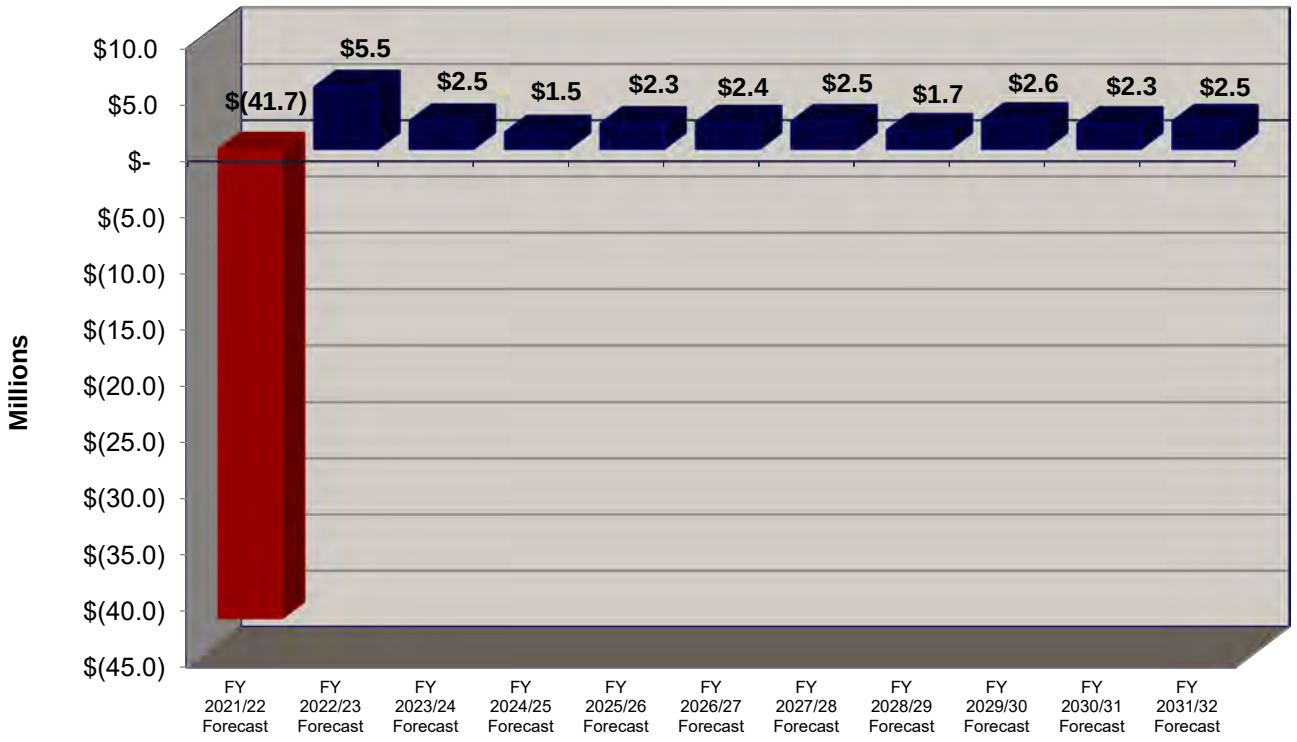
In FY 2021/22, a General Fund shortfall of $41.7 million is projected. This projection is derived by comparing estimated revenues with the cost of delivering existing City services. In the out years of the Forecast, small incremental surpluses ranging from $1.7 million to $5.5 million are projected. By the end of the Forecast period, revenues are projected at $366.0 million while expenditures are estimated at $382.1 million.

When put into context of the size of the General Fund budget, the shortfall in FY 2021/22 is 14.8% of General Fund expenditures. In the out years of the Forecast, the annual margins are relatively narrow, ranging from 0.5% to 1.9% of the projected annual expenditure budget. The shortfall in FY 2021/22 is primarily the result of the significant declines in revenues associated with COVID-19. In the out years of the Forecast, revenues are anticipated to grow at a moderate pace that would keep pace with the growth in base expenditures assuming the shortfall in FY 2021/22 is addressed.

It is important to note that the base expenditures do not factor in several cost elements that are currently funded on a pay-as-you-go basis with one-time funds, including the following: the cost to fund capital improvements that rely on General Fund funding; the operating and maintenance costs of capital projects under development; the cost to address unmet/deferred infrastructure needs; the cost to fully fund public safety equipment replacement; and additional contributions to the Budget Stabilization Reserve, the Capital Projects Reserve, and the Pension Stabilization Reserve.

The revenue projections assume a moderately growing economy post COVID-19, but do not include project specific revenues that may result from several large commercial and residential development projects currently under review or entitled but not yet under construction. If any of the development projects are completed and yield positive economic benefit, the outlook would improve.

FY 2022-2032 General Fund Ten-Year Financial Forecast
Operating Margin (Incremental Shortfalls/Surpluses)



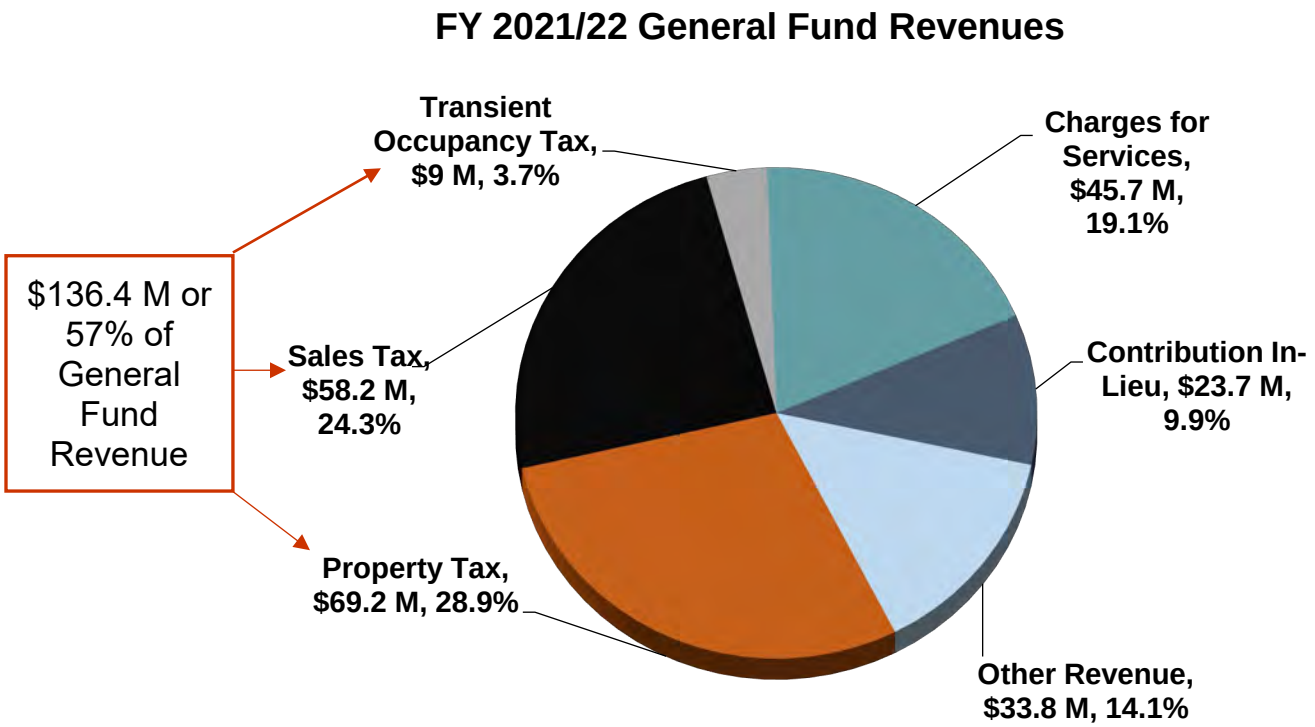
GENERAL FUND REVENUES

There are several General Fund revenue sources supporting the City's activities as shown in the table below.

FY 2022-2032 General Fund Revenue Sources ($ in millions)

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
	$ m	$ m	$ m	$ m	$ m	$ m	$ m	$ m	$ m	$ m	$ m
Property Tax	69.2	72.4	75.9	79.9	84.1	88.5	93.2	98.1	103.3	108.8	114.5
Sales Tax	58.2	61.0	63.2	65.3	67.4	69.3	71.1	72.9	74.7	76.6	78.5
Transient Occupancy Tax	9.0	12.6	16.4	19.6	21.6	22.7	23.6	24.5	25.5	26.5	27.6
Franchise Tax	4.8	4.9	5.1	5.2	5.4	5.6	5.7	5.9	6.1	6.3	6.5
Documentary Transfer Tax	1.5	1.5	1.5	1.5	1.6	1.6	1.6	1.7	1.7	1.7	1.8
Licenses and Permits	11.9	12.3	12.7	13.1	13.4	13.9	14.3	14.7	15.1	15.6	16.1
Fines and Penalties	1.5	1.5	1.5	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
Interest Income	2.6	2.3	1.9	1.6	1.7	1.7	2.4	2.5	2.5	2.6	2.7
Rents	10.0	13.1	13.9	14.5	14.9	15.2	15.7	16.3	17.0	17.3	17.6
Other Services Fees	44.1	46.0	47.5	49.1	50.9	52.4	54.3	56.2	58.1	60.0	62.0
Transfers from Other Funds	1.5	1.5	1.5	1.5	1.5	1.6	1.6	1.6	1.6	1.6	1.6
Contribution in Lieu	24.7	25.6	26.5	27.4	28.3	29.3	30.3	31.4	32.5	33.7	34.8
All Other Revenues	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Total Sources	**$239.6**	**$ 255.3**	**$268.2**	**$281.0**	**$293.1**	**$304.1**	**$316.1**	**$328.1**	**$340.4**	**$353.0**	**$366.0**
% Change from Prior Yr		6.6%	5.1%	4..8%	4.3%	3.8%	3.9%	3.8%	3.7%	3.7%	3.7%

Sales tax and property tax comprise the largest individual sources of General Fund revenues, representing a combined $127.4 million in FY 2021/22, or over 50% of the total. These categories along with Transient Occupancy Tax are economically sensitive and account for almost 60% of the General Fund revenues.



Following is a discussion of the major General Fund revenue categories:

Property Tax

The Property Tax category includes Secured and Unsecured Property Taxes. The County of Santa Clara Office of the Assessor and the Controller-Treasurer Department meets quarterly with cities to review property tax revenue allocated to Santa Clara County cities. The Controller-Treasurer Department provides projections on the current year property tax receipts, including updates on the assessed valuation and estimates on anticipated adjustments made from property tax appeals. The current year estimates are used as the starting point in the forecast. The County Assessor's Office also provides information to cities on a monthly basis on the status of the assessment roll for the upcoming year.

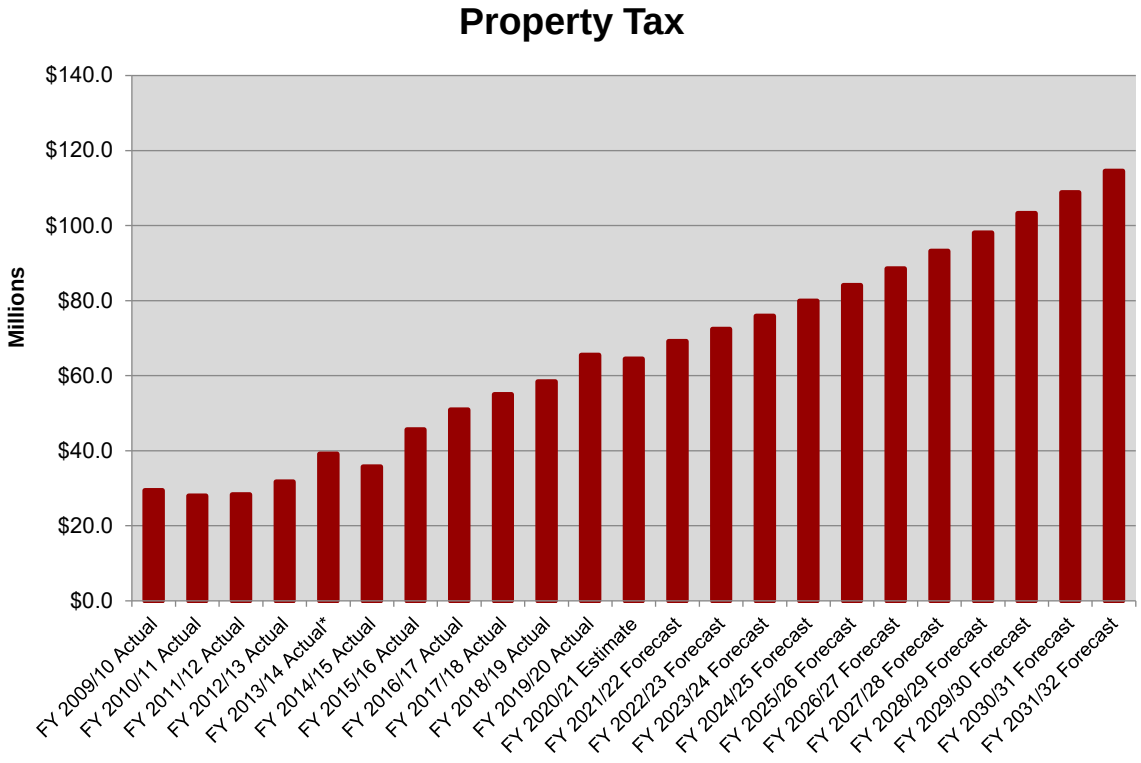
In FY 2021/22, property tax revenue is projected at $69.2 million and includes secured property tax of $66.5 million and unsecured property tax of $2.7 million. Assessed valuation growth on secured property is projected at 5.0% and reflects the annual inflation factor based on Consumer Price Index (1% increase in FY 2021/22), growth due to property sales, and a general allowance for new construction projects being added to the tax rolls. In the remaining years of the forecast, assessed valuation growth is expected to range from 5.0% to 5.5%. In order to meet these growth projections, developments with assessed valuation between $700 million to $1 billion

would need to continue annually. By the end of the forecast period, Property Tax receipts are projected to reach $114.5 million.

Secured Property Tax receipts include general secured property tax along with supplemental property tax (retroactive collections back to the point of sale for reassessments of value due to property resale), residual Redevelopment Agency (RDA) receipts, and excess Educational Revenue Augmentation Fund (ERAF) funds (under Proposition 98, a portion of property tax receipts are allocated to the ERAF beginning in 1992 and once there are sufficient funds in ERAF to fulfill the obligation to the school districts, excess funds are returned to the taxing entities that contributed the funding). Overall, Secured Property Tax receipts are expected to increase 7.6% in FY 2021/22, and 4.8% in FY 2022/23, followed by increases ranging between 4.8% and 5.4% annually for the remaining years of the Forecast. It should be noted that the higher growth rate in FY 2021/22 was due to the reversal of a negative adjustment in FY 2020/21 due to a legal decision that changed the distribution of RDA residual receipts. The State of California is also challenging the ERAF calculation, which would negatively impact the City's receipts. The Forecast assumes $1.5 million from ERAF, which is well below levels received in prior years.

Unsecured Property Tax receipts are projected to increase 3% in FY 2021/22, 1% in FY 2022/23 and FY 2023/24, followed by 3.0% annual growth in the remaining years of the Forecast.

Collections are expected to grow at an average annual rate of 5.4% over the forecast period.



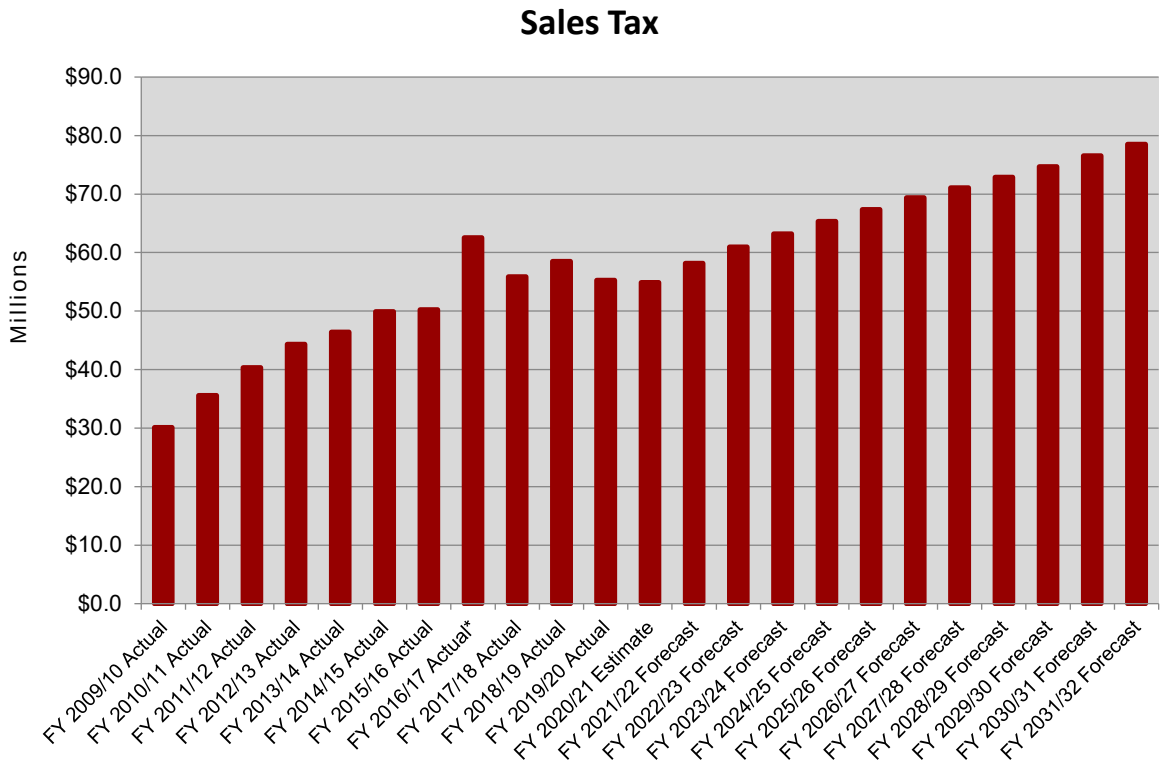
Note: FY 2013/14 includes one-time $6.1 million due to Redevelopment Agency dissolution

Sales Tax

Santa Clara's sales tax collections are directly influenced by local, regional, national and international economic and business cycles. Because of this, sales tax collections are one of the most economically sensitive General Fund revenue sources. These collections have been impacted by COVID-19 and are expected to improve in FY 2021/22 and continue to growth throughout the forecast period.

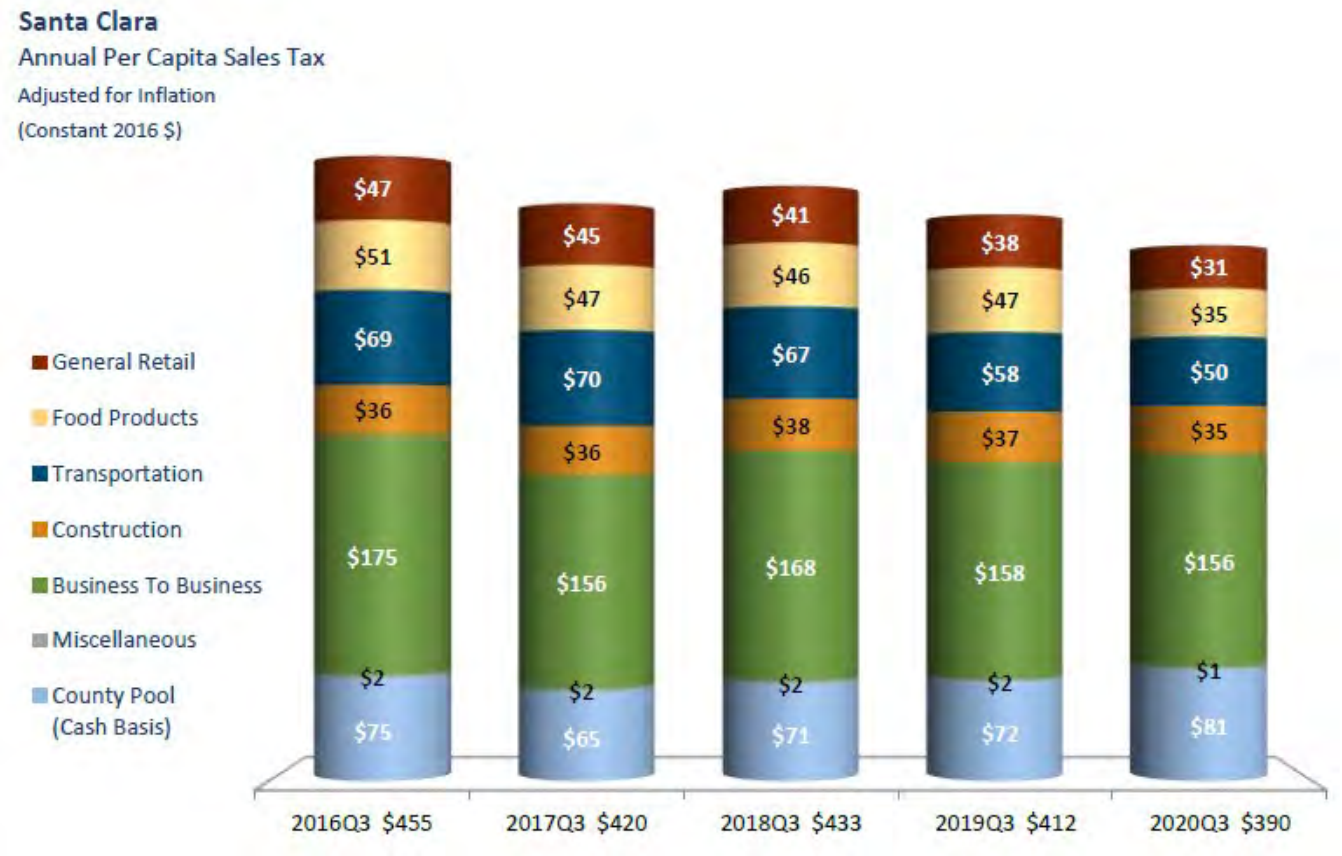
As shown in the chart below, sales tax collections are expected to total $54.9 million in FY 2020/21 and increase 6.0% to $58.2 million based on the assumption that sectors that have been deeply impacted by COVID-19 will improve with the roll out of mass vaccinations and the lifting of pandemic-related restrictions. The growth rates are expected to step down to 4.8% in FY 2022/23 and between 3.7% to 2.5% in the out years of the forecast as the sales tax growth rates normalize over this period. Based on these projections, annual collections will reach $78.5 million by FY 2031/32. These projections are based on information provided by the City's sales tax consultant, Avenu Insights & Analytics. Their estimates incorporate individual category/segment projections with adjustments for known individual business anomalies such as missed payments or misallocations.

Collections are expected to grow at an average annual rate of 3.3% over forecast period.



Note: FY 2016/17 includes a one-time true-up payment due to the unwinding of the State's Triple Flip.

To provide context on how the City generates its sales tax revenues and the performance in recent years, the chart below breaks out the sales tax per capita for the third quarter of each calendar year for the past five years, adjusted for inflation. The COVID-19 related impacts are reflected in the most recent third quarter 2020 data with declines in General Retail, Food Products (includes restaurants), and Transportation. As shown in the chart, the City's largest sector is Business to Business, and the stronger performance in this sector during COVID-19 has lessened the overall decline in sales tax revenues. Business to Business Sales Taxes continue to provide a strong foundation for the City's tax base.



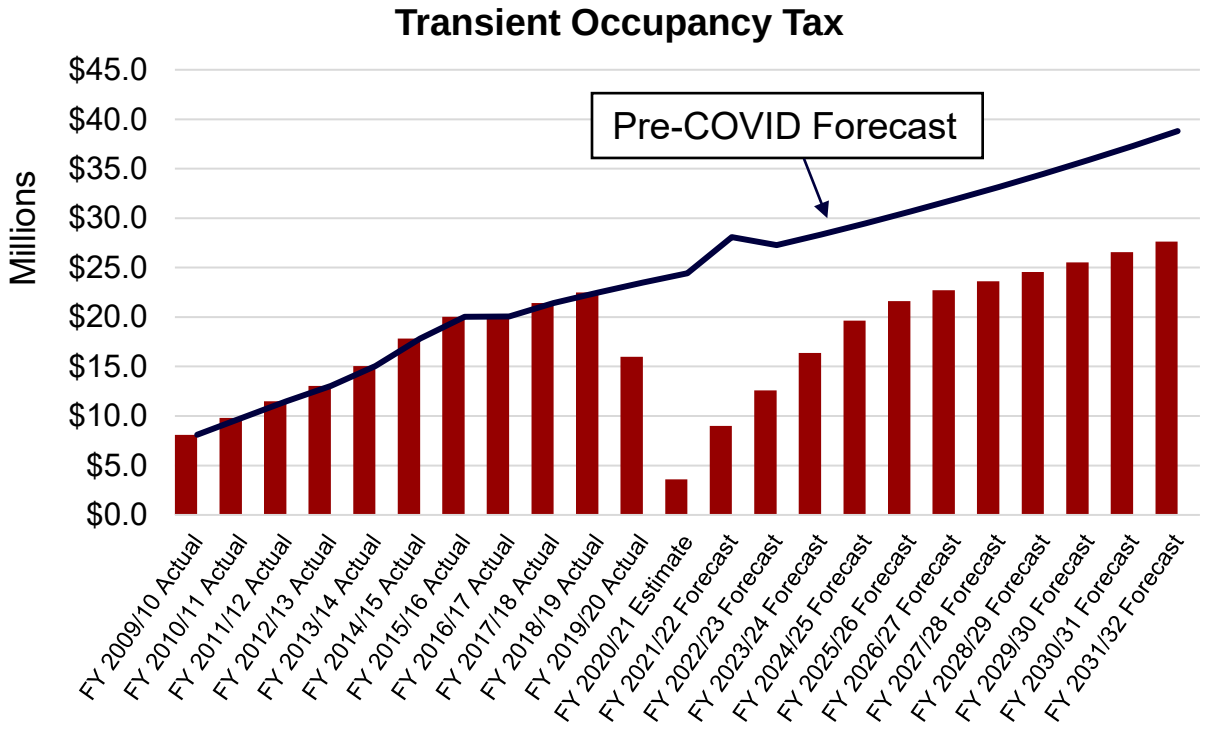
Transient Occupancy Tax

Transient Occupancy Tax (TOT) is calculated as a percentage of City hotel/motel room charges. The City's current TOT rate is 9.5%. In November 2020, voters approved an increase of up to 4%, and this increase will be implemented by City Council action. As with sales tax, TOT is sensitive to business cycles and can vary greatly from year to year based on occupancy levels and room rates. Prior to COVID-19, this category had experienced tremendous growth as shown in the TOT chart on the following page. With the COVID-19 safety restrictions, TOT receipts plummeted at the end of FY 2019/20 and through FY 2020/21. For instance, from July through December 2020, TOT receipts were down 88% from the same period in 2019. Of all the City's revenue categories, TOT has seen the most significant declines as a result of the pandemic.

In FY 2018/2019, the last full year not impacted by COVID-19, TOT receipts totaled $22.5 million. TOT revenue is projected to reach only $3.6 million in FY 2020/21 and increase to $9.0 million in FY 2021/22, based on the

assumption that this category will gain some of the lost ground once mass vaccinations occur and COVID-19 restrictions are lifted. TOT receipts are projected to continue to improve over the forecast period with growth of 40% in FY 2022/23 as this sector continues to recover from the COVID-19 impacts, followed by step down growth ranging from 30% to 4% annually over the forecast period. The Forecast also assumes that the City Council will implement 2 percent of the 4 percent potential rate increase approved by the voters in November 2020 and assumes no additional hotels. By the end of the Forecast period, TOT receipts are projected to reach $27.6 million.

It is difficult to project the post-COVID environment in terms of business travel and the associated hotel usage. In this Forecast, TOT collections are expected to improve from the shock to the system caused by COVID-19, but receipts are expected to remain well below levels that were projected pre-COVID as illustrated in the chart below (the pre-COVID forecast assumed an economic slowdown followed by growth). We believe this to be a long-term effect of COVID-19 on business travel.



Licenses and Permits

The Licenses and Permits category includes business licenses, building development-related permits (building, electric, plumbing, mechanical), fire permits, encroachment permits, and parking permits. Collections in this category are projected to total $11.9 million in FY 2021/22, reflecting the continuation of strong development activity, slight growth in business license activity, and improvement in parking permits post COVID-19. Average annual growth of 3% is projected in the out years of the Forecast, with collections reaching $16.1 million in FY 2031/32. For the building development-related permits, it is assumed that the program is 100% cost recovery and any forecasted difference between revenues and expenditures will be balanced by increases or decreases to the Building Reserve. This Forecast assumes that funding will be added each year to this Reserve.

Interest Income

The City invests all funds not needed for current cash requirements in accordance with the City Council-approved Investment Policy. These funds are invested in securities having a maximum maturity of five years. The factors that directly influence General Fund interest income include prevailing interest rates, the size of the portfolio and the relative percentage of the portfolio allocated to the General Fund. Based on the lower expected interest rates and cash balances, the General Fund is expected to receive $2.6 million in interest in FY 2021/22. In the remaining years of the Forecast, interest earnings are projected to fluctuate annually primarily due to interest rate assumptions, ranging from $1.6 million to $2.7 million.

Rents

The Rents category includes property rents and leases as well as right-of-way rental fees charged to the water sewer and utilities. In FY 2021/22, rent revenue is estimated to total $10.0 million, including $6.2 million from property rents and leases and $3.8 million from right-of-way rental fees. The FY 2021/22 estimate is in close alignment with the FY 2020/21 Adopted Budget estimate of $10.1 million, but below the prior forecast for FY 2021/22 due to the changes in timing of lease revenue for the Related project. Growth projections for the out years of the Forecast are based on individual lease agreements. Rent revenue is projected to reach $17.6 million by FY 2031/32 and reflects the additional lease revenue associated with the Related project.

Other Services Fees

The Other Services Fees category includes fees charged for various City services provided by the departments of Community Development, Fire, Police, Park and Recreation, and Public Works as well as cost allocation plan reimbursements and stadium-related reimbursements. This category is estimated to generate $44.1 million in FY 2021/22, an increase from the FY 2020/21 projection of $37.2 million due to improvements in categories that have been heavily impacted by COVID-19, most notably stadium-related reimbursements and parks and recreation fees. Over the Forecast period, average annual growth of 3.4% is projected, resulting in collections of $62.0 million by FY 2031/32. It important to note that consultant studies are underway to update the cost allocation plan and municipal fees, and these studies will likely result in changes to these revenues.

Silicon Valley Power Contribution In-Lieu

In accordance with the City's charter, Silicon Valley Power pays 5.0% of gross revenues to the General Fund as contribution-in-lieu for services rendered. For FY 2021/22, contributions are projected to total $24.7 million, an increase of 3.5% from the FY 2020/21 estimate of $23.9 million. It is anticipated that revenues will increase to $34.8 million by FY 2031/32, increasing at an annual rate of 3.5%. Growth in this category is primarily driven by market projections for electric consumption, resources costs, and any retail rate increase assumed for the Electric Utility.

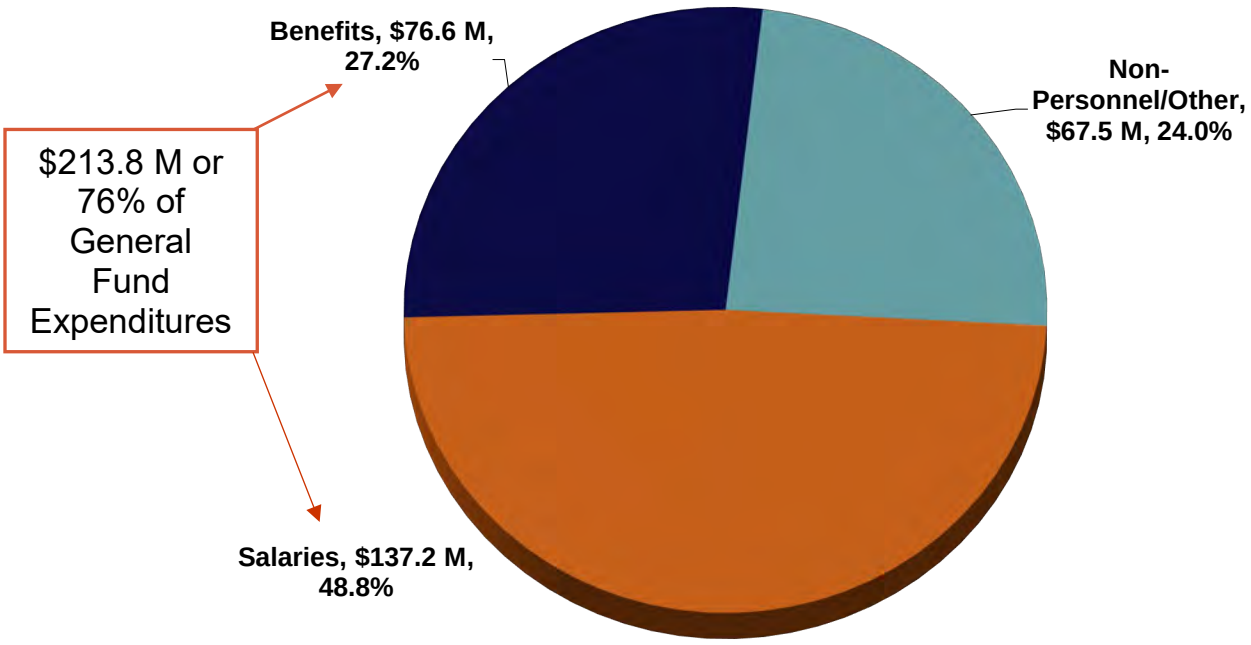
GENERAL FUND EXPENDITURES

Expenditures are projected to grow from $281.3 million in FY 2021/22 to $382.1 million by the end of the forecast period. FY 2021/22 expenditures are below the FY 2020/21 Adopted Budget of $286.0 million primarily due to the elimination of one-time capital-related transfers in FY 2020/21.

FY 2022-2032 General Fund Expenditures ($ in millions)

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
	$ m	$ m	$ m	$ m	$ m	$ m	$ m	$ m	$ m	$ m	$ m
Salaries	137.2	142.5	148.1	153.1	157.8	162.4	167.5	172.4	177.1	181.4	186.9
Retirement	54.3	58.1	61.2	64.9	68.1	69.0	71.5	73.7	76.8	80.1	82.5
Other Benefits	22.3	23.1	23.7	24.4	25.2	25.9	26.7	27.5	28.1	28.8	30.1
Sub-Total Labor Costs	**213.8**	**223.7**	**233.0**	**242.4**	**251.1**	**257.3**	**265.7**	**273.6**	**282.0**	**290.3**	**299.5**
Materials, Services, Supplies	31.4	33.2	33.2	34.4	34.6	35.9	36.3	37.6	37.9	38.6	39.4
Interfund Services	25.3	24.7	25.6	26.2	26.8	27.4	28.0	28.6	29.3	30.1	31.0
Capital Outlay	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Loans and Transfers	7.0	6.1	6.3	6.4	6.5	6.6	6.7	6.9	7.0	7.2	6.7
Reserves	3.7	3.7	3.7	3.7	3.9	4.3	4.4	4.7	4.9	5.2	5.4
Sub-total Other Costs	**67.5**	**67.8**	**68.9**	**70.8**	**71.9**	**74.3**	**75.5**	**77.9**	**79.2**	**81.2**	**82.6**
Total Uses	**281.3**	**291.5**	**301.9**	**313.2**	**323.0**	**331.6**	**341.2**	**351.5**	**361.2**	**371.5**	**382.1**
% Change from Prior Yr		**3.6%**	**3.6%**	**3.7%**	**3.1%**	**2.7%**	**2.9%**	**3.0%**	**2.8%**	**2.9%**	**2.9%**

FY 2021/22 General Fund Expenditures by Type



Labor Costs

Labor costs, which include salary, retirement and other benefit costs, are projected at $213.8 million in FY 2021/22. These costs are derived from a position-level analysis of City staffing, including actual salary and benefit information, negotiated salary and benefit adjustments for bargaining groups that have current Memorandums of Understanding with the City, projected adjustments for the out years of the forecast, and retirement information from the California Public Employees Retirement System (CalPERS) and the City's actuary.

Over the Forecast period, these costs are projected to increase an average of 3.4% annually and reach $299.5 million by FY 2031/32.

Retirement Costs

Retirement costs represent one of the largest components of labor costs. The City contributes to CalPERS, which provides a defined benefit plan for participating public entities within the State of California. CalPERS offers a menu of benefit provisions that are established by State statutes within the Public Employee Retirement Law. The City selected its benefit provisions from the benefit menu by contract with CalPERS and adopted those benefits through local ordinance, following negotiations with employee bargaining groups.

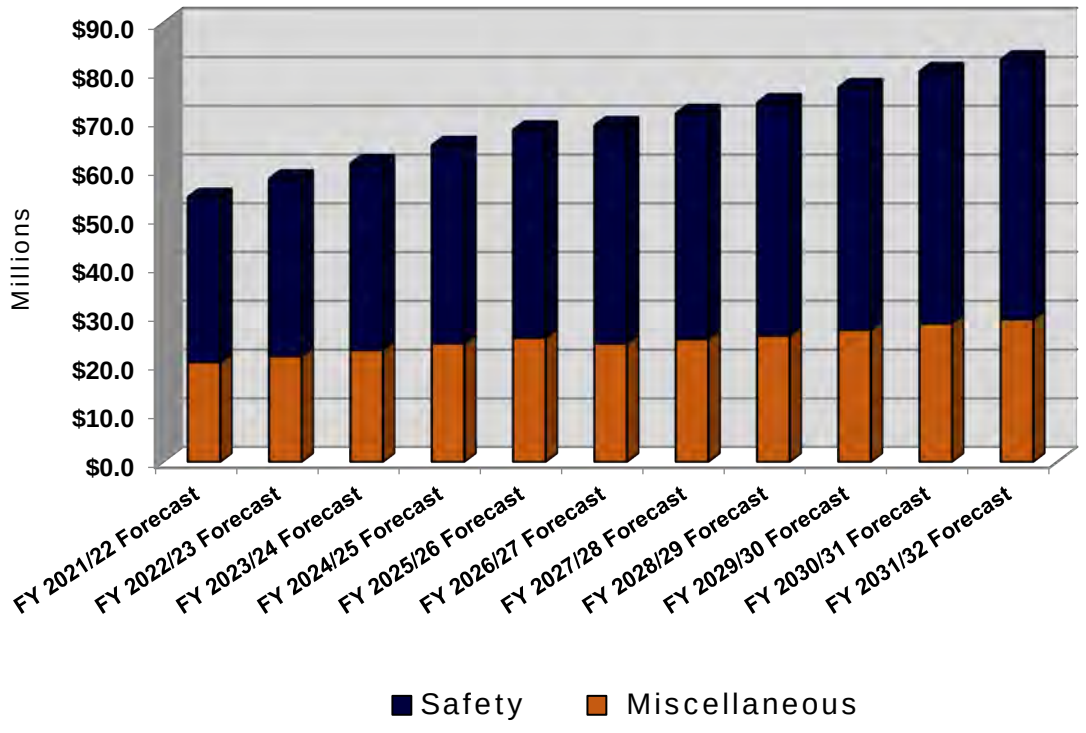
CalPERS retirement costs rose sharply over the past decade as a result of the market losses in the early 2000s followed by benefit enhancements in the mid-2000s. In FY 2011/12, General Fund pension costs were $18.9

million; by FY 2021/22, pension costs are projected to be $54.3 million. Retirement payments are expected to continue to rise as required employer rate increases are rolled in to make up for investment losses, a lower investment return assumption, shorter smoothing and amortization periods, and other demographic assumption changes. By the end of the Forecast period, PERS expenditures are projected to reach $82.5 million and will account for an estimated 22% of General Fund expenditures.

On December 21, 2016, the CalPERS Board approved lowering the investment earnings assumption (discount rate) downward from 7.5% to 7.0% over a three-year period. This change increased rates beginning in Fiscal Year 2018/19, with the full impact to be realized in FY 2024/25. In February 2018, the CalPERS Board approved shortening the period over which actuarial gains and losses are amortized from 30 years to 20 years for new pension liabilities. This policy became effective as of the June 30, 2019 CalPERS actuarial valuations. Additional actions will likely be implemented in the future as part of a risk mitigation strategy to move to more conservative estimates over time to reduce volatility, including additional downward revisions to the discount rate.

Year-by-year pension rate projections are shown below. These projections incorporate rates provided by CalPERS for FY 2021/22. In the remaining years of the Forecast, the retirement costs are based on rates provided by the City's actuary that assumed investment returns would generally be 6.5% (as compared to the 7.0%).

General Fund PERS Costs



Materials, Services and Supplies

The materials, services and supplies estimate for FY 2021/22 is $31.4 million, which is below the FY 2020/21 Adopted Budget level of $33.0 million, due to the elimination of one-time funds. Annual adjustment factors are included in this category as well as adjustments for expenditures that occur every two years. Expenditures are projected to reach $39.4 million by FY 2031/32.

Interfund Services

Interfund services include the General Fund contribution to several internal service funds, including Communications Acquisitions, Fleet Operations, Information Technology Services, Special Liability Insurance, Unemployment Insurance, Vehicle Replacement, and Workers' Compensation. In FY 2021/22, these costs are estimated at $25.3 million and increase to $31.0 million by FY 2031/32. These estimates are based on an evaluation of the activity levels in each internal service fund.

Loans and Transfers

This category includes debt service payments, loans to the Cemetery Fund, transfers to capital funds for Public Works Capital Project Management, and the City's contributions to parking maintenance and Convention Center maintenance. These costs are estimated at $7.0 million in FY 2021/22 and total $6.7 million by FY 2031/32. The debt service payments for the 2010 Lease Agreement (provided funds to refund outstanding bonds to construct the police administration building) are scheduled to be completed in February 2022, resulting in lower costs in the out years of the Forecast.

Reserves

This category includes the contributions to the Building Reserve and the Technology Reserve to account for the difference between the forecasted revenues and expenditures. Because forecasted revenues are above the forecasted expenditures in each year of the Forecast, the differences are set aside in reserves. These contributions total $3.7 million in FY 2021/22 and increases to $5.4 million in FY 2031/32. The contribution to the Building Reserve totals $3.3 million in FY 2021/22 and increases to $4.8 million in FY 2031/32, and these funds will be used to support the Building Development Program. The contribution to the Technology Reserve totals $0.4 million in FY 2021/22 and increases to $0.6 million in FY 2031/32.

RESERVES

Reserves have generally been established with one-time funds and, with the exception of funding set aside in the Building and Technology Reserves to maintain 100% cost recovery, are not reflected in the Forecast figures. Reserves, however, are an important component of the budget. Following is a discussion of the major General Fund Reserves.

- **Budget Stabilization Reserve:** During FY 1985/86, the City Council established a policy regarding use of the City's General Contingency Reserve funds. Under that policy, two separate reserves were established, a Budget Stabilization Reserve (formerly known as the Working Capital Reserve) and a Capital Projects Reserve. The Budget Stabilization Reserve (BSR) is set aside to protect vital General Fund services through economic downturns, emergency financial crisis, or disaster situations. The reserve target is equal to the expenditures of the City's General Fund operations for three months (90-days or 25% of budgeted appropriations). The BSR reserve level currently totals $57.8 million, which equals 20% of the projected FY 2021/22 expenditures and 15% of the FY 2031/32 expenditures. When the FY 2020/21 budget was adopted, the City Council approved an exception of the 25% BSR target level to address the impacts associated with COVID-19. The Council-approved Budget Principles for FY 2021/22 also state that if an exception to the Council Policy to set the General Fund Budget Stabilization Reserve at or above 25% of adopted budget expenditures is considered, maintain the Reserve level at a minimum of 15% of expenditures.

- **Capital Projects Reserve:** This reserve is set aside to fund the portion of the City's Capital Improvement Program (CIP) that has no other funding sources to support it. The projects funded from this critical reserve provide basic City infrastructure and quality facilities. The Council adopted a policy in FY 1996/97 to maintain a minimum of $5.0 million in the Capital Projects Reserve. The Capital Projects Reserve in FY 2020/21 currently totals $5.4 million.

- **Land Sale Reserve:** This reserve sets aside proceeds from land sales to be used for land-related purposes or other General Fund needs as determined by the City Council. This reserve currently totals $23.7 million.

- **Building Inspection Reserve:** This reserve sets aside user fees that are above costs in the Community Development Department's Building Inspection Division. This reserve is used to fund inspection services or projects directly related the Building Division development activity and provides resources for works-in-progress as project work can span more than one year. This reserve currently totals $18.0 million.

- **Pension Stabilization Reserves:** These reserves in the General Fund and other City funds have targeted contributions that would fund 1% of the City's unfunded pension liability annually to address the City's pension unfunded accrued liability. For the General Fund, this reserve currently totals $21.6 million.

GENERAL FUND BUDGET BALANCING

The Forecast serves as the starting point in the development of the FY 2021/22 and FY 2022/23 Biennial Operating Budget that is scheduled to be released on April 30, 2021 and approved by the City Council in June 2021. These budget figures will continue to be refined over the next few months and incorporated into the Proposed Biennial Budget.

Given the projected shortfall of $41.7 million in FY 2021/22, it is anticipated that a combination of expenditure reductions, revenue-generating actions, and the use of reserves will be necessary to balance the budget. As part of this process, departments evaluate contracts and non-personnel expenses, conduct service delivery evaluations, and review vacant positions. Revenue strategies include bringing fees closer to cost recovery, evaluating opportunities for new fees, and identifying revenue opportunities in line with other jurisdictions. Budget reductions are also expected to be brought forward in FY 2020/21 that will offset lower revenue collections in the current year and address a portion of the ongoing $41.7 million shortfall.

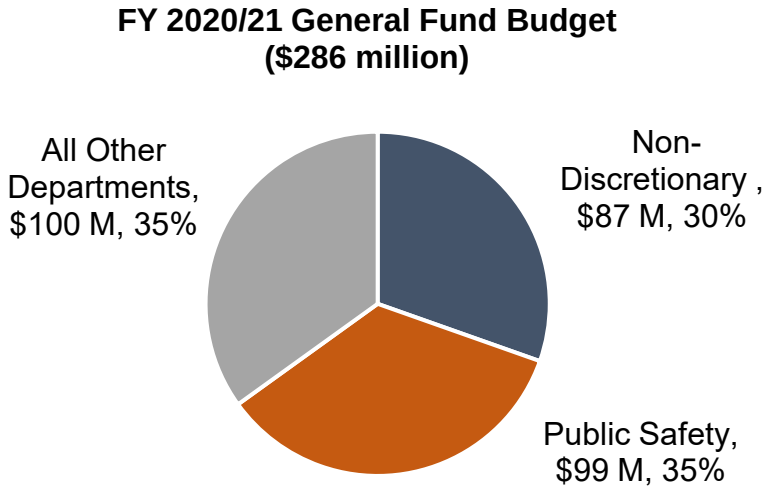
In addition, cost control measures implemented in 2020 are expected to continue, these include the following:

- Hiring freeze, with limited exceptions
- Stricter expenditure controls
- Decreased temporary staffing (by over 500 staff or 55%)
- Limited travel
- Limited training
- Reduced expenditures for IT
- Reduced expenditures for vehicle and fleet purchases
- Evaluating current contracts and other non-personnel expenditures

Limited Control in Certain Areas

In developing budget balancing strategies, there is limited control over certain expenditure areas where there are contractual obligations, the expenses cover fixed costs, and/or the costs are recovered by fees. The major non-discretionary costs include the following:

- CalPERS unfunded liability
- Debt service costs
- Fixed facility operating costs
- Other contractual obligations (e.g., election costs)
- Fee-supported activities



When evaluating the components of the expenditure budget, approximately 30% is non-discretionary, with the remaining balance broken down into public safety (35%) and all other departments (35%) categories. These categories are important when considering budget balancing options available.

FY 2021/22 BUDGET PRINCIPLES

On February 1, 2021, the City Council approved the following FY 2021/22 Budget Principles that provide a framework for the budget process.

Budget Principles for 2021/22

1. Make decisions within the context of the City's Code of Ethics and Values, especially being Fiscally Responsible, Communicative, and Service-Oriented.
2. Consider budget decisions with long-term implications taking into account data from the Ten-Year Financial Forecast.
3. To the extent possible, align ongoing expenditures with ongoing revenues to avoid negative impacts on future budgets and maintain the City's high financial management standards.
4. To address the projected General Fund shortfall, use a combination of ongoing and one-time solutions to balance the competing goals of aligning ongoing revenues and expenditures and minimizing the service delivery impacts to the community.
5. Continue cost control measures until the ongoing General Fund revenues and expenditures are in alignment.
6. If an exception to the Council Policy to set the General Fund Budget Stabilization Reserve at or above 25% of adopted budget expenditures is considered, maintain the Reserve level at a minimum of 15% of expenditures.
7. Focus on projects and services that benefit the community as a whole.
8. Pursue economic development objectives and strategies to foster new public and private investment within Santa Clara, and to create employment opportunities.
9. Balance between compensation adjustments to retain and attract employees and funding for positions.
10. Use one-time unrestricted revenues (e.g., annual General Fund surplus) for one-time uses such as increasing reserves, funding capital or Information Technology projects, paying off debt, and/or paying off unfunded pension or other post-employment benefits liabilities.
11. Inform and communicate clearly and broadly to residents, businesses and employees regarding the City's fiscal position and budget; schedule hearings to promote active participation in the City Council's budget deliberations.
12. With limited exceptions, establish fees based on full cost recovery where individuals/businesses rather than the community at-large are benefitting from City services. This preserves limited unrestricted resources for providing services that benefit the community as a whole.
13. Focus on business process redesign in order to improve employee productivity and the quality, flexibility, and cost-effectiveness of service delivery (e.g., streamlining, simplifying, reorganizing functions, and reallocating resources).
14. Explore expanding existing revenue sources and/or adding new revenue sources.
15. Engage employees to contribute new and innovative ideas during the department budget development process.
16. Use the General Plan as a primary long-term fiscal planning tool and link ability to provide City services to development policy decisions.

CONCLUSION

The Forecast provides policy makers, the public, and City staff an updated assessment of the City's financial condition that considers the latest projections of economic conditions. It serves as a starting point in the budget development process by providing the necessary context for making budget decisions. The Forecast also identifies known risk factors and vulnerabilities, and it provides a foundation for evaluating priorities and understanding trade-offs moving forward.

As reflected in this Forecast, the City's financial condition has dramatically changed as a result of COVID-19. A General Fund shortfall of $41.7 million is projected for FY 2021/22, followed by small surpluses ranging from $1.7 million to $5.5 million annually. By the end of the Forecast period, revenues are projected at $366.0 million while expenditures are estimated at $382.1 million. When put into context of the size of the General Fund budget, the shortfall in FY 2021/22 is 14.8% of General Fund expenditures. In the out years of the Forecast, the annual margins are relatively narrow, ranging from 0.5% to 1.9% of the projected annual expenditure budget. The Biennial Operating Budget for FY 2021/22 and FY 2022/23 will include a budget balancing strategy to address the shortfall using a combination of expenditure reductions, revenue solutions, and use of reserves. The use of ongoing and one-time solutions would balance the competing goals of aligning ongoing revenues and expenditures and minimizing the service delivery impacts to the community. This will also allow for time to evaluate the post COVID-19 recovery.

In addition to the projected General Fund shortfall identified in this Forecast, there are elements of the City's budget that are not included in the Forecast as they have been funded pay-as-you-go with one-time sources. These include the costs to fund capital improvements that rely on General Fund funding, address unmet/deferred infrastructure needs, fully fund public safety equipment replacement, and make additional contributions to reserves. The Forecast also does not incorporate the financial impacts of new developments that may have a positive impact given the uncertainty regarding the timing. This Forecast serves as a strategic planning tool to meet the City's long-term goal to plan for additional fiscal capacity and bring forward sustainable funding strategies to address these unmet cost elements. This may include new and/or revised revenue options and impact fees in the future.

Statements of Sources and Uses of Funds

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General Fund

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GENERAL FUND

The General Fund is the primary fund of the City that is used to account for all revenues and expenses that are not restricted by law or policy to be accounted for in another fund. The General Fund supports many of the most visible and essential City services including libraries, parks, police, and fire protection. The General Fund also includes many departments that provide central services including the City Manager, City Attorney, City Clerk, Mayor and City Council, Finance and Human Resources offices and departments.

General Fund Sources

General Fund sources total $398.1 million in the Proposed FY 2021/22 budget, down $25.8 million from the FY 2020/21 amended budget. This decrease reflects a decline in the beginning fund balance primarily as a result of the use of the Budget Stabilization Reserve as a budget balancing strategy in FY 2020/21 as well as a decline in transfer from other funds. The revenues reflect an increase due to the planned receipt of federal stimulus funds in FY 2021/22 of $25.9 million. The total sources consist of $141.3 million in fund balance estimated to be carried over from FY 2020/21, $250.3 million in revenue, and $6.5 million in transfers from other funds. As part of the budget process, estimates are developed for each line item, taking into consideration activity projections, historical trends, and the economic environment. The table below summarizes the projected sources of General Fund revenues and transfers in this budget.

Funding Source	FY 2019/20 Actual	FY 2020/21 Amended	FY 2020/21 Estimate	FY 2021/22 Proposed	FY 2022/23 Change	FY 2022/23 Proposed
Property Tax	65,498,024	66,982,000	66,950,000	**71,559,000**	3,430,000	**74,989,000**
Sales Tax	55,269,669	55,600,000	54,875,000	**58,183,000**	2,776,000	**60,959,000**
Transient Occupancy Tax	15,993,791	3,625,000	3,625,000	**9,000,000**	3,600,000	**12,600,000**
Franchise Tax	4,529,679	4,738,000	4,738,000	**4,630,000**	150,000	**4,780,000**
Documentary Transfer Tax	1,319,304	1,200,000	1,200,000	**1,450,000**	29,000	**1,479,000**
Licenses and Permits[1]	9,804,500	10,939,300	10,939,300	**3,685,000**	88,000	**3,773,000**
Rents and Leases	9,328,196	10,055,409	9,300,000	**9,833,222**	2,007,761	**11,840,983**
Other Services Fees[1]	41,535,715	43,545,818	43,545,818	**36,843,262**	1,563,237	**38,406,499**
State/Other Agencies[2]	6,177,898	226,000	226,000	**26,205,801**	(25,921,801)	**284,000**
Fines and Penalties	1,172,107	1,320,000	500,000	**1,496,135**	37,954	**1,534,089**
Interest	6,879,415	4,434,172	2,700,000	**2,600,000**	(334,000)	**2,266,000**
Contribution In-Lieu	22,710,162	23,699,830	23,699,830	**24,700,000**	865,000	**25,565,000**
Other Revenue	2,204,044	6,749,908	6,749,908	**150,000**	0	**150,000**
Revenue Subtotal	**242,422,504**	**233,115,437**	**229,048,856**	**250,335,420**	**(11,708,849)**	**238,626,571**
Transfers In	5,486,089	10,226,024	7,710,738	**6,459,399**	(3,162,286)	**3,297,113**
Total Revenues/ Transfers	**247,908,593**	**243,341,461**	**236,759,594**	**256,794,819**	**(14,695,378)**	**241,923,684**

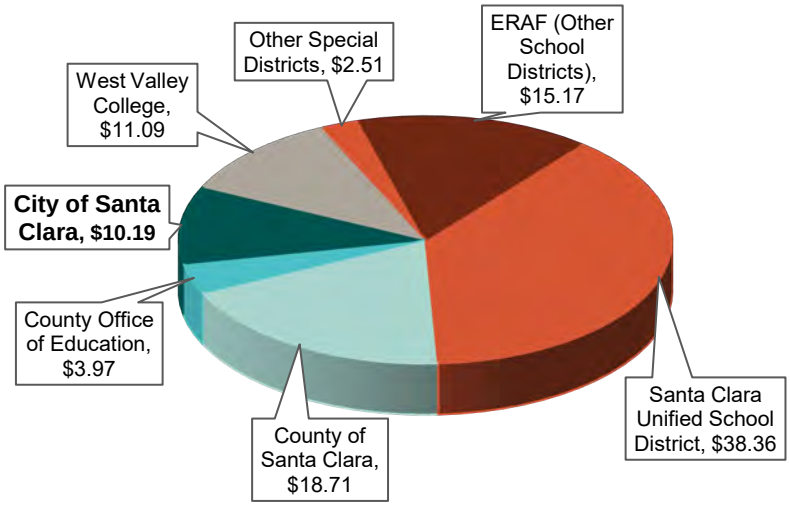
[1] Building development revenues have been shifted to a new Building Development Fund that will account for the development-related services provided by the Building Division.

[2] Reflects the federal stimulus funding of $25.9 million in FY 2021/22.

The largest economically sensitive revenue categories (property tax, sales tax, and transient occupancy tax) account for almost 60% of General Fund revenues. Following is a discussion of these categories as well as other major General Fund revenue categories.

Property Tax

Property Tax Distribution per $100 Collected



Property tax is the largest revenue source for the City, representing approximately 30% of revenues. Under Proposition 13, the assessed valuation of properties held by the same owner from year to year is adjusted each year by the lesser of 2.0% or the percent change in the annual California Consumer Price Index (CCPI). For FY 2021/22, the adjustment factor based on CCPI is 1.036%. Beyond the inflation adjustment, growth in property tax receipts is driven by reassessments upon the sale of properties and new construction projects being added to the tax rolls. Overall, property tax revenue for FY 2021/22 is projected at $71.6 million, up 6.9% from FY 2020/21 estimate. In FY 2022/23, receipts are projected to increase an additional 4.8% to $75.0 million.

Secured Property Tax receipts are projected to total $68.7 million, an increase of 7.2% from the FY 2020/21 year-end estimate of $64.1 million. The category includes general secured property tax (tax on real property that includes the land and the structures attached to it, such as a home or building) along with supplemental property tax (retroactive collections back to the point of sale for reassessments of value due to property resale), residual Redevelopment Agency receipts, and excess Educational Revenue Augmentation Fund (ERAF) funds (under Proposition 98, a portion of property tax receipts are allocated to the ERAF and once there are sufficient funds in ERAF to fulfill the obligation to the school districts, excess funds are returned to the taxing entities). General secured property tax for FY 2021/22 is based on the assessed value as of January 1, 2021. Assessed valuation growth on secured property is projected at 4.0% in FY 2021/22 and reflects 1.036% annual inflation, growth due to property sales, and a general allowance for new construction projects. This growth factor is lower than experienced in recent years due to the lower CCPI adjustment and the potential downward assessment of commercial properties due to COVID-19 impacts.

The remaining secured property tax growth is due to higher RDA residual pass-through revenues and excess ERAF funds when compared to the FY 2020/21 projected levels. Collections in FY 2020/21 were negatively impacted by a one-time retroactive reduction of $2.1 million as well as an ongoing impact of $0.8 million due to a State of California Appellate Court decision that changed the distribution of RDA residual receipts. The property tax estimate also includes higher ERAF receipts based on the latest estimates from the County of Santa Clara. The State of California challenged the ERAF calculation, and the County received high-level Excess ERAF calculation guidance from the State Controller's Office (SCO) in February 2021. While the County, together with other Excess ERAF counties, is waiting for

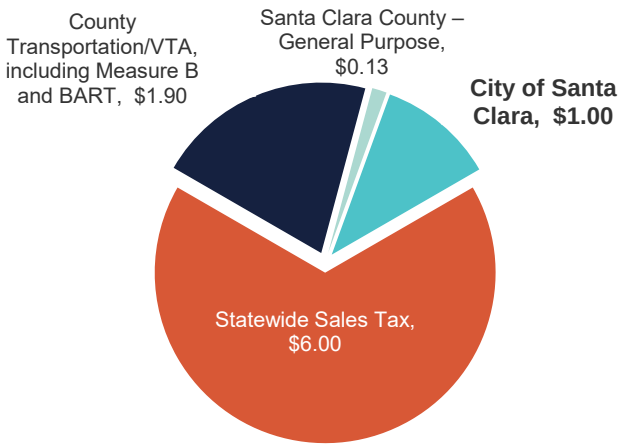
further clarification and confirmation from the SCO on certain items, the estimates factored into the budget are the latest estimates at this time and total $4.0 million in FY 2021/22 and $4.2 million in FY 2022/23.

Unsecured Property Tax is assessed on personal property that is tangible or moveable and is not attached to real estate (e.g., office equipment, planes, boats). Unsecured Property Tax receipts are projected to remain at $2.9 million in FY 2021/22 and FY 2022/23.

Sales Tax

Sales tax is the General Fund's second largest revenue. The City's current sales tax rate is 9%, of which the City of Santa Clara receives 1%. Santa Clara's sales tax collections are directly influenced by local, regional, national, and international economic and business cycles. Due to this, sales tax collections are one of the most volatile General Fund revenues. These collections have been negatively impacted by COVID-19 and are expected to improve in FY 2021/22. Sales tax collections are expected to total $54.9 million in FY 2020/21 and increase 6.0% to $58.2 million, based on the assumption that sectors that have been deeply impacted by COVID-19 will improve with the roll-out of mass vaccinations and the lifting of pandemic-related restrictions. The growth rate is expected to step down to 4.8% in FY 2022/23 and generate $61.0 million.

Sales Tax on $100 purchase



The sales tax rate in Santa Clara is 9%. For every $100 dollars spent in Santa Clara on taxable purchases, $9.00 goes to sales tax, of which the City of Santa Clara receives $1.00.

Transient Occupancy Tax

Transient Occupancy Tax (TOT) is calculated as a percentage of City hotel/motel room charges. The City's current TOT rate is 9.5%. In November 2020, voters approved an increase of up to 4%, and this increase will be implemented by City Council action. As with sales tax, TOT is sensitive to business cycles and can vary greatly from year to year based on occupancy levels and room rates. Prior to COVID-19, this category had experienced tremendous growth. With the COVID-19 safety restrictions, TOT receipts plummeted at the end of FY 2019/20 and through FY 2020/21. From July 2020 through March 2021, TOT receipts were down 87% from the same period last fiscal year. Of all the City's revenue categories, TOT has seen the greatest declines as a result of the pandemic.

In FY 2018/2019, the last full year not impacted by COVID-19, TOT receipts totaled $22.5 million. TOT revenue is projected to reach only $3.6 million in FY 2020/21 and increase to $9.0 million in FY 2021/22 based on the assumption that this category will gain some of the lost ground with the mass vaccinations and the lifting of COVID-19 restrictions. TOT receipts are projected to continue to improve in FY 2022/23 with growth of 40%, bringing receipts to $12.6 million. The Proposed Budget assumes that the City Council will implement 2 percent of the 4 percent potential rate increase approved by the voters in November 2020.

Adjustments to this revenue estimate will likely be necessary based on the actual recovery timeline.

Licenses and Permits

The Licenses and Permits category has historically included business licenses, building development-related permits (building, electric, plumbing, mechanical), fire permits, encroachment permits, and parking permits. In the FY 2021/22 Proposed Budget, the building development-related revenues are being shifted to a separate Building Development Services Fund (the expenditures are also being shifted to the new fund, for a net zero impact on the General Fund). With the removal of the building permit fees, collections in this category are projected to total $3.7 million in FY 2021/22 and increase to $3.8 million in FY 2022/23.

Rents and Leases

The Rents category includes property rents and leases as well as right-of-way rental fees charged to the water sewer and utilities. In FY 2021/22, rent revenue is estimated to total $9.8 million, including $5.8 million from property rents and leases and $4.0 million from right-of-way rental fees. This revenue category is expected to increase to $11.8 million in FY 2022/23 with the growth primarily attributed to lease payments associated with the Related project based on the anticipated timing of that project.

Other Services Fees

The Other Services Fees category has historically included fees charged for various City services provided by the departments of Community Development, Fire, Police, Park and Recreation, and Public Works as well as cost allocation plan reimbursements and stadium-related reimbursements. As with the Licenses and Permits category, the building development related fees in this category have been shifted to the new Building Development Services Fund.

This category is estimated to generate $36.8 million in FY 2021/22 and increase to $38.4 million in FY 2022/23. The revenue estimates reflect updated cost allocation plan and stadium reimbursements to account for updated costs and adjustments for expected activity levels. Changes in various fees for services result in an increase of $0.6 million. This includes a limited number of new Public Work engineering fees to recover costs (storm drain non-point source fee, solid waste plan review fee, and trash management plan fee) and fee adjustments to increase costs recovery for fire operational permit fees ($0.2 million) and the billing service charge for late utility payments ($0.2 million). These fee adjustments will be presented in the Proposed FY 2021/22 Municipal Fee schedule that will released under separate cover. The fee schedule is planned to be presented as part of the Proposed Budget study sessions and adopted on June 22, 2021. In FY 2022/23 additional fee adjustments are expected to be brought forward after the completion of the fee study that is currently underway

Downward adjustments totaling $0.2 million in Parks and Recreation fee revenue is expected due to budget reductions that reduce fee activity (aquatics, adult sports, therapeutics, theater program, and Art and Wine Festival).

State/Other Agencies

In FY 2021/22, this category includes American Rescue Plan Act (ARPA) funding of $25.9 million that is estimated for the City of Santa Clara. These funds help offset City revenue losses and continue to support City services. This category also includes funding of $60,000 from the school districts to support the DARE program provided by the Police Department.

Contribution in-Lieu

In accordance with the City's charter, Silicon Valley Power pays 5.0% of gross revenues to the General Fund as contribution-in-lieu of taxes (CIL). For FY 2021/22, CIL is projected to total $24.7 million and increase to $25.6 million in FY 2022/23.

Transfers In

The Transfers In category totals $6.5 million in FY 2021/22. This includes the anticipated transfer of $3.0 million from the Parks and Recreation Capital Fund as partial repayment of the loan for the Reed and Grant Sports Complex project. Parks Mitigation Fee Act revenue will be used for the loan repayment and will replenish the Land Sale Reserve. The Transfers In category also includes 1) $1.5 million from the Storm Drain Capital Fund to support storm drain operations, 2) $1.0 million from the Vehicle Replacement Fund to return funding no longer needed for planned vehicle replacements as these vehicles will be replaced with electric vehicles under the SVP program, 3) $0.7 million from the Electric Utility Fund to support a new City Attorney position recommended to support SVP and two Finance positions that support SVP operations, and 4) $0.2 million from the Tasman East Infrastructure Improvement Fund to repay the Capital Projects Reserve that is expected to be used in FY 2020/21 to address cash flow issues in that fund. The Transfer In revenue estimate drops to $3.3 million in FY 2022/23 primarily because no loan repayment revenue is assumed from the Parks and Recreation Capital Fund.

General Fund Uses

Overall, General Fund Uses total $398.1 million in FY 2021/22. Of this amount, $243.4 million accounts for operational expenditures; $39.1 million are transfers to other funds and $115.5 million represent fund balance and reserves. The total expenditures decrease to $357.4 million in FY 2022/23, primarily due to reductions in transfers as well as use of fund balances and reserves. The following table summarizes the General Fund expenditures and transfers.

Expenditures	FY 2019/20 Actual	FY 2020/21 Amended	FY 2020/21 Estimate	FY 2021/22 Proposed	FY 2022/23 Change	FY 2022/23 Proposed
Salaries	123,823,979	125,133,378	122,045,206	121,849,727	4,862,492	126,712,219
Retirement – Safety	27,099,073	29,421,949	29,121,949	33,056,981	2,469,246	35,526,227
Retirement – Misc.	16,123,019	18,963,297	18,813,297	18,283,077	1,162,358	19,445,435
Other Benefits	18,402,027	20,417,705	19,401,705	19,702,155	644,372	20,346,527
Materials/Services/ Supplies	27,408,671	29,349,451	26,619,255	27,661,957	1,543,350	29,205,307
Interfund Services	22,364,642	22,208,095	22,208,095	22,720,324	671,799	23,392,123
Capital Outlay	406,751	4,424,323	4,424,323	140,393	(12,320)	128,073
Total Expenditures	**235,628,162**	**249,918,198**	**242,633,830**	**243,414,614**	**11,341,297**	**254,755,911**
Transfers Out*	28,653,335	29,991,306	33,474,975	39,146,855	(32,471,271)	6,675,584
Total Expenditures and Transfers Out	**264,281,497**	**279,909,504**	**276,108,805**	**282,561,469**	**(21,129,974)**	**261,431,495**

* The Transfers Out category includes the one-time transfer of the Building Inspection Reserve ($18.0 million) to the newly established Building Development Services Fund.

As a public service organization focused on delivering high-quality services to our community, labor costs reflect the highest level of investment at 79% of the expenditure budget (excluding transfers). Following is a discussion of the General Fund expenditure categories.

Salaries and Benefits

The expenditures in this category account for full-time and part-time salaries, retirement, health, social security, other employer benefits, and overtime costs. The Proposed Budget factors in the latest negotiated salary adjustments, updated retirement and benefit costs, and the recommended budget proposals. In the General Fund, the FY 2021/22 Proposed Budget totals $192.9 million. This represents a decrease of $1.0 million or 0.5% from the FY 2020/21 Amended Budget of $193.9 million. The Amended Budget factors in the Phase 1 budget reductions approved by the City Council on March 9, 2021. In FY 2022/23, salary and benefit costs are projected to increase 4.7% to $202.0 million.

The City of Santa Clara participates in the California Public Employees' Retirement System (CalPERS) under two plans, the Miscellaneous and Safety retirement plans. FY 2021/22 retirement costs in the General Fund are budgeted at $33.1 million for Safety employees and $18.3 million for Miscellaneous employees. These costs increase to $35.5 million and $19.4 million, respectively.

Material, Services, and Supplies

The materials, services, and supplies budget for FY 2021/22 is $27.7 million, a decrease of $1.7 million from the FY 2020/21 Amended Budget. The 2021/22 budget reflects the recommended budget proposals as well as the removal of one-time funding approved for FY 2020/21. The Proposed Budget does not yet reflect any carryovers from FY 2020/21 to FY 2021/22. In FY 2022/23, these costs are projected to increase 5.6% to $29.2 million.

Interfund Services

Interfund services are citywide in nature and funded through internal service funds (Information Technology Department services, special liability fund, workers' compensation, Public Works capital project management, vehicle equipment and maintenance, fleet purchases, and communications equipment) that are apportioned to City Departments and funds. This category totals $22.7 million in FY 2021/22 and increases 3.0% to $23.4 million in FY 2022/23.

Capital Outlay

This category includes small capital expense purchases not budgeted within the capital budget. This category totals $0.1 million in FY 2021/22 and FY 2022/23.

Transfers to Other Funds

This category includes transfers to other funds to support capital projects, the City's share of assessment district costs, other services, and debt payments. The FY 2021/22 Proposed Budget for this category totals $39.1 million, including $11.8 million for capital projects, $2.5 million for debt payments, and $1.6 million for assessment district payments and other services. In addition, the one-time transfer of $18.0 million to the newly established Building Development Services Fund is recommended to reflect the shift

of the Building Inspection Reserve from the General Fund to the new fund. The one-time transfer of $5.2 million to the Special Liability Fund is also recommended to provide funding for potential claims.

The Transfers figure drops to $6.7 million in FY 2022/23 and includes $3.5 million for capital projects, $1.4 million for debt payments, and $1.8 million for assessments district payments, and other services.

General Fund Reserves

The General Fund includes several reserves established by City Council policy or to segregate restricted revenues. More detail regarding reserve policies can be found in the Budget and Fiscal Policies section of this document.

Budget Stabilization Reserve

This reserve is used as an allocation for weathering economic downturns, emergency financial crises or disaster situations. Per Council policy, the BSR target is equal to the cost of the City's General Fund operations for three months, or 25% of the expenditure budget. Given the significant impacts of COVID-19 on the City's budget, the City Council adopted the FY 2021/22 budget principles that allow this reserve to drop to 15% of budgeted expenditures. The proposed balancing strategy includes use of the Budget Stabilization Reserve (BSR) of $1.9 million in FY 2021/22 and $15.6 million in FY 2022/23. The Reserve would total $55.6 million or 21% of the operating budget expenditures in FY 2021/22 (excluding the transfer of the Building Inspection Reserve to the new Building Development Fund) and drop to $40.0 million or 15.3% in FY 2022/23.

Capital Projects Reserve

The Capital Projects Reserve (CPR) earmarks funds for the Capital Improvement Program (CIP). The minimum target for this reserve is $5.0 million. This reserve has a projected ending balance of $4.2 million in FY 2021/22, and an additional $3.2 million is reserved for capital projects programmed from FY 2022/23 through FY 2024/25 in the Capital Improvement Program. The use of $1.2 million from the Capital Projects Reserve is recommended to fund high-priority capital projects that were not included in the FY 2020/21 and FY 2021/22 Biennial Capital Budget.

Land Sale Reserve

The City Council established the Land Sale Reserve from net proceeds from the sale of City-owned land, with interest earned on these funds being available to be appropriated for General Fund operating expenditures. The Land Sale Reserve has a projected ending balance of $24.7 million for FY 2021/22 and is available for appropriation by City Council action. The FY 2021/22 budget reflects an increase of $3.0 million due to the anticipated partial loan repayment from the Parks and Recreation Capital Fund for the Reed Street – Grant Street Sports Park Project. In FY 2022/23, the reserve totals $21.5 million, a decrease of $3.2 million as a budget balancing strategy.

Building Inspection Reserve

The City Council established the Building Inspection Reserve to account for surplus funds generated from user fees in the Community Development Department's Building Inspection Division. Funds accumulated

in the Building Inspection Reserve are used to fund Building Division costs in years when current year fees do not cover the full cost of services, and for projects directly related to the Building Division. Because a new Building Development Services Fund is proposed for FY 2021/22, the funds from the Building Inspection Reserve totaling $18.0 million will be transferred to the new fund and this reserve will no longer be included in the General Fund. A final reconciliation will be performed at the end of FY 2020/21 to return any excess building development revenues over expenditures to the new Building Development Services Fund.

Advanced Planning Fee Reserve

The advanced planning fee is collected as a portion of planning and building fees. This funding is set aside for future long-range planning activities. This reserve has a projected ending balance of $0.7 million for FY 2021/22 and FY 2022/23.

Technology Fee Reserve

The Technology Fee Reserve sets aside the technology fee revenue collected with the development fees and other applicable fees. This reserve will be used to support the Accela licensing costs and other technology improvements for the fee programs that assess this fee. This reserve is projected to total $1.1 million at the end of FY 2021/22 and $1.3 million at the end of FY 2022/23.

Other Reserves

By Council Policy, other reserves are set aside in the General Fund including the pension stabilization and historical preservation reserves. The Pension Stabilization Reserve is projected to total $21.6 million at the end of FY 2021/22 and FY 2022/23, and the Historical Preservation Reserve is projected to total $90,096 in both fiscal years. Contributions to the Pension Stabilization Reserve is typically recommended as part of the Year-End Report, if additional funds are available. No additional contributions are assumed as part of this Biennial Budget.

GENERAL FUND | GENERAL FUND (001)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	6,508,711	4,273,693	4,273,693	4,273,693	4,273,693
Budget Stabilization Reserve	62,930,167	79,939,635	79,939,635	57,542,800	55,605,631
Capital Projects Reserve	22,044,954	29,014,222	29,014,222	5,280,801	4,248,758
Reserve for Programmed Capital Projects	0	0	0	11,038,674	3,151,081
Building Inspection Reserve	9,281,903	14,105,480	14,105,480	18,013,097	0
Advanced Planning Fee	368,749	642,410	642,410	741,694	741,694
Technology Fee Reserve	284,129	770,771	770,771	971,771	1,078,241
Land Sale Reserve	21,531,838	22,782,507	22,782,506	21,735,481	24,732,263
Pension Stabilization Reserve	16,381,504	21,597,338	21,597,338	21,597,338	21,597,338
Historical Preservation Reserve	88,445	90,096	90,096	90,096	90,096
Santana West Reserve	0	5,000,000	5,000,000	0	0
Unrestricted	57,762,917	2,328,379	2,594,262	0	0
Total Beginning Fund Balance	**197,183,317**	**180,544,531**	**180,810,413**	**141,285,445**	**115,518,795**
Revenue					
Property Taxes - Secured	62,788,479	64,582,000	64,100,000	68,709,000	72,109,000
Property Taxes - Unsecured	2,709,545	2,400,000	2,850,000	2,850,000	2,880,000
Sales Tax	54,556,629	55,000,000	54,200,000	57,483,000	60,238,000
Public Safety Sales Tax	713,040	600,000	675,000	700,000	721,000
Documentary Transfer Tax	1,319,304	1,200,000	1,200,000	1,450,000	1,479,000
Transient Occupancy Tax	15,993,791	3,625,000	3,625,000	9,000,000	12,600,000
Franchise Taxes	4,529,679	4,738,000	4,738,000	4,630,000	4,780,000
Rents	9,328,196	10,055,409	9,300,000	9,833,222	11,840,983
State Revenues	265,509	226,000	226,000	224,000	224,000
Other Agencies Revenues	5,912,389	0	0	25,981,801	60,000
Licenses and Permits	9,804,500	10,939,300	10,939,300	3,685,000	3,773,000
Fines and Penalties	1,172,107	1,320,000	500,000	1,496,135	1,534,089
Other Fees for Services	41,535,715	43,545,818	43,545,818	36,843,262	38,406,499
Interest	6,879,415	4,434,172	2,700,000	2,600,000	2,266,000
Contribution In Lieu	22,710,162	23,699,830	23,699,830	24,700,000	25,565,000
Other Revenue	2,204,044	6,749,908	6,749,908	150,000	150,000
Total Revenue	**242,422,504**	**233,115,437**	**229,048,856**	**250,335,420**	**238,626,571**
Transfers From					
Building Development Services Fund	0	0	0	163,362	168,845
Cemetery Capital Fund	28,085	0	0	0	0
Building Special Programs and Training Fund	1,711	1,765	1,765	1,765	1,765

GENERAL FUND | GENERAL FUND (001)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Transfers From					
Community Activities Fund	237,753	0	0	0	0
Convention Center Enterprise Fund		20,000	20,000	0	0
Electric Utility Fund	713,000	53,200	53,200	677,733	712,503
Electric Utility Capital Fund		580,000	580,000	0	0
Expendable Trust Fund	0	0	0	0	0
Fire Department Capital Fund	89,477	192,674	192,674	0	0
Fire Operating Grant Trust Fund		0	0	0	0
General Government Capital Fund	65,261	884,901	884,901	0	0
Library Department Capital Fund		21,120	21,120	0	0
Other City Departments Operating Grant Trust Fund	300,000	1,000,000	1,000,000	0	0
Parking Maintenance District Fund		6,000	6,000	0	0
Parks and Recreation Capital Fund	1,740,807	3,153,404	638,118	3,026,782	0
Public Buildings Capital Fund	291,683	1,010,089	1,010,089	0	0
Public Donations Fund	56,856	0	0	0	0
Recreation Programs Operations Fund	563,311	0	0	0	0
Special Events Fund	0	0	0	0	0
Special Assessment District Capital Funds	0	1,638,014	1,638,014	0	0
Storm Drain Capital Fund	1,398,145	1,460,000	1,460,000	1,454,000	1,454,000
Streets and Highways Capital Fund	0	204,857	204,857	0	0
Street Beautification Capital Fund	0	0	0	0	0
Tasman East Infrastructure Improvement Fund	0	0	0	175,757	0
Vehicle Replacement Fund	0	0	0	960,000	960,000
Total Transfers From	**5,486,089**	**10,226,024**	**7,710,738**	**6,459,399**	**3,297,113**
Total Source of Funds	**445,091,910**	**423,885,992**	**417,570,007**	**398,080,264**	**357,442,479**
Expenditures					
Salaries	123,823,979	125,133,378	122,045,206	121,849,727	126,712,219
Retirement - Safety	27,099,073	29,421,949	29,121,949	33,056,981	35,526,227
Retirement - Miscellaneous	16,123,019	18,963,297	18,813,297	18,283,077	19,445,435
Other Benefits	18,402,027	20,417,705	19,401,705	19,702,155	20,346,527
Materials/Services/Supplies	27,408,671	29,349,451	26,619,255	27,661,957	29,205,307
Interfund Services	22,364,642	22,208,095	22,208,095	22,720,324	23,392,123
Capital Outlay	406,751	4,424,323	4,424,323	140,393	128,073
Total Expenditures	**235,628,162**	**249,918,198**	**242,633,830**	**243,414,614**	**254,755,911**

GENERAL FUND | GENERAL FUND (001)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Transfers To					
Building Development Fee Fund	0	0	0	18,013,097	0
Building Special Programs and Training Fund	7,000	7,000	7,000	0	0
Cemetery Fund	703,490	771,769	771,769	850,000	870,000
Cemetery Capital Fund	0	300,000	300,000	8,409	8,730
City Affordable Housing Fund	0	3,100,000	3,100,000	0	0
Convention Center Maintenance District Fu	771,348	771,349	771,349	771,349	842,700
Downtown Parking Maintenance District F	145,983	155,571	155,571	0	0
Electric Utility Capital Fund	330,000	0	0	330,000	0
Engineering Operating Grant Trust Fund	0	3,333	3,333	0	0
Fire Department Capital Fund	665,049	290,796	290,796	837,110	247,536
Fire Operating Grant Trust Fund	14,776	7,228	7,228	0	0
General Government Capital Fund	1,238,248	3,185,402	3,185,402	719,283	39,283
Information Technology Services Fund	1,170,040	0	0	0	0
Library Department Capital Fund	10,633	8,699	8,699	7,872	8,173
Other City Departments Operating Grant Trust Fund	3,323,593	27,531	3,500,000	0	0
Parks and Recreation Capital Fund	460,876	1,106,880	1,106,880	200,000	200,000
Parks and Recreation Operating Grant Trust Fund	3,445	28,509	28,509	3,445	3,445
Public Buildings Capital Fund	2,947,571	1,737,751	1,737,751	397,953	13,448
Public Facilities Financing Corporation Fu	1,710,474	2,500,344	2,500,344	2,501,439	1,402,275
Santa Clara Golf and Tennis Club Fund	170,288	0	0	0	0
Solid Waste Fund		1,000,000	1,011,200	33,600	33,600
Special Liability Insurance Fund	6,500,000	0	0	5,200,000	0
Storm Drain Capital Fund	4,950,506	4,489,447	4,489,447	592,169	262,849
Street Beautification Capital Fund	0	0	0	0	0
Streets and Highways Capital Fund	1,678,562	10,459,697	10,459,697	8,681,129	2,743,545
Tasman East Infrastructure Improvement	0	0	175,757	0	0
Unemployment Insurance Fund	0	40,000	40,000	0	0
Vehicle Replacement Fund	425,000	0	0	0	0
Workers' Compensation Fund	1,426,453	0	0	0	0
Total Transfers To	**28,653,335**	**29,991,306**	**33,650,732**	**39,146,855**	**6,675,584**

GENERAL FUND | GENERAL FUND (001)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Ending Fund Balance					
Encumbrance Carryover	4,273,693	4,273,693	4,273,693	4,273,693	4,273,693
Budget Stabilization Reserve	79,939,635	57,542,800	57,542,800	55,605,631	40,000,000
Capital Projects Reserve	29,014,222	5,456,558	5,280,801	4,248,758	4,248,758
Reserve for Programmed Capital Projects	0	11,038,674	11,038,674	3,151,081	2,304,262
Building Inspection Reserve	14,105,480	18,013,097	18,013,097	0	0
Advanced Planning Fee	642,410	741,694	741,694	741,694	741,694
Technology Fee Reserve	770,771	971,771	971,771	1,078,241	1,258,941
Land Sale Reserve	22,782,506	24,250,767	21,735,481	24,732,263	21,496,202
Pension Stabilization Reserve	21,597,338	21,597,338	21,597,338	21,597,338	21,597,338
Historical Preservation Reserve	90,096	90,096	90,096	90,096	90,096
Santana West Reserve	5,000,000	0	0	0	0
Unrestricted	2,594,262	0	0	0	0
Total Ending Fund Balance	**180,810,413**	**143,976,488**	**141,285,445**	**115,518,795**	**96,010,984**
Total Use of Funds	**445,091,910**	**423,885,992**	**417,570,007**	**398,080,264**	**357,442,479**

Special Revenue Funds and Other Funds

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SPECIAL REVENUE FUNDS AND OTHER FUNDS

Special Revenue Funds are established to account for specific revenue sources that are legally restricted or committed to particular purposes. The City of Santa Clara has various revenue sources that require separate Special Revenue Funds to be set up. The Other Funds relate to special assessments funds.

Bridge Maintenance District #2 Fund (463)

The Bridge District #2 Fund sets aside revenue received through the apportionment of secured property tax as well as the RDA revenue distribution. This funding is then transferred to the Streets and Highways Capital Fund to cover costs associated with the Bridge Maintenance Program project.

Building Development Services Fund (158)

The Building Development Services Fund is new a fund in FY 2021/22 to account for the majority of activity related to the Building Division's operations. Since fees collected from building permits and inspections are generally restricted to Building Division fee-related uses, the creation of this new fund will provide enhanced transparency in meeting that directive.

The Building-related revenues and expenditures were previously reflected in the General Fund. A Building Inspection Reserve (BIR) that set aside excess Building fee revenues over expenditures was also included in the General Fund. With the establishment of the new fund, the transfer of BIR from the General Fund to the new Building Development Services Fund is incorporated into the FY 2021/22 and FY 2022/23 Proposed Budget.

Building Special Programs and Training Fund (220)

This fund was formerly the Certified Access Specialist (CASp) Certification and Training Fund but was retitled to incorporate additional changes to the fund starting in FY 2021/22. The fund will now incorporate Building Seismic/Strong Motion Fees and Building Standard Fees, in addition to CASp fees. All three revenue streams are related to state-mandated building permit fee surcharges (Building Standard and Seismic) or from the City's business license tax (CASp) and are for specific uses such as updating building code manuals or training related to updates in accessibility designs.

City Affordable Housing Fund (165)

The City Affordable Housing Fund accounts for the City's Below-Market Price Purchase Program, which helps low- and moderate-income families achieve the goal of homeownership. This fund promotes and facilitates the construction and retention of affordable housing, fulfilling State mandates to produce housing for all income levels. Revenues in the City Affordable Housing Fund are received from developer in-lieu fees, principal, and interest repayments on housing loans, as well as interest income on pooled investments. Major initiatives estimated to be completed at the end of FY 2020/21 are a $4 million loan the Allied Housing for the construction of 80 affordable housing units located at 3333 Kifer Rd. and another loan of $6 million to Zaen Partners LLC for the construction of 150 affordable housing units located at 2302 Calle Mundo.

Community Activities Fund (084)

The Community Activities Fund accounts for fees and donations received from the community and the City for activities particularly focused on seniors. This fund closed in FY 2019/20 with balances transferred to the General Fund and the Public Donations Fund.

Community Facilities District No. 2019-1 (Lawrence Station) Fund (027)

A resolution was adopted by Council in March 2019, to form a new Community Facilities District Fund to finance maintenance of roadways, parks, parking spaces and enforcement, landscaped parkways and medians, trails, a highway overpass and a community clubhouse and garden to be located within the development at Lawrence Station.

Starting in FY 2019/20, operating costs will be funded by annual assessment revenues. The special taxes will be used to fund the authorized public services. Pursuant to Report to Council 19-249, the Fund will also maintain additional funding necessary for expenses including replacements as facilities near end-of-service life (straight line depreciation of 15 years) in an operating and maintenance reserve of 20%. Initial assessment amount is $344,374 and increases annually by Consumer Price Index (CPI).

Convention Center Maintenance District Fund (026)

This fund provides maintenance and landscaping to the common grounds within the Santa Clara Convention Center Complex. Funds are received by means of a Special Benefits Assessment levied against the property owners in the respective districts. This fund's expenditure budget is determined using fee estimates for cost recovery.

Downtown Parking Maintenance District Fund (025)

The purpose of the Downtown Parking Maintenance District is to maintain the grounds of the Franklin Square complex. The Franklin Square complex is bounded by Monroe Street to the west, Jackson Street to the east, Benton Street to the north, and Homestead Road to the south. Maintenance of the landscape infrastructure is paid for by the General Fund. Extraordinary repairs to the asphalt parking lot and concrete walkways are funded by property owner assessments that are capped at $14,200 per year.

Endowment Care Fund (077)

This fund holds the non-expendable account of the fees collected from cemetery patrons. Interest earned from the cash maintained is contributed for the current maintenance of the cemetery.

Engineering Operating Grant Trust Fund (144)

This fund accounts for revenues received from other governmental agencies that are designated for specific uses in the Department of Public Works. Grants are appropriated as they are received by the Department of Public Works and approved by the City Council.

Expendable Trust Fund (079)

The Expendable Trust Fund accounts for assets held in a trustee capacity where the principal and income may be expended in the course of the fund’s restricted/designated operations. Funds are appropriated as they are received by departments and approved by the City Council.

Fire Operating Grant Trust Fund (178)

This fund tracks revenues from other governmental agencies received by the Fire Department for fire safety and medical services activities. The grants are mostly provided by federal and County agencies. Grants are appropriated as they are received by the Fire Department and approved by the City Council.

Gas Tax Fund (121)

The Gas Tax Fund accounts for revenues and expenditures received from the State of California under Street and Highway Code Sections 2105, 2106, and 2107. Gas tax is imposed by the State as a per-gallon excise tax on gasoline and diesel fuel. Cities and counties receive an allocation from the State based on population and the proportion of registered vehicles. This funding is restricted for street maintenance, construction, and a limited amount for engineering.

Housing and Urban Development Fund (562)

The City of Santa Clara receives annual funds from the U.S. Department of Housing and Urban Development (HUD) to administer the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs. The CDBG program funds various nonprofit agencies and other city departments to implement services that benefit low- and moderate-income persons. The HOME program funds a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. Grantees are generally selected through a competitive process and provide such services as senior services, homeless outreach, housing rehabilitation, accessibility improvement, and code enforcement. The City currently dedicates HOME funds for the Tenant-Based Rental Assistance (TBRA) program. The increased investment in the TBRA in FY 2020/21 and FY 2021/22 represent the City's commitment to assisting lower-income households that were disproportionately impacted by the COVID-19 pandemic.

Housing Authority Fund (164)

The Santa Clara Housing Authority (SCHA) was established by the City Council to assume responsibility for managing and monitoring housing assets from the dissolution of the Redevelopment Agency (RDA). SCHA also assumes the responsibility for housing loans, which provide affordable housing and were made under various programs, for qualifying individuals and groups. The SCHA receives its main source of revenues from program income, which is used to support loan monitoring, administration, and other programs and projects of the Housing and Community Services Division of the Community Development Department.

Housing Successor Agency Fund (169)

All California Redevelopment Agencies (RDA) were dissolved on February 1, 2012. Following the dissolution, the City of Santa Clara was designated as the Housing Successor to the former RDA, responsible for paying off the former RDA's existing debts, disposing of the former RDA's properties and assets to help pay off debts, returning revenues to the local government entities that receive property taxes and winding down the affairs of the former Redevelopment Agency. The City has also elected to retain the former RDA's housing functions, including retaining all of the housing assets, rights, power, duties, obligations, and functions previously performed by the RDA in administering its Low and Moderate Income Housing Fund. Major funding commitments in FY 2020/21 include an $11.65 million loan to the Agrihood Project located at 90. N Winchester encompassing 361 units of new housing units, with 165 of those dedicated as affordable senior housing. A $5 million loan to Allied Housing for the construction of 80 affordable senior apartments located at 3335 Kifer Rd, and a $5 million loan to Freebird Development for the construction of 65 affordable housing units located at 2330 Monroe St.

Library Donations Trust Fund (072)

This fund accounts for donations that are received and accepted by the City of Santa Clara's Library Department. These donations are for designated uses. Donations are appropriated as they are received by the Library Department and approved by the City Council.

Library Operating Grant Trust Fund (112)

This fund accounts for revenues received from other governmental agencies that are designated for specific uses in the Library Department. Grants are appropriated as they are received by the Library Department and approved by the City Council.

Other City Departments Operating Grant Trust Fund (101)

The Other City Departments Operating Grant Trust Fund accounts for any financial award given by the federal, State, or other local government to the City for Citywide eligible operating programs. Grants that are designated for department-specific functions are deposited into the respective departments' operating grant trust fund. Grants are appropriated as they are received by departments and approved by the City Council. In FY 2019/20 and FY 2020/21, the City charged all expenditures related to COVID-19 to this fund in order to separately track these costs. FEMA reimbursements are also budgeted in this fund.

Parks and Recreation Operating Grant Trust Fund (111)

The Senior Nutrition Program provides a congregate meal setting where seniors can improve their health through balanced meals and socialization and is funded through a grant from the Santa Clara County Social Services Agency's Senior Nutrition Program and Community Development Block Grant funds. Seniors are encouraged to access the many services available at the Senior Center while on site and are given the opportunity to engage in Health & Wellness programs at the Senior Center. Grants are appropriated as they are received by the Parks and Recreation Department and approved by the City Council.

Perpetual Care Fund (076)

This fund accounts for current fees collected from cemetery patrons for the future maintenance of the Mission City Memorial Park when the facility reaches full capacity. Interest earned from the cash maintained is contributed for the current maintenance of the cemetery.

Police Operating Grant Trust Fund (177)

This fund tracks revenues from other governmental agencies received by the Police Department for law enforcement activities. The grants are predominantly provided by the State with a smaller portion received from the federal government. Grants are appropriated as they are received by the Police Department and approved by the City Council.

Prefunded Plan Review Fund (157)

Before any major real estate development project moves forward to construction, extensive studies are conducted (environmental, economic, and traffic) to ensure that that the project's impact on the community is well understood. The cost of these studies is generally paid for by developers with the funding provided to cities to ensure proper oversight of this process. This new fund for FY 2021/22 will account for all such activity moving forward.

Public Donations Fund (067)

The Public Donations Fund accounts for various donations the City receives from the public that are designated for specific uses. Per the City's Donation Policy, the City Manager is authorized to make funding available to departments for donations valued under $100,000. Donations of $100,000 or greater are appropriated as they are received by departments and approved by the City Council.

Public, Educational, and Governmental Fee Fund (221)

This fund accounts for the Public, Educational, and Governmental (PEG) fees the City receives from telecommunication companies, in accordance with the Cable Communications Act of 1984 and the Digital Infrastructure and Video Competition Act of 2006. PEG channels broadcast public meetings, news conferences and educational programming about City departments and programs as well as government-sponsored community events. PEG fees can be used for capital-related expenses including video production and streaming equipment as well as television monitoring technology and technical support. These funds can also be used for the renovation and construction of facilities such as Council chambers, public meeting rooms, and recording spaces.

Recreation Programs Operations Fund (041)

The Recreation Programs Operations Fund accounts for supply fees collected by the Recreation Programs of the City that are used for the purchase of materials and supplies consumed in the recreation classes and activities from preschool to young adults. The fund also holds donations including for citywide special event particularly the Arts, Crafts and Wine Festival which will be transferred to the Public Donations Fund. The Recreations Programs Operations Fund closed in FY 2019/20 with balances transferred to the General Fund and the Public Donations Fund.

Road Maintenance and Rehabilitation (SB1) Fund (122)

The Road Repair and Accountability Act of 2017 (Senate Bill 1) is a significant investment in California's transportation system which was signed into law on April 28, 2017. The funding from this investment must be used to fix roads, freeways, and bridges in communities across California, putting more dollars towards transit and safety. The majority of this revenue is from the Road Maintenance and Rehabilitation Account (RMRA), where cities have to prioritize repairing their existing infrastructure before addressing other transportation needs.

Traffic Fair Share Fund (124)

This fund is newly established in FY 2021/22 and is managed by the Department of Public Works. The Traffic Fair Share Fund is funded by developer contributions collected for specific jurisdictions and locations. Funding is allotted to non-City agencies for eligible projects or transfers to a capital project.

Traffic Mitigation Fund (123)

The Traffic Mitigation Fee is levied to fund improvements or programs to mitigate the City's traffic problems that result from development projects.

The following section details the City of Santa Clara's Special Revenue Funds and Other Funds' Statements of Sources and Uses and their Proposed Budgets for Fiscal Year 2021/22 and Fiscal Year 2022/23.

SPECIAL REVENUE FUNDS | BRIDGE MAINTENANCE DISTRICT #2 FUND (463)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	130,770	179,768	179,768	113,396	113,396
Total Beginning Fund Balance	**130,770**	**179,768**	**179,768**	**113,396**	**113,396**
Revenue					
Taxes - Ad Valorem	86,532	0	73,212	80,000	80,000
Other Agencies Revenue	27,466	0	416	0	0
Total Revenue	**113,998**	**0**	**73,628**	**80,000**	**80,000**
Total Source of Funds	**244,768**	**179,768**	**253,396**	**193,396**	**193,396**
Transfers To					
Streets and Highways Capital Fund	65,000	140,000	140,000	80,000	80,000
Total Transfers To	**65,000**	**140,000**	**140,000**	**80,000**	**80,000**
Ending Fund Balance					
Unrestricted	179,768	39,768	113,396	113,396	113,396
Total Ending Fund Balance	**179,768**	**39,768**	**113,396**	**113,396**	**113,396**
Total Use of Funds	**244,768**	**179,768**	**253,396**	**193,396**	**193,396**

SPECIAL REVENUE FUNDS | BUILDING DEVELOPMENT SERVICES FUND (158)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	0	0	0	0	19,191,003
Total Beginning Fund Balance	**0**	**0**	**0**	**0**	**19,191,003**
Revenue					
License Permit	0	0	0	7,915,000	8,198,000
Other Fees for Services	0	0	0	5,000,000	5,175,000
Other Revenue	0	0	0	445,000	445,000
Interest	0	0	0	270,000	294,000
Total Revenue	**0**	**0**	**0**	**13,630,000**	**14,112,000**
Transfers From					
General Fund	0	0	0	18,013,097	0
Total Transfers From	**0**	**0**	**0**	**18,013,097**	**0**
Total Source of Funds	**0**	**0**	**0**	**31,643,097**	**33,303,003**
Expenditures					
Salaries	0	0	0	5,530,746	5,745,108
Retirement and Benefits	0	0	0	2,914,562	3,057,471
Materials/Services/Supplies	0	0	0	1,870,556	1,617,929
Services From Other Funds - Cost Allocation Plan	0	0	0	1,117,637	1,139,990
Interfund Services	0	0	0	822,558	843,692
Total Expenditures	**0**	**0**	**0**	**12,256,059**	**12,404,190**
Transfers To					
General Fund	0	0	0	163,362	168,845
General Government Capital Fund	0	0	0	1,737	1,737
Certified Access Specialist (CASp) Certification and Training Fund	0	0	0	7,000	7,000
Total Transfers To	**0**	**0**	**0**	**172,099**	**177,582**
Ending Fund Balance					
Unrestricted	0	0	0	19,214,939	20,721,231
Total Ending Fund Balance	**0**	**0**	**0**	**19,214,939**	**20,721,231**
Total Use of Funds	**0**	**0**	**0**	**31,643,097**	**33,303,003**

SPECIAL REVENUE FUNDS | BUILDING SPECIAL PROGRAMS AND TRAINING FUND (220)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
CASp Reserve - Restricted	0	72,865	72,865	60,486	60,486
Seismic Admin Reserve - Restricted	0	0	0	100,000	114,000
Building Standard Reserve - Restricted	0	0	0	49,400	53,800
Total Beginning Fund Balance	**0**	**72,865**	**72,865**	**209,886**	**228,286**
Revenue					
Other Revenue	0	0	131,000	0	0
License Permit	84,016	37,995	66,265	37,995	37,995
Seismic Admin Fee	0	0	14,000	14,000	14,000
Building Standard Fee	0	0	4,400	4,400	4,400
Total Revenue	**84,016**	**37,995**	**215,665**	**56,395**	**56,395**
Transfers From					
Building Development Services Fund	0	0	0	7,000	7,000
General Fund	7,000	7,000	7,000	0	0
Total Transfers From	**7,000**	**7,000**	**7,000**	**7,000**	**7,000**
Total Source of Funds	**91,016**	**117,860**	**295,530**	**273,281**	**291,681**
Expenditures					
Salaries	10,786	22,020	38,424	22,020	22,020
Materials/Services/Supplies	5,653	69,210	45,455	21,210	21,210
Total Expenditures	**16,439**	**91,230**	**83,879**	**43,230**	**43,230**
Transfers To					
General Fund	1,711	1,765	1,765	1,765	1,765
Total Transfers To	**1,711**	**1,765**	**1,765**	**1,765**	**1,765**
Ending Fund Balance					
CASp Reserve - Restricted	72,865	24,865	60,486	60,486	60,486
Seismic Admin Reserve - Restricted	0	0	100,000	114,000	128,000
Building Standard Reserve - Restricted	0	0	49,400	53,800	58,200
Total Ending Fund Balance	**72,865**	**24,865**	**209,886**	**228,286**	**246,686**
Total Use of Funds	**91,016**	**117,860**	**295,530**	**273,281**	**291,681**

SPECIAL REVENUE FUNDS | CITY AFFORDABLE HOUSING FUND (165)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	387,840	460,378	460,378	460,378	460,378
Unrestricted	8,301,604	7,847,735	7,847,735	2,282,330	1,508,219
Total Beginning Fund Balance	**8,689,444**	**8,308,113**	**8,308,113**	**2,742,708**	**1,968,597**
Revenue					
Other Fees for Services	16,675	31,703	67,268	32,000	32,000
Other Agencies Revenue	18,250	0	1,260	0	0
Interest	161,081	100,000	150,000	50,000	50,000
Other Revenue	572,560	6,650,000	6,572,946	575,000	575,000
Total Revenue	**768,566**	**6,781,703**	**6,791,474**	**657,000**	**657,000**
Transfers From					
General Fund	0	1,500,000	1,500,000	0	0
Total Transfers From	**0**	**1,500,000**	**1,500,000**	**0**	**0**
Total Source of Funds	**9,458,010**	**16,589,816**	**16,599,587**	**3,399,708**	**2,625,597**
Expenditures					
Salaries	142,024	292,744	155,834	209,642	218,521
Retirement and Benefits	86,199	123,418	96,810	89,949	94,353
Materials/Services/Supplies	887,667	9,104,421	9,566,679	807,077	809,786
Services From Other Funds - Cost Allocation Plan	22,040	23,433	23,432	24,067	24,548
Interfund Services	11,967	12,756	12,756	376	170
Capital Outlay	0	300,000	4,001,368	300,000	300,000
Total Expenditures	**1,149,897**	**9,856,772**	**13,856,879**	**1,431,111**	**1,447,378**
Ending Fund Balance					
Encumbrance Carryover	460,378	460,378	460,378	460,378	460,378
Unrestricted	7,847,735	6,272,666	2,282,330	1,508,219	717,841
Total Ending Fund Balance	**8,308,113**	**6,733,044**	**2,742,708**	**1,968,597**	**1,178,219**
Total Use of Funds	**9,458,010**	**16,589,816**	**16,599,587**	**3,399,708**	**2,625,597**

SPECIAL REVENUE FUNDS | COMMUNITY ACTIVITIES FUND (084)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	348,210	0	0	0	0
Total Beginning Fund Balance	**348,210**	**0**	**0**	**0**	**0**
Revenue					
Other Revenue	(150)	0	0	0	0
Total Revenue	**(150)**	**0**	**0**	**0**	**0**
Total Source of Funds	**348,060**	**0**	**0**	**0**	**0**
Transfers To					
General Fund	237,753	0	0	0	0
Public Donations Fund	110,307	0	0	0	0
Total Transfers To	**348,060**	**0**	**0**	**0**	**0**
Ending Fund Balance					
Unrestricted	0	0	0	0	0
Total Ending Fund Balance	**0**	**0**	**0**	**0**	**0**
Total Use of Funds	**348,060**	**0**	**0**	**0**	**0**

SPECIAL REVENUE FUNDS | COMMUNITY FACILITIES DISTRICT NO. 2019-1 (LAWRENCE STATION) FUND (027)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Capital Reserve	0	38,280	23,510	62,960	138,225
Unrestricted	0	90,921	90,921	175,563	189,827
Total Beginning Fund Balance	**0**	**129,201**	**114,431**	**238,523**	**328,052**
Revenue					
Special Tax Revenues	117,551	197,252	197,252	376,327	387,617
Total Revenue	**117,551**	**197,252**	**197,252**	**376,327**	**387,617**
Total Source of Funds	**117,551**	**326,453**	**311,683**	**614,850**	**715,669**
Expenditures					
Administration	0	1,531	1,531	1,894	1,951
Facilities	0	26,122	0	85,500	117,420
Landscaped Parkways	0	23,040	0	28,512	29,367
Parking Enforcement	0	30,169	0	89,320	92,000
Parking Space Maintenance	0	2,749	0	3,402	3,504
Parks	3,120	71,629	71,629	75,000	103,000
Roadways	0	2,562	0	3,170	3,265
Total Expenditures	**3,120**	**157,802**	**73,160**	**286,798**	**350,507**
Ending Fund Balance					
Capital Reserve	23,510	77,731	62,960	138,225	215,748
Unrestricted	90,921	90,920	175,563	189,827	149,414
Total Ending Fund Balance	**114,431**	**168,651**	**238,523**	**328,052**	**365,162**
Total Use of Funds	**117,551**	**326,453**	**311,683**	**614,850**	**715,669**

SPECIAL REVENUE FUNDS | CONVENTION CENTER MAINTENANCE DISTRICT FUND (026)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	5,714	36,493	36,493	36,493	36,493
Unrestricted	121,569	70,602	70,602	70,602	70,602
Total Beginning Fund Balance	**127,283**	**107,095**	**107,095**	**107,095**	**107,095**
Revenue					
Other Fees for Services	926,770	926,770	926,770	926,770	1,035,419
Interest	7,825	0	0	0	0
Total Revenue	**934,595**	**926,770**	**926,770**	**926,770**	**1,035,419**
Transfers From					
General Fund	771,348	771,349	771,349	771,349	842,700
Total Transfers From	**771,348**	**771,349**	**771,349**	**771,349**	**842,700**
Total Source of Funds	**1,833,226**	**1,805,214**	**1,805,214**	**1,805,214**	**1,985,214**
Expenditures					
Salaries	17,693	18,814	18,814	18,092	18,802
Retirement and Benefits	9,022	9,798	9,798	10,203	10,624
Materials/Services/Supplies	1,591,176	1,547,164	1,547,164	1,494,244	1,669,051
Services From Other Funds - Cost Allocation Plan	40,740	41,696	41,696	55,632	56,745
Interfund Services	67,500	80,647	80,647	119,948	122,897
Total Expenditures	**1,726,131**	**1,698,119**	**1,698,119**	**1,698,119**	**1,878,119**
Ending Fund Balance					
Encumbrance Carryover	36,493	36,493	36,493	36,493	36,493
Unrestricted	70,602	70,602	70,602	70,602	70,602
Total Ending Fund Balance	**107,095**	**107,095**	**107,095**	**107,095**	**107,095**
Total Use of Funds	**1,833,226**	**1,805,214**	**1,805,214**	**1,805,214**	**1,985,214**

SPECIAL REVENUE FUNDS | DOWNTOWN PARKING MAINTENANCE DISTRICT FUND (025)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	152,601	47,236	47,236	47,236	47,236
Reserve for Maintenance	259,919	276,243	132,116	146,316	160,516
Unrestricted	336,526	369,833	513,960	516,769	378,606
Total Beginning Fund Balance	**749,046**	**693,312**	**693,312**	**710,321**	**586,358**
Revenue					
Interest	4,997	3,826	3,826	3,639	3,639
Other Fees for Services	11,327	10,374	10,374	10,561	10,561
Total Revenue	**16,324**	**14,200**	**14,200**	**14,200**	**14,200**
Transfers From					
General Fund	145,983	155,571	155,571	0	0
Total Transfers From	**145,983**	**155,571**	**155,571**	**0**	**0**
Total Source of Funds	**911,353**	**863,083**	**863,083**	**724,521**	**600,558**
Expenditures					
Salaries	12,254	47,442	47,442	47,469	48,930
Retirement and Benefits	26,272	26,580	26,580	28,203	29,229
Materials/Services/Supplies	52,841	50,975	50,975	38,715	39,877
Services From Other Funds - Cost Allocation Plan	13,155	13,464	13,464	15,275	15,581
Internal Services	10,855	8,301	8,301	8,501	8,691
Capital Outlay	102,664	0	0	0	0
Total Expenditures	**218,041**	**146,762**	**146,762**	**138,163**	**142,308**
Transfers To					
General Fund	0	6,000	6,000	0	0
Total Transfers To	**0**	**6,000**	**6,000**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	47,236	47,236	47,236	47,236	47,236
Reserve for Maintenance	132,116	289,692	146,316	160,516	174,716
Unrestricted	513,960	373,393	516,769	378,606	236,298
Total Ending Fund Balance	**693,312**	**710,321**	**710,321**	**586,358**	**458,250**
Total Use of Funds	**911,353**	**863,083**	**863,083**	**724,521**	**600,558**

SPECIAL REVENUE FUNDS | ENDOWMENT CARE FUND (077)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	1,578,026	1,697,424	1,697,424	1,787,424	1,877,424
Total Beginning Fund Balance	**1,578,026**	**1,697,424**	**1,697,424**	**1,787,424**	**1,877,424**
Revenue					
Other Fees for Services	119,398	90,000	90,000	90,000	90,000
Interest	30,820	18,000	28,000	28,000	28,000
Total Revenue	**150,218**	**108,000**	**118,000**	**118,000**	**118,000**
Total Source of Funds	**1,728,244**	**1,805,424**	**1,815,424**	**1,905,424**	**1,995,424**
Transfers To					
Cemetery Fund	30,820	18,000	28,000	28,000	28,000
Total Transfers To	**30,820**	**18,000**	**28,000**	**28,000**	**28,000**
Ending Fund Balance					
Unrestricted	1,697,424	1,787,424	1,787,424	1,877,424	1,967,424
Total Ending Fund Balance	**1,697,424**	**1,787,424**	**1,787,424**	**1,877,424**	**1,967,424**
Total Use of Funds	**1,728,244**	**1,805,424**	**1,815,424**	**1,905,424**	**1,995,424**

SPECIAL REVENUE FUNDS | ENGINEERING OPERATING GRANT TRUST FUND (144)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	749,120	322,683	322,683	322,683	322,683
Unrestricted	(774,846)	(599,137)	(599,137)	0	0
Total Beginning Fund Balance	**(25,726)**	**(276,454)**	**(276,454)**	**322,683**	**322,683**
Revenue					
Other Agencies Revenue	203,503	642,533	642,533	0	0
Total Revenue	**203,503**	**642,533**	**642,533**	**0**	**0**
Transfers From					
General Fund - Building Inspection Reserve	0	3,333	3,333	0	0
Total Transfers From	**0**	**3,333**	**3,333**	**0**	**0**
Total Source of Funds	**177,777**	**369,412**	**369,412**	**322,683**	**322,683**
Expenditures					
One Bay Area Grant 15-16 City Match	18,950	0	0	0	0
One Bay Area Grant 15-16	435,281	21,932	21,932	0	0
VRF Countywide ITS 15-16	0	16,464	16,464	0	0
CLG Grant	0	8,333	8,333	0	0
Total Expenditures	**454,231**	**46,729**	**46,729**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	322,683	322,683	322,683	322,683	322,683
Unrestricted	(599,137)	0	0	0	0
Total Ending Fund Balance	**(276,454)**	**322,683**	**322,683**	**322,683**	**322,683**
Total Use of Funds	**177,777**	**369,412**	**369,412**	**322,683**	**322,683**

SPECIAL REVENUE FUNDS | EXPENDABLE TRUST FUND (079)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	59,957	276,717	276,717	276,717	276,717
Unrestricted	977,262	467,234	467,234	0	0
Total Beginning Fund Balance	**1,037,219**	**743,951**	**743,951**	**276,717**	**276,717**
Revenue					
Grants					
City Manager's Office	1,366,626	952,157	952,157	0	0
Community Development Department	0	49,500	49,500	0	0
Fire Department	472,793	0	0	0	0
Human Resources	0	56,348	56,348	0	0
Information Technology	4,340	17,362	17,362	0	0
Police Department	108,526	0	40,175	0	0
Public Works	17,146	30,189	30,189	0	0
Total Revenue	**1,969,431**	**1,105,556**	**1,145,731**	**0**	**0**
Total Source of Funds	**3,006,650**	**1,849,507**	**1,889,682**	**276,717**	**276,717**
Expenditures					
City Attorney's Office					
Environment Enforcement Fines - City	0	32,189	32,189	0	0
City Manager's Office					
Related - City Place Santa Clara	2,015,281	0	0	0	0
ENA - SC Caltrain Station	34,450	15,318	15,318	0	0
Community Development					
Tasman East Contribution	0	49,500	49,500	0	0
Fire					
CUPA Administrative Enforcement Order	11,492	450,160	450,160	0	0
Environment Enforcement Fines - Fire	7,823	17,001	17,001	0	0
Fire Prevention	0	1,408	1,408	0	0
Fire - Haz Mat	0	1,598	1,598	0	0
Fire - Cert Grant	0	5,198	5,198	0	0
Fire - EMS Grant	0	2,681	2,681	0	0
OES HM Emergency Prep	0	75,000	75,000	0	0
Training HM Emergency Prep	0	75,000	75,000	0	0
Training Classes	0	2,861	2,861	0	0
Human Resources					
Deferred Comp. Revenue Sharing	0	56,348	56,348	0	0

SPECIAL REVENUE FUNDS | EXPENDABLE TRUST FUND (079)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Information Technology					
SVACA Billings - City Depts	4,340	17,362	17,362	0	0
Library					
CLSA - Transaction Based Reimbursement	0	1,770	1,770	0	0
Public Library Foundation	0	17,718	17,718	0	0
Police					
Bingo Enforcement Fees	2,247	283,598	292,710	0	0
Seized Asset Funds - Local	0	41	41	0	0
Seized Asset Funds - State	0	141,549	171,216	0	0
Seized Asset Funds - US Justice	0	113,489	114,885	0	0
Shooting Range Recycled Casings	0	2,320	2,320	0	0
Public Works					
Environment Enforcement Fines - Street	0	12,875	12,875	0	0
Seized Asset Funds - Local	0	1,617	1,617	0	0
SVACA Billings - City Depts	17,146	30,189	30,189	0	0
Total Expenditures	**2,092,779**	**1,406,790**	**1,446,965**	**0**	**0**
Transfers To					
Police Operating Grant Trust Fund	169,920	166,000	166,000	0	0
Total Transfers To	**169,920**	**166,000**	**166,000**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	276,717	276,717	276,717	276,717	276,717
Unrestricted	467,234	0	0	0	0
Total Ending Fund Balance	**743,951**	**276,717**	**276,717**	**276,717**	**276,717**
Total Use of Funds	**3,006,650**	**1,849,507**	**1,889,682**	**276,717**	**276,717**

SPECIAL REVENUE FUNDS | FIRE OPERATING GRANT TRUST FUND (178)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	(2,036)	60,986	60,986	0	0
Total Beginning Fund Balance	**(2,036)**	**60,986**	**60,986**	**0**	**0**
Revenue					
Other Agencies Revenue	79,566	285,377	413,654	0	0
Total Revenue	**79,566**	**285,377**	**413,654**	**0**	**0**
Transfers From					
General Fund	14,776	7,228	7,228	0	0
Total Transfers From	**14,776**	**7,228**	**7,228**	**0**	**0**
Total Source of Funds	**92,306**	**353,591**	**481,868**	**0**	**0**
Expenditures					
Assistance to Firefighter FY18/19 City Match	0	14,776	14,776	0	0
Assistance to Firefighter FY19/20 City Match	0	4,017	4,017	0	0
Assistance to Firefighter FY 19/20	0	40,168	40,168	0	0
Assistance to Firefighter Supplemental City Match	0	3,211	3,211	0	0
Assistance to Firefighter Supplemental	0	32,745	32,745	0	0
Bay Area Urban Security Initiative 2019	0	185,000	185,000	0	0
California Enviornmental Protection Agency	0	26,096	26,096	0	0
Emergency Medical Services County Patient Care System	0	47,578	47,578	0	0
State Homeland Security Grant Program	0	0	69,148	0	0
Urban Search and Rescue Deployment	24,961	0	59,129	0	0
Urban Search and Rescue Team Training	6,359	0	0	0	0
Total Expenditures	**31,320**	**353,591**	**481,868**	**0**	**0**
Ending Fund Balance					
Unrestricted	60,986	0	0	0	0
Total Ending Fund Balance	**60,986**	**0**	**0**	**0**	**0**
Total Use of Funds	**92,306**	**353,591**	**481,868**	**0**	**0**

SPECIAL REVENUE FUNDS | GAS TAX FUND (121)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	1,356,777	273,180	273,180	3,007,200	3,425,056
Total Beginning Fund Balance	**1,356,777**	**273,180**	**273,180**	**3,007,200**	**3,425,056**
Revenue					
State Revenues	2,837,335	3,000,000	3,000,000	2,800,000	3,000,000
Interest	255,574	100,000	225,000	100,000	100,000
Total Revenue	**3,092,909**	**3,100,000**	**3,225,000**	**2,900,000**	**3,100,000**
Transfers From					
Streets and Highways Capital Fund	78,042	2,076,876	2,076,876	0	0
Total Transfers From	**78,042**	**2,076,876**	**2,076,876**	**0**	**0**
Total Source of Funds	**4,527,728**	**5,450,056**	**5,575,056**	**5,907,200**	**6,525,056**
Transfers To					
Streets and Highways Capital Fund	4,254,548	2,567,856	2,567,856	2,482,144	3,509,479
Total Transfers To	**4,254,548**	**2,567,856**	**2,567,856**	**2,482,144**	**3,509,479**
Ending Fund Balance					
Unrestricted	273,180	2,882,200	3,007,200	3,425,056	3,015,577
Total Ending Fund Balance	**273,180**	**2,882,200**	**3,007,200**	**3,425,056**	**3,015,577**
Total Use of Funds	**4,527,728**	**5,450,056**	**5,575,056**	**5,907,200**	**6,525,056**

SPECIAL REVENUE FUNDS | HOUSING AND URBAN DEVELOPMENT FUND (562)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	713,065	747,929	747,929	747,929	747,929
Unrestricted	952,584	379,008	379,008	2,730,476	1,002,740
Total Beginning Fund Balance	**1,665,649**	**1,126,937**	**1,126,937**	**3,478,405**	**1,750,669**
Revenue					
Other Agencies Revenue	634,202	3,113,073	3,113,073	1,492,103	1,400,000
Other Fees for Services	1,467	0	1,467	0	0
Interest	0	0	29,731	0	0
Other Revenue	1,187,996	2,176,311	2,176,311	465,000	465,000
Total Revenue	**1,823,665**	**5,289,384**	**5,320,582**	**1,957,103**	**1,865,000**
Total Source of Funds	**3,489,314**	**6,416,321**	**6,447,519**	**5,435,508**	**3,615,669**
Expenditures					
Salaries	360,090	468,474	503,207	499,615	697,896
Retirement and Benefits	200,453	172,883	134,425	280,723	122,041
Public Service Agency	205,527	1,669,136	1,002,572	255,026	255,000
Neighborhood Conservation and Improvement Program	626,522	881,957	294,476	1,189,445	1,000,000
Affordable Rental Housing (Includes TBRA and CHDO)	970,785	2,096,935	1,034,434	1,459,013	500,000
Interfund Services	0	0	0	1,017	461
Total Expenditures	**2,363,377**	**5,289,385**	**2,969,114**	**3,684,839**	**2,575,398**
Ending Fund Balance					
Encumbrance Carryover	747,929	747,929	747,929	747,929	747,929
Unrestricted	378,008	379,007	2,730,476	1,002,740	292,342
Total Ending Fund Balance	**1,125,937**	**1,126,936**	**3,478,405**	**1,750,669**	**1,040,271**
Total Use of Funds	**3,489,314**	**6,416,321**	**6,447,519**	**5,435,508**	**3,615,669**

SPECIAL REVENUE FUNDS | HOUSING AUTHORITY FUND (164)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	14,831	35,600	35,600	35,600	35,600
Unrestricted	3,286,926	3,624,136	3,624,136	2,194,941	2,092,842
Total Beginning Fund Balance	**3,301,757**	**3,659,736**	**3,659,736**	**2,230,541**	**2,128,442**
Revenue					
Interest	64,859	35,000	54,000	11,000	11,000
Other Fees for Services	1,113	0	1,600	0	0
Other Revenue	399,892	5,450,000	442,449	250,000	250,000
Total Revenue	**465,864**	**5,485,000**	**498,049**	**261,000**	**261,000**
Total Source of Funds	**3,767,621**	**9,144,736**	**4,157,785**	**2,491,541**	**2,389,442**
Expenditures					
Salaries	58,100	77,688	43,311	84,838	87,963
Retirement and Benefits	32,060	37,469	31,568	47,488	49,770
Materials/Services/Supplies	11,741	130,600	45,900	130,600	130,600
Interfund Services	5,984	6,377	6,377	173	78
Capital Outlay	0	7,000,088	1,800,088	100,000	100,000
Total Expenditures	**107,885**	**7,252,222**	**1,927,244**	**363,099**	**368,411**
Ending Fund Balance					
Encumbrance Carryover	35,600	35,600	35,600	35,600	35,600
Unrestricted	3,624,136	1,856,914	2,194,941	2,092,842	1,985,431
Total Ending Fund Balance	**3,659,736**	**1,892,514**	**2,230,541**	**2,128,442**	**2,021,031**
Total Use of Funds	**3,767,621**	**9,144,736**	**4,157,785**	**2,491,541**	**2,389,442**

SPECIAL REVENUE FUNDS | HOUSING SUCCESSOR AGENCY FUND (169)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	53,817	197,768	197,768	197,768	197,768
Unrestricted	12,400,259	13,072,677	13,072,676	3,267,004	2,701,364
Total Beginning Fund Balance	**12,454,076**	**13,270,445**	**13,270,444**	**3,464,772**	**2,899,132**
Revenue					
Other Fees for Services	1,879	31,000	11,844	0	0
Interest	245,665	200,000	195,000	50,000	50,000
Other Revenue	1,095,849	300,000	590,024	300,000	300,000
Sale of Land	0	11,650,000	11,650,000	0	0
Total Revenue	**1,343,393**	**12,181,000**	**12,446,868**	**350,000**	**350,000**
Total Source of Funds	**13,797,469**	**25,451,445**	**25,717,312**	**3,814,772**	**3,249,132**
Expenditures					
Salaries	141,374	258,114	160,677	222,032	231,319
Retirement and Benefits	84,967	117,880	103,016	111,947	117,337
Materials/Services/Supplies	270,952	557,500	307,398	559,000	560,530
Services From Other Funds - Cost Allocation Plan	17,765	18,694	18,693	22,259	22,704
Interfund Services	11,967	12,756	12,756	402	182
Capital Outlay	0	21,650,000	21,650,000	0	0
Total Expenditures	**527,025**	**22,614,944**	**22,252,540**	**915,640**	**932,072**
Ending Fund Balance					
Encumbrance Carryover	197,768	197,768	197,768	197,768	197,768
Unrestricted	13,072,676	2,638,733	3,267,004	2,701,364	2,119,292
Total Ending Fund Balance	**13,270,444**	**2,836,501**	**3,464,772**	**2,899,132**	**2,317,060**
Total Use of Funds	**13,797,469**	**25,451,445**	**25,717,312**	**3,814,772**	**3,249,132**

SPECIAL REVENUE FUNDS | LIBRARY DONATIONS TRUST FUND (072)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	179,221	179,733	179,733	0	0
Total Beginning Fund Balance	**179,221**	**179,733**	**179,733**	**0**	**0**
Revenue					
Other Revenue	512	0	0	0	0
Total Revenue	**512**	**0**	**0**	**0**	**0**
Total Source of Funds	**179,733**	**179,733**	**179,733**	**0**	**0**
Expenditures					
City Library Foundation Trust	0	139,444	139,444	0	0
In Memory J.Jaffer	0	1,440	1,440	0	0
In Memory Of M.Dry	0	4,000	4,000	0	0
Library Books	0	1,300	1,300	0	0
Library Tote Bags	0	1,000	1,000	0	0
Literacy Program	0	9,050	9,050	0	0
SCSQ Irvine Contribution	0	22,755	22,755	0	0
Summer Reading	0	744	744	0	0
Total Expenditures	**0**	**179,733**	**179,733**	**0**	**0**
Ending Fund Balance					
Unrestricted	179,733	0	0	0	0
Total Ending Fund Balance	**179,733**	**0**	**0**	**0**	**0**
Total Use of Funds	**179,733**	**179,733**	**179,733**	**0**	**0**

SPECIAL REVENUE FUNDS | LIBRARY OPERATING GRANT TRUST FUND (112)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	15,775	5,988	5,988	5,988	5,988
Unrestricted	24,495	41,325	41,325	0	0
Total Beginning Fund Balance	**40,270**	**47,313**	**47,313**	**5,988**	**5,988**
Revenue					
Other Agencies Revenue	73,072	116,496	116,496	0	0
Total Revenue	**73,072**	**116,496**	**116,496**	**0**	**0**
Total Source of Funds	**113,342**	**163,809**	**163,809**	**5,988**	**5,988**
Expenditures					
Adult Literacy Program	13,732	47,304	47,304	0	0
Adult Literacy Program 18-19	23,864	0	0	0	0
Adult Literacy Program 19-20	27,856	64,099	64,099	0	0
Adult Literacy Program 20-21	0	38,918	38,918	0	0
PLP Innovation and Technology	577	7,500	7,500	0	0
Total Expenditures	**66,029**	**157,821**	**157,821**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	5,988	5,988	5,988	5,988	5,988
Unrestricted	41,325	0	0	0	0
Total Ending Fund Balance	**47,313**	**5,988**	**5,988**	**5,988**	**5,988**
Total Use of Funds	**113,342**	**163,809**	**163,809**	**5,988**	**5,988**

SPECIAL REVENUE FUNDS | OTHER CITY DEPARTMENTS
OPERATING GRANT TRUST FUND (101)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	0	296,438	296,438	296,438	296,438
Unrestricted	0	(598,085)	(598,085)	0	0
Total Beginning Fund Balance	**0**	**(301,647)**	**(301,647)**	**296,438**	**296,438**
Revenue					
Other Agencies Revenue	131,375	2,241,093	1,594,064	0	0
Other Revenue	0	14,331	37,571	0	0
Total Revenue	**131,375**	**2,255,424**	**1,631,635**	**0**	**0**
Transfers From					
General Fund	3,023,593	27,531	3,500,000	0	0
Information Technology Services Fund	334,938	0	0	0	0
Total Transfers From	**3,358,531**	**27,531**	**3,500,000**	**0**	**0**
Total Source of Funds	**3,489,906**	**1,981,308**	**4,829,988**	**296,438**	**296,438**
Expenditures					
City Manager's Office					
Healthy Cities Program - Tobacco Free Communities	0	48,944	48,944	0	0
Non-Departmental					
COVID-19	3,791,553	635,926	3,484,606	0	0
Total Expenditures	**3,791,553**	**684,870**	**3,533,550**	**0**	**0**
Transfers To					
Solid Waste Fund	0	1,000,000	1,000,000	0	0
Total Transfers To	**0**	**1,000,000**	**1,000,000**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	296,438	296,438	296,438	296,438	296,438
Unrestricted	(598,085)	0	0	0	0
Total Ending Fund Balance	**(301,647)**	**296,438**	**296,438**	**296,438**	**296,438**
Total Use of Funds	**3,489,906**	**1,981,308**	**4,829,988**	**296,438**	**296,438**

SPECIAL REVENUE FUNDS | PARKS AND RECREATION OPERATING GRANT TRUST FUND (111)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	8,031	1,801	1,801	1,801	1,801
Unrestricted	845	22,983	22,983	845	845
Total Beginning Fund Balance	**8,876**	**24,784**	**24,784**	**2,646**	**2,646**
Revenue					
Other Agencies Revenue	145,166	134,774	134,774	144,539	144,539
Total Revenue	**145,166**	**134,774**	**134,774**	**144,539**	**144,539**
Transfers From					
General Fund	3,445	3,445	3,445	3,445	3,445
Total Transfers From	**3,445**	**3,445**	**3,445**	**3,445**	**3,445**
Total Source of Funds	**157,487**	**163,003**	**163,003**	**150,630**	**150,630**
Expenditures					
Salaries	39,037	63,628	63,628	63,628	63,628
Materials/Services/Supplies	93,666	96,729	96,729	84,356	84,356
Total Expenditures	**132,703**	**160,357**	**160,357**	**147,984**	**147,984**
Ending Fund Balance					
Encumbrance Carryover	1,801	1,801	1,801	1,801	1,801
Unrestricted	22,983	845	845	845	845
Total Ending Fund Balance	**24,784**	**2,646**	**2,646**	**2,646**	**2,646**
Total Use of Funds	**157,487**	**163,003**	**163,003**	**150,630**	**150,630**

SPECIAL REVENUE FUNDS | PERPETUAL CARE FUND (076)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	38,244	38,244	38,244	38,244	38,244
Total Beginning Fund Balance	**38,244**	**38,244**	**38,244**	**38,244**	**38,244**
Revenue					
Interest	719	500	500	500	500
Total Revenue	**719**	**500**	**500**	**500**	**500**
Total Source of Funds	**38,963**	**38,744**	**38,744**	**38,744**	**38,744**
Transfers To					
Cemetery Fund	719	500	500	500	500
Total Transfers To	**719**	**500**	**500**	**500**	**500**
Ending Fund Balance					
Unrestricted	38,244	38,244	38,244	38,244	38,244
Total Ending Fund Balance	**38,244**	**38,244**	**38,244**	**38,244**	**38,244**
Total Use of Funds	**38,963**	**38,744**	**38,744**	**38,744**	**38,744**

SPECIAL REVENUE FUNDS | POLICE OPERATING GRANT TRUST FUND (177)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	12,920	325,964	325,964	325,964	325,964
Unrestricted	777,915	1,238,103	1,238,103	0	0
Total Beginning Fund Balance	**790,835**	**1,564,067**	**1,564,067**	**325,964**	**325,964**
Revenue					
Other Agencies Revenue	1,201,028	586,080	586,080	0	0
Other Fees for Services	55,120	0	0	0	0
Total Revenue	**1,256,148**	**586,080**	**586,080**	**0**	**0**
Transfers From					
Expendable Trust Fund	169,920	166,000	166,000	0	0
Total Transfers From	**169,920**	**166,000**	**166,000**	**0**	**0**
Total Source of Funds	**2,216,903**	**2,316,147**	**2,316,147**	**325,964**	**325,964**
Expenditures					
Abandoned Vehicle Abatement Program	165	181,000	181,000	0	0
Board of State & Community Correction	0	38,544	38,544	0	0
Board of State & Community Correction 2020	247,245	461,216	461,216	0	0
Bulletproof Vest Grant 2019	8,226	0	0	0	0
Bulletproof Vest Grant 2020	0	1,500	1,500	0	0
Citizens' Option for Public Safety 17-18	133,717	15,794	15,794	0	0
Citizens' Option for Public Safety 18-19	975	228,417	228,417	0	0
Citizens' Option for Public Safety 19-20	551	263,656	263,656	0	0
Citizens' Option for Public Safety 20-21	0	196,119	196,119	0	0
Department of Justice COVID	0	39,923	39,923	0	0
Edward Byrne Memorial JAG FY17	8,444	4,080	4,080	0	0
Edward Byrne Memorial JAG FY19	0	37,035	37,035	0	0
Edward Byrne Memorial JAG FY20	0	12,469	12,469	0	0
National Incident-Based Reporting System	3,923	0	0	0	0
Office of Traffic Safety 2020	28,349	0	0	0	0
OTS-Pedestrian and Bicycle Safety	0	24,900	24,900	0	0
Seized Asset Funds	96,351	203,130	203,130	0	0
Tobacco Tax Act of 2016 Grant	124,890	0	0	0	0
West Valley College Training Program	0	282,400	282,400	0	0
Total Expenditures	**652,836**	**1,990,183**	**1,990,183**	**0**	**0**

SPECIAL REVENUE FUNDS | POLICE OPERATING GRANT TRUST FUND (177)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Ending Fund Balance					
Encumbrance Carryover	325,964	325,964	325,964	325,964	325,964
Unrestricted	1,238,103	0	0	0	0
Total Ending Fund Balance	**1,564,067**	**325,964**	**325,964**	**325,964**	**325,964**
Total Use of Funds	**2,216,903**	**2,316,147**	**2,316,147**	**325,964**	**325,964**

SPECIAL REVENUE FUNDS | PREFUNDED PLAN REVIEW FUND (157)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	0	0	0	0	0
Total Beginning Fund Balance	**0**	**0**	**0**	**0**	**0**
Revenue					
Other Revenue	0	0	834,734	0	0
Total Revenue	**0**	**0**	**834,734**	**0**	**0**
Total Source of Funds	**0**	**0**	**834,734**	**0**	**0**
Expenditures					
Materials/Services/Supplies	0	0	821,633	0	0
Total Expenditures	**0**	**0**	**821,633**	**0**	**0**
Transfers To					
General Fund	0	0	13,101	0	0
Total Transfers To	**0**	**0**	**13,101**	**0**	**0**
Ending Fund Balance					
Unrestricted	0	0	0	0	0
Total Ending Fund Balance	**0**	**0**	**0**	**0**	**0**
Total Use of Funds	**0**	**0**	**834,734**	**0**	**0**

SPECIAL REVENUE FUNDS | PUBLIC DONATIONS FUND (067)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	0	29,481	29,481	29,481	29,481
Unrestricted	74,664	366,706	366,706	0	0
Total Beginning Fund Balance	**74,664**	**396,187**	**396,187**	**29,481**	**29,481**
Revenue					
Donations					
City Manager's Office	1,935	0	18,400	0	0
Community Development	225	0	100	0	0
Electric Utility	0	0	0	0	0
Parks and Recreation	203,729	0	16,212	0	0
Police	77	5,000	5,000	0	0
Public Works	0	0	0	0	0
Total Revenue	**205,966**	**5,000**	**39,712**	**0**	**0**
Transfers From					
Community Activities Fund	111,305	0	0	0	0
Sewer Utility Fund	0	25,000	25,000	0	0
Water Utility Fund	0	25,000	25,000	0	0
Recreation Programs Operations Fund	198,163	0	0	0	0
Total Transfers From	**309,468**	**50,000**	**50,000**	**0**	**0**
Total Source of Funds	**590,098**	**451,187**	**485,899**	**29,481**	**29,481**
Expenditures					
City Manager's Office					
Bank of Santa Clara Car Seat Program	0	500	500	0	0
Donations - Art in Public Places	0	226	226	0	0
Donations - Championship Teams	0	1,344	1,344	0	0
Donations - Help Your Neighbor	464	65,583	83,983	0	0
Donations - Mission City Community	0	67	67	0	0
Donations - Undesignated	0	125	125	0	0
S.C. Art in Public Places	0	37,720	37,720	0	0
Community Development					
Donations - Berryessa Adobe	0	1,150	1,150	0	0
Donations - Historical Preservation	0	4,391	4,491	0	0

SPECIAL REVENUE FUNDS | PUBLIC DONATIONS FUND (067)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Fire					
Donations - Fire Safety	0	1,961	1,961	0	0
Donations - Public Education	0	1,384	1,384	0	0
Parks and Recreation					
Arts, Crafts and Wine Festival	128,517	148,230	148,330	0	0
Case Management Grant	0	22,849	34,814	0	0
Teens - Youth Commission	0	3,819	3,819	0	0
Wade Brummal Scholarship Fund	1,000	122,440	126,587	0	0
Police					
Donation - COVID	0	5,000	5,000		
Donation - Police K9 Program	7,000	0	0	0	0
Police - Bicycle Safety Program	74	1,377	1,377	0	0
Police - Voucher Program	0	3,540	3,540	0	0
Total Expenditures	**137,055**	**421,706**	**456,418**	**0**	**0**
Transfers To					
General Fund	56,856	0	0	0	0
Total Transfers To	**56,856**	**0**	**0**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	29,481	29,481	29,481	29,481	29,481
Unrestricted	366,706	0	0	0	0
Total Ending Fund Balance	**396,187**	**29,481**	**29,481**	**29,481**	**29,481**
Total Use of Funds	**590,098**	**451,187**	**485,899**	**29,481**	**29,481**

SPECIAL REVENUE FUNDS | PUBLIC, EDUCATIONAL, AND GOVERNMENTAL FEE FUND (221)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	0	31,756	31,756	31,756	31,756
Unrestricted	64,371	2,204,211	2,204,211	2,324,211	2,324,211
Total Beginning Fund Balance	**64,371**	**2,235,967**	**2,235,967**	**2,355,967**	**2,355,967**
Revenue					
Other Agencies Revenue	250,616	150,000	233,000	200,000	200,000
Total Revenue	**250,616**	**150,000**	**233,000**	**200,000**	**200,000**
Transfers From					
General Government Capital Fund	2,056,894	0	0	0	0
Total Transfers From	**2,056,894**	**0**	**0**	**0**	**0**
Total Source of Funds	**2,371,881**	**2,385,967**	**2,468,967**	**2,555,967**	**2,555,967**
Expenditures					
Materials/Services/Supplies	0	0	13,000	0	0
Capital Outlay	135,914	0	100,000	200,000	200,000
Total Expenditures	**135,914**	**0**	**113,000**	**200,000**	**200,000**
Ending Fund Balance					
Encumbrance Carryover	31,756	31,756	31,756	31,756	31,756
Unrestricted	2,204,211	2,354,211	2,324,211	2,324,211	2,324,211
Total Ending Fund Balance	**2,235,967**	**2,385,967**	**2,355,967**	**2,355,967**	**2,355,967**
Total Use of Funds	**2,371,881**	**2,385,967**	**2,468,967**	**2,555,967**	**2,555,967**

SPECIAL REVENUE FUNDS | RECREATION PROGRAMS OPERATIONS FUND (041)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	707,468	0	0	0	0
Total Beginning Fund Balance	**707,468**	**0**	**0**	**0**	**0**
Revenue					
Other Revenue	55,003	0	0	0	0
Total Revenue	**55,003**	**0**	**0**	**0**	**0**
Total Source of Funds	**762,471**	**0**	**0**	**0**	**0**
Transfers To					
General Fund	564,318	0	0	0	0
Public Donations Fund	198,153	0	0	0	0
Total Transfers To	**762,471**	**0**	**0**	**0**	**0**
Ending Fund Balance					
Unrestricted	0	0	0	0	0
Total Ending Fund Balance	**0**	**0**	**0**	**0**	**0**
Total Use of Funds	**762,471**	**0**	**0**	**0**	**0**

SPECIAL REVENUE FUNDS | ROAD MAINTENANCE AND REHABILITATION (SB1) FUND (122)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	373,336	55,741	55,741	180,741	480,741
Total Beginning Fund Balance	**373,336**	**55,741**	**55,741**	**180,741**	**480,741**
Revenue					
State Revenues	2,049,441	2,200,000	2,200,000	2,400,000	2,400,000
Interest	36,943	25,000	25,000	0	0
Total Revenue	**2,086,384**	**2,225,000**	**2,225,000**	**2,400,000**	**2,400,000**
Total Source of Funds	**2,459,720**	**2,280,741**	**2,280,741**	**2,580,741**	**2,880,741**
Transfers To					
Streets and Highways Capital Fund	2,403,979	2,100,000	2,100,000	2,100,000	2,100,000
Total Transfers To	**2,403,979**	**2,100,000**	**2,100,000**	**2,100,000**	**2,100,000**
Ending Fund Balance					
Unrestricted	55,741	180,741	180,741	480,741	780,741
Total Ending Fund Balance	**55,741**	**180,741**	**180,741**	**480,741**	**780,741**
Total Use of Funds	**2,459,720**	**2,280,741**	**2,280,741**	**2,580,741**	**2,880,741**

SPECIAL REVENUE FUNDS | TRAFFIC FAIR SHARE FUND (124)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Restricted for Fair Share Projects	0	0	0	7,941,970	7,941,970
Total Beginning Fund Balance	**0**	**0**	**0**	**7,941,970**	**7,941,970**
Revenue					
Other Revenue	0	0	7,941,970	0	0
Total Revenue	**0**	**0**	**7,941,970**	**0**	**0**
Total Source of Funds	**0**	**0**	**7,941,970**	**7,941,970**	**7,941,970**
Ending Fund Balance					
Restricted for Fair Share Projects	0	0	7,941,970	7,941,970	7,941,970
Total Ending Fund Balance	**0**	**0**	**7,941,970**	**7,941,970**	**7,941,970**
Total Use of Funds	**0**	**0**	**7,941,970**	**7,941,970**	**7,941,970**

SPECIAL REVENUE FUNDS | TRAFFIC MITIGATION FUND (123)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	4,448,876	3,111,153	3,111,153	4,883,667	4,380,240
Total Beginning Fund Balance	**4,448,876**	**3,111,153**	**3,111,153**	**4,883,667**	**4,380,240**
Revenue					
Other Fees for Services	117,253	1,531,500	1,042,523	1,531,500	1,531,500
Interest	226,524	150,000	162,000	150,000	150,000
Total Revenue	**343,777**	**1,681,500**	**1,204,523**	**1,681,500**	**1,681,500**
Transfers From					
Streets and Highways Capital Fund	280	2,571,491	2,571,491	0	0
Total Transfers From	**280**	**2,571,491**	**2,571,491**	**0**	**0**
Total Source of Funds	**4,792,933**	**7,364,144**	**6,887,167**	**6,565,167**	**6,061,740**
Transfers To					
Streets and Highways Capital Fund	1,681,780	2,003,500	2,003,500	2,184,927	1,815,000
Total Transfers To	**1,681,780**	**2,003,500**	**2,003,500**	**2,184,927**	**1,815,000**
Ending Fund Balance					
Unrestricted	3,111,153	5,360,644	4,883,667	4,380,240	4,246,740
Total Ending Fund Balance	**3,111,153**	**5,360,644**	**4,883,667**	**4,380,240**	**4,246,740**
Total Use of Funds	**4,792,933**	**7,364,144**	**6,887,167**	**6,565,167**	**6,061,740**

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Enterprise Funds

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ENTERPRISE FUNDS

Enterprise funds are used to finance and account for operations and activities performed by designated departments in the City or through third-party agreements. The operating revenues and expenses result from providing services and producing and delivering goods in connection with an enterprise fund's principal ongoing operations. Principal operating revenues of the City's enterprise funds are charges to customers for services. Operating expenses for the City's enterprise funds include the costs of sales and services, administrative expenses, and maintenance of capital assets.

Utility rate increases for FY 2021/22* are as follows:

Utility Service	FY 2021/22	FY 2022/23	% Change	Additional Information
Water Residential per HCF	$6.69	$6.95	3.8%	
Recycled Water Irrigation per HCF	$3.74	$3.93	5.0%	
Sewer Residential Single Family per month	$44.53	$45.76	2.7%	
Solid Waste 32 Gallon Cart	$44.10	$49.05	11.2%	Includes recycling and yard waste charges
3-Cubic Yard Bin	$322.03	$389.02	20.8%	Serviced one time per week
Electric Residential per KWH	$0.1289	$0.1327	3.0%	Effective January 1, 2022

**Council approval in June 2021 and to be effective July 1, 2021 except for Electric rate*

Cemetery Fund (093)

This fund is managed by the Parks and Recreation Department and provides planning, development, operation, and maintenance of the City's two cemetery properties with one located on North Winchester Boulevard and one on Agnews Road. While there are charges for these services, the activities of this fund are primarily funded by transfers from the General Fund.

Convention Center Enterprise Fund (860)

This fund was established in 1984 to account for the operations of the City's Convention Center through third-party agreements. In February 2019, the City entered into an agreement with Global Spectrum, LP, dba Spectra Venue Management (Spectra). As part of the agreement, Spectra provided the City with an operating budget proposal for FY 2021/22 and FY 2022/23. These submittals have been incorporated into the source and use documents, with additional information provided in the Non-Departmental section of this document.

Electric Operating Grant Trust Fund (191)

The City's Electric Utility Department, known as Silicon Valley Power (SVP), initially established this fund for the Public Benefits Program, which helps make homes and businesses more energy-efficient. SVP is required to collect and spend 2.85% of its electric sales revenues (of customer service charges from Electric Utility Fund) in accordance with assembly bill AB 1890 on cost-effective energy efficiency, new renewable generation, low-income energy programs, and new electric technologies research and development. In FY 2019/20, two programs were added to include the Low Carbon Fuel and Greenhouse Gas programs that utilize restricted revenue that includes yearly reporting requirements. The mission of these programs is to create electrification projects by either decarbonizing of fleet vehicles or reducing the emissions of greenhouse gasses.

Electric Utility Fund (091)

This fund is managed by the Electric Utility Department, also known as Silicon Valley Power (SVP), and accounts for the operation of the City's electric utility service. The Department provides these services on a user charge basis to residences, businesses, and industrial customers, including large data centers.

Revenue sources in the Electric Utility Fund are dictated by the utility rate approved by the City, effective each January, based on SVP's ten-year forecast with their revenue and expenditure projections, and reserve requirements fulfilling debt service, capital improvement projects, rate stabilization, among other obligations. Electric rate increases have been relatively stable, so customers, both large and small, can plan for their uses. At the same time, for customers who have difficulty absorbing these increases, SVP continues to offer assistance to low-income customers and energy conservation programs and rebates to help customers reduce their electricity usage. SVP's estimated rate increase for calendar year 2022 is 3.0%.

SVP has nearly 58,000 customer accounts in the City, with that is made up of 85% residential, 12% commercial, 3% industrial, and <1% other. However, their proportion of revenue contribution is reversed, with almost 89% of revenues generated by industrial customers while residential, commercial, and other are 7%, 4%, and <1%, respectively. Industrial customers include many publicly listed technology companies headquartered in the City and data centers hosting servers for the same companies. Load growth of energy sales is based on a combination of historical data and forward-looking opportunities, especially from large key industrial customers. Additional revenues are generated through wholesale, capacity sales, and restricted revenue programs such as Green House Gas, Electric Vehicle, Renewable Energy Credits, and Low Carbon Fuel Standard. Given the high concentration of revenue generated from industrial customers, SVP's revenue growth prospect is highly correlated to Silicon Valley's economic growth.

Majority of expenses are due to cost of sales, such as energy resources purchases, cost of generating and delivering power to SVP customers, including transmission access charges that apply to all-electric energy that SVP receives via the PG&E transmission system and gas transmission charges for delivering fuel to SVP's gas-fired power plants.

Sewer Utility Fund (094)

This fund is managed by the Water and Sewer Utilities Department and accounts for the maintenance of the City's sewer lines and related facilities. The Department provides these services on a user charge basis to residences and businesses.

Each operating budget cycle, the Department develops a ten-year forecast with their revenue and expenditure projections. Revenue sources in the Sewer Utility Fund are dictated by the utility rate approved by the City and the actual water usage by residences and businesses. A rate study is conducted by a third-party consultant selected by the Water and Sewer Utilities Department; this information is then used to determine both revenue and expenditure projections in the forecast. In addition to the information provided in the rate study, revenue projections are based on historical data and anticipated activity. Anticipated expenditures also play a role in the development of the revenue projections. Expenditure projections are based on historical data and the capital project needs to be approved in the City's Capital Improvement Program budget. Additionally, the City co-owns the Regional Wastewater Facility with the City of San José. Estimates are provided by the City of San José for Santa Clara's share of the facility rebuild, and these estimates are also used in determining the expenditure projections in the Sewer Utility Fund.

Per the adopted budget policy, this fund includes reserves for Rate Stabilization, Operations and Maintenance, Construction, and Pension Stabilization. It also includes a Replacement and Improvement Reserve.

Solid Waste Fund (096)

This fund is managed by the Public Works Department and accounts for the administration of the City's garbage and rubbish collection service, including street sweeping, household hazardous waste, and Clean-Up Campaign services. The revenue projections are based on anticipated increases in garbage rates due to increases in agreements for exclusive franchise garbage and yard waste collection and solid waste processing services.

Per the adopted budget policy, this fund includes reserves for Rate Stabilization, Operations and Maintenance, and Pension Stabilization.

Water Recycling Fund (097)

This fund is managed by the Water and Sewer Utilities Department and accounts for the ongoing maintenance and operations of the City of Santa Clara's wastewater reclamation system. The Department provides these services on a user charge basis from the sale of non-potable water for irrigation and landscaping.

Each operating budget cycle, the Department develops a ten-year forecast with their revenue and expenditure projections. Revenue sources in the Water Recycling Program Fund are dictated by the utility rate approved by the City and the actual water usage by residences and businesses. A rate study is conducted by a third-party consultant selected by the Water and Sewer Utilities Department; this information is then used to determine both revenue and expenditure projections in the forecast. In addition to the information provided in the rate study, revenue projections are based on historical data and anticipated activity. Anticipated expenditures also play a role in the development of the revenue projections. Expenditure projections are based on historical data and capital projects need to be approved in the City's Capital Improvement Program budget.

Per the adopted budget policy, this fund includes reserves for Rate Stabilization, Operations and Maintenance, Construction, and Pension Stabilization.

Water Utility Fund (092)

This fund is managed by the Water and Sewer Utilities Department and accounts for the operation of the City's water utility services. The Department provides these services on a user charge basis to residences and businesses.

Each operating budget cycle, the Department develops a ten-year forecast with their revenue and expenditure projections. Revenue sources in the Water Utility Fund are dictated by the utility rate approved by the City and the actual water usage by residences and businesses. A rate study is conducted by a third-party consultant selected by the Water and Sewer Utilities Department; this information is then used to determine both revenue and expenditure projections in the forecast. In addition to the information provided in the rate study, revenue projections are based on historical data and anticipated activity. Anticipated expenditures also play a role in the development of the revenue projections. Expenditure projections are based on historical data and capital projects needs to be approved in the City's Capital Improvement Program Budget.

Per the adopted budget policy, this fund includes reserves for Rate Stabilization, Operations and Maintenance, Construction, and Pension Stabilization. It also includes a Replacement and Improvement Reserve and a Water Conservation Reserve.

The following section details the City of Santa Clara's Enterprise Funds' Statements of Sources and Uses and their Proposed Operating Budgets for Fiscal Year 2021/22 and Fiscal Year 2022/23.

ENTERPRISE FUNDS | CEMETERY FUND (093)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	66,471	78,413	78,413	97,149	94,592
Total Beginning Fund Balance	**66,471**	**78,413**	**78,413**	**97,149**	**94,592**
Revenue					
Other Fees for Services	464,840	600,000	500,000	600,000	600,000
Other Revenue	1,092	0	6,042	0	0
Total Revenue	**465,932**	**600,000**	**506,042**	**600,000**	**600,000**
Transfers From					
General Fund	703,490	771,769	771,769	850,000	870,000
Endowment Care Fund	30,820	18,000	28,000	28,000	28,000
Perpetual Care Fund	719	500	500	500	500
Total Transfers From	**735,029**	**790,269**	**800,269**	**878,500**	**898,500**
Total Source of Funds	**1,267,432**	**1,468,682**	**1,384,724**	**1,575,649**	**1,593,092**
Expenditures					
Salaries	424,881	500,439	482,000	486,907	506,514
Retirement and Benefits	257,925	280,784	280,784	300,400	315,623
Materials/Services/Supplies	240,831	359,680	250,000	371,350	383,433
Services From Other Funds - Cost Allocation Plan	132,895	136,015	136,015	129,713	132,307
Interfund Services	130,028	136,035	136,035	191,865	196,830
Total Expenditures	**1,186,560**	**1,412,953**	**1,284,834**	**1,480,235**	**1,534,707**
Transfers To					
General Government Capital Fund	2,459	2,741	2,741	822	822
Total Transfers To	**2,459**	**2,741**	**2,741**	**822**	**822**
Ending Fund Balance					
Unrestricted	78,413	52,988	97,149	94,592	57,563
Total Ending Fund Balance	**78,413**	**52,988**	**97,149**	**94,592**	**57,563**
Total Use of Funds	**1,267,432**	**1,468,682**	**1,384,724**	**1,575,649**	**1,593,092**

ENTERPRISE FUNDS | CONVENTION CENTER ENTERPRISE FUND (860)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	212,501	141,500	141,500	141,500	141,500
Operating Surplus	0	230,470	230,470	0	0
Unrestricted	5,736,122	4,589,785	4,589,785	2,324,439	1,094,783
Total Beginning Fund Balance	**5,948,623**	**4,961,755**	**4,961,755**	**2,465,939**	**1,236,283**
Revenue					
Levy Investment	191,667	0	0	0	0
Charges for Services	11,412,967	4,909,837	94,794	0	0
Rents	2,576,936	5,789,533	0	0	0
Interest	87,937	0	32,976	0	0
Event Revenue	0	11,044,000	0	8,291,055	13,530,685
Other Revenue	0	168,836	383,699	61,150	72,950
Total Revenue	**14,269,507**	**21,912,206**	**511,469**	**8,352,205**	**13,603,635**
Total Source of Funds	**20,218,130**	**26,873,961**	**5,473,224**	**10,818,144**	**14,839,918**
Expenditures					
Salaries	241,780	240,933	238,869	232,657	244,476
Retirement and Benefits	125,791	118,328	123,315	123,901	130,627
Materials/Services/Supplies	463,119	1,193,133	165,000	45,000	45,000
Interfund Services	42,698	143,976	32,976	181,832	186,928
Event Expense	12,366,882	7,505,662	0	5,133,706	8,318,461
Indirect Expense	2,016,105	11,335,505	2,184,392	3,864,765	5,502,889
Total Expenditures	**15,256,375**	**20,537,537**	**2,744,552**	**9,581,861**	**14,428,381**
Transfers To					
General Fund	0	20,000	20,000	0	0
Public Buildings Capital Fund	0	242,733	242,733	0	0
Total Transfers To	**0**	**262,733**	**262,733**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	141,500	141,500	141,500	141,500	141,500
Operating Surplus	230,470	3,301,508	0	0	0
Unrestricted	4,589,785	2,630,683	2,324,439	1,094,783	270,037
Total Ending Fund Balance	**4,961,755**	**6,073,691**	**2,465,939**	**1,236,283**	**411,537**
Total Use of Funds	**20,218,130**	**26,873,961**	**5,473,224**	**10,818,144**	**14,839,918**

ENTERPRISE FUNDS | ELECTRIC OPERATING GRANT TRUST FUND (191)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Public Benefits	34,342,493	39,749,662	39,749,662	46,004,018	44,977,676
Low Carbon Fuel	2,038,141	2,784,760	2,784,760	6,608,689	6,608,689
Greenhouse Gas	0	39,290	39,290	2,557,087	2,557,087
Total Beginning Fund Balance	**36,380,634**	**42,573,712**	**42,573,712**	**55,169,794**	**54,143,452**
Revenue					
Other Agencies	61,550	0	128,334	0	0
Charges for Services	12,265,779	12,873,097	12,832,456	13,903,330	15,914,801
Low Carbon Fuel	2,000,000	5,096,600	5,096,600	3,900,000	3,900,000
Greenhouse Gas	16,574,206	16,487,338	15,892,378	14,036,178	14,660,843
Other Revenue	51,270	0	6,779	44,261	46,474
Total Revenue	**30,952,805**	**34,457,035**	**33,956,547**	**31,883,769**	**34,522,118**
Transfers From					
Electric Utility Capital Fund	0	792,271	792,271	0	0
Total Transfers From	**0**	**792,271**	**792,271**	**0**	**0**
Total Source of Funds	**67,333,439**	**77,823,018**	**77,322,530**	**87,053,563**	**88,665,570**
Expenditures					
Salaries	595,894	803,721	724,376	771,432	803,007
Retirement and Benefits	329,608	362,870	257,213	387,393	407,870
Materials/Services/Supplies	1,543,115	3,760,485	1,573,859	4,433,530	3,724,520
Mandated Program Costs	3,823,278	14,169,942	3,566,366	13,305,337	26,975,621
Services From Other Funds - Cost Allocation Plan	162,370	170,204	170,208	189,013	192,793
Contribution In Lieu	615,853	643,655	641,623	695,166	795,740
Capital Outlay	39,640	0	0	0	0
Interfund Services	175,763	61,266	61,266	85,753	89,980
Total Expenditures	**7,285,521**	**19,972,143**	**6,994,911**	**19,867,624**	**32,989,531**
Transfers To					
Electric Utility Fund	15,974,206	11,847,222	11,847,222	6,760,648	0
Electric Utility Capital Fund	1,500,000	2,155,621	2,155,621	4,851,839	1,132,587
Streets and Highways Capital Fund	0	400,000	400,000	400,000	0
Library Department Capital Fund	0	114,982	114,982	0	0
Vehicle Replacement Fund	0	0	640,000	1,030,000	400,000
Total Transfers To	**17,474,206**	**14,517,825**	**15,157,825**	**13,042,487**	**1,532,587**

ENTERPRISE FUNDS | ELECTRIC OPERATING GRANT TRUST FUND (191)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Ending Fund Balance					
Public Benefits	39,749,662	40,514,538	46,004,018	44,977,676	44,977,676
Low Carbon Fuel	2,784,760	2,779,222	6,608,689	6,608,689	6,608,689
Greenhouse Gas	39,290	39,290	2,557,087	2,557,087	2,557,087
Total Ending Fund Balance	**42,573,712**	**43,333,050**	**55,169,794**	**54,143,452**	**54,143,452**
Total Use of Funds	**67,333,439**	**77,823,018**	**77,322,530**	**87,053,563**	**88,665,570**

ENTERPRISE FUNDS | ELECTRIC UTILITY FUND (091)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	913,447	1,323,884	1,323,884	1,323,884	1,323,884
Critical Infrastructure Reserve	0	53,997,200	53,997,200	55,354,340	57,007,467
Donald Von Raesfeld Power Plant Reserve	5,078,163	78,163	78,163	0	0
Operations and Maintenance Reserve	98,947,182	112,838,357	112,838,357	107,900,786	118,765,556
Pension Trust Reserve	4,329,866	5,165,892	5,165,892	6,093,245	6,440,500
Rate Stabilization Reserve	25,000,000	44,898,011	44,898,011	44,356,590	48,776,613
Unrestricted	102,134,201	49,953,094	49,953,094	67,780,967	84,133,789
Total Beginning Fund Balance	**236,402,859**	**268,254,601**	**268,254,601**	**282,809,812**	**316,447,809**
Revenue					
Charges for Services	430,663,828	451,617,602	443,565,897	487,766,128	558,344,084
Other Fees for Services	3,177,739	2,797,200	2,276,357	3,248,584	3,231,606
Interest	7,224,871	4,870,422	5,632,824	5,781,950	6,271,536
Rents	3,250,694	3,539,450	3,670,219	3,516,645	3,616,685
Wholesale Revenue	15,258,396	14,371,567	15,864,886	19,894,427	20,361,425
Restricted Revenues	4,338,867	2,439,572	1,269,025	2,437,750	1,572,313
Other Revenue	1,136,927	1,210,000	1,115,987	1,280,894	1,289,337
Total Revenue	**465,051,322**	**480,845,813**	**473,395,195**	**523,926,378**	**594,686,986**
Transfers From					
Electric Operating Grant Trust Fund	15,974,206	11,847,222	11,847,222	6,760,648	0
Electric Utility Capital Fund	171,196	0	0	0	0
Street Lighting Capital Fund	0	110,211	110,211	0	0
General Government Capital Fund	0	91,540	91,540	0	0
Total Transfers From	**16,145,402**	**12,048,973**	**12,048,973**	**6,760,648**	**0**
Total Source of Funds	**717,599,583**	**761,149,387**	**753,698,769**	**813,496,838**	**911,134,795**
Expenditures					
Salaries	27,468,827	31,738,339	28,105,122	34,227,863	35,586,448
Retirement and Benefits	13,128,500	14,318,887	13,359,788	16,128,162	16,978,793
Materials/Services/Supplies	21,645,065	30,168,279	24,637,881	32,347,051	32,877,779
Resource/Production	310,853,665	326,500,221	326,500,221	353,462,621	388,414,505
Services From Other Funds - Cost Allocation Plan	7,975,314	9,118,890	9,118,890	7,912,091	8,070,333
Interfund Services	4,340,876	6,181,412	6,181,412	5,906,226	6,112,911
Contribution In Lieu	22,094,309	23,699,830	23,699,830	25,078,210	28,890,414
Capital Outlay	152,564	504,800	504,800	16,000	17,000
Total Expenditures	**407,659,120**	**442,230,658**	**432,107,944**	**475,078,224**	**516,948,183**

ENTERPRISE FUNDS | ELECTRIC UTILITY FUND (091)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Transfers To					
General Fund	713,000	53,200	53,200	677,733	712,503
General Government Capital Fund	583,540	635,578	635,578	596,323	596,323
Special Liability Insurance Fund	416,063	0	0	0	0
Streets and Highways Capital Fund	0	0	0	90,000	0
Street Lighting Capital Fund	169,626	125,000	125,000	0	2,980,000
Electric Utility Capital Fund	30,210,940	24,415,856	24,415,856	4,300,865	41,958,743
Electric Debt Service Fund	9,592,693	13,315,379	13,551,379	16,305,884	16,548,917
Total Transfers To	**41,685,862**	**38,545,013**	**38,781,013**	**21,970,805**	**62,796,486**
Ending Fund Balance					
Encumbrance Carryover	1,323,884	1,323,884	1,323,884	1,323,884	1,323,884
Critical Infrastructure Reserve	53,997,200	55,354,340	55,354,340	57,007,467	62,031,742
Donald Von Raesfeld Power Plant Reserve	78,163	78,163	0	0	0
Operations and Maintenance Reserve	112,838,357	110,431,464	107,900,786	118,765,556	129,232,796
Pension Trust Reserve	5,165,892	6,093,245	6,093,245	6,440,500	7,360,571
Rate Stabilization Reserve	44,898,011	45,161,760	44,356,590	48,776,613	55,834,408
Unrestricted	49,953,094	61,930,860	67,780,967	84,133,789	75,606,725
Total Ending Fund Balance	**268,254,601**	**280,373,716**	**282,809,812**	**316,447,809**	**331,390,126**
Total Use of Funds	**717,599,583**	**761,149,387**	**753,698,769**	**813,496,838**	**911,134,795**

ENTERPRISE FUNDS | SEWER UTILITY FUND (094)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	89,546	171,725	171,725	171,725	171,725
Replacement and Improvement Reserve	1,507,553	0	0	1,507,553	1,507,553
Rate Stabilization Reserve	0	5,126,296	5,126,296	2,395,030	2,395,030
Operations and Maintenance Reserve	0	8,671,076	8,671,076	1,835,079	1,835,079
Construction Reserve	0	11,000,000	11,000,000	1,596,928	1,596,928
Pension Stabilization Reserve	61,125	421,220	421,220	499,450	613,950
Unrestricted	15,242,462	184,207	184,207	18,770,794	21,685,416
Total Beginning Fund Balance	**16,900,686**	**25,574,524**	**25,574,524**	**26,776,559**	**29,805,681**
Revenue					
Other Agencies Revenue	1,422,879	0	1,827,072	350,000	350,000
Charges for Services	39,664,614	44,802,400	35,800,000	38,700,000	39,400,000
Other Fees for Services	59,117	92,700	70,000	95,481	98,345
Interest	687,946	600,000	565,000	565,000	565,000
Rents	52,694	0	49,000	46,000	46,000
Other Revenue	95,002	0	373,000	0	0
Total Revenue	**41,982,252**	**45,495,100**	**38,684,072**	**39,756,481**	**40,459,345**
Transfers From					
General Government Capital Fund	12,238	10,642	10,642	0	0
Sewer Utility Capital Fund	0	0	23,000,000	0	0
Total Transfers From	**12,238**	**10,642**	**23,010,642**	**0**	**0**
Total Source of Funds	**58,895,176**	**71,080,266**	**87,269,238**	**66,533,040**	**70,265,026**
Expenditures					
Salaries	2,184,547	2,878,430	2,049,000	2,897,583	3,022,671
Retirement and Benefits	1,082,693	1,429,600	1,146,000	1,576,287	1,661,605
Right of Way Rental Expense	1,559,317	1,637,283	1,637,000	1,719,147	1,805,104
Materials/Services/Supplies	395,987	561,344	294,000	576,336	582,535
Resource/Production	17,105,726	17,849,085	17,142,900	19,332,885	19,332,885
Services From Other Funds	25,168	25,168	25,168	25,168	25,168
Services From Other Funds - Cost Allocation Plan	1,350,064	1,411,910	1,411,910	1,372,823	1,400,279
Interfund Services	1,083,776	1,112,545	1,112,545	1,176,069	1,198,836
Capital Outlay	98,231	0	0	0	0
Total Expenditures	**24,885,509**	**26,905,365**	**24,818,523**	**28,676,298**	**29,029,083**

ENTERPRISE FUNDS | SEWER UTILITY FUND (094)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Transfers To					
General Government Capital Fund	81,642	60,258	60,258	50,278	50,278
Electric Utility Capital Fund	276,000	37,500	37,500	0	0
Sewer Utility Capital Fund	5,019,553	33,618,599	33,618,599	5,611,748	31,050,674
Public Donations Fund	0	25,000	25,000	0	0
Water Utility Capital Fund	545,000	500,000	500,000	500,000	500,000
Sewer Utility Debt Service Fund	2,438,223	1,432,799	1,432,799	1,889,035	1,889,035
Streets and Highways Capital Fund	74,725	0	0	0	0
Total Transfers To	**8,435,143**	**35,674,156**	**35,674,156**	**8,051,061**	**33,489,987**
Ending Fund Balance					
Encumbrance Carryover	171,725	171,725	171,725	171,725	171,725
Replacement and Improvement Reserve	0	1,507,553	1,507,553	1,507,553	1,507,553
Rate Stabilization Reserve	5,126,296	2,395,030	2,395,030	2,395,030	2,395,030
Operations and Maintenance Reserve	8,671,076	1,835,079	1,835,079	1,835,079	1,000,000
Construction Reserve	11,000,000	1,596,928	1,596,928	1,596,928	1,596,928
Pension Stabilization Reserve	421,220	499,450	499,450	613,950	701,657
Unrestricted	184,207	494,980	18,770,794	21,685,416	373,063
Total Ending Fund Balance	**25,574,524**	**8,500,745**	**26,776,559**	**29,805,681**	**7,745,956**
Total Use of Funds	**58,895,176**	**71,080,266**	**87,269,238**	**66,533,040**	**70,265,026**

ENTERPRISE FUNDS | SOLID WASTE FUND (096)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	726,680	450,254	450,254	450,254	450,254
Operations and Maintenance Reserve	0	683,574	683,574	2,675,520	2,675,520
Pension Trust Reserve	20,094	230,902	230,902	273,862	300,995
Rate Stabilization Reserve	0	2,791,600	2,791,600	2,295,468	2,136,639
Unrestricted	6,317,791	4,534,323	4,534,323	0	250,000
Total Beginning Fund Balance	**7,064,565**	**8,690,653**	**8,690,653**	**5,695,104**	**5,813,408**
Revenue					
Other Agencies Revenue	469,912	420,000	415,000	462,000	462,000
Interest	16,288	0	7,000	0	0
Charges for Services	3,506,404	2,300,000	2,259,000	2,462,000	2,588,000
Other Fees for Services	22,647,334	28,499,000	23,545,000	30,686,000	33,004,000
Other Revenue	3,670	0	8,000	0	0
Total Revenue	**26,643,608**	**31,219,000**	**26,234,000**	**33,610,000**	**36,054,000**
Transfers From					
General Fund	0	1,000,000	1,011,200	33,600	33,600
Solid Waste Capital Fund	12,120	0	0	0	0
General Government Capital Fund	0	23,659	23,659	0	0
Total Transfers From	**12,120**	**1,023,659**	**1,034,859**	**33,600**	**33,600**
Total Source of Funds	**33,720,293**	**40,933,312**	**35,959,512**	**39,338,704**	**41,901,008**
Expenditures					
Salaries	707,968	892,536	950,000	878,400	907,708
Retirement and Benefits	394,172	430,368	430,000	466,100	487,480
Materials/Services/Supplies	349,038	3,048,158	2,500,000	1,777,364	1,819,796
Contribution in Lieu	754,590	693,600	661,000	707,472	721,621
Resource/Production	19,729,976	25,983,380	22,440,000	27,130,516	28,350,571
Services From Other Funds - Cost Allocation Plan	1,404,048	1,415,309	1,415,309	1,363,802	1,391,078
Interfund Services	1,041,689	1,100,070	1,100,070	925,021	937,805
Total Expenditures	**24,381,481**	**33,563,421**	**29,496,379**	**33,248,675**	**34,616,059**
Transfers To					
General Government Capital Fund	45,159	38,570	38,570	26,621	26,621
Electric Utility Fund	129,000	0	0	0	0
Solid Waste Capital Fund	474,000	729,459	729,459	250,000	450,000
Total Transfers To	**648,159**	**768,029**	**768,029**	**276,621**	**476,621**

ENTERPRISE FUNDS | SOLID WASTE FUND (096)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Ending Fund Balance					
Encumbrance Carryover	450,254	450,254	450,254	450,254	450,254
Operations and Maintenance Reserve	683,574	2,675,520	2,675,520	2,675,520	2,675,520
Pension Trust Reserve	230,902	273,862	273,862	300,995	343,994
Rate Stabilization Reserve	2,791,600	3,079,900	2,295,468	2,136,639	3,088,560
Unrestricted	4,534,323	122,326	0	250,000	250,000
Total Ending Fund Balance	**8,690,653**	**6,601,862**	**5,695,104**	**5,813,408**	**6,808,328**
Total Use of Funds	**33,720,293**	**40,933,312**	**35,959,512**	**39,338,704**	**41,901,008**

ENTERPRISE FUNDS | WATER RECYCLING FUND (097)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	1,010,000	3,270	3,270	3,270	1,010,000
Rate Stabilization Reserve	0	1,340,000	1,340,000	2,327,420	1,037,596
Operations and Maintenance Reserve	0	1,560,129	1,560,129	1,467,571	2,062,738
Construction Reserve	0	2,250,000	2,250,000	943,180	50,000
Pension Stabilization Reserve	9,599	52,809	52,809	62,621	107,641
Unrestricted	4,236,917	873,343	873,343	837,050	1,317,386
Total Beginning Fund Balance	**5,256,516**	**6,079,551**	**6,079,551**	**5,641,112**	**5,585,361**
Revenue					
Other Agencies Revenue	341,719	350,000	441,000	350,000	350,000
Charges for Services	5,935,108	6,587,910	5,106,000	5,200,000	5,200,000
Other Fees for Services	0	0	2,000	0	0
Interest	125,628	65,000	58,000	90,177	92,882
Other Revenue	27,577	61,800	13,000	63,654	65,564
Total Revenue	**6,430,032**	**7,064,710**	**5,620,000**	**5,703,831**	**5,708,446**
Total Source of Funds	**11,686,548**	**13,144,261**	**11,699,551**	**11,344,943**	**11,293,807**
Expenditures					
Salaries	288,543	390,995	377,000	385,659	403,280
Retirement and Benefits	184,253	206,495	185,000	220,896	232,665
Right of Way Rental Expense	251,734	231,525	232,000	243,101	255,256
Materials/Services/Supplies	31,877	36,887	338,000	37,646	38,424
Resource/Production	4,688,895	4,883,600	4,258,000	4,700,000	4,700,000
Services From Other Funds - Cost Allocation Plan	87,571	90,244	90,246	89,984	91,784
Interfund Services	24,124	28,192	28,193	32,296	33,939
Total Expenditures	**5,556,997**	**5,867,938**	**5,508,439**	**5,709,582**	**5,755,348**
Transfers To					
Recycled Water Capital Fund	50,000	550,000	550,000	50,000	50,000
Total Transfers To	**50,000**	**550,000**	**550,000**	**50,000**	**50,000**
Ending Fund Balance					
Encumbrance Carryover	3,270	3,270	3,270	1,010,000	1,010,000
Rate Stabilization Reserve	1,340,000	2,327,420	2,327,420	1,037,596	1,125,792
Operations and Maintenance Reserve	1,560,129	1,467,571	1,467,571	2,062,738	2,262,095

ENTERPRISE FUNDS | WATER RECYCLING FUND (097)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Ending Fund Balance					
Construction Reserve	2,250,000	1,943,180	943,180	50,000	51,500
Pension Stabilization Reserve	52,809	62,621	62,621	107,641	123,018
Unrestricted	873,343	922,262	837,050	1,317,386	916,054
Total Ending Fund Balance	**6,079,551**	**6,726,324**	**5,641,112**	**5,585,361**	**5,488,459**
Total Use of Funds	**11,686,548**	**13,144,261**	**11,699,551**	**11,344,943**	**11,293,807**

ENTERPRISE FUNDS | WATER UTILITY FUND (092)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	2,669,635	215,314	215,314	215,314	215,314
Replacement and Improvement Reserve	303,090	303,090	303,090	303,090	303,090
Water Conservation Reserve	33,125	33,125	33,125	33,125	33,125
Rate Stabilization Reserve	0	1,519,347	1,519,347	2,519,347	1,099,800
Operations and Maintenance Reserve	0	1,635,580	1,635,580	4,135,580	3,135,580
Construction Reserve	0	644,317	644,317	2,144,317	2,144,317
Pension Stabilization Reserve	140,672	1,073,100	1,073,100	1,272,519	1,272,519
Unrestricted	11,521,161	3,766,056	3,766,056	2,500,458	1,268,082
Total Beginning Fund Balance	**14,667,683**	**9,189,929**	**9,189,929**	**13,123,750**	**9,471,827**
Revenue					
Charges for Services	49,062,460	55,065,496	48,000,000	47,500,000	46,312,500
Other Agencies Revenue	0	0	9,000	0	0
Other Fees for Services	1,665,783	1,447,518	1,709,000	1,243,744	1,281,056
Interest	606,902	275,000	205,000	330,000	336,600
Rents	52,694	0	49,000	0	0
Other Revenue	522,720	432,273	743,000	415,886	428,364
Total Revenue	**51,910,559**	**57,220,287**	**50,715,000**	**49,489,630**	**48,358,520**
Transfers From					
General Government Capital Fund	0	31,248	31,248	0	0
Water Utility Capital Fund	16,849	0	0	0	0
Total Transfers From	**16,849**	**31,248**	**31,248**	**0**	**0**
Total Source of Funds	**66,595,091**	**66,441,464**	**59,936,177**	**62,613,380**	**57,830,347**
Expenditures					
Salaries	3,968,139	5,779,435	3,992,000	5,771,297	6,029,435
Retirement and Benefits	2,495,845	2,943,764	2,614,000	3,240,205	3,417,970
Right of Way Rental Expense	1,898,400	1,993,320	1,993,000	2,092,986	2,197,635
Materials/Services/Supplies	2,349,458	3,023,741	1,788,000	3,088,732	3,146,005
Resource/Production	28,839,018	30,788,700	27,500,000	28,500,000	27,500,000
Services From Other Funds	25,168	25,168	25,168	25,168	25,168
Services From Other Funds - Cost Allocation Plan	2,850,772	2,875,811	2,875,811	2,796,434	2,852,363
Interfund Services	1,576,302	1,676,828	1,676,828	1,682,795	1,727,106
Capital Outlay	46,325	0	0	0	0
Total Expenditures	**44,049,427**	**49,106,767**	**42,464,807**	**47,197,617**	**46,895,682**

ENTERPRISE FUNDS | WATER UTILITY FUND (092)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Transfers To					
General Fund	0	25,000	25,000	0	0
General Government Capital Fund	145,748	175,120	175,120	158,936	158,936
Electric Utility Capital Fund	437,000	37,500	37,500	0	0
Streets and Highways Capital Fund	116,855	0	0	0	0
Vehicle Replacement Fund	365,397	0	0	0	0
Water Utility Capital Fund	12,290,735	4,110,000	4,110,000	5,785,000	3,860,000
Total Transfers To	**13,355,735**	**4,347,620**	**4,347,620**	**5,943,936**	**4,018,936**
Ending Fund Balance					
Encumbrance Carryover	215,314	215,314	215,314	215,314	215,314
Replacement and Improvement Reserve	303,090	303,090	303,090	303,090	303,090
Water Conservation Reserve	33,125	33,125	33,125	33,125	33,125
Rate Stabilization Reserve	1,519,347	2,519,347	2,519,347	1,099,800	750,000
Operations and Maintenance Reserve	1,635,580	5,635,580	4,135,580	3,135,580	2,435,580
Construction Reserve	644,317	2,144,317	2,144,317	2,144,317	1,144,317
Pension Stabilization Reserve	1,073,100	1,272,519	1,272,519	1,272,519	1,407,872
Unrestricted	3,766,056	863,785	2,500,458	1,268,082	626,431
Total Ending Fund Balance	**9,189,929**	**12,987,077**	**13,123,750**	**9,471,827**	**6,915,729**
Total Use of Funds	**66,595,091**	**66,441,464**	**59,936,177**	**62,613,380**	**57,830,347**

Internal Service Funds

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INTERNAL SERVICE FUNDS

Internal Service Funds are used to finance and account for special activities and services performed by a designated department for other departments in the City on a cost-reimbursement basis.

Communication Acquisitions Fund (048)

This fund is managed by the Police Department and accounts for the maintenance and replacement of communication equipment used by various City departments. The source of revenue for this fund is fees charged to the departments that require this type of maintenance and replacement.

Fleet Operations Fund (053)

This fund is managed by the Department of Public Works and accounts for the maintenance of City-owned vehicles and equipment used by all departments. The source of revenue for this fund is fees charged to the departments requiring vehicle maintenance.

Starting in FY 2021/22, the Electric Operating Grant Fund will fund transfer funds from the Greenhouse Gas Program to cover the costs of planned electric vehicle replacements while funding is eligible.

Information Technology Services Fund (045)

This fund was established in FY 2019/20 and managed by the Information Technology Department. This fund accounts for citywide costs associated with computer and telephone equipment replacement as well as other services including new or upgraded software, additional licenses for new users, and general information technology services provided to all City departments. The source of revenue for this fund is fees charged to the departments that require information technology services.

Public Works Capital Projects Management Fund (044)

This fund was newly established in FY 2019/20 and managed by the Department of Public Works. This fund accounts for the Public Works staff time and non-personnel costs utilized to manage and work on specific capital improvement programs of the City. The source of revenue for this fund is fees charged to the departments requiring Public Works capital project services.

Special Liability Insurance Fund (082)

This fund accounts for liability exposures to the City, including general liability, auto liability, errors and omissions, and employment practices. The City's property coverage provides for property and boiler and machinery insurance for physical damage to buildings and other specific structures. The Special Liability Insurance Fund insures all City-owned property as well as property in the City's care, custody, or control, and property the City is contractually obligated to insure. The source of revenue for this fund is charges to the departments citywide as well as transfers from the General Fund.

Unemployment Insurance Fund (087)

This fund is managed by the Human Resources Department and accounts for the cost of unemployment insurance claims. The source of revenue for this fund is fees charged to the departments citywide.

The other agencies revenue estimated in FY 2020/21 and proposed in FY 2021/22 represents estimated subsidies from the State of California as apart of COVID-19 assistance measures to local governments.

Vehicle Replacement Fund (050)

This fund is managed by the Department of Public Works and accounts for the lifecycle, replacement, procurement, up-fit, and disposal of all vehicles used by City departments. The source of revenue for this fund is charges to the departments requiring these services.

Workers' Compensation Fund (081)

This fund is managed by the Human Resources Department and accounts for the costs of premiums, claims administration, and claims expenses related to injuries or illnesses sustained by members of the City's workforce. The source of revenue for this fund is fees charged to departments citywide. Department allocations are determined using prior year actuals and the frequency and severity of claims. This fund also includes budget for an actuarial study for workers' compensation.

The following section details the City of Santa Clara's Internal Service Funds' Statements of Sources and Uses and their Proposed Budgets for Fiscal Year 2021/22 and Fiscal Year 2022/23.

INTERNAL SERVICE FUNDS | COMMUNICATION ACQUISITIONS FUND (048)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	664,947	727,456	727,456	756,611	756,611
Total Beginning Fund Balance	**664,947**	**727,456**	**727,456**	**756,611**	**756,611**
Revenue					
Other Fees for Services	401,794	536,853	536,853	584,334	606,984
Total Revenue	**401,794**	**536,853**	**536,853**	**584,334**	**606,984**
Total Source of Funds	**1,066,741**	**1,264,309**	**1,264,309**	**1,340,945**	**1,363,595**
Expenditures					
Capital Outlay	339,285	536,853	507,698	584,334	606,984
Total Expenditures	**339,285**	**536,853**	**507,698**	**584,334**	**606,984**
Ending Fund Balance					
Unrestricted	727,456	727,456	756,611	756,611	756,611
Total Ending Fund Balance	**727,456**	**727,456**	**756,611**	**756,611**	**756,611**
Total Use of Funds	**1,066,741**	**1,264,309**	**1,264,309**	**1,340,945**	**1,363,595**

INTERNAL SERVICE FUNDS | FLEET OPERATIONS FUND (053)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	35,000	122,191	122,191	122,191	122,191
Unrestricted	283,040	422,794	422,794	384,800	339,230
Total Beginning Fund Balance	**318,040**	**544,985**	**544,985**	**506,991**	**461,421**
Revenue					
Other Agencies Revenue	2,531	2,500	2,500	2,531	2,531
Other Fees for Services	5,053,596	5,159,221	4,814,476	5,111,706	5,272,912
Other Revenue	1,913	3,000	72,000	1,913	1,913
Total Revenue	**5,058,040**	**5,164,721**	**4,888,976**	**5,116,150**	**5,277,356**
Total Source of Funds	**5,376,080**	**5,709,706**	**5,433,961**	**5,623,141**	**5,738,777**
Expenditures					
Salaries	1,579,650	1,786,820	1,634,475	1,615,435	1,668,356
Retirement and Benefits	899,051	965,222	965,222	1,010,830	1,059,432
Materials/Services/Supplies	2,156,989	2,294,765	2,102,365	2,296,470	2,352,672
Interfund Services	195,405	224,908	224,908	238,985	249,769
Total Expenditures	**4,831,095**	**5,271,715**	**4,926,970**	**5,161,720**	**5,330,229**
Ending Fund Balance					
Encumbrance Carryover	122,191	122,191	122,191	122,191	122,191
Unrestricted	422,794	315,800	384,800	339,230	286,357
Total Ending Fund Balance	**544,985**	**437,991**	**506,991**	**461,421**	**408,548**
Total Use of Funds	**5,376,080**	**5,709,706**	**5,433,961**	**5,623,141**	**5,738,777**

INTERNAL SERVICE FUNDS | INFORMATION TECHNOLOGY SERVICES FUND (045)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	0	1,900,937	1,900,937	1,900,937	1,900,937
Unrestricted	0	349,118	349,118	1,403,699	1,403,699
Total Beginning Fund Balance	**0**	**2,250,055**	**2,250,055**	**3,304,636**	**3,304,636**
Revenue					
Other Fees for Services	13,303,135	13,248,605	11,674,251	12,084,229	12,072,415
Total Revenue	**13,303,135**	**13,248,605**	**11,674,251**	**12,084,229**	**12,072,415**
Transfers From					
General Fund	1,170,040	0	0	0	0
Total Transfers From	**1,170,040**	**0**	**0**	**0**	**0**
Total Source of Funds	**14,473,175**	**15,498,660**	**13,924,306**	**15,388,865**	**15,377,051**
Expenditures					
Salaries	1,269,769	1,337,111	1,432,982	1,135,244	1,183,007
Retirement and Benefits	535,025	603,170	561,638	599,651	632,773
Materials/Services/Supplies	10,033,789	11,251,326	8,568,053	10,292,135	10,194,777
Interfund Services	43,559	56,998	56,997	57,199	61,858
Capital Outlay	6,040	0	0	0	0
Total Expenditures	**11,888,182**	**13,248,605**	**10,619,670**	**12,084,229**	**12,072,415**
Transfers To					
Other City Departments Operating Grant Trust Fund	334,938	0	0	0	0
Total Transfers To	**334,938**	**0**	**0**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	1,900,937	1,900,937	1,900,937	1,900,937	1,900,937
Unrestricted	349,118	349,118	1,403,699	1,403,699	1,403,699
Total Ending Fund Balance	**2,250,055**	**2,250,055**	**3,304,636**	**3,304,636**	**3,304,636**
Total Use of Funds	**14,473,175**	**15,498,660**	**13,924,306**	**15,388,865**	**15,377,051**

INTERNAL SERVICE FUNDS | PUBLIC WORKS CAPITAL PROJECTS MANAGEMENT FUND (044)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	0	285,000	285,000	285,000	285,000
Unrestricted	0	0	0	323	324
Total Beginning Fund Balance	**0**	**285,000**	**285,000**	**285,323**	**285,324**
Revenue					
Other Fees for Services	3,679,835	3,821,799	3,821,799	3,962,714	4,114,234
Total Revenue	**3,679,835**	**3,821,799**	**3,821,799**	**3,962,714**	**4,114,234**
Total Source of Funds	**3,679,835**	**4,106,799**	**4,106,799**	**4,248,037**	**4,399,558**
Expenditures					
Salaries	2,117,334	2,151,722	2,151,722	2,080,544	2,162,616
Retirement and Benefits	1,038,003	1,094,815	1,094,815	1,187,956	1,244,023
Materials/Services/Supplies	14,237	330,450	330,450	448,425	450,002
Services From Other Funds - Cost Allocation Plan	57,478	58,827	58,827	105,307	107,413
Interfund Services	167,783	185,662	185,662	140,481	150,180
Total Expenditures	**3,394,835**	**3,821,476**	**3,821,476**	**3,962,713**	**4,114,234**
Ending Fund Balance					
Encumbrance Carryover	285,000	285,000	285,000	285,000	285,000
Unrestricted	0	323	323	324	324
Total Ending Fund Balance	**285,000**	**285,323**	**285,323**	**285,324**	**285,324**
Total Use of Funds	**3,679,835**	**4,106,799**	**4,106,799**	**4,248,037**	**4,399,558**

INTERNAL SERVICE FUNDS | SPECIAL LIABILITY INSURANCE FUND (082)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	1,637,339	927,387	927,387	927,387	927,387
Reserve for Future Claims	3,724,901	7,000,000	7,000,000	827,565	4,027,565
Unrestricted	(35)	925,716	925,716	0	0
Total Beginning Fund Balance	**5,362,205**	**8,853,103**	**8,853,103**	**1,754,952**	**4,954,952**
Revenue					
Other Fees for Services	4,399,866	7,277,538	7,277,538	7,143,000	7,930,290
Interest	218	0	0	0	0
Other Revenue	772,227	0	0	0	0
Total Revenue	**5,172,311**	**7,277,538**	**7,277,538**	**7,143,000**	**7,930,290**
Transfers From					
Electric Utility	416,063	0	0	0	0
General Fund	6,500,000	0	0	5,200,000	0
Total Transfers From	**6,916,063**	**0**	**0**	**5,200,000**	**0**
Total Source of Funds	**17,450,579**	**16,130,641**	**16,130,641**	**14,097,952**	**12,885,242**
Expenditures					
Materials/Services/Supplies	6,440,565	3,450,956	8,162,896	4,800,000	3,457,000
Interfund Services	2,156,911	3,826,582	6,212,792	4,343,000	4,473,290
Total Expenditures	**8,597,476**	**7,277,538**	**14,375,688**	**9,143,000**	**7,930,290**
Ending Fund Balance					
Encumbrance Carryover	927,387	927,387	927,387	927,387	927,387
Reserve for Future Claims	7,000,000	7,000,000	827,565	4,027,565	4,027,565
Unrestricted	925,716	925,716	0	0	0
Total Ending Fund Balance	**8,853,103**	**8,853,103**	**1,754,952**	**4,954,952**	**4,954,952**
Total Use of Funds	**17,450,579**	**16,130,641**	**16,130,641**	**14,097,952**	**12,885,242**

INTERNAL SERVICE FUNDS | UNEMPLOYMENT INSURANCE FUND (087)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	316,565	225,934	225,934	0	0
Total Beginning Fund Balance	**316,565**	**225,934**	**225,934**	**0**	**0**
Revenue					
Other Fees for Services	0	0	0	331,000	150,000
Other Agencies Revenue	0	264,000	484,843	219,000	0
Total Revenue	**0**	**264,000**	**484,843**	**550,000**	**150,000**
Transfers From					
General Fund	0	40,000	289,223	0	0
Total Transfers From	**0**	**40,000**	**289,223**	**0**	**0**
Total Source of Funds	**316,565**	**529,934**	**1,000,000**	**550,000**	**150,000**
Expenditures					
Materials/Services/Supplies	90,631	529,000	1,000,000	550,000	150,000
Total Expenditures	**90,631**	**529,000**	**1,000,000**	**550,000**	**150,000**
Ending Fund Balance					
Unrestricted	225,934	934	0	0	0
Total Ending Fund Balance	**225,934**	**934**	**0**	**0**	**0**
Total Use of Funds	**316,565**	**529,934**	**1,000,000**	**550,000**	**150,000**

INTERNAL SERVICE FUNDS | VEHICLE REPLACEMENT FUND (050)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	1,161,799	2,645,774	2,645,774	2,645,774	2,645,774
Equipment Replacement Reserve	1,616,811	2,620,149	2,620,149	2,620,149	2,620,149
Unrestricted	2,990,791	3,162,265	3,162,265	3,835,672	4,357,934
Total Beginning Fund Balance	**5,769,401**	**8,428,188**	**8,428,188**	**9,101,595**	**9,623,857**
Revenue					
Other Fees for Services	3,280,934	3,368,289	3,010,289	3,452,911	3,532,324
Other Revenue	149,323	90,000	90,000	100,000	80,000
Total Revenue	**3,430,257**	**3,458,289**	**3,100,289**	**3,552,911**	**3,612,324**
Transfers From					
General Fund	425,000	0	0	0	0
Water Utility Fund	365,397	0	0	0	0
Electric Operating Grant Trust Fund	0	0	640,000	1,030,000	400,000
Total Transfers From	**790,397**	**0**	**640,000**	**1,030,000**	**400,000**
Total Source of Funds	**9,990,055**	**11,886,477**	**12,168,477**	**13,684,506**	**13,636,181**
Expenditures					
Capital Outlay	1,561,867	2,995,500	2,426,882	2,070,649	1,854,961
Electric Vehicle Replacements	0	0	640,000	1,030,000	400,000
Total Expenditures	**1,561,867**	**2,995,500**	**3,066,882**	**3,100,649**	**2,254,961**
Transfers To					
General Fund	0	0	0	960,000	960,000
Total Transfers To	**0**	**0**	**0**	**960,000**	**960,000**
Ending Fund Balance					
Encumbrance Carryover	2,645,774	2,645,774	2,645,774	2,645,774	2,645,774
Equipment Replacement Reserve	2,620,149	2,620,149	2,620,149	2,620,149	2,620,149
Unrestricted	3,162,265	3,625,054	3,835,672	4,357,934	5,155,297
Total Ending Fund Balance	**8,428,188**	**8,890,977**	**9,101,595**	**9,623,857**	**10,421,220**
Total Use of Funds	**9,990,055**	**11,886,477**	**12,168,477**	**13,684,506**	**13,636,181**

INTERNAL SERVICE FUNDS | WORKERS' COMPENSATION FUND (081)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Reserve for Future Claims	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Unrestricted	1,000,302	2,422,973	2,422,973	2,661,414	2,661,414
Total Beginning Fund Balance	**3,500,302**	**4,922,973**	**4,922,973**	**5,161,414**	**5,161,414**
Revenue					
Other Fees for Services	4,803,000	5,572,738	5,572,738	5,665,000	5,835,000
Other Revenue	221,564	0	238,441	0	0
Total Revenue	**5,024,564**	**5,572,738**	**5,811,179**	**5,665,000**	**5,835,000**
Transfers From					
General Fund	1,426,453	0	0	0	0
Total Transfers From	**1,426,453**	**0**	**0**	**0**	**0**
Total Source of Funds	**9,951,319**	**10,495,711**	**10,734,152**	**10,826,414**	**10,996,414**
Expenditures					
Materials/Services/Supplies	4,255,262	4,578,738	4,578,738	4,716,000	4,858,000
Interfund Services	773,084	994,000	994,000	949,000	977,000
Total Expenditures	**5,028,346**	**5,572,738**	**5,572,738**	**5,665,000**	**5,835,000**
Ending Fund Balance					
Reserve for Future Claims	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Unrestricted	2,422,973	2,422,973	2,661,414	2,661,414	2,661,414
Total Ending Fund Balance	**4,922,973**	**4,922,973**	**5,161,414**	**5,161,414**	**5,161,414**
Total Use of Funds	**9,951,319**	**10,495,711**	**10,734,152**	**10,826,414**	**10,996,414**

Capital Improvement Program Funds

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CAPITAL IMPROVEMENT PROGRAM FUNDS

Capital Improvement Program Funds are established to account for specific revenues and expenditures that are earmarked for major improvements to the City's infrastructure, replacements and upgrades to City assets, and improvements and upgrades to the City's utilities. The City of Santa Clara has various capital funds set up for different types of capital projects.

Cemetery Capital Fund (593)

The capital projects included in this fund are related to construction, engineering, repairs, and design of the two City-owned cemeteries.

Convention Center Capital Fund (865)

This fund was established in FY 2020/21 through the Report to Council 21-1176 approved by the City Council on January 12, 2021. This fund accounts for the capital improvements to the Convention Center. Improvements to the Convention Center are funded by the initial City capital contribution from the General Fund in addition to developer contributions from the Convention Center operations management team, Spectra.

Electric Utility Capital Fund (591)

This fund accounts for projects pertaining to system improvements, substation construction, and technology projects. Customer service charges, developer contributions, and transfers from other enterprise funds are the primary source of revenue for these projects.

Fire Department Capital Fund (536)

This fund tracks projects that include the replacement of firefighting equipment, emergency generators, and firehouse safety systems. Grants and donations as well as the General Fund provide the funding for these projects.

General Government Capital Fund (539)

This fund accounts for projects primarily related to Information Technology projects, supported by revenues from developer contributions, grants, and transfers from the City's enterprise funds and the General Fund.

Library Department Capital Fund (537)

This fund tracks projects associated with the capital maintenance, construction, safety, and appearance of library facilities, primarily funded by the General Fund.

Parks and Recreation Capital Fund (532)

This fund accounts for the projects associated with the acquisition, development, and capital improvement of neighborhood and community parks, recreation facilities, and open space to meet the needs of the City residents. Funding sources for these projects include developer contributions, grants and donations, parks mitigation fees and Quimby Act fees.

Public Buildings Capital Fund (538)

The projects in this fund are associated with repairs and capital maintenance for public buildings, including mechanical and electrical systems, primarily funded by the General Fund.

Recycled Water Capital Fund (597)

This fund tracks projects related to the installation of recycled water mains, including extensions to existing service and for new developments, supported by recycled water customer service charges.

Related Santa Clara Developer Fund (540)

This fund tracks the financial resources from the Developer (Related) to fund City staff in pre-development and permit processing efforts for the Related Santa Clara project. The worked performed by City staff on these projects will be reimbursed by the developer.

Sewer Utility Capital Fund (594)

This fund tracks projects related to the construction and upkeep of the City's sewer system including sewer mains and the City of Santa Clara/San José wastewater treatment facility. These projects are funded through customer service charges, connection charges, debt financing, and the sewer conveyance fee.

Solid Waste Capital Fund (596)

The capital projects included in this fund are related to the construction of wells, well abandonments, erosion, maintenance of landfill gas, and miscellaneous landfill monitoring requirements. Funding sources for these projects include lease revenues and customer service charges.

Storm Drain Capital Fund (535)

The projects in the Storm Drain Capital Fund contribute to the expansion, construction, and rehabilitation of the City's storm drain system. Primary funding sources include the General Fund and developer-funded storm drain charges.

Street Lighting Capital Fund (534)

This fund accounts for projects related to the replacement and installation of citywide street lighting to provide adequate lighting for streets, new developments, and parking lots. These projects are funded via customer service charges, developer contributions, and electric public benefits charges.

Streets and Highways Capital Fund (533)

This fund tracks the City's projects that are related to the maintenance of local transportation facilities, traffic infrastructure, street rehabilitation, sidewalk, curb, and gutter improvements. Primary funding sources for these types of projects include traffic mitigation fees, gas tax, and Road Maintenance and Rehabilitation Account proceeds. Projects from several capital funds: Special Gas Tax, Traffic Mitigation and Street Beautification have been consolidated into the Streets and Highways Fund as of FY 2018/19.

Tasman East Infrastructure Improvement Fund (541)

This fund was established in FY 2020/21 through the Report to Council 20-787 approved by the City Council on November 17, 2020 and is managed by the Department of Public Works. This fund accounts for the impact fee revenues and project expenditures related to the Tasman East Specific Plan.

Water Utility Capital Fund (592)

The projects in this fund pertain to the construction and upkeep of the water system including water mains, hydrants, wells and pumps, storage tanks, and the asset management system. Customer service charges and developer contributions are the primary sources for these projects.

The following section details the City of Santa Clara's Capital Improvement Program Funds' Statements of Sources and Uses and their Amended Adopted Capital Improvement Program budget for Fiscal Year 2021/22.

CAPITAL IMPROVEMENT PROGRAM FUNDS | CEMETERY CAPITAL FUND (593)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Unrestricted	28,085	0	0	0	0
Total Beginning Fund Balance	**28,085**	**0**	**0**	**0**	**0**
Transfers From					
General Fund Capital Projects Reserve	0	300,000	300,000	0	0
General Fund	0	0	0	0	8,409
Total Transfers From	**0**	**300,000**	**300,000**	**0**	**8,409**
Total Source of Funds	**28,085**	**300,000**	**300,000**	**0**	**8,409**
Expenditures					
3628 - Sarah E. Fox Mausoleum Repairs	0	300,000	300,000	0	0
3699 - PW Capital Projects Management	0	0	0	0	8,409
Total Expenditures	**0**	**300,000**	**300,000**	**0**	**8,409**
Transfers To					
General Fund	28,085	0	0	0	0
Total Transfers To	**28,085**	**0**	**0**	**0**	**0**
Ending Fund Balance					
Unrestricted	0	0	0	0	0
Total Ending Fund Balance	**0**	**0**	**0**	**0**	**0**
Total Use of Funds	**28,085**	**300,000**	**300,000**	**0**	**8,409**

CAPITAL IMPROVEMENT PROGRAM FUNDS

CONVENTION CENTER CAPITAL FUND (865)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Unrestricted	0	0	0	0	0
Total Beginning Fund Balance	**0**	**0**	**0**	**0**	**0**
Transfers From					
Convention Center Enterprise Fund	0	242,733	242,733	0	0
Public Buildings Capital Fund		4,059,000	4,059,000		
Total Transfers From	**0**	**4,301,733**	**4,301,733**	**0**	**0**
Total Source of Funds	**0**	**4,301,733**	**4,301,733**	**0**	**0**
Expenditures					
8101 - Santa Clara Convention Center Condition Assessment Repair	0	4,301,733	4,301,733	0	0
Total Expenditures	**0**	**4,301,733**	**4,301,733**	**0**	**0**
Ending Fund Balance					
Unrestricted	0	0	0	0	0
Total Ending Fund Balance	**0**	**0**	**0**	**0**	**0**
Total Use of Funds	**0**	**4,301,733**	**4,301,733**	**0**	**0**

CAPITAL IMPROVEMENT PROGRAM FUNDS | ELECTRIC UTILITY CAPITAL FUND (591)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	3,771,017	19,001,406	19,001,406	3,771,017	19,001,406
Reserve for Public Benefits Program	62,553	0	0	0	0
Unrestricted	102,186,207	106,831,922	106,783,482	6,599,725	38,072,546
Total Beginning Fund Balance	**106,019,777**	**125,833,328**	**125,784,888**	**10,370,742**	**57,073,952**
Revenue					
Grant Funding	246,611	252,669	252,669	0	0
Other Revenue	15,641,454	33,711,812	25,711,812	14,067,854	9,000,000
Total Revenue	**15,888,065**	**33,964,481**	**25,964,481**	**14,067,854**	**9,000,000**
Transfers From					
General Fund - Capital Projects Reserve	330,000	0	0	330,000	330,000
Storm Drain Capital Fund	6,000	0	0	0	0
Solid Waste Fund	129,000	0	0	0	0
Sewer Utility Fund	276,000	37,500	37,500	0	0
Water Utility Fund	437,000	37,500	37,500	0	0
Electric Operating Grant Trust Fund	1,500,000	2,155,620	2,155,620	4,867,155	4,851,839
Electric Utility Fund	30,210,940	24,415,856	24,415,856	37,273,644	4,300,865
Total Transfers From	**32,888,940**	**26,646,476**	**26,646,476**	**42,470,799**	**9,482,704**
Total Source of Funds	**154,796,782**	**186,444,285**	**178,395,845**	**66,909,395**	**75,556,656**
Expenditures					
2430 - NRS 230kv Spare Transformer	0	0	0	0	800,000
2407 - Bucks Creek Relicensing	651,105	509,792	509,792	0	0
2398 - Clean Energy and Carbon Reduction	1,002	2,846,572	2,846,572	0	0
2411 - Control Center Transmission Outage Application Suite (TOA)	64,800	0	0	0	0
2123 - Customer Service Program Development	57,438	0	0	0	0

CAPITAL IMPROVEMENT PROGRAM FUNDS | ELECTRIC UTILITY CAPITAL FUND (591)

		2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures						
2413	- Distributed Antenna System Development	13,258	580,000	580,000	0	0
2006	- Transmission and Distribution Capital Maintenance and Betterments	999,244	7,494,194	7,494,194	1,000,000	2,350,000
2435	- DOT Gas Pipeline Upgrades and Repairs	0	1,100,000	1,100,000	0	800,000
2425	- DVR Gas Turbine Control System Upgrade	1,018,659	0	0	0	0
2426	- DVR SCR and CO Catalyst Replacement	31,300	0	0	0	0
2499	- Electric Capital Project Management	0	5,694,426	5,694,426	4,209,313	4,227,704
2441	- Electric Vehicle (EV) Charging	5,538	1,494,462	1,494,462	1,000,000	1,000,000
2010	- Electric Yard Buildings and Grounds	5,957	1,304,584	1,304,584	300,000	300,000
2418	- Esperanca Substation	3,881	2,100,000	2,100,000	16,640,000	0
2004	- Fiber Development, Design, and Expansion	1,530,596	1,366,498	1,366,498	530,000	530,000
2451	Freedom Circle Junction Project	0	300,000	300,000	0	0
2119	- Generation Capital Maintenance and Betterments	1,734,126	7,700,633	7,700,633	3,725,000	500,000
2431	- Homestead Substation Rebuild	2,844	1,547,156	1,547,156	7,250,000	0
2439	- Hydro Controls Upgrade	0	250,000	250,000	0	0
2111	- Implementation of Advanced Metering Infrastructure (AMI)	1,152,603	4,196,951	4,196,951	3,688,840	0

CAPITAL IMPROVEMENT PROGRAM FUNDS | ELECTRIC UTILITY CAPITAL FUND (591)

		2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures						
2403	- Install Fairview Substation	1,345,468	6,252,030	6,252,030	0	0
2404	- Install Phase Shifting Transformer at NRS	1,345,606	2,594,352	200,000	0	0
2127	- Major Engine Overhaul and Repair	1,593,171	12,535,988	12,535,988	4,600,000	4,600,000
2450	Martin Avenue Junction Project	0	800,000	800,000	0	0
2427	- Mitsubishi Steam Turbine Major Overhaul	2,793,468	0	0	0	0
2390	- Network and Cyber Security Infrastructure	565,924	5,199,900	5,199,900	2,208,000	0
2005	- New Business Estimate Work	6,075,532	3,656,197	3,656,197	3,862,500	3,862,500
2422	- Northwestern Substation Expansion	3,864	0	0	0	0
2440	- Oaks Junction	986	2,949,014	2,949,014	0	0
2395	- Operations and Planning Technology	368,108	2,201,938	2,201,938	0	0
2420	- Overhead Infrastructure Replacement	58,185	0	0	0	0
2433	- Parker Substation	184,768	595,829	595,829	0	0
2436	- Piping System Repairs	35,321	(1)	0	0	0
2125	- Public Benefits Program	88,000	792,271	792,271	0	0
2421	- Relocation of Electric Crossings for CalTrain	1,801,547	0	0	0	0
2410	- System Capacity Expansion	553	18,090,420	3,000,000	0	0
2434	- Replace Balance of Plant Control System (DCS)	762,984	1,000,000	1,000,000	0	500,000
2442	- San Tomas Junction	2,792	4,624,208	4,624,208	1,000,000	1,000,000
2108	- SCADA System II Phase II	50,658	0	0	0	0

CAPITAL IMPROVEMENT PROGRAM FUNDS | ELECTRIC UTILITY CAPITAL FUND (591)

		2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures						
2104	- Serra Substation Re-Build	1,053,179	8,054,638	3,400,000	0	0
2126	- Silicon Valley Power Utility Center	1,007,735	17,238,108	40,000	0	0
2429	- Storm Water Compliance	0	400,000	400,000	0	0
2008	- Substation Capital Maintenance & Betterments	422,577	0	0	0	0
2409	- Substation Protective Relay	128,828	0	0	0	0
2424	- Substation Physical Security Improvements	14,949	739,017	739,017	0	0
2124	- Transmission System Reinforcements	1,928,677	11,564,955	11,564,955	0	5,000,000
2438	- Underground/Above Ground Tank Replacement and Maintenance	13,550	361,450	361,450	0	0
2423	- Utility Billing CIS Replacement	0	3,500,000	3,500,000	0	0
2437	- Valve Replacement and Repair	24,425	323,828	323,828	0	0
2432	- Yard Pavement Project	0	890,000	890,000	0	0
2443	- Laurelwood Substation	0	13,750,000	13,750,000	2,500,000	0
2444	- Northwest Loop Capacity Upgrade	0	0	0	300,000	0
2445	- NRS Breaker 382 Addition	0	2,860,000	2,860,000	0	0
2446	- Renewable Energy Microgrid	0	600,000	600,000	3,725,000	3,725,000
2447	- Substation Control and Communication System Replacement	0	200,000	200,000	0	0
2449	- Memorex Junction Substation	0	400,000	400,000	0	0

CAPITAL IMPROVEMENT PROGRAM FUNDS | ELECTRIC UTILITY CAPITAL FUND (591)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures					
NEW - 60KV Breaker Upgrades	0	0	0	0	1,468,823
NEW - KRS Rebuild and Replacement	0	0	0	0	4,700,000
NEW - NRS Transformer Replacement	0	0	0	0	1,000,000
NEW - NRS-KRS 115kV Line	0	0	0	0	4,342,000
NEW - SRS Rebuild and Replacement	0	0	0	0	4,700,000
Total Expenditures	**28,943,206**	**160,659,410**	**121,321,893**	**56,538,653**	**45,406,027**
Transfers To					
Electric Operating Grant Trust Fund	0	792,271	0	0	0
General Fund	0	580,000	0	0	0
Streets and Highways Fund	68,688	0	0	0	0
Total Transfers To	**68,688**	**1,372,271**	**0**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	19,001,406	19,001,406	19,001,406	3,771,017	19,001,406
Unrestricted	106,783,482	5,411,198	38,072,546	6,599,725	11,149,223
Total Ending Fund Balance	**125,784,888**	**24,412,604**	**57,073,952**	**10,370,742**	**30,150,629**
Total Use of Funds	**154,796,782**	**186,444,285**	**178,395,845**	**66,909,395**	**75,556,656**

CAPITAL IMPROVEMENT PROGRAM FUNDS | FIRE DEPARTMENT CAPITAL FUND (536)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	121,522	0	0	121,310	0
Unrestricted	603,144	918,509	918,509	105,933	104,000
Total Beginning Fund Balance	**724,666**	**918,509**	**918,509**	**227,243**	**104,000**
Transfers From					
General Fund - Capital Projects Reserve	645,000	378,001	378,001	289,310	837,110
General Fund	20,049	3,795	3,795	3,928	0
Total Transfers From	**665,049**	**381,796**	**381,796**	**293,238**	**837,110**
Total Source of Funds	**1,389,715**	**1,300,305**	**1,300,305**	**520,481**	**941,110**
Expenditures					
4094 - Computer Aided Dispatch (CAD) Alerting System Upgrade	(9,392)	547,848	547,848	0	30,000
4089 - Defibrillator/Monitor Replacement	970	0	0	0	0
4097 - Diesel Exhaust Removal Systems	45,890	0	0	0	200,000
4086 - Emergency Operations Center Capital Refurbishment	23,120	12,453	12,453	0	0
4085 - Emergency Operations Center Communications System Upgrade	0	40,599	40,599	0	0
4095 - Emergency Response Technology Updates	1,548	9,600	9,600	0	0
4088 - EMS System First Responder Projects	1,781	11,335	11,335	0	0
4084 - Protective Equipment Replacement	311,732	318,001	318,001	289,310	289,310
4099 - PW Capital Projects Management	6,080	3,795	3,795	3,928	0
4098 - Fire Station 8 Fixture Furniture & Equipment	0	60,000	60,000	0	0
4070 - Station 2 Training Tower Renovation	0	0	0	0	50,000

CAPITAL IMPROVEMENT PROGRAM FUNDS | FIRE DEPARTMENT CAPITAL FUND (536)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures					
NEW - City-Wide AED Replacements	0	0	0	0	76,800
NEW - Defibrillator/Monitor Replacements	0	0	0	0	80,000
NEW - Fire Department Relief Radios	0	0	0	0	48,000
NEW - Fire Department Accela Implementation	0	0	0	0	63,000
Total Expenditures	**381,729**	**1,003,631**	**1,003,631**	**293,238**	**837,110**
Transfers To					
General Fund - Capital Projects Reserve	89,477	192,674	192,674	0	0
Total Transfers To	**89,477**	**192,674**	**192,674**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	0	0	0	121,310	0
Unrestricted	918,509	104,000	104,000	105,933	104,000
Total Ending Fund Balance	**918,509**	**104,000**	**104,000**	**227,243**	**104,000**
Total Use of Funds	**1,389,715**	**1,300,305**	**1,300,305**	**520,481**	**941,110**

CAPITAL IMPROVEMENT PROGRAM FUNDS | GENERAL GOVERNMENT CAPITAL FUND (539)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	903,224	1,043,703	1,043,703	455,380	1,043,703
Unrestricted	13,602,232	11,466,221	11,466,221	0	0
Total Beginning Fund Balance	**14,505,456**	**12,509,924**	**12,509,924**	**455,380**	**1,043,703**
Revenue					
Other Agencies Revenue	2,599	102,220	102,220	0	0
Other Revenue	38,927	90,000	90,000	0	0
Total Revenue	**41,526**	**192,220**	**192,220**	**0**	**0**
Transfers From					
Cemetery Fund	2,459	2,741	2,741	822	822
Electric Utility Fund	583,540	635,578	635,578	596,323	596,323
General Fund	36,367	34,269	34,269	35,736	0
Sewer Utility Fund	81,642	60,258	60,258	50,278	50,278
Solid Waste Fund	45,159	38,570	38,570	26,621	26,621
Storm Drain Capital Fund	1,000	1,000	1,000	1,000	1,000
Water Utility Fund	145,748	175,120	175,120	158,936	158,936
Building Development Fund	0	0	0	0	1,737
General Fund - Advanced Planning Fee Reserve	933,535	100,000	100,000	0	0
General Fund - Building Inspection Reserve	0	196,290	196,290	1,737	0
General Fund - Capital Projects Reserve	268,346	1,054,843	1,054,843	389,283	689,283
General Fund - Land Sale Reserve	0	1,800,000	1,800,000	0	30,000
Total Transfers From	**2,097,796**	**4,098,669**	**4,098,669**	**1,260,736**	**1,555,000**
Total Source of Funds	**16,644,778**	**16,800,813**	**16,800,813**	**1,716,116**	**2,598,703**
Expenditures					
6549 - Agenda and Document Management Systems	28,718	689,320	689,320	0	0
6003 - Broadband Community System General Government Network (GGNET)	301	171,216	171,216	0	0

CAPITAL IMPROVEMENT PROGRAM FUNDS | GENERAL GOVERNMENT CAPITAL FUND (539)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures					
6118 - CAD/RMS System Replacement	64,060	1,000,000	1,000,000	0	0
6513 - Computer Replacement Program	48,501	197,146	197,146	150,000	150,000
6514 - Consolidate and Upgrade Servers	3,217	463,243	463,243	150,000	150,000
6547 - Convention Center Land Purchase	0	4,108,395	4,108,395	0	0
6018 - Convention Center Repairs and Upgrades	64,737	154,600	154,600	0	0
6550 - Cyber Security Risk Mitigation	24,359	130,758	130,758	0	0
6559 - Downtown Master Plan	209,561	100,000	100,000	0	300,000
6560 Downtown Master Plan Implementation	0	1,800,000	1,800,000	0	30,000
6551 - End User/Desktop Transformation	0	95,851	95,851	0	0
6501 - FHRMS Update Project	990	1,041,211	1,041,211	75,000	75,000
6557 - Fire Station Video Conferencing	0	198,961	198,961	0	0
6534 - GIS Enterprise System (Geospatial Information System)	281,860	344,882	344,882	300,000	300,000
6532 - Intranet Collaboration Suite Implementation	0	175,375	175,375	0	0
6558 - Morse Mansion Rehabilitation	44,398	76,516	76,516	50,000	50,000
6555 - Office Reconfiguration	26,034	330,157	330,157	0	0
6075 - Permit Information System	585,083	1,098,049	1,098,049	0	0
6599 - PW Capital Projects Management - General Government	30,472	42,889	42,889	35,736	0
6505 - Replace Network Equipment	17,195	936,889	936,889	0	0
6053 - Telephone System Enhancements	52,118	0	0	0	0

CAPITAL IMPROVEMENT PROGRAM FUNDS | GENERAL GOVERNMENT CAPITAL FUND (539)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures					
6103 - Utility Management Information System (UMIS) Enhancements	138,210	1,447,543	1,447,543	500,000	500,000
6521 - Web Content Management System	123,226	36,679	36,679	0	0
6520 - Zoning Code Update	57,256	75,440	75,440	0	0
Total Expenditures	**1,800,296**	**14,715,120**	**14,715,120**	**1,260,736**	**1,555,000**
Transfers To					
Electric Utility Fund	171,196	91,540	91,540	0	0
General Fund - Building Inspection Reserve	14,727	0	0	0	0
General Fund - Capital Projects Reserve	50,534	884,901	884,901	0	0
Public, Educational, and Governmental Fee Fund	2,056,894	0	0	0	0
Solid Waste Fund	12,120	23,659	23,659	0	0
Sewer Utility Fund	12,238	10,642	10,642	0	0
Water Utility Fund	16,849	31,248	31,248	0	0
Total Transfers To	**2,334,558**	**1,041,990**	**1,041,990**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	1,043,703	1,043,703	1,043,703	455,380	1,043,703
Unrestricted	11,466,221	0	0	0	0
Total Ending Fund Balance	**12,509,924**	**1,043,703**	**1,043,703**	**455,380**	**1,043,703**
Total Use of Funds	**16,644,778**	**16,800,813**	**16,800,813**	**1,716,116**	**2,598,703**

CAPITAL IMPROVEMENT PROGRAM FUNDS | LIBRARY DEPARTMENT CAPITAL FUND (537)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	49,198	9,247	9,247	18,377	9,247
Unrestricted	185,436	201,980	201,980	0	0
Total Beginning Fund Balance	**234,634**	**211,227**	**211,227**	**18,377**	**9,247**
Transfers From					
Electric Utility Fund	0	114,982	114,982	0	0
General Fund	10,633	8,699	8,699	0	7,872
Total Transfers From	**10,633**	**123,681**	**123,681**	**0**	**7,872**
Total Source of Funds	**245,267**	**334,908**	**334,908**	**18,377**	**17,119**
Expenditures					
5053 - Northside Library Photovoltaic System	0	114,982	114,982	0	0
5049 - Public Spaces	23,074	180,860	180,860	0	0
5099 - PW Capital Projects Management	6,131	8,699	8,699	0	7,872
5044 - Remodel of Mission Branch Library	4,835	0	0	0	0
Total Expenditures	**34,040**	**304,541**	**304,541**	**0**	**7,872**
Transfers To					
General Fund - Capital Projects Reserve	0	21,120	21,120	0	0
Total Transfers To	**0**	**21,120**	**21,120**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	9,247	9,247	9,247	18,377	9,247
Unrestricted	201,980	0	0	0	0
Total Ending Fund Balance	**211,227**	**9,247**	**9,247**	**18,377**	**9,247**
Total Use of Funds	**245,267**	**334,908**	**334,908**	**18,377**	**17,119**

CAPITAL IMPROVEMENT PROGRAM FUNDS | PARKS AND RECREATION CAPITAL FUND (532)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	19,060,356	8,271,476	8,271,476	19,060,356	8,271,476
Unrestricted	16,059,829	16,648,868	16,648,868	14,200,363	5,693,934
Total Beginning Fund Balance	**35,120,185**	**24,920,344**	**24,920,344**	**33,260,719**	**13,965,410**
Revenue					
Other Agencies Revenue	11,562	1,800,000	30,845	0	256,662
Mitigation Fee Act Revenue	7,159,545	10,094,616	33,474	12,107,126	12,107,126
Quimby Act Fees	1,655,255	1,440,202	1,440,202	0	0
Other Revenue	16,375	1,131,490	7,000	0	0
Developer Contributions	135,559	500,000	0	0	0
Interest	486,955	0	350,000	0	0
Total Revenue	**9,465,251**	**14,966,308**	**1,861,521**	**12,107,126**	**12,363,788**
Transfers From					
General Fund	183,056	200,000	200,000	200,000	200,000
General Fund - Capital Projects Reserve	277,820	906,880	906,880	0	0
Total Transfers From	**460,876**	**1,106,880**	**1,106,880**	**200,000**	**200,000**
Total Source of Funds	**45,046,312**	**40,993,532**	**27,888,745**	**45,567,845**	**26,529,198**
Expenditures					
3187 - Bowers Park Roof Replacement	0	258,500	258,500	0	0
3183 - Central Park Arbor Playground	242,605	3,720,500	3,720,500	0	0
3133 - Central Park Master Plan - New Entrance, Access, and Parking Improvements	0	0	0	2,518,448	2,518,448
3132 - Community Park North - Phase I	0	500,000	500,000	0	0
3134 - Electronic Access for Meeting Rooms	0	576,200	576,200	0	0
NEW - Henry Schmidt Park Playground Rehabilitation	0	0	0	0	235,000

CAPITAL IMPROVEMENT PROGRAM FUNDS | PARKS AND RECREATION CAPITAL FUND (532)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures					
3189 - Homeridge Park Playground Rehabilitation	176,895	135,916	135,916	0	0
3130 - Maywood Park Playground Rehabilitation	0	0	0	2,000,000	2,256,662
3146 - Mission Library Gazebo	0	200,000	200,000	0	0
3184 - Montague Park Enhancement	198,392	3,679,185	3,679,185	0	0
3182 - New Neighborhood Park & Community Garden (San Tomas & Monroe)	0	85,000	85,000	0	0
3181 - Park Impact Fees (Quimby, MFA, Developer) Monitoring Project	39,601	665,263	665,263	220,000	250,000
3001 - Park Improvements	166,566	510,184	510,184	0	0
3178 - Playground Construction	1,061,297	81,266	81,266	0	0
3199 - PW Capital Projects Management	1,760,096	646,878	646,878	679,257	493,379
3186 - Restroom at Fairway Glen Park	0	700,582	700,582	0	0
3138 - Rotary Park Playground Rehabilitation	0	235,000	0	0	0
3188 - Senior Center Gym Equipment Replacement	0	183,056	183,056	0	0
3137 - Warburton Park Playground Rehabilitation	0	0	0	1,331,800	1,331,800
3136 - Westwood Oaks Park Playground Rehabilitation	0	1,149,800	1,149,800	0	0
3177 - Youth Soccer Fields & Athletic Facilities- Reed & Grant Street	14,739,709	192,887	192,887	0	0
Total Expenditures	**18,385,161**	**13,520,217**	**13,285,217**	**6,749,505**	**7,085,289**

CAPITAL IMPROVEMENT PROGRAM FUNDS | PARKS AND RECREATION CAPITAL FUND (532)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Transfers To					
General Fund	275,138	2,000	2,000	0	0
General Fund - Capital Projects Reserve	215,000	627,750	627,750	0	0
General Fund - Land Sale Reserve (Loan Repayment for Reed and Grant Sports Park)	1,250,669	2,523,654	8,368	3,026,782	3,026,782
Streets and Highways Capital Fund	0	0	0	0	2,025,000
Total Transfers To	**1,740,807**	**3,153,404**	**638,118**	**3,026,782**	**5,051,782**
Ending Fund Balance					
Encumbrance Carryover	8,271,476	8,271,476	8,271,476	19,060,356	8,271,476
Unrestricted	16,648,868	16,048,435	5,693,934	16,731,202	6,120,651
Total Ending Fund Balance	**24,920,344**	**24,319,911**	**13,965,410**	**35,791,558**	**14,392,127**
Total Use of Funds	**45,046,312**	**40,993,532**	**27,888,745**	**45,567,845**	**26,529,198**

CAPITAL IMPROVEMENT PROGRAM FUNDS | PUBLIC BUILDINGS CAPITAL FUND (538)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	692,587	408,270	408,270	692,587	408,270
Unrestricted	8,057,722	9,545,482	9,545,482	111,789	0
Total Beginning Fund Balance	**8,750,309**	**9,953,752**	**9,953,752**	**804,376**	**408,270**
Revenue					
Other Revenue	72,488	1,098,312	1,098,312	0	0
Total Revenue	**72,488**	**1,098,312**	**1,098,312**	**0**	**0**
Transfers From					
General Fund	100,571	102,751	102,751	107,815	12,953
General Fund - Capital Projects Reserve	2,847,000	1,635,000	1,635,000	285,000	385,000
Water Utility Fund	0	231,050	231,050	0	0
Total Transfers From	**2,947,571**	**1,968,801**	**1,968,801**	**392,815**	**397,953**
Total Source of Funds	**11,770,368**	**13,020,865**	**13,020,865**	**1,197,191**	**806,223**
Expenditures					
6153 - ADA Self Evaluation and Transition Plan Update	316,218	10,529	10,529	0	0
6147 - Building Security Upgrade	0	55,907	55,907	0	0
6150 - City Hall Security & Key System Upgrade	75,587	1,308	1,308	0	0
6144 - Civic Center Campus Renovation (Multi-Department)	42,755	1,047,400	1,047,400	0	0
6154 - Convention Center Condition Assessment Repairs	72,488	39,312	39,312	0	0
NEW - COVID-19 Safety Renovations	0	0	0	0	100,000
6137 - Hazardous Material Management for Soil and Groundwater on City Properties	5,565	178,252	178,252	0	0
6149 - HVAC Chiller Unit	434,722	50,000	50,000	0	0

CAPITAL IMPROVEMENT PROGRAM FUNDS | PUBLIC BUILDINGS CAPITAL FUND (538)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures					
6123 - Public Building Parking Lot Improvements	0	462,105	462,105	0	0
6199 - PW Capital Projects Management Costs	143,513	59,809	59,809	107,815	12,953
6139 - Repair to Historic Buildings	27,116	400,000	400,000	100,000	100,000
6138 - Repairs-Modifications to City Buildings	86,243	272,708	272,708	150,000	150,000
6158 - Stationary Standby Generators	87,224	4,899,777	4,899,777	0	0
6054 - Street Corporation Yard Renovation	206,312	0	0	0	0
6140 - Triton Museum Repair and Modifications	27,189	66,400	66,400	35,000	35,000
Total Expenditures	**1,524,932**	**7,543,507**	**7,543,507**	**392,815**	**397,953**
Transfers To					
Convention Center Capital Fund	0	4,059,000	4,059,000	0	0
General Fund	0	146,800	146,800	0	0
General Fund - Capital Projects Reserve	291,684	863,288	863,288	0	0
Total Transfers To	**291,684**	**5,069,088**	**5,069,088**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	408,270	408,270	408,270	692,587	408,270
Unrestricted	9,545,482	0	0	111,789	0
Total Ending Fund Balance	**9,953,752**	**408,270**	**408,270**	**804,376**	**408,270**
Total Use of Funds	**11,770,368**	**13,020,865**	**13,020,865**	**1,197,191**	**806,223**

CAPITAL IMPROVEMENT PROGRAM FUNDS | RECYCLED WATER CAPITAL FUND (597)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Unrestricted	1,328,477	1,378,477	1,378,477	1,328,477	1,378,477
Total Beginning Fund Balance	**1,328,477**	**1,378,477**	**1,378,477**	**1,328,477**	**1,378,477**
Transfers From					
Water Recycling Fund	50,000	550,000	550,000	50,000	50,000
Total Transfers From	**50,000**	**550,000**	**550,000**	**50,000**	**50,000**
Total Source of Funds	**1,378,477**	**1,928,477**	**1,928,477**	**1,378,477**	**1,428,477**
Expenditures					
7505 - Recycled Water System Mains and Services	0	550,000	550,000	50,000	50,000
Total Expenditures	**0**	**550,000**	**550,000**	**50,000**	**50,000**
Ending Fund Balance					
Unrestricted	1,378,477	1,378,477	1,378,477	1,328,477	1,378,477
Total Ending Fund Balance	**1,378,477**	**1,378,477**	**1,378,477**	**1,328,477**	**1,378,477**
Total Use of Funds	**1,378,477**	**1,928,477**	**1,928,477**	**1,378,477**	**1,428,477**

CAPITAL IMPROVEMENT PROGRAM FUNDS | RELATED

SANTA CLARA DEVELOPER FUND (540)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Unrestricted	0	(328,994)	(328,994)	0	3,000
Total Beginning Fund Balance	**0**	**(328,994)**	**(328,994)**	**0**	**3,000**
Revenue					
Other Revenue	225,128	3,293,143	3,278,534	1,655,852	968,103
Interest	0	0	3,000	0	0
Total Revenue	**225,128**	**3,293,143**	**3,281,534**	**1,655,852**	**968,103**
Total Source of Funds	**225,128**	**2,964,149**	**2,952,540**	**1,655,852**	**971,103**
Expenditures					
4511 - Related General Admin Project	288,930	0	0	394,696	383,939
4512 - Related Permit Work Project	265,192	162,062	162,062	1,261,156	584,164
4513 - Other Development Project Services	0	2,787,478	2,787,478	0	0
Total Expenditures	**554,122**	**2,949,540**	**2,949,540**	**1,655,852**	**968,103**
Ending Fund Balance					
Unrestricted	(328,994)	14,609	3,000	0	3,000
Total Ending Fund Balance	**(328,994)**	**14,609**	**3,000**	**0**	**3,000**
Total Use of Funds	**225,128**	**2,964,149**	**2,952,540**	**1,655,852**	**971,103**

CAPITAL IMPROVEMENT PROGRAM FUNDS | SEWER UTILITY CAPITAL FUND (594)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	768,590	2,018,647	2,018,647	768,590	2,018,647
Unrestricted	72,417,117	54,687,507	54,687,507	10,867,320	34,795,220
Total Beginning Fund Balance	**73,185,707**	**56,706,154**	**56,706,154**	**11,635,910**	**36,813,867**
Revenue					
Other Agencies Revenue	8,783,372	0	8,267,393	0	0
Other Fees for Services	4,468,006	3,680,780	4,000,000	4,180,752	4,180,752
Interest	705,177	0	0	0	0
Other Revenue	1,124,123	0	583,962	0	0
Total Revenue	**15,080,678**	**3,680,780**	**12,851,355**	**4,180,752**	**4,180,752**
Transfers From					
Sewer Utility Fund	5,019,553	33,618,599	33,618,599	5,611,748	5,611,748
Sewer Utility Debt Service Fund	19,804,500	0	0	25,000,000	18,588,216
Water Utility Capital Fund	136,361	0	0	0	0
Total Transfers From	**24,960,414**	**33,618,599**	**33,618,599**	**30,611,748**	**24,199,964**
Total Source of Funds	**113,226,799**	**94,005,533**	**103,176,108**	**46,428,410**	**65,194,583**
Expenditures					
1907 - Development Extensions	0	220,445	220,445	0	0
1979 - PW Capital Projects Management - Sewer Utility	510,387	1,014,406	1,014,406	789,658	1,083,803
1909 - Sanitary Sewer Capacity Improvements	731,873	20,978,176	20,978,176	4,110,000	4,038,607
1919 - Sanitary Sewer Hydraulic Modeling As Needed Support	153,916	632,113	632,113	300,000	300,000
1913 - Sanitary Sewer Pump Station Improvements	30,146	0	0	0	0
1911 - Sanitary Sewer System Condition Assessment	825,307	4,700,000	4,700,000	1,500,000	1,500,000
1912 - Sanitary Sewer System Improvements	4,436,795	5,115,000	5,115,000	2,718,000	2,632,329

CAPITAL IMPROVEMENT PROGRAM FUNDS | SEWER UTILITY CAPITAL FUND (594)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures					
1908 - S.J.-S.C. Regional Wastewater Facility	49,832,221	33,451,789	9,952,101	25,374,842	18,588,216
1916 - Walsh Avenue @ San Tomas Aquino Creek Sanitary Sewer Siphon	0	750,000	750,000	0	0
Total Expenditures	**56,520,645**	**66,861,929**	**43,362,241**	**34,792,500**	**28,142,955**
Transfers To					
Sewer Utility Fund	0	0	23,000,000	0	0
Total Transfers To	**0**	**0**	**23,000,000**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	2,018,647	2,018,647	2,018,647	768,590	2,018,647
Unrestricted	54,687,507	25,124,957	34,795,220	10,867,320	35,032,981
Total Ending Fund Balance	**56,706,154**	**27,143,604**	**36,813,867**	**11,635,910**	**37,051,628**
Total Use of Funds	**113,226,799**	**94,005,533**	**103,176,108**	**46,428,410**	**65,194,583**

CAPITAL IMPROVEMENT PROGRAM FUNDS | SOLID WASTE CAPITAL FUND (596)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	87,416	0	0	0	0
Landfill Post Closure Reserve	600,000	600,000	600,000	600,000	600,000
Landfill Corrective Action Costs	750,653	459,959	459,959	761,174	436,503
Unrestricted	72,493	272,413	272,413	0	591,328
Total Beginning Fund Balance	**1,510,562**	**1,332,372**	**1,332,372**	**1,361,174**	**1,627,831**
Revenue					
Rents	17,418	16,000	16,000	16,000	16,000
Developer Contributions	0	0	0	0	173,700
Total Revenue	**17,418**	**16,000**	**16,000**	**16,000**	**189,700**
Transfers From					
Solid Waste Fund	474,000	729,459	729,459	621,401	250,000
Total Transfers From	**474,000**	**729,459**	**729,459**	**621,401**	**250,000**
Total Source of Funds	**2,001,980**	**2,077,831**	**2,077,831**	**1,998,575**	**2,067,531**
Expenditures					
6109 - Sanitary Landfill Development - Post Closure	669,608	736,721	450,000	623,700	623,700
Total Expenditures	**669,608**	**736,721**	**450,000**	**623,700**	**623,700**
Ending Fund Balance					
Landfill Post Closure Reserve	600,000	600,000	600,000	600,000	600,000
Landfill Corrective Action Costs	459,959	473,418	436,503	774,875	436,503
Unrestricted	272,413	267,692	591,328	0	407,328
Total Ending Fund Balance	**1,332,372**	**1,341,110**	**1,627,831**	**1,374,875**	**1,443,831**
Total Use of Funds	**2,001,980**	**2,077,831**	**2,077,831**	**1,998,575**	**2,067,531**

CAPITAL IMPROVEMENT PROGRAM FUNDS | STORM DRAIN CAPITAL FUND (535)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	1,104,599	1,659,746	1,659,746	1,093,722	1,659,746
Unrestricted	2,202,772	6,076,212	6,076,212	14,281	302,300
Total Beginning Fund Balance	**3,307,371**	**7,735,958**	**7,735,958**	**1,108,003**	**1,962,046**
Revenue					
Interest	11,312	0	0	0	0
Charges for Services	1,469,142	1,460,000	1,454,379	1,475,000	1,454,000
Total Revenue	**1,480,454**	**1,460,000**	**1,454,379**	**1,475,000**	**1,454,000**
Transfers From					
General Fund	4,720,000	0	0	314,551	253,169
General Fund - Capital Projects Reserve	230,506	4,489,447	4,489,447	339,000	339,000
Total Transfers From	**4,950,506**	**4,489,447**	**4,489,447**	**653,551**	**592,169**
Total Source of Funds	**9,738,331**	**13,685,405**	**13,679,784**	**3,236,554**	**4,008,215**
Expenditures					
1840 - Kiely Blvd.-Saratoga Creek Storm Drain Outfall Relocation	0	125,500	125,500	0	0
1841 - Laurelwood Pump Station Rehabilitation	376,187	7,210,493	7,210,493	0	0
1831 - Storm Drain Repairs and Maintenance	0	100,000	100,000	0	0
1811 - Storm Drain Pump Station Facility Maintenance & Repair	6,153	175,734	175,734	0	0
1899 - PW Capital Projects Management	56,843	473,110	473,110	314,551	253,169
1834 - Storm Drain System Improvements	0	33,268	33,268	0	0
1835 - Storm Drain Pump Station Outfall Reconstruction Program	0	493,143	493,143	0	0
1837 - Storm Water Retention Basin Remediation	1,638	10,877	10,877	0	0

CAPITAL IMPROVEMENT PROGRAM FUNDS | STORM DRAIN CAPITAL FUND (535)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures					
1838 - SDPS Motor and Control Maintenance, Repair, and Replacement	70,050	559,061	559,061	189,000	189,000
1839 - Urban Runoff Pollution Prevention Program	69,481	354,131	354,131	150,000	150,000
1842 - Westside Retention Basin Pump Replacement Project	16,876	93,421	93,421	0	0
1843 - Lafayette St. Underpass at Subway Pump Station	0	238,000	238,000	0	0
1844 - Storm Drain Slide Gate Rehabilitation	0	390,000	390,000	0	0
Total Expenditures	**597,228**	**10,256,738**	**10,256,738**	**653,551**	**592,169**
Transfers To					
General Fund	1,398,145	1,460,000	1,460,000	1,475,000	1,454,000
General Government Capital Fund	1,000	1,000	1,000	1,000	1,000
Electric Utility Capital Fund	6,000	0	0	0	0
Total Transfers To	**1,405,145**	**1,461,000**	**1,461,000**	**1,476,000**	**1,455,000**
Ending Fund Balance					
Encumbrance Carryover	1,659,746	1,659,746	1,659,746	1,093,722	1,659,746
Unrestricted	6,076,212	307,921	302,300	13,281	301,300
Total Ending Fund Balance	**7,735,958**	**1,967,667**	**1,962,046**	**1,107,003**	**1,961,046**
Total Use of Funds	**9,738,331**	**13,685,405**	**13,679,784**	**3,236,554**	**4,008,215**

CAPITAL IMPROVEMENT PROGRAM FUNDS | STREET LIGHTING CAPITAL FUND (534)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Unrestricted	6,093,197	6,187,932	6,187,932	250,784	250,784
Total Beginning Fund Balance	**6,093,197**	**6,187,932**	**6,187,932**	**250,784**	**250,784**
Revenue					
Other Revenue	1,474	0	4,040	0	0
Total Revenue	**1,474**	**0**	**4,040**	**0**	**0**
Transfers From					
Electric Utility Fund	169,626	125,000	125,000	2,625,000	0
Total Transfers From	**169,626**	**125,000**	**125,000**	**2,625,000**	**0**
Total Source of Funds	**6,264,297**	**6,312,932**	**6,316,972**	**2,875,784**	**250,784**
Expenditures					
2875 - Great America Street Light Replacement	9,339	4,100,456	4,100,456	2,500,000	0
2876 - LED Street Flood Lighting Retrofit	43,279	0	0	0	0
2874 - LED Street Lighting Retrofit	0	1,721,382	1,721,382	0	0
2871 - Miscellaneous Street Lighting	23,747	171,323	171,323	125,000	0
Total Expenditures	**76,365**	**5,993,161**	**5,993,161**	**2,625,000**	**0**
Transfers To					
Electric Utility Fund	0	110,211	110,211	0	0
Total Transfers To	**0**	**110,211**	**110,211**	**0**	**0**
Ending Fund Balance					
Unrestricted	6,187,932	209,560	213,600	250,784	250,784
Total Ending Fund Balance	**6,187,932**	**209,560**	**213,600**	**250,784**	**250,784**
Total Use of Funds	**6,264,297**	**6,312,932**	**6,316,972**	**2,875,784**	**250,784**

CAPITAL IMPROVEMENT PROGRAM FUNDS | STREETS AND HIGHWAYS CAPITAL FUND (533)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	11,627,441	9,383,505	9,383,505	11,536,615	9,383,505
Unrestricted	17,918,901	24,467,634	24,467,634	866,243	2,164,096
Total Beginning Fund Balance	**29,546,342**	**33,851,139**	**33,851,139**	**12,402,858**	**11,547,601**
Revenue					
Other Agencies Revenue	4,966,313	20,441,631	20,441,631	6,822,242	7,046,603
Other Revenue	(265,300)	4,863,218	4,863,218	295,000	295,000
Interest	54,076	0	43,352	0	0
Other Fees for Services	3,218	0	0	0	0
State Revenues	350,000	850,000	850,000	850,000	850,000
Total Revenue	**5,108,307**	**26,154,849**	**26,198,201**	**7,967,242**	**8,191,603**
Transfers From					
Bridge District #2 Fund	65,000	140,000	140,000	80,000	80,000
Electric Utility Fund	68,688	0	0	0	90,000
Electric Operating Grant Trust Fund	0	400,000	400,000	400,000	400,000
Gas Tax Fund	4,254,548	2,567,856	2,567,856	2,482,144	2,482,144
General Fund	1,816,842	3,724,697	3,724,697	3,950,635	2,103,129
General Fund - Capital Projects Reserve	100,000	6,735,000	6,735,000	6,255,000	6,578,000
Parks and Recreation Capital Fund	0	0	0	0	2,025,000
Road Maintenance and Rehabilitation (SB1) Fund	2,403,979	2,100,000	2,100,000	2,100,000	2,100,000
Sewer Utility Fund	74,725	0	0	0	0
Traffic Mitigation Fund	1,443,500	2,003,500	2,003,500	2,184,927	2,184,927
Water Utility Fund	116,855	0	0	0	0
Total Transfers From	**10,344,137**	**17,671,053**	**17,671,053**	**17,452,706**	**18,043,200**
Total Source of Funds	**44,998,786**	**77,677,041**	**77,720,393**	**37,822,806**	**37,782,404**

CAPITAL IMPROVEMENT PROGRAM FUNDS | STREETS AND HIGHWAYS CAPITAL FUND (533)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures					
1239 - Adaptive Signal System	0	1,850,000	1,850,000	0	0
1255 - Adaptive Signal System (Santana West Settlement Agreement)	0	950,000	950,000	0	0
1202 - Agnew Road At-Grade Crossing	2,663	566,404	566,404	0	0
1209 - Agnew Road/De La Cruz Blvd Signal Timing	325,139	0	0	0	0
1203 - Annual Creek Trail Rehabilitation Program	0	660,000	660,000	580,000	580,000
1250 - Annual Curb Ramp Installation	0	300,000	300,000	300,000	300,000
1235 - Annual Street Maintenance and Rehabilitation Program	5,375,799	16,429,400	16,429,400	6,459,711	6,459,711
1245 - Benton Bicycle Lanes	37,813	1,674,500	1,674,500	0	0
1206 - Bicycle Lane Improvements on Pruneridge Avenue at Lawrence Expressway	26,230	461,047	461,047	0	0
1379 - Bicycle Plan	6,103	0	0	0	0
1391 - Bowers Avenue Signal Timing Project	729,267	112,399	112,399	0	0
1325 - Bridge Maintenance Program	0	399,894	399,894	330,000	330,000
1227 - Changeable Message Signs	0	3,769,851	3,769,851	0	0
1222 - Citywide Accessible Pedestrian Signal Installation	0	188,768	188,768	0	0
1201 - Creek Trail Network Expansion Master Plan	61,832	0	0	0	0
1251 - HAWK Beacon Scott @ Harrison	0	750,000	750,000	0	0

CAPITAL IMPROVEMENT PROGRAM FUNDS | STREETS AND HIGHWAYS CAPITAL FUND (533)

		2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures						
1257	- Hetch Hetchy Trail Phase I	0	0	0	790,000	790,000
1208	- Homestead Road Signal Timing	225,549	56,480	56,480	0	0
1246	- Lafayette Bassett Bike Lane	0	600,000	600,000	0	224,361
1390	- Lafayette Street Signal Timing Project	888,370	0	0	0	0
1240	- Lawrence Grade Separation	0	15,000	15,000	0	0
1212	- LED Traffic Signal & Safety Light Replacements	0	806,692	806,692	0	0
1207	- Lick Mill Blvd Signal Timing	193,390	47,532	47,532	0	0
1247	- Lick Mill East River HAWK Installation	60,259	654,247	654,247	0	0
1267	- Lick Mill Pedestrian Beacon Upgrade	0	500,000	500,000	0	0
1237	- MCB/GAP Intersection Improvement Project	200,730	5,728,289	5,728,289	0	0
1210	- Mission College Bike Lanes Project	246,296	0	0	0	0
1259	- Monroe - Los Padres Traffic Signal Modification	0	0	0	145,000	145,000
1258	- Multimodal Improvement Plan Phase 2	0	295,000	295,000	295,000	295,000
1211	- Neighborhood Traffic Calming	49,930	490,276	490,276	250,000	250,000
1220	- Pedestrian and Bicycle Enhancement Facilities	44,896	1,376,174	1,376,174	1,200,000	1,200,000
1238	- Pedestrian Crosswalk Sensors	0	300,000	300,000	0	0
1233	- Pedestrian Master Plan	159,001	0	0	0	0

CAPITAL IMPROVEMENT PROGRAM FUNDS | STREETS AND HIGHWAYS CAPITAL FUND (533)

		2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures						
1205	- Pepper Tree Neighborhood Traffic Calming Study	0	89,745	89,745	0	0
1248	- Pruneridge Ave. Campbell Street Plan	0	416,347	416,347	0	0
1254	- Public Right-of-Way ADA Improvements	0	5,750,000	5,750,000	5,000,000	5,000,000
1230	- Public Right-of-Way Landscaping Improvement	0	235,710	235,710	0	0
1199	- PW Capital Projects Management - Streets and Highways	1,063,617	2,339,642	2,339,642	1,925,635	2,103,129
1249	- Related CA Multimodal Improvement Plan	0	740,000	740,000	0	0
1228	- Replacement of Underground Traffic Signal Infrastructure	0	120,122	120,122	50,000	50,000
1264	- San Tomas Aquino Creek Spur Trail Project	0	0	0	2,449,000	2,449,000
1385	- Santa Clara Citywide ITS Project 1 (Tasman, GAP, Homestead, etc.)	3,861	261,530	261,530	0	0
1386	- Santa Clara Citywide ITS Project 2 (Lafayette, Benton, and Monroe)	327	435,177	435,177	0	0
1261	- Santa Clara School Access Improvements	0	200,000	200,000	1,450,000	1,450,000
1225	- Santa Clara Valley Transportation Authority - Congestion Management Program	256,666	244,560	244,560	245,000	245,000

CAPITAL IMPROVEMENT PROGRAM FUNDS | STREETS AND HIGHWAYS CAPITAL FUND (533)

		2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures						
1204	- Saratoga Creek Trail (Homeridge Park to Central Park)	63,110	4,217,550	4,217,550	2,025,000	2,025,000
1253	- Saratoga Ave Bicycle Lanes	0	71,000	71,000	0	0
1262	- Scott-Benton Traffic Signal Timing	0	165,000	165,000	0	0
1244	- Scott Boulevard Signal Timing	62,630	327,879	327,879	0	0
1252	- Scott Boulevard Signal Timing Phase II	0	165,500	165,500	0	0
1382	- Sidewalk, Curb and Gutter Repair	381,485	458,762	458,762	380,000	380,000
1392	- SRTS Pedestrian Infrastructure Improvements Project	178,341	56,263	56,263	0	0
1272	- TDA Bicycle Facilities Upgrade	0	94,054	94,054	0	0
1260	- Traffic Calming (Santana West Settlement Agreement)	0	250,000	250,000	0	0
1256	- Traffic Engineering Consultant Support	0	125,000	125,000	125,000	125,000
1218	- Traffic Pre-Emptors	0	729,291	729,291	150,000	150,000
1357	- Traffic Signal Controller Upgrade	0	452,372	452,372	0	0
1219	- Traffic Signal Enhancements	19,845	127,324	127,324	0	0
1229	- Traffic Signal Installation – Pruneridge Ave/Cronin Dr Intersection	48,388	24,668	24,668	0	0
1232	- Traffic Signal Interconnect Upgrade	0	100,000	100,000	350,000	350,000

CAPITAL IMPROVEMENT PROGRAM FUNDS | STREETS AND HIGHWAYS CAPITAL FUND (533)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Expenditures					
1217 - Traffic Signal Management Software Upgrade	44,292	1,135,271	1,135,271	353,071	353,071
1216 - Traffic Studies and Signal Needs Assessment/Upgrade	0	221,533	221,533	100,000	100,000
1234 - Travel Demand Model Update	16,700	200,000	200,000	0	0
1271 - Tree Replacement	0	9,681	9,681	0	0
NEW - Street Tree Services	0	0	0	0	413,000
1226 - Uncontrolled Crosswalks Improvements	131,910	2,449,708	2,449,708	400,000	400,000
1376 - Vehicle Emissions Reductions Based in School (VERBS) Phase 2	164,886	328,783	328,783	67,531	67,531
Total Expenditures	**11,069,325**	**61,524,425**	**61,524,425**	**25,419,948**	**26,234,803**
Transfers To					
Gas Tax Fund	78,042	2,076,876	2,076,876	0	0
Traffic Mitigation Fund	280	2,571,491	2,571,491	0	0
Total Transfers To	**78,322**	**4,648,367**	**4,648,367**	**0**	**0**
Ending Fund Balance					
Encumbrance Carryover	9,383,505	9,383,505	9,383,505	11,536,615	9,383,505
Unrestricted	24,467,634	2,120,744	2,164,096	866,243	2,164,096
Total Ending Fund Balance	**33,851,139**	**11,504,249**	**11,547,601**	**12,402,858**	**11,547,601**
Total Use of Funds	**44,998,786**	**77,677,041**	**77,720,393**	**37,822,806**	**37,782,404**

CAPITAL IMPROVEMENT PROGRAM FUNDS | TASMAN EAST INFRASTRUCTURE IMPROVEMENT FUND (541)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Unrestricted	0	0	0	0	0
Total Beginning Fund Balance	**0**	**0**	**0**	**0**	**0**
Revenue					
Tasman East Infrastructure Impact Fee	0	175,757	0	0	1,192,891
Total Revenue	**0**	**175,757**	**0**	**0**	**1,192,891**
Transfers From					
General Fund - Capital Projects	0	0	175,757	0	0
Total Transfers From	**0**	**0**	**175,757**	**0**	**0**
Total Source of Funds	**0**	**175,757**	**175,757**	**0**	**1,192,891**
Expenditures					
4610 - Tasman East Administration	0	175,757	175,757	0	23,757
Total Expenditures	**0**	**175,757**	**175,757**	**0**	**23,757**
Transfers To					
General Fund - Capital Projects Reserve	0	0	0	0	175,757
Total Transfers To	**0**	**0**	**0**	**0**	**175,757**
Ending Fund Balance					
Unrestricted	0	0	0	0	993,377
Total Ending Fund Balance	**0**	**0**	**0**	**0**	**993,377**
Total Use of Funds	**0**	**175,757**	**175,757**	**0**	**1,192,891**

CAPITAL IMPROVEMENT PROGRAM FUNDS | WATER UTILITY CAPITAL FUND (592)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Beginning Fund Balance					
Encumbrance Carryover	322,590	10,510,726	10,510,726	322,590	10,510,726
Unrestricted	14,972,877	16,457,768	16,457,767	1,639,784	11,803,093
Total Beginning Fund Balance	**15,295,467**	**26,968,494**	**26,968,493**	**1,962,374**	**22,313,819**
Revenue					
Other Revenue	57,025	0	83,381	0	0
Total Revenue	**57,025**	**0**	**83,381**	**0**	**0**
Transfers From					
Sewer Utility Fund	545,000	500,000	500,000	500,000	500,000
Water Utility Fund	13,040,735	4,110,000	4,110,000	5,785,000	5,785,000
Total Transfers From	**13,585,735**	**4,610,000**	**4,610,000**	**6,285,000**	**6,285,000**
Total Source of Funds	**28,938,227**	**31,578,494**	**31,661,874**	**8,247,374**	**28,598,819**
Expenditures					
7057 - Asset Management Program	111,312	2,750,000	2,750,000	150,000	150,000
7005 - Buildings and Grounds	56,275	485,000	485,000	135,000	135,000
7054 - Distribution System Replacement/Restoration	1,277,121	3,875,000	3,875,000	2,000,000	2,000,000
7059 - New and Replacement Wells	125,337	0	7,005	3,000,000	3,000,000
7056 - Office Rehabilitation	12,975	0	0	0	0
7058 - SCADA Improvements	60,378	2,000,000	2,000,000	1,000,000	1,000,000
7060 - Tank Rehabilitation	189,975	0	0	0	0
Total Expenditures	**1,833,373**	**9,110,000**	**9,117,005**	**6,285,000**	**6,285,000**
Transfers To					
Public Buildings Fund	0	231,050	231,050	0	0
Sewer Utility Capital Fund	136,361	0	0	0	0
Total Transfers To	**136,361**	**231,050**	**231,050**	**0**	**0**

CAPITAL IMPROVEMENT PROGRAM FUNDS | WATER UTILITY CAPITAL FUND (592)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Adopted	2021/22 Amended
Ending Fund Balance					
Encumbrance Carryover	10,510,726	10,510,726	10,510,726	322,590	10,510,726
Unrestricted	16,457,767	11,726,718	11,803,093	1,639,784	11,803,093
Total Ending Fund Balance	**26,968,493**	**22,237,444**	**22,313,819**	**1,962,374**	**22,313,819**
Total Use of Funds	**28,938,227**	**31,578,494**	**31,661,874**	**8,247,374**	**28,598,819**

Other Agency Funds

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OTHER AGENCY FUNDS

The Sports and Open Space Authority of the City of Santa Clara (Authority) was created by the City Council in 1974 to establish a separate entity to acquire and develop open space within the City of Santa Clara. The validity of the Authority and its legal existence was established in 1975 by final judgment of the Santa Clara County Superior Court. The Santa Clara Golf and Tennis Club was developed by the Authority on City-owned land and operated under a management agreement with a private company and a private restaurant facility at the Golf and Tennis Club leased to a private operator. In 1997/98, the City Council set aside approximately 40 acres of the former golf course site to be preserved and maintained as open space, and in 1999 the Authority approved the sale of 4.3 acres of the former golf course property to the City's Redevelopment Agency to be disposed of as a site for development of affordable housing.

Santa Clara Golf and Tennis Club Fund (811)

This fund accounted for the operations of the City's public golf course. The operating lease expired and operations closed during FY 2019/20. This fund was closed effective FY 2019/20. However, there are ongoing maintenance costs funded by the General Fund until the property is turned over to the developer. These maintenance costs are budgeted in Non-Departmental.

Sports and Open Space Authority Capital Fund (840)

This fund accounted for the Authority's capital improvement program. The remaining fund balance was transferred to the Santa Clara Golf and Tennis Club Fund (as discussed in above section) in FY 2019/20. This fund was closed effective FY 2019/20.

Sports and Open Space Authority Fund (801)

This fund accounts for the acquisition and preservation of open space within the City and the development of local sports activities.

The following section details the Other Agency Funds' Statements of Sources and Uses and the Proposed Budget for Fiscal Year 2021/22 and Fiscal Year 2022/23 for Fund 801.

OTHER AGENCY FUNDS | SANTA CLARA GOLF AND TENNIS CLUB FUND (811)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	(107,160)	0	0	0	0
Total Beginning Fund Balance	**(107,160)**	**0**	**0**	**0**	**0**
Revenue					
Charges for Services	638,797	0	0	0	0
Other Revenue	34,754	0	0	0	0
Total Revenue	**673,551**	**0**	**0**	**0**	**0**
Transfers From					
General Fund	170,288	0	0	0	0
Sports and Open Space Authority Construction Fund	157,486	0	0	0	0
Total Transfers From	**327,774**	**0**	**0**	**0**	**0**
Total Source of Funds	**894,165**	**0**	**0**	**0**	**0**
Expenditures					
Materials/Services/Supplies	893,054	0	0	0	0
Interfund Services	1,111	0	0	0	0
Total Expenditures	**894,165**	**0**	**0**	**0**	**0**
Ending Fund Balance					
Unrestricted	0	0	0	0	0
Total Ending Fund Balance	**0**	**0**	**0**	**0**	**0**
Total Use of Funds	**894,165**	**0**	**0**	**0**	**0**

OTHER AGENCY FUNDS | SPORTS AND OPEN SPACE AUTHORITY CAPITAL FUND (840)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Unrestricted	157,486	0	0	0	0
Total Beginning Fund Balance	**157,486**	**0**	**0**	**0**	**0**
Total Source of Funds	**157,486**	**0**	**0**	**0**	**0**
Transfers To					
Santa Clara Golf and Tennis Club Fund	157,486	0	0	0	0
Total Transfers To	**157,486**	**0**	**0**	**0**	**0**
Ending Fund Balance					
Unrestricted	0	0	0	0	0
Total Ending Fund Balance	**0**	**0**	**0**	**0**	**0**
Total Use of Funds	**157,486**	**0**	**0**	**0**	**0**

OTHER AGENCY FUNDS | SPORTS AND OPEN SPACE AUTHORITY FUND (801)

	2019/20 Actual	2020/21 Amended	2020/21 Estimate	2021/22 Proposed	2022/23 Proposed
Beginning Fund Balance					
Encumbrance Carryover	1,713	0	0	0	0
Unrestricted	32,622	23,664	23,408	14,557	9,387
Total Beginning Fund Balance	**34,335**	**23,664**	**23,408**	**14,557**	**9,387**
Revenue					
Interest	546	1,000	290	250	250
Total Revenue	**546**	**1,000**	**290**	**250**	**250**
Total Source of Funds	**34,881**	**24,664**	**23,698**	**14,807**	**9,637**
Expenditures					
Board Member Stipend	4,920	4,320	4,920	4,920	4,920
Materials/Services/Supplies	6,553	5,220	4,221	500	500
Total Expenditures	**11,473**	**9,540**	**9,141**	**5,420**	**5,420**
Ending Fund Balance					
Unrestricted	23,408	15,124	14,557	9,387	4,217
Total Ending Fund Balance	**23,408**	**15,124**	**14,557**	**9,387**	**4,217**
Total Use of Funds	**34,881**	**24,664**	**23,698**	**14,807**	**9,637**

City Departments

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Mayor and City Council Offices

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Mayor and City Council Offices Description

The City Council consists of a Mayor who is elected at large and six Councilmembers that are elected by district and serve staggered four-year terms. The Council, as the legislative body, represents the residents of Santa Clara and is empowered by the City Charter to formulate Citywide policy, enact local legislation, adopt budgets, and appoint the City Manager, City Attorney and City Auditor. The Council conducts City Council meetings and study sessions as required.

The Mayor and Councilmembers serve on county, regional, and State organizations representing the City's interests. The Mayor and Councilmembers also serve as Agency and Authority Board Members, Commissioners or Directors of the Bayshore North Project Enhancement Authority, Housing Authority, Industrial Development Agency, Joint Financing Authority, Public Facilities Financing Corporation, Sports and Open Space Authority, Stadium Authority, and Oversight Board for Successor Agency to the City of Santa Clara Redevelopment Agency.

Divisions and Services

The Mayor and Councilmembers are supported by the Mayor and City Council Offices staff. The Mayor and City Council Offices are organized under the Mayor and City Council Division.

Mayor and City Council Division Mission	Assist the Mayor and Councilmembers with implementation of established policies, goals and objectives.
Division Objectives	Assist Mayor and Councilmembers in scheduling appointments, making travel arrangements, and corresponding with legislators, constituents and members of the community.
	Assist with the coordination of meetings for several City committees and several area wide/outside agency committees.
	Coordinate concerns from members of the community in an effort to increase transparency and responsiveness.
	Provide support to Mayor and City Council on all administrative needs and research needs, including support for Council Committee and intergovernmental assignments.
	Provide general administrative support to the Mayor and Councilmembers.

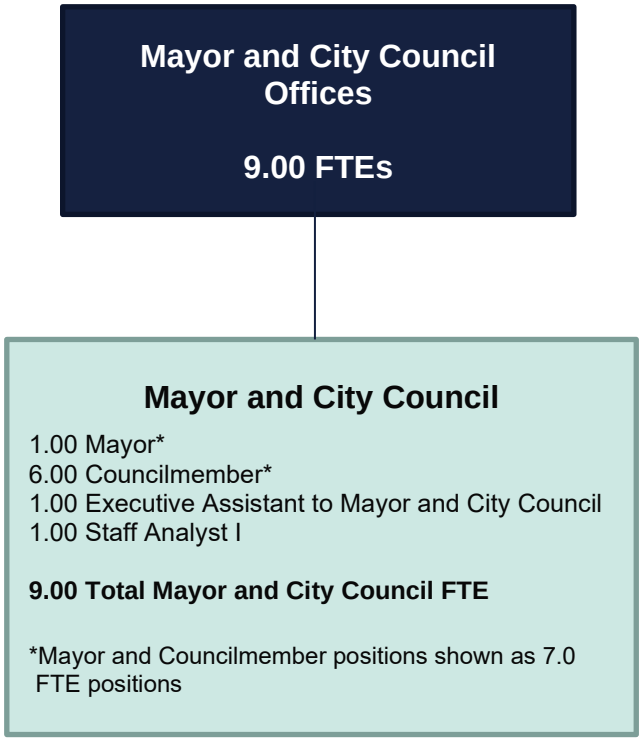
Significant Accomplishments

- Supported the City Council with its policy priorities
- Maintained compliance with applicable requirements, e.g., calendar disclosures, public records requests, and other government transparency requirements
- Provided direct support to the Mayor and City Council on all administrative needs and research needs, including administrative support for Council Committee and intergovernmental assignments
- Provided administrative support to the Governance and Ethics Committee, Economic Development, Communications, and Marketing Committee, City/School (SCUSD) Liaison Committee, and City/Mission College Liaison Committee
- Assisted with the establishment of the Task Force on Diversity, Equity, and Inclusion and provided ongoing staff support
- Responded to constituent concerns and inquiries within three business days.
- Approved and processed proclamations, commendations, and recognition requests in time for events.
- Responded to requests for Mayor and/or Council's appearance within two weeks of request.
- Provided logistical support for various COVID-19 community outreach programs such as the Citywide “Mask-Up Santa Clara” face distribution events and Mayor@Noon livestream broadcasts.
- Served as Commodities Lead at the Healthy Meals Santa Clara food distribution program and provided staff support at the Senior Nutrition Meal Program.
- Responded to and referred a high volume of resident inquires and concerns regarding the COVID-19 pandemic, Shelter-in-Place orders, and available resources.

Mayor and City Council Travel

In accordance with the City’s administrative policy on official travel by elected officials, Council Policy 043, official travel is approved in advance annually with the Mayor and City Council Offices’ Operating Budget. The following are the conferences, meetings and events that are scheduled for Mayor and Councilmembers’ attendance:

Conference	FY 2021/22 Budget	FY 2022/23 Budget
National League of Cities Annual Conference	4,505	4,595
League of California Cities Annual Conference	12,437	12,810
League of California Cities New Members Academy	-	7,300
League of California Cities Workshops	3,060	3,121
Official Local Policy Related Events/Meetings	3,000	3,183
Sister Cities Annual Conference	3,954	4,033
Sister Cities International Travel to Sister Cities of Coimbra, Izumo, or Limerick	8,583	8,755
Sister Cities International Related Travel	15,000	15,000
United States Conference of Mayors Winter Meeting	2,757	2,812
United States Conference of Mayors Annual Conference	3,094	3,156
Total Conference Budget	**56,390**	**64,765**


Mayor and City Council Offices
9.00 FTEs
Mayor and City Council
1.00 Mayor*
6.00 Councilmember*
1.00 Executive Assistant to Mayor and City Council
1.00 Staff Analyst I
9.00 Total Mayor and City Council FTE
*Mayor and Councilmember positions shown as 7.0 FTE positions

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program						
Mayor and City Council Division						
1611 City Council Program	883,380	834,241	829,205	(0.6%)	859,377	3.6%
Total Mayor and City Council Division	**883,380**	**834,241**	**829,205**	**(0.6%)**	**859,377**	**3.6%**
Total by Division / Program	**883,380**	**834,241**	**829,205**	**(0.6%)**	**859,377**	**3.6%**

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	883,380	834,241	829,205	(0.6%)	859,377	3.6%
Total by Fund	**883,380**	**834,241**	**829,205**	**(0.6%)**	**859,377**	**3.6%**
Dollars by Category						
Salary and Benefits						
Salary	461,170	411,111	396,777	(3.5%)	405,242	2.1%
As-Needed	62,288	33,120	16,279	(50.8%)	17,479	7.4%
Overtime	7,509	517	535	3.5%	554	3.6%
Retirement	160,992	120,900	129,508	7.1%	135,302	4.5%
Health Allocation	33,140	23,747	23,963	0.9%	24,717	3.1%
Medicare	7,980	6,263	6,049	(3.4%)	6,171	2.0%
Social Security	23,955	15,839	15,114	(4.6%)	15,641	3.5%
Other Benefits	17,600	12,680	13,303	4.9%	13,507	1.5%
Total Salary and Benefits	**774,634**	**624,177**	**601,528**	**(3.6%)**	**618,613**	**2.8%**
Non-Personnel						
Materials/Services/Supplies	43,977	118,940	100,860	(15.2%)	112,459	11.5%
Interfund Services	64,769	91,124	126,817	39.2%	128,305	1.2%
Total Non-Personnel	**108,746**	**210,064**	**227,677**	**8.4%**	**240,764**	**5.7%**
Total by Category	**883,380**	**834,241**	**829,205**	**(0.6%)**	**859,377**	**3.6%**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
Mayor and City Council Division					
1611 City Council Program	10.00	9.00	9.00	0.00	9.00
Total Mayor and City Council Division	**10.00**	**9.00**	**9.00**	**0.00**	**9.00**
Total by Division / Program	**10.00**	**9.00**	**9.00**	**0.00**	**9.00**

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
General Fund	**10.00**	**9.00**	**9.00**	**0.00**	**9.00**
Total by Fund	**10.00**	**9.00**	**9.00**	**0.00**	**9.00**
Position Classification					
Mayor	1.00	1.00	1.00	0.00	1.00
City Councilmember	6.00	6.00	6.00	0.00	6.00
Executive Assistant to Mayor and City Council	1.00	1.00	1.00	0.00	1.00
Office Records Specialist	1.00	0.00	0.00	0.00	0.00
Staff Analyst I	1.00	1.00	1.00	0.00	1.00
Total Positions	**10.00**	**9.00**	**9.00**	**0.00**	**9.00**

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	9.00	834,241
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Replacement of iPads/iPhones		(18,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		(10,868)
Net increase in various interfund services allocations		35,693
Reallocation of funding for State of the City and Sister Cities International Membership from the City Manager's Office		7,351
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021):		
- Reduction in as-needed staffing budget		(18,000)
Reallocation of funding for Ricoh usage costs to the Information Technology Department		(1,212)
Total FY 2021/22 Base Budget Adjustments	**0.00**	**(5,036)**
Total FY 2021/22 Base Budget	**9.00**	**829,205**
Total FY 2021/22 Proposed Budget	**9.00**	**829,205**
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefits adjustments		18,573
Non-personnel adjustments		11,599
Total FY 2022/23 Base Budget Adjustments	**0.00**	**30,172**
Total FY 2022/23 Base Budget	**9.00**	**859,377**
Total FY 2022/23 Proposed Budget	**9.00**	**859,377**

Performance and Workload Measures

Mayor and City Council Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of forwarded citizen concerns and inquiries to City Manager within three business days		98%	99%	100%	99%	100%	100%
Percent of approved proclamations processed in time for proclaimed event		100%	100%	100%	100%	100%	100%
Percent of complete travel requests and reimbursements processed within two weeks of receiving needed documentation and receipts		100%	100%	100%	100%	100%	100%
Percent of response to requests for Mayor and/or Council's personal appearance at events within two weeks of requests		100%	100%	100%	100%	100%	100%

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City Attorney's Office

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City Attorney's Office Description

Section 908 of the City of Santa Clara Charter provides:

The responsibilities of the City Attorney's Office consist of the following: represent and advise the City Council and all City officers in all matters of law pertaining to their offices; represent and appear on behalf of the City and any City officer or employee in all legal actions or proceedings which the City or any such officer or employee, in or by reason of his/her official capacity is a party; provide the City Council with information and advice regarding ongoing litigation and legislation affecting the City; attend all meetings of the City Council and give advice or an opinion in writing whenever requested to do so by the City Council or officers of the City; staff board and commission meetings as necessary; approve the form of all bonds given to and all contracts made by the City, endorsing approval thereon in writing; review and approve all ordinances and resolutions and amendments thereof; prosecute cases for violation of the Charter and City ordinances; and assist and provide training on current issues in the law and City policy as needed.

The City Attorney's Office will continue to provide legal advice and support on matters initiated by the City Council, City Manager's Office, and City departments, including review and negotiation of contracts, leases, licenses, policies, and Public Records Act requests responses.

Divisions and Services

The City Attorney's Division is organized under the City Attorney's Office.

City Attorney Division Mission	Provide professional municipal legal services to the City Council, policy makers, boards, commissions, and staff in their official capacities.
Division Objectives	The Court and Trial Division shall provide hearing and trial counsel services, handle discovery and other necessary proceedings incident to hearings and trials.
	The Contract and Transaction Division shall assist various City departments in negotiating and preparing complex agreements, legal documents, etc.; prepare correspondence and answer complex inquiries from City departments, other agencies, and third parties; with special assistance, participate in preparing civil cases and administrative cases in utility matters
	The Research and Opinion Division shall interpret the law, prepare legal opinions, and prepare and review resolutions, ordinances, bonds, invitations for bids and proposals, contracts, deeds, and related instruments; prosecute actions involving City ordinances; prepare correspondence and answer routine inquiries from City departments and other agencies.
	The Library and Clerical Division shall maintain the law library and perform all secretarial and clerical duties required in support of the City Attorney and divisions of the City Attorney's Office as are assigned or directed, and other related work as is assigned.

Significant Accomplishments

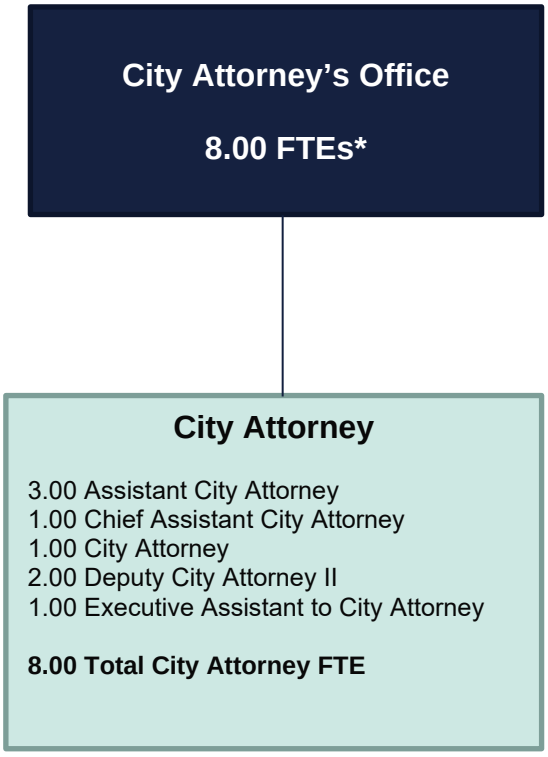
- Drafted City ordinances, including: Covid-19 Eviction Moratorium Ordinance, Temporary Limit on Third-Party Food Delivery Service Fees Ordinance, Permanent Ban on Commercial Marijuana Ordinance, Parental Liability Ordinance, Workers Retention Rights Ordinance, Repeal of Section 8.32.130 (Possession of Tobacco by Persons Under 21) Ordinance, International Exchange Commission Reinstatement Ordinance.
- Implementing new case management system, Advologix, to accurately manage and track transactional and litigation matters for City departments and Stadium Authority to provide more efficient legal services and better reporting to City Council and City Staff.
- Completed approximately 1,270 legal service requests, which included legal advice, review and negotiations of contracts, leases, licenses, and policies related to the day-to-day operations of the City of Santa Clara while maintaining full City Attorney operations during the Covid-19 pandemic under reduced FTE and budget.

Significant Objectives

- Assist with Stadium issues:
    - Related to non-NFL events
    - Related to audit recommendations and implementation
- Assist with comprehensive Zoning Ordinance Update
- Assist with election issues
- Assist with analysis of conflict of interest issues
- Assist with City Administration improvements with procurement and contracting
- Continue with internal CAO process improvements and reporting of more meaningful measures

Budget Highlights

- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
    - Froze 1.0 Legal Office Specialist III position, one of two administrative support positions for the City Attorney's Office
    - Reduced the non-personnel budget (e.g., legal couriers, training, legal subscriptions, supplies and materials)
- Addition of 1.0 Assistant City Attorney to focus on legal matters regarding Silicon Valley Power (SVP) funded by a reimbursement from SVP
- Realignment of legal services costs from the Special Liability Fund to the City Attorney's Office budget for expenses that are not related to an active claim. These costs are a net-zero shift from the Special Liability Fund and are reallocated to better align with the practice of using the internal service fund only for claims related expenses.



**The positions above represent all funded positions. This excludes the 1.0 Legal Office Specialist III position that was frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Amended	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program						
City Attorney Division						
2411 Program Administration	1,614,857	1,625,634	1,393,036	(14.3%)	1,447,794	3.9%
2412 Program Litigation	641,701	1,090,491	1,704,344	56.3%	1,775,093	4.2%
Total City Attorney Division	**2,256,558**	**2,716,125**	**3,097,380**	**14.0%**	**3,222,887**	**4.1%**
Total by Division / Program	**2,256,558**	**2,716,125**	**3,097,380**	**14.0%**	**3,222,887**	**4.1%**

	FY 2019/20 Actual	FY 2020/21 Amended	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	2,230,538	2,716,125	3,097,380	14.0%	3,222,887	4.1%
Other City Operating Grant Fund	24,710	0	0	0.0%	0	0.0%
Electric Utility	1,310	0	0	0.0%	0	0.0%
Total by Fund	**2,256,558**	**2,716,125**	**3,097,380**	**14.0%**	**3,222,887**	**4.1%**
Dollars by Category						
Salary and Benefits						
Salary	1,231,077	1,512,331	1,648,196	9.0%	1,714,283	4.0%
As-Needed	68,130	47,143	49,720	5.5%	50,915	2.4%
Retirement	342,624	471,884	598,958	26.9%	637,668	6.5%
Health Allocation	73,520	94,986	97,042	2.2%	100,810	3.9%
Medicare	20,693	24,683	26,630	7.9%	27,651	3.8%
Social Security	58,774	66,559	66,552	0.0%	66,923	0.6%
Other Benefits	52,209	62,224	65,568	5.4%	66,380	1.2%
Total Salary and Benefits	**1,847,027**	**2,279,810**	**2,552,666**	**12.0%**	**2,664,630**	**4.4%**
Non-Personnel						
Materials/Services/Supplies	83,931	149,247	399,834	167.9%	407,544	1.9%
Interfund Services	247,006	287,068	144,880	(49.5%)	150,713	4.0%
Capital Outlay	3,594	0	0	N/A	0	N/A
Transfers to Other Funds	75,000	0	0	N/A	0	N/A
Total Non-Personnel	**409,531**	**436,315**	**544,714**	**24.8%**	**558,257**	**2.5%**
Total by Category	**2,256,558**	**2,716,125**	**3,097,380**	**14.0%**	**3,222,887**	**4.1%**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Division / Program					
City Attorney Division					
2411 Program Administration	4.60	5.60	4.10	(1.50)	4.10
2412 Program Litigation	2.40	2.40	3.90	1.50	3.90
Total City Attorney Division	**7.00**	**8.00**	**8.00**	**0.00**	**8.00**
Total by Division / Program	**7.00**	**8.00**	**8.00**	**0.00**	**8.00**

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Fund					
General Fund	7.00	8.00	8.00	0.00	8.00
Total by Fund	**7.00**	**8.00**	**8.00**	**0.00**	**8.00**
Assistant City Attorney	2.00	2.00	3.00	1.00	3.00
Chief Assistant City Attorney	0.00	1.00	1.00	0.00	1.00
City Attorney	1.00	1.00	1.00	0.00	1.00
Deputy City Attorney II	2.00	2.00	2.00	0.00	2.00
Executive Assistant to City Attorney	1.00	1.00	1.00	0.00	1.00
Legal Office Specialist III	1.00	1.00	0.00	(1.00)	0.00
Total Positions	**7.00**	**8.00**	**8.00**	**0.00**	**8.00**

**The positions above represent all funded positions. This excludes the 1.0 Legal Office Specialist III position that was frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	8.00	2,716,125
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Rebudget: Legal Management Software		(50,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		77,575
Reallocation of Ricoh usage costs to the Information Technology Department		(1,032)
Reallocation of Legal Services from Special Liability Fund		250,000
Reallocation of Contractual Services from Special Liability Fund		50,000
Net decrease in various interfund services allocations		(142,188)
Increase Contract Services (Legal Software, Case Management Software, Legal databases)		15,593
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021)		
- Freeze of 1.0 Legal Office Specialist III		(125,554)
- Reduction in various services (Legal Couriers, Legal Subscriptions, Training, Miscellaneous Supplies)		(13,974)
Total FY 2021/22 Base Budget Adjustments	**(1.00)**	**60,420**
Total FY 2021/22 Base Budget	**7.00**	**2,776,545**
Service Level Changes		
Addition of 1.0 Assistant City Attorney for SVP	**1.00**	**320,835**
Total FY 2021/22 Service Level Changes	**1.00**	**320,835**
Total FY 2021/22 Proposed Budget	**8.00**	**3,097,380**
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefits adjustments		111,964
Net increase in various interfund services allocations		5,833
Non-personnel adjustments		7,710
Total FY 2022/23 Base Budget Adjustments	**0.00**	**125,507**
Total FY 2022/23 Base Budget	**0.00**	**3,222,887**
Total Service Level Changes		
Total FY 2022/23 Proposed Budget	**8.00**	**3,222,887**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Addition of 1.0 Assistant City Attorney for SVP	1.00	0	320,835	0	335,650

Program: 2412 Program Litigation

This action adds 1.0 Assistant City Attorney in FY 2021/22 to provide support for the City Attorney's Office in handling the range of legal issues on behalf of Silicon Valley Power, including: review and advice concerning regulatory matters; contract negotiations for power supply and transmission; procurement and negotiation of contracts for construction, maintenance and repair of electric facilities; assistance with acquisition of real property rights for rights of way and easements for electrical facilities; participation in municipal power authority associations; and oversight and supervision of outside counsel for federal and state regulatory matters.

Performance Impact

This addition provides the needed capacity to address a wide range of Silicon Valley Power legal issues.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Performance and Workload Measures

City Attorney Division

Workload Measures

	Strategic Pillar	2018/19 Actuals[1]	2019/20 Actuals	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of legal service requests reviewed within ten working days after receipt from the Department		2,482	1,580	1,800	1,900	1,800	1,800
Number of training sessions presented for City officials and staff		8	5	5	5	5	5
Number of ordinances and resolutions drafted or reviewed by CAO		213	113	100	40	40	40
Issue quarterly litigation status reports		4	4	4	4	4	4
Review, on a quarterly basis, the status of all workers' compensation claims and provide direction regarding litigation and claim review as needed to City staff and outside counsel		4	4	4	4	4	4
Prosecute cases for violations of City Code		21	24	40	45	40	40

[1]FY 2018/19 are higher than previous years' actuals due to full staffing levels to handle the case load. The City Attorney's Office anticipates a decline in FY 2019/20 and FY 2020/21 due to changes in enforcement policies and new regulations.

City Clerk's Office

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Elected City Clerk's Office

The Elected City Clerk duties are to (a) be the custodian of the seal of the City and (b) have charge of all City Elections. The Elected City Clerk would maintain sole responsibility for administering all aspects of City elections (e.g., Mayor, City Council, and Chief of Police).

Divisions and Services

The Elected City Clerk's Office is a division organized under the City Clerk's Office.

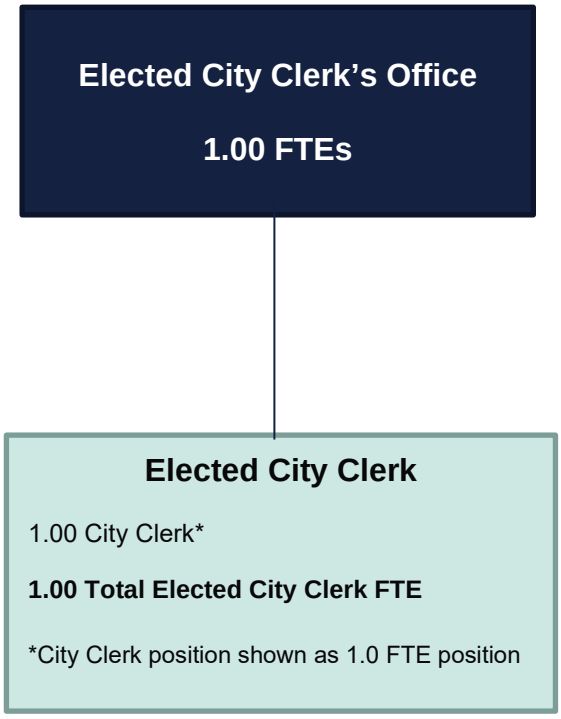
Elected City Clerk Division Mission	Ethically serve the needs of the citizens of the community by facilitating all aspects of City elections in accordance with the City Charter, Municipal Code, California Elections Code and Political Reform Act.
Division Objectives	To develop and execute strategies to broaden outreach throughout the community to increase transparency and education.
	To design and implement new City initiatives related to Measure N, which changed the method of elections from at-large to by-district voting for City Councilmembers, excluding the Mayor.
	To increase voter registration in the City through effective community engagement programs such as citizens outreach.

Significant Accomplishments

- Successfully oversaw the City's first district-based election in FY 2020/21 which encompassed four council seats.

Significant Objectives

- Focus on redistricting efforts in FY 2021/22. The use of existing election outreach funding will support the redistricting activities for the City.


Elected City Clerk's Office
1.00 FTEs
Elected City Clerk
1.00 City Clerk*
1.00 Total Elected City Clerk FTE
*City Clerk position shown as 1.0 FTE position

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program						
Elected City Clerk Division						
2314 City Clerk-Elections	28,799	483,076	135,963	(71.9%)	488,281	259.1%
Total Elected City Clerk Division	**28,799**	**483,076**	**135,963**	**(71.9%)**	**488,281**	**259.1%**
Total by Division / Program	**28,799**	**483,076**	**135,963**	**(71.9%)**	**488,281**	**259.1%**

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	28,799	483,076	135,963	(71.9%)	488,281	259.1%
Total by Fund	**28,799**	**483,076**	**135,963**	**(71.9%)**	**488,281**	**259.1%**
Dollars by Category						
Salary and Benefits						
Salary	0	24,000	24,000	0.0%	24,000	0.0%
Retirement	8,495	7,387	8,214	11.2%	8,393	2.2%
Medicare	363	348	348	0.0%	348	0.0%
Total Salary and Benefits	**8,858**	**31,735**	**32,562**	**2.6%**	**32,741**	**0.5%**
Non-Personnel						
Materials/Services/Supplies	19,941	450,000	102,000	(77.3%)	454,040	345.1%
Interfund Services	0	1,341	1,401	4.5%	1,500	7.1%
Total Non-Personnel	**19,941**	**451,341**	**103,401**	**(77.1%)**	**455,540**	**340.6%**
Total by Category	**28,799**	**483,076**	**135,963**	**(71.9%)**	**488,281**	**259.1%**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
Elected City Clerk Division					
2314 Elections	1.00	1.00	1.00	0.00	1.00
Total Elected City Clerk Division	**1.00**	**1.00**	**1.00**	**0.00**	**1.00**
Total by Division / Program	**1.00**	**1.00**	**1.00**	**0.00**	**1.00**

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Fund					
General Fund	1.00	1.00	1.00	0.00	1.00
Total by Fund	**1.00**	**1.00**	**1.00**	**0.00**	**1.00**
Position Classification					
City Clerk	1.00	1.00	1.00	0.00	1.00
Total Positions	**1.00**	**1.00**	**1.00**	**0.00**	**1.00**

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	1.00	483,076
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Election Costs		(350,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		827
Increase in Interfund Services Allocation		60
Increase in Contractual Services		2,000
Total FY 2021/22 Base Budget Adjustments	**0.00**	**(347,113)**
Total FY 2021/22 Base Budget	**1.00**	**135,963**
Total FY 2021/22 Recommended Budget	**1.00**	**135,963**
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Election Costs (bi-annually)		350,000
Salary and benefits adjustments		179
Non-personnel adjustments		2,139
Total FY 2022/23 Base Budget Adjustments	**0.00**	**352,318**
Total FY 2022/23 Base Budget	**1.00**	**488,281**
Total FY 2022/23 Recommended Budget	**1.00**	**488,281**

Performance and Workload Measures

Elected City Clerk Division							
Performance Measures							
	Strategic Pillar	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Percent of Campaign Disclosure Statements distributed		100%	100%	100%	100%	100%	100%
Workload Measures							
Number of Campaign Disclosure Statements processed		82	76	50	50	50	50
Number of elections held		2	1	1	1	N/A*	1

**Regularly scheduled elections occur biennally*

Assistant City Clerk's Office Description

The Assistant City Clerk oversees the day-to-day operations of the City Clerk's Office. The Office of the Assistant City Clerk processes the agendas for and attends all meetings of the Council and Authorities Concurrent and Stadium Authority meetings, maintains accurate and up-to-date records of the proceedings of those meetings and makes those records open for public inspection. The Office of the Assistant City Clerk processes and maintains copies of City contracts, ordinances, resolutions and other official documents. The Office of the Assistant City Clerk manages and compiles City records in accordance with the Records Retention Schedule and in response to Public Records Act requests. The Office of the Assistant City Clerk administers campaign and disclosure laws, the Campaign Finance Ordinance, Regulation of Lobbying Activities program and the Calendars of Certain City Officials program. The Office of the Assistant City Clerk also administers oaths of affirmation pertaining to the affairs and business of the City and certifies copies of official records.

Divisions and Services

The Assistant City Clerk's Office is organized under the City Clerk's Office.

Assistant City Clerk Division Mission	Maintain and ensure that all official records and documents are accessible to the public; ensure timely publication, posting and/or mailing of ordinances, resolutions, calendars of certain City Officials, lobbyist registration forms and semi-annual reports, and other notices; attend and keep an accurate record of Council meetings; and respond to all requests for information efficiently and courteously.
Division Objectives	To continue to work with all City departments to ensure accuracy of the Records Retention Schedules with emphasis on electronic records and historical and vital records.
	To continue to work with the Information Technology Department and the City Attorney's Office to ensure integrity and compliance with the Records Retention Program, including updating the Records Retention Schedules.
	To continue the records management software training for City staff and work with departments to inventory and classify records.
	To continue to track agreements for all City departments to ensure that active agreements are readily available and inactive agreements are retained according to retention schedules.

Significant Accomplishments

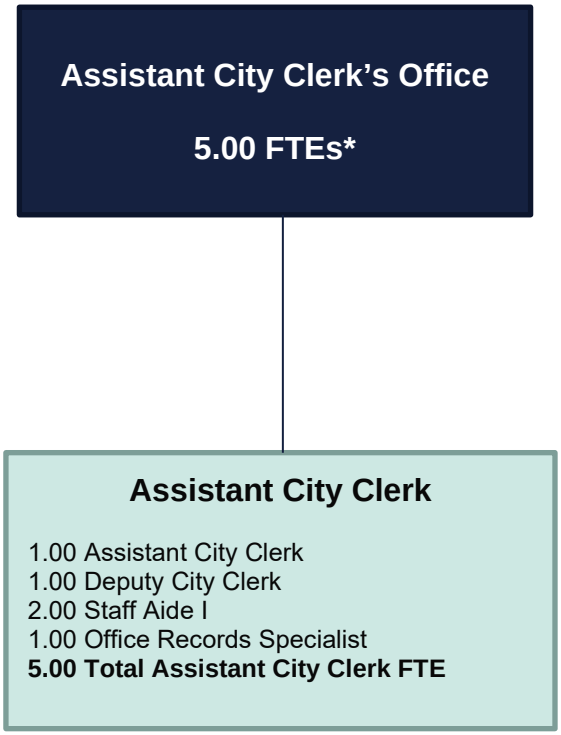
- Collaborated with the City Attorney's Office and created Electronic Form for City Attorney's Office review and collaboration with City Departments on City Business
- Collaborated with Community Development – Housing Division in the implementation of an Emergency Rental Assistance Application through Laserfiche.
- Transitioned and supported all public meetings (Council, Stadium Authority, Boards, Commissions, and Committees) to virtual meetings via Zoom
- Implemented an online Public Records Act Request Portal - NextRequest
- Increased Lobbyist Fees for full cost recovery of the program
- Assistant City Clerk worked closely with the City Clerk to accomplish the following;
  - Implemented and conducted a Special Election – March 2020
  - Implemented and conducted the November 2020 General and Special Election

Significant Objectives

- Implement and support enhanced functionality for the enterprise document management system as a citywide resource for records management, the use of forms, compatibility with mobile devices and other functionality as appropriate
- Identify and focus on key elements of the enterprise document management systems that will enhance productivity and increase transparency through the public meeting process and access to information. Continue to provide prompt and thorough responses to requests for public records and to assure that all official records and document are accessible to the public

Budget Highlights

- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
  - Froze 1.0 Deputy City Clerk position
  - Reduced the overtime budget
  - Reduced the non-personnel budget (e.g., training, supplies and materials, closed captioning consultant services)



**The positions above represent all funded positions. This excludes the 1.0 Deputy City Clerk position that was frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program						
Assistant City Clerk Division						
2311 City Clerk- Council Admin Supp	494,862	550,706	205,360	(62.7%)	209,176	1.9%
2312 City Clerk-Public Info	481,123	710,057	795,796	12.1%	828,363	4.1%
2313 City Clerk-Political Reforms	557,143	326,716	333,112	2.0%	345,398	3.7%
Total Assistant City Clerk Division	**1,533,128**	**1,587,479**	**1,334,268**	**(16.0%)**	**1,382,937**	**3.6%**
Total by Division / Program	**1,533,128**	**1,587,479**	**1,334,268**	**(16.0%)**	**1,382,937**	**3.6%**

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	1,499,902	1,587,479	1,334,268	(16.0%)	1,382,937	3.6%
Other City Operating Grant Trust Fund	9,726	0	0	0.0%	0	0.0%
General Government Capital Fund	23,500	0	0	0.0%	0	0.0%
Total by Fund	**1,533,128**	**1,587,479**	**1,334,268**	**(16.0%)**	**1,382,937**	**3.6%**
Dollars by Category						
Salary and Benefits						
Salary	497,042	705,724	565,713	(19.8%)	586,023	3.6%
As-Needed	70,848	138,838	46,150	(66.8%)	48,543	5.2%
Overtime	448	9,000	1,000	(88.9%)	1,035	3.5%
Retirement	157,706	226,384	227,379	0.4%	242,297	6.6%
Health Allocations	41,662	71,827	61,692	(14.1%)	64,707	4.9%
Medicare	8,201	10,997	8,839	(19.6%)	9,148	3.5%
Social Security	28,488	42,944	34,717	(19.2%)	35,298	1.7%
Other Benefits	27,339	39,242	32,886	(16.2%)	33,452	1.7%
Total Salary and Benefits	**831,734**	**1,244,956**	**978,376**	**(21.4%)**	**1,020,503**	**4.3%**
Non-Personnel						
Materials/Services/Supplies	483,487	241,260	212,404	(12.0%)	216,627	2.0%
Interfund Services	94,407	101,263	143,488	41.7%	145,807	1.6%
Other Expenditures	23,500	0	0	0.0%	0	0.0%
Transfers to Other Funds	100,000	0	0	0.0%	0	0.0%
Total Non-Personnel	**701,394**	**342,523**	**355,892**	**3.9%**	**362,434**	**1.8%**
Total by Category	**1,533,128**	**1,587,479**	**1,334,268**	**(16.0%)**	**1,382,937**	**3.6%**

Position Summary

		FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Division / Program						
Assistant City Clerk Division						
2311	Council/Administration Support	1.50	2.50	1.50	(1.00)	1.50
2312	Public Information/Legislative Records Management	1.10	2.10	2.10	0.00	2.10
2313	Political Reform Act	1.40	1.40	1.40	0.00	1.40
Total Assistant City Clerk Division		**4.00**	**6.00**	**5.00**	**(1.00)**	**5.00**
Total by Division / Program		**4.00**	**6.00**	**5.00**	**(1.00)**	**5.00**

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Fund					
General Fund	4.00	6.00	5.00	(1.00)	5.00
Total by Fund	**4.00**	**6.00**	**5.00**	**(1.00)**	**5.00**
Position Classification					
Assistant City Clerk	1.00	1.00	1.00	0.00	1.00
Deputy City Clerk	1.00	2.00	1.00	(1.00)	1.00
Office Records Specialist	0.00	1.00	1.00	0.00	1.00
Office Specialist III	0.00	0.00	0.00	0.00	0.00
Staff Aide I	2.00	2.00	2.00	0.00	2.00
Total Positions	**4.00**	**6.00**	**5.00**	**(1.00)**	**5.00**

**The positions above represent all funded positions. This excludes the 1.0 Deputy City Clerk position that was frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Reconciliation

FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
As-Needed Staff - Document Management Resources and Records Retention Policies Update		(95,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		(11,918)
Reallocation of Ricoh costs to central allocation under the Information Technology Department		(1,828)
Increase to contractual services (Software, Records Management, Miscellaneous Supplies)		4,826
Net increase in interfund service allocations		42,225
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021)		
- Freeze of 1.0 Deputy City Clerk Position	(1.00)	(151,662)
- Reduction in Conference Travel and Training Budget		(14,622)
- Reduction in Contract Services (Closed Captioning)		(16,320)
- Reduction in Miscellaneous Supplies		(912)
- Reduction in Overtime		(8,000)
Total FY 2021/22 Base Budget Adjustments	**(1.00)**	**(253,211)**
Total FY 2021/22 Base Budget	**5.00**	**1,334,268**
Total FY 2021/22 Recommended Budget	**5.00**	**1,334,268**
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefits adjustments		42,127
Non-personnel adjustments		6,542
Total FY 2022/23 Base Budget Adjustments	**0.00**	**48,669**
Total FY 2022/23 Base Budget	**5.00**	**1,382,937**
Total FY 2022/23 Proposed Budget	**5.00**	**1,382,937**

Performance and Workload Measures

Assistant City Clerk Division							
Performance Measures							
	Strategic Pillar	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Percent of records authorized and provided by the department for destruction are destroyed within 30 days		0%	100%	100%	100%	100%	100%
Percent of City Council reports available online 4 days prior to the meeting – *New for FY 2021/22*		N/A	100%	100%	100%	100%	100%
Workload Measures							
Number of Conflict of Interest forms processed		314	369	250	300	300	300

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City Auditor's Office

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City Auditor Division Description

The City Auditor's Office is an independent office that reports to the Audit Committee and City Council. The Office conducts performance audits and reviews of City departments, programs and services, and makes recommendations to strengthen accountability and improve efficiencies and effectiveness of City programs and business processes. The audits may assess internal controls over financial reporting and evaluate the adequacy of system of internal controls, and compliance with applicable laws, rules, regulations, and City policies and procedures.

The Office prepares an annual audit work plan for the City Council's approval and issues semi-annual audit status reports and annual follow-up reports on outstanding audit recommendations to the City Council for review.

The Office provides oversight of external auditors regarding the City's annual financial audit, single audit, annual compliance review with the City's Investment Policy, performance audits and related financial audits. Furthermore, the City Auditor's Office is responsible for the of the Stadium Authority's annual financial audit.

Additionally, the Office administers the City's Fraud Hotline program and performs investigations for all material complaints received related to fraud, waste, and abuse.

Divisions and Services

The City Auditor Division is organized independently from operations.

City Auditor Division Mission	The City Auditor's Office mission is to promote honest, efficient, effective and fully accountable city government through accurate, independent and objective audits.
Division Objectives	Establish performance audits within the organization to better understand how our programs are performing in comparison with neighboring jurisdictions
	Conduct in-depth financial and performance audits.
	Oversee the City's performance management system, auditing and approving all bills, invoices, payrolls, demands or charges against the City before payment.

Significant Accomplishments

- Completed the Annual Cash Disbursement review for the City of Santa Clara
- Completed the Non-NFL Event review of the Santa Clara Stadium Authority for the first three years of stadium event operations
- Completed continuous oversight of the annual financial audit contracts for the City and Santa Clara Stadium Authority
- Participated in the award of a new Financial Management System for the Santa Clara Stadium Authority
- Transition two new employees from the Finance Department to the City Auditor's Office as placements from Phase 1 Budget Rebalancing proposals. The Senior Performance Auditor position was overfilled with an Audit Manager to advance the Audit Workplan.

Significant Objectives

- Continue to reintroduce an audit function and pre-audit work processes for the City in an effort to promote greater accountability
- Increase the economy, efficiency, effectiveness, and accountability of City government through audits and their recommendations
- Maintain an effective follow-up process to monitor and evaluate the adequacy, effectiveness and timeliness of actions taken by management to address audit recommendations and report to the City Council on the actions taken
- Establish a whistleblower hotline for fraud, waste, abuse and related ethical issues
- Administer the whistleblower hotline and perform investigations for all material complaints
- Provide oversight of external auditors regarding the City and Santa Clara Stadium Authority's financial and performance audits
- Prepare the City's Annual Audit Work Plan for FY 2021/22 (mid-year) and FY 2022/23

Budget Highlights

- The City Auditor function, previously overseen by the City Clerk's Office, was transitioned to the Finance Department with the Assistant Director of Finance assuming the role of the City Auditor. In June 2020, the Council approved Ordinance 2020 to create a new City Auditor classification and move the City Auditor's Office to an independent office under the purview of the City Council. As part of the transition, 1.0 Office Records Specialist from the City Clerk's Office, 0.33 Office Specialist IV reallocated from various divisions in the Finance Department, and 1.0 Accountant from the Accounting Services Division were reallocated to the City Auditor's Office. Additional changes are incorporated in this budget, including:
  - Base Budget changes including the addition of the City Auditor position and deletion of the Finance Assistant Director aligned to this program and shift of 0.33 Office Specialist IV position to the Finance Department as this position is dedicated to Finance Department functions.
  - Phase 1 Budget Rebalancing approved March 9, 2021: Realized vacancy savings through the City Auditor position.
  - Phase 2 Proposed Budget: Savings of $125,000 is expected to be generated from the City Auditor position due to the anticipated partial year vacancy of this position.
- The Office did not produce a workplan for FY2020/21 due to staffing shortage and the vacancies. With the recently filled positions from the Phase 1 Budget Rebalancing, staff will continue to work on advancing the projects in the FY 2019/20 workplan and procuring audit firms to assist with the effort.
- Audit staff will work with outside consultants to assist with establishing the audit workplan for FY 2021/22 (mid-year) and FY 2022/23.
- Audit staff will also be able to roll out the Whistleblower Hotline for the City in the coming fiscal year.


City Auditor's Division
3.0 FTEs
City Auditor
1.00 City Auditor
1.00 Management Analyst
1.00 Senior Performance Auditor
3.00 Total City Auditor FTE

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program						
City Auditor Division						
3352 City Auditor Administration	392,938	485,683	268,079	(44.8%)	410,183	53.0%
3353 City Auditor Services	408,873	754,663	807,891	7.1%	840,343	4.0%
Total City Auditor Division	**801,811**	**1,240,346**	**1,075,970**	**(13.3%)**	**1,250,526**	**16.2%**
Total by Division / Program	**801,811**	**1,240,346**	**1,075,970**	**(13.3%)**	**1,250,526**	**16.2%**

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	801,723	1,240,346	1,075,970	(13.3%)	1,250,526	16.2%
Other City Operating Grant Trust Fund	89	0	0	0.0%	0	0.0%
Total by Fund	**801,811**	**1,240,346**	**1,075,970**	(13.3%)	**1,250,526**	16.2%
Dollars by Category						
Salary and Benefits						
Salary	217,373	547,187	435,044	(20.5%)	585,398	34.6%
As-Needed	51,107	0	0	0.0%	0	0.0%
Retirement	75,397	168,464	191,679	13.8%	204,744	6.8%
Health Allocation	15,112	39,637	36,540	0.0%	38,047	0.0%
Medicare	4,168	8,274	8,433	1.9%	8,798	4.3%
Social Security	9,766	25,511	24,144	(5.4%)	24,621	2.0%
Other Benefits	17,214	23,516	24,887	5.8%	25,190	1.2%
Total Salary and Benefits	**390,137**	812,589	**720,727**	**(11.3%)**	**886,798**	**23.0%**
Non-Personnel						
Materials/Services/Supplies	101,319	326,120	331,671	1.7%	338,345	2.0%
Interfund Services	110,355	101,637	23,572	(70.7%)	25,383	7.7%
Transfers to Other Funds	200,000	0	0	0.0%	0	0.0%
Total Non-Personnel	**411,674**	**427,757**	**355,243**	**(17.0%)**	**363,728**	**2.4%**
Total by Category	**801,811**	**1,240,346**	**1,075,970**	**(13.3%)**	**1,250,526**	**16.2%**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
City Auditor Division					
3352 City Auditor Administration	1.33	1.33	1.00	(0.33)	1.00
3353 City Auditor Services	2.00	2.00	2.00	0.00	2.00
Total City Auditor Division	**3.33**	**3.33**	**3.00**	**(0.33)**	**3.00**
Total by Division / Program	**3.33**	**3.33**	**3.00**	**(0.33)**	**3.00**

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
General Fund	3.33	3.33	3.00	(0.33)	3.00
Total by Fund	**3.33**	**3.33**	**3.00**	**(0.33)**	**3.00**
Position Classification					
Accountant	1.00	0.00	0.00	0.00	0.00
Assistant Director of Finance	1.00	0.00	0.00	0.00	0.00
City Auditor	0.00	1.00	1.00	0.00	1.00
Office Specialist IV	0.33	0.33	0.00	(0.33)	0.00
Management Analyst	0.00	1.00	1.00	0.00	1.00
Sr. Performance Auditor	1.00	1.00	1.00	0.00	1.00
Total Positions	**3.33**	**3.33**	**3.00**	**(0.33)**	**3.00**

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	3.33	1,240,346
FY 2021/22 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefit adjustments		84,810
Realloction of 0.33 Office Specialist IV to Finance Department to realign administrative functions	(0.33)	(51,672)
Increase in operating supplies		116
Reduction in interfund services		(78,065)
Reduction in conferernce, travel, and training		(1,836)
Increase in various contractual services (Outside Audit Services, Memberships, Training)		7,271
Total FY 2021/22 Base Budget Adjustments	**(0.33)**	**(39,376)**
Total FY 2021/22 Base Budget	**3.00**	**1,200,970**
FY 2021/22 Service Level Changes		
Audit Services Reduction		(125,000)
Total Service Level Changes		**(125,000)**
Total FY 2021/22 Proposed Budget	**3.00**	**1,075,970**
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefits adjustments		166,071
Non-personnel adjustments		8,485
Total FY 2022/23 Base Budget Adjustments	**0.00**	**174,556**
Total FY 2022/23 Base Budget	**3.00**	**1,250,526**
Total FY 2022/23 Proposed Budget	**3.00**	**1,250,526**

Service Level Changes

Title	Positions	One-Time Expenditures (All Funds)	Ongoing Expenditures (All Funds)	One-Time Expenditures (All Funds)	Ongoing Expenditures (All Funds)
Audit Services Reduction	0.00	(125,000)	0	0	0

Programs: 3352 - City Auditor Administration

This proposal reduces the City Auditor's Office budget by $125,000 to recognize savings from the anticipated City Auditor vacancy through a portion of FY 2021/22.

Performance Impact

The Audit Manager would continue to manage City audits, which would primarily be contracted out. City audits provide valuable information to improve City operations and address issues independently identified as part of the audit process.

Strategic Pillar: Manage Strategically Our Workforce Capacity and Resources

Performance and Workload Measures

City Auditor Division							
Performance Measures							
	Strategic Pillar	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Percentage of audit recommendations management agrees to implement[1]		N/A	N/A	100%	100%	100%	100%
Percentage of approved workplans completed or substantially completed during the fiscal year		67%	38%	75%	75%	75%	75%
Percentage of hotline investigation recommendations resolved[2]		N/A	N/A	N/A	N/A	90%	90%
Workload Measures							
Number of major work products issued[3] - *New for FY 2021/22*		N/A	4	1.5	2	4	4

[1] *The 2019-20 and 2020-21 data for the Audit Recommendation is unavailable due to vacancies within the City Auditor's Office.*

[2] *The 2018-19 data for the Fraud Hotline is unavailable because the hotline will not be implemented until 2021/22.*

[3] *The 2019-20 data for the completed work does not include 4 additional ad hoc projects the Office completed.*

City Manager's Office

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City Manager's Office Description

The City Manager's Office is responsible for providing direction and support to all City departments for day-to-day operations and strategic planning, and support to the City Council with its policy making. The City Manager's Office also provides general administration for the Sports and Open Space Authority, Housing Authority, and Successor Agency of the former Redevelopment Agency; ensures city-wide emergency preparedness; drives strategic planning and organizational development; oversees employee relations; directs the preparation of the budget in conformance with the Council's approved priorities and Budget Principles; and advises Council of the City's financial outlook. In addition, the City Manager's Office has direct responsibility for economic development, community outreach and engagement, property management, special projects, and legislative research and analysis.

Divisions and Services

The City Manager's Office is organized into two Divisions: City Council Support and Leadership and Management Services.

City Council Support Division Mission	Support the City Council with its policy decisions and assist with establishing and implementing goals, objectives, and planning strategies to maintain a thriving community with efficiently delivered City services.
Division Objectives	Provide policy support for decision making by assisting Council in establishing policies and priorities, deciding on regional, State, and federal legislative positions, and executing its legislative responsibilities.
	Build intergovernmental relations and promote a strong, effective advocacy voice for legislation that will benefit the City.
Leadership and Management Services Division Mission	Support the Santa Clara community through strategic planning, day-to-day oversight of operations, policy development, and fiscal planning. This Division also leads economic development, organizational development, community outreach and engagement, and the implementation of key policies and programs.
Division Objectives	Implement Council direction while overseeing City operations and department resources, economic development, management of City-owned properties, and the development and implementation of key policy.
	Plan and execute highly complex, citywide projects while strategically developing a more effective and efficient organization.
	Enhance the City's community outreach and engagement efforts by updating the City's communications plan and informing residents and businesses about issues through press releases, Community Letters, the City Hall News online, Inside Santa Clara (the City newspaper for residents and businesses), the City's website and social media channels.

Significant Accomplishments

- Updated structure for annual two-day Council Priority Setting Session to highlight budget and fiscal needs and COVID-19 efforts, which the Council unanimously approved as the City's top priorities for the near future
- Facilitated the onboarding and orientation of three Councilmembers elected in November 2020 in support of a smooth transition, including three virtual onboarding sessions and regular briefings on key topics
- Supported an extended outreach campaign for 2020 Census through October 2020 to ensure all Santa Clarans were counted, resulting in a higher self-response rate than the 2010 Census
- Hosted Town Hall on the City's Dark Money Ordinance with City Clerk in February 2020 to help the community learn more about fair election practices
- Hosted three virtual State of the City events where community heroes from all districts were highlighted and reached thousands of residents by phone and through the City's online streaming platforms
- Launched the City's Workers' Cooperative Initiative to support business owners and their workers to transition to employee ownership as a succession option through trainings, consultation or legal advice, free of charge provided by third-party consultants
- Strategically distributed $1.59 million in CARES Act funding that supported the City's food assistance program, Small Business Assistance Grant Program and other COVID-19 related expenditures
- Launched marketing for the sale of Successor Agency property located at 5201 Great America Parkway, Santa Clara, CA
- Continued implementation of the City's Smoking and Tobacco regulations Ordinance that expands smoking restrictions in many public places and multi-unit residences. On February 23, 2021, City Council adopted Ordinance No. 2029 repealing Section 8.35.130 ("Possession of Tobacco by Persons Under 21 Years of Age")
- Launched an award-winning website redesign in December 2019, with recognition by the National Association of Government Web Professionals 2020 Pinnacle Award in the City/County and 1st place honors in two categories for the 2020 Excellence in Public Information and Communications, for innovative communications and design of the City's website
- Redesigned the City's quarterly newspaper, "Inside Santa Clara" with a new design and organized content to further brand Santa Clara as "The Center of What's Possible" in June 2020
- Launched a new redesign for the City Manager's biweekly report as "City Hall News" in October 2020, to provide an improved user experience to disseminate pertinent information to the community. Provided digital and print versions to the senior community
- Created a cohesive and updated redesign to the monthly utility bill insert, "Mission City Scenes" as "Mission City News", to connect the theme with the City Manager's City Hall News in February 2021
- Relaunched "Santa Clara Source" videos with a new look in February 2021, as a comprehensive update to include more pertinent citywide information, in addition to Council's actions from Council and Stadium Authority meetings to the public
- Developed a series of video messages from the City Council on cultural and holiday events including Eid al-Fitr, Kwanzaa, 4th of July, Black History Month, Diwali and more

COVID-19 Communications

- Launched an extensive outreach campaign on the relaunch of the City's drive-thru window to provide City billing and finance services during the COVID-19 pandemic, with a video message shared on various communication channels including social media and garnered local press coverage in August 2020
- Created a campaign called Santa Clara Has It Covered in April 2020 to include messaging with video and digital graphics to encourage Santa Clarans to wear a face covering

- Supported various City departments for video production including some highlighted videos for: virtual Parks & Recreation programs, Santa Clara City Library programs, Annual Cleanup 2020 campaign and safety overview, EV charging stations and "Why I drive an EV", Play it Safe Santa Clara, Reed & Grant Sports Park and more
- Developed content and implemented "Mayor@Noon" live, interactive video series that began in September 2020 to inform the public of COVID-19 updates and impacts to Santa Clara, launched the weekly series on the City's Facebook live, YouTube and Santa Clara City television channels
- Engaged in robust community outreach effort on topics of interest to Santa Clara communities such as ongoing activities in the City, COVID-19 relief programs, such as Healthy Meals Santa Clara and Food for Families, a 6-month relief on garbage rates, Help Your Neighbor, COVID-19 free testing. Provided public information through digital and print communications, the City Manager's "City Hall News" publication, Letters to the Community, increased social media presence and numerous community meetings and online surveys (Open City Hall)

Facilitated COVID-19 Relief Efforts for Businesses with City Departments

- Supported Santa Clara small businesses by developing and launching a Small Business Assistance Grant Program that awarded over $1.7 million in funds to 248 small businesses and nonprofits
- Established a temporary ordinance that caps fees that a third-party delivery service can charge Santa Clara restaurants for their services during the COVID-19 pandemic
- Established an ordinance to add worker recall protections for Santa Clara workers
- Revised Worker Retention Ordinance to provide hotel service workers retention rights

Facilitated COVID-19 Relief Efforts for Residents with City Departments

- Distributed regular COVID-19 updates to the community with the latest information on the COVID-19 pandemic as well as the City's response efforts
- Supplied donated masks/face coverings to the community
- Launched the Healthy Meals Santa Clara program to provide Santa Clara Union School District families with weekend meals, as well as worked with Mission City Community Fund to raise funds for the program
- Adjusted Senior Nutrition Program to a Drive-thru Meals Program for approximately 180 seniors per day in response to the COVID-19 pandemic to keep seniors safe and healthy
- Implemented delivery of weekend meals to homebound seniors
- Partnered with Second Harvest/Salvation Army Silicon Valley for ongoing use of City employees as Disaster Service Workers to support weekly food distribution program
- Developed an emergency rental assistance program for residents experiencing hardship due to COVID-19
- Adopted an Ordinance for a temporary moratorium on evictions for non-payment of rent
- Implemented a six-month relief on garbage rate increases for all residents and businesses
- Implemented a suspension on service disconnections for utility (electric and water) nonpayment to assist those impacted by COVID-19
- Leveraged the Silicon Valley Power Public Benefits Program to issue a $30 credit on all residential electric bills to assist during the COVID-19 pandemic
- Implemented virtual construction/building inspection options
- Relaunched the Help Your Neighbor Program to allow community members to donate funds in support of their neighbors
- Reopened drive-through window at City Hall for safe, in person utility bill payment, and other financial transactions
- Established a City of Santa Clara Reference Line launched for residents who may have questions about City

services and programs during the COVID-19 emergency response

- Transitioned to virtual Council and public meetings, allowing for continued community engagement

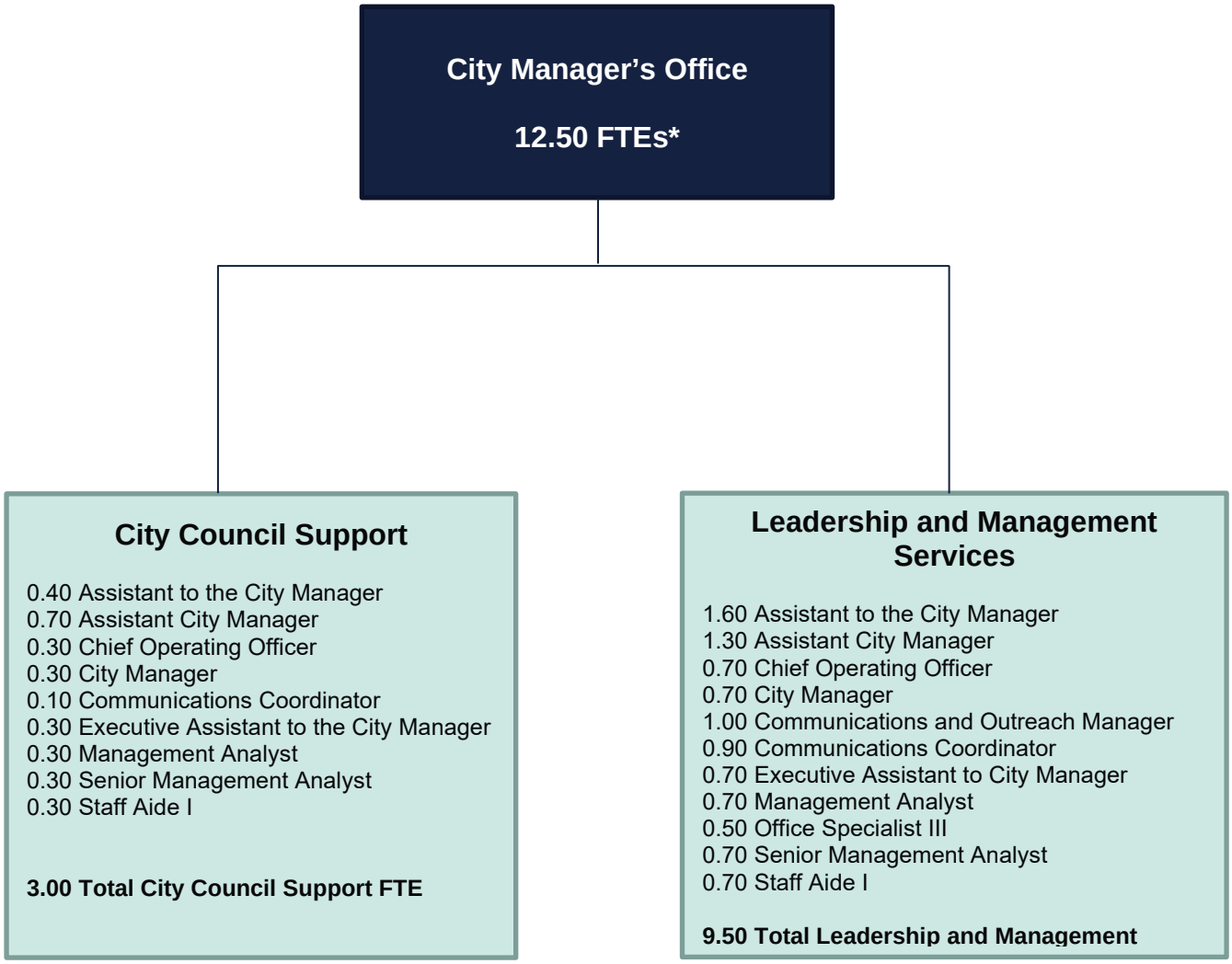
Significant Objectives

- Provide redistricting options for Council consideration following the release of 2020 Census data and engage the community in any necessary changes so that they can be adopted in compliance with federal timelines
- Facilitate additional conversations about Council Priorities following the COVID-19 pandemic to develop a shared understanding of the state of the organization and the Council's future priorities
- Continue to support the City Council, the priority setting process, and regular, special and committee meetings
- Continue to provide leadership and professional management to the City government organization
- Continue to work with various stakeholders to advance the land use planning and development of Santa Clara's downtown
- Continue to mitigate deficits projected in the City's Ten-Year General Fund Financial Forecast through development of revenue strategies, implementation of alternative service delivery models and expenditure reductions
- Oversee and mitigate the impact of service level changes, if any, related to council districts and new developments
- Continue to support the City Council and departments with federal and State legislative priorities and goals
- Continue to build intergovernmental relations and promote a strong, effective advocacy voice for State and federal legislation that will benefit the City
- Work with regional partners to develop and implement goals and measures that reduce aircraft noise, including the Santa Clara/Santa Cruz Counties Airport Community Roundtable and other efforts
- Work with stakeholders to advance economic development efforts to promote Santa Clara tourism and businesses
- Continue to support the Santa Clara Convention Center with transitioning its new operator and advancing our mutual goals as articulated in the Management Agreement
- Provide strategic communications support to departments across the City with a focus on programs and projects related to Council priorities
- Continue to support City's deployment of improved public service deployment for public gatherings, including Levi's Stadium
- Continue to implement audit recommendations and support the City Auditor with completing audits
- Continue to support the community with administering various special events and the City's grants program
- Continue to coordinate citywide outreach efforts to increase community engagement on key projects such as the Pruneridge Complete Streets Plan, Tobacco Policies Santa Clara and other key initiatives
- Provide strategic communications support to city departments with a focus on programs and projects related to City Council priorities
- Continue to increase communications and outreach by use of integrated communication strategies including increasing video messaging, enhancing social media engagement, and developing campaigns around sharing city stories through "Love Santa Clara" initiative
- Enhance and further define the search function on the City website for enhanced user experience, redesign the homepage of the website for better functionality and continue to improve the website

- Continue to manage City's Customer Relationship Management System, MySantaClara, to provide a more effective and user-friendly experience to Santa Clara residents, businesses and visitors

Budget Highlights

- Recommends a carefully balanced FY 2021/22 and 2022/23 Biennial Operating Budget that reflects the City Council priorities and continues to build on the foundation of financial sustainability
- With a combination of strategies to address the General Fund shortfall, the budget balances the competing goals of aligning ongoing revenues and expenditures and minimizing the service delivery impacts to the community, which is one of the budget principles adopted for FY 2021/22.
- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
    - Contractual services, including miscellaneous consultants, property audits, economic analysis and development, property appraisals, the commercial cannabis program, and legal services for property management
    - Reduction in advertising and community promotion
    - Elimination of the risk consultant allocation
    - Froze 1.0 Assistant City Manager position that is vacant as the previous incumbent serves as the Chief Electric Operating Officer
- Includes migration of all the membership, conference, travel, and training budgets from City Manager's Office to Non-Departmental. Ongoing membership fees, conference, travel, and training costs will be included as a line item under the Non-Departmental Citywide Program
- Includes ongoing funding of $95,000 for consultant services to track and monitor proposed State and federal legislation that may impact the City



**The positions above represent all funded positions. This excludes the 1.0 Assistant City Manager position that was frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
City Council Support Division							
1021	Policy Support for Decision Making	807,340	1,227,017	1,115,877	(9.1%)	1,156,212	3.6%
1022	Intergovernmental Relations and Advocacy	297,655	516,921	222,140	(57.0%)	289,046	30.1%
Total City Council Support Division		**1,104,995**	**1,743,938**	**1,338,017**	**(23.3%)**	**1,445,258**	**8.0%**
Leadership and Management Services Division							
1031	Day-to-Day Operations	7,783,549	1,653,574	1,581,083	(4.4%)	1,640,944	3.8%
1032	Strategic Planning	994,786	1,438,351	1,249,132	(13.2%)	1,295,765	3.7%
1033	Community Outreach and Engagement	982,010	1,338,115	1,273,837	(4.8%)	1,313,568	3.1%
Total Leadership and Management Services Division		**9,760,345**	**4,430,040**	**4,104,052**	**(7.4%)**	**4,250,277**	**3.6%**
Total by Division / Program		**10,865,340**	**6,173,978**	**5,442,069**	**(11.9%)**	**5,695,535**	**4.7%**

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	6,146,226	6,125,034	5,442,069	(11.2%)	5,695,535	4.7%
Convention Center Enterprise Fund	51,573	0	0	0.0%	0	0.0%
Expendable Trust Fund	2,049,731	0	0	0.0%	0	0.0%
Fringe Benefits Fund	42,992	0	0	0.0%	0	0.0%
OPEB Plan Trust Fund	2,241,987	0	0	0.0%	0	0.0%
Other City Departments Operating Grant Trust Fund	293,214	48,944	0	(100.0%)	0	0.0%
Public, Education and Governmental (PEG) Fee Fund	39,153	0	0	0.0%	0	0.0%
Public Donations Fund	464	0	0	0.0%	0	0.0%
Total by Fund	**10,865,340**	**6,173,978**	**5,442,069**	**(11.9%)**	**5,695,535**	**4.7%**
Dollars by Category						
Salary and Benefits						
Salary	2,548,479	2,400,251	2,144,781	(10.6%)	2,228,422	3.9%
As-Needed	131,957	123,200	127,512	3.5%	131,975	3.5%
Overtime	352	0	0	0.0%	0	0.0%
Retirement	658,463	857,912	889,459	3.7%	948,017	6.6%
Health Allocation	115,962	166,544	165,349	(0.7%)	170,998	3.4%
Medicare	39,633	46,643	40,387	(13.4%)	41,886	3.7%
Social Security	99,427	108,679	100,222	(7.8%)	101,090	0.9%
Other Benefits	2,328,123	232,329	184,985	(20.4%)	186,238	0.7%
Total Salary and Benefits	**5,922,396**	**3,935,558**	**3,652,695**	**(7.2%)**	**3,808,626**	**4.3%**
Non-Personnel						
Materials/Services/Supplies	4,224,390	1,616,406	1,014,625	(37.2%)	1,100,241	8.4%
Interfund Services	661,806	622,014	774,749	24.6%	786,668	1.5%
Capital Outlay	56,748	0	0	0.0%	0	0.0%
Total Non-Personnel	**4,942,944**	**2,238,420**	**1,789,374**	**(20.1%)**	**1,886,909**	**5.5%**
Total by Category	**10,865,340**	**6,173,978**	**5,442,069**	**(11.9%)**	**5,695,535**	**4.7%**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Division / Program					
City Council Support Division					
1021 Policy Support for Decision Making	3.00	3.00	2.55	(0.45)	2.55
1022 Intergovernmental Relations and Advocacy	0.30	0.30	0.45	0.15	0.45
Total City Council Support Division	**3.30**	**3.30**	**3.00**	**(0.30)**	**3.00**
Leadership and Management Services Division					
1031 Day-to-Day Operations	3.60	3.60	3.80	0.20	3.80
1032 Strategic Planning	3.30	3.30	3.00	(0.30)	3.00
1033 Community Outreach and Engagement	2.80	2.80	2.70	(0.10)	2.70
Total Leadership and Management Services	**9.70**	**9.70**	**9.50**	**(0.20)**	**9.50**
Total by Division / Program	**13.00**	**13.00**	**12.50**	**(0.50)**	**12.50**

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Fund					
General Fund	13.00	13.00	12.50	(0.50)	12.50
Total by Fund	**13.00**	**13.00**	**12.50**	**(0.50)**	**12.50**
Position Classification					
Assistant City Manager	3.00	3.00	2.00	(1.00)	2.00
Assistant to the City Manager	1.00	1.00	0.00	(1.00)	0.00
Assistant to the City Manager - Emergency Services Coordinator	0.00	0.00	1.00	1.00	1.00
Assistant to the City Manager - Public Information Officer	0.00	0.00	1.00	1.00	1.00
Chief Operating Officer	1.00	1.00	1.00	0.00	1.00
City Manager	1.00	1.00	1.00	0.00	1.00
Communications and Outreach Manager	1.00	1.00	1.00	0.00	1.00
Communications Coordinator	1.00	1.00	1.00	0.00	1.00
Executive Assistant to City Manager	1.00	1.00	1.00	0.00	1.00
Management Analyst	2.00	2.00	1.00	(1.00)	1.00
Office Specialist III	1.00	1.00	0.50	(0.50)	0.50
Public Information Officer	1.00	1.00	0.00	(1.00)	0.00
Senior Management Analyst	0.00	0.00	1.00	1.00	1.00
Staff Aide I	0.00	0.00	1.00	1.00	1.00
Total Positions	**13.00**	**13.00**	**12.50**	**(0.50)**	**12.50**

**The positions above represent all funded positions. This excludes the 1.0 Assistant City Manager position that was frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	13.00	6,173,978
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Legislative Advocacy		(150,000)
Healthy Cities Program - Tobacco Free Communities		(48,944)
Ongoing Cost Adjustments		
Salary and Benefits adjustments		8,855
Reallocation of 0.5 Office Specialist III from Non-Departmental	0.50	64,526
Reclassification of 1.0 Public Information Officer to 1.0 Assistant to the City Manager		
Reclassification of 1.0 Management Analyst to 1.0 Senior Management Analyst		
Reclassification of 1.0 Office Specialist III to 1.0 Staff Aide I		
Net increase in various interfund services allocations		152,735
Legislative Advocacy		35,000
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021):		
- Freeze of 1.0 Assistant City Manager	(1.00)	(327,894)
- Reduction in various contractual service and advertising allocations (economic analysis/development, commercial cannabis, property appraisals)		(224,593)
- Elimination of the risk consultant allocation		(51,000)
- Reduction of conference, training, and travel budget		(20,000)
Reallocation of various City Memberships to Non-Departmental		(160,697)
Reallocation of Sister Cities and State of the City budget to the Mayor and City Council Offices		(7,351)
Reallocation of Ricoh usage costs to the Information Technology Department		(2,546)
Net-zero shifts		
Increase to City publications, offset by communications consulting services		30,000
Reallocation of communications consulting services to City publications		(30,000)
Increase to operating supplies to align to actual spend		7,227
Reallocation of contractual services budget to operating supplies		(7,227)
Total FY 2021/22 Base Budget Adjustments	**(0.50)**	**(731,909)**
Total FY 2021/22 Base Budget	**12.50**	**5,442,069**
Total FY 2021/22 Proposed Budget	**12.50**	**5,442,069**

Budget Reconciliation

	Positions	Expenditures (All Funds)
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefits adjustments		155,931
Legislative Advocacy		60,000
Net increase in various interfund services allocations		11,919
Non-personnel adjustments		25,616
Total FY 2022/23 Base Budget Adjustments	**0.00**	**253,466**
Total FY 2022/23 Base Budget	**12.50**	**5,695,535**
Total FY 2022/23 Proposed Budget	**12.50**	**5,695,535**

Performance and Workload Measures

City Council Support Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Close out City Council Meeting referrals within three months – *Delete for FY 2021/22*		N/A	52%	70%	70%	N/A	N/A

Workload Measures

Number of State and federal legislative bills reviewed/tracked		N/A	291	75	100	100	100
Number of support/opposition correspondence produced for regional, state, and federal legislation – *New for FY 2021/22*		N/A	N/A	N/A	N/A	15	15
Number of meetings/presentations to City Departments and/or City Council to share legislative information – *New for FY 2021/22*		N/A	N/A	N/A	N/A	12	12
Number of City Council meeting referrals assigned		N/A	44	80	44	44	44
Number of City Council meeting referrals closed – *New for FY 2021/22*		N/A	N/A	N/A	N/A	31	31
Number of City Council agenda reports approved		N/A	797	2,300	750	750	750
Number of City Council and Council Committee meetings		N/A	84	60	75	75	75

Leadership and Management Services Support Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percentage of MySantaClara app users who are satisfied or very satisfied with the City's response to their request		N/A	66%	70%	72%	70%	70%
Percentage of employees that feel satisfied with the City as an employer – *New for FY 2021/22*[1]		N/A	N/A	N/A	N/A	75%	N/A
Percentage of residents that believe the City is doing an excellent or good job - *New for FY 2021/22*[1]		N/A	N/A	N/A	N/A	65%	N/A

[1] *FY 2022/23 targets are marked as N/A as resident and employee surveys are conducted biennially.*

Performance and Workload Measures

Leadership and Management Services Support Division							
Performance Measures							
	Strategic Pillar	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Percentage of residents that believe the City is keeping residents informed - *New for FY 2021/22*[1]		N/A	N/A	N/A	N/A	60%	N/A
Percentage of residents that believe the City is focusing on the priorities that matter most to them – *New for FY 2021/22*[1]		N/A	N/A	N/A	N/A	50%	N/A
Citywide social media posts							
Percentage increase in Twitter followers		N/A	28%	5%	5%	5%	5%
Percentage increase in Facebook followers		N/A	17%	3%	5%	5%	5%
Percentage increase in LinkedIn followers		N/A	36%	2%	5%	5%	5%
Percentage increase in Instagram followers – *New for FY 2021/22*		N/A	N/A	N/A	N/A	5%	5%
Workload Measures							
Percentage of community grants approved within 30 days		N/A	67%	90%	90%	90%	90%
Number of community grants awarded		N/A	9	20	2	10	10
Number of economic development visits with Santa Clara businesses		N/A	15	15	15	15	15
Number of community engagement activities							
Community surveys		N/A	12	6	13	10	10
Media inquires		N/A	266	75	75	75	75
News releases/media advisories		N/A	98	36	36	50	50
City Manager's Blogs[2]		N/A	20	24	N/A	N/A	N/A
Videos (e.g., Santa Clara Source)		N/A	95	40	119	120	120

[1] *FY 2022/23 targets are marked as N/A as resident and employee surveys are conducted biennially.*
[2] *Due to the COVID-19 response, the City Manager Biweekly Report took a brief hiatus. For FY 2021/22, workload measure will be tracked under Citywide Publications.*

Performance and Workload Measures

Leadership and Management Services Support Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Citywide social media posts							
Number of Facebook posts		N/A	1,198	600	1,000	725	725
Number of Nextdoor posts		N/A	295	150	260	200	200
Number of Twitter posts		N/A	1,014	375	985	725	725
Number of Instagram posts – *New for FY 2021/22*		N/A	N/A	N/A	N/A	600	600
Number of LinkedIn posts		N/A	80	50	72	80	80
Citywide Publications – *New for FY 2021/22*							
Inside Santa Clara Newsletter		N/A	N/A	N/A	N/A	3	3
Mission City News Bill Insert		N/A	N/A	N/A	N/A	12	12
City Hall News from City Manager		N/A	N/A	N/A	N/A	24	24
Annual Calendar		N/A	N/A	N/A	N/A	1	1

Community Development Department

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Community Development Department Description

The Department consists of three divisions: Planning, Building, and Housing and Community Services. The Department's primary purpose is to guide the ongoing physical development of the community, which includes long range land use planning, review of new development proposals and construction to ensure that it conforms to the standards of the City and State and the provision of affordable housing within the City of Santa Clara. The Department acts as an advisor to the City's decision-makers in these areas and carries out the policies of the City Council. Santa Clara's policies and standards are contained in the General Plan, Zoning Ordinance, California Building Codes and adopted City Council policies. Plans for all new structures are reviewed and construction inspections are made to verify the safety and basic quality of work. Maintenance of the City's General Plan, proactive land use planning to meet the future needs of the community, and the delivery of high-quality professional services, including the enhancement and streamlining of the development permit process, and forging partnerships to provide housing services to lower income members of the community are primary objectives of the Department.

Divisions and Services

The Community Development Department is organized into three Divisions: Planning; Building; and Housing and Community Services.

Housing and Community Services Division Mission	The Housing and Community Services Division administers the City's federal Community Development Block Grant (CDBG) and HOME Investment Partnerships Act Program (HOME) entitlement grant programs. The federal entitlement grants are used to promote affordable housing, rehabilitate substandard housing, provide neighborhood improvements and remove barriers to persons with disabilities, and fund public services for low- and moderate-income residents. Additionally, the Housing and Community Services Division administers the City's inclusionary housing program, which requires that a percentage of new development units be dedicated to low and moderate-income residents. Also, the Housing Division continues to manage its Redevelopment Agency legacy assets which include land and cash available for development, loans to first-time homebuyers, and other new affordable development projects.
Division Objectives	Complete an annual Consolidated Plan for utilizing federal funding received by the City. The plan identifies community development and affordable housing needs and determines activities to be implemented that will assist low- and moderate-income people.
	Administer our two core federally funded programs: Tenant Based Rental Assistance (TBRA) and Neighborhood Conservation and Improvement Program (NCIP).
	Complete in a timely fashion those budgeted capital improvement projects receiving funds from the federal CDBG Program and HOME Investment Partnership Act Program.
	Achieve the community service goals required of City-funded public service agencies.
	Encourage and finance the construction and maintenance of housing affordable to lower- and moderate-income households utilizing the revenues from the following three housing funds: Housing Successor, City Affordable Housing and Housing Authority. Provide opportunities for affordable home ownership to moderate-income households. Implement the City's inclusionary housing policy, which requires 15% of all new residential developments be set-aside for moderate income households.

Building Division Mission	To provide high quality and efficient services for the design, construction, use, occupancy, and maintenance of all buildings and structures in order to safeguard the public health, safety and general welfare in the built environment.
Division Objectives	Provide efficient and customer-friendly plan review and permitting services at the Permit Center and through the internet.
	Provide effective field inspection services during construction and code enforcement services to respond to community concerns.
	Continue streamlining the building permit process through new technologies and the internet. Continue permit system replacement efforts along with migration of existing data.
	Continue to digitize documents to update the permitting database to enhance services.
	Apply and implement new building codes and new State legislation.
	Continue to coordinate plan checks and inspections statuses of the four development functions: Building, Fire Prevention, Planning and Public Works/Engineering.

Planning Division Mission	To enhance the community's safety, welfare, quality of life, and economic opportunities by providing advanced planning and development review services.
Division Objectives	Review proposed development projects for consistency with City policies, ensure compliance with the California Environmental Quality Act (CEQA), and confirm construction complies with development approvals.
	Continue streamlining the development process and facilitate public access to information through new technologies and the internet.
	Prepare and implement long range plans; in coordination with consultants, update the Zoning Ordinance, prepare the Downtown Precise Plan and the El Camino Real, Patrick Henry Drive and Freedom Circle Specific Plans.
	Support the City's historic preservation efforts, provide code enforcement to respond to community concerns, implement and update the Climate Action Plan, and work with the Valley Transportation Authority (VTA) on planning for transit services.
	Provide support for CEQA/National Environmental Policy Act (NEPA) review of City capital, affordable housing, and other public projects.

Significant Accomplishments

- In response to the Covid-19 pandemic, City leadership developed policies that allowed Planning staff to implement and administer Outdoor Commercial Dining and Activity Permits at zero cost to business owners which allowed their business to continue operations in unprecedented times
- Completed the El Camino Real Specific Plan which will implement the City's General Plan goals and policies for the El Camino Real corridor by providing more detailed guidance for future land uses and urban design elements
- Invested over $0.8 million in the City's Neighborhood Conservation and Improvement Program (NCIP) and $1 million in the City's Tenant Based Rental Assistance Programs
- Assisted two families in purchasing Below Market Purchase (BMP) homes, 5,000 residents through public service programs and 20 homeless or at-risk Santa Clara residents through the County Supportive Housing Partnership
- Negotiated and executed Amendments to Disposition and Development Agreements (DDAs) for the Agrihood and Monroe Projects
- Executed an extension to the Exclusive Negotiating Agreement (ENA) and License agreement with Habitat for Humanity, De La Cruz Project
- Performed over 35,000 Building, Mechanical, Electrical and Plumbing inspections from March 2020 to March 2021
- The Building Division's projects from March 2020 to March 2021 totaled $1.26 billion in valuation
- Plan Check and Permit fees from March 2020 to March 2021 totaled $14 million in revenue
- Over 20 Building employees underwent a comprehensive and concentrated 32-hour CASp training (Certified Access Specialist training educates staff regarding state and federal accessibility laws and regulations). This ensures the community will have experienced, trained, and tested individuals who can inspect buildings and sites for compliance as it relates to the state and federal construction-related accessibility standards
- Fulfilled numerous public records requests within California Public Records Act guidelines
- The software testing team created highly customized reporting that enhanced transparency to performance measures such as: tracking amount of weekly permit applications, permit and plan review fee revenue, number of emails, Public Record requests, phone calls, and inspections on a weekly basis
- Through Building Division's administrative staff's timely and rigorous training of the CORE cashiering software, the Division was still able to generate revenue for permits, plan review and inspections and most importantly, provide exceptional customer service to the community while remaining 100% socially distant and safe
- While Permit Center and Plan Review staff alternated working remotely and using staggered on-site shifts, staff continued to coordinate the complex plan check processes between many City divisions, departments, and outside agencies
- Permit Center and Plan Review services have successfully implemented 100% online services through the online portal to ensure health and safety for customers and staff
- Building Division continues to move closer towards 'Go Live' date with the new permitting system as rigorous testing plans, multiple work sessions and intense quality control are being conducted daily. More accurate, precise reporting methods have been fine-tuned, tested, and approved. Data conversion from older database to new, modernized software permit platform is being tested daily by a team of three beta testers devoted specifically for this purpose. Enhanced GIS mapping features are being customized which enable Inspectors to provide even better services

Significant Objectives

- Continue to engage with the Santa Clara community to inform and involve community members in both long-range and current land use planning activities.

- Enhance economic development by meeting service demands; provide more timely development review and permit processing timeframes and inspections; keeping critical services in-house; providing consistency and continuity; and staying current with technology
- Complete significant advanced planning efforts, including the Zoning Ordinance update, Housing Element Update, Tasman East Area Plan Amendments, Patrick Henry Drive Specific Plan, and Freedom Circle Focus Area Plan
- Implement the permit system replacement to streamline permit processes with online, electronic access, and integration with a geographic information system (GIS)
- Continue partnership with HouseKeys to administer the Below Market Rental Program (BMR) and Below Market Purchase Program (BMP).
- Work to expand the affordable housing pipeline, execute DDAs and loan closing for current pipeline.

Budget Highlights

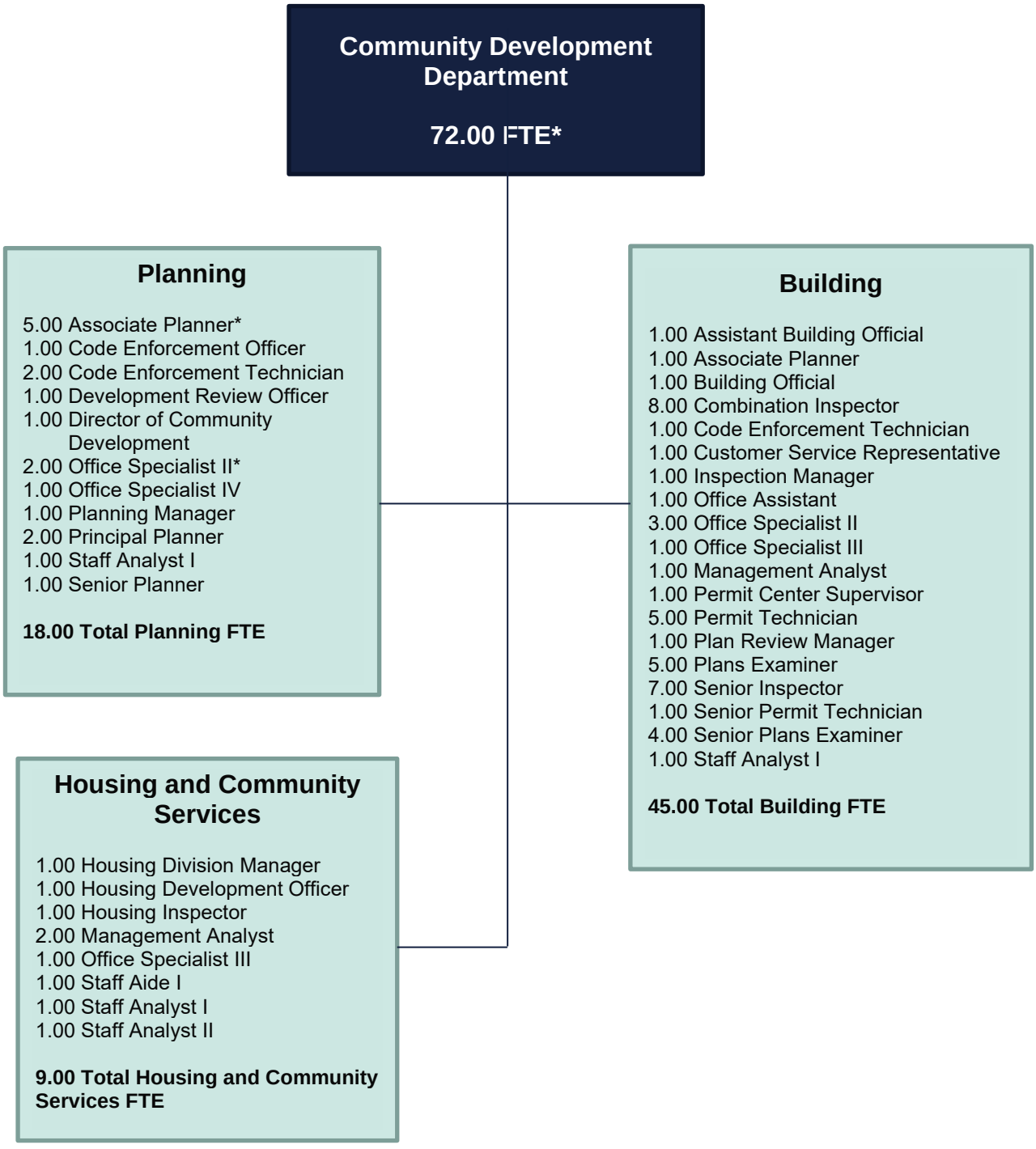
- The City received two one-time CDBG entitlements for 2020-2021 totaling approximately $1.5 million to help address the COVID-19 crisis. In response, staff has developed an Emergency Rental Assistance Program (ERAP) to assist low-income Santa Clara residents affected by COVID-19 and estimated to assist 250 households.

- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
  - Froze 1.0 Associate Planner position
  - Froze 0.75 of an Office Specialist II position
  - Reduced as-needed staffing
  - Reduced conferences, travel, and training budgets

- The Proposed Budget includes the following Phase 2 budget reductions to help address the General Fund shortfalls:
  - The realignment of a Housing Inspector to the Code Enforcement Technician classification
  - The shift of 1.0 Associate Planner to the Building Development Services Fund

- The Proposed Budget includes a new Building Development Services Fund to house all Building Division activity starting in FY 2021/22.

- Significant resources are recommended to support the Building Division, including the addition of 4.0 new positions, as-needed staff support, and contractual services funding for third-party plan check and inspection services as well as software support and equipment. The additional funding should greatly improve the service delivery of the Building Division and help the division keep up with the current pace of development activity in the City. These fee-supported additions are reflected in the new Building Development Services Fund.



**The positions above represent all funded positions. This excludes the 1.0 Associate Planner and 0.75 Office Specialist II positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Planning Division							
5522	Development Review	9,035,860	2,144,229	1,889,928	(11.9%)	1,956,570	3.5%
5523	Advanced Planning	1,867,365	1,372,557	1,211,123	(11.8%)	1,266,730	4.6%
5524	Historical Preservation	597,639	719,392	575,495	(20.0%)	600,794	4.4%
5525	Code Enforcement	1,016,848	917,055	816,811	(10.9%)	844,223	3.4%
Total Planning Division		**12,517,712**	**5,153,233**	**4,493,357**	**(12.8%)**	**4,668,317**	**3.9%**
Building Division							
5532	Plan Review and Permit Services	5,434,955	7,605,512	8,205,361	7.9%	8,338,070	1.6%
5533	Field Inspection	3,783,221	3,881,129	4,290,923	10.6%	4,630,138	7.9%
5534	Housing Inspection	29,140	31,033	87,412	181.7%	90,153	3.1%
Total Building Division		**9,247,316**	**11,517,674**	**12,583,696**	**9.3%**	**13,058,361**	**3.8%**
Housing and Community Services Division							
5542	Federal State Grant	530,172	569,301	612,997	7.7%	634,750	3.5%
5543	Neighborhood Conservation and Improvement Program	816,236	1,240,889	1,356,786	9.3%	1,369,685	1.0%
5544	Community Development	1,095,023	3,339,810	1,719,864	(48.5%)	575,767	(66.5%)
5545	Affordable Housing	504,456	641,008	572,042	(10.8%)	594,571	3.9%
5546	Housing Authority	90,176	497,047	363,099	(26.9%)	368,411	1.5%
5547	City Affordable Housing	1,114,461	1,446,415	1,431,111	(1.1%)	1,447,378	1.1%
5548	Community Development Housing Successor	491,577	5,854,587	915,640	(84.4%)	932,072	1.8%
Total Housing and Community Services Division		**4,642,101**	**13,589,057**	**6,971,539**	**(48.7%)**	**5,922,634**	**(15.0%)**
Total by Division / Program		**26,407,129**	**30,259,964**	**24,048,592**	**(20.5%)**	**23,649,312**	**(1.7%)**

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	20,931,002	17,233,763	5,070,207	(70.6%)	5,267,692	3.9%
Other City Departments Operating Grant Trust Fund	62,231	0	0	0.0%	0	0.0%
Engineering Operating Grant Trust Fund	454,232	33,157	0	(100.0%)	0	0.0%
Building Development Services Fund	0	0	12,428,158	0.0%	12,581,772	1.2%
Housing Authority Fund	90,166	497,047	363,099	(26.9%)	368,411	1.5%
City Affordable Housing Fund	1,114,461	1,446,415	1,431,111	(1.1%)	1,447,378	1.1%
Housing Successor Agency Fund	491,587	5,854,587	915,640	(84.4%)	932,072	1.8%
Building Special Programs and Training Fund	18,151	44,995	44,995	0.0%	44,995	0.0%
General Government Capital Fund	884,922	0	0	0.0%	0	0.0%
Related Santa Clara Developer Fund	0	0	110,543	0.0%	431,594	290.4%
Housing and Urban Development Fund	2,360,377	5,150,000	3,684,839	(28.4%)	2,575,398	(30.1%)
Total by Fund	**26,407,129**	**30,259,964**	**24,048,592**	**(20.5%)**	**23,649,312**	**(1.7%)**
Dollars by Category						
Salary and Benefits						
Salary	7,216,424	8,852,963	8,759,859	(1.1%)	9,480,365	8.2%
As-Needed	644,875	257,900	511,668	98.4%	529,577	3.5%
Overtime	126,350	65,000	67,275	3.5%	69,630	3.5%
Retirement	2,338,475	2,704,561	3,039,281	12.4%	3,300,672	8.6%
Health Allocation	620,434	794,422	852,318	7.3%	903,409	6.0%
Medicare	116,792	132,562	132,421	(0.1%)	140,382	6.0%
Social Security	422,292	510,763	522,173	2.2%	544,561	4.3%
Other Benefits	336,229	358,401	403,823	12.7%	244,949	(39.3%)
Total Salary and Benefits	**11,821,871**	**13,676,572**	**14,288,818**	**4.5%**	**15,213,545**	**6.5%**
Non-Personnel						
Materials/Services/Supplies	3,216,757	10,652,533	4,138,547	(61.1%)	3,897,427	(5.8%)
Interfund Services	1,562,767	1,420,451	2,430,944	83.2%	2,486,671	2.3%
Other Expenditures	2,669,553	4,508,643	3,016,419	(33.1%)	1,872,322	(37.9%)
Transfers to Other Funds	7,136,181	1,765	173,864	9750.7%	179,347	3.2%
Total Non-Personnel	**14,585,258**	**16,583,392**	**9,759,774**	**(41.1%)**	**8,435,767**	**(13.6%)**
Total by Category	**26,407,129**	**30,259,964**	**24,048,592**	**(20.5%)**	**23,649,312**	**(1.7%)**

Position Summary

		FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Division / Program						
Planning Division						
5522	Development Review	7.10	7.85	6.30	(1.55)	6.30
5523	Advanced Planning	5.55	5.55	5.10	(0.45)	5.10
5524	Historical Preservation	3.05	3.05	2.35	(0.70)	2.35
5525	Code Enforcement	4.30	4.30	4.25	(0.05)	4.25
Total Planning Division		**20.00**	**20.75**	**18.00**	**(2.75)**	**18.00**
Building Division						
5532	Plan Review and Permit Services	20.00	21.00	26.75	5.75	26.75
5533	Field Inspection	17.90	18.90	18.15	(0.75)	18.15
5534	Housing Inspection	0.10	0.10	0.10	0.00	0.10
Total Building Division		**38.00**	**40.00**	**45.00**	**5.00**	**45.00**
Housing and Community Services Division						
5542	Federal State Grant	1.32	1.32	2.10	0.78	2.10
5543	Neighborhood Conservation and Improvement Program	1.15	1.15	1.20	0.05	1.20
5544	Community Development	0.00	0.00	0.00	0.00	0.00
5545	Affordable Housing	2.48	2.48	2.30	(0.18)	2.30
5546	Housing Authority	0.29	0.29	0.65	0.36	0.65
5547	City Affordable Housing	1.43	1.43	1.20	(0.23)	1.20
5548	Community Development Housing Successor	1.33	1.33	1.55	0.22	1.55
Total Housing and Community Services Division		**8.00**	**8.00**	**9.00**	**1.00**	**9.00**
Total by Division / Program		**66.00**	**68.75**	**72.00**	**3.25**	**72.00**

**The positions above represent all funded positions. This excludes the 1.0 Associate Planner and 0.75 Office Specialist II positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2021/22 Proposed*
Positions by Fund					
General Fund	60.48	61.23	20.30	(40.93)	20.30
Building Development Services Fund	0.00	0.00	43.00	43.00	43.00
Housing Authority Fund	0.29	0.29	0.65	0.36	0.65
City Affordable Housing Fund	1.43	1.43	1.20	(0.23)	1.20
Housing Successor Agency Fund	1.33	1.33	1.55	0.22	1.55
Related Fund	0.00	2.00	2.00	0.00	2.00
Housing and Urban Development Fund	2.47	2.47	3.30	0.83	3.30
Total by Fund	**66.00**	**68.75**	**72.00**	**3.25**	**72.00**
Position Classification					
Assistant Building Official	1.00	1.00	1.00	0.00	1.00
Assistant Planner I	1.00	0.00	0.00	0.00	0.00
Associate Planner	7.00	7.00	6.00	(1.00)	6.00
Building/Housing Inspector	1.00	1.00	0.00	(1.00)	0.00
Building Official	1.00	1.00	1.00	0.00	1.00
Code Enforcement Officer	1.00	1.00	1.00	0.00	1.00
Code Enforcement Technician	2.00	2.00	3.00	1.00	3.00
Combination Inspector	8.00	8.00	8.00	0.00	8.00
Customer Service Representative	1.00	1.00	1.00	0.00	1.00
Development Review Officer	1.00	1.00	1.00	0.00	1.00
Director of Community Development	1.00	1.00	1.00	0.00	1.00
Housing Division Manager	0.00	0.00	1.00	1.00	1.00
Housing Development Officer	1.00	1.00	1.00	0.00	1.00
Housing Inspector	1.00	1.00	1.00	0.00	1.00
Inspection Manager	1.00	1.00	1.00	0.00	1.00
Management Analyst	2.00	2.00	3.00	1.00	3.00
Office Assistant	0.00	0.00	1.00	1.00	1.00
Office Specialist II	4.00	4.75	5.00	0.25	5.00
Office Specialist III	2.00	2.00	2.00	0.00	2.00
Office Specialist IV	1.00	1.00	1.00	0.00	1.00
Permit Center Supervisor	1.00	1.00	1.00	0.00	1.00
Permit Technician	4.00	4.00	5.00	1.00	5.00
Plan Review Manager	1.00	1.00	1.00	0.00	1.00
Planning Manager	1.00	1.00	1.00	0.00	1.00
Plans Examiner	5.00	5.00	5.00	0.00	5.00
Principal Planner	2.00	2.00	2.00	0.00	2.00
Senior Inspector	6.00	7.00	7.00	0.00	7.00

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2021/22 Proposed*
Positions by Fund					
General Fund	60.48	61.23	20.30	(40.93)	20.30
Building Development Services Fund	0.00	0.00	43.00	43.00	43.00
Housing Authority Fund	0.29	0.29	0.65	0.36	0.65
City Affordable Housing Fund	1.43	1.43	1.20	(0.23)	1.20
Housing Successor Agency Fund	1.33	1.33	1.55	0.22	1.55
Related Fund	0.00	2.00	2.00	0.00	2.00
Housing and Urban Development Fund	2.47	2.47	3.30	0.83	3.30
Total by Fund	**66.00**	**68.75**	**72.00**	**3.25**	**72.00**
Position Classification					
Assistant Building Official	1.00	1.00	1.00	0.00	1.00
Assistant Planner I	1.00	0.00	0.00	0.00	0.00
Associate Planner	7.00	7.00	6.00	(1.00)	6.00
Building/Housing Inspector	1.00	1.00	0.00	(1.00)	0.00
Building Official	1.00	1.00	1.00	0.00	1.00
Code Enforcement Officer	1.00	1.00	1.00	0.00	1.00
Code Enforcement Technician	2.00	2.00	3.00	1.00	3.00
Combination Inspector	8.00	8.00	8.00	0.00	8.00
Customer Service Representative	1.00	1.00	1.00	0.00	1.00
Development Review Officer	1.00	1.00	1.00	0.00	1.00
Director of Community Development	1.00	1.00	1.00	0.00	1.00
Housing Division Manager	0.00	0.00	1.00	1.00	1.00
Housing Development Officer	1.00	1.00	1.00	0.00	1.00
Housing Inspector	1.00	1.00	1.00	0.00	1.00
Inspection Manager	1.00	1.00	1.00	0.00	1.00
Management Analyst	2.00	2.00	3.00	1.00	3.00
Office Assistant	0.00	0.00	1.00	1.00	1.00
Office Specialist II	4.00	4.75	5.00	0.25	5.00
Office Specialist III	2.00	2.00	2.00	0.00	2.00
Office Specialist IV	1.00	1.00	1.00	0.00	1.00
Permit Center Supervisor	1.00	1.00	1.00	0.00	1.00
Permit Technician	4.00	4.00	5.00	1.00	5.00
Plan Review Manager	1.00	1.00	1.00	0.00	1.00
Planning Manager	1.00	1.00	1.00	0.00	1.00
Plans Examiner	5.00	5.00	5.00	0.00	5.00
Principal Planner	2.00	2.00	2.00	0.00	2.00
Senior Inspector	6.00	7.00	7.00	0.00	7.00

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2021/22 Proposed*
Position Classification					
Senior Permit Technician	1.00	1.00	1.00	0.00	1.00
Senior Planner	0.00	1.00	1.00	0.00	1.00
Senior Plans Examiner	3.00	4.00	4.00	0.00	4.00
Staff Aide I	1.00	1.00	1.00	0.00	1.00
Staff Analyst I	3.00	3.00	3.00	0.00	3.00
Staff Analyst II	1.00	1.00	1.00	0.00	1.00
Total Positions	**66.00**	**68.75**	**72.00**	**3.25**	**72.00**

**The positions above represent all funded positions. This excludes the 1.0 Associate Planner and 0.75 Office Specialist II positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	68.75	30,259,964
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
One-Time Adjustments		
Freebird Development Loan		(5,000,000)
Building Division - Contractual Services (Third-Party Plan Check and Inspection Services)		(2,449,000)
CDBG Emergency Rental Assistance Grant Funding		(1,500,000)
CDBG Activity Delivery Costs		(221,804)
ADU Pilot Program		(200,000)
CDBG and HOME Administration Costs		(132,065)
One Bay Area Grant 15-16 City Match		(33,157)
Payment Processing Equipment for Permit Center		11,330
Ongoing Cost Adjustments		
Salary and benefits adjustments		179,782
Reallocation of Housing Division Manager from Non-Departmental (change Assistant to the City Manager position to Housing Division Manager)	1.00	265,335
Addition of 1.0 Sr. Plans Examiner for Related Project (Partial Year Funding)		69,329
Addition of 1.0 Sr. Inspector for Related Project (Partial Year Funding)		34,662
Increase of CDBG and HOME Public Service Costs		7,776
Net increase in various interfund services allocations and transfers to other funds		1,182,592
Reallocation Accela Licensing cost to Non-Departmental		(157,000)
Reallocation of Ricoh usage costs to the Information Technology Department		(5,811)
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council on March 9, 2021)		
- Reduction in Conference Travel and Training		(25,595)
- Reduction in As Needed Salaries		(30,259)
- Freeze of 1.0 Associate Planner Position	(1.00)	(177,604)
- Freeze of 0.75 Office Specialist II Position	(0.75)	(73,481)
Total FY 2021/22 Base Budget Adjustments	**(0.75)**	**(8,254,970)**
Total FY 2021/22 Base Budget	**68.00**	**22,004,994**

Budget Reconciliation

	Positions	Expenditures (All Funds)
FY 2021/22 Service Level Changes		
Accela Permit System Management	1.00	177,301
Building Permit Processing Support	1.00	132,312
Building Division Administrative Support	1.00	123,988
Building Plans and Drawings Support	1.00	98,217
Building Third-Party Plan Check and Inspection Services		1,000,000
As-Needed Support for Accela Testing and Building Administrative Staff Services		275,000
Digital Scanning Vendor Contract		200,000
Accela Ongoing Maintenance Support		100,000
Remote Workstations for Inspectors		22,000
Reallocation of Associate Planner from Planning to Building Division		0
Position Realignment of Housing Inspector Overfill to Code Enforcement Technician		(85,220)
Total Service Level Changes	**4.00**	**2,043,598**
Total FY 2021/22 Proposed Budget	**72.00**	**24,048,592**
FY 2022/23 Base Budget Adjustments		
One-Time Cost Adjustments		
Digital Scanning Vendor Contract		(200,000)
Reduction in Accela Ongoing Support Maintenance		(50,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		924,727
Non-personnel adjustments		70,090
Housing and Urban Development Allocation Adjustments		(1,144,097)
Total FY 2022/23 Base Budget Adjustments	**0.00**	**(399,280)**
Total FY 2022/23 Base Budget	**72.00**	**23,649,312**
Total FY 2022/23 Proposed Budget	**72.00**	**23,649,312**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Accela Permit System Management	1.00	0	177,301	0	185,218

Program: 5532 – Plan Review and Permit Services

This proposal adds 1.0 fee supported Management Analyst position that will be devoted full time to working with staff and the Accela consultant to troubleshoot, track and resolve all items and ensure workflow is efficient and the new development permit system is always functioning. In FY 2019/20, there was a recruitment for an inspector position that would take on some of these duties; however, the recruitment was unsuccessful. Most candidates that applied for the inspector position came from a building background with technical experience in building code rather than a background in the software. The Division seeks to recruit for this position under the Management Analyst classification as it is likely to attract more suitable candidates.

Performance Impact

The Management Analyst will serve as the primary project manager and subject matter expert for the Accela software and will improve the overall management of the software implementation and its functionality.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Building Permit Processing Support	1.00	0	132,312	0	137,480

Program: 5532 – Plan Review and Permit Services

This proposal adds 1.0 Permit Technician to support development activity. Permit processing times have increased significantly; this additional position will help keep customer service response times acceptable with a preliminary review of plans, and calculation and collection of fees and permit issuance.

Performance Impact

This proposal will improve the ability of the division to issue permits in a timelier manner, improve current working standards for existing staff, and provide an increased level of customer service to the community.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Building Division Administrative Support	1.00	0	123,988	0	128,957

Program 5532 - Planning Review and Permit Services

This proposal adds 1.0 Office Specialist II to provide consistent support for services such as inspection scheduling, processing payments, phone monitoring, and provide staff support. The potential candidate should be able to reduce the reliance of as-needed support currently used by the Building Division.

Performance Impact

This proposal will provide enhanced customer service levels, both internally and externally, and increase staff productivity by shifting clerical duties from specialized staff.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Building Plans and Drawings Support	1.00	0	98,217	0	97,211

Programs: 5532 Plan Review and Permit Services

This proposal adds 1.0 Office Assistant to support 'bin room' processing of approved plans and drawings. This position will ensure that plans are stamped, archived, and stored properly.

Performance Impact

This proposal will provide additional clerical support and records management support for the Building Division, and will assist on the conversion of printed plans to a digital format.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Building Third-Party Plan Check and Inspection Services	0.00	0	1,000,000	0	1,020,000

Program: 5532 – Plan Review and Permit

This action provides resources to the Building Division to supplement their existing contractual services budget for outside service related to plan checks and inspections. Due to the high volume of development activity in the City, the Building Division frequently needs to utilize professional services to maintain its current level of service and keep up with the development activity. While this cost has typically been appropriated in mid-year budget adjustments, this proposal will bring the funding into the cyclical budget process for increased transparency and annual evaluation.

Performance Impact

This proposal represents a realingment of the Building Division's budget to reflect current and future spending needs.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
As-Needed Support for Accela Testing and Admintrative Support	0.00	0	275,000	0	283,250

Program: 5532 – Plan Review and Permit

This proposal adds funding for as-needed staffing to address workload demands. The last four fiscal years have steadily ended with overages in the as-needed budget, while the overall salary expenditures have remained below budget. The as-needed staffing will support customer service, Accela Testing for Go Live, Public Records Act deadlines, plans/bin room retention, and collection of payment for permits.

Performance Impact

The increase in the as-needed staffing budget will reduce the issues associated with implementing a new software system and should positively improve the division’s overall turn times in its primary functions.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Digital Scanning Vendor Contract	0.00	200,000	0	0	0

Program: 5532 – Plan Review and Permit

This proposal adds funding for a digital scanning vendor contract (three-year cost). Submitted building plans and drawings are to be stored and archived digitally and kept according to the retention schedule. Staff requires access to scanned drawings, certificates, applications, code enforcement letters in the performance of their job duties.

Performance Impact

This should reduce staff time needed in looking for submitted documents as well as increase compliance by maintaining well-organized and accurate records.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Accela Ongoing Maintenance Support	0.00	100,000	0	50,000	0

Program: 5532 – Plan Reivew and Permit Services

This proposal provides ongoing Accela support and maintenance post-Go Live for additional configuration changes, mobile, and GIS support, and continued troubleshooting/training as well as access to daily technical support. There were several items outside the original scope of work that was identified as the Accela implementation process continued, such as technical adjustments to the flow of work, approval sequences, efficiently saving work, and modifying the resubmittal approval process. There is also a need for various reports, such as a custom SQL-based Monthly Activity Report to query the number of inspections, permits, revenue, dwelling units, code enforcement cases.

Performance Impact

This action should mitigate issues in utilizing a new software system.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Remote Workstations for Inspection Vehicles	0.00	22,000	0	0	0

Program: 5532 – Plan Review and Permit

Due to limited office facilities, the installation of remote work equipment in Code Enforcement and Building Inspector field vehicles to continue social distancing is necessary. This includes workstation mounts for laptops, portable printers, and chargers. This will improve the ability to meet inspection demands for customers while keeping staff safe and socially distant.

Performance Impact

This should increase productivity by decreasing the need for inspectors to return to the office to finalize reports, potentially increasing the number of inspections an inspector can perform daily.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Reallocation of Associate Planner from Planning to Building Division	0.00	0	0	0	0

Program: 5533 – Field Inspection

This proposal shifts the funding source of 1.0 Associate Planner from the General Fund to the Building Services Fund for work that can be supported by this program. The impact to the General Fund will be lessened by 1.0 associate planner cost while the impact to the Building Development Services Fund Program is expected to be offset by a new Building Permit Conformance Fee. The conformance fee is currently a topic being explored in the current development fee study the City is conducting. While it is unknown how much revenue the new fee will generate, the minimum expectation is that the fee generates enough to at least cover the cost of the position.

Performance Impact

This action is not anticipated to have a service level impact. Currently, the Planning Division and Building Division work in conjunction with each other to ensure all requirements are met for development. The shift of the position is more reflective of actual time spent in this collaborative effort.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Position Realignment of Housing Inspector Overfill to Code Enforcement Technician	0.00	0	(85,220)	0	(93,209)

Program: 5532 – Plan Review and Permit

During a prior year's department reorganization, the department reduced its need for Housing Inspectors from 2.0 positions to 1.0 position. Due to the seniority of both staff members in the department, the department allowed one of the Housing Inspectors to overfill one of its existing Code Enforcement Technician positions. The employee that was overfilling the position has since retired, and the department will now recruit for a candidate in the Code Enforcement Technician classification that has a lower cost.

Performance Impact

This should not have any service level impact other than providing the City with ongoing cost savings

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Performance and Workload Measures

Planning Division	Strategic Pillar	2018/19 Actuals	2019/20 Actuals	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Performance Measures							
Complete Project Clearance Committee (PCC) Review within 30 days of application submittal		90%	90%	90%	90%	90%	90%
Workload Measures							
Number of items forwarded to the Planning Commission		57	49	50	24	35	45
Number of items forwarded to the Architectural Committee		121	80	115	60	65	70
Number of items forwarded to the City Council		42	48	40	45	40	40
Provide an annual report to the Planning Commission and City Council on the General Plan implementation		1	1	1	1	1	1
Number of advanced-planning Agenda Reports sent to City Council		17	18	15	14	15	15
Number of policy updates approved		2	2	2	3	2	2
Number of items forwarded to the Historical and Landmarks Commission		16	14	15	18	15	16
Provide an annual report to the Historical and Landmarks Commission on the Certified Local Government Program		1	1	1	1	1	1
Number of Planning Permit inquiries		9,448	7,253	9,000	4,360	7,000	8,000

Performance and Workload Measures

Planning Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of cases opened		1,131	711	750	575	604	664
Number of cases closed		1,016	704	725	555	582	531

Building Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of express plan checks performed within two working days* - *Delete in FY 2021/22*		80%	N/A*	90%	N/A	N/A	N/A
Percent of short cycle plan checks performed within ten business days		80%	0%	90%	0%	50%	50%
Percent of regular cycle plan checks performed within thirty calendar days		75%	78%	85%	78%	78%	75%
Percent of service provided to all Permit Center customers within twenty minutes of their arrival - *Delete for FY 2021/22*		79%	65%	80%	N/A	N/A	N/A
Percent of code complaints responded to within two working days		80%	65%	80%	50%	50%	50%
Percent of inspections performed the next working day		60%	10%	60%	50%	50%	50%
Percent of multi-family rental housing complexes inspected per month** - *Delete for FY 2021/22*		1%	N/A**	1%	N/A	N/A	N/A
Percent of housing code complaint responded to within two business days -*Delete for FY 2021/22*		90%	10%	90%	65%	N/A	N/A

Performance and Workload Measures

Housing and Community Services Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of new loan applications processed		N/A	7	10	10	10	10
Number of new for-sale affordable homes sold		N/A	2	7	4	4	4
Total funds invested in Community Revitalization (Not including Multi-Family Development Loans)		N/A	$2.5M	$3.75M	$4.9M	$3.75M	$3.75M
Number of clients receiving Fair Housing services including education, counseling, and enforcement of regulations		N/A	31	40	40	40	40
Number of affordable housing units in development pipeline		N/A	950	1,000	700	600	500
Total number of homeless (or formally homeless) individuals being housed		N/A	65	100	65	65	65
Number of Housing Units for Extremely Low Income Households (0-30% of AMI)		N/A	80	75	50	60	40
Number of Housing Units for Very Low Average Median Income Households (30%-50% AMI)		N/A	87	75	45	70	72
Number of Housing Units for Low Income Households (50%-80% of AMI)		N/A	182	100	30	30	30
Number of Moderate Household Income (80% to 120% of AMI)		N/A	90	110	10	18	22

Electric Utility Department

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Electric Utility Department – Silicon Valley Power (SVP) Description

Since 1896, Silicon Valley Power (SVP) has provided electricity for residents and businesses in Santa Clara. The Electric Department has a budgeted staff of 198 employees who provide such diverse services as operating, maintaining and dispatching electric service, engineering, system planning, administrative and financial management, marketing, customer services, power trading, outdoor Wi-Fi services and dark fiber leasing services, all of which work together to make SVP successful for the City and its residents.

Divisions and Services

SVP is organized into six Divisions: Administrative Services; Business Services; Customer Development and Project Management; Resource Planning and Engagement; Revenue and Resources; and Utility Operations.

Administrative Services Division Mission	Plan, develop, coordinate and support the administrative activities of the Department.
Division Objectives	Develop plans utilizing the Strategic Plan to achieve goals and objectives of the City of Santa Clara.
	Develop staff training plans to meet the growth opportunities within the City.

Business Services Division Mission	Sustain a culture of compliance and fiduciary responsibility for the benefit and safety of the community and the employees.
Division Objectives	Secure required organizational resources.
	Maintain regulatory and legislative compliance and system security.
	Manage debt and maintain fiduciary controls to maintain financial health.

Customer Development and Project Management Division Mission	Be an agile and trusted partner in connecting our customers and leveraging SVP fiber optic and technology assets. Focus on execution to complete new capital investments for increased infrastructure and substations.
Division Objectives	Enhance our collaboration and connection with our customers and stakeholders.
	Enhance data driven decision making to innovate, design and develop plans to optimize and expand the utility's physical assets.
	Focus on our core work and capital investments projects to streamline processes, remove barriers and lower our costs.

Resource Planning and Engagement Division Mission	**Retain and attract customers to the Santa Clara electric system by supporting environmental improvement programs, customer services, and implementing a sound marketing and communication strategy to accomplish the goals of the City. Manage the adequacy and cost of fuel and electric resources in a competitive market.**
Division Objectives	Assure adequate generation resources for reliable, economically-competitive services to all SVP customers and meet all State and federal reliability and environmental compliance requirements.
	Optimize value of assets through power trading and scheduling and procure cost-competitive fuel resources for power production.
	Actively seek understanding of customers' valuation of energy service needs and amend the marketing plan as necessary to meet the needs of a dynamic marketplace, including technologies responsive to customer needs.
	Work with other public power agency partners to explore new generation and transmission resources to service growing sales and reduce SVP's risks and average costs.

Revenue and Resources Division Mission	**Provide centralized location to receive revenue and monitor expenses for resource and production to procure energy.**
Division Objectives	Manage all Joint Powers Authorities (JPA) costs.
	Record and receive revenue.

Utility Operations Division Mission	**Provide safe and reliable electrical energy to the City of Santa Clara by maintaining and enhancing infrastructure to meet energy demands for our customers.**
Division Objectives	Maintain continuous efforts to improve system reliability by targeting system improvements, through scheduled maintenance of equipment according to its useful life cycle, and ongoing inspections.
	Strengthen the system through improved design, research of new technologies and systems, and implementation of new system and equipment.
	Maintain safety at the highest priority and a culture of compliance with all regulatory requirements.

Significant Accomplishments

- Launched a COVID rate assistance program in FY 2019/20 that provides a 25% discount on the electric portion of the utility bill for residential customers who have been economically impacted by the COVID-19 Stay at Home Order. This program has served a total of 214 customers as of the end of calendar year 2020
- Launched a Small Business Energy Efficiency Grant Program for businesses impacted by COVID-19 in FY 2020/21 to assist small businesses impacted by the effects of the COVID-19 Stay at Home Order issued in March 2020 to lower their electric utility bills through energy efficiency improvements. A total of 41 grant applications were received in the first 6 months of the program. Launched a Nonprofit Energy Efficiency Grant Program in FY 2019/20. This program has awarded 7 grants in its first 18 months.
- Pre-refunded multiple bonds through direct placement which will achieve $20 Million Net Present Value savings over the next 12 years
- Developed reserve policy that will enable SVP to remain solvent, handle emergency financial needs, and levelize future rate increases. In addition, this policy will provide adequate liquidity ratios which will be viewed favorably during reviews with bond rating agencies
- Launched three rebate programs (1) Refrigerator Recycling in FY 2019/20, serving 123 customers in its first year, (2) Energy Star Room Air Cleaner Rebate in FY 2020/21, processing nearly 400 rebate applications in the first six months of the program, and (3) Electric Vehicle Supply Equipment SVP rebate program for residents, non-profit, schools and multi-family customers
- Launched two Low Income programs directed at energy efficiency (1) Solar Grant Program in FY 2020/21 that aims to provide enough energy through solar installations to offset nearly the entire annual energy consumption for qualified customers and (2) electric vehicle rebate program
- Developed a substation standard agreement and executed three new substation service level agreements. For customers needing a substation, a new pre-funding agreement was created allowing for system studies and some predesign work. Six agreements have been executed
- Completed required audits including 2020 NERC Compliance Audit and 2020 Western Electricity Coordinating Council (WECC) Audit. Submitted timely NERC Compliance Self-Certification paper audits in 2019 and 2020 with no findings
- Implemented several new programmatic changes for NERC compliance monitoring and internal controls (e.g., quarterly spot checks, monthly CIP audits, and monthly check-ins with compliance subject matter experts (SMEs) and Reliability Standard Owners). These program activities provide additional means of monitoring and identifying potential gaps in SVP's compliance and contributes to more positive audit outcomes.
- Completed new Standard Fiber Lease Template; completed five commercial lease extensions; executed five commercial lease renewals, and onboarded one new customer. Completed Fiber Work Order Audits of 23 customers.
- Entered a five-year gas hedge position that accounts for approximately 20% of SVP's forecasted gas consumption in 2021 – 2025. Negotiated a gas transportation rate with PG&E that substantially reduces the cost associated with the expected operation of these facilities through December 31, 2022. In addition to providing value to SVP rate payers, the negotiated rate structure allows for a more efficient dispatch of several natural gas fueled power plants and reduces overall GHG emissions.
- Developed a more robust and analytically based load forecasting model. Eliminated outside resources needed to perform production cost modeling and acquired software allowing staff to run analysis in house using multiple sensitivity studies
- Integrated several new software systems to include: Supervisory Control and Data Acquisition (SCADA) system, and iTOA Transmission Outage Applications and CAISO HANA Real Time to monitor and perform contingency analysis
- Engineered, designed, installed fiber to 26 key high density Advanced Metering Infrastructure (AMI) backhaul locations, maintained downtime and Mean Time To Repair (MTTR) on gatekeeper issues from several days to <1

day on average, while also expanding meter data backhaul infrastructure promoting higher reliability and consistency in electric power usage billing to customers. Initiated deployment of cellular option for gatekeepers resulting in 15% reduction of meter data backhaul issues

- Reorganized and implemented better oversight and management of personnel and assets within the generation division. Implemented environmental, health, and safety programs for Stony Creek hydro assets to ensure facility compliance and the safety of operations and maintenance staff
- Completed significant large generation projects at Don Von Raesfeld (DVR) power plant to replace obsolete equipment, improve functionality, and ensure reliability. These projects included upgrading the turbine and balance of plant control system and overhauling the steam turbine and generator.
- Negotiated a five-year power purchase agreement (PPA) with the Olcese Water District for the bundled energy, environmental attributes and RA capacity from the Rio Bravo hydro project. This PPA provides three commodities to SVP, (Energy, PCC1 RECs, and Resource Adequacy (RA)); this will assist SVP to meet expected load growth and meet resource adequacy requirements
- Developed six-year plan for increasing SVP Bulk Electric System (BES) to 1,100 Mega Volt Amperes (MVA) from 640 MVA; Began construction of Serra Substation; Completed Transmission Reinforcement (South Loop) project design and began easement acquisition
- Municipal Services and Electric Meter shop collaborated to reduce accounts billed using an estimated bill for more than two months to less than 100 accounts month-over-month
- Launched the California Electric Vehicle Incentive Project (CALeVIP) to provide Electric Vehicle Infrastructure incentives to commercial and multi-family utility customers
- Launched California Clean Fuel Rewards (CCFR) Program. Provide funding for direct rebates for SVP customers at the point of purchase (e.g. Dealerships) of any eligible electric vehicle
- Migrated >80% office workers to Remote Working within two days of Pandemic Shelter-in-Place Order, increased to >95% of personnel within following two weeks, and sustained >99% uptime connectivity on average via remote connections. Updated VPN system reducing remote user disconnects and improving bandwidth allowance by 25% resulting in reclaimed user productivity while maintaining security to critical infrastructure

Significant Objectives

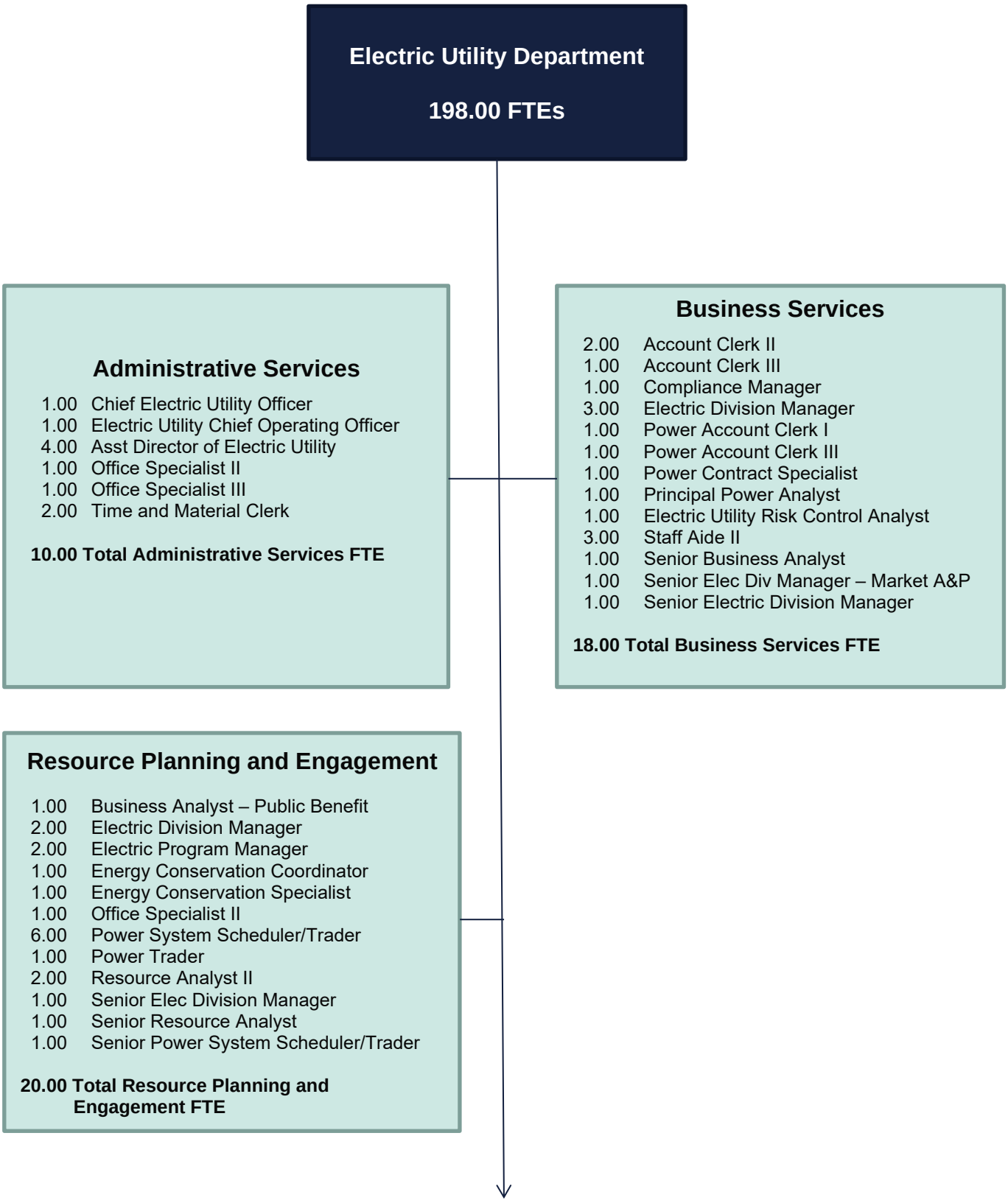
- Complete SVP System Expansion Plan Report with discrete short- and long-term plans to meet 1,100 MW peak system demand to accommodate 20% increase in electric system load growth in the next ten years
- Continue engagement on the California Independent System Operator Transmission Planning process, such that Pacific Gas & Electric will develop and construct projects to increase bulk electric system transmission capacity to serve Santa Clara's electric load growth
- Establish SVP Project Management Office to implement an integrated strategy for the planning, design, construction and commissioning of the Kifer and Scott Receiving Stations, nine substations, and related 60KV transmission line improvements in the next five years
- Initiate SVP's 50 MW Battery Energy Storage System Project located on City-owned property next to the DVR power plant. The project provides multiple benefits in serving peak loads, increases the use of renewable energy and improves system resiliency. The project has an estimated capital cost of $50 to $60 million and goal of commercial operation in 2023/24.
- Phase 2 deployment of electric vehicle chargers (35 connections) at primary City fleet locations including Parks Service Center, Utilities Operations Center, Public Works Corporation Yard and Police Building support plug-in electric vehicles
- Major maintenance overhauls of Gianera Power Plant's Gas Turbines and Generators
- Implement and participate in APPA's eReliability Tracker. This will provide an effective way to collect, categorize, and summarize outage information. System reports will provide monthly reliability performance, identify problem

areas, outage causes, and calculate IEEE1366 statistics.

- Provide leadership to support the department's resources by implementing staff development and succession planning to develop skills and enhance knowledge
- Construction and Commissioning support of multiple Substation Construction projects
- Provide enhanced vegetation management of transmission lines in remote locations to include Glenn and Tehama Counties
- Complete 13 near-term Strategic Plan initiatives and submit quarterly progress reporting on the Strategic Plan to the Council and community
- Ensure wholesale trading activities comply with Council-approved policy and regulations, minimize SVP's credit exposure, monitor counterparty credit risk and ensure compliance with CAISO tariff and regulations
- Provide energy efficiency education and programs to customers to help them reduce their energy use and lower their electric bills, promote renewable energy options, investigate emerging technologies and provide assistance to qualified low income customers to reduce the burden of their electric bills
- Participate and comply with the California Air Resources Board (CARB) Low Carbon Fuel Standard (LCFS) Program to develop, educate, and foster the adoption of electrification as the transportation fuel
- Meet state regulatory requirements for renewable resources and carbon reduction targets while keeping SVP cost competitive

Budget Highlights

- Enhance compliance program to be compliant with North American Electric Reliability Corporation (NERC) Reliability Standard #FAC-008-3 by maintaining proper documentations of all transmission Facility Ratings. This standard ensures that Facility Ratings used in the reliable planning and operation of the Bulk Electric System (BES) are determined and create a redundancy plan based on technically sound principles.
- Complete backlog of maintenance records for protection system and support a one-time drafting effort required to update substructure estimates and substation Computer Aided Design (CAD) drawings used to identify and map underground substructure assets
- Audit SVP's Electric Distribution System to identify assets requiring maintenance and update asset records, as well as update Geographic Information System (GIS) to better represent existing field conditions and enable engineering analytics tools
- Automate the process for maintaining system circuit models in the distribution system planning software. This will add efficiency, accuracy and versatility and provide a comprehensive list of applications for power system design, planning, and operational control.
- Meet the Federal Energy Regulatory Commission (FERC) North American Electric Reliability Council (NERC) standard TPL-001-5 approved February 13, 2020. This standard requires that each component of the electrical system is assessed to ensure there is no single point of failure on a yearly basis.
- Deploy Battery Storage programs along with the integration of Distributed Energy Resources (DER) Grid management systems to optimize the distribution grid when Greenhouse Gas (GHG) emissions are greatest
- Partner with fleet services to replace City vehicles with electric options generating savings citywide and removing Greenhouse Gas (GHG) emitting from internal combustion engines
- Provide funding to the Streets and Highways Capital fund for tree removals for trees with wires
- Fund the addition of 1.0 Assistant City Attorney position in the City Attorney's Office that will support SVP


Electric Utility Department
198.00 FTEs
Administrative Services
1.00 Chief Electric Utility Officer
1.00 Electric Utility Chief Operating Officer
4.00 Asst Director of Electric Utility
1.00 Office Specialist II
1.00 Office Specialist III
2.00 Time and Material Clerk
10.00 Total Administrative Services FTE
Business Services
2.00 Account Clerk II
1.00 Account Clerk III
1.00 Compliance Manager
3.00 Electric Division Manager
1.00 Power Account Clerk I
1.00 Power Account Clerk III
1.00 Power Contract Specialist
1.00 Principal Power Analyst
1.00 Electric Utility Risk Control Analyst
3.00 Staff Aide II
1.00 Senior Business Analyst
1.00 Senior Elec Div Manager – Market A&P
1.00 Senior Electric Division Manager
18.00 Total Business Services FTE
Resource Planning and Engagement
1.00 Business Analyst – Public Benefit
2.00 Electric Division Manager
2.00 Electric Program Manager
1.00 Energy Conservation Coordinator
1.00 Energy Conservation Specialist
1.00 Office Specialist II
6.00 Power System Scheduler/Trader
1.00 Power Trader
2.00 Resource Analyst II
1.00 Senior Elec Division Manager
1.00 Senior Resource Analyst
1.00 Senior Power System Scheduler/Trader
20.00 Total Resource Planning and Engagement FTE

Customer Development and Project Management

1.00	Assistant Electric Utility Engineer
1.00	Business Analyst – Fiber
1.00	Communications Coordinator
1.00	Electric Division Manager – Engineering
5.00	Electric Program Manager
7.00	Electric Utility Engineer
1.00	Engineering Aide
3.00	Engineering Aide (Electric)
1.00	Engineering Aide - Fiber
2.00	Key Customer Representative
1.00	Office Specialist II
1.00	Office Specialist III
1.00	Principal Electric Estimator
4.00	Principal Electric Utility Engineer
1.00	Principal Engineer Aide (Electric)
1.00	Staff Aide II
1.00	Senior Electric Division Manager
2.00	Senior Elec Util Engineer/Distribution Plan
2.00	Senior Electric Utility Engineer
1.00	Senior Electric Util Engineer/Protection Relay
5.00	Senior Electrical Estimator
3.00	Senior Engineering Aide
1.00	Senior Key Customer Representative
1.00	Senior Electric Utility Engineer/Generation
1.00	Senior Electric Utility Engineer/Fiber
1.00	Senior Elec Utility Eng/Operation Planning

50.00 Total Customer Development and Project Management FTE

Utility Operations

1.00	Database Administrator
4.00	Electric Utility Helper/Driver
2.00	Electric Utility Network Administrator
6.00	Electric & Water System Operator
4.00	Electric Crew Foreperson
5.00	Electric Division Manager
2.00	Electric Maintenance Worker
3.00	Electric Meter Technician
3.00	Electric Program Manager
2.00	Electric Utility Equip Operator
9.00	Electric Utility Generator Tech
4.00	Electric Utility Program Analyst
7.00	Electrician
2.00	Fiber Splicing Technician
12.00	Journey Lineworker
3.00	Journey Lineworker Apprentice
2.00	Meter Data Analyst
1.00	Office Specialist II
1.00	Power Trader
1.00	Principal Utility Info System Manager
1.00	Project Manager
5.00	Senior Electric Utility Generation Tech
2.00	Senior Electrician Technician
1.00	Senior Materials Handler
1.00	Senior Elec & Water System Operator
3.00	Senior Energy Systems Analyst
1.00	Senior Elec Meter Technician
1.00	Senior Instrument & Control Tech
1.00	Service Coordinator-Inspector
2.00	Service Coordinator-Inspector (Fiber)
2.00	Troubleshooter
1.00	Underground Crew Leader
4.00	Utility Electrician Technician
1.00	Utility Locator (Fiber)

100.00 Total Utility Operations FTE

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Administrative Services Division							
1316	Administrative Services	29,583,559	29,014,822	41,030,146	41.4%	45,250,699	10.3%
Total Administrative Services Division		**29,583,559**	**29,014,822**	**41,030,146**	**41.4%**	**45,250,699**	**10.3%**
Revenue and Resources Division							
1321	Revenues and Resources Costs	356,682,714	366,592,685	367,434,261	0.2%	442,830,260	20.5%
Total Revenue and Resources Division		**356,682,714**	**366,592,685**	**367,434,261**	**0.2%**	**442,830,260**	**20.5%**
Utility Operations Division							
1351	SVP Systems Support	4,350,326	6,575,488	5,535,184	(15.8%)	5,908,291	6.7%
1362	Power System Controls	3,984,572	4,082,394	4,455,303	9.1%	4,621,673	3.7%
1371	Communications & Meter Technical Support	1,673,722	1,845,614	2,068,559	12.1%	2,148,682	3.9%
1372	Substation Maintenance	4,316,710	4,982,585	5,332,994	7.0%	5,585,838	4.7%
1376	Transmission & Distribution	10,240,022	13,522,253	15,608,017	15.4%	16,342,851	4.7%
1377	Generation	12,152,983	14,688,367	16,582,614	12.9%	17,019,412	2.6%
Total Utility Operations Division		**36,718,335**	**45,696,701**	**49,582,671**	**8.5%**	**51,626,747**	**4.1%**
Business Services Division							
1311	Rates and Budget	1,021,586	1,358,894	1,355,129	(0.3%)	1,448,482	6.9%
1324	Electric Compliance	1,431,257	2,710,085	2,762,232	1.9%	2,885,862	4.5%
1358	Risk Management	3,156,246	3,645,675	3,586,238	(1.6%)	3,674,249	2.5%
Total Business Services Division		**5,609,089**	**7,714,654**	**7,703,599**	**(0.1%)**	**8,008,593**	**4.0%**
Customer Development and Project Management Division							
1313	Key Accounts	1,649,769	2,489,075	2,412,398	(3.1%)	2,544,584	5.5%
1317	Fiber Program	748,903	1,315,324	1,574,888	19.7%	1,743,805	10.7%
1361	SVP Engineering	8,513,188	12,991,103	14,822,134	14.1%	14,880,725	0.4%
Total Customer Development and Project Management Division		**10,911,860**	**16,795,502**	**18,809,420**	**12.0%**	**19,169,114**	**1.9%**

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program						
Resource Planning and Engagement Division						
1312 Public Benefits	6,920,187	12,730,005	14,929,672	17.3%	15,914,801	6.6%
1315 Green Power Program	728,955	1,030,330	1,000,000	(2.9%)	1,000,000	0.0%
1319 SVP Electric Vehicle Program	1,304,651	5,109,508	3,944,261	(22.8%)	3,946,474	0.1%
1325 Greenhouse Gas Program	16,534,916	16,500,218	14,036,178	(14.9%)	14,660,843	4.5%
1356 Resource Management	9,110,470	11,156,347	11,488,932	3.0%	11,859,256	3.2%
Total Resource Planning and Engagement Division	**34,599,179**	**46,526,408**	**45,399,043**	**(2.4%)**	**47,381,374**	**4.4%**
Total by Division / Program	**474,104,736**	**512,340,772**	**529,959,140**	**3.4%**	**614,266,787**	**15.9%**
Dollars by Fund						
Electric Utility Fund[1]	449,344,982	478,001,041	497,049,029	4.0%	579,744,669	16.6%
Electric Operating Grant Trust Fund[1]	24,759,754	34,339,731	32,910,111	(4.2%)	34,522,118	4.9%
Total by Fund	**474,104,736**	**512,340,772**	**529,959,140**	**3.4%**	**614,266,787**	**15.9%**
Dollars by Category						
Salary and Benefits						
Salary	24,317,536	28,018,026	29,363,695	4.8%	30,569,155	4.1%
As-Needed	572,933	946,109	795,400	(15.9%)	800,600	0.7%
Overtime	3,174,255	3,513,845	4,840,200	37.7%	5,019,700	3.7%
Retirement	8,406,844	9,041,389	10,222,947	13.1%	10,897,928	6.6%
Health Allocation	2,144,589	2,631,239	2,976,005	13.1%	3,110,414	4.5%
Medicare	479,134	440,154	446,666	1.5%	464,532	4.0%
Social Security	1,407,769	1,460,707	1,560,311	6.8%	1,575,977	1.0%
Other Benefits	1,019,771	1,074,772	1,309,626	21.9%	1,337,812	2.2%
Total Salary and Benefits	**41,522,831**	**47,126,241**	**51,514,850**	**9.3%**	**53,776,118**	**4.4%**
Non-Personnel						
Materials/Services/Supplies	27,011,483	48,213,688	50,085,918	3.9%	63,577,920	26.9%
Resource/Production	310,853,665	326,500,221	353,462,621	8.3%	388,414,505	9.9%
Interfund Services	12,654,323	14,255,404	14,093,083	(1.1%)	14,466,017	2.6%
Transfers to Other Funds	59,160,068	51,396,933	35,013,292	(31.9%)	64,329,073	83.7%
Contribution In Lieu	22,710,162	24,343,485	25,773,376	5.9%	29,686,154	15.2%
Capital Outlay	192,204	504,800	16,000	(96.8%)	17,000	6.3%
Total Non-Personnel	**432,581,905**	**465,214,531**	**478,444,290**	**2.8%**	**560,490,669**	**17.1%**
Total by Category	**474,104,736**	**512,340,772**	**529,959,140**	**3.4%**	**614,266,787**	**15.9%**

Position Summary

	FY 2019/20 Adopted[1]	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
Administrative Services Division					
1316 Administrative Services	10.00	10.00	10.00	0.00	10.00
Total Administrative Services Division	**10.00**	**10.00**	**10.00**	**0.00**	**10.00**
Utility Operations Division					
1351 SVP Systems Support	13.00	13.00	13.00	0.00	13.00
1362 Power System Controls	11.00	11.00	11.00	0.00	11.00
1371 Communications and Meter Technical Supp	7.00	8.00	8.00	0.00	8.00
1372 Substation Maintenance	16.00	16.00	16.00	0.00	16.00
1376 Transmission and Distribution	33.00	33.00	33.00	0.00	33.00
1377 Generation	19.00	19.00	19.00	0.00	19.00
1378 Field Administration	0.00	0.00	0.00	0.00	0.00
Total Utility Operations Division	**99.00**	**100.00**	**100.00**	**0.00**	**100.00**
Business Services Division					
1311 Rates and Budget	4.00	4.00	4.00	0.00	4.00
1324 Electric Compliance	6.00	6.00	6.00	0.00	6.00
1358 Risk Management	8.00	8.00	8.00	0.00	8.00
Total Business Services Division	**18.00**	**18.00**	**18.00**	**0.00**	**18.00**
Customer Development and Project Management Division					
1313 Key Accounts	8.00	8.00	8.00	0.00	8.00
1317 Fiber Enterprise	5.00	5.00	5.00	0.00	5.00
1361 SVP Engineering	36.00	36.00	36.00	0.00	36.00
Total Customer Development and Project Management Division	**49.00**	**49.00**	**49.00**	**0.00**	**49.00**
Resource Planning and Engagement Division					
1312 Public Benefits	4.00	4.00	4.00	0.00	4.00
1315 Green Power Program	0.00	0.00	0.00	0.00	0.00
1319 SVP Electric Vehicle Program	1.00	1.00	1.00	0.00	1.00
1325 Greenhouse Gas Program	1.00	1.00	1.00	0.00	1.00
1353 Joint Action Coordination	0.00	0.00	0.00	0.00	0.00
1356 Resource Management	15.00	15.00	15.00	0.00	15.00
Total Resource Planning and Engagement Division	**21.00**	**21.00**	**21.00**	**0.00**	**21.00**
Total by Division / Program	**197.00**	**198.00**	**198.00**	**0.00**	**198.00**

[1]*Electric Utility Department has undergone restructure, approved by Council, starting FY 2019/20. Personnel have been re-assigned between operating programs and divisions.*

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Fund					
Electric Utility Fund	191.00	192.00	192.00	0.00	192.00
Electric Operating Grant Trust Fund	6.00	6.00	6.00	0.00	6.00
Electric Debt Service Fund	0.00	0.00	0.00	0.00	0.00
Total by Fund	**197.00**	**198.00**	**198.00**	**0.00**	**198.00**
Position Classification					
Account Clerk II	2.00	2.00	2.00	0.00	2.00
Account Clerk III	1.00	1.00	1.00	0.00	1.00
Assistant Electric Utility Engineer	1.00	1.00	1.00	0.00	1.00
Assistant Director Electric - Business Services	1.00	1.00	1.00	0.00	1.00
Assistant Director Electric - Customer Development and Project Management	1.00	1.00	1.00	0.00	1.00
Assistant Director Electric - Energy Distribution	1.00	1.00	1.00	0.00	1.00
Assistant Director Electric - Planning and Strategic Services	1.00	1.00	1.00	0.00	1.00
Business Analyst - Fiber	1.00	1.00	1.00	0.00	1.00
Business Analyst - Public Benefits	1.00	1.00	1.00	0.00	1.00
Chief Operating Officer	1.00	1.00	1.00	0.00	1.00
Chief Electric Utility Officer	1.00	1.00	1.00	0.00	1.00
Communications Coordinator	1.00	1.00	1.00	0.00	1.00
Compliance Manager	1.00	1.00	1.00	0.00	1.00
Database Administrator	1.00	1.00	1.00	0.00	1.00
Electric and Water System Operator	6.00	6.00	6.00	0.00	6.00
Electric Crew Foreperson	4.00	4.00	4.00	0.00	4.00
Electric Division Manager	10.00	10.00	10.00	0.00	10.00
Electric Division Manager - Engineering	1.00	1.00	1.00	0.00	1.00
Electric Maintenance Worker	2.00	2.00	2.00	0.00	2.00
Electric Meter Technician	3.00	3.00	3.00	0.00	3.00
Electric Program Manager	10.00	10.00	10.00	0.00	10.00
Electric Utility Engineer	7.00	7.00	7.00	0.00	7.00
Electric Utility Equipment Operator	2.00	2.00	2.00	0.00	2.00
Electric Utility Generator Technician	9.00	9.00	9.00	0.00	9.00
Electric Utility Helper/Driver	4.00	4.00	4.00	0.00	4.00
Electric Utility Network Administrator	2.00	2.00	2.00	0.00	2.00
Electric Utility Program Analyst	4.00	4.00	4.00	0.00	4.00
Electrician	7.00	7.00	7.00	0.00	7.00

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 202/23 Proposed
Position Classification					
Energy Conservation Coordinator	1.00	1.00	1.00	0.00	1.00
Energy Conservation Specialist	1.00	1.00	1.00	0.00	1.00
Engineering Aide	1.00	1.00	1.00	0.00	1.00
Engineering Aide - Electric	3.00	3.00	3.00	0.00	3.00
Engineering Aide - Fiber	1.00	1.00	1.00	0.00	1.00
Fiber Splicing Technician	2.00	2.00	2.00	0.00	2.00
Journey Lineworker	12.00	12.00	12.00	0.00	12.00
Journey Lineworker Apprentice	3.00	3.00	3.00	0.00	3.00
Key Customer Representative	2.00	2.00	2.00	0.00	2.00
Meter Data Analyst	1.00	2.00	2.00	0.00	2.00
Office Specialist II	4.00	4.00	4.00	0.00	4.00
Office Specialist III	2.00	2.00	2.00	0.00	2.00
Power Account Clerk I	1.00	1.00	1.00	0.00	1.00
Power Account Clerk III	1.00	1.00	1.00	0.00	1.00
Power Contract Specialist	1.00	1.00	1.00	0.00	1.00
Power System Scheduler/Trader	6.00	6.00	6.00	0.00	6.00
Power Trader	2.00	2.00	2.00	0.00	2.00
Principal Electric Estimator	1.00	1.00	1.00	0.00	1.00
Principal Electric Utility Engineer	4.00	4.00	4.00	0.00	4.00
Principal Engineer Aide	1.00	1.00	1.00	0.00	1.00
Principal Power Analyst	1.00	1.00	1.00	0.00	1.00
Principal Utility Information System Manager	1.00	1.00	1.00	0.00	1.00
Project Manager	1.00	1.00	1.00	0.00	1.00
Resource Analyst II	2.00	2.00	2.00	0.00	2.00
Risk Control Analyst	1.00	1.00	1.00	0.00	1.00
Senior Business Analyst	1.00	1.00	1.00	0.00	1.00
Senior Electric and Water System Operator	1.00	1.00	1.00	0.00	1.00
Senior Electric Division Manager	3.00	3.00	3.00	0.00	3.00
Senior Electric Division Manager - Marketing	1.00	1.00	1.00	0.00	1.00
Senior Electric Meter Technician	1.00	1.00	1.00	0.00	1.00
Senior Electric Utility Engineer	1.00	1.00	1.00	0.00	1.00
Senior Electric Utility Engineer - Control	1.00	1.00	1.00	0.00	1.00
Senior Electric Utility Engineer - Distribution Planning	2.00	2.00	2.00	0.00	2.00
Senior Electric Utility Engineer - Fiber	1.00	1.00	1.00	0.00	1.00
Senior Electric Utility Engineer - Generation	1.00	1.00	1.00	0.00	1.00
Senior Electric Utility Generation Tech	5.00	5.00	5.00	0.00	5.00

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Position Classification					
Senior Electric Utility Engineer - Operation Planning	1.00	1.00	1.00	0.00	1.00
Senior Electric Utility Engineer - Protection Relay	1.00	1.00	1.00	0.00	1.00
Senior Electrical Estimator	5.00	5.00	5.00	0.00	5.00
Senior Electrician Technician	2.00	2.00	2.00	0.00	2.00
Senior Energy Systems Analyst	3.00	3.00	3.00	0.00	3.00
Senior Engineering Aide	3.00	3.00	3.00	0.00	3.00
Senior Instrument and Control Technician	1.00	1.00	1.00	0.00	1.00
Senior Key Customer Representative	1.00	1.00	1.00	0.00	1.00
Senior Materials Handler	1.00	1.00	1.00	0.00	1.00
Senior Power System Scheduler / Trader	1.00	1.00	1.00	0.00	1.00
Senior Resource Analyst	1.00	1.00	1.00	0.00	1.00
Service Coordinator - Inspector	1.00	1.00	1.00	0.00	1.00
Service Coordinator - Inspector Fiber	2.00	2.00	2.00	0.00	2.00
Staff Aide II	4.00	4.00	4.00	0.00	4.00
Time and Material Clerk	2.00	2.00	2.00	0.00	2.00
Troubleshooter	2.00	2.00	2.00	0.00	2.00
Underground Crew Leader	1.00	1.00	1.00	0.00	1.00
Utility Electrician Technician	4.00	4.00	4.00	0.00	4.00
Utility Locator	1.00	1.00	1.00	0.00	1.00
Total Positions	**197.00**	**198.00**	**198.00**	**0.00**	**198.00**

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	198.00	512,340,772
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Silicon Valley Contractual Services		(144,230)
Advanced Metering infrastructure (AMI) Operational Implementation		(122,650)
Remote Property Maintenance		(80,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		4,207,434
Resources purchased and generation and pumping expenses		26,962,400
Change in debt service transfer to reflect financing schedule		2,990,505
Contribution In Lieu increase		1,429,891
Net increase in Materials Services and Supplies		1,026,584
Net increase in various interfund services allocations		1,025,669
Increased transfer to the General Fund for services		356,898
Reduced transfer to various capital improvement programs due to project schedule changes		(16,190,749)
Greenhouse Gas program transfer decrease		(4,941,875)
Mandated program costs from restricted revenues from new Green House Gas and Electric Vehicle programs		(2,624,354)
Reduced services from other funds - cost allocation plan		(1,187,990)
Total Base Budget Adjustments	**0.00**	**12,707,533**
Total FY 2021/22 Base Budget	**198.00**	**525,048,305**
FY 2021/22 Service Level Changes		
North American Electric Reliability Company (NERC) Facility Rating Program		470,000
NERC PRC-005 Documentation Maintenance		60,000
Drafting Support Services		250,000
Electric Distribution System Audit		200,000
Distribution Planning Software - model maintenance and automatic rebuild		220,000
NERC Compliance Support (TPL001-5)		200,000
Distributed Energy Resources (DER) Grid Management		100,000

Budget Reconciliation

	Positions	Expenditures (All Funds)
FY 2021/22 Service Level Changes		
Battery Storage Programs		1,000,000
Bike, Pathway, Park Programs		500,000
City Electric Vehicle Replacement Program		1,500,000
Transfer to the General Fund for City Attorney		320,835
Transfer to the Streets and Highways Capital Fund for Tree Services		90,000
Total Service Level Changes	**0.00**	**4,910,835**
Total FY 2021/22 Proposed Budget	**198.00**	**529,959,140**
FY 2022/23 Base Budget Adjustments		
One-Time Cost Adjustments		
Electric Distribution System Audit		(200,000)
Transfer to the Streets and Highways Capital Fund for Tree Services		(90,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		2,424,290
Increased transfer to various capital improvement programs due to project schedule changes		36,918,626
Resources purchased and generation and pumping expenses		34,951,884
Mandated program costs from restricted revenues from new Green House Gas and Electric Vehicle programs		13,697,984
Contribution In Lieu increase		3,912,778
Net increase in various interfund services allocations		210,912
Reduced transfers to various funds		(7,512,845)
Net decrease in Materials Services and Supplies		(5,982)
Total FY 2022/23 Base Adjustments	**0.00**	**84,307,647**
Total FY 2022/23 Base Budget	**198.00**	**614,266,787**
FY 2022/23 Service Level Changes		
Total Service Level Changes	**0.00**	**0**
Total FY 2022/23 Proposed Budget	**198.00**	**614,266,787**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
North American Electric Reliability Company (NERC) Facility Rating Program	0.00	0	470,000	0	470,000

Program: 1361 – SVP Engineering

This proposal provides ongoing funding for an annual program to meet compliance with NERC Reliability Standard #FAC-008-3, issued by the Federal Energy Regulatory Commission (FERC) in November 2011. FAC is a set of standards from NERC that address Facilities Design, Connections, and Maintenance. This standard requires that SVP keep accurate documentation of all transmission facility ratings and continues to update Pacific Gas & Electric (PG&E), California Independent System Operator (CAISO), and Western Electric Coordinating Council (WECC). Required documentation includes: drawings, software models, and manufacturer specifications. Funding is for consultant services to update the standards and procedures for an enhanced audit system to ensure the facility rating system for planning, redundancies, and determining System Operating Limits. SVP currently has an overall internal audit system and this proposal will help address the requirements and enhance the program to address a 2020 WECC audit.

Performance Impact

Adding outside resources to perform updates within our audit program will mitigate risks by providing necessary documentation to meet regulatory and compliance obligations.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
NERC PRC-005 Documentation Maintenance	0.00	0	60,000	0	60,000

Program: 1361 – SVP Engineering

This proposal provides ongoing funding for a database system to house maintenance records demonstrating proper maintenance on protection systems and for third party independent verification. NERC PRC-005 requires documentation and implementation of programs for maintenance of all Protection Systems, Automatic Reclosing, and Sudden Pressure Relaying affecting the reliability of the Bulk Electric System. This funding is for consultant labor to upload and review data to address the need for accurate documentation of all the breaker services/protections to address the 2015 WECC Audit.

Performance Impact

Updated documentation for the protection group by a 3rd party will ensure accurate information and provide an efficient means to document maintenance of electric utility reliability components within the implemented database.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Drafting Support Services	0.00	250,000	0	150,000	0

Program: 1361 – SVP Engineering

This proposal provides one-time funding for contractual services to support a drafting effort required to update substructure estimates and substation Computer Aided Design (CAD) drawings. SVP has recently undergone a change in record system used to identify and map underground substructure assets. The proposed change eliminates non-essential steps for the substructure update process saving labor hours and replaces it with a quicker, more accurate, less expensive, and more widely used CAD mapping process. This change requires an up-front one-time drafting effort for contractual services to update the backlog created by the older process. Collected as-built drawings that are updates from the field for the records group will be entered into the system.

Performance Impact

Adding outside resources increase effectiveness in migrating to more efficient record system in completing backlog of substation record drawings while internal resources can continue to focus on current projects and operations functions without delays or interruptions.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Electric Distribution System Audit	0.00	200,000	0	0	0

Program: 1361 – SVP Engineering

This proposal provides one-time funding for contractual services for a field audit of SVP's Electric Distribution System to help manage assets. This audit will support SVP to proactively identify assets requiring maintenance as well as update the SVP system of records, ensuring that SVP's Control group has visibility of all assets currently on the grid. The proposal includes contractual services to update the Geographic Information System (GIS) to better map and represent existing field conditions and enable the use of engineering analytics tools currently on the market. It ensures that the GIS system includes all components out in the field and enables more studies.

Performance Impact

Added outside resources, with respective areas of industry expertise, will manage risks and enhance business processes, while allowing internal resources to conduct their day-to-day operational functions without interruptions.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Distribution Planning Software - Model Maintenance and Automatic Rebuild	0.00	220,000	0	130,000	0

Program: 1361 – SVP Engineering

This proposal provides one-time funding to implement an automated process for maintaining SVP system circuit models in the distribution system planning software. The model will be extracted from latest GIS configuration of the SVP electric system and with hourly load modeling using available data from Advanced Metering Infrastructure (AMI), Utility Metering Software (MV90), and Supervisory Control and Data Acquisition (SCADA) system. This would replace the current manual update process and will add more efficiency, accuracy, and versatility to the software. The proposed system will utilize 15-minute AMI data that is much more accurate and granular to model the distribution system providing as close to real-load scenario as possible while integrating with the latest system mapping configuration. The solution would integrate transmission models, substation models, and distribution models, along with their associated measurements and operational data, into a single platform providing a comprehensive list of applications for power system design, planning, and operational control. This proposal links the GIS mapping system audited above and provide analytics for future growth and any contingencies to account for failures. Ongoing software costs are already built into the base budget amount for GIS software.

Performance Impact

Additional software for distribution planning will integrate and link multiple datasets and separate analysis into one system creating efficiencies and reducing staff time from having to work within multiple applications.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
NERC Compliance Support (TPL001-5)	0.00	0	200,000	0	200,000

Program: 1361 – SVP Engineering

This proposal provides ongoing funding for a consultant to aid the operations group with NERC compliance required by the Federal Energy Regulatory Commission (FERC) North American Electric Reliability Council (NERC) standard TPL-001-5 approved on February 13, 2020. This standard requires that each component of the electrical system is assessed to ensure there is no single point of failure. Using these funds, an assessment would be performed to identify actions needed to meet the requirements of this standard. The assessments may lead to separate CIP projects to install new equipment. As a registered Transmission Planner (TP), SVP must maintain system models within SVP's responsible area for performing the studies needed to complete its Planning Assessment on a yearly basis.

Performance Impact

Adding outside resources with transmission and distribution infrastructure system expertise to perform assessments will mitigate risks by identifying potential failures and allow SVP to meet regulatory and compliance obligations.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Distributed Energy Resources (DER) Grid Management	0.00	0	100,000	0	100,000

Program: 1325 - Greenhouse Gas Program

This proposal provide ongoing funding for initiatives funded by the Greenhouse Gas Program in an effort to expedite greenhouse gas (GHG) emission reduction for the City of Santa Clara. Distributed Energy Resources (DER) self generate power through different technologies, such as batteries, to help support SVP's electric grid to manage peak demand. SVP has DER technology deployed currently, and this funding is for management of the integration of DER technology with the electric grid.

Performance Impact

Distributed energy management will provide efficiencies and smarter tools to manage the integration points when connected to the electric grid.

Strategic Pillar:  Sustainability

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Battery Storage Programs	0.00	0	1,000,000	0	1,000,000

Program: 1325 - Greenhouse Gas Program

This proposal provides funding for a Battery Storage Program. Deploying Battery Storage programs (both utility scale and behind the customer meter) along with the integration of DER Grid management systems can optimize the distribution grid when GHG emissions are greatest. This funding will be used to pilot a battery program to explore customer-sided microgrids and back-up generation for SVP customers. SVP will conduct outreach to understand needs in order to evaluate potential rebate programs.

Performance Impact

Implementing battery storage programs and incentives encourages SVP's businesses to use cleaner energy while continue to reduce greenhouse gas emissions.

Strategic Pillar:  Sustainability

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Bike, Pathway, Park Programs	0.00	0	500,000	0	500,000

Program: 1325 - Greenhouse Gas Program

This proposal provide ongoing funding for initiatives funded by the Greenhouse Gas Program in an effort to expedite greenhouse gas (GHG) emission reduction for the City of Santa Clara. Expanding and creating new bike and pedestrian pathways encourages alternate routes of transportation, especially away from motor vehicle traffic and results in quantifiable GHG reductions. The Bike, Pathway, Park Program provides funding for city projects that are eligible for GHG program funding. City Project managers coordinate with SVP for scoped projects that can measurably reduce GHG and can be reported back to the California Air Resources Board (CARB).

Performance Impact

The development of alternative routes of transportation result in quantifiable GHG reductions.

Strategic Pillar: Sustainability

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
City Electric Vehicle Replacement Program	0.00	0	1,500,000	0	1,500,000

Program: 1325 - Greenhouse Gas Program

This proposal provides funding to replace City vehicles and equipment with electric options, removing GHG emitting internal combustion engines from the City fleet. Funding is provided for vehicles and electric vehicle charging infrastructure. Funding includes a transfer to the Vehicle Replacement Fund of $1.3 million in FY 2021/22 and $400,000 in FY2022/23 for planned electric vehicles replacements. The combined programs deliver greenhouse gas reduction levels throughout the city. Additionally, these programs support the City's Climate Action Plan and GHG reduction target including City of Santa Clara's 2013 climate action plan adopted goal to reduce 2035 GHG emissions reductions to 55% below baseline levels. The total reductions needed to reach the 2035 target is 1,408,600 metric tons of carbon emissions (MTCO2e) with 838,200 coming from SVP generation initiatives and another 570,400 MTCO2e coming from programs like those included in this proposal.

Performance Impact

The replacement of City vehicles with electric options reduce GHG emissions and support the City's Climate Action Plan, GHG reductrion target, as well as meeting upcoming State Mandates.

Strategic Pillar: Sustainability

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Transfer to the General Fund for City Attorney	0.00	320,835	0	335,650	0

Program: 1321 – Revenue and Resources Costs

This proposal provides a transfer to the General Fund to cover the cost of 1.0 Assistant City Attorney that is recommended to be added in the City Attorney's Office to support SVP. Funding for the position is provided through a transfer for FY 2021/22 and FY 2022/23 but will be incorporated into the Cost Allocation Plan in years after FY 2022/23.

Performance Impact

The addition of a City Attorney to support SVP functions will address legal services needs.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Transfer to the Streets and Highways Capital Fund	0.00	90,000	0	0	0

Program: 1321 – Revenue and Resources Costs

This proposal provides a one time transfer to the Streets and Highways Capital fund for the Street Tree Services project in FY 2021/22. Funding is provided for 28 tree removals identified with having wires that will be removed as part of the Street Tree Services project.

Performance Impact

The tree removals will help mitigate risks of downed trees.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Performance and Workload Measures

Administration Services Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Timely, accurate submittal of various State, local and federal agency reports		100%	100%	100%	100%	100%	100%
Meet American Public Power Association Public Power Provider (RP3) and NWPPA standards of performance		100%	100%	100%	100%	100%	100%

Workload Measures

Actively participate in all JPA governing boards		3	3	3	3	3	3
Actively participate in community events		100%	100%	100%	100%	100%	100%

Performance and Workload Measures

Business Services Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Maintain bond rating (Fitch Ratings)		"AA−" Rating	"AA−" Rating	"AA−" Rating	"AA−" Rating	"AA−" Rating	"AA−" Rating
Maintain debt service coverage ratio on senior and subordinate debt		3.48	4.09	2.00	2.00	2.00	2.00
Submit annual bond disclosures as required by due dates		100%	100%	100%	100%	100%	100%
Annual self−certification of compliance with 20 NERC requirements selected by the regional entity, WECC		100%	100%	100%	100%	100%	100%
Maintain compliance with 70 NERC standards/600 requirements		100%	99%	100%	95%	100%	100%
Perform on−going environmental health and safety and NERC compliance activities in accordance with Internal Compliance Program Schedule		100%	100%	100%	100%	100%	100%
Analyze and evaluate counterparty credit worthiness		100%	100%	100%	100%	100%	100%
Percent of employees attended safety and compliance training		92%	100%	90%	95%	95%	95%

Workload Measures

Number of employees lost time due to injuries		1	3	0	0	0	0
Generate and submit bond disclosures as required by the continuing disclosure agreement for all SVP and JPA revenue bonds		19	11	19	11	11	11
Complete Annual Reviews of Internal Compliance Standards for NERC, OSHA, and other State and federal regulations		21	31	33	18	10	10
Develop and maintain NERC Reliability Standard Audit Worksheets for current and upcoming NERC standards		28	30	25	10	10	10

Performance and Workload Measures

Business Services Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Refresh and update internal controls including automated reminders and documents (e.g., guide sheets, policies and procedures, and workflows)		8	35	5	25	25	25
Number of employees attending safety and compliance training		130	186	192	186	186	186
Number of counterparty reviews completed		55	55	55	55	55	55
Review CAISO reports on a weekly basis to ensure SVP credit limit has not been exceeded		52	52	52	52	52	52
Generate Power and Gas Gross Margin Statements and Gas Pre−Pay Reports every month		24	24	24	24	24	24

Customer Development and Project Management Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Maintain residential customer satisfaction rating[a]		82%	N/A	85%	83%	N/A	85%
Maintain high customer satisfaction rating for business accounts using 1−10 rating matrix[b]		8.8	N/A	9.0	9.0	9.0	9.0
Annual fiber lease gross revenues		$3.09M	$3.32M	$3.11M	$3.00M	$3.00M	$3.00M
Percent of fiber system availability		100%	99.90%	100%	99.90%	100%	100%
Deliver fiber service order estimates within two weeks of initial request		100%	100%	100%	100%	100%	100%
Complete first encroachment review within 15 days		N/A	49%	100%	100%	100%	100%

a. Study performed by California Municipal Utility Association biennially, alternating between residential and commercial customers each occurrence, based on industry standard criteria on a sample of customers.

b. Study performed by E-Source, based on industry standard criteria on SVP provided list of largest 50-75 customers.

Performance and Workload Measures

Customer Development and Project Management Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Prepare and submit Bi-annual Distributed Energy Resource (DER report) for California Energy Commission (CEC)		2	2	2	2	2	2
Hold large industrial/commercial customer engagement meeting		1	1	1	1	1	1
Negotiate/execute special facilities (substation) agreements – *Delete for FY 2021/22*		2	2	2	4	N/A	N/A
Prepare and submit quarterly customer update report for SVP internal stakeholders		1	4	4	4	4	4
Number of fiber service or job requests completed		24	33	25	25	25	25
Number of fiber quotes processed		66	43	50	50	50	50
Number of leased fiber miles per year		1,640	1,690	1,670	1,650	1,658	1,667
NERC Standard activity requirements completed – *Delete for FY 2021/22*		26	N/A	26	N/A	N/A	N/A
Substation drawing updates		150	143	300	300	300	300
Design and construction standard document release		10	10	25	5	150	150
Customer/Developer estimates released for requested work		98	126	125	125	125	125
Encroachment permit reviews completed		620	610	600	600	600	600
Substructure estimates mapped; city work estimates mapped		76	84	125	125	125	125
Approval of pole contacts (communication and small cell attachments)		400	563	425	425	450	450

Performance and Workload Measures

Resource Planning and Engagement Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Meet or exceed California's RPS (Renewables Portfolio Standard) requirement / RECs (Renewable Energy Credits) that are, or will be retired, to meet the RPS program obligations based on calendar year		29%/31%	31%/33%	33%/35%	33%/35%	35%/37%	37%/38%
First year net energy savings achieved (in MWh)		N/A	10,326	14,982	14,982	15,129	14,565
State agency reports by due dates		100%	100%	100%	100%	100%	100%
Percent of customers enrolled in the Green Power Program		8.00%	8.00%	10.00%	10.00%	10.00%	10.00%
Cumulative total GWh enrolled in Green Power Program		404 GWh	392 GWh	350 GWh	350 GWh	350 GWh	350 GWh
Comply with Low Carbon Fuel Standard program (spending) requirements per CARB		100%	50%	100%	100%	100%	100%
Host a minimum of two outreach events annually		100%	50%	100%	100%	100%	100%
Participate in quarterly carbon auctions to sell allowances		N/A	3	4	4	4	4
Successful submission of SVP's yearly Resource Adequacy plan to CAISO		100%	100%	100%	100%	100%	100%
Successful submission of SVP's load forecast to the CEC (1 report) and PG&E (3 reports)		100%	100%	100%	100%	100%	100%

Workload Measures

Number of program brochures and bill inserts generated and distributed energy efficiency programs		4	7	4	5	5	4
Number of educational videos produced to promote energy efficiency		1	1	2	3	3	3

Performance and Workload Measures

Resource Planning and Engagement Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of rebate applications processed through energy efficiency programs		236	232	200	250	225	200
Outreach materials reviewed and refreshed		40	20	40	20	20	20
Generate solar energy usage reports		12	12	12	12	12	12
Attend CARB workshops and meetings for program compliance		5	4	4	4	4	4
Prepare and submit Low Carbon Fuel Standards report		5	5	5	5	5	5
Host annual public meetings, events, or workshops		2	1	4	2	4	4
Process Electric Vehicle charger rebates (annually)		25	60	60	60	60	60
Install electric public access EV charging stations		0	0	10	80	40	40
Prepare Cap−and−Trade allowance reports and forms for CARB		N/A	2	2	2	2	2
Develop ten-year load forecasts for CEC, PG&E and CAISO)		3	3	3	3	3	3
Submit day ahead bids and schedules to CAISO		100,000	>100,000	82,000	82,000	82,000	82,000

Performance and Workload Measures

Utility Operations Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Average Service Availability Index (percentage)		99.99%	99.99%	99.99%	99.99%	99.99%	99.99%
Customer Average Interruption Duration Index (CAIDI) (minutes)		100	109	100	125	125	125
System Average Interruption Duration Index (SAIDI) (minutes)		50	70	50	85	85	85
System Average Interruption Frequency Index (SAIFI) (long)		0.5	0.64	0.5	0.7	0.7	0.7
System Average Interruption Frequency Index (SAIFI) (momentary)		0.25	0.23	0.25	0.25	0.25	0.25
Total number of outages		130	142	130	160	160	160
Hot washing of electrical substation equipment		100%	100%	100%	98%	100%	100%
Substation Infrared (IR) inspections		100%	100%	100%	100%	100%	100%
Complete one detailed grid inspections for underground and overhead infrastructure per year		100%	50%	100%	100%	100%	100%
Complete four grid patrols in accordance with GO165 (Walking, Drive By)		N/A	100%	100%	100%	100%	100%
Generation Availability Data System (GADS)		93%	70%	90%	81%	90%	90%

Performance and Workload Measures

Utility Operations Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Safety and Department of Transportation training completion rate		91%	91%	90%	95%	90%	90%
NERC CIP compliance reports submitted on time		100%	100%	100%	100%	100%	100%
Completion of system support work orders within 3 business days		>70%	>85%	>70%	>70%	>70%	>70%
Completion of preventative maintenance work orders – *New for FY 2021/22*		N/A	67%	80%	84%	85%	90%
Completion of corrective non-routine maintenance work orders – *New for FY 2021/22*		N/A	62%	50%	51%	45%	35%

Performance and Workload Measures

Utility Operations Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of detailed substation inspections		324	324	336	336	360	396
Transformer dissolved gas analysis performed per year		52	54	57	54	57	57
Load tap changer dissolved gas analysis performed per year		32	34	37	36	40	43
Number of preventative maintenance work orders completed – *Delete for FY 2021/22*		1,242	N/A	800	N/A	N/A	N/A
Corrective non−routine maintenance work orders completed – *Delete for FY 2021/22*		149	N/A	150	N/A	N/A	N/A
Number of preventative and corrective work orders completed− *New for FY 2021/22 consolidating measures above*		1,391	1,291	950	1,550	1,400	1,400
Number of quarterly inspections performed for remote generation facilities		16	8	16	13	16	16
Environmental health and safety program review		35	2	75	5	10	10
Perform and submit NERC CIP compliance reporting analysis (monthly) – *Delete for FY 2021/22*		2	N/A	2	N/A	N/A	N/A
Operating procedures update and review− *New for FY 2021/22*		N/A	5	7	7	10	10
Number of work orders processed by the meter shop		600	>600	600	>600	>600	>600

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Finance Department

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Finance Department Description

The Finance Department administers the financial affairs of the City, including City-owned public utilities. These functions include: budget administration and control; maintaining a general accounting system and the preparation of comprehensive annual financial reports; collection of taxes, fees, special assessments and utility charges; investment of City funds; procurement of supplies, materials, equipment, and services; operating the City Warehouse; issuance of bonds and debt management; internal auditing; and financial management of contracts, including leases.

Divisions and Services

The Finance Department is organized into five Divisions: Accounting; Administrative Services; Budget; Municipal Services; and Purchasing.

Accounting Division Mission	Provide relevant, accurate, and timely transaction processing and financial reporting services in compliance with laws, regulations, City policies and professional standards.
Division Objectives	Continue to enhance and utilize the Finance/Human Resources Management System (FHRMS) in support of relevant, accurate and timely accounting processes.
	Continue training of Accounting staff and citywide end-users in FHRMS financial modules and process workflow.
	Identify areas for improvements and streamlining of accounting processes in support of work product efficiencies. Continue to utilize new technology enhancements to empower end users to access financial information.
Administrative Services Division Mission	Be a proactive participant in Citywide strategic planning and decision-making adding value as a provider of financial advice, analysis, auditing, and investment and debt management.
Division Objectives	Manage the outstanding debt of the City and its agencies in compliance with established policies and bond covenants.
	Manage cash flow and invest cash in accordance with established policies and procedures. Prepare monthly reports for the City and its agencies.
	Monitor the financing needs of the City and its agencies. Manage negotiated and public-bid bond issuance.
	Manage special projects as assigned.
	Manage production of the City's annual financial reports, general-purpose financial statements and comprehensive annual financial report (CAFR).

Budget Division Mission	Be the primary source of financial analysis in the City's continuing effort to maintain and strengthen its fiscally responsible core value.
Division Objectives	Manage and produce the biennial operating and capital budgets.
	Manage and produce the Ten-Year Financial Forecast for the City and prepare periodic and annual revenue forecasts.
	Analyze budget performance during the year and prepare Monthly Financial Reports.
	Monitor and report the City's appropriations limit and general contingency reserves.
	Monitor the State budget and related legislative activities with economic implications.
	Develop strategies to balance the budget.
	Assist and provide support for negotiations with employee bargaining groups.
	Work collaboratively with departments on any necessary budget amendments during the year.

Municipal Services Division Mission	Provide customer service to our utility and business certificate customers, manage the activities of the Municipal Services division in accordance with the City's rules and regulations, code, and policies consistent with professional and ethical standards, and be proactive in developing and delivering currently available automated features and conveniences to our customers.
Division Objectives	Provide customers with courteous, accurate and timely solutions to their inquiries and requests.
	Promote and enhance customer self-service options and electronic payment offerings for customers
	Continue upgrading the functionality and underlying business processes of the Utility Management Information System (UMIS).
	Promote and enhance on-line Business License enrollment and renewal.
	Provide customers with safe, reliable self-service options for improved customer satisfaction.
	Process and oversee custody of all cash and checks received over the counter or in the mail.

Purchasing Division Mission	Support and facilitate the timely and efficient procurement of supplies, materials, equipment, and services required by City Departments while ensuring compliance to City Policies, applicable government regulations, and best practices in public sector procurement to obtain the lowest cost while maintaining appropriate internal controls. Oversees Central Warehouse operations to ensure that the City's electric and water utilities are stocked with parts to support their operations and process outgoing mail for the City. Facilitate the disposition of surplus property to ensure a fair and transparent process is followed and maximum value is recovered.
Division Objectives	Provide internal customers and vendors with courteous, accurate and timely solutions to their inquiries and requests.
	Negotiate and recommend execution of contracts or blanket purchase agreements for the purchase of supplies, materials and equipment.
	Act to procure for the City the needed quality and quantity of supplies, materials and equipment at the least expense to the City.
	Prepare and recommend to the City Manager rules governing the purchase of supplies, materials, equipment, and services for the City.
	Keep informed of current developments in the field of purchasing, prices, market conditions and new products.
	Competitively procure inventory items for the Central Warehouse to ensure inventory is maintained at levels sufficient to support field operation requirements.

Significant Accomplishments

- Supported the Emergency Operations Center including procurement and cost accounting functions. Reviewed FEMA requirements and accounted for citywide COVID-19 expenditures in order to maximize federal funding.
- Implemented new/updated utility assistance programs because of COVID-19
- Supported the relaunch of the Help Your Neighbor program assisting utility customers struggling to make utility payments
- Re-opened Finance Department drive-up customer service window, after a 25-year hiatus, in order for customers to safely and securely conduct business pay utility bills and busines tax license fees
- Monitored and rebalanced the FY 2020/21 budget due to COVID-19 impacts
- Expanded access to employee self-service capabilities to empower more users to manage aspects of their own employee profile online
- Procured and implemented a mobile inventory management system (barcode) for the Central Warehouse to improve the accuracy and efficiency of inventory transactions
- Upgraded the Business Tax and License system
- Transitioned investment services to a professional financial advisor to maximize the City's investment returns
- Included sustainable investments as part of the City's Investment Policy
- Awarded a new banking services contract to JP Morgan, after decades of non-review, generating cost savings and enhancing customer service and technology efficiencies
- Procured sales tax, property tax, and transient occupancy tax audit consultants generating cost savings to the City
- Received the City's first Achievement of Excellence in Purchasing Award recognizing excellence in public sector procurement
- Received the Government Finance Officers Association (GFOA) award for excellence in financial reporting for fiscal year 2019/20. This is the twenty-nineth consecutive year receiving the award
- Received the Operating Budget Excellence Award from the California Society of Municipal Finance Officers (CSMFO) and, for the first time, the Distinguished Budget Presentation Award, with special recognition for performance measures, from the Government Finance Officers Association (GFOA) for the FY 2019/20 and FY 2020/21 Biennial Operating Budget

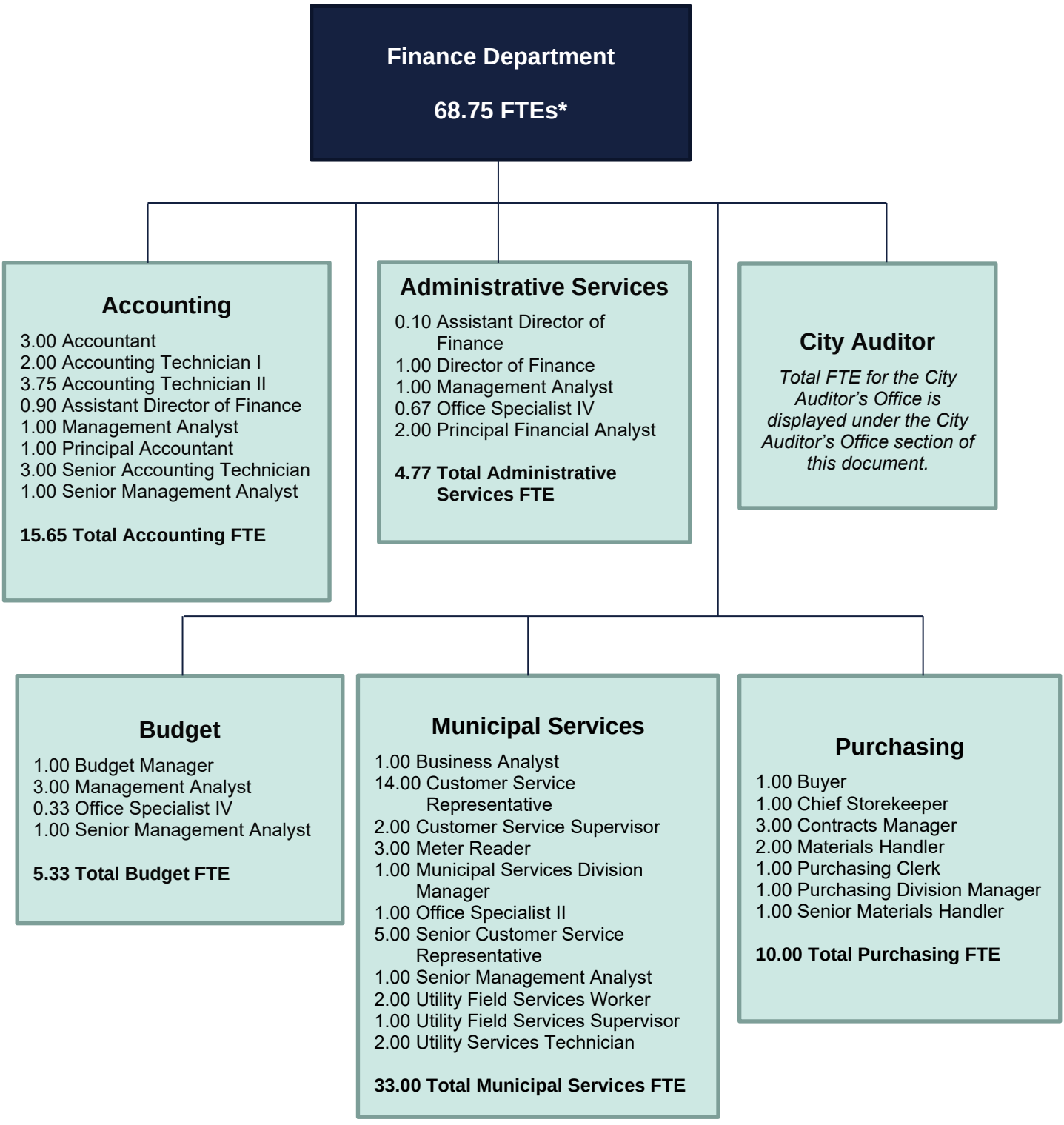
Significant Objectives

- Continue to upgrade FHRMS products to deliver updated reporting and calculation features in the Accounting Division. The accounts receivable and accounts payable modules will be enhanced to provide decentralized entry and electronic approval workflows
- Implement capital assets module in FHRMS to provide greater asset accountability
- Transition banking and merchant card services to JP Morgan Chase
- Conduct audits of external facilities; provide cashier training to staff in outside facilities
- Continue with upgrades to UMIS including various software applications that support both meter reading and utility billing system(s). Begin work with utilities and stakeholders to identify needs and scope requirements to replace the Utility Billing System (Municipal Services)
- Replace end of life Meter Reading System
- Replace end of life CORE Onestep Cashiering System
- Implement a new online utility billing platform to enhance customers' reporting and payment capabilities

- Develop and implement processes, administrative policies, and procedures with the goal of streamlining and improving the procurement and contracting process
- Conduct citywide trainings on updated cash handling processes resulting from new technology
- Implement online budgeting software that connects stakeholders to the City's budget to promote transparency and accountability
- Continue to improve the City's budget development practices that connect to the City Council's priorities and policy direction
- Establish a series of on-demand purchasing training videos addressing a wide variety of topics related to procurement and contracting
- Implement new and meaningful performance metrics for the Purchasing Division

Budget Highlights

- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
    - Reorganized Accounting and Budget management functions, deleting 1.0 Accounting Manager, 1.0 Principal Accountant and 1.0 Principal Financial Analyst, and adding 1.0 Budget Manager and 2.0 Senior Management Analyst positions
    - Froze 1.0 Office Specialist III supporting Accounting and Purchasing Divisions and consolidated administrative functions
    - Reduced contractual services funding to reflect savings from a new banking services procurement
    - Reduced the budget for as-needed staff and other non-personnel expenditures (e.g., supplies and materials, contractual services, training, printing)
- Transitioned two employees to the City Auditor's Office through Phase 1 budget rebalancing actions to continue the Audit Workplan
- Recognized procurement cost savings from banking services and sales tax audit services after decades of non-review



**The positions above represent all funded positions. This excludes the 1.0 Office Specialist III position that was frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program						
Accounting Division						
3322 General Accounting	3,412,418	3,655,069	3,579,952	(2.1%)	3,709,862	3.6%
Total Accounting Division	**3,412,418**	**3,655,069**	**3,579,952**	**(2.1%)**	**3,709,862**	**3.6%**
Administrative Services Division						
3362 Citywide Fiscal Planning	1,521,540	1,080,387	1,895,781	75.5%	2,017,349	6.4%
Total Administrative Services Division	**1,521,540**	**1,080,387**	**1,895,781**	**75.5%**	**2,017,349**	**6.4%**
Budget Division						
3315 Budget and Financial Analysis	2,011,717	2,330,361	2,182,833	(6.3%)	2,257,147	3.4%
Total Budget Division	**2,011,717**	**2,330,361**	**2,182,833**	**(6.3%)**	**2,257,147**	**3.4%**
City Auditor Office						
Note: The City Auditor's Office budget is excluded from the Finance Department's total budget and can be located in the City Auditor's Office section of this document.						
Municipal Services Division						
3332 Utility Billing Services	3,100,292	3,597,370	3,441,777	(4.3%)	3,757,273	9.2%
3333 Revenue Receipting/Cashiering	693,722	670,702	672,885	0.3%	696,980	3.6%
3334 Business Certificate	387,264	363,910	376,294	3.4%	387,804	3.1%
3335 Field Services	1,208,562	1,095,743	1,069,133	(2.4%)	1,105,684	3.4%
3336 Administration	353,118	350,037	336,804	(3.8%)	348,967	3.6%
3337 Contact Center/Communication	669,408	765,862	694,145	(9.4%)	723,803	4.3%
Total Municipal Services Division	**6,412,366**	**6,843,624**	**6,591,038**	**(3.7%)**	**7,020,511**	**6.5%**
Purchasing Division						
3341 Warehouse	1,016,097	1,049,546	996,838	(5.0%)	1,036,604	4.0%
3343 Purchasing	931,124	1,224,860	1,109,042	(9.5%)	1,158,195	4.4%
3344 Mail Services	25,219	32,227	7,988	(75.2%)	8,123	1.7%
Total Purchasing Division	**1,972,440**	**2,306,633**	**2,113,868**	**(8.4%)**	**2,202,922**	**4.2%**
Total by Division / Program	**15,330,481**	**16,216,074**	**16,363,472**	**0.9%**	**17,207,791**	**5.2%**

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	14,850,574	16,216,074	16,363,472	0.9%	17,207,791	5.2%
Other City Operating Grant Trust Fund	85,493	0	0	0.0%	0	0.0%
Public Buildings Capital Fund	42,755	0	0	0.0%	0	0.0%
General Government Capital Fund	351,659	0	0	0.0%	0	0.0%
Total by Fund	**15,330,481**	**16,216,074**	**16,363,472**	**0.9%**	**17,207,791**	**5.2%**
Dollars by Category						
Salary and Benefits						
Salary	6,409,384	7,435,633	7,105,664	(4.4%)	7,377,553	3.8%
As-Needed	521,586	107,000	71,887	(32.8%)	74,403	3.5%
Overtime	87,570	16,020	16,584	3.5%	16,950	2.2%
Retirement	2,117,807	2,493,836	2,624,405	5.2%	2,784,836	6.1%
Health Allocation	668,046	825,079	826,264	0.1%	853,773	3.3%
Medicare	109,515	123,903	116,696	(5.8%)	120,918	3.6%
Social Security	396,676	475,588	459,834	(3.3%)	471,164	2.5%
Other Benefits	341,774	391,555	411,773	5.2%	419,370	1.8%
Total Salary and Benefits	**10,652,358**	**11,868,614**	**11,633,107**	**(2.0%)**	**12,118,967**	**4.2%**
Non-Personnel						
Materials/Services/Supplies	2,462,136	2,779,781	2,724,357	(2.0%)	3,050,818	12.0%
Interfund Services	2,215,987	1,567,679	2,006,008	28.0%	2,038,006	1.6%
Total Non-Personnel	**4,678,123**	**4,347,460**	**4,730,365**	**8.8%**	**5,088,824**	**7.6%**
Total by Category	**15,330,481**	**16,216,074**	**16,363,472**	**0.9%**	**17,207,791**	**5.2%**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
Accounting Division					
3322 General Accounting	15.25	16.25	15.65	(0.60)	15.65
Total Accounting Division	**15.25**	**16.25**	**15.65**	**(0.60)**	**15.65**
Administrative Services Division					
3362 Citywide Fiscal Planning	3.34	4.34	4.77	0.43	4.77
Total Administrative Services Division	**3.34**	**4.34**	**4.77**	**0.43**	**4.77**
Budget Division					
3315 Budget and Financial Analysis	5.33	5.33	5.33	0.00	5.33
Total Budget Division	**5.33**	**5.33**	**5.33**	**0.00**	**5.33**
Municipal Services Division					
3332 Utility Billing Services	9.90	13.90	14.80	0.90	14.80
3333 Revenue Receipting/Cashiering	4.40	4.40	4.10	(0.30)	4.10
3334 Business Certificate	1.90	1.90	1.60	(0.30)	1.60
3335 Field Services	6.15	6.15	6.15	0.00	6.15
3336 Administration	1.50	1.50	1.50	0.00	1.50
3337 Contact Center/Communication	4.15	5.15	4.85	(0.30)	4.85
Total Municipal Services Division	**28.00**	**33.00**	**33.00**	**(0.00)**	**33.00**
Purchasing Division					
3341 Warehouse	5.45	5.45	5.45	0.00	5.45
3343 Purchasing	4.05	5.05	4.55	(0.50)	4.55
Total Purchasing Division	**9.50**	**10.50**	**10.00**	**(0.50)**	**10.00**
Total by Division / Program	**61.42**	**69.42**	**68.75**	**(0.67)**	**68.75**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Fund					
General Fund	61.42	69.42	68.75	(0.67)	68.75
Total by Fund	**61.42**	**69.42**	**68.75**	**(0.67)**	**68.75**
Position Classification					
Accountant	3.00	3.00	3.00	0.00	3.00
Accounting Division Manager	1.00	1.00	0.00	(1.00)	0.00
Accounting Technician I	2.00	2.00	2.00	0.00	2.00
Accounting Technician II	2.75	3.75	3.75	0.00	3.75
Assistant Director of Finance	1.00	1.00	1.00	0.00	1.00
Budget Manager	0.00	0.00	1.00	1.00	1.00
Business Analyst	1.00	1.00	1.00	0.00	1.00
Buyer	1.00	1.00	1.00	0.00	1.00
Chief Storekeeper	1.00	1.00	1.00	0.00	1.00
Contracts Manager	2.00	3.00	3.00	0.00	3.00
Customer Service Representative	12.00	14.00	14.00	0.00	14.00
Customer Service Supervisor	1.00	2.00	2.00	0.00	2.00
Director of Finance	1.00	1.00	1.00	0.00	1.00
Management Analyst	4.00	5.00	5.00	0.00	5.00
Materials Handler	2.00	2.00	2.00	0.00	2.00
Meter Reader	3.00	3.00	3.00	0.00	3.00
Municipal Services Division Manager	1.00	1.00	1.00	0.00	1.00
Office Specialist III	2.00	2.00	1.00	(1.00)	1.00
Office Specialist IV	0.67	0.67	1.00	0.33	1.00
Principal Accountant	2.00	2.00	1.00	(1.00)	1.00
Principal Financial Analyst	3.00	3.00	2.00	(1.00)	2.00
Purchasing Clerk	1.00	1.00	1.00	0.00	1.00
Purchasing Division Manager	1.00	1.00	1.00	0.00	1.00
Senior Accounting Technician	3.00	3.00	3.00	0.00	3.00
Senior Customer Service Representative	5.00	5.00	5.00	0.00	5.00
Senior Management Analyst	0.00	1.00	3.00	2.00	3.00
Senior Materials Handler	1.00	1.00	1.00	0.00	1.00
Utility Field Services Supervisor	1.00	1.00	2.00	1.00	2.00
Utility Field Services Worker	2.00	2.00	1.00	(1.00)	1.00
Utility Services Technician	1.00	2.00	2.00	0.00	2.00
Total Positions	**61.42**	**69.42**	**68.75**	**(0.67)**	**68.75**

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	69.42	16,216,074
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
MuniServices Customer Self-Service Portal Software savings		(104,456)
MuniServices Credit Card processing savings		(88,358)
Cost Allocation Plan (Every Two Years)		(50,000)
As-Needed Support for Budget Office Workplan		(30,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		(82,904)
Reallocation of 0.33 Office Specialist IV from City Auditor's Office	0.33	51,672
COVID-19 Phase 1 Budget Rebalancing (Approved by Council March 9, 2021):		
- Addition of 2.0 Senior Management Analyst	2.00	431,250
- Addition of 1.0 Budget Manager	1.00	303,209
- Elimination of 1.0 Accounting Division Manager	(1.00)	(305,578)
- Elimination of 1.0 Principal Accountant	(1.00)	(251,521)
- Elimination of 1.0 Principal Financial Analyst	(1.00)	(225,541)
- Freeze of 1.0 Office Specialist III	(1.00)	(120,762)
- Reduction in various Contractual Services and Conference Travel and Training		(107,969)
- Reduction in As-Needed Budget for Mail Services		(25,875)
Net Increase in various interfund services allocations		438,329
PFM Asset Management Services		255,000
Increase in Property Tax Administration		81,708
Increase in various contractual services (Financial Software, Professional Services, miscellaneous supplies)		41,297
Increase in As-Needed Staffing For Municipal Services (Continue Electric Utility Support)		36,887
Increase in Credit Card Fees		15,434
Increase in Memberships and Postage		1,491
Reduction Sales Tax Consultant Fees		(78,180)
Elimination Contact Center Communications Contractual Services		(16,646)
Elimination in As-Needed Support for Communications Center		(16,344)
Reallocation of Ricoh services to the Information Technology Department		(4,745)
Total Base Budget Adjustments	**(0.67)**	**147,398**
Total FY 2021/22 Proposed Budget	**68.75**	**16,363,472**

Budget Reconciliation

	Positions	Expenditures (All Funds)
FY 2022/23 Base Budget Adjustments		
One-Time Cost Adjustments		
Cost Allocation Plan (every two years)		50,000
Ongoing Cost Adjustments		
Salary and benefits adjustments		485,860
Non-personnel adjustments		115,645
MuniServices Customer Self-Service Portal Software (restore full-year funding)		104,456
MuniServices Credit Card processing (restore full-year funding)		88,358
Total FY 2022/23 Base Adjustments	**0.00**	**844,319**
Total FY 2022/23 Base Budget	**68.75**	**17,207,791**
Total FY 2022/23 Proposed Budget	**68.75**	**17,207,791**

Performance and Workload Measures

Administrative Services Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of legislative analysis completed within the negotiated timeframe - *Delete for FY 2021/22*		100%	100%	100%	100%	N/A	N/A
Annual percentage yield on investments while following primary objectives of safety, liquidity, and yield		N/A	1.89%	2.30%	1.30%	1.10%	0.90%

Workload Measures

Meet with staff at least quaterly to review work plans - *Delete for FY 2021/22*		4	N/A	4	N/A	N/A	N/A

Accounting Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Complete the external audit process and preparation of City's Comprehensive Annual Financial Report with an unmodified audit opinion by December 31		100%	100%	100%	100%	100%	100%
Complete the preparation and submission of various State, local, and federal agency reports by due dates		100%	100%	100%	100%	100%	100%
Complete the month-end accounting close process and distribution of department budget status reports by the 15th working day of the following month		83%	83%	100%	100%	100%	100%
Receive Government Financial Officers Association of the United States and Canada (GFOA) excellence in financial reporting award - *Delete for FY 2021/22*		100%	100%	100%	100%	N/A	N/A
Process bi-weekly payroll and issuance of employee checks by the due date and on time		100%	100%	100%	100%	100%	100%
Complete and file the required monthly/ quarterly State and federal tax returns before due date - *Delete for FY 2021/22*		100%	100%	100%	100%	N/A	N/A
Percent of accounts recievables received within 90 days - *New for FY 2021/22*		N/A	N/A	N/A	60%	70%	70%

Performance and Workload Measures

Accounting Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of invoices processed		24,143	24,905	25,500	25,000	25,000	25,000
Number of checks and ACH payments issued		12,920	13,494	13,500	13,500	13,500	13,500

Budget Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percentage of variance between budget and actual revenues in the General Fund		N/A	-4%	2%	2%	2%	2%
Percentage of variance between budget and actual expenditures in the General Fund		N/A	5%	2%	2%	2%	2%

Workload Measures

Average number of comprehensive budget status reviews conducted with City departments to evaluate financial performance and budget deviations		N/A	N/A	4	3	4	4

Performance and Workload Measures

Municipal Services Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of closed delinquent accounts collected in-house		95%	94%	95%	95%	95%	95%
Percent of cash drawers reconciled - *Delete for FY 2021/22*		100%	100%	100%	100%	N/A	N/A
Percent of delinquent Business License tax certificates at fiscal year-end		2.3%	2.4%	2.0%	2.7%	2.0%	2.0%
Percent of Accounts Receivables written off as bad debt annually - *Delete for FY 2021/22*		0.02%	0.00%	0.04%	N/A	N/A	N/A
Percent of customer calls answered within 90 seconds		49%	45%	50%	50%	50%	50%
Average hold time of sequenced calls (m:s)		1:31	1:35	2:00	1:45	2:00	2:00
Percentage of calls with a call quality score of at least 4.75 out of 5.0		86%	95%	90%	96%	90%	90%

Workload Measures

Average monthly number of utility accounts paying by automated methods		40,037	38,596	44,000	45,000	46,000	46,000
Average monthly utility payments processed		55,622	54,108	59,000	57,000	59,000	59,000
Number of business tax certificates processed annually		12,373	11,956	13,000	12,500	13,000	13,000
Number of service requests processed yearly		40,002	39,114	43,000	51,000	53,000	55,000
Average number of utility accounts invoiced – *New for FY 2020/21*		N/A	N/A	N/A	N/A	68,000	69,000
Average monthly number of Business License renewals processed via the online portal – *New for FY 2021/22*		N/A	N/A	N/A	N/A	5,000	5,000
Number of major UMIS initiatives successfully implemented during the year -*Delete for FY 2021/22*		3	3	3	N/A	N/A	N/A
Average number of meters read monthly		82,918	84,098	88,000	86,000	88,000	88,000

Performance and Workload Measures

Purchasing Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Writing off slow-moving inventory – *New for FY 2021/22*		N/A	N/A	N/A	10% of total value	10% of total value	10% of total value
Internal Customer Satisfaction of central warehouse – *New for FY 2021/22*		N/A	N/A	N/A	100% Rated good or better	90% Rated good or better	90% Rated good or better
Cost Savings/avoidance for all solicitations facilitated by the Purchasing Division contracts team. – *New for FY 2021/22*		N/A	N/A	N/A	10%	10%	10%
Cycle time of to process purchase orders – *New for FY 2021/22*		N/A	N/A	N/A	5 days	5 days	5 days
Internal Customer Satisfaction of purchasing division – *New for FY 2021/22*		N/A	N/A	N/A	75% Rated good or better	75% Rated good or better	75% Rated good or better

Workload Measures

Number of material requisitions		3,741	3,578	3,500	3,600	3,600	3,600
Number of inventory items cycle counted		2,625	1,641	2,100	2,756	2,750	2,750
Number of purchase orders		1,304	1,221	1,380	1,279	1,280	1,280
Number of Procurement Card transactions		11,227	11,028	9,775	7,906	7,900	7,900
Number of mail pieces processed		160,106	74,168	147,999	66,750	66,750	66,750

Fire Department

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Fire Department Description

The Fire Department responds with highly trained and well-equipped personnel to all types of emergency incidents, maintaining a citywide response time of less than six minutes to at least 90% of all Code 3[1] emergency calls. Response time is measured from the time of dispatch to the time of arrival and includes two minutes turnout time and four minutes travel time.

Divisions and Services

The Fire Department's mission is to protect and enhance the quality of life of the community. The Fire Department is organized into six divisions: Field Operations, Emergency Medical Services (EMS), Community Risk Reduction, Training, Administration, and Office of Emergency Services.

The Field Operations Division is comprised of first responders to provide immediate services to residents, visitors and businesses within the community. The Division is made up of eight fire engines, two fire trucks, one Hazardous Materials response unit, one Rescue response unit, one Battalion Chief and one Assistant Training Officer (per shift).

The Emergency Medical Services (EMS) Division provides first responder medical services (including Advanced Life Support) to all residents and visitors within the guidelines determined by the Santa Clara County EMS Authority. The division maintains paramedic and emergency medical technician (EMT) licensure and certifications, maintains emergency medical equipment caches, works closely with the County EMS Authority to ensure County protocols, ensures training and programs are deployed to personnel, and acts as the agency's Designated Infection Control Officer (DICO).

The Community Risk Reduction Division encompasses both Fire Prevention activities and Hazardous Materials regulation. The Division provides plan review and inspection services to maintain code compliance and ensure that all regulated, new construction in the City incorporates appropriate life safety standards. The division also investigates the origin and cause of fires and hazardous materials releases, conducts permit and business inspections, and provides public education on fire safety at various community events.

The Training Division conducts and evaluates a wide variety of activities from simulated emergency incidents to assessments and classes, to ensure Fire Department personnel are performing at the highest levels of the profession. The Division maintains documentation to support State and Federal certification programs and develops and implements local and regional response/mitigation exercises focused on large-scale community events. The Training Division also assists the Human Resources Department in developing and administering Fire Department promotional examinations.

The Administrative Division provides management, organization, and support for the various divisions of the Fire Department actively engaged in the protection of life and property. The primary duties that fall under this division include budget development and management, recruitment, grant management, accounts payable and payroll processing, fire station maintenance, worker's compensation coordination, strategic management and planning, data management and data analysis. The division manages department web page and social media outlets, federal and state grants, annual department open house, creation and management of department maps and pre-incident plans, and development and implementation of department policies and procedures.

The City's Office of Emergency Services (located in the Fire Department) provides emergency services training and coordination for the City in large-scale incidents requiring Emergency Operations Center activation and is also responsible for the City's emergency preparedness activities and disaster management plans. The division coordinates with the County and the State for large scale emergency preparedness.

Field Operations Division Mission	**To protect and enhance the quality of life of the community by providing caring, customer-oriented emergency services to protect life, property and the environment.**
Division Objectives	Maintain a citywide emergency response standard to all Code 3 incidents of six minutes from time of fire crew notification to first unit's arrival on scene at least 90% of the time.
	To have an effective response force (ERF) of 17 personnel on scene of a structure fire in less than ten minutes from dispatch of alarm, at least 90% of the time.
	Provide hazardous materials response to protect the community from hazards associated with uncontrolled release of hazardous and toxic materials and respond to technical rescue emergencies efficiently and effectively.
	Provide special event (Fire and EMS) services to Levi's Stadium and all other significant special events held in the City of Santa Clara.

Emergency Medical Services Division Mission	**Deliver quality emergency medical services to citizens and visitors of Santa Clara. All Santa Clara Firefighters are certified EMTs and all fire engines and fire trucks are staffed with at least one paramedic.**
Division Objectives	Provide first responder paramedic services to at least 90% of Code 3 medical emergencies citywide within 7:59 minutes/seconds from fire crew notification (per County EMS Authority standard).
	Process medical certifications and licenses for all Fire Department personnel and monitor for compliance with State and local government regulations.
	Provide quality assurance/quality improvement processes for all treatment-based EMS delivery.
	Monitor and maintain custody and security of protected health information.
	Provide high quality EMS/EMT training to all Fire Department personnel and local stakeholders as needed.

Community Risk Reduction Division Mission	**The mission of the Community Risk Reduction Division is to protect life, property, and the environment through education, engineering, and enforcement.**
Division Objectives	Provide plan review and field inspection services for the construction of buildings and life safety systems to ensure compliance with federal, State and local regulations.
	Conduct operational permit inspections to assess and mitigate potential fire and life safety hazards in businesses throughout the community.
	Investigate the origin and cause of fires and hazardous materials releases.
	Provide public education and outreach services as part of the Community Risk Reduction Program.

Training Division Mission	Deliver high quality education and training in public safety to the members of the Santa Clara Fire Department and to the employees and citizens of the City of Santa Clara.
Division Objectives	Provide annual, semi-annual, and quarterly drills in the disciplines of firefighting, hazardous materials response, and rescue operations to members of the Fire Department to promote skill development and continuous improvement.
	Maintain records to support State and federal training certifications required for specific disciplines.
	Perform Respiratory Protection Program self-contained breathing apparatus (SCBA) and respirator fit testing to maintain compliance with State and federal regulations.
	Coordinates and schedules public education programs, school site visits, station tours and other public outreach activities.

Administrative Division Mission	To provide management, organization and support for the various Fire Department divisions that are actively engaged in the protection of life and property.
Division Objectives	To provide the community with information on Fire Department programs and services.
	To establish the vision and mission of the Department and communicate to all Fire Department personnel.
	To provide administrative and managerial support to the other Fire Department divisions.
	To coordinate with other departments in the City as needed to support City projects and programs.
	To create a bi-annual budget that meets department needs and supports Council goals and objectives.

Office of Emergency Services Division Mission	To prevent, prepare for, mitigate, respond to and recover from all hazards.
Division Objectives	Provide Emergency Services Coordination in the City of Santa Clara Emergency Operations Center in the event of a large-scale incident requiring activation.

Significant Accomplishments

- Completed Annual Accreditation Compliance Reports in 2019 and 2020. On August 9, 2018, the Fire Department achieved accredited status from the Commission on Fire Accreditation International and the Center for Public Safety Excellence, becoming one of only ten accredited municipal fire departments in California. This accreditation required development of a community-driven strategic plan for the Fire Department; a comprehensive self-assessment based on industry best practices; and completion of a Community Risk Assessment-Standards of Coverage (CRA-SOC) document that identifies potential hazards in the City and demonstrates how the Fire Department plans to mitigate them
- Provided fire and life safety education to K-6th grade students throughout the Santa Clara Unified School District, providing the new outcome-based education program called Firefighters in Safety Education (FISE). The FISE program is a 30-minute presentation (in-person or virtually) on seven key fire safety skills, which uses pre-and-post exams to gather analytical data and validate the curriculum being taught
- Exceeded the City's contractual requirements with the Santa Clara County Emergency Medical Services Authority by providing first responder paramedic services to 95% of higher-priority medical incidents citywide within 7:59 minutes/seconds from fire crew notification (standard is 90%)
- Expanded ALS Service to 100% Advanced Life Support (ALS) in all ten districts
- Promoted ten new Fire Captains
- Remodeled Fire Station 8
- Acquired two new fire engines and placed into service in fire districts 6 and 7
- Achieved Type II Urban Search and Rescue (USAR) certification from the California Office of Emergency Services (CalOES)
- Established a list of eligible Firefighter candidates after implementing a new recruitment campaign with the objective of diversifying the applicant pool
- Hosted the first Girl's Fire Camp in the department, introducing 60 high-school-aged girls to the firefighting profession and providing the opportunity to work with the tools of the trade
- Provided FireFlex Functional Movement training to the department through in-person sessions and virtually after the start of the pandemic
- Deployed mutual aid resources to numerous wildfires and USAR responses
- Developed protocols for managing COVID-19 emergency response, personnel exposures and employees who have contracted COVID-19
- Delivered weekend meals to approximately 300 seniors each week since the beginning of the pandemic
- Established in-house ability to provide COVID testing to department personnel and other City employees
- Vaccinated 90% of the Department's first responders
- Activated full Emergency Operations Center, supporting the City's needs since the beginning of the COVID-19 pandemic

Significant Objectives

- Hire firefighters from the active list of eligible candidates host a Recruit Academy for new recruits
- Invest in employee health and wellness with the implementation of new programs that are intended to help reduce workplace stress, provide better support services, and maintain a healthy workforce. Provide resiliency training

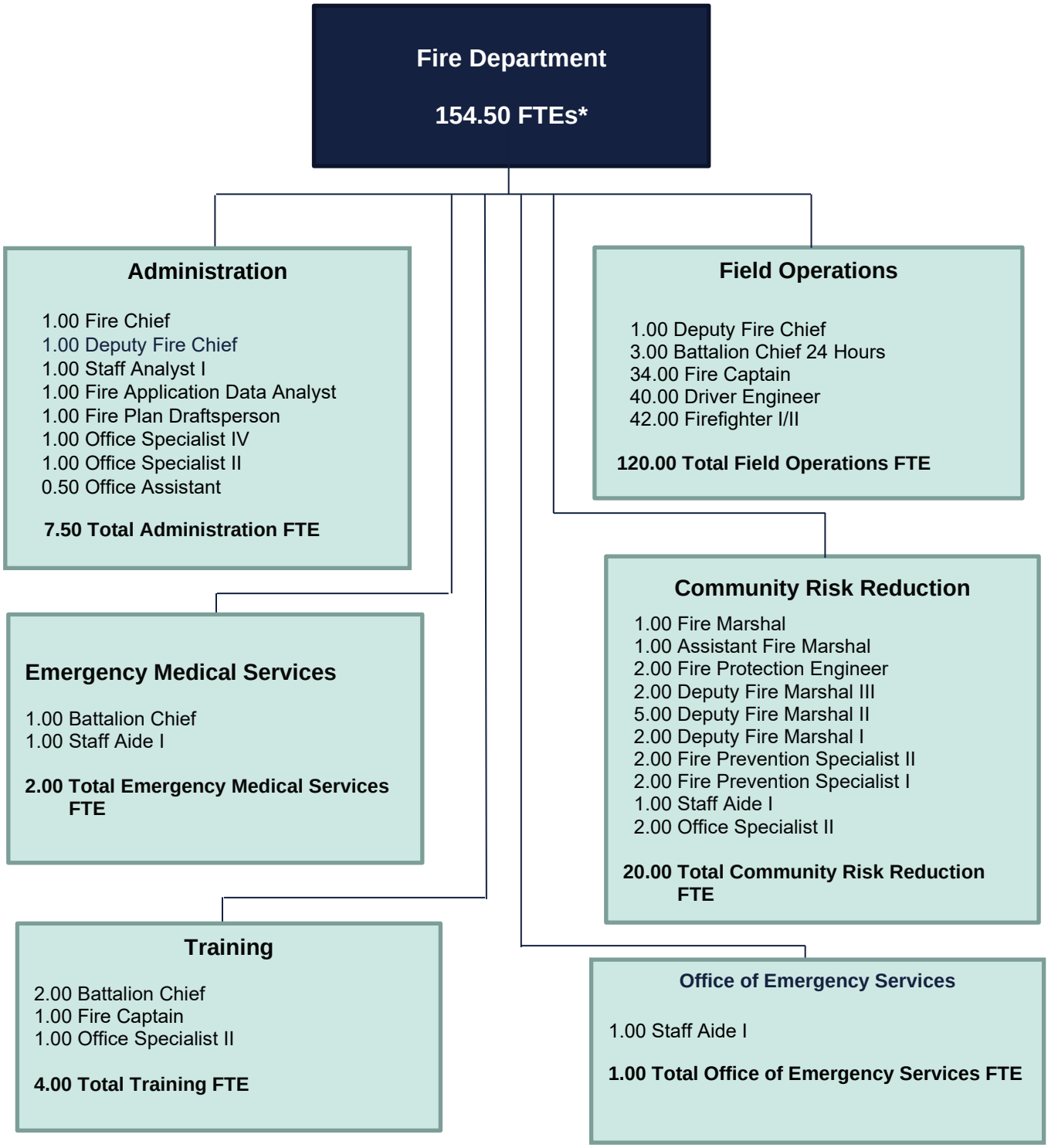
for department personnel

- Develop and implement an Unmanned Aerial Vehicle (UAV) program to be deployed for Fire Prevention, Fire Training and Fire Suppression activities
- Evaluate all Fire Station facilities and prioritize a work plan to ensure the facilities are maintained
- Hold promotional examinations for Driver/Engineer positions

Budget Highlights

- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
  - Froze 12.0 Firefighter positions and suspend the two supplemental ambulance units (Advanced Life Support will continue to be provided by the fire companies and the County of Santa Clara will continue to provide ambulance services)
  - Froze 0.75 Quality Improvement Nurse
  - Reclassified 1.0 Assistant Training Officer to 1.0 Battalion Chief
  - Reduced the non-personnel budget (e.g., conferences, training, and travel; supplies and materials)

- The Proposed Budget includes the following Phase 2 budget reductions to help address the General Fund shortfall:
  - Reduce overtime by $650,000 and restructure Rescue Response Unit
  - Reduce overtime by $650,000 and restructure Hazardous Materials Response Unit
- Add funding for Fire personnel resiliency training.
- Add new capital funding to primarily address health and safety needs, including replacing the diesel exhaust systems in seven fire stations, implementing fire pre-alerting in the fire stations, evaluating the Fire Training Tower condition, replacing defibrillators used by the fire companies and AED machines at City facilities, and providing replacement radios. Capital funding is also recommended to implement a new Accela module for tracking fire annual operational permits



**The positions above represent all funded positions. This excludes the 12.0 Firefighter positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).This also excludes 1.0 Fire Marshall position added in November 2019 to support the Related project that is currently frozen based on the anticipated project schedule.*

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Administration Division[1]							
7821	Protection - Administration	5,430,995	4,348,616	3,569,675	(17.9%)	3,632,678	1.8%
Total Administration Division		**5,430,995**	**4,348,616**	**3,569,675**	**(17.9%)**	**3,632,678**	**1.8%**
Field Operations Division[2]							
7822	Protection - Emergency Response	42,516,961	46,033,693	47,537,905	3.3%	49,751,200	4.7%
Total Field Operations Division		**42,516,961**	**46,033,693**	**47,537,905**	**3.3%**	**49,751,200**	**4.7%**
Community Risk Reduction Division[3]							
7832	Prevention and Hazardous Materials	3,338,617	3,584,184	3,167,466	(11.6%)	3,528,708	11.4%
7833	Certified United Program Agency (CUPA)	1,584,093	1,827,974	1,918,625	5.0%	2,020,296	5.3%
Community Risk Reduction Division		**4,922,710**	**5,412,158**	**5,086,091**	**(6.0%)**	**5,549,004**	**9.1%**
Training Division							
7841	Training - Fire	1,195,656	1,644,851	1,759,668	7.0%	1,830,319	4.0%
Total Training Division		**1,195,656**	**1,644,851**	**1,759,668**	**7.0%**	**1,830,319**	**4.0%**
Office of Emergency Services Division[4]							
7823	Office of Emergency Services	332,506	221,031	203,137	(8.1%)	209,899	3.3%
Total Office of Emergency Services Divisio		**332,506**	**221,031**	**203,137**	**(8.1%)**	**209,899**	**3.3%**
Emergency Medical Services Division[5]							
7861	Emergency Medical Services	1,765,064	1,071,190	928,942	(13.3%)	956,253	2.9%
Total Emergency Medical Services Division		**1,765,064**	**1,071,190**	**928,942**	**(13.3%)**	**956,253**	**2.9%**
Total by Division / Program		**56,163,892**	**58,731,539**	**59,085,418**	**0.6%**	**61,929,353**	**4.8%**

[1]Administration Division is a new division effective FY 2021/22
[2]Formerly known as the Protection Division
[3]Formerly known as the Prevention/Hazardous Materials Division
[4]Office of Emergency Services Division is a new division effective FY 2021/22
[5]Formerly known as the Incremental EMS Division

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	55,066,518	58,731,539	59,017,130	0.5%	61,681,272	4.5%
Expendable Trust Fund	19,314	0	0	0.0%	0	0.0%
Fire Operating Grant Fund	31,320	0	0	0.0%	0	0.0%
Other City Departments Operating Grant Trust Fund	1,046,740	0	0	0.0%	0	0.0%
Related Santa Clara Developer Fund	0	0	68,288	100.0%	248,081	263.3%
Total by Fund	**56,163,892**	**58,731,539**	**59,085,418**	**0.6%**	**61,929,353**	**4.8%**
Dollars by Category						
Salary and Benefits						
Salary	29,164,597	30,323,228	30,446,065	0.4%	31,670,913	4.0%
As-Needed	64,289	30,000	31,050	3.5%	32,137	3.5%
Overtime	4,257,273	3,053,042	2,309,552	(24.4%)	2,425,385	5.0%
Retirement	13,763,106	15,309,054	16,224,381	6.0%	17,434,864	7.5%
Health Allocation	1,487,523	1,573,771	1,613,808	2.5%	1,721,054	6.6%
Medicare	477,673	450,220	435,909	(3.2%)	453,918	4.1%
Social Security	100,641	135,208	129,795	(4.0%)	139,321	7.3%
Other Benefits	1,110,270	1,157,557	1,093,506	(5.5%)	1,113,028	1.8%
Total Salary and Benefits	**50,425,372**	**52,032,080**	**52,284,066**	**0.5%**	**54,990,620**	**5.2%**
Non-Personnel						
Materials/Services/Supplies	1,309,667	1,615,023	1,579,156	14.5%	1,554,687	(4.4%)
Interfund Services	4,332,819	4,934,463	5,144,703	57.4%	5,318,873	3.4%
Capital Outlay	96,034	149,973	77,493	(16.9%)	65,173	(15.9%)
Total Non-Personnel	**5,738,520**	**6,699,459**	**6,801,352**	**1.5%**	**6,938,733**	**2.0%**
Total by Category	**56,163,892**	**58,731,539**	**59,085,418**	**0.6%**	**61,929,353**	**4.8%**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
Administration Division[1]					
7821 Protection - Administration	8.50	8.50	7.50	(1.00)	7.50
Total Administration Division	**8.50**	**8.50**	**7.50**	**(1.00)**	**7.50**
Field Operations Division[2]					
7822 Protection - Emergency Response	131.00	131.00	120.00	(11.00)	120.00
Total Field Operations Division	**131.00**	**131.00**	**120.00**	**(11.00)**	**120.00**
Community Risk Reduction Division[3]					
7832 Prevention and Hazardous Materials	13.00	15.00	14.00	(1.00)	14.00
7833 Certified United Program Agency (CUPA)	6.00	6.00	6.00	0.00	6.00
Total Community Risk Reduction Division	**19.00**	**21.00**	**20.00**	**(1.00)**	**20.00**
Training Division					
7841 Training - Fire	4.00	4.00	4.00	0.00	4.00
Total Training Division	**4.00**	**4.00**	**4.00**	**0.00**	**4.00**
Office of Emergency Services Division[4]					
7823 Office of Emergency Services	2.00	1.00	1.00	0.00	1.00
Total Office of Emergency Services Division	**2.00**	**1.00**	**1.00**	**0.00**	**1.00**
Emergency Medical Services Division[5]					
7861 Emergency Medical Services	2.75	2.75	2.00	(0.75)	2.00
Total Emergency Medical Services Division	**2.75**	**2.75**	**2.00**	**(0.75)**	**2.00**
Total by Division / Program	**167.25**	**168.25**	**154.50**	**(13.75)**	**154.50**

[1]Administration Division is a new division effective FY 2021/22
[2]Formerly known as the Protection Division
[3]Formerly known as the Prevention/Hazardous Materials Division
[4]Office of Emergency Services Division is a new division effective FY 2021/22
[5]Formerly known as the Incremental EMS Division

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Fund					
General Fund	167.25	166.25	167.25	1.00	167.25
Related Santa Clara Developer Fund	0.00	2.00	1.00	(1.00)	1.00
Total by Fund	**167.25**	**168.25**	**154.50**	**(13.75)**	**154.50**
Position Classification					
Assistant Fire Marshal	1.00	1.00	1.00	0.00	1.00
Asst Training Officer	1.00	1.00	0.00	(1.00)	0.00
Battalion Chief	2.00	2.00	3.00	1.00	3.00
Battalion Chief 24 Hrs	3.00	3.00	3.00	0.00	3.00
Deputy Fire Chief	2.00	2.00	2.00	0.00	2.00
Deputy Fire Marshal I	2.00	2.00	2.00	0.00	2.00
Deputy Fire Marshal II	5.00	5.00	5.00	0.00	5.00
Deputy Fire Marshal III	2.00	2.00	2.00	0.00	2.00
Driver Engineer	40.00	40.00	40.00	0.00	40.00
Emergency Services Coordinator	1.00	0.00	0.00	0.00	0.00
Fire Application Data Analyst	1.00	1.00	1.00	0.00	1.00
Fire Captain	35.00	35.00	35.00	0.00	35.00
Fire Chief	1.00	1.00	1.00	0.00	1.00
Fire Marshal	1.00	1.00	1.00	0.00	1.00
Fire Plan Draftsperson	1.00	1.00	1.00	0.00	1.00
Fire Prevention Specialist I	2.00	2.00	2.00	0.00	2.00
Fire Prevention Specialist II	2.00	2.00	2.00	0.00	2.00
Fire Protection Engineer	1.00	2.00	2.00	0.00	2.00
Firefighter I/II	54.00	54.00	42.00	(12.00)	42.00
Office Assistant	0.50	0.50	0.50	0.00	0.50
Office Specialist II	4.00	4.00	4.00	0.00	4.00
Office Specialist IV	1.00	1.00	1.00	0.00	1.00
Quality Improvement Nurse	0.75	0.75	0.00	(0.75)	0.00
Staff Aide I	3.00	3.00	3.00	0.00	3.00
Staff Analyst I	1.00	1.00	1.00	0.00	1.00
Total Positions	**167.25**	**167.25**	**154.50**	**(12.75)**	**154.50**

**The positions above represent all funded positions. This excludes the 12.0 Firefighter positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).This also excludes 1.0 Fire Marshall position added in November 2019 to support the Related project that is currently frozen based on the anticipated project schedule.*

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	168.25	58,731,539
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Firefighter Recruitment Pilot		(10,000)
Safety and Review Equipment Purchases		(74,000)
Fire Academy Overtime and Supplies		(101,420)
Fire Department - Minimum Staffing One-Time Overtime Adjustment		(1,500,000)
Apparatus Bay Door Repairs and Maintenance		35,000
Ongoing Cost Adjustments		
Salary and benefits adjustments and position reallocations:		3,651,057
Freeze of 1.0 Deputy Fire Marshal position for the Related Santa Clara project	(1.00)	
Minimum staffing overtime true-up and annual cost-of-living adjustment		2,100,000
Net increase in various interfund services allocations		210,240
Increase for County-Wide Fire Department Situational Awareness Software		45,000
Net increase in various contractual services allocations		33,714
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021):		
- Freeze of 12.0 Firefighter positions	(12.00)	(2,445,533)
- Freeze of 0.75 Quality Improvement Nurse	(0.75)	(119,611)
- Reclassification of 1.0 Assistant Training Officer to 1.0 Battalion Chief	0.00	(9,733)
- Reduction in various non-personnel allocations including contractual services, operating supplies, and conference, training and travel		(81,000)
Reallocation of non-personnel budgets to central allocations under Non-Departmental and Information Technology Department		(79,835)
Total Base Budget Adjustments	**(13.75)**	**1,653,879**
Total FY 2021/22 Base Budget	**154.50**	**60,385,418**
FY 2021/22 Service Level Changes		
Reduction in Overtime for Rescue Response Unit		(650,000)
Reduction in Overtime for HazMat Response Unit		(650,000)
Total Service Level Changes	**0.00**	**(1,300,000)**
Total FY 2021/22 Proposed Budget	**154.50**	**59,085,418**

Budget Reconciliation

	Positions	Expenditures (All Funds)
FY 2022/23 Base Budget Adjustments		
One-time Cost Adjustments		
Apparatus Bay Door Repairs and Maintenance		(35,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		2,852,799
Resiliency Training		20,000
Non-personnel adjustments		6,136
Total FY 2022/23 Base Adjustments	**0.00**	**2,843,935**
FY 2022/23 Base Budget	**154.50**	**61,929,353**
Total FY 2022/23 Proposed Budget	**154.50**	**61,929,353**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Reduce Overtime for Rescue Response Unit	0.00	0	(650,000)	0	(650,000)

Program: 7822 – Field Operations

This proposal reduces the overtime budget by $650,000. This reduction in overtime funding would result in non-staffing of the Rescue response unit (R92) at Fire Station 2. Currently, one fire truck and one Rescue apparatus (including a dedicated Driver/Engineer) respond together as a 5-person Truck & Rescue company. This proposal will remove the dedicated Driver/Engineer position on the Rescue, requiring the truck company to either respond without the Rescue apparatus or have a Firefighter from the truck drive it to the incident. The Driver/Engineer positions will be added to the relief pool to cover vacancies and reduce overall minimum staffing overtime.

Technical rescue incidents are high-risk, low-frequency events. Rescue Unit emergency call response over the last three years was as follows: 2018: 38, 2019: 125, 2020: 218. However, the rescue responds with the truck on other incidents, including auto extrications where the “jaws of life” are needed. The Rescue also responds to structure fires to provide support as an air & light unit (required at all fire incidents), to shut off utilities at the fire scene, and to help meet the targeted Effective Response Force (ERF) for all fire, rescue, and HazMat incidents (the ERF for a First-Alarm residential structure fire is 17 personnel). The Rescue also served as a specialized COVID response unit during the pandemic, responding to all calls in the City for COVID patients and to high-risk COVID facilities.

Performance Impact

Rescue services will be available, as needed, with the following impacts:
1) Truck and engine companies will still respond to technical rescue incidents, but the truck company may need to leave the Rescue vehicle at the station.
2) This reduction will reallocate resources of truck and engine companies from other emergency needs.
3) Additional support and special Rescue apparatus may need to be provided via mutual aid from surrounding jurisdictions.
4) This proposal may increase response times and will reduce rescue capabilities in the event of a disaster or other large-scale incident.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Reduce Overtime for Hazmat Response Unit	0.00	0	(650,000)	0	(650,000)

Program: 7822 – Field Operations

This proposal reduces the overtime budget by $650,000. This reduction in overtime funding would result in non-staffing of the Hazardous Materials (HazMat) response unit (HM99) at Fire Station 9. Currently, one fire engine and one Hazmat apparatus (including a dedicated Driver/Engineer) respond together as a 4-Person HazMat company. This proposal will remove the dedicated Driver/Engineer position on the HazMat Unit, requiring the engine company to either respond without the HazMat apparatus or have the Firefighter from the engine drive it to the incident. The Driver/Engineer positions will be added to the relief pool to cover vacancies and reduce overall minimum staffing overtime.

Significant HazMat incidents are high-risk, low-frequency events. Hazmat Unit emergency call response over the last three years was as follows: 2018: 152 incidents, 2019: 187 incidents, 2020: 120 incidents. On average, HazMat incidents over these three years accounted for approximately 2% of all service calls. In addition to incidents classified as HazMat incidents, HM99 responds to all structure fires to provide post-fire decontamination of fire personnel (required on fire incidents), and may be part of the targeted Effective

Performance Impact

Hazmat response services will be available, as needed, with the following impacts:
1) Truck and Engine companies will still respond to HazMat incidents, but the Station 9 company will split-up with two personnel responding on the engine and one driving HM99.
2) This reduction will reallocate resources of truck and engine companies from other emergency needs.
3) Additional support and special HazMat apparatus may need to be provided via mutual aid from surrounding jurisdictions.
4) This proposal may increase response times and will reduce HazMat capabilities in the event of a disaster or other large-scale incident involving hazardous materials.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Resiliency Training	0.00	0	0	0	20,000

Program: 7841 - Training

This proposal adds $20,000 of ongoing funding for resiliency training. Resiliency training provides an in-depth overview to the psychological, neurological, physical, emotional, and relational impacts of stress and trauma. This training focuses on the neuroscience behind the stress that makes firefighters great at responding to emergencies, but also creates its own set of challenges for maintaining health and wellness throughout a career of service to the community. The program provides new tools and techniques that will not only enhance professional performance but may even save lives. This training is a priority at this very critical time as fire personnel deal with the ongoing effects of emergency response during the COVID-19 pandemic and a tragic loss in the department..

The cost of the initial training is $54,000 for nine 8-hour training sessions, which will be absorbed by the Fire Department in FY 2021/22. It will take nine sessions to train all the fire personnel, while continuing emergency response in the City. After this initial training, an annual budget of $20,000 will be necessary to maintain ongoing resiliency-based training for personnel.

Performance Impact

Provides tools to proactively manage the stress of emergency response more effectively, rather than taking a reactionary approach to dealing with the stress after the incidents.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Performance and Workload Measures

Field Operations Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Response time of first in unit in 90% of all Code 3 emergency calls[1]		5:38 min.	5:26 min.	6:00 min.	6:00 min.	6:00 min.	6:00 min.
Response time of Effective Response Force (ERF)[2] of 17 personnel to a first alarm structure fire in 90% of emergency calls[2] - *New for FY 2021/22*		N/A	9:27 min	10:00 min	10:00 min	10:00 min	10:00 min
Percentage of fires contained to room of origin - *New for FY 2021/22*		61%	79%	75%	75%	75%	75%

Workload Measures

Fire and life safety inspections for regular businesses completed by Field Operations Division - *New for FY 2021/22*		N/A	4,637	4,000	190	3,000	4,000
Number of calls for service		9,456	9,339	9,000	8,841	9,000	9,000
Number of hours contributed by the Volunteer/Reserve Program		1,813	5,000	5,000	2,500	5,000	5,000

[1] Code 3: Immediate response using red lights and siren; Code 2: No red lights or siren—expedited response adhering to all regular traffic laws.
[2] The Effective Response Force for first alarm assignment to a structure fire is the number of firefighters, apparatus and response times needed to perform the required critical tasks.

Note: Performance and Workload Measure data are based on calendar year.

Performance and Workload Measures

Emergency Medical Services Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Response time in 90% of all advanced life support (ALS) calls with at least one Paramedic arriving on scene		4:04 min	5:21 min	7:59 min	7:59 min	7:59 min	7:59 min
Number of City employees trained in Cardiopulmonary Resuscitation/Automated External Defibrillator (CPR/AED) or BLS Provider		391	295	320	233	320	320
Number of Emergency Medical Services (EMS) training hours		5,978	5,467	6,100	3,000	6,100	6,100

Community Risk Reduction Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Fire and life safety inspections for residential, hotels and hazmat facilities completed by Community Risk Reduction Division		4,317	3,434	5,400	2,000	2,000	3,000
Educational and Residential occupancy inspections completed with statutory requirements		2,087	1,381	1,240	1,400	1,310	1,310
Plan reviews completed by Division		N/A	2,028	1,600	1,900	1,900	1,900
Hazardous materials business plan (HMBP) inspections completed within statutory requirements		179	101	300	250	250	300
Underground Storage Tank (UST) inspection completed within statutory requirements		63	58	65	65	65	65
Aboveground petroleum storage tank (APSA) inspections completed within statutory requirements		26	25	40	40	40	40
California accidental release prevention (Cal-ARP) inspections completed within statutory requirements		1	1	1	3	1	1
Number of hours of public education provided		N/A	675	804	800	800	800

Note: Performance and Workload Measure data are based on calendar year.

Performance and Workload Measures

Training Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of fire prevention training hours		977	657	800	50	800	800
Number of hazardous materials training hours		2,238	1,694	1,200	2,170	1,200	1,200
Total department training hours for Suppression personnel		33,236	30,691	20,000	18,083	20,000	20,000

Administrative Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Customer satisfaction rating based on survey results (%) by calendar year		98%	99%	95%	95%	95%	95%

Workload Measures

Number of Public Records Act requests processed within mandated timeframe[3] - *New for FY2021/22*		N/A	N/A	N/A	N/A	95%	95%

Office of Emergency Services Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Emergency Operations Center number of activations per calendar year (includes drills and exercises)		20	20	22	13	15	15
Emergency Operations Center training sessions/planning meetings		48	70	35	33	30	30

[3] This workload measure is inclusive of all divisions.

Note: Performance and Workload Measure data are based on calendar year.

Human Resources Department

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Human Resources Department Description

The Human Resources (HR) Department is responsible for several areas: Benefits, Compensation, Recruitment, Testing, Classification, Employee and Labor Relations, Equal Employment Opportunity, Workers Compensation/Safety, and Employee Development.

The Department manages a variety of employee benefits, including health, dental, and retirement/retirement benefit programs, Flexible Spending Accounts, VEBA, Dental Reimbursement, Retiree Medical Reimbursement Programs and a City Employee Assistance Program.

HR integrates job analyses into the selection process for each vacant position to ensure the accuracy of job specifications and the validity of examinations. Considerable time, labor, and expense is involved with each recruitment, especially for public safety positions where the process includes large pools of applicants and written, performance, and oral exams in addition to polygraph, psychological, comprehensive medical exams, and background investigations.

The Director of Human Resources is delegated as the Municipal Employee Relations Officer (MERO). The Employee Relations function is a direct function of the City Manager's Office that is delegated to the Director of HR. Employee Relations includes negotiating with Bargaining Units and Labor Unions to create agreed upon Memoranda of Understanding (MOU's) for each of the 10 specific represented groups, as well as receives and reviews grievances filed by employees or unions.

The City's Equal Employment Opportunity (EEO) Officer is responsible for oversight of equal employment opportunity laws. The EEO Officer reviews, investigates and/or oversees investigations of complaints filed by applicants or employees alleging discrimination or hostile work environment, including sexual harassment. The City has zero tolerance to discrimination and harassment. HR will continue to investigate and resolve grievances and discrimination complaints in accordance with federal and State laws, City policies, and in close coordination with the City Attorney's Office.

The City strives to work on best practices related to safety, including proper ergonomics. We encourage all departments to invest in their staff, specifically related to occupational safety.

HR provides State-mandated harassment prevention training for all regular City employees and we offer training programs in areas such as supervision, employment law and other areas of interest.

Divisions and Services

The Human Resources Department is organized into two Divisions: 1) Employee Benefits and Records and 2) Recruitment, Classification, and Staff Development.

Employee Benefits and Records Division Mission	Provide quality service to employees and retirees in the responsible, cost efficient development and administration of City compensation, benefits, and related programs.
Division Objectives	Administer current Memoranda of Understanding (MOU) with the City's ten bargaining groups. Represent the City in various labor relation issues and negotiate, in collaboration with internal and external counsel on wages, hours, and other terms and conditions of employment.
	Administer benefits for City employees.
	Manage employee relations matters for the City; advise and assist departments with grievance resolution, and disciplinary action.
	Strive to ensure equal employment opportunity and provide a work environment free of discrimination and harassment.
	Manage benefit programs for employees, retiree medical reimbursement programs, and process retirements.

Recruitment, Classification, and Staff Development Division Mission	Provide centralized hiring services by developing and administering City recruitment and selection processes; administer and update the City's Classification Plan; and promote the advancement of ethical and sound human resources policies and practices in accordance with Civil Service Rules and Regulations, federal and State guidelines and industry standards.
Division Objectives	Develop and implement valid selection examinations designed to select and promote the most qualified candidates.
	Ensure that positions are properly classified, described, and aligned to support the organizations' effectiveness and efficiency.
	Manage recruitment, assessment, and hiring processes to meet the City's staffing needs. Review, streamline, and update human resources policies and procedures to improve efficiency and reflect current employment laws and industry best practices.
	Develop electronic enhancements to the City's website, intranet, and citywide shared drive/CSI to make available to the public and employees employment information such as job opportunity announcements, job descriptions and salary and benefit data.
	Maintain City Volunteer Program for all departments utilizing an online volunteer application.

Significant Accomplishments

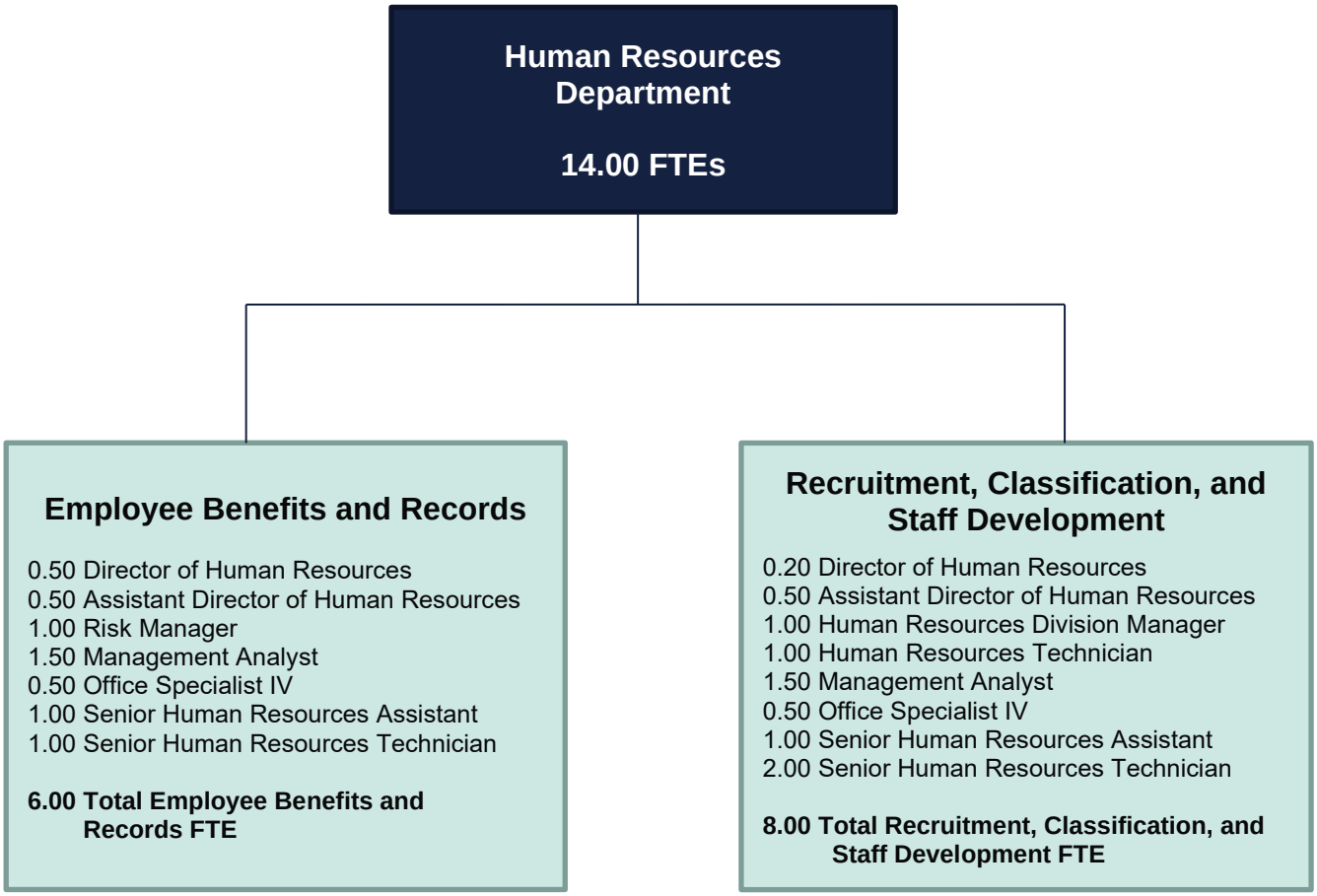
- Due to the COVID-19 pandemic, the Human Resources Department promptly developed and implemented various programs and policies including the COVID-19 leave policy as well as leaves mandated by State and federal laws; Remote Workplace policy; city-wide COVID-19 Safety Training; FAQs; COVID-19 Prevention Program; daily self-wellness check form; managed all COVID-19 employee related matters and cases, including mandated reporting requirements; implemented city-wide safety protocol measures in compliance with State and local orders; and activated hundreds of employees as Disaster Service Workers for various community programs
- Processed over 450 as-needed employee separations as a result of the COVID-19 pandemic
- Created and converted Human Resources forms to fillable forms for efficiency
- Reached successor Memoranda of Understanding agreements with five of the City's bargaining units.
- Provided non-supervisory harassment/discrimination online mandated training
- Supported approximately 1,912 regular and as-needed employees in regard to benefits, wage adjustments, worker's compensation, leaves and retirements
- Performed full-cycle recruitment, including classification studies, and appointed/promoted 272 regular employees during the last two fiscal years

Significant Objectives

- Conduct recruitments and manage effective, efficient, and defensible hiring processes to attract and retain qualified employees
- Continue negotiations with Bargaining Units
- Develop additional supervisory training opportunities for current employees
- Maintain the Sexual Harassment Prevention State Mandated training for all City employees, including the training of Elected Officials and City Commission and Committee members
- Work closely with the Finance Department to analyze and implement best practices in implementation, control and audit of pay and benefit entries
- Review and update various citywide policies, including the Employer-Employee Relations Resolution, the Personnel and Salary Resolution, and various City Manager Directives and coordinate these updated policies with each bargaining unit for implementation

Budget Highlights

- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
  - the elimination of a Division Manager and reallocation of Risk Manager to the Human Resources Department
  - reductions in contractual services, elimination of staff events, and reductions in conference travel and training
- The Proposed Budget includes the following Phase 2 budget reductions to help address the General Fund shortfall:
  - elimination of 0.75 Senior Human Resources Technician in the Records and Compensation Division
  - elimination of 1.0 Human Resources Technician in the Recruiting Division.


Human Resources Department
14.00 FTEs
Employee Benefits and Records
0.50 Director of Human Resources
0.50 Assistant Director of Human Resources
1.00 Risk Manager
1.50 Management Analyst
0.50 Office Specialist IV
1.00 Senior Human Resources Assistant
1.00 Senior Human Resources Technician
6.00 Total Employee Benefits and Records FTE
Recruitment, Classification, and Staff Development
0.20 Director of Human Resources
0.50 Assistant Director of Human Resources
1.00 Human Resources Division Manager
1.00 Human Resources Technician
1.50 Management Analyst
0.50 Office Specialist IV
1.00 Senior Human Resources Assistant
2.00 Senior Human Resources Technician
8.00 Total Recruitment, Classification, and Staff Development FTE

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Employee Benefits and Records Division							
2514	Records – Compensation	1,085,246	1,177,109	913,749	(22.4%)	984,907	7.8%
2515	HR Workers' Compensation and Safety	748,182	817,153	827,379	1.3%	859,470	3.9%
Total Employee Benefits and Records Division		**1,833,428**	**1,994,262**	**1,741,128**	**(12.7%)**	**1,844,377**	**5.9%**
Recruitment, Classification, and Staff Development Division							
2521	Selection – Classification	1,261,763	1,414,431	1,374,875	(2.8%)	1,418,867	3.2%
2525	Recruitment, Staff Development and Labor Relations	894,853	1,069,240	1,017,807	(4.8%)	1,050,002	3.2%
Total Recruitment, Classification, and Staff Development Division		**2,156,616**	**2,483,671**	**2,392,682**	**(3.7%)**	**2,468,869**	**3.2%**
Total by Division / Program		**3,990,044**	**4,477,933**	**4,133,810**	**(7.7%)**	**4,313,246**	**4.3%**

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	3,979,414	4,477,933	4,133,810	(7.7%)	4,313,246	4.30%
Other City Operating Grant Trust Fu	10,630	0	0	0.0%	0	0.0%
Total by Fund	**3,990,044**	**4,477,933**	**4,133,810**	**(7.7%)**	**4,313,246**	**4.30%**
Dollars by Category						
Salary and Benefits						
Salary	1,914,164	2,048,067	1,745,873	(14.8%)	1,810,540	3.7%
As-Needed	38,617	135,000	36,225	(73.2%)	37,493	3.5%
Overtime	1,954	0	0	0.0%	0	0.0%
Retirement	594,856	653,783	708,369	8.3%	753,919	6.4%
Health Allocations	164,912	187,627	167,742	(10.6%)	173,019	3.1%
Medicare	29,195	32,170	27,904	(13.3%)	28,881	3.5%
Social Security	111,338	112,936	99,917	(11.5%)	101,569	1.7%
Other Benefits	91,918	99,543	91,121	(8.5%)	92,615	1.6%
Total Salary and Benefits	**2,946,954**	**3,269,126**	**2,877,151**	**(12.0%)**	**2,998,036**	**4.2%**

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Category						
Non-Personnel						
Materials/Services/Supplies	544,819	814,919	813,801	(0.1%)	865,009	6.3%
Interfund Services	398,271	393,888	442,858	12.4%	450,201	1.7%
Transfers to Other Funds	100,000	0	0	0.0%	0	0.0%
Total Non-Personnel	**1,043,090**	**1,208,807**	**1,256,659**	**4.0%**	**1,315,210**	**4.7%**
Total by Category	**3,990,044**	**4,477,933**	**4,133,810**	**(7.7%)**	**4,313,246**	**4.3%**

Position Summary

		FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program						
Employee Benefits and Records Division						
2514	Records – Compensation	4.00	4.00	2.75	(1.25)	2.75
2515	HR Workers' Compensation and Safety	3.25	3.25	3.25	0.00	3.25
Total Employee Benefits and Records Division		**7.25**	**7.25**	**6.00**	**(1.25)**	**6.00**
Recruitment, Classification, and Staff Development Division						
2521	Selection – Classification	5.75	5.75	5.75	0.00	5.75
2525	Recruitment, Staff Development and Labor Relations	2.75	2.75	2.25	(0.50)	2.25
Total Recruitment, Classification, and Staff Development Division		**8.50**	**8.50**	**8.00**	**(0.50)**	**8.00**
Total by Division / Program		**15.75**	**15.75**	**14.00**	**(1.75)**	**14.00**

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Fund					
General Fund	15.75	15.75	14.00	(1.75)	14.00
Total by Fund	**15.75**	**15.75**	**14.00**	**(1.75)**	**14.00**
Position Classification					
Assistant Director of Human Resources	1.00	1.00	1.00	0.00	1.00
Director of Human Resources	1.00	1.00	1.00	0.00	1.00
Human Resources Division Manager	2.00	2.00	1.00	(1.00)	1.00
Risk Manager	0.00	0.00	1.00	1.00	1.00
Human Resources Technician	2.00	2.00	1.00	(1.00)	1.00
Management Analyst	3.00	3.00	3.00	0.00	3.00
Office Specialist IV	1.00	1.00	1.00	0.00	1.00
Senior Human Resources Assistant	2.00	2.00	2.00	0.00	2.00
Senior Human Resources Technician	3.75	3.75	3.00	(0.75)	3.00
Total Positions	**15.75**	**15.75**	**14.00**	**(1.75)**	**14.00**

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	15.75	4,477,933
FY2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
As-Needed Staff: Summer Internship Program		(100,000)
Employee Survey (Every Two Years)		(35,000)
Ongoing Cost Adjustments		
Salary and Benefits adjustments		(104,677)
Reallocation of Ricoh usage costs to the Information Technology Department		(2,047)
Reallocation of Personnel Contractual Services from Special Liability Fund		250,000
Net increase in various interfund services allocations		48,970
Increase in Advertisement and Community Promotion (Neo Gov Services and Diversity Employement Recruitment		22,646
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021):		
- Reallocation of 1.0 Risk Manager and Deletion of 1.0 Division Manager	0.00	40,184
- Reduction of Labor Negotiation Consultants		(134,396)
- Reduction in Employee Recognition Awards		(30,600)
- Elimination in Annual Employee Luncheon		(21,000)
- Reduction in Written Exams for Recruitment		(20,400)
- Reduction in Public Safety Polygraphs		(12,240)
- Reduction in Employment Background Checks		(8,160)
- Reduction in Various Other Contractual Services		(5,451)
- Reduction in other various Operating Supplies		(2,606)
- Reduction in Conference, Travel, and Training		(1,864)
Total FY 2021/22 Base Budget Adjustments	**0.00**	**(116,641)**
Total FY 2021/22 Base Budget	**0.00**	**4,361,292**
FY 2021/22 Service Level Requests		
Elimination of 1.0 Human Resources Technician	(1.00)	(131,172)
Elimination of 0.75 Sr Human Resources Technician	(0.75)	(96,310)
Total Change Requests	**(1.75)**	**(227,482)**
Total FY 2021/22 Proposed Budget	**14.00**	**4,133,810**

Budget Reconciliation

	Positions	Expenditures (All Funds)
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefits adjustments		120,885
Employee Survey (Every Two Years)		35,000
Non-personnel adjustments		23,551
Total FY 2022/23 Base Budget Adjustments	**0.00**	**179,436**
Total FY 2022/23 Base Budget	**14.00**	**4,313,246**
Total FY 2022/23 Recommended Budget	**14.00**	**4,313,246**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Eliminate 1.0 Vacant Human Resources Technician	(1.00)	0	(131,372)	0	(135,399)

Programs: 2525 – Recruitment, Staff Development and Labor Relations

This action eliminates 1.0 Human Resources Technician position in the Recruitment, Staff Development and Labor Relations Program. This position is primarily responsible for recruitments of as-needed and some regular positions along with coordination of the Civil Service Commission and Salary Setting Commission.

Performance Impact

The as-needed and regular recruitment workload would be absorbed by other staff. The City currently has a city-wide hiring freeze in place, which has reduced the recruiting activity. The support for the two commissions would be absorbed by the Office Specialist IV position that has been cross trained and serves as a backup for coordinating both Commissions.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Eliminate 0.75 Vacant Sr. Human Resources Technician	(0.75)	0	(96,310)	0	(100,623)

Programs: 2514 - Records and Compensation

This action eliminates a 0.75 FTE Sr. Human Resources Technician position in the Records and Compensation Program. This position is primarily responsible for processing personnel transactions in the Human Resources Information System that include new hires, promotions, negotiated pays, benefits, transfers, separations, leaves of absences, performance management, etc.

Performance Impact

The processing of personnel transactions in the human resources information system will be absorbed by existing staff and should not have any impact on processing these transactions in a timely manner.

Strategic Pillar:  Manage Stratedfgically Our Workforce Capacity and Resources

Performance and Workload Measures

Employee Benefits and Records Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of employee benefits and compensation transactions processed accurately and timely		98%	99%	100%	98%	100%	100%
Percent of separation and retirement payoff calculations completed according to policy and within final pay period		93%	95%	100%	95%	100%	100%
Percent of new hires processed for pay and benefits in time for their first paycheck		100%	100%	100%	100%	100%	100%
Percent of Workers' Compensation claims processed within five business days of receipt in Human Resources Department		100%	100%	100%	100%	100%	100%
Percent of work hours lost as a result of industrial injuries and illnesses		0.77%	0.79%	2.00%	2.00%	2.00%	2.00%
Percent of City-sponsored training classes rated very good or above by attendees		95%	96%	100%	95%	100%	100%
Percent of employees attending City required training classes		100%	95%	100%	100%	100%	100%

Recruitment, Classification, and Staff Development Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Average employee turnover rate		5.40%	9.50%	5.00%	7.00%	6.00%	6.00%
Percent of recruitments completed within established timelines		100%	76%	100%	100%	100%	100%
Percent of recruitments for which a job analysis is completed		95%	100%	98%	100%	95%	95%

Workload Measures

Number of final MOUs to be published within 60 days of City Council Ratification		2	0	5	6	5	2

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Information Technology Department

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Information Technology Department Description

The Information Technology Department (ITD) strives to provide superb affordable services and be the partner of choice for City information technology initiatives to improve the quality of life and strengthen the community through technology and innovation.

The award-winning ITD provides a full range of IT services that include Enterprise Services, Infrastructure and Support, Telecom Services and Contract Services. providing help desk, desk side support, data center and network management, cybersecurity, application consulting and support, training, technology project/program management and Geographic Information Service (GIS) capabilities.

Focus areas include:

- Improve government services - efficient, effective, & transparent
- Enable self-service - anytime, anywhere, access to government digital citizen centric services, customer request management
- Enhance citizen engagement and community participation
- Assist City departments with their IT business requirements in support of delivering city services
- Maintain Project and Portfolio Management practices to ensure successful implementation of technology projects
- Maintain and strengthen the City's enterprise-wide technology infrastructure in support of City departments
- Protect and strengthen the City network and information security capabilities
- Cybersecurity risk mitigation & compliance
- Manage IT vendors to control costs, drive service excellence, and mitigate risks to gain increased value throughout the product lifecycle

Divisions and Services

The IT Department is organized into four Divisions: Enterprise Services; Infrastructure and Support; Contract Services; and Telecommunication Services.

Enterprise Services Division Mission	To plan and implement applications leveraging technology to enhance citywide and departmental capabilities. Maintain a high availability digital presence providing relevant information and quality on-line services to the residents and businesses of Santa Clara. Empower City employees to effectively serve the public using digital technologies.
Division Objectives	Provide application support for mission and business critical departmental applications. Manage business process improvements and vendor compliance updates. Maintain an Application Portfolio Management System and Enterprise Roadmap to provide for better planning. Work with department business owners to rationalize and modernize the current applications in-line with city goals and objectives, plan for enhancements and upgrades to provide greater functionality and business value for city applications.
	Manage the City's websites providing timely updates to citizens through the use of the City's expanding digital presence. Ensure equal access to the City website for people with disabilities by providing websites that comply with accessibility requirements.
	Provide enhanced support for business applications used within the City driven by a Structured Project Methodology and Project Management Office.
	Through GIS data, provide trustworthy operational information, organized by location, and delivered in a timely manner to decision-makers for both tactical and strategic planning efficiency.

Infrastructure and Support Division Mission	Provide a reliable and secure citywide computing infrastructure to enable departments to accomplish business goals and provide City services and information to the community.
Division Objectives	Provide services to ensure the reliability, continuity, and sustainability of network, server, storage, and desktop systems.
	Maintain, support, and enhance the City's enterprise-wide technology infrastructure in support of City departments.
	Enable business continuity and delivery of essential services through remote workplace capabilities
	Ensure security and strengthen the reliability of the internal City systems and network.

Contract Services Division Mission	To provide superb professional, responsive, and cost-effective information technology services to the City.
Division Objectives	Manage the City technology contracts to ensure the adherence to scope and deliverables.
	Implement information technology best practices and drive operational and continuous improvements with our technology providers.
	Provide governance and oversight for the City technology vendors to ensure performance meets/exceeds contractual obligations. Ensure remediation plans are developed and adhered to as needed.

Telecommunication Services Division Mission	Provide support for general communications services for City staff, including telephony services, mobile, wireless communications, and cable services.
Division Objectives	Provide and maintain high quality telephony and mobile services to all City staff and departments. Assist in the planning and implementation of telecommunications services at City facilities.
	Review and process billing for all telecommunication services.
	Provide cable franchise oversight and monitoring.

Significant Accomplishments

- The past year was dominated by the COVID-19 pandemic. Technology played a pivotal role during this time. The IT Department swiftly came together as digital first responders to enable business continuity and essential services. Highlights of ITD's COVID-19 digital transformation efforts include:
    - Work from anywhere
    - Online public meetings
    - Employee collaboration
    - Digital services
    - Public safety technology
    - Ongoing operations
- COVID-19 support for Departmental initiatives:
    - Emergency Operations Center (EOC) activation and technology support
    - HR/Payroll – Emergency leave programs and FMLA updates
    - Finance Utility Billing updates and COVID Programs
    - Small Business Assistance Grant Program
    - Installed Touchless credit card machines
    - Drive thru payment window activation
    - Updated Clean Up Campaign GIS Map
    - Website updates, PRA response, Social Media
    - Created an online donations portal for the Help Your Neighbor program.
    - Supported the Emergency Rental Assistance to allow low-income households to apply for Emergency Rental Assistance to pay past due rents accumulated due to the COVID-19 crisis. The City achieved three rounds of funding using this process.
- Enhanced productivity, collaboration, and security. Roll-out and support of Microsoft Teams and O365 SharePoint Online as the collaboration platform across City.
- Redesigned the City Websites for improved resident engagement, allowing departments autonomy while retaining the City brand, new sitemap, and technical improvements such as search and mobility. The core team from the City Manager's Office and the IT Department worked collaboratively with representatives from all departments. The City Websites received three national awards recognizing the work.
- Enabled business transformation, process streamlining and data-driven outcomes through application modernization. Systems include Electronic Document Management, Legal Service Requests, Utility Billing System, Business License System, Financials, HR, Payroll, Procurement, Mobile Inventory, Video security system, GIS and Enterprise asset and work order management system.
- Continued the maturity of the City's cybersecurity posture, safeguarding resident and city sensitive data.

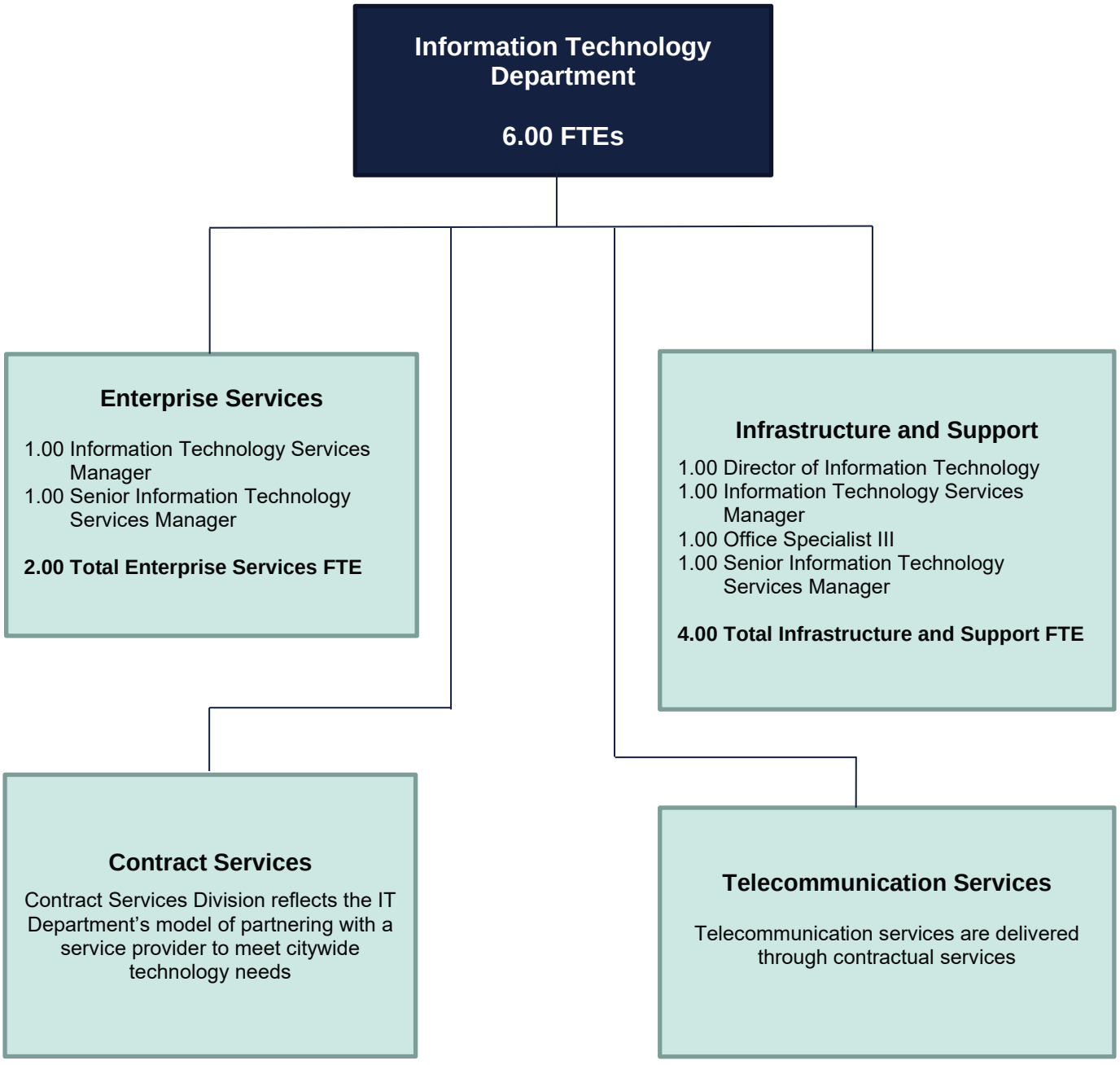
Significant Objectives

- Application Modernization: Support citywide and departmental system replacements and upgrades – Utility Billing Customer Self Service Portal, Utility Billing IVR/Contact Center, Police Records Management, Permitting/Land Management, Records Management, Financials and HR Management System, Legal Case Management, Work Order Management.

- Enterprise GIS: Building on the existing enterprise GIS platform; work plan for the year includes projects to further citizen engagement, decision making, and effective infrastructure information lifecycle management.
- Improve collaboration capabilities across the City by leveraging technologies such as the Microsoft 365 platform to enable anytime, anywhere access to City systems and resources.
- Technology Infrastructure: Architect and replace aging technology infrastructure in a strategic and phased manner in support of increased digital, mobile and cloud solutions for anytime, anywhere device access in a secure manner. Enhance technology capabilities in the City Parks and Recreation Facilities for improved user experience. Strengthen Emergency Operations Center and Public Safety network infrastructure for security and performance.
- Cybersecurity and Risk Mitigation: Strengthen the City's cybersecurity posture by providing a proactive defense against threats via intrusion prevention/detection systems and security information and event management systems and response protocols

Budget Highlights

- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
    - IT services contract reduction
    - Various contractual services reductions for services that have been absorbed in other contracts or no longer needed
- The Proposed Budget includes the following Phase 2 budget reductions to help address the General Fund shortfall:
    - Elimination of 1.0 Management Analyst position
    - Additional IT services contract reductions
    - Reduction in as-needed staffing allocations


Information Technology Department
6.00 FTEs
Enterprise Services
1.00 Information Technology Services Manager
1.00 Senior Information Technology Services Manager
2.00 Total Enterprise Services FTE
Infrastructure and Support
1.00 Director of Information Technology
1.00 Information Technology Services Manager
1.00 Office Specialist III
1.00 Senior Information Technology Services Manager
4.00 Total Infrastructure and Support FTE
Contract Services
Contract Services Division reflects the IT Department's model of partnering with a service provider to meet citywide technology needs
Telecommunication Services
Telecommunication services are delivered through contractual services

Budget Summary

	FY 2019/20 Actuals	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program						
Contract Services Division						
1931 Contract Services	8,268,032	8,727,420	8,326,309	(4.6%)	8,102,354	(2.7%)
Total Contract Services Division	**8,268,032**	**8,727,420**	**8,326,309**	**(4.6%)**	**8,102,354**	**(2.7%)**
Enterprise Services Division						
1911 Application Services	537,414	501,337	521,739	4.1%	549,761	5.4%
1912 Web Services	81,464	168,032	213,256	26.9%	260,682	22.2%
1913 GIS Services	430,632	539,270	546,661	1.4%	546,003	(0.1%)
Total Enterprise Services Division	**1,049,510**	**1,208,639**	**1,281,656**	**(6.2%)**	**1,356,446**	**5.8%**
Infrastructure and Support Division						
1921 Infrastructure and Support	2,815,747	2,688,426	1,878,052	(30.1%)	1,990,375	6.0%
Total Infrastructure and Support Division	**2,815,747**	**2,688,426**	**1,878,052**	**(16.2%)**	**1,990,375**	**6.0%**
Telecommunication Services Division						
1941 IT Telecommunication Services	495,808	624,120	798,212	27.9%	823,240	3.1%
Total Telecommunication Services Division	**495,808**	**624,120**	**798,212**	**35.9%**	**823,240**	**3.1%**
Total by Division / Program	**12,629,097**	**13,248,605**	**12,284,229**	**(7.3%)**	**12,272,415**	**(0.1%)**

Budget Summary

	FY 2019/20 Actuals	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
Information Technology Services Fund	12,223,121	13,248,605	12,084,229	(8.8%)	12,072,415	(0.1%)
Expendable Trust Fund	4,340	0	0	0.0%	0	0.0%
Other City Departments Operating Grant Trust Fund	304,876	0	0	0.0%	0	0.0%
Public, Educational, and Governmental (PEG) Fee Fund	96,760	0	200,000	0.0%	200,000	0.0%
Total by Fund	**12,629,097**	**13,248,605**	**12,284,229**	**(7.3%)**	**12,272,415**	**(0.1%)**
Dollars by Category						
Salary and Benefits						
Salary	1,105,173	1,065,111	905,254	(15.0%)	944,777	4.4%
As-Needed	215,433	272,000	229,990	(15.4%)	238,230	3.6%
Overtime	280	0	0	0.0%	0	0.0%
Retirement	345,395	390,894	411,524	5.3%	439,387	6.8%
Health Allocation	71,245	83,847	74,268	(11.4%)	78,037	5.1%
Medicare	18,988	18,860	16,626	(11.8%)	17,306	4.1%
Social Security	51,842	57,883	49,068	(15.2%)	49,253	0.4%
Other Benefits	47,556	51,686	48,165	(6.8%)	48790	1.3%
Total Salary and Benefits	**1,855,912**	**1,940,281**	**1,734,895**	**(10.6%)**	**1,815,780**	**4.7%**
Non-Personnel						
Materials/Services/Supplies	10,291,888	11,251,326	10,292,135	(8.5%)	10,194,777	(0.9%)
Interfund Services	378,497	56,998	57,199	0.4%	61,858	8.1%
Capital Outlay	102,800	0	200,000	0.0%	200,000	0.0%
Total Non-Personnel	**10,773,185**	**11,308,324**	**10,549,334**	**(6.7%)**	**10,456,635**	**(0.9%)**
Total by Category	**12,629,097**	**13,248,605**	**12,284,229**	**(7.3%)**	**12,272,415**	**(0.1%)**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
Contract Services Division					
1931 Contract Services	0.00	0.00	0.00	0.00	0.00
Total Contract Services Division	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**
Enterprise Services Division					
1911 Application Services	2.00	2.00	2.00	0.00	2.00
1912 Web Services	0.00	0.00	0.00	0.00	0.00
1913 GIS Services	0.00	0.00	0.00	0.00	0.00
Total Enterprise Services Division	**2.00**	**2.00**	**2.00**	**0.00**	**2.00**
Infrastructure and Support Division					
1921 Infrastructure and Support	5.00	5.00	4.00	(1.00)	4.00
Total Infrastructure and Support Division	**5.00**	**5.00**	**4.00**	**(1.00)**	**4.00**
Telecommunication Services Division					
1941 IT Telecommunication Services	0.00	0.00	0.00	0.00	0.00
Total Telecommunication Services Division	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**
Total by Division / Program	**7.00**	**7.00**	**6.00**	**(1.00)**	**6.00**

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Fund					
Information Technology Services Fund	7.00	7.00	6.00	(1.00)	6.00
Total by Fund	**7.00**	**7.00**	**6.00**	**(1.00)**	**6.00**
Position Classification					
Director of Information Technology	1.00	1.00	1.00	0.00	1.00
Information Technology Services Manager	2.00	2.00	2.00	0.00	2.00
Management Analyst	1.00	1.00	0.00	(1.00)	0.00
Office Specialist III	1.00	1.00	1.00	0.00	1.00
Senior Information Technology Services Manager	2.00	2.00	2.00	0.00	2.00
Total Positions	**7.00**	**7.00**	**6.00**	**(1.00)**	**6.00**

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	7.00	13,248,605
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Information technology services contract cost-of-living adjustment		(474,000)
Information technology services contract positions		(260,000)
Various non-personnel adjustments		(271,446)
Cybersecurity services		(100,000)
Office 365 workforce transformation		(100,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		(9,036)
Increase for information technology services contract costs		1,115,502
Increase for telecommunications budget offset by PEG fee revenue		200,000
Increase in geography information systems maintenance costs		113,605
Increase for various maintenance costs due to implementation of new services		89,101
Reallocation from various City departments for Ricoh usage costs		78,630
Increase for additional Adobe licensing		57,995
Increase for cybersecurity program costs		40,000
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021):		
- Reduction in information technology services contract		(772,651)
- Reduction in various contracts that are no longer applicable or have been absorbed by other contracts		(211,700)
Total FY 2021/22 Base Budget Adjustments	**0.00**	**(504,000)**
Total FY 2021/22 Base Budget	**7.00**	**12,744,605**
FY 2021/22 Service Level Changes		
Reduction in Information Technology Services Contract		(215,058)
Elimination of 1.0 Management Analyst Position	(1.00)	(169,308)
Reduction in Telecommunications As-Needed Budget		(50,000)
One-Time Reduction in Cybersecurity Training		(26,010)
Total Service Level Changes	**(1.00)**	**(460,376)**
Total FY 2021/22 Proposed Budget	**6.00**	**12,284,229**

Budget Reconciliation

	Positions	Expenditures (All Funds)
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefits adjustments		(37,824)
One-Time Reduction in Cybersecurity Training		26,010
Total FY 2022/23 Base Budget Adjustments	**0.00**	**(11,814)**
Total FY 2022/23 Base Budget	**6.00**	**12,272,415**
Total FY 2022/23 Proposed Budget	**6.00**	**12,272,415**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Information Technology Services Contract Reduction	0.00	0	(215,058)	0	(215,058)

Program: 1921– Infrastructure and Support

This proposal eliminates a currently filled Unisys position, focused on providing project management best practices, managing projects, timelines and activities. The position focuses primarily on end user services, such as desktop and laptop roll outs, upgrades, and infrastructure projects. The Department expects that project quality and timeliness will be impacted without this position helping managing activities. Additionally, operational response times for some items will need to be extended based on workload rebalancing and priorities. Potential impacted projects include set-up and delivery of mobile devices (phones, ipads, tablets), rollout of desktop upgrades and enhancements, applications packaging for deployment to desktops, creating images and testing new computer models prior to deployment, responding to some lower priority end user incidents, and overall longer service request response times.

Performance Impact

Existing staff within the information technology services contract will absorb these duties which will potentially result in longer turnaround time for roll-outs of upgrades/system implementations as well as delays in response times to service requests.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Elimination of 1.0 Management Analyst Position	(1.00)	0	(169,308)	0	(178,015)

Program: 1921– Infrastructure and Support

This proposal eliminates 1.0 vacant Management Analyst position in the Department. This position is responsible for various aspects of the department including finance and procurement support, drafting and coordinating reports to the City Council, staff onboarding and contract management. This position also handles consolidation of multi-departmental master agreements, Voice over Internet Protocol program management and operational support.

Performance Impact

While existing IT staff have absorbed these responsibilities, it is anticipated that the timing of deliverables will be significantly impacted.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Cable, Franchise & Telephone As-Needed	0.00	0	(50,000)	0	(50,000)

Program: 1941 – Telecom Services

This proposal reduces the as-needed budget in the Information Technology Department, specifically for cable, franchise and telephone services. This role provided cable franchise contract management and coordinated aspects related to the Digital Infrastructure and Video Competition Act of 2006 and public, educational, and governmental fee revenue from Comcast and AT&T. These responsibilities will be absorbed by existing staff within the department.

Performance Impact

While this workload has been absorbed by existing staff, timeliness of deliverables may be impacted.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Cybersecurity User Training	0.00	(26,010)	0	0	0

Program: 1921 – Infrastructure and Support

This proposal reduces the Information Technology Department's training budget by $26,010 on a one-time basis for FY 2021/22. The Department was able to secure funding from the Bay Area Urban Areas Security Initiative (UASI) for Cybersecurity Awareness Training. The Bay Area UASI aims to improve regional capacity to prevent, protect, address and recover from terrorist attacks and catastrophic events. One of the areas where Bay Area UASI offers services and training is in cybersecurity, to address regional threats to network infrastructure and unauthorized access.

Performance Impact

There is no performance impact with this proposal, as one-time outside funding will be used for cybersecurity training.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Performance and Workload Measures

Infrastructure and Support Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of Severity 1 and 2 tickets resolved – *New for FY 2021/22*[1]		93%	100%	97%	97%	97%	97%
Average percent of tickets resolved at first contact – *New for FY 2021/22*		N/A	N/A	N/A	20%	20%	25%
Maintain critical server availability		99.90%	100%	99.90%	100%	99.90%	99.90%
Maintain datacenter availability		99.90%	100%	99.90%	100%	99.90%	99.90%
Maintain production server uptime – *Delete for FY 2021/22*		99.90%	100%	N/A	N/A	N/A	N/A
Average customer satisfaction rating (five-point scale) – *New for FY 2021/22*		N/A	N/A	>4	>4	>4	>4
Deployment of software releases/patches per schedule – *New for FY 2021/22*		N/A	N/A	95.00%	95%	96.00%	96.00%
Percentage of devices up to date malware software – *New for FY 2021/22*		N/A	N/A	98.00%	98%	99.00%	99.00%

Workload Measures

Number of phishing attempts blocked – *New for FY 2021/22*		N/A	N/A	250,000	250,000	225,000	225,000
Number of malicious sites blocked – *New for FY 2021/22*		N/A	N/A	350,000	350,000	325,000	325,000
Number of end user devices supported – *New for FY 2021/22*		N/A	N/A	1,700	1,700	1,700	1,700
Number of responses to end user helpdesk tickets – *New for FY 2021/22*		7,983	6,799	4,500	4,500	5,000	5,000

[1] *Severity 1 is systems down for public safety, internet, phones; Severity 2 is systems down for permitting, utility billing, payroll*

Performance and Workload Measures

Enterprise Services Division							
Performance Measures							
	Strategic Pillar	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Percent of milestones completed according to project schedules – *Delete for FY 2021/22*		90%	N/A	N/A	N/A	N/A	N/A
Achieved incremental increases to number of unique users, pages viewed, and number of pages visited on the City's website – *Delete for FY 2021/22*		100%	100%	100%	N/A	N/A	N/A
Percentage of project milestones completed according to specific schedule – *Delete for FY 2021/22*		90%	90%	90%	N/A	N/A	N/A
Update enterprise base map layers on regular scheduled basis (weekly user requests, monthly interagency data) – *Delete for FY 2021/22*		94%	99%	90%	99%	95%	95%
Workload Measures							
Number of GIS based web tools and enhancements deployed – *New for FY 2021/22*		3	3	3	9	9	9
Number of visits to City websites – *New for FY 2021/22*		N/A	N/A	3,000,000	3,000,000	3,300,000	3,300,000
Number of City website pages browsed by visitors – *New for FY 2021/22*		N/A	N/A	6,000,000	6,000,000	6,600,000	6,600,000
Number of unique visitors to City websites – *New for FY 2021/22*		N/A	N/A	1,750,000	1,750,000	2,000,000	2,000,000
Number of City Council and Planning Commission meetings supported – *New for FY 2021/22*		29	87	40	40	75	80
Provide state of the art GIS based web tools and enhancements – *Delete for FY 2021/22*		3	N/A	N/A	N/A	N/A	N/A
New Business applications implemented – *New for FY 2021/22*		15	5	15	15	5	5
Business applications eliminated – *New for FY 2021/22*		4	11	5	4	5	5
Business applications implemented in the cloud – *New for FY 2021/22*		12	6	5	15	5	5
Business applications upgraded for compliance and business process improvements – *New for FY 2021/22*		27	21	15	20	15	15

Performance and Workload Measures

Telecommunications Division							
Performance Measures							
	Strategic Pillar	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Percent of requests for telephone service processed within two business days – *Delete for FY 2021/22*		96%	95%	95%	95%	95%	95%
Percent of citizen cable complaints responded to within two business days – *Delete for FY 2021/22*		100%	100%	100%	100%	100%	100%
Percent of reported/alleged Comcast Cable Franchise requirement infractions resolved within five business days – *Delete for FY 2021/22*		95%	95%	95%	95%	95%	95%
Workload Measures							
Number of VoIP phones – *New for FY 2021/22*		N/A	N/A	1,104	1,104	1,120	1,120
Number of mobile devices – *New for FY 2021/22*		N/A	N/A	630	630	650	650

Library Department

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Library Department Description

The Santa Clara City Library has positioned itself as a dynamic community hub, providing access to information, literacy resources, educational programming, and civic engagement opportunities for the Santa Clara community. The Library advances the Council's Priorities by delivering high quality, efficient services in the following core areas:

- Collections – Provides a relevant physical and digital collection of books, movies, music, magazines and research tools for a diverse community with wide-ranging interests and needs.
- Technology and Information Access – Introduces and provides access to technologies that support community innovation, employment opportunities, entrepreneurship and bridges the digital divide.
- Literacy and English as a Second Language (ESL) – Provides high quality adult and family literacy instruction and access to English as a Second Language.
- Programming – Delivers high impact programming that supports early literacy through story times and other pre-school age events. Offers teens and young adults activities that promote youth development and engagement. Provides cultural enrichment, promotes inclusion for new immigrants and supports lifelong learning through educational programming.
- Community Partnerships – Pursues innovative partnerships with City departments, local educational institutions, local businesses and non-profits to enhance service delivery that promote reading, literacy and community building.
- Facilities – Maintains buildings that are a source of civic pride, provide opportunities for placemaking, encourages community building and provide a clean, safe and welcoming place to study, learn and connect.

Divisions and Services

The Library Department is organized into seven Divisions: Administration, Adult Services, Branch Services, Customer Services, Facilities, Technical and Technology Services and Youth Services.

Administration Division Mission	Plans, directs, organizes, and manages the Library Department educational and recreational activities for the Santa Clara community; provide staff support for the Department's central and administrative services.
Division Objectives	Manages the operational oversight of the Santa Clara City Library system including strategic planning, budgeting, personnel, facility management and community relations. Also provides support to the Library Board of Trustees and serves as liaison to the Santa Clara Library Foundation and Friends.
	Identifies and implements creative solutions to ensure access to technology to bridge the digital divide and enhance service delivery to library patrons.
	Establishes partnerships with community organizations to leverage resources and ensure a diverse portfolio of library programs and services.
	Collaborates with internal and external stakeholders in the implementation of programs that advance the City Council's Priorities.
	Provides strategic leadership on the development of new library facilities and necessary improvements to ensure clean, safe and welcoming facilities.

Adult Services Division Mission	Provides information and readers advisory services through effective reference and information delivery systems; select, evaluate, and deselect Library materials for adults, including books, periodicals, audio-visual materials, and materials in electronic formats; provide special programs, collections, and services, such as the genealogy collection, classes and workshops on new technologies, and the delivery of library materials to homebound residents.
Division Objectives	Provides effective and efficient reference and reader advisory services for adults as well as technical assistance in the use of Library resources and technologies.
	Selects and curates the Library's extensive collection of print, media and digital resources as well as develops and implements programming for adults to support lifelong learning and community engagement.
	Delivers programs and services that promote literacy including Career Online High School, the READ Santa Clara Program and English as a Second Language programs.
	Maintains and supports the development of the City's local history collection.

Branch Services Division Mission	Provides access to collections, programs and space to distinct neighborhoods and communities throughout the City.
Division Objectives	Provides relevant physical and digital collections of books, movies and music that appeal to diverse users.
	Creates community through popular, informative and cultural programming that engenders lifelong learning.
	Drives economic and entrepreneurial growth by offering free Wi-Fi, computers and group study rooms.
	Provides Bookmobile service to outlying, underserved and corporate communities where they work, play, create, learn and live regardless of physical, economic, social and geographic barriers.
	Provides clean and safe facilities that enhance the neighborhood

Customer Services Division Mission	Provides and manages procedures for the circulation of Library materials with an emphasis on customer-centered services, including circulation of materials, reserves, patron registration, shelf maintenance and collection of fines and fees. Provide and manage general patron advisory, referral and assistance.
Division Objectives	Develops systems to ensure the timely and effective circulation of Library materials and resources.
	Acts as the initial point of contact for patron inquiries, aids in-person, delivers customer service via telephone and online on issues related to library accounts, circulation of materials and the availability of resources. Processes financial transactions related to patrons' use of materials.
	Coordinates the activities of the Interlibrary Loan and Link+ programs which allow patrons to secure materials from a consortium of academic and public libraries.
	Maintains the orderliness of the Library's collections by ensuring timely and efficient sorting, shelving and retrieval of materials for circulation.
	Provides logistical and operational support for special events and library programs.

Facilities Division Mission	Manages Library facilities to maintain safe, accessible and functional facilities for all Library visitors.
Division Objectives	Develops and manages contracts related to the safety and security of the Library's three physical locations: Central Library, Northside Branch Library and Mission Branch Library.
	Coordinates capital improvements and building maintenance activities with other departments.
	Facilitates the use of the Library's facilities by outside partners such as the Registrar of Voters and the County of Santa Clara for approved civic-related activities.

Technical and Technology Services Division Mission	Manages the acquisition, cataloging, processing, and repair of all types of library materials and the organization of these materials into collections for the use of library customers. Manages operations and systems which support Library services, provide access to Library collections, electronic resources, and information sources beyond the Library, by utilizing current technologies for the benefit of the community and the delivery of customer-centered services.
Division Objectives	Implements cost-savings benefits by purchasing pre-processed Library materials.
	Purchases and processes new library materials for delivery to customers in a timely fashion.
	Synchronizes Library data with other City departments for procurement and maintaining data and statistics.
	Sets up and maintains all public and staff computers and hardware, including workstations, laptops and printers throughout the Library system.
	Implements new library software and upgrades to existing applications to maintain functionality and security.
	Designs and supports technology-based programming.
	Designs, updates, and maintains content for Library website.

Youth Services Division Mission	Provides relevant materials, programming, and services for children, young adults, and their families to support youth development and lifelong learning. Provides the Santa Clara community with opportunities to serve the City and the Library through volunteer activities.
Division Objectives	Supports the role of parents as their child's first and most important teacher through collections, programs, and resources; targeted to children ages 0 to 5.
	Recognizes and honors Santa Clara's diverse community through programming multilingual story times and improved foreign language and bilingual collections for children and their families.
	Provides equitable and high-quality programming, reference and reader's advisory services for all children and teens.
	Publicizes the Library's resources, services and programs to elementary, middle and high schools within the City of Santa Clara, and positions the Library as a community educational partner.

Significant Accomplishments

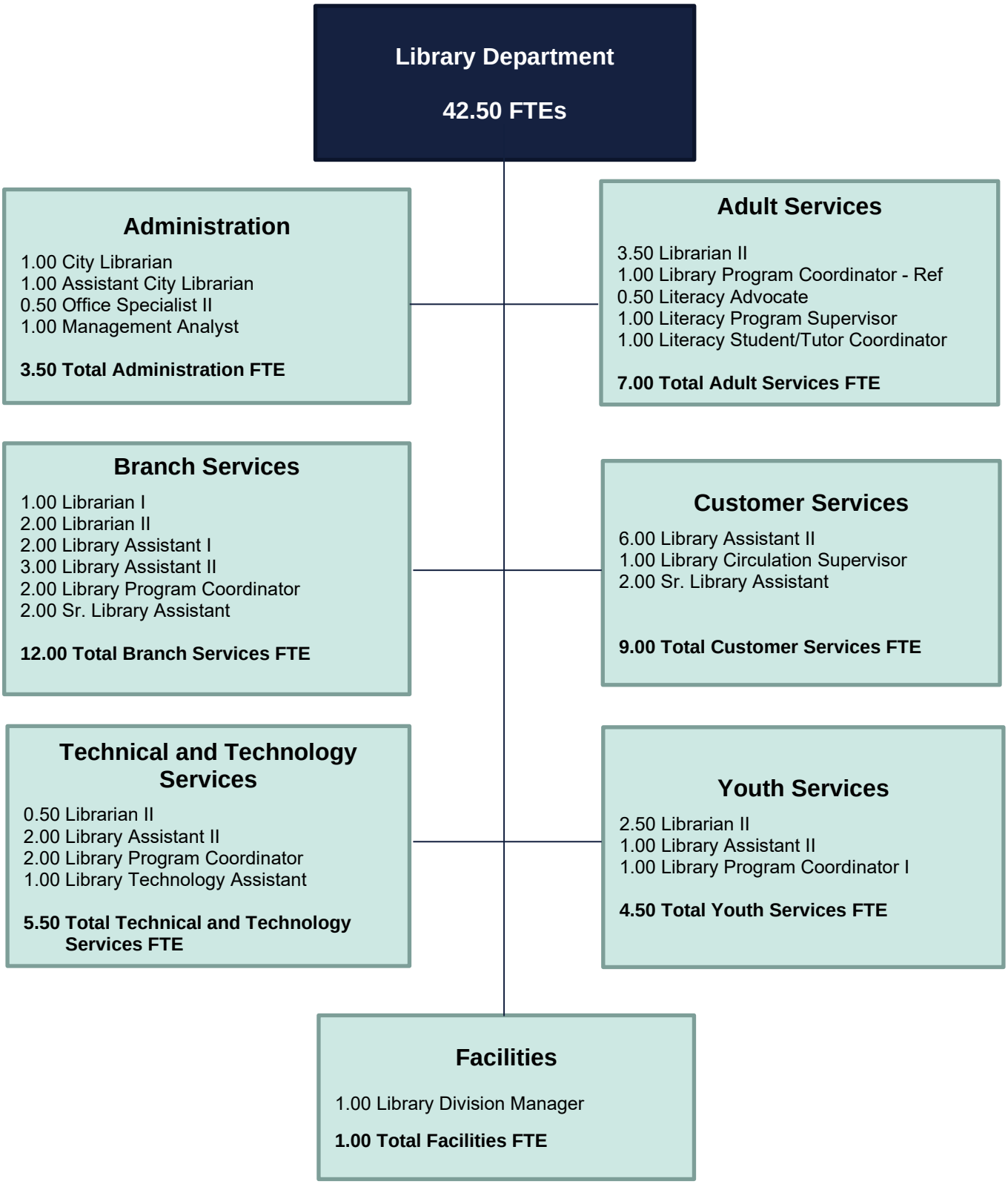
- During the COVID-19 pandemic, effectively navigated the impact of changing public health orders to maintain access to core Library services by launching contactless hold pick-up services and implemented appointment concierge services as well as “grab and go” curated bundles of materials.
- Assumed responsibility for city-wide call center operations by expanding the hours and scope of the Library’s reference call line.
- Successfully pivoted from in-person programming to virtual programming to maintain and expand programming options for patrons in response to shelter-in-place orders.
- Activated and deployed Library staff and facility resources to support the City’s varied COVID-19 response activities including weekly food distribution programs for youth and seniors as well as COVID-19 testing operations for City and County residents.
- Partnered with Second Harvest Food Bank and the Santa Clara Unified School District to create an award-winning Lunch at the Library free summer meal program for local families.
- Provided new materials and services that reflect the City’s diverse community such additional bilingual story times and sensory programming for children on the autism spectrum.
- Partnered with Kaiser Permanente to install a Mamava lactation pod to provide a welcoming space in the Library for nursing mothers.
- Added over 50,000 digital titles to the collection.

Significant Objectives

- Develop and implement a phased in approach to create a “new normal” for library services that balances access to critical library services with patron safety and employee wellness.
- Continue to support the City’s disaster service work effort and COVID-19 response activities.
- Evaluate the Library’s current service delivery to accommodate lessons learned from the COVID-19 pandemic to maximize resources and improve services such as a rebalancing of physical and digital resources, continuation of hybrid in-person and virtual programming, opportunities for mobile service delivery and increased community collaborations to foster and support economy recovery efforts.
- Build the Library’s capacity to serve by focusing on opportunities for staff recruitment, development, and engagement.
- Work with City and community partners to explore the feasibility of expanding and/or improving access to Library facilities in north Santa Clara.

Budget Highlights

- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
  - Reduced the overtime and conference, travel and training budget
  - Reduced the library materials budget
  - Reduced the non-personnel budget (routine maintenance, supplies, events and activities, and marketing expenses)
- The Proposed Budget includes the following Phase 2 budget reductions to help address the General Fund shortfall:
  - Reduce the library materials budget
  - Eliminate funding for the Footsteps2Brilliance agreement
  - Reduce as-needed staffing budget
  - Eliminate 1.0 Librarian II in the Adult Services Unit
  - Eliminate 1.0 Librarian I in the Youth Services Unit
  - Reduce 1.0 Librarian II to 0.50 in the Youth Services Unit
  - Eliminate 1.0 Library Assistant in the Technology Program
  - Eliminate 0.75 Library Assistant in the Mission Branch Library


Library Department
42.50 FTEs
Administration
1.00 City Librarian
1.00 Assistant City Librarian
0.50 Office Specialist II
1.00 Management Analyst
3.50 Total Administration FTE
Adult Services
3.50 Librarian II
1.00 Library Program Coordinator - Ref
0.50 Literacy Advocate
1.00 Literacy Program Supervisor
1.00 Literacy Student/Tutor Coordinator
7.00 Total Adult Services FTE
Branch Services
1.00 Librarian I
2.00 Librarian II
2.00 Library Assistant I
3.00 Library Assistant II
2.00 Library Program Coordinator
2.00 Sr. Library Assistant
12.00 Total Branch Services FTE
Customer Services
6.00 Library Assistant II
1.00 Library Circulation Supervisor
2.00 Sr. Library Assistant
9.00 Total Customer Services FTE
Technical and Technology Services
0.50 Librarian II
2.00 Library Assistant II
2.00 Library Program Coordinator
1.00 Library Technology Assistant
5.50 Total Technical and Technology Services FTE
Youth Services
2.50 Librarian II
1.00 Library Assistant II
1.00 Library Program Coordinator I
4.50 Total Youth Services FTE
Facilities
1.00 Library Division Manager
1.00 Total Facilities FTE

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Administration Division							
1221	Administration	2,051,050	1,886,737	1,729,306	(8.7%)	1,781,853	3.0%
1263	Literacy Grants	65,453	59,000	0	(100.0%)	0	0.0%
Total Administration Division		**2,116,503**	**1,945,737**	**1,729,306**	**(11.4%)**	**1,781,853**	**3.0%**
Adult Services Division							
1234	Read Santa Clara	381,514	408,356	401,624	(1.6%)	416,659	3.7%
1241	Reference and Adult Collections	709,280	906,250	725,533	(20.0%)	755,694	4.2%
1244	Local History	122,682	190,147	145,203	(23.7%)	150,459	3.6%
Total Adult Services Division		**1,213,476**	**1,504,753**	**1,272,360**	**(15.5%)**	**1,322,812**	**4.0%**
Branch Services Division							
1233	Mission Library	752,399	858,645	743,285	(13.6%)	772,785	4.0%
1235	Northside Branch	1,065,465	1,313,907	1,285,373	(2.2%)	1,335,455	3.9%
1236	Bookmobile and Mobile Library Services	169,159	187,343	183,293	(2.2%)	184,807	0.8%
Total Branch Services Division		**1,987,023**	**2,359,895**	**2,211,951**	**(6.3%)**	**2,293,047**	**3.7%**
Customer Services Division							
1245	Customer Services	1,822,218	1,935,822	1,872,662	(3.9%)	1,942,807	3.8%
Total Customer Services Division		**1,822,218**	**1,935,822**	**1,872,662**	**(3.3%)**	**1,942,807**	**3.7%**
Facilities Division							
1271	Facilities	654,856	783,642	753,426	(4.2%)	782,672	3.9%
Total Facilities Division		**654,856**	**783,642**	**753,426**	**(3.9%)**	**782,672**	**3.9%**

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program						
Technical and Technology Services Division						
1251 Technical Services	1,641,566	1,681,206	1,468,315	(10.8%)	1,514,901	3.1%
1272 Technology	618,410	764,990	665,472	(13.8%)	687,600	3.3%
Total Technical and Technology Services Division	**2,259,976**	**2,446,196**	**2,133,787**	**(12.8%)**	**2,202,501**	**3.2%**
Youth Services Division						
1231 Youth Services	606,988	832,662	631,726	(24.2%)	660,743	4.6%
1232 Library - Young Adult	32,365	156,141	159,509	2.1%	173,053	8.5%
Total Youth Services Division	**639,353**	**988,803**	**791,235**	**(20.0%)**	**833,796**	**5.4%**
Total by Division / Program	**10,693,404**	**11,964,848**	**10,764,727**	**(10.0%)**	**11,159,488**	**3.7%**

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	10,615,668	11,905,848	10,764,727	(9.6%)	11,159,488	3.7%
Library Trust Donations Fund	11,706	0	0	0.0%	0	0.0%
Library Operating Grant Fund	66,030	59,000	0	(100.0%)	0	0.0%
Total by Fund	**10,693,404**	**11,964,848**	**10,764,727**	**(10.0%)**	**11,159,488**	**3.7%**
Dollars by Category						
Salary and Benefits						
Salary	4,135,819	5,063,451	4,399,159	(13.1%)	4,559,618	3.6%
As-Needed	958,825	920,191	863,428	(6.2%)	896,761	3.9%
Overtime	11,421	7,576	1,515	(80.0%)	1,790	18.2%
Retirement	1,359,778	1,577,834	1,620,303	2.7%	1,718,263	6.0%
Health Allocation	437,030	557,099	519,026	(6.8%)	541,265	4.3%
Medicare	75,837	77,298	67,016	(13.3%)	69,375	3.5%
Social Security	255,797	315,042	273,234	(13.3%)	280,979	2.8%
Other Benefits	221,119	232,870	224,375	(3.6%)	228,963	2.0%
Total Salary and Benefits	**7,455,626**	**8,751,361**	**7,968,056**	**(9.0%)**	**8,297,014**	**4.1%**
Non-Personnel						
Materials/Services/Supplies	1,935,754	2,165,854	1,776,961	(18.0%)	1,824,461	2.7%
Interfund Services	1,302,024	1,047,633	1,019,710	(2.7%)	1,038,013	1.8%
Total Non-Personnel	**3,237,778**	**3,213,487**	**2,796,671**	**(13.0%)**	**2,862,474**	**2.4%**
Total by Category	**10,693,404**	**11,964,848**	**10,764,727**	**(10.0%)**	**11,159,488**	**3.7%**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
Administration Division					
1221 Administration	3.50	3.50	3.50	0.00	3.50
Total Administration Division	**3.50**	**3.50**	**3.50**	**0.00**	**3.50**
Adult Services Division					
1234 Read Santa Clara	2.50	2.50	2.50	0.00	2.50
1241 Reference and Adult Collections	4.50	4.50	3.50	(1.00)	3.50
1244 Local History	1.00	1.00	1.00	0.00	1.00
Total Adult Services Division	**8.00**	**8.00**	**7.00**	**(1.00)**	**7.00**
Branch Services Division					
1233 Mission Library	4.75	4.75	4.00	(0.75)	4.00
1235 Northside Branch	7.00	7.00	7.00	0.00	7.00
1236 Bookmobile and Mobile Library Services	1.00	1.00	1.00	0.00	1.00
Total Branch Services Division	**12.75**	**12.75**	**12.00**	**(0.75)**	**12.00**
Customer Services Division					
1245 Customer Services	9.00	9.00	9.00	0.00	9.00
Total Customer Services Division	**9.00**	**9.00**	**9.00**	**0.00**	**9.00**
Facilities Division					
1271 Facilities	1.00	1.00	1.00	0.00	1.00
Total Facilities Division	**1.00**	**1.00**	**1.00**	**0.00**	**1.00**
Technical and Technology Services Division					
1251 Technical Services	3.50	3.50	3.50	0.00	3.50
1272 Technology	3.00	3.00	2.00	(1.00)	2.00
Total Technical and Technology Services Division	**6.50**	**6.50**	**5.50**	**(1.00)**	**5.50**
Youth Services Division					
1231 Youth Services.	5.00	5.00	3.50	(1.50)	3.50
1232 Young Adult	1.00	1.00	1.00	0.00	1.00
Total Youth Services Division	**6.00**	**6.00**	**4.50**	**(1.50)**	**4.50**
Total by Division / Program	**46.75**	**46.75**	**42.50**	**(4.25)**	**42.50**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Fund					
General Fund	46.75	46.75	42.50	(4.25)	42.50
Total by Fund	**46.75**	**46.75**	**42.50**	**(4.25)**	**42.50**
Assistant City Librarian	1.00	1.00	1.00	0.00	1.00
City Librarian	1.00	1.00	1.00	0.00	1.00
Librarian I	2.00	2.00	1.00	(1.00)	1.00
Librarian II	10.00	10.00	8.50	(1.50)	8.50
Library Assistant I	2.00	2.00	2.00	0.00	2.00
Library Assistant II	13.75	13.75	12.00	(1.75)	12.00
Library Circulation Supervsr	1.00	1.00	1.00	0.00	1.00
Library Div Mgr -Support Svcs	1.00	1.00	1.00	0.00	1.00
Library Mat Mender/Processor	1.00	1.00	1.00	0.00	1.00
Library Prog Coord - Tech Svcs	1.00	1.00	1.00	0.00	1.00
Library Prog Coord-Technology	1.00	1.00	1.00	0.00	1.00
Library Program Coord - Ref	3.00	3.00	3.00	0.00	3.00
Library Program Coordinator	1.00	1.00	1.00	0.00	1.00
Library Technology Assistant	0.50	0.50	0.50	0.00	0.50
Literacy Advocate	0.50	0.50	0.50	0.00	0.50
Literacy Program Supervisor	1.00	1.00	1.00	0.00	1.00
Literacy Student/Tutor Coord	0.50	0.50	0.50	0.00	0.50
Management Analyst	0.00	0.00	1.00	1.00	1.00
Office Specialist II	0.50	0.50	0.50	0.00	0.50
Sr Library Assistant	4.00	4.00	4.00	0.00	4.00
Staff Analyst I	1.00	1.00	0.00	(1.00)	0.00
Total Positions	**46.75**	**46.75**	**42.50**	**(4.25)**	**42.50**

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	46.75	11,964,848
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Additional Library Materials		(40,000)
Literacy Grants		(27,500)
Ongoing Cost Adjustments		
Salary and benefits adjustments and position reallocations - Reallocate 1.0 Staff Analyst to 1.0 Management Analyst	0.00	(148,359)
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021):		
- Reduction in library materials budget		(125,000)
- Reduction in non-personnel budget (maintenance, supplies, events and activities, marketing)		(93,800)
- Reduction in overtime and conference, travel and training budget		(23,656)
Reallocation of non-personnel budgets to central allocations under Non-Departmental and Information Technology Department		(9,387)
Total FY 2021/22 Base Budget Adjustments	**0.00**	**(467,702)**
Total FY 2021/22 Base Budget	**46.75**	**11,497,146**
FY 2021/22 Service Level Changes		
Ongoing Cost Adjustments		
Reduction in Staffing (Adult Services Unit, Youth Services Unit, Technology Program, and Mission Branch)	(4.25)	(551,430)
Reduction in As-Needed Staff Resources		(88,969)
Discontinuation of Footsteps2Brilliance Agreement		(52,020)
Library Materials Reduction		(40,000)
Total FY 2021/22 Total Service Level Changes	**(4.25)**	**(732,419)**
Total FY 2021/22 Proposed Budget	**42.50**	**10,764,727**
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefits adjustments		394,761
Total FY 2022/23 Base Budget Adjustments	**0.00**	**394,761**
Total FY 2022/23 Base Budget	**42.50**	**11,159,488**
Total FY 2022/23 Proposed Budget	**42.50**	**11,159,488**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Reduction in Staffing (Youth Services, Adult Services, Technology Program, and Mission Branch)	(4.25)	0	(551,430)	0	(569,023)

Program:
1231 – Youth Services
1233 – Mission Branch
1241 – Reference and Adult Collections
1271 - Technology

This proposal reduces the Librarian staffing by 2.5 positions (from 12.0 FTE to 9.5 FTE) and the Library Assistant staffing by 1.75 positions (from 17.75 FTE to 16.0 FTE) by eliminating the following vacant positions:
Adult Services Unit: Librarian II (1.0 FTE)
Youth Services Unit: Librarian I (1.0 FTE) and Librarian II (0.50 FTE)
Technology Program: Library Assistant (1.0) FTE
Mission Branch: Library Assistant II (0.75 FTE)

This proposal eliminates 3.5 positions at the Central Park Library (CPL) and 0.75 position at the Mission Branch. Since the outbreak of COVID-19, in-person Library services have been severely limited. While it is anticipated that library services will be restored during the upcoming budget cycle, guidance from the State Library recommends that restoration be incremental in order to ensure the safety of staff and patrons. Libraries are encouraged to continue virtual programming to the extent possible and to restore services with an equity lens to ensure access to critical services for vulnerable populations.

Performance Impact

By eliminating 3.5 vacant positions at CPL rather than at the branches, the Library will be able to: 1) ensure access to programs and materials across the City; 2) restore access to computers and wi-fi; and 3) maintain reasonable staffing levels to support a phased-in restoration of in-person services in alignment with health and safety protocols. Given social distancing requirements and safety protocols, it is anticipated that the level of in-person services will not return to prior levels at least until the second year of the budget cycle. While this proposal will result in an overall reduction in staffing, the three units affected have been carrying vacancies for several years. Should additional resources be needed to support particular events and activities, the Library would be able to leverage its allocation of as-needed library consultants.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Reduction in As-Needed Staff Resources	0.00	0	(88,969)	0	(88,969)

Program: 1245 – Customer Service

This proposal would reduce the Library's allocation for as-needed staff support by $88,969 (from $920,191 to $831,222), a reduction of 9.7%. As a seven-day operation, as-needed personnel provide invaluable support to in-person programming and events.

Performance Impact

The ability to utilize as-needed personnel has been vital throughout the pandemic and have helped to minimize the impact related to vacancies that have occurred due to retirements and other departures from the City. With restrictions to in-person services and events expected to continue for the foreseeable future, the proposed reduction can be absorbed by the Department without significant impact. The Library will continue to leverage virtual programming which allows for greater participation by library patrons at lower staff costs.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Discontinuation of Footsteps2Brilliance Agreement	0.00	0	(52,020)	0	(52,020)

Program: 1221 – Administration

In FY2015/16, the City agreed to provide $50,000 annually for a period of six years to the Santa Clara Unified School District in support of the Footsteps2Brilliance program. The Footsteps2Brilliance program is an early learning mobile technology platform to improve literacy for all students in grades pre K-2. The agreement expired in FY2020/21 allowing for this reduction.

Performance Impact

The Library will experience no significant performance impact.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Library Materials Reduction	0.00	0	(40,000)	0	(40,800)

Program: 1251 – Technical Services

This proposal reduces the Library Materials budget by $40,000 ongoing (from $780,047 to $740,047).

Performance Impact

The effects of this reduction will apply to expenditures on library materials which may include books, DVDs, CDs, and other resources and will not cause significant impacts to services.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Performance and Workload Measures

Administration Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Visits per capita – *Delete for FY 2021/22*		9.68	7.10	10.00	0.50	N/A	N/A
Number of Library Board of Trustee packets submitted annually – *New for FY 2021/22*		9	8	9	9	11	11
Number of grants applied for annually – *New for FY 2021/22*		N/A	N/A	N/A	4	6	7

Adult Services Division

Performance Measures

Percentage of READ Santa Clara's adult learners who achieved a literacy goal they set – *New for FY 2021/22*		N/A	N/A	N/A	70%	70%	70%
Percentage of adult program attendees who feel "very satisfied" with the quality of the program – *New for FY 2021/22*		N/A	N/A	N/A	N/A	70%	78%

Workload Measures

Total number of reference, reader's advisory and research questions answered annually		40635	22460	39,250	7,018	15,000	22,000
New adult learners admitted to Program – *Delete for FY 2021/22*		31	31	41	10	N/A	N/A
Number of volunteer hours – *Delete for FY 2021/22*		2,596	2,684	2,754	1,929	N/A	N/A
Number of active participants completing their roles and goals – *Delete for FY 2021/22*		105	90	102	44	N/A	N/A
Number of programs presented/sponsored annually – *Delete for FY 2021/22*		71	53	60	5	N/A	N/A
Total attendance at in-person adult programs – *Modified for FY 2021/22*		34,315	21,182	2,754	0	7,500	12,000

Performance and Workload Measures

Adult Services Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Total views for virtual adult programming – *New for FY 2021/22*		N/A	N/A	N/A	N/A	19,500	17,000
Research inquiries answered annually – *Delete for FY 2021/22*		1,037	576	750	98	N/A	N/A

Brance Services Division

Workload Measures

Number of items circulated annually at Mission Library		56,722	49,642	67,500	2,662	18,000	35,000
Number of programs for children and/or adults at Mission Library – *Delete for FY 2021/22*		175	187	140	14	N/A	N/A
Number of children and/or adults attending programs at Mission Library – *Delete for FY 2021/22*		9,551	12,047	4,896	1,676	N/A	N/A
Number of programs for children and/or adults at Northside Library – Delete for FY 2021/22		427	466	400	220	N/A	N/A
Number of children and/or adults attending programs at Northside Library – *Delete for FY 2021/22*		32,197	30,560	34,170	29,500	N/A	N/A
Number of items circulated annually at Northside Library		273,010	184,923	305,000	2,986	65,000	150,000
Number of items circulated annually via the Bookmobile		46,401	36,063	44,880	14,355	20,000	30,000
Number of annual visits at the Mission Branch Library		44,435	49,672	47,054	990	21,000	42,000
Number of annual visits at the Northside Branch Library – *New for FY 2021/22*		282,352	232,577	257,464	1,300	110,000	220,000
Number of annual visits at the Bookmobile – *Modified for FY 2021/22*		17,601	13,232	16,500	5,352	8,000	10,000

Performance and Workload Measures

Customer Services Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Average number of days until a returned item is ready for checkout – *New for FY 2021/22*		N/A	N/A	N/A	N/A	2.5	2

Workload Measures

Number of patron visits to existing facilities annually – *Modified for FY 2021/22*		1,252,587	920,756	1,300,581	48,804	314,000	800,000
Number of items circulated annually		2,370,890	1,598,571	2,475,867	621,428	950,000	1,700,000
Number of patrons registered annually		18,135	13,963	18,360	5,220	7,500	11,000

Facilities Division

Workload Measures

Number of facility work orders completed annually – *New for FY 2021/22*		301	111	N/A	150	225.00	275.00
Number of safety inspections made annually		36	36	36	36	36	36

Technical and Technology Services Division

Workload Measures

Library materials per capita – *Modified for FY 2021/22*		3.0	3.0	3.0	3.7	3.0	3.0
Number of physical items added to the collection annually – *Modified for FY 2021/22*		43,775	29,176	42,840	32,561	35,000	37,000

Performance and Workload Measures

Technical and Technology Services Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of Library public computer sessions – *Modified for FY 2021/22*		127,658	88,449	N/A	0	24,000	50,000
Number of Library Wi-Fi logons – *New for FY 2021/22*		342,765	251,632	N/A	41,341	100,000	200,000

Youth Services Division

Performance Measures

Percentage of children and teen program attendees who feel "very satisfied" with the quality of the program – *New for FY 2021/22*		N/A	N/A	N/A	N/A	70%	78%

Workload Measures

Total number of children and teen program attendees – *New for FY 2021/22*		78,542	39,244	91,663	0	8,000	15,000
Number of children and adults attending programs – *Delete for FY 2021/22*		36,794	32,488	52,530	46,430	N/A	N/A
Number of Young Adult programs offered – *Delete for FY 2021/22*		73	40	75	47	N/A	N/A
Total number of reference reader's advisory and research questions answered annually – *Modified for FY 2021/22*		39,764	21,254	42,000	0	15,000	19,000
Number of Young Adult items circulated – *Delete for FY 2021/22*		69,635	31,102	82,620	26,777	N/A	N/A
Number of programs for children and parents offered – *Delete for FY 2021/22*		358	270	342	164	N/A	N/A
Number of children's materials circulated annually – *Delete for FY 2021/22*		1,518,130	1,028,474	1,499,820	387,623	N/A	N/A
Total views of virtual children and teen programs – *New for FY 2020/21*		N/A	N/A	N/A	70,360	73,000	75,000

Parks & Recreation Department

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Parks & Recreation Department Description

The Parks and Recreation Department provides planning, development, operation, maintenance and rehabilitation of the City's twenty-seven (27) neighborhood parks, thirteen (13) mini parks, two (2) community parks, three (3) open space sites, ten (10) recreation buildings, four (4) trails, eleven (11) joint use facilities and eleven (11) bodies of water at five sites. Facilities include community centers, neighborhood park buildings, community gardens, playgrounds, pools, restrooms, picnic areas, turf, trees, vegetation, athletic fields and joint use facilities. Service levels are set to promote the use of safe, clean, and attractive facilities for enjoyment and quality of life for all ages and abilities. The Department assists the public with facility rentals, community services, cultural programs, special events, enhanced natural environments, fitness and wellness programs, as well as sports and aquatics opportunities. The Senior Nutrition Program provides a congregate meal setting where seniors can improve their health through balanced meals and socialization and is funded through a grant from the Santa Clara County Social Services Agency's Senior Nutrition Program and Community Development Block Grant (CDBG) funds. Seniors are encouraged to access the many services available at the senior center while on site and are given the opportunity to engage in health and wellness programs at the senior center. The Parks & Recreation Department also provides planning, development, operation and maintenance of the City's two cemetery properties to support families before, during and after their time of need. The Cemetery Division maintains 33,000 interment sites in a peaceful public park and provides customer service in a professional and respectful manner, while demonstrating sensitivity to our diverse community.

Divisions and Services

The Parks & Recreation Department is organized into five divisions: Administration, Parks, Recreation, Cemetery and Senior Nutrition Program.

Administration Division Mission	Provide leadership, resource development and administrative support to Parks, Recreation, Cemetery and Senior Nutrition Program Divisions; plan and develop new parks and recreation facilities to support the City's programs, activities and special events; review new housing development plans for provision of new parkland dedication and recreation amenities.
Division Objectives	Plan and implement design, development, construction and maintenance of new parks; rehabilitation of older facilities and infrastructure, including public outreach and Parks Recreation Commission review and recommendations.
	Research and develop partnerships, sponsorships and grants from private, corporate and other public agencies in order to supplement funding of facilities, projects, programs and other services.
	Provide leadership to four Commissions (Parks & Recreation, Senior Advisory, Cultural Arts, and Youth).
	Conduct plan reviews and prepare comments for new housing developers to optimize park and recreation amenities in new developments and to ensure compliance with City Code 17.35 (Park and Recreational Land).
	Activation of Mass Care & Shelter Function of the Emergency Operations Center (Commodity Points of Distribution, Heating Center, Cooling Center), as needed.
	Plan and implement multiple citywide special events annually.

Parks Division Mission	Maintain and rehabilitate Santa Clara's Central Park (45.04 acres), 27 neighborhood parks (130.65 acres), open space (56.21 acres), 13 mini parks (5.79 acres), community centers/recreation, joint use facilities (115.19 acres) and neighborhood park buildings. These include playgrounds, restrooms, picnic areas, turf, trees, vegetation, athletic fields, pools, and sports venues at defined levels of service that promote the use of safe, clean and attractive facilities for the enjoyment of the public.
Division Objectives	Provide administrative direction, updated training, and technical support for Parks Division staff; contract operators of facilities and public users; plan for parks and facility maintenance rehabilitation needs, including volunteer projects to enhance natural habitat and urban forestry.
	Maintain 10 clean, safe, attractive municipal swimming pools at four sites (International Swim Center, Mary Gomez, Warburton, and Senior Center; proposed closure of low-use Montague pool). Maintain and support the use of clean, safe, fully functional, and attractive Community Center, Senior Center, Youth Activity Center, Teen Center and six neighborhood park buildings. Maintain and support a community garden and natural areas. All facilities and grounds are maintained on a year-round schedule of turf care, facility maintenance, vegetation, tree care, litter control and graffiti removal.
	Provide physical and logistical support for citywide special events for planning, mapping, set up, safety and cleanup; ensure that all City and Public Agency permit requirements are met for public events.
Recreation Division Mission	Provide recreation opportunities for all residents of Santa Clara at the Community Recreation Center, Youth Activity Center, Senior Center, Teen Center, Youth Soccer Park, City parks and athletic facilities and City pools.
Division Objectives	The Sports, Aquatics and Athletic Facilities Program coordinates use of the Youth Soccer Park, Reed & Grant Sports Park and some Santa Clara Unified School District (SCUSD) fields; and manages Santa Clara Tennis Center and Gymnastics Center. It partners with the field user groups for consistent use and policy implementation. The Aquatics Program offers a variety of summer swim lessons for all ages and abilities; safely supervises recreational swimming, aquatic fitness programming and year-round access to lap swim for adults and seniors; and works with local partner organizations to coordinate shared use of aquatic facilities.
	Youth Activity Center and Teen Center offers summer day camp session, serves middle and high school youth with various afterschool programs, camps and activities, including Skate Park programs.
	The Cultural and Performing Arts Program provides a variety of dance, music and art programs; fine arts camp in the summer; group exercise for adults; and preschool enrichment programs, creative drama classes and summer camps.
	The Senior Center offers a variety of health and wellness, arts and culture and special interest classes for disabled residents and individuals over 50 years of age, including programs at the fitness area and natatorium at the Senior Center and therapeutic programs with fitness and enrichment opportunities that serve individuals special needs at the Senior Center.

Senior Nutrition Program Division Mission	To provide a congregate meals program to improve senior health and ability to live independently.
Division Objectives	Offer a Monday through Friday senior nutrition program.
	Encourage participation in Senior Center Health and Wellness, resources, case management referrals, fitness and social activities at the Senior Center and other facilities to enhance quality of life.
	Offer access to information about senior issues and current events.

Cemetery Division Mission	The Mission City Memorial Park provides exemplary cemetery services in a well maintained, park-like setting with a customer-oriented atmosphere. The Agnew Historic Cemetery maintains space for reflection and interprets historical artifacts.
Division Objectives	Mow and trim turf areas weekly; pruning and planting of trees as needed for safety and maintenance of existing canopy.
	Maintain cemetery buildings daily, in keeping with City standards.
	Maintain accurate documentation, use best practices and depending on the availability of resources, use current technology to map and record all transactions and burials in the cemetery.
	Develop in-ground and niche bank spaces to provide additional interment options for families in need.

Significant Accomplishments

- The Department swiftly met community needs during the COVID-19 pandemic and creatively restructured its operations to meet the changing guidelines:
  - Facilitated a drive-through meal pick-up program to continue the Senior Nutrition Program during the pandemic.
  - Updated playground sanitization protocol addressing federal, state and county restrictions to open playgrounds.
  - Created virtual and outdoor fitness activities to meet health and wellness needs of the community during the pandemic.
  - Assisted in coordination and distribution of the Meals for Families program with the Salvation Army.
- Created an interdepartmental “Smart Parks” planning team to collaborate on technology in parks (electronic locks, wi-fi, EV charging stations, etc.).
- Completed rehabilitation at Bowers, Machado, Homeridge and Agnew Playgrounds and Fuller Street sports court.
- Opened the Reed & Grant Sports Park.
- Onboarded developer-constructed Meadow and Creekside Parks.
- Rehabilitated the Raymond G. Gamma Dog Park including lighting, paving the parking lot and adding restrooms.
- Initiated the Montague Park Rehabilitation Project and Central Park Magical Bridge Project.
- Initiated a Cemetery Census to confirm and/or update contact information for the interred.
- Began to open community facilities at Lawrence Station Area development.
- Certified twenty-five (25) forklift operators.
- Certified two (2) International Society of Arboriculture (ISA) Certified Arborists.

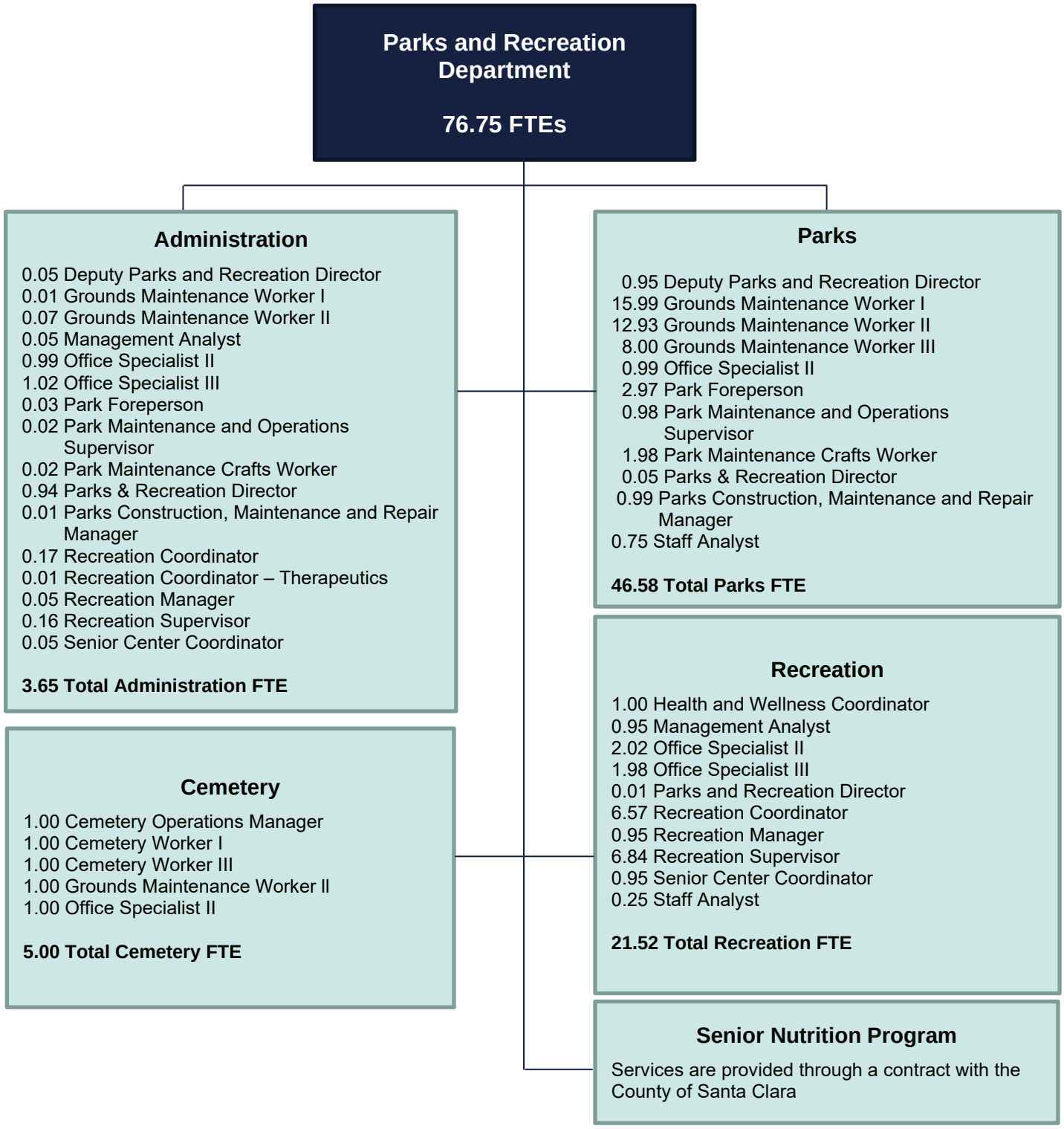
Significant Objectives

- Initiate the development of a cost recovery policy for recreation programs.
- Complete rehabilitation projects at Montague and Westwood Oaks parks.
- Install public restrooms at Fairway Glen Park.
- Update Park Standards.
- Continue to implement a public-facing electronic work order system for parks facilities, including GIS integration updates as new parks are on-boarded.
- Explore options for supporting long-term health of cemetery maintenance endowment.
- Continue to provide approximately 15,800 nutritional meals to seniors in the Monday - Friday Senior Nutrition Program
- Explore options for supporting long-term health of cemetery maintenance endowment

Budget Highlights

- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
  - Froze 1.0 Office Specialist II assigned to the Teen Center
  - Froze 1.0 Grounds Maintenance Worker I and 2.0 Grounds Maintenance Worker II positions assigned to parks maintenance
  - Reduced City-wide special events funding
  - Shifted staff costs that support the Quimby and Mitigation Fee Act programs to that funding source
  - Reduced the vendor payment budget based on the renegotiated agreement
  - Eliminated funding for the Heather Kids Foundation (agreement expired June 2020)
  - Eliminated School District funding for the Latchkey Program (agreement expired June 2020)
  - Reduced the non-personnel budget (e.g., conferences, training, and travel; supplies and materials, uniform services)

- The Proposed Budget includes the following Phase 2 budget reductions to help address the General Fund shortfall:
  - Reduce recreation program facility hours (Community Recreation Center, Senior Center, Teen Center, Youth Activity Center, and Skate Park) and the As Needed Staffing budget
  - Reduce adult sports programming offerings by 25% and the As Needed Staffing budget
  - Eliminate 1.0 Recreation Supervisor position and reduce the Theater Performance Program
  - Eliminate 1.0 Recreation Coordinator and reduce the Therapeutics Program
  - Eliminate programming at Montague Swim Center and the As Needed Staffing budget
  - Do not renew annual agreement to fund maintenance of closed school sites
  - Eliminate funding for community grants to groups that support the arts
  - Eliminate programming for the Summer Concert Series and Street Dance, cultural events, and visual arts and reduce funding one-time in FY2021/22
  - Eliminates the City's participation in the Jr. Giants Program and reduces the As Needed Staffing budget
  - One-time cancellation of the Santa Clara Art & Wine Festival (This event would be replaced with a one-time, one-day family event in Central Park)



**The positions above represent all funded positions. This excludes the 1.0 Grounds Maintenance Worker I, 2.0 Grounds Maintenance Worker II and 1.0 Office Specialist II positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Administration Division							
1121	Administration	1,472,783	1,488,993	1,153,176	(22.6%)	1,214,945	5.4%
1122	Park Development	175,690	192,535	174,786	(9.2%)	182,207	4.2%
1123	Park Projects	44,998	51,849	49,393	(4.7%)	51,674	4.6%
1151	Teen Activities	331,039	0	0	0.0%	0	0.0%
1157	Special Recreation	178,276	0	0	0.0%	0	0.0%
1158	Arts, Crafts & Wine Festival	381,674	0	0	0.0%	0	0.0%
1171	Citywide Special Events	466,164	593,638	210,332	(64.6%)	323,525	53.8%
Total Administration Division		**3,050,624**	**2,327,015**	**1,587,687**	**(31.8%)**	**1,772,351**	**11.6%**
Parks Division							
1132	Parks	8,008,310	8,609,849	8,626,221	0.2%	9,038,171	4.8%
1133	Pools	1,288,582	1,251,827	1,287,641	2.9%	1,340,700	4.1%
1134	Buildings	1,388,962	1,210,139	1,262,085	4.3%	1,313,868	4.1%
1135	Operations	490,969	593,706	596,839	0.5%	621,458	4.1%
Total Parks Division		**11,176,823**	**11,665,521**	**11,772,786**	**0.9%**	**12,314,197**	**4.6%**
Recreation Division							
1117	Program Operations	111,307	0	0	0.0%	0	0.0%
1141	Health and Wellness	149,706	208,336	208,548	0.1%	215,890	3.5%
1142	Administration	442,801	680,689	424,025	(37.7%)	446,598	5.3%
1143	Youth Activity Center and Programs	1,139,051	1,404,498	1,188,697	(15.4%)	1,228,670	3.4%
1144	Senior Center and Therapeutic Recreation	1,421,411	1,703,506	1,618,728	(5.0%)	1,675,222	3.5%
1145	Community Recreation Center and Programs	3,041,454	3,304,925	2,764,487	(16.4%)	2,854,299	3.2%
1146	Recreation Facilities	176,650	437,684	339,761	(22.4%)	350,952	3.3%
1147	Aquatics	296,270	432,756	395,052	(8.7%)	412,595	4.4%
1114	Senior Center Programs	237,753	0	0	0.0%	0	0.0%
1148	Sports and Athletics	172,777	265,119	235,587	(11.1%)	245,452	4.2%
1149	Teen Center Activities and Programs	517,045	659,241	537,789	(18.4%)	559,795	4.1%
Total Recreation Division		**7,706,225**	**9,096,754**	**7,712,674**	**(15.2%)**	**7,989,473**	**3.6%**
Senior Nutrition Program Division							
1112	Senior Nutrition Program	132,703	147,984	147,984	0.0%	147,984	0.0%
Total Senior Nutrition Program Division		**132,703**	**147,984**	**147,984**	**0.0%**	**147,984**	**0.0%**

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Cemetery Division							
125	Cemetery Perpetual Care	719	500	500	0.0%	500	0.0%
131	Cemetery Endowment Care	30,820	18,000	28,000	55.6%	28,000	0.0%
1162	Maintenance of Grounds	557,867	691,025	719,461	4.1%	747,092	3.8%
1163	Maintenance of Buildings	113,400	124,331	128,893	3.7%	134,037	4.0%
1164	Operations	518,679	600,337	632,703	5.4%	654,400	3.4%
Total Cemetery Division		**1,221,485**	**1,434,193**	**1,509,557**	**5.3%**	**1,564,029**	**3.6%**
Total by Division / Program		**23,287,860**	**24,671,467**	**22,730,688**	**(7.9%)**	**23,788,034**	**4.7%**
Dollars by Fund							
General Fund		20,633,647	22,990,569	20,786,349	(9.6%)	21,725,514	4.5%
Recreation Program Operating Fund		762,471	0	0	0.0%	0	0.0%
Perpetual Care Fund		719	500	500	0.0%	500	0.0%
Endowment Care Fund		30,820	18,000	28,000	55.6%	28,000	0.0%
Community Activities Fund		348,060	0	0	0.0%	0	0.0%
Public Donations Fund		186,373	0	0	0.0%	0	0.0%
Park and Rec Grant Trust Fund		132,703	147,984	147,984	0.0%	147,984	0.0%
Community Facilities District 2019 – 1 Lawrence Station Fund		3,120	98,720	286,798	190.5%	350,507	22.2%
Cemetery Fund		1,189,947	1,415,694	1,481,057	4.6%	1,535,529	3.7%
Total by Fund		**23,287,860**	**24,671,467**	**22,730,688**	**(7.9%)**	**23,788,034**	**4.7%**

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Category						
Salary and Benefits						
Salary	7,046,813	8,154,190	7,373,372	(9.6%)	7,658,522	3.9%
As-Needed	1,912,831	2,821,207	2,486,599	(11.9%)	2,594,027	4.3%
Overtime	61,364	56,320	12,069	(78.6%)	60,331	399.9%
Retirement	2,450,507	2,593,271	2,801,395	8.0%	2,977,690	6.3%
Health Allocation	932,030	1,040,528	1,135,918	9.2%	1,185,570	4.4%
Medicare	140,364	127,975	118,133	(7.7%)	122,498	3.7%
Social Security	468,741	531,963	493,282	(7.3%)	509,940	3.4%
Other Benefits	398,981	387,511	299,758	(22.6%)	302,989	1.1%
Total Salary and Benefits	**13,411,630**	**15,712,965**	**14,720,526**	**(6.3%)**	**15,411,567**	**4.7%**
Non-Personnel						
Materials/Services/Supplies	5,632,536	6,470,988	5,786,463	(10.6%)	6,096,212	5.4%
Interfund Services	2,347,421	2,301,378	2,190,932	(4.8%)	2,247,488	2.6%
Capital Outlay	41,443	161,450	0	(100.0%)	0	0.0%
Transfers to Other Funds	1,854,830	24,686	32,767	32.7%	32,767	0.0%
Total Non-Personnel	**9,876,230**	**8,958,502**	**8,010,162**	**(10.6%)**	**8,376,467**	**4.6%**
Total by Category	**23,287,860**	**24,671,467**	**22,730,688**	**(7.9%)**	**23,788,034**	**4.7%**

Position Summary

		FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division/Program						
Administration Division						
1121	Administration	1.60	1.60	1.60	0.00	1.60
1122	Park Development	1.13	1.13	1.13	0.00	1.13
1123	Park Projects	0.12	0.12	0.12	0.00	0.12
1171	Citywide Special Events	0.80	0.80	0.80	0.00	0.80
Total Administration		**3.65**	**3.65**	**3.65**	**0.00**	**3.65**
Parks Division						
1132	Parks	38.27	38.27	35.27	(3.00)	35.27
1133	Pools	4.10	4.10	4.10	0.00	4.10
1134	Buildings	5.57	5.57	5.57	0.00	5.57
1135	Operations	1.64	1.64	1.64	0.00	1.64
Total Parks Division		**49.58**	**49.58**	**46.58**	**(3.00)**	**46.58**
Recreation Division						
1141	Health and Wellness	1.00	1.00	1.00	0.00	1.00
1142	Administration	2.95	2.95	1.95	(1.00)	1.95
1143	Youth Activity Center and Programs	3.98	3.98	3.98	0.00	3.98
1144	Senior Center and Therapeutic Recreation Programs	4.68	4.68	4.68	0.00	4.68
1145	Community Recreation Center and Programs	6.15	6.15	5.15	(1.00)	5.15
1146	Recreation Facilities	0.45	0.45	0.45	0.00	0.45
1147	Aquatics	1.04	1.04	1.04	0.00	1.04
1148	Sports and Athletics	1.00	1.00	1.00	0.00	1.00
1149	Teen Center Activities and Programs	3.27	3.27	2.27	(1.00)	2.27
Total Recreation Division		**23.42**	**24.52**	**21.52**	**(3.00)**	**21.52**
Senior Nutrition Program						
1112	Senior Nutrition Program	0.00	0.00	0.00	0.00	0.00
Total Senior Nutrition Program		**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

Position Summary

		FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division/Program						
Cemetery Division						
1162	Cemetery- Maintenance Of Grounds	3.70	3.70	2.90	(0.80)	2.90
1163	Cemetery- Mtce Of Buildings	0.30	0.30	0.10	(0.20)	0.10
1164	Cemetery- Operations	1.00	1.00	2.00	1.00	2.00
Total Cemetery Division		**5.00**	**5.00**	**5.00**	**0.00**	**5.00**
Total by Division/Program		**82.75**	**82.75**	**76.75**	**(6.00)**	**76.75**
Positions by Fund						
General Fund		77.75	77.75	71.75	(6.00)	71.75
Cemetery		5.00	5.00	5.00	0.00	5.00
Total by Fund		**82.75**	**82.75**	**76.75**	**(6.00)**	**76.75**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Position Classification					
Cemetery Operations Manager	1.00	1.00	1.00	0.00	1.00
Cemetery Operations Superintendent	0.00	0.00	0.00	0.00	0.00
Cemetery Worker I	1.00	1.00	1.00	0.00	1.00
Cemetery Worker II	0.00	0.00	0.00	0.00	0.00
Cemetery Worker III	1.00	1.00	1.00	0.00	1.00
Deputy Parks and Rec Director	1.00	1.00	1.00	0.00	1.00
Grounds Maintenance Worker I	17.00	17.00	16.00	(1.00)	16.00
Grounds Maintenance Worker II	16.00	16.00	14.00	(2.00)	14.00
Grounds Maintenance Worker III	8.00	8.00	8.00	0.00	8.00
Health and Wellness Coordinator	1.00	1.00	1.00	0.00	1.00
Management Analyst	1.00	1.00	1.00	0.00	1.00
Office Specialist II	6.00	6.00	5.00	(1.00)	5.00
Office Specialist III	3.00	3.00	3.00	0.00	3.00
Park Foreperson	3.00	3.00	3.00	0.00	3.00
Park Maintenance and Operations Supervisor	1.00	1.00	1.00	0.00	1.00
Park Maintenance Crafts Worker	2.00	2.00	2.00	0.00	2.00
Parks and Recreation Director	1.00	1.00	1.00	0.00	1.00
Parks Construction, Maintenance and Repair Mana	1.00	1.00	1.00	0.00	1.00
Parks Construction, Maintenance and Repair Supervisor	0.00	0.00	0.00	0.00	0.00
Recreation Coordinator	7.75	7.75	6.75	(1.00)	6.75
Recreation Manager	1.00	1.00	1.00	0.00	1.00
Recreation Specialist	0.00	0.00	0.00	0.00	0.00
Recreation Supervisor	8.00	8.00	7.00	(1.00)	7.00
Senior Center Coordinator	1.00	1.00	1.00	0.00	1.00
Staff Aide II	1.00	1.00	1.00	0.00	1.00
Total Positions	**82.75**	**82.75**	**76.75**	**(6.00)**	**76.75**

**The positions above represent all funded positions. This excludes the 1.0 Grounds Maintenance Worker I, 2.0 Grounds Maintenance Worker II and 1.0 Office Specialist II positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	82.75	24,671,467
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Capital Outlay Recreation Rebudget		(102,138)
Capital Outlay Parks Rebudget		(57,312)
Reallocate Unbudgeted Recreation Funds to the General Fund		(18,000)
Reed and Grant Sports Park		(2,000)
Ongoing Cost Adjustments		
Salary and Benefits adjustments		494,614
Non-personnel adjustments		198,088
Net increase in various interfund services allocations		73,655
Adjustment to Lawrence Station Park Maintenance		68,200
Reclassification of 1.0 Staff Aide to 1.0 Staff Analyst	0.00	22,438
Plan Review Software		2,136
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021):		
- Reduction in the Citywide Special Events budget		(358,116)
- Reduction in recreational program vendors budget		(300,000)
- Freeze of 2.0 Grounds Maintenance Workers II	(2.00)	(270,895)
- Reallocation of administrative positions to Quimby and Mitigation fees in Parks Capital Fund		(234,487)
- Freeze of 1.0 Grounds Maintenance Worker I	(1.00)	(121,161)
- Reduction in the Latchkey Program budget		(108,450)
- Freeze of 1.0 Office Specialist II	(1.00)	(102,113)
- Discontinuation of Healthier Kids Foundation Program		(70,000)
- Reduction In conference, travel and training budget		(22,845)
- Reduction in commissions, conference, travel, and training budget		(18,814)
Reallocation of Ricoh usage costs to central allocation under the Information Technology Department		(11,635)
- Elimination of uniform services budget		(4,000)
- Reduction in the Senior Center budget		(1,500)
Total FY 2021/22 Base Budget Adjustments	**(4.00)**	**(944,335)**
Total FY 2021/22 Base Budget	**(4.00)**	**23,727,132**

Budget Reconciliation

	Positions	Expenditures (All Funds)
FY 2021/22 Service Level Changes		
Theater Program Staffing Reduction	(1.00)	(200,189)
Therapeutic Recreation Services Staffing Reduction	(1.00)	(156,281)
Facility Hours Reduction		(286,898)
One-Time Reduction to Special Event Fund (One-time)		(96,634)
As Needed Staffing Reduction - Aquatics		(47,800)
Cultural Commission Advertising and Promotions Reduction (One-time)		(44,140)
Maintenance of School Sites - Sports Fields		(36,000)
As Needed Staffing Reduction - Adult Sports		(20,900)
Cultural Commission Community Grants Reduction		(20,850)
Eliminate Jr. Giants Program		(9,400)
Total Service Level Changes	**(2.00)**	**(919,092)**
Total FY 2021/22 Proposed Budget	**76.75**	**22,808,040**

	Positions	Expenditures (All Funds)
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefits adjustments		557,704
Non-personnel adjustments		81,373
Interfund services adjustments		222,560
Total FY 2022/23 Base Budget Adjustments	**0.00**	**861,637**
Total FY 2022/23 Base Budget		**23,669,677**
FY 2022/23 Service Level Changes		
Ongoing Cost Adjustments		
One-Time Reduction to Special Event Fund		96,634
Cultural Commission Advertising and Promotions Reduction		44,140
Total Service Level Changes		**140,774**
Total FY 2022/23 Proposed Budget		**23,810,451**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Theater Program Staffing Reduction	(1.00)	0	(200,189)	0	(205,427)

Program: 1145-Recreation- Community Rec Ctr and Programs

This proposal eliminates 1.0 Recreation Supervisor ($166,189) that previously supported the Roberta Jones Theater (RJJT) performance program and reduces funding for related as-needed staff support by $34,000. The Recreation Supervisor position has been vacant since November 2019, and some of the program responsibilities have been redistributed within the Recreation Division.

Performance Impact

This move will eliminate the performance arm of the program, reducing productions from 4 (24 performances) annually to 0. Theater programming will continue as instructional classes only. The performance program averages 192 participants annually. The expenditure savings is $200,189 for FY2021-22, partially offset by the loss of revenue in the amount of $68,000

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Therapeutic Recreation Services Staffing Reduction	(1.00)	0	(156,281)	0	(160,824)

Program: 1144-Recreation- Senior Center & Therapeutic Recreation

This proposal eliminates 1.0 Recreation Coordinator position ($142,981) that has been vacant since November 2019 and reduces $13,000 in funding for as-needed staff support. The Recreation Coordinator position oversees therapeutic recreation services at the Senior Center, Teen Center and other parks and recreation facilities. Historically, incumbents have possessed requisite training and certifications to oversee interns; thereby enabling the City to leverage the position with as-needed staffing but has posed challenges, as of late. The vacancy in this position has resulted in a loss of this capacity and limits the City's ability to provide services to the City's special needs programming. Due to COVID-19, the program has been impacted and services have been suspended since March 2020.

Performance Impact

Primary service impacts will include a reduction in the number of therapeutic recreation classes (the program averages 87 classes, 710 enrollments and 140 unique participants annually) and a decrease in the number of I.D.FIT assessments for participants under 50 years old with special needs that would like to use the Senior Center exercise equipment (approx. 10 performed annually). The total expenditure savings is $156,281, partially offset by the loss of revenue in the amount of $25,500.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Facility Hours Reduction	0.00	0	(286,898)	0	(286,898)

Program: 1143-Recreation- Youth Activity Ctr & Programs
1144-Recreation- Senior Center & Therapeutic Recreation
1145-Recreation- Community Rec Ctr and Programs
1149-Recreation-Teen Center Activities and Programs

This ongoing proposal reduces as-needed staffing funding by adjusting the hours of operation at the following facilities:
- Community Recreation Center (from 56 hours to 51 per week);
- Senior Center (from 61 to 56 hours per week);
- Teen Center (only open for scheduled programming);
- Youth Activity Center (from 52 to 30 hours per week); and
- Skate Park (from 30 hours to 20 hours per week).

Performance Impact

This reduction in programmable hours will result in a corresponding reduction of $286,898 in funding for as-needed staff support. Service impacts will include a reduction in the number of days the skate park will be open (from 7 to 4) and the establishment of 6 weeks of non-programmed time throughout the year at the community facilities. Staff will use this time to plan upcoming programming, negotiate vendor agreements, complete facility maintenance, and ensure adequate staffing levels through the year.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
One-Time Reduction to Special Event Fund	0.00	(96,634)	0	0	0

Program: 1171-Recreation- CW Special Events

This proposal reduces the City-wide Special Event budget on a one-time basis in FY2021-22, including a reduction in revenue of $108,325 and a reduction in expenditures of $96,634. The 2021 annual Art & Wine Festival will be canceled due to the uncertainty of COVID-19 special event/large gathering restrictions. The Parks and Recreation Department plans to host a family-friendly, one day four-hour event to be held in late August or early September that is promoted to City residents.

Performance Impact

Fundraising for community groups will be limited for FY2021-22.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
As Needed Staffing Reduction - Aquatics	0.00	0	(47,800)	0	(47,800)

Program: 1147-Recreation- Aquatics

This proposal eliminates programming at Montague Swim Center and reduces the as-needed staffing budget by $47,800 (from $213,700 to $165,900). Despite concerted efforts to increase programming at the site in recent years, overall use of the facility remains low in comparison to other neighborhood swim centers with only an average of 7 patrons served per day for recreation swim.

Performance Impact

With the closure of the low use Montague pool, it is anticipated that the patrons would use other available City pools.
- Hours of operation have already been reduced the past three years, with some weekends open for evening events.
- Swim lessons are available at the remaining four pool sites (Senior Center, Mary Gomez, Warburton, and ISC).
- Minimum maintenance (water circulation, chlorine, etc.) of the pools will continue.

Lost revenue in the amount of $25,819 is associated with the proposal that suspends programming at Montague Swim Center, primarily from swim lessons.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Cultural Commission Advertising and Promotions Reduction	0.00	(44,140)	0	0	0

Program: 1121-Parks & Recreation Administration

This proposal eliminates programming for the Summer Concert Series and Street Dance ($24,000), Cultural events, ($15,640) and Visual Arts ($4,500) on a one-time basis in FY2021-22

Performance Impact

This action removes city support for these community activities.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Maintenance of School Sites - Sports Fields	0.00	0	(36,000)	0	(36,000)

Program: 1121-Parks & Recreation Administration

This proposal does not renew an agreement providing $36,000 annually to maintain sports fields at closed school sites. Since 1998, the City has entered into annual contribution agreements with the Santa Clara Unified School District (SCUSD) to fund the maintenance of sports fields at closed school sites (Curtis, Wilson, Monticello, and Mariposa) in exchange for community use. The most recent agreement expired on June 30, 2020.

Performance Impact

In the past, there was availability of these sports fields to Santa Clara residents and the City's funding helped support this availability. In November 2018, SCUSD's Measure BB was approved, a $720 million school bond to fund school improvements, including perimeter security fencing. Hours of availability of these fields to Santa Clara residents became limited and costs were implemented for the public to book the facilities through the School District.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
As Needed Staffing Reduction - Adult Sports	0.00	0	(20,900)	0	(20,900)

Program: 1148-Recreation-Sports and Athletics

This proposal reduces as-needed staffing funding by reducing adult sports programming offerings by 25% on an ongoing basis. The as-needed staffing budget would be reduced by $20,900 (from $44,300 to $23,400), partially offset by the loss of $3,500 in revenue (from $24,500 to $21,000).

Performance Impact

Softball: Changes from an average of 9 league sessions to 7 (sessions average 7 teams w/ 20 participants/team - participation goes from 1,260 to 980)
Basketball: Changes from an average of 6 league sessions to 4 (sessions average 6 teams w/ 12 participants/team -participation goes from 432 to 288)

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Cultural Commission Community Grants Reduction	0.00	0	(20,850)	0	(20,850)

Program: 1121-Parks & Recreation Administration

This proposal eliminates $20,850 in ongoing funding for community grants to groups that support the arts. The grantees support arts groups that cater to the Santa Clara Community. It is suggested this program be suspended until the City can afford to subsidize grants.

Performance Impact

Grant support for local arts organization from this fund will be eliminated.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Eliminate Jr. Giants Program	0.00	0	(9,400)	0	(9,400)

Program: 1143-Recreation- Youth Activity Ctr & Programs

This proposal eliminates the Jr. Giants part day summer camp program, allowing staff to focus on enhancing other day camp programming and year-round afterschool programming at the Youth Activity Center. With the reduction of full-time and as-needed staff, there is a need to reallocate staff resources and adjust programming.

Performance Impact

This program serves 125 individuals and requires 40% of a full-time coordinator as well as $9,400 of as-needed staff. This program is offered at no cost to participants and is 100% subsidized by the City. The program is also supported by volunteers that are trained and supervised by staff.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Performance and Workload Measures

Administration Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of volunteers recruited, trained, and supervised		500	432	600	4	600	600
Amount of funds raised through grants		1.8M	90,000	250,000	256,622	250,000	250,000
Maintain public parkland acres at or above current standard level of service of (2.53) per 1,000 residents (projects reviewed for Mitigation Fee Act at 2.53 acres and Quimby Act at 3 acres per 1000 residents)		2.6	2.9	2.8	2.6	2.8	2.8
Number of parkland acres added		2.5	3.257	5	0.912	2	2
Amount of Park in Lieu fees collected		4.5m	6.6m	2.0m	992K	2.0M	2.0M
Number of parks playgrounds rehabilitated		2	2	2	2	2	2
Number of community input meetings held (Online Surveys included)		4	2	4	4	4	4
Number of parks rehabilitation projects initiated		2	2	2	4	2	2
Number of new park parcels acquired		0	0	2	4	2	2
Net income from the Art and Wine Festival available for charitable purposes		70,874	56,000	60,000	0	0	60,000

Parks Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percentage of pool chemical tests balanced[1]		85%	85%	50%	85%	85%	85%
Percentage of staff provided training and certification for Qualified Applicator Certificate - *Modified for FY 2021/22*		93%	95%	80%	95%	90%	90%
Parks acres maintained by other entities - *New for FY2021/22*		N/A	N/A	N/A	3.34	3.34	3.34

[1] *FY 2020/21 Target was incorrectly published. Correct target for FY2020/21 is 85%.*

Performance and Workload Measures

Parks Division							
Workload Measures							
	Strategic Pillar	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Park acre/FTE maintenance staff		7.4	7.34	8	7.75	7.71	7.71
Cost per acre maintained		28,999	28,200	28,800	28,768	28,700	28,700
Number of playgrounds certified (i.e. PlayCore Play On, Nature, Inclusion)		9	11	11	14	16	18
Number of staff certified as Aquatic Facility Operators or Certified Pool Operators		40	37	10	35	40	40
Number of staff provided training and certification for Qualified Applicator Certificate		41	41	38	39	41	41
Cost per square foot of building maintained (269,769 square feet)		4.96	4.96	4.9	5.18	5	5
Number of work orders completed for buildings		299	118	100	115	300	300
Number of pest control recommendations reported to the State of California		9	14	10	14	14	14
Annual number of work orders completed for parks		447	470	400	620	600	600
Number of staff certified as South Bay Water Recycling Supervisor.		6	7	8	7	8	8
Number of certified arborists on staff		2	2	5	4	6	6

Performance and Workload Measures

Recreation Division							
Performance Measures							
	Strategic Pillar	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Percentage of registration processed online		72%	73	70%	90	75	75
Workload Measures							
Number of free biometric screenings and resource referrals on-site at the Senior Center		1,875	2,605	100	1,387	2,900	3,000
Average monthly Health and Wellness participants		350	322	200	180	250	300
Number of Active net registrations processed - *Delete for FY2021/22*		6,643	13,162	8,000	5,000	N/A	N/A
Number of park building and picnic rental bookings processed		1,142	552	13,500	0	13,500	13,500
Number of drop-in program attendance at the Walter E. Schmidt Youth Activity Center (After School Open Gym/Special Activities)		27,505	27,472	29,000	0	29,000	29,000
Number of Sports Camp participants		909	644	800	0	800	800
Number of special events offered at the Youth Activity Center		22	5	20	8	20	20
Number of classes offered at the Youth Activity Center		254	147	250	50	250	250
Number of senior trip and tour participants		1,751	892	1,500	0	0	0
Number of drop-in program visits (Fitness and Group Exercise) at the Senior Center - *Modified for FY2021/22*		119,609	81,347	100,000	0	100,000	100,000
Senior Center membership cards issued		2,432	2,026	2,000	281	2,000	2,000

Performance and Workload Measures

Recreation Division							
Workload Measures							
	Strategic Pillar	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Number of Therapeutic Recreation classes offered by the City		95	77	100	10	10	10
Number of recreation class participants		7,136	9,278	7,500	2,500	7,500	7,500
Number of parent/child youth and adult classes offered		1,776	1,855	1,500	692	1,500	1,500
Number of Adult drop-in program participants attendance - *Modified for F*Y 2021/22		8,669	5,465	8,000	0	8,000	8,000
Annual Santa Clara Youth Sports groups field permits		68	111	140	43	160	160
Annual adult sports groups use permits		4	0	12	0	12	12
Annual youth sports field attendance		99,310	149,800	90,000	69,180	150,000	150,000
Annual adult sports field attendance		895	0	400	0	400	400
Number of summer swim lesson classes provided		384	665	350	0	200	200
Number of summer swim lesson participants		1,060	439	700	0	700	700
Number of Lap Swim participants		7,302	3,938	7,500	10,000	7,500	7,500
Number of Senior Lap Swim Participants at the International Swim Center		7,877	5,092	7,000	12,700	7,000	7,000
Number of registered adult softball teams		30	24	24	0	24	24
Number of registered adult basketball teams		36	24	24	0	24	24

Performance and Workload Measures

Recreation Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of hours Teen Center opens per week for drop-in activities		18.5	18.5	18.5	0	18.5	18.5
Number of special events for teens per year		12	8	12	0	10	10
Number of Teen Center drop-in participants per year - *Modified for FY 2021/22*		11,501	8,433	11,500	0	11,500	11,500
Average number of daily participants in the Senior Nutrition Program		63	78	63	147	63	63
Total number of unduplicated participants in the Senior Nutrition Program, annually		390	598	390	455	390	390
Total Annual Meals Served		15,561	19,273	15,561	35,701	15,561	15,561

Cemetery Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of deeds, maps and records preserved/restored - exclude		80%	80%	90%	81%	82%	82%

Workload Measures

Cost per acre maintained (22.6 ac.)		$29,400	$24,700	$29,000	$28,900	$29,900	29900
Cost per square foot building maintained (10,656 square feet)		$10.29	$10.64	$10.40	$8.94	$10.64	10.64
Cemetery existing capacity remaining (estimate)		1,115	1,152	1,190	1,227	1,264	1,264
Number of burial plots/interment rights purchased		43	43	80	32	59	59
Number of interment services conducted		145	103	140	130	130	130
Number of work orders completed		92	60	80	32	66	66
Number of cemetery acres needed to meet future demand		22.6	22.6	24.6	22.6	24.6	24.6

Police Department

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Police Department Description

The Police Department provides law enforcement and other policing services to the City of Santa Clara.

The Police Department is organized into four Divisions: Administrative Services; Field Operations; Investigations; and Special Operations.

The Administrative Services Division (Services) is made up of the Chief's Office, Property and Evidence, Professional Standards Unit (Recruiting/Hiring and Internal Affairs) Training Unit, Communications Center, Community Services Unit, and the Police Activities League (PAL). The Records Unit is also part of the Administrative Services Division. The Records Unit is responsible for maintaining all crime reports, produces statistical crime information to the Department of Justice and the Federal Bureau of Investigations, provides radio support to officers in the field, and prepares the release of information to the public. The Records Unit also performs customer service functions at the front desk at the Police Building and Northside Substation.

The Communications Center receives and processes emergency and non-emergency calls for the City. The Community Services Unit has many functions: Community Engagement (formerly Neighborhood Watch), Crime Prevention, National Night Out, Permits, School Services Officers, Drug Abuse Resistance Education (D.A.R.E.), Adult Crossing Guards, 5th grade Safety Patrol, and the Police Activities League (PAL). The Professional Standards Unit handles recruiting, training, and internal affairs. The Chief's Office manages local, State and federal grants, the Chief's Advisory Committee and the Department's community engagement (e.g. webpage, social media outlets, print media, Citizens' Police Academy, Chat with the Chief, Coffee with a Cop, Leadership Santa Clara, Talk and Tour, Department Open House, etc.). This office also facilitates major projects, the Department's budget, legislative advocacy positions, policy management and the community volunteer program.

The Field Operations Division (Patrol) is comprised of first responders who respond to the vast majority of calls for service. The Division is made up of patrol teams, a motorcycle traffic unit, a traffic/hit-and-run investigator as well as community service officers to manage parking control and abandoned vehicle abatement. The Community Response Team (CRT) (formerly Nuisance Suppression Unit) is also part of the Field Operations Division. CRT works towards goals of crime reduction and promoting community wellness, often among vulnerable populations. In 2020, SCPD established two Crisis Intervention Specialist positions as part of CRT. The Specialists coordinate and support beneficial outcomes for persons with mental illness who have come to the attention of the Department.

The Investigations Division (Detective Bureau) is responsible for conducting follow-up investigations, particularly for major crimes. Detectives are assigned by type of crime, which includes homicide, assaults, robbery, theft, burglary, sexual assault, financial crimes, arson, and juvenile crimes. The Investigations Division keeps track of and continues to pursue "cold cases." The Investigations Division houses the Department's Forensic Coordinator and Crime Analyst, and serves as the liaison to specialized task forces.

The Special Operations Division serves as the liaison between the City and outside entities for special event permits (e.g. walk/run, parade, festival, etc.), provides security support for dignitary visits and demonstrations, and develops operational orders for law enforcement, traffic and neighborhood protection needs associated with Levi's Stadium, Santa Clara Convention Center, California's Great America, and Santa Clara University. The Reserve Police Officer program complements the work of the Department and is supported by this Division. This Division is the home to a number of specialized teams within the Department, such as the K-9 Unit, Hostage Negotiation Team, and the Special Response Team (SWAT). This Division manages the Temporary Holding Facility at the Police Building and Levi's Stadium, as well as the Jail Service Officers.

Divisions and Services

Administrative Services Division Mission	The Administrative Services Division (Services) is made up of the Chief's Office, Property and Evidence, Professional Standards Unit (Recruiting/Hiring and Internal Affairs) Training Unit, Communications Center, the Community Services Unit, and Police Activities League (PAL). The Communications Center receives, and processes emergency and non-emergency calls for the Police and Fire Departments, as well as non-business hour response for other Departments throughout the City. The Community Services Unit has many functions including: Community Engagement, Crime Prevention, Permits, School Services Officers, D.A.R.E., Adult Crossing Guard, 5th grade Safety Patrol, and PAL. The Chief's Office manages local, State and federal grants, the Chief's Advisory Committee and the Department's community engagement (e.g. webpage, and social media outlets, print media, the community volunteer program, Citizens' Police Academy, and various community outreach programs (e.g. Chat with the Chief, Coffee with a Cop, Leadership Santa Clara, Talk and Tour, Department Open House, etc.). This office also facilitates major projects, the Department's budget, legislative advocacy positions, policy management and the community volunteer program. The Records Unit is also part of the Administrative Services Division. The Records Unit is responsible for maintaining all crime reports, produces statistical crime information to the Department of Justice and the Federal Bureau of Investigations, provides radio support to officers in the field, and prepares the release of information to the public. The Records Unit also performs customer service functions at the front desk at the Police Building and Northside Substation.
Division Objectives	This budget cycle, the Communications Center will update its Viper phone system and NICE phone recording system. Doing so, will also allow for enhancements to the city's Next Generation 911 (NG911) system. This highly reliable, secure system will have enhanced tools for more effective and efficient response, increased ability to interoperate or transfer all functionality in the event of a major disaster. With these upgrades, citizens in need of emergency assistance will be able to transmit photos, videos and other existing and future forms of broadband data and applications, in addition to voice, to Public Safety Dispatchers which can be passed along to first responders and incident commanders. The Santa Clara Unified School District remains committed to returning to full in-person instruction in Fall 2021. It remains unclear what school extracurricular programs and services will take place, however the Police Department anticipates a phased re-entry of the School Services Unit (e.g., faculty in-service training, attend student/school meetings, student and parent education sessions, DARE, etc.) partially due to the pandemic, but also as a result of staffing levels. The Police Department will not have any interruption in continuing to consult with school administrators to address school / student safety issues on campus.

As State and County health guidelines allow, the Police Activities League will gradually return to offering nine program areas including BMX, deep sea fishing, Explorers, judo, soccer, softball, and wrestling. PAL also organizes “Shop with a PAL" which reaches 50 middle school students and a Christmas gift and meal delivery for approximately ten deserving families. PAL’s annual Golf Tournament serves as a fundraiser for the previously mentioned programs.

Develop a comprehensive, multi-phase strategy to recruit highly qualified, motivated applicants and facilitate the hiring of full-time and part-time employees in sworn and civilian capacities.

Fulfill Public Records Act requests in a timely manner. The Records Unit continues to transition to meet the requirements set forth in SB1421 (Peace officers: release of records) and AB748 (Peace officers: video and audio recordings).

Support local, State, and federal law enforcement partners. Implement a new Records Management System in September 2021.

Retire Uniform Crime Reporting (UCR) and transition to National Incident Based Record System (NIBRS) data collection requirements set forth by the Federal Bureau of Investigation by January 2022.

Implement AB 953, Racial and Identity Profiling Act, policy mandates by April 1, 2022.

Communication Acquisitions Division Mission	Replace amortized electronic equipment within the City.
Division Objectives	Provide continued funding for communications equipment replacement as necessary. All departments with radios are charged annually; at the end of 15 years replacement radios will be fully funded. Work with the Silicon Valley Regional Interoperability Authority (SVRIA) to transition 950 radios to encrypted channels by December 31, 2021. Makes adjustments to the Fire Department’s radios to address State Load channels prior to wildfire season.

Field Operations Division Mission	Protect and serve with honesty, fairness, professionalism, and integrity. Maintain a community atmosphere that will provide our citizens with a quality of life that will enable them to enjoy our community to the fullest. The Field Operations Division (Patrol) is comprised of the "first responders" to provide immediate services to residents, visitors and businesses within our City. The Division is made up of patrol teams, a motorcycle traffic unit, a traffic / hit-and-run investigator as well as community service officers to manage parking control and vehicle abatement. Community Response Team (CRT) works towards goals of crime reduction and promoting community wellness, often among vulnerable populations. In 2020, SCPD established two Crisis Intervention Specialist positions as part of CRT. The Specialists coordinate and support beneficial outcomes for persons with mental illness who have come to the attention of the Department. CRT's function has many community benefits, including addressing long-term public safety issues, allowing patrol officers to focus on in-progress events, community engagement, and proactive police work.
Division Objectives	The Traffic Enforcement Unit monitors traffic violations and enforces laws at identified problem areas and intersections.
	With data from the Investigations Division, Field Operations personnel are being deployed by Public Safety Dispatchers to locations on specific days and times, using a matrix of factors, in an effort to prevent crime.
	Field Operations personnel will continue to address alcohol related crimes and disturbances, particularly in the Santa Clara University footprint.
	Look ahead at our training and equipment needs in the coming 18-36 months and develop a strategic plan that addresses those needs, factoring in the impacts of the hiring freeze and vacancy count. Hire and train the appropriate number of Field Training Officers in anticipation of this influx to the program and develop innovative training to meet legislative requirements.
Investigations Division Mission	The Investigations Division will receive reports of crimes that have occurred in our community and will conduct follow-up investigations, utilizing statements, physical evidence, crime analysis, and deductive reasoning to identify perpetrators of crime. Detectives are assigned by type of crime, which includes homicide, assaults, robbery, theft, burglary, sexual assault, financial crimes, arson, and juvenile crimes. The Investigations Division keeps track of and continues to pursue "cold cases." Subpoenas for trial witness are processed and delivered from this Division. The Special Enforcement Team (SET) will continue to operate as a proactive unit dedicated to the suppression of crime in our community.
Division Objectives	Proactively serve the City's residents by combatting crime and identifying those responsible.
	Continue to aggressively track and monitor registered sexual offenders and gang registrants.
	Investigate and seek out criminals resulting in a high volume of prosecutable cases.

Special Operations Division Mission	The Special Operations Division includes the Homeland Security and Special Events Unit. It serves as the liaison between the City and outside agencies for special event permits (e.g. walk/run, parade, festival, etc.), provides security support for dignitary visits and demonstrations, and develops operational orders for law enforcement, traffic and neighborhood protection needs associated with Levi's Stadium, Santa Clara Convention Center, California's Great America, and Santa Clara University. This Division is the home to a number of specialized teams within the Department, such as the K-9 Unit, Hostage Negotiation Team, and the Special Response Team (SWAT). The Reserve Police Officer program complements the work of the Department in many ways and is supported by this Division. This Division manages the temporary holding facility at the police building and Levi's Stadium, as well as the jail service officers.
Division Objectives	Implement new ways to staff all special events with highly trained and committed public safety personnel to ensure the safety of all attendees, control traffic and pedestrian movement, and reduce the impact on surrounding residents and businesses taking COVID-19 protocols into consideration.
	Utilize technology to provide real-time updates during events to provide complete situational awareness and improve public safety capabilities.
	Provide a safe environment for guests attending all events and venues within the City.
	Maintain critical information sharing and partnerships with federal, State and local law enforcement agencies to ensure the safety and security of the community. Re-establish employment eligibility status for as-needed Police Officer - Special Event and Traffic Control Officers, and conduct required training in preparation for the re-opening of Levi's Stadium.

Significant Accomplishments

- Worked with government and public health officials to contain the spread of the coronavirus pandemic, continue law enforcement core services, maintain public order and adjust to crime and service trends while implementing safety precautions for employees and service level adjustments in the community
    - ensure Public Safety Dispatchers triage calls for service when a police or fire response is not necessary
    - issue temporary directives to release individuals on a citation / ticket / summons unless they have committed a felony or pose an immediate risk to public safety
    - suspend protocols that place people in custody (e.g., limiting enforcement of bench warrants, arrest warrants and probation / parole violations)
    - limit police response to low-risk incidents (e.g., traffic stops, abandoned vehicle abatement, 72-hour parking violation, etc.) to focus on critical incidents and community health needs
    - limit public access to the police building by non-employees
    - expand online reporting options and encourage use of online, phone, or virtual formats
    - increase messaging to the public on web and social platforms to reduce community concerns and anxieties
    - increase communication with law enforcement partners (e.g., Department of Motor Vehicles, District Attorney's Office, courts, zero bail, prisoner transport, etc.) and implement adjustments to practices
    - expanded upon Designated Infectious Control Officers for the care, documentation and testing of employees as well as the acquisition of supplies and cleaning / decontamination (e.g., vehicles, equipment, workspaces, etc.) of required items
    - develop new operation models (e.g., events at Levi's Stadium with no fans)
- Assisted with establishing the Diversity, Equity and Inclusion Task Force and served on the committee
- Expanded the Community Response Team to include two Crisis Intervention Specialists to provide consultation and field support to Patrol, in the areas of mental/behavioral health and service referrals
- Purchased a state-of-the-art use of force simulator to provide a realistic, yet safe environment, allowing law enforcement to practice responding to various stimuli and use this as a tool in our community engagement efforts
- Accelerated the adoption of Lexipol public safety policy manual intended to provide comprehensive, defensible Department policies written by legal and public safety professionals based on current government legislation and case decisions
- Selected a vendor for a new Records Management System and the housing of legacy data; anticipated "go live" timeframe of fall 2021
- Implemented a third-party vendor for the management of the City's residential and business alarm
- Acquired Law Enforcement Field Training Application (LEFTA) software to review and track training records, vehicle damage, vehicle pursuits, use of force reports, and professional standards
- Purchased and implement an interface between Crossroads Traffic Collision software and the California Highway Patrol's Statewide Integrated Traffic Records System (SWITRS) to improve accuracy and increase efficiency among police officers and Records Unit personnel
- Encrypted police radio channels to come into compliance with California Justice Information Services Division Bulletin No. 20-09-CIJS which sets forth legal mandates and guidelines regarding the confidentiality of information from the California Law Enforcement Telecommunications System
- Renamed the temporary holding facility within the Police building in memory of Carla Munoz
- Amended Chapter 9.30 of the City Code related to the storage and removal of personal property from public property

- Acquired necessary technology, trained staff and entered into service agreements to meet the new workload demands created as a result Senate Bill 1421 and Assembly Bill 748
- Met California Department of Justice requirements which sets forth legal mandates and guidelines regarding the confidentiality of information from the California Law Enforcement Telecommunications System
- Entered into a Letter of Agreement with Silicon Valley Regional Interoperability Authority documenting expanded guidelines associated with our partnership
- Automated license plate reader technology expanded to include pilot program with fixed cameras
- Amended the Police Department's Retention Schedule
- Utilized the 15-member Chief's Advisory Committee to advise the Police Chief on issues, matters and public policies which influence or impact the ongoing relationship between the Police Department and the community
- Secured grant funds to purchase front-line law enforcement equipment, conduct specialized operations, and offer officer training (e.g., evidence vehicle, use of force simulator)

Significant Objectives

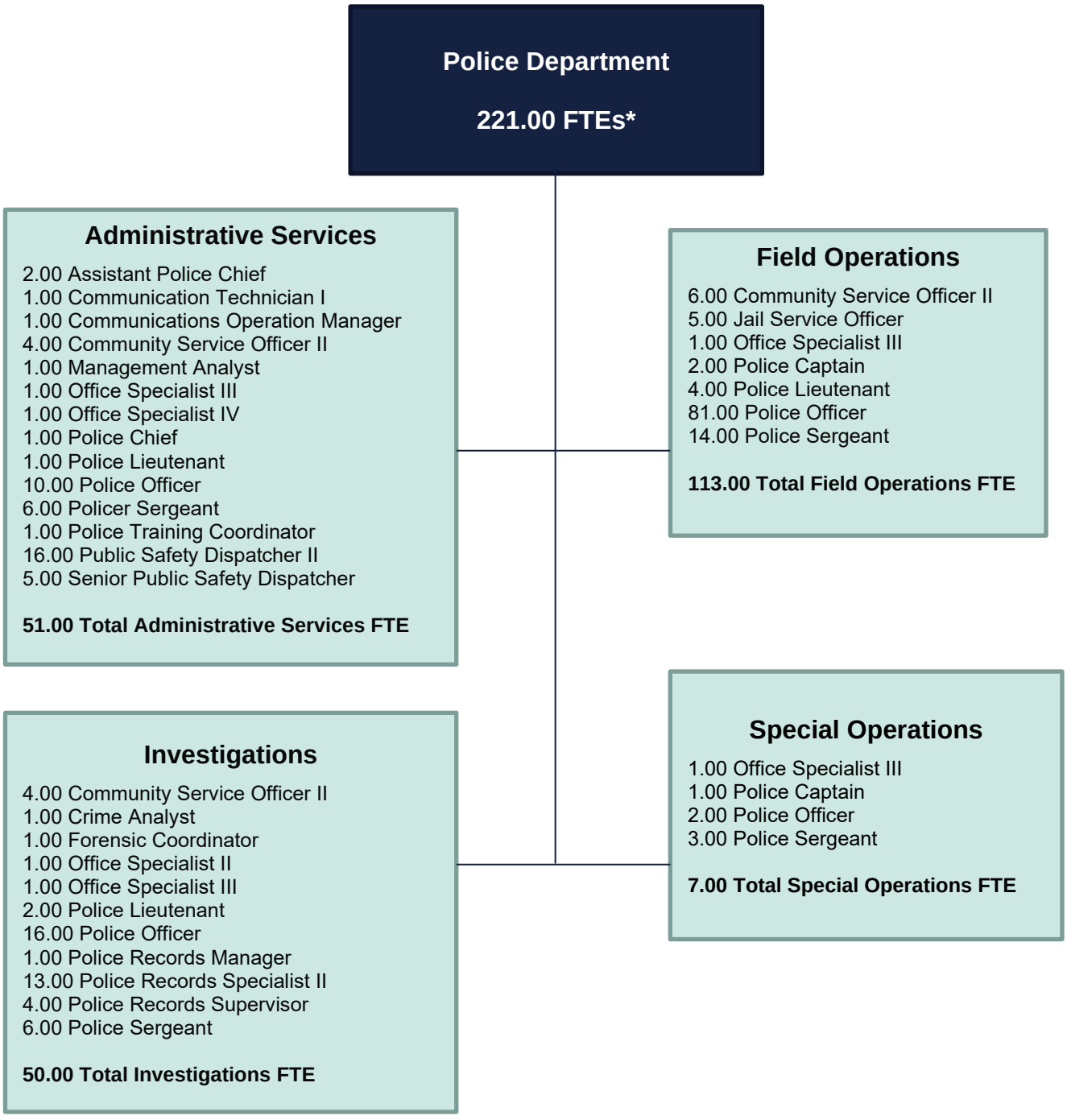
- Host and assist in the coordination of the Women Leaders in Law Enforcement Symposium
- Upgrade to the recording system within the 9-1-1 phone system
- Conduct upgrade to 9-1-1 phone system to include updated version of Next Generation 911 compatibility
- Transition the City's estimated 950 radios to encrypted channels to comply with Department of Justice mandates by December 31, 2021
- Upgrade equipment in the Communications Center that provides fire station alerting
- Partner with the Diversity, Equity and Inclusion Task Force in the review of department policies
- Utilize one-time grant funds to seek out a mental health clinician to support the efforts of Crisis Intervention Specialists
- Implement a confidential database with crucial information about individuals with special needs that may be useful for responding public safety personnel. Provide the community with the opportunity to voluntarily participate in a Special Needs Awareness Program.
- Transition to a new Records Management System and convert from Uniform Crime Reporting Program to National Incident Based Reporting System on or around January 1, 2022
- Implement AB 953, Racial and Identity Profiling Act, policy mandates by April 1, 2022
- Facilitate a Study Session with City Council related with recreation vehicle parking in our city
- Seek City Council guidance on the Bingo Ordinance in connection with state law
- Utilize grant funding to implement a pilot program for a community automated license plate reader camera program
- Seek out grant resources and specialty training opportunities to expand on the equipment resources available to responding personnel to critical incidents (e.g., less lethal launcher, red dot sights, etc.)
- Recommend adjustments to the City Code in connection with Senate Bill 946 Sidewalk Vendors Soliciting
- The coronavirus pandemic and corresponding budget deficit temporarily suspended the following Fiscal Year 2019/20 and 2020/21 objectives. As a result, these items have been extended into this budget cycle:
    - Implement policing model for the regulation of recreational cannabis
    - Select and train personnel, and implement the Department's Unmanned Aircraft System program, dependent on staffing levels

- Work with law enforcement partners to address local (e.g., abandoned vehicles, recreational vehicle (RV) parking, neighborhood parking) and regional issues (e.g. property crimes, homelessness, traffic, mental illness, street racing)
- Continue to address short and long-term staffing needs to match community expectations, service philosophy, crime trends, calls for service, population, density and demand for citizen-police engagement within the resources available
- Manage the new permitting process and enforcement guidelines associated with the Massage Ordinance adopted by Council in November 2018
- Finalize the transition of the City's Residential and Business Alarm Permit program management to a third-party vendor
- Host a community open house with tours, interactive displays and kid-friendly activities when it is safe to do so
- Complete the Lexipol Policy Manual transition

Budget Highlights

- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
  - Froze 2.0 Police Sergeants, 6.0 Police Officers, 4.0 Community Service Officers, 2.0 Police Records Specialists, and 1.0 Office Specialist II
  - Reduction in as-needed staffing
  - Reduction in operating supplies and contractual services allocations

- The Proposed Budget includes the following Phase 2 budget reductions to help address the General Fund shortfall:
  - Elimination 1.0 Community Service Officer
  - Elimination 1.0 Jail Service Officer
  - Elimination 1.0 Public Safety Dispatcher



**The positions above represent all funded positions. This excludes the 6.0 Police Officer, 2.0 Police Sergeant, 4.0 Community Service Officer, 2.0 Police Records Specialist II, and 1.0 Office Specialist II positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Administrative Services Division							
7742	Administration	5,453,103	5,482,452	4,769,578	(13.0%)	4,857,821	1.9%
7744	Professional Standard	1,546,750	1,778,426	2,290,698	28.8%	2,377,884	3.8%
7745	Department Support	1,508,444	1,483,001	2,432,638	64.0%	2,521,851	3.7%
7746	Community Services Police	3,890,236	4,334,046	3,938,352	(9.1%)	4,140,180	5.1%
7747	911 Dispatch/Communications	5,801,248	6,427,921	6,412,181	(0.2%)	6,676,792	4.1%
7752	Police Grants	561,015	0	0	0.0%	0	0.0%
Total Administrative Services Division		**18,760,796**	**19,505,846**	**19,843,447**	**1.7%**	**20,574,528**	**3.7%**
Communication Acquisitions Division							
7781	Communication Equipment Amortization	339,285	536,853	584,334	8.8%	606,984	3.9%
Total Communication Acquisitions Division		**339,285**	**536,853**	**584,334**	**8.8%**	**606,984**	**3.9%**
Field Operations Division							
7722	General Patrol	33,621,340	35,762,929	35,313,526	(1.3%)	37,197,155	5.3%
7723	Traffic	3,472,842	3,433,472	3,489,047	1.6%	3,654,777	4.8%
7724	Emergency Response / Temporary Holding Facility	1,769,931	1,757,195	1,695,465	(3.5%)	1,767,026	4.2%
7725	Reserves	29,909	0	0	0.0%	0	0.0%
Total Field Operations Division		**38,894,022**	**40,953,596**	**40,498,038**	**(1.1%)**	**42,618,958**	**5.2%**
Investigations Division							
7732	General Investigation	7,666,921	8,582,730	8,917,454	3.9%	9,358,632	4.9%
7733	Special Enforcement Team	1,617,989	1,753,730	1,868,933	6.6%	1,952,054	4.4%
7734	Records	4,276,621	4,558,313	4,515,018	(0.9%)	4,738,327	4.9%
Total Investigations Division		**13,561,531**	**14,894,773**	**15,301,405**	**2.7%**	**16,049,013**	**4.9%**
Special Operations Division							
7761	General	2,929,809	2,653,017	2,378,202	(10.4%)	2,445,004	2.8%
7764	Specialized Teams	72,876	32,028	29,133	(9.0%)	29,786	2.2%
7765	Reserves	301,386	325,812	119,912	(63.2%)	130,793	9.1%
Total Special Operations Division		**3,304,071**	**3,010,857**	**2,527,247**	**(16.1%)**	**2,605,583**	**3.1%**
Total by Division / Program		**74,859,705**	**78,901,925**	**78,754,471**	**(0.2%)**	**82,455,066**	**4.70%**

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	73,470,896	78,033,072	78,170,137	0.2%	81,848,082	4.7%
Communication Acquisitions Fund	339,285	536,853	584,334	8.8%	606,984	3.9%
Expendable Trust Fund	172,167	166,000	0	(100.0%)	0	0.0%
Other City Departments Operating Grant Trust Fund	217,442	0	0	0.0%	0	0.0%
Police Operating Grant Trust Fund	652,838	166,000	0	(100.0%)	0	0.0%
Public Donations Fund	7,077	0	0	0.0%	0	0.0%
Total by Fund	**74,859,705**	**78,901,925**	**78,754,471**	**(0.2%)**	**82,455,066**	**4.7%**
Dollars by Category						
Salary and Benefits						
Salary	38,262,848	37,532,246	37,128,873	(1.1%)	38,607,113	4.0%
As-Needed	967,086	688,434	502,530	(27.0%)	527,469	5.0%
Overtime	3,018,781	2,013,540	2,084,173	3.5%	2,157,276	3.5%
Retirement	16,184,223	18,945,848	20,663,086	9.1%	22,208,700	7.5%
Health Allocation	2,578,955	3,029,221	2,825,371	(6.7%)	2,937,598	4.0%
Medicare	626,070	600,666	593,770	(1.1%)	617,280	4.0%
Social Security	576,903	703,638	620,009	(11.9%)	639,476	3.1%
Other Benefits	1,665,681	2,834,485	2,678,910	(5.5%)	2,738,833	2.2%
Total Salary and Benefits	**63,880,547**	**66,348,078**	**67,096,722**	**1.1%**	**70,433,745**	**5.0%**
Non-Personnel						
Materials/Services/Supplies	2,760,004	3,415,499	3,198,827	(6.3%)	3,275,421	2.4%
Interfund Services	7,501,713	8,601,495	7,874,588	(8.5%)	8,138,916	3.4%
Capital Outlay	717,441	536,853	584,334	8.8%	606,984	3.9%
Total Non-Personnel	**10,979,158**	**12,553,847**	**11,657,749**	**(7.1%)**	**12,021,321**	**3.1%**
Total by Category	**74,859,705**	**78,901,925**	**78,754,471**	**(0.2%)**	**82,455,066**	**4.7%**

Position Summary

		FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Division / Program						
Administrative Services Division						
7742	Administration	9.00	9.00	7.00	(2.00)	7.00
7744	Professional Standard	2.00	2.00	5.00	3.00	5.00
7745	Department Support	3.00	3.00	5.00	2.00	5.00
7746	Community Services Police	13.00	13.00	11.00	(2.00)	11.00
7747	911 Dispatch/Communications	24.00	24.00	23.00	(1.00)	23.00
Total Administrative Services Division		**51.00**	**51.00**	**51.00**	**0.00**	**51.00**
Field Operations Division						
7722	General Patrol	108.50	108.50	96.50	(12.00)	96.50
7723	Traffic	13.50	13.50	9.50	(4.00)	9.50
7724	Emergency Response/Temporary Holding Facility	9.00	9.00	7.00	(2.00)	7.00
Total Field Operations Division		**131.00**	**131.00**	**113.00**	**(18.00)**	**113.00**
Investigations Division						
7732	General Investigation	21.00	21.00	24.00	3.00	24.00
7733	Special Enforcement Team	5.00	5.00	5.00	0.00	5.00
7734	Records	22.00	22.00	21.00	(1.00)	21.00
Total Investigations Division		**48.00**	**48.00**	**50.00**	**2.00**	**50.00**
Special Operations Division						
7761	General	9.00	9.00	7.00	(2.00)	7.00
Total Special Operations Division		**9.00**	**9.00**	**7.00**	**(2.00)**	**7.00**
Total by Division / Program		**239.00**	**239.00**	**221.00**	**(18.00)**	**221.00**

**The positions above represent all funded positions. This excludes the 6.0 Police Officer, 2.0 Police Sergeant, 4.0 Community Service Officer, 2.0 Police Records Specialist II, and 1.0 Office Specialist III positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Fund					
General Fund	239.00	239.00	221.00	(18.00)	221.00
Total by Fund	**239.00**	**239.00**	**221.00**	**(18.00)**	**221.00**
Position Classification					
Assistant Police Chief	1.00	1.00	2.00	1.00	2.00
Communications Operations Manager	1.00	1.00	1.00	0.00	1.00
Communications Technician I/II	1.00	1.00	1.00	0.00	1.00
Community Service Officer I/II	19.00	19.00	14.00	(5.00)	14.00
Crime Analyst	1.00	1.00	1.00	0.00	1.00
Forensic Coordinator	1.00	1.00	1.00	0.00	1.00
Jail Service Officer	6.00	6.00	5.00	(1.00)	5.00
Management Analyst	1.00	1.00	1.00	0.00	1.00
Office Specialist II	2.00	2.00	1.00	(1.00)	1.00
Office Specialist III	4.00	4.00	4.00	0.00	4.00
Office Specialist IV	1.00	1.00	1.00	0.00	1.00
Police Captain	4.00	4.00	3.00	(1.00)	3.00
Police Chief	1.00	1.00	1.00	0.00	1.00
Police Lieutenant	7.00	7.00	7.00	0.00	7.00
Police Officer	115.00	115.00	109.00	(6.00)	109.00
Police Records Manager	1.00	1.00	1.00	0.00	1.00
Police Records Specialist I/II	15.00	15.00	13.00	(2.00)	13.00
Police Records Supervisor	4.00	4.00	4.00	0.00	4.00
Police Sergeant	31.00	31.00	29.00	(2.00)	29.00
Police Training Coordinator	1.00	1.00	1.00	0.00	1.00
Public Safety Dispatcher I/II	17.00	17.00	16.00	(1.00)	16.00
Public Safety Dispatcher III	0.00	0.00	0.00	0.00	0.00
Senior Public Safety Dispatcher	5.00	5.00	5.00	0.00	5.00
Total Positions	**239.00**	**239.00**	**221.00**	**(18.00)**	**221.00**

**The positions above represent all funded positions. This excludes the 6.0 Police Officer, 2.0 Police Sergeant, 4.0 Community Service Officer, 2.0 Police Records Specialist II, and 1.0 Office Specialist III positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	239.00	78,901,925
FY 2021/22 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and Benefits adjustments		4,747,997
Reclassification of 1.0 Police Captain to 1.0 Assistant Police Chief	0.00	0
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021):		
- Freeze of 6.0 Police Officers	(6.00)	(1,591,753)
- Freeze of 2.0 Police Sergeants	(2.00)	(600,914)
- Freeze of 4.0 Community Service Officers	(4.00)	(597,347)
- Freeze of 2.0 Police Records Specialist IIs	(2.00)	(280,736)
- Freeze of 1.0 Office Specialist II	(1.00)	(115,947)
- Reduction in materials, services, and supplies budget		(250,000)
- Reduction in the as-needed budget		(210,000)
Net decrease in various interfund services allocations		(726,907)
Reallocation of Ricoh usage costs to central allocation under the Information Technology Department		(10,311)
Reallocation of Tasman Garage Maintenance to central allocation under the Department of Public Works		(5,639)
Total FY 2021/22 Base Budget Adjustments	**(15.00)**	**358,443**
Total FY 2021/22 Base Budget	**224.00**	**79,260,368**
FY 2021/22 Service Level Changes		
Communications Center Staffing Reduction	(1.00)	(186,428)
Temporary Holding Facility Staffing Reduction	(1.00)	(159,983)
Records/Evidence Unit Staffing Reduction	(1.00)	(159,486)
Total Service Level Changes	**(3.00)**	**(505,897)**
Total FY 2021/22 Proposed Budget	**221.00**	**78,754,471**

Budget Reconciliation

	Positions	Expenditures (All Funds)
FY 2022/23 Base Budget Adjustments		
Ongoing Cost Adjustments		
Salary and benefits adjustments		3,238,981
Net increase in various interfund services allocations		264,328
Non-personnel adjustments		197,286
Total FY 2022/23 Base Budget Adjustments	**0.00**	**3,700,595**
Total FY 2022/23 Base Budget	**221.00**	**82,455,066**
Total FY 2022/23 Proposed Budget	**221.00**	**82,455,066**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Communications Center Staffing Reduction	(1.00)	0	(186,428)	0	(190,489)

Program: 7747 – 911 Dispatch/Communications

This proposal eliminates 1.0 Public Safety Dispatcher position that is anticipated to become vacant. The Communications Center is a 24/7, 365 day operation and is budgeted with 23.0 positions, including 5.0 Senior Public Safety Dispatchers, 1.0 Radio Technician, and 17.0 Public Safety Dispatchers. This reduction would bring the dispatcher staffing level from 17.0 to 16.0 positions. In order to meet federal and State funding guidelines of answers to calls within 10 seconds, the Department has had the Center staffed with four dispatchers at a time. This position has remained unassigned for two years.

Performance Impact

As the current staffing level has absorbed these duties, the Department does not expect a severe impact on the Communications Center.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Temporary Holding Facility Staffing Reduction	(1.00)	0	(159,983)	0	(164,731)

Program: 7724 – Emergency Response

This proposal eliminates 1.0 vacant Jail Service Officer (JSO) position, bringing the team from 6.0 to 5.0 positions. The JSOs operate and manage the City's Temporary Holding Facilities (THFs). This position has been vacant since November 2019 and has not yet been filled as a result of the citywide hiring freeze. Fully staffed, the THF at the Police Building would operate every day from 6 AM to 7 PM. Under the current staffing level, the THF is closed from 8 PM to 7 AM Thursday through Saturday and every other Wednesday. During this closure period, all detainees must be taken directly to the County Jail. This closure period is subject to change, depending on shift changes the department undergoes twice per year.

Performance Impact

This proposal will impact the hours of operation of the THF.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Records/Evidence Staffing Reduction	(1.00)	0	(159,486)	0	(163,201)

Program: 7745 – Department Support

This proposal eliminates 1.0 vacant Community Service Officer (CSO) in the Records and Evidence Unit, bringing the CSO staffing in this unit from 2.0 positions to 1.0 position. This unit is responsible for the organization and handling of evidence, property release, pharmaceutical disposal program, and the safekeeping of items. The reduction of the CSO position will result in delays in the processing of evidence, potential for increased overtime, and a potential change in audit ranking when evaluated by a third-party consultant. These third-party audits are State mandated to ensure the integrity and accuracy of the handling and processing of evidence and property.

Performance Impact

The Police Department's records center is currently ranked top 1% in the State, but this ranking could be impacted with the reduction in the CSO position.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Performance and Workload Measures

Administrative Services Division							
Performance Measures							
	Strategic Pillar	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Percent of emergency calls answered within five seconds		N/A	95%	90%	90%	90%	90%
Workload Measures							
Amount of grant funds managed		$1.2 m	$2.4 m	$1.1 m	$1.1 m	$1.0 m	$1.2 m
Number of volunteer hours (chaplain, explorer, community)		N/A	N/A	2,500	2,500	3,600	4,000
Percent of Officers per 1,000 residents (based on 127,134 population)		N/A	1.25%	1.25%	1.25%	1.12%	1.10%
Percent of civilian professionals allocated per 1,000 residents (based on 127,134 population)		N/A	0.62%	0.62%	0.62%	0.52%	0.51%
Number of pieces of property booked		6,704	6,409	7,200	7,200	6,114	5,819
Number of items destroyed annually		N/A	7,099	16,700	16,700	7,399	7,699
Residential and business alarm permit registration[1]		N/A	9,405	8,900	8,900	N/A	N/A
Business oversight permits managed (bingo, taxi, massage, food truck, pedi-cab, tow, private, patrol, adult bookstores, pawn shops, firearm dealers, solicitors)		N/A	196	109	109	187	187
Number of Community Response Team abatements		390	43	85	85	45	48
Number of Run/Hide/Defend training sessions		56	26	25	25	60	62
Number of D.A.R.E. graduations		35	13	35	35	0	30

[1]The Department switched to a new alarm permit/registration vendor in January 2021. The previous vendor tracked a rolling number of individuals that signed up for alarms, while the new vendor will work on compliance efforts in addition to tracking renewals. Due to the different types of data collected between the two vendors, reasonable targets are not yet known.

Performance and Workload Measures

Administrative Services Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of kids participating in PAL sports (e.g. soccer, flag football, softball, BMX, boxing, fishing, judo,		2,261	390	1,100	1,100	2,207	2,180
Total calls received in the City's Communications Operations Center		180,006	163,063	177,000	177,000	150,230	138,407
Number of Police Department policies reviewed as a result of the Task Force on Diversity, Equity and Inclusion input – *New for FY 2021/22*		N/A	N/A	N/A	N/A	TBD	TBD
Number of texts to 911 contacts		43	180	70	70	283	445

Field Operations Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Average response time for priority one calls for service (from dispatch to officer arrival)		4.16 min	2.3 min	2.5 min	2.5 min	2.6 min	2.6 min

Workload Measures

Number of police calls for service		59,000	80,312	59,000	59,000	95,907	111,502
Number of officer self-initiated calls for service		25,000	12,199	25,000	12,199	22,227	23,338
Total number of arrests – juvenile		150	100	150	150	128	134
Total number of arrests – adult		3,400	3,724	3,400	3,400	3,657	3,590
Number of mental health contacts		700	412	700	700	436	457
Number of traffic citations		7,100	3,471	3,000	3,000	2,076	2,179
Number of parking citations		8,400	4,969	5,000	5,000	2,343	2,460
Number of mental health detentions – *New for FY 2021/22*		N/A	N/A	N/A	N/A	1,407	1,477
Number of crisis intervention cases – *New for FY 2021/22*		N/A	N/A	N/A	N/A	411	431

Performance and Workload Measures

Field Operations Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of abandoned vehicle cases		N/A	3,012	4,800	4,800	3,162	3,320
Number of abandoned vehicle tows		2,191	178	400	400	372	386
Number of traffic collisions		N/A	787	1,200	1,200	826	867

Investigations Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of warrants received		N/A	872	2,600	2,600	915	960
Number of warrants cleared		N/A	1,333	2,200	2,200	1,339	1,345
Number of missing persons located (in house)		101	196	115	115	215	200
Number of stolen vehicle recoveries (local, plus for other agencies)		320	403	350	350	415	427
Total number of police reports		15,550	12,687	12,800	12,800	12,573	12,461
Number of citizen online police reports taken		4,997	3,674	3,700	3,700	3,648	3,622
Number of domestic violence cases – *New for FY 2021/22*		N/A	N/A	N/A	N/A	230	230
Number of identity theft cases – *New for FY 2021/22*		N/A	N/A	N/A	N/A	175	183

Performance and Workload Measures

Special Operations Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of stadium events with 20,000+ attendees		19	16	0	0	12	15
Number of operation plans developed city-wide (e.g. city-wide special events, dignitary visits, stockholder meetings, Levi's Stadium)		23	24	28	28	25	26

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Department of Public Works

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Department of Public Works Description

The Department of Public Works (DPW) constructs, maintains and improves various components of the City's infrastructure and provides quality, cost-effective, timely services to the residents and businesses of Santa Clara. DPW is responsible for a wide variety of programs throughout the City which include design, construction management, stormwater pollution prevention, inspection and maintenance of City streets, bridges, storm drain systems, traffic signal systems, building facilities, street trees, landscaping and the closed landfill. These responsibilities include the engineering aspects of the sanitary sewer system, which is maintained by the Water and Sewer Utilities Department. The Department oversees the coordination and management support for the Convention Center Maintenance District, which consists of Hyatt Regency, Techmart, and the City, and maintains the grounds of the Franklin Square complex under the Downtown Parking Maintenance District. DPW manages solid waste contracts which provide services such as garbage, yard waste, recycling, street sweeping, household hazardous waste and the annual Clean-Up Campaign. Another significant component of DPW includes overseeing the procurement and maintenance of the City's fleet of vehicles and equipment. The Fleet Management program manages the lifecycle, replacement, procurement, up fit and disposal of all vehicles and equipment within the City. This program also supports the City's diverse fleet operations, ensuring safe, cost-effective and sustainable maintenance, repair, fueling, replacement, and compliance of City-owned vehicles and equipment.

Divisions and Services

The Department focus areas include Engineering Services and Operation and Maintenance. Engineering is comprised of five divisions: Administration, Traffic, Design, Land and Property Development and Field Services. Operations and Maintenance is comprised of three divisions: Facility Services, Streets, and Fleet Management. The Streets Division is further subdivided to operate in the following areas: Administration, Traffic Maintenance, Street Maintenance (streets and storm drains), Environmental Programs, Solid Waste, Landscape and Code Enforcement. The Facility Services Division manages the Convention Center Maintenance, the Street Division manages the Downtown Parking Maintenance District and the Fleet Management Division manages the Vehicle Replacement and Fleet Operations Funds.

Engineering - Administration Division Mission	Provide administrative support services which meet the needs of the division, departments, and community.
Division Objectives	Manage and oversee all Department activities, represent the Department at the City Council meetings and represent the City at various agency meetings.
	Develop and manage an efficient, cost effective department operating budget and capital improvement program (CIP) budget.
	Provide management and assistance in the development and delivery of the City's CIP.

Engineering – Traffic Division Mission	Provide safe and efficient movement of pedestrian, bicycle, transit, and vehicular traffic.
Division Objectives	Enhance safety and mobility for pedestrians and bicyclists through implementation of new or improved facilities such as bike lanes, pedestrian beacons, and intersection improvements consistent with the City's Bicycle Plan and Pedestrian Master Plan.
	Enhance safety, increase operational efficiency, and reduce delays for all users of the City roadway system through implementation of improvements, innovative technologies and engineering designs.
	Maintain, operate, and upgrade traffic infrastructure in an efficient and timely manner.
	Apply for and process transportation grants to augment the City's finances for improving traffic, pedestrian and bicycle-related infrastructure.
	Review proposed private development projects for consistency with City transportation policies and the California Environmental Quality Act (CEQA).
	Review, investigate, and respond to resident and business inquiries/complaints regarding City traffic and roadway parking operations.
Engineering – Design Division Mission	Provide high quality services to the community through efficient and effective delivery of capital improvement projects and management of the City's infrastructure.
Division Objectives	Manage infrastructure and the capital improvement project programming for pavement maintenance, storm drain facilities, and capacity improvements for the sanitary sewer system.
	Provide capital project administration and management services to other City departments (Fire, Library, Parks and Recreation, Police and Water and Sewer Utility).
	Coordinate with Federal Emergency Management Agency (FEMA) for Community Rating System (CRS) program to maintain City's Class 8 rating. This provides a reduction in flood insurance premiums for the property owners with flood insurance in the City of Santa Clara.
	Maintain engineering design standard documents and maintain infrastructure record information such as as-builts and base maps.
Engineering – Land and Property Development Division Mission	Assist customers and the community by providing effective and efficient services during project development and public improvement design phases.
Division Objectives	Facilitate the issuance of timely reviews and permits in compliance with land use and development standards.
	Provide developers and permittees with information related to fees, general engineering, City utilities, property lines and design standards.
	Develop new procedures to streamline processes and use new technology to facilitate current procedures.

Engineering – Field Services Division Mission	Serve clients and the community through effective and efficient construction management, construction inspection, materials testing, surveying, and administration services of public improvement projects.
Division Objectives	Provide effective construction management, construction inspection, materials testing, surveying, and administration services for capital improvement projects, such as pavement improvements, sanitary sewers, traffic signals, parks, and curb ramps.
	Deliver effective construction inspection, material testing, surveying and administration services for private developments that involve the City's infrastructure.
Facility Services Division Mission	Perform cost effective repair and maintenance procedures which will ensure that City-owned buildings remain safe, attractive and energy efficient. Provide a safe, clean and well-maintained public space in support of the Santa Clara Convention Center Maintenance District ensuring a safe environment while enhancing the property value.
Division Objectives	Maintain approximately 900,000 square feet of City-owned buildings in a safe, functional, and clean condition for all users. Oversee vendor contract to provide janitorial services to most City buildings.
	Provide oversight of the Convention Center Maintenance District for the upkeep of equipment, signs, landscaping, pavement, concrete curb, gutter and sidewalks, service roads, pedestrian bridges, including the garage at the Santa Clara Convention Center complex and the Tasman Parking Garage.
Streets Division Mission	Maintain streets, sidewalks, storm drain pipeline infrastructure, trees, and other landscape in the public right-of-way. Provide high quality maintenance on all landscaping, roadways, sidewalks, fountains, and exterior amenities with minimum impact to daily merchant operations. Implement reliable, cost-effective solid waste programs that maximize landfill diversion.
Division Objectives	Repair street potholes and sidewalk tripping hazards.
	Clean and maintain the storm drain collection system and implement the City's Urban Run-off Pollution Prevention Program.
	Maintain landscapes in the public right-of-way and remove graffiti.
	Prune City trees and plant new trees to replenish the City forest.
	Maintain traffic signs, striping, curb markings, and pavement messages.
	Repair damaged City-owned parking lots and walkways.
	Provide regular street sweeping services.
	Implement solid waste collection and disposal diversion programs to achieve cost recovery and maintain compliance with regulations.
	Manage solid waste collection contractors to ensure a high level of customer service and that agreement provisions are being followed.
	Complete the annual Clean-Up Campaign swiftly and safely.

Fleet Management Division Mission	Provide and maintain safe and reliable vehicles and equipment essential for the delivery of City services. Optimize fleet services through timely and cost-effective procurement, compliance, maintenance, fueling, and disposal services.
Division Objectives	Implement the City's Green Fleet Policy.
	Reduce the number of vehicles and equipment in the fleet by evaluating usage rates, removing under-utilized vehicles and unfunded retained assets.
	Perform manufacturer's recommended preventative maintenance on fleet assets to increase reliability and reduce costs associated with repairs.
	Procure equipment and vehicles identified for replacement.
	Collaborate with departments on replacement equipment and vehicles before each purchase.
	Evaluate alternative fuel options before purchasing new vehicles or equipment.
	Ensure purchases of vehicles and equipment meet the highest air quality standards set by California Air Resources Board.

Significant Accomplishments

Administration:

- In response to COVID-19, coordinated Department Commodity Point of Distribution (CPOD) activation staffing:
    - Staff served in lead roles for the youth meals program
    - Staff participated in various CPOD activations and locations including the youth meals, senior meals, and food for families
- Established work plans in compliance with County COVID-19 guidelines to meet regulations and ensure safety of staff reporting for essential services.
- Completed the FY 2020/21 & FY 2021/22 Biennial Capital Improvement Program Budget.

Design:

- Completed design work for the following capital improvement program projects: Police Building Condition Assessment and Repairs - HVAC Chiller Unit replacement, Police Building Security Improvement - backflow preventer upgrade; Stationary Standby Generators - Emergency Generator Replacement Phase 1; Public Right-of-Way ADA Improvements - ADA Curb Ramps (FY 2018/19) ; Pruneridge-Lawrence Bicycle Lanes Improvements; Lick Mill-East River Parkway Crosswalk Improvements; Saratoga Avenue Bike Lane Improvements; Benton Street Bike Lane Improvements; Scott Boulevard (Garrett Drive - Central Expwy.) Traffic Sig Interconnect & Coordination; 2020 Pavement Preservation (OBAG); 2020 Annual Street Maintenance & Rehabilitation; 2021 Annual Street Maintenance & Rehabilitation; Laurelwood Pump Station Rehabilitation; Westside Retention Basin Pump Replacement Project; Sanitary Sewer System Condition Assessment Repairs Phase 1 & Phase 2; Agnew and Fuller Street Parks Rehabilitation Projects; Raymond G. Gamma Dog Park Improvements; and Homeridge Park Playground Rehabilitation
- Conducted Community Rating System (CRS) five-year verification by the Federal Emergency Management Agency (FEMA).
- Managed, maintained, and provided Sanitary Sewer Hydraulic Modeling support services for approximately 20 Land Development Projects.
- Implemented the following improvements to the Pavement Management Program: Introduced Pavement Moratorium, prepared five-year pavement program with list of streets, coordinated the five-year program with all utilities in the City and made the information available on City's website.
- FEMA's CRS program: Coordinated with relevant City departments during the annual recertification process and provided Elevation Certificate & Letter of Map Amendment (LOMA) assistance to permit center & planning staff on an ongoing/as needed basis.
- Effectively implemented and coordinated use of BidSync for Request for Proposals and Bids and online bid submittal.
- Provided core team support through active participation for the continued implementation of the City's new CIP Management Database, e-Builder.

Field Services:

- Completed coordination, inspection, and activation of flashing beacons for pedestrian crossings at Halford Avenue at Burnley Way and The Alameda between Mission and Bellomy Streets; and a High-Intensity Activated Crosswalk (HAWK) at Kiely Boulevard at Malabar Avenue.
- Completed construction of the following capital improvement projects: Street Corporation Yard Electric Gate, Sanitary Sewer System Condition Assessment Repairs Phases 1 and 2, Police Building Chiller Replacement, Bowers and Machado Parks Playground Rehabilitations, ADA Curb Ramps FY 2019-20, Agnew and Fuller Street Parks Rehabilitations, 2019 Pavement Rehabilitation, Westside Retention Basin Pump Replacement, Homeridge Park Playground Rehabilitation, 2020 Pavement Preservation, 2020 Annual Street Maintenance & Rehabilitation,

and Athletic Facilities - Reed Street and Grant Street Sports Park.

- Managed the construction inspection and coordination for the following public improvements: Fire Station 8 Renovation, Tasman Drive Slip Ramp, Calabazas Sanitary Sewer Upgrade, Stars & Stripes Drive Transit Center, and Stars & Stripes Drive Roadway Extension.
- Provided effective construction management, construction inspection, surveying, materials testing, and administration services for approximately 50 capital improvement projects and approximately 875 encroachment permits.

Land and Property Development:

  - Issued over 900 encroachment permits over the last two fiscal years. Major encroachment permits for some notable development projects include: 575 Benton Street (Prometheus Development); Calabazas Sanitary Sewer Improvement Project - Scott Boulevard to Kifer Road (Essex Development); 1433-1493 El Camino Real - Catalina II (SCS Development); 3305 Kifer Road (Toll Brothers – Lawrence Station Area Plan); 2969 Corvin Drive (Toll Brothers – Lawrence Station Area Plan); 2233 Calle Del Mundo (St Anton - Tasman East Specific Area Plan); 2780 El Camino Real – Advanced Utility (KB Homes - Moonlite Lanes Residential); 5155 Stars & Stripes Drive/Various (Related – Related Santa Clara); 737 Mathew Street (Data Center); and Santa Clara University Athletic Building

- Processed approximately 900 development site clearances for building permits and collected fees.
- Processed 15 subdivision maps and over 150 land title documents which includes processing, reviewing, approving, and recording the title documents.
- Continue to lead and support private development throughout the City including large developments such as Related Santa Clara, Tasman East, Patrick Henry Drive, Freedom Circle, Lawrence Station, etc.
- Transitioned to Bluebeam Revu software to assist in more electronic plan review for Encroachment Permits and collaboration across City divisions and departments.

Traffic:

- Completed coordination, construction inspection of bicycle lane improvements on Agnew Road (San Tomas Aquino Creek Trail to Lafayette Street), Benton Street (Monroe Street to El Camino Real), Homestead Road (Scott Boulevard to University Avenue), Monroe Street (Civic Center Drive to Lewis Street), and Saratoga Avenue (San Tomas Expressway to Los Padres Blvd).
- Completed the following traffic Capital improvement projects: Mission College Boulevard Bike Lanes, Lafayette Street Signal Timing, Bowers Avenue Signal Timing, Bicycle Plan Update, and Pedestrian Master Plan.
- Obtained $2.1 million of regional grant funding for Lafayette Class IV Bikeway (Measure B), El Camino Real and Stevens Creek Blvd Signal Synchronization (PASS), and Basset/Lafayette Bikeway (TDA Article 3) projects and Benton Street Bike Lanes.
- Received, investigated, and responded to 673 traffic requests from the public during FY 2019/20
- Completed a Multimodal Improvement Plan Funding Agreement for the Related Santa Clara project.
- Supported traffic operations for 16 events at Levi's Stadium in FY 2019/20.

Facility Services:

- Facilitated significant development projects that included extensive COVID-19 cleaning and installation of approximately 65 sneeze guard stations.
- Oversaw all maintenance and operations including minor repairs for the Convention Center Maintenance District.
- Replaced HVAC filters regularly to minimize impacts of COVID-19.
- Upgraded all water fixtures at the City Hall complex and the Corporation Yard to touchless fixtures.
- Updated janitorial cleaning procedures to meet COVID-19 guidelines and foster a safe working environment.

- Worked with Santa Clara County on a Historical Grant for the Harris Lass property improvements.
- Remodeled and updated Finance Department's drive-through window to be used for contactless payment option.

Streets:

- Maintained Tree City USA certification for the 34th consecutive year.
- Inspected and repaired approximately 4,700 potholes city-wide.
- Inspected and performed pavement maintenance on segments of the San Tomas Aquino Creek Trail covering approximately four miles.
- Awarded a grant from Environmental Protection Agency (EPA) to install green stormwater infrastructure improvements at the Bowers Park parking lot.
- Awarded mini grants from Valley Water to install pet waste stations along the San Tomas Aquino Creek trail, expand the Adopt-a-Spot program, and install green stormwater infrastructure at the Street Corporation Yard.
- Maintained 574 catch basin inlet full trash capture devices to achieve 85% trash load reduction.
- Completed a solid waste rate study that equitably calculated each rate based on the cost of service.
- Completed the 2020 Cleanup Campaign on time incorporating modifications as a result of COVID-19.
- Provided all solid waste cart and bin customers with mixed waste processing services to capture organics through new collection and processing agreements in compliance with Senate Bill 1383 requirements.
- Completed audits of non-exclusive franchise hauler quarterly franchise fee payments and compliance with mandatory commercial recycling and organics recycling requirements.

Fleet Operations:

- Converted fleet to renewable diesel increasing the City's "green" fleet from 10% to 36% of assets.
- Obtained "Blue Seal of Excellence" recognition from National Institute of Automotive Service Excellence.
- Maintained 764 fleet assets.
- Purchased 74 new fleet assets in FY 2019/20.
- Completed preventative maintenance service on all vehicles and equipment within two weeks of the due date 94% of the time.

Significant Objectives

Design:

- Provide Infrastructure Management Services for the storm drain system and pavement maintenance program, and engineering planning for the sanitary sewer system.
- Provide effective capital improvement project management for a wide variety of projects city-wide including: Stationary Standby Generators; Electric Yard Buildings and Grounds; Mission Library Gazebo; Northside Branch Library Photovoltaic System; Annual Curb Ramp Installation (2021); Santa Clara School Access Improvements; HAWK Beacon on Scott and Harrison; Lafayette Bassett Bike Lane; Agnew Road At-Grade Crossing; MCB/GAP Intersection Improvement Project; Public Right-of-Way ADA Improvements (Settlement Agreement); Annual Street Maintenance and Rehabilitation Program; Storm Drain Pump Station Outfall Reconstruction; Storm Drain Slide Gate Rehabilitation; Lafayette St. Underpass at Subway Pump Station; Bowers Roof Replacement Project; Sarah E. Fox Memorial Mausoleum Repairs; Central Park Master Plan - New Entrance, Access and Parking Improvements; Central Park Magical Bridge Playground; Fairway Glen Park Restroom; Montague Park Enhancement; and Westwood Oaks Park Playground Rehabilitation.

- Provide Sanitary Sewer Hydraulic Modeling Support for Land Development Projects.

Field Services:

- Provide effective construction management, construction inspection, surveying, materials testing, and administration services for capital improvement projects and private development projects that construct City infrastructure.
- Provide on-time and on-schedule completion of projects for street rehabilitation, traffic signal, pedestrian-activated crosswalk beacon systems, sanitary sewer rehabilitation, and other capital projects.
- Provide construction inspection and coordination for private development-built City infrastructure, such as: 575 Benton Street Mixed Use; 1890 El Camino Real Residential; 2780 El Camino Real Residential (Moonlite Lanes); 3200 Scott Boulevard Office; 3607 Kifer Road Office; Catalina II Residential (El Camino Real); Related Santa Clara; Gateway Crossing (Coleman); Gateway Village (3700 El Camino Real); Lawrence Station - Kifer Road Multi-Family (Toll Brothers); Lawson Lane Office; Mission Park – Market Place; Santa Clara Square Residential; Summerhill Lawrence Station (3505 Kifer Road); Tasman East – 2200 Calle De Luna Residential; Tasman East – 2300 Calle De Luna Mixed Use; 2302 Calle Del Mundo Mixed Use; 2343 Calle Del Mundo Residential; 5123 Calle Del Sol Mixed Use Vantage Data Center II.

Land and Property Development:

- Facilitate significant private development projects by providing effective and efficient processing of site clearances, subdivision maps, land title documents, public improvement plan checks, and development fee collection. Some significant projects include: Lawrence Station Area Plan at Kifer Road; Lawrence Expressway and Central Expressway; Tasman East Specific Area Plan at Lafayette Street; Calle del Mundo; Calle de Luna, and Calle del Sol; Related Santa Clara (formerly City Place) at Tasman Drive; Lafayette Street and Great America Parkway (on City's closed golf course); Patrick Henry Specific Plan at Patrick Henry Drive; and Great America Parkway and Mission College Boulevard
- Upcoming or in process notable development projects include: 2323/2343 Calle Del Mundo (SummerHill Apartment - Tasman East Specific Area Plan); 2300 Calle Del Luna (Related - Tasman East Specific Area Plan); 3312 Kifer/2904 Corvin (Allied Housing - Lawrence Station Area Plan); 1205 Coleman Avenue (Hunter Storm – Gateway Crossings); 2230 Calle De Luna (Holland - Tasman East Specific Area Plan); 2200 Calle Del Luna (Holland - Tasman East Specific Area Plan); 2240 Calle de Luna (5123 Calle Del Sol.) (Ensemble - Tasman East Specific Area Plan); 2780 El Camino Real – complete package (KB Homes - Moonlite Lanes Residential); 2055 Lafayette Street (Data Center); 2600 De La Cruz Blvd (Data Center); 651 Walsh Avenue (Data Center); 737 Mathew (Data Center, ongoing); 2305 Mission College Blvd (Data Center); 2805 Mission College Blvd (Data Center); 1200 Memorex (Data Center); 2905 Stender Way (Data Center); California High Speed Rail (SF-SJ) Environmental Impact Report/Environmental Impact Statement; VTA – BART Phase II; Developments within the Lawrence Station Area Plan; Developments within the Tasman East Specific Area Plan; and Related Santa Clara (City Place – Related Project).

Traffic:

- Complete the following Traffic Engineering Projects: Creek Trail Expansion Master Plan; Traffic Signal Management Software Upgrade/Replacement; Traffic Pre-emptors; Changeable Message Signs; Travel Demand Model Update; Adaptive Signal System; Pruneridge Complete Streets Plan.
- Scott-Benton Traffic Signal Timing; Lick Mill Blvd Pedestrian Beacons Upgrade (Santana West Settlement); Santa Clara Citywide ITS Project 1; Santa Clara Citywide ITS Project 2.
- Update parameters for a Bicycle and Scooter Share Program.
- Implement recommendations in the approved Bicycle Plan Update and Pedestrian Master Plan.

Facility Services:

- Provide outstanding service to customers, which includes all types of requests such as janitorial repair needs and new infrastructure requirements with the objective to respond to every customer in a timely manner on projects

and repairs.

- Provide upkeep and repairs to the Tasman Parking Garage and the Convention Center Maintenance District.
- Provide building and mechanical maintenance services for all City buildings, including any compliance with COVID-19 guidelines.
- Continue improvements to the grounds, surfaces, and garage structure and begin planning and designing for parking lot repairs and maintenance.
- Landscape enhancements around Techmart and Convention Center that include repairing fountains.
- Seal and repair rust damage at rail footings on garage third floor and bridge to the Convention Center.
- Clean grease and oil from garage parking spaces.

Streets:

- Update the Santa Clara City Code chapters pertaining to Trees and Shrubs and Storm Drains.
- Implement asset management systems for traffic signs and storm drain infrastructure.
- Develop and implement a grid system to schedule City trees for preventative maintenance pruning.
- Inventory Landscape Maintenance Division assets to facilitate the future implementation of asset management system use to more effectively schedule and track maintenance activities.
- Ensure reliable garbage, yard trimmings, and residential recycling services.
- Develop a compost give-away program for residents and businesses.
- Expand bulky item disposal opportunities for residential customers.
- Provide reliable and effective street sweeping and grounds maintenance service at the Franklin Square.

Fleet Operations:

- Maintain preventative maintenance (PM) compliance with manufacturers recommended intervals.
- Analyze the Division's organizational structure and potential for outsourcing the parts operation.
- Continue work with City departments engaged in fleet electrification activity by supporting electric vehicle (EV) acquisitions, expanding EV charging infrastructure, and seeking related funding opportunities.
- Continue to monitor and report evolving regulatory requirements for medium and heavy-duty fleets required by California Air Resources Board that impacts City compliance, services, and budgets.

Budget Highlights

The Public Works budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City council on March 9, 2021, including the following:

- Froze 1.0 Associate Engineer, 1.0 Assistant Engineer (Civil), and 1.0 Automotive Technician positions,
- Reduced As-Needed staffing
- Reduced non-personnel (conferences, training, and travel; facilities maintenance; consultant services; supplies and materials; City Hall and Franklin Square fountain shut-off and reduced Franklin Square sweeping; and uniform services).

The Proposed Budget includes the following Phase 2 budget reductions and proposals to help address the General Fund shortfall:

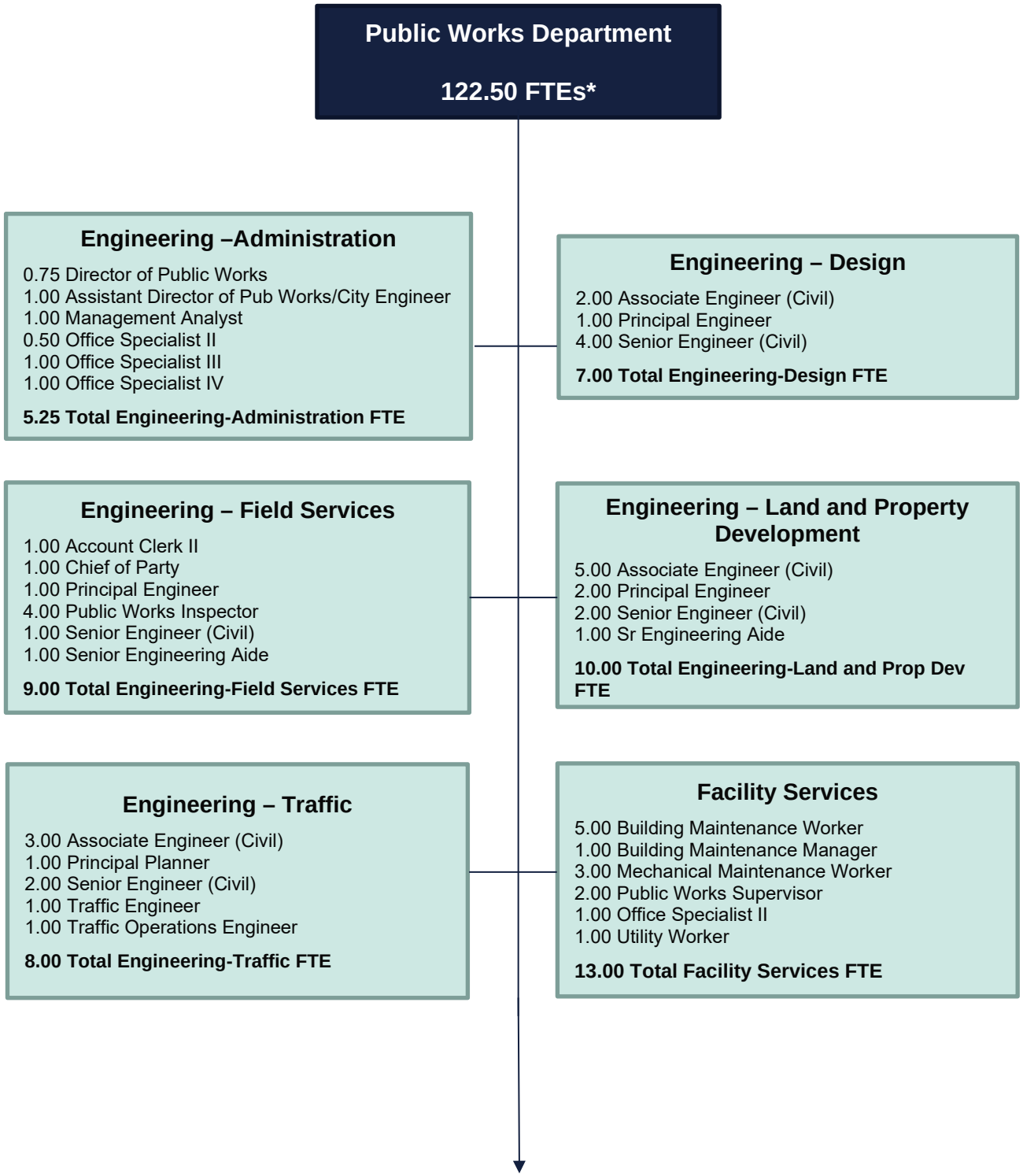
- The Department of Public Works budget includes the elimination of 5.0 vacant FTE positions within the Streets Division. The positions impacted are as follows: 1.0 Street Maintenance Worker IV, 3.0 Street Maintenance Worker III, and 1.0 Street Maintenance Worker I/II.

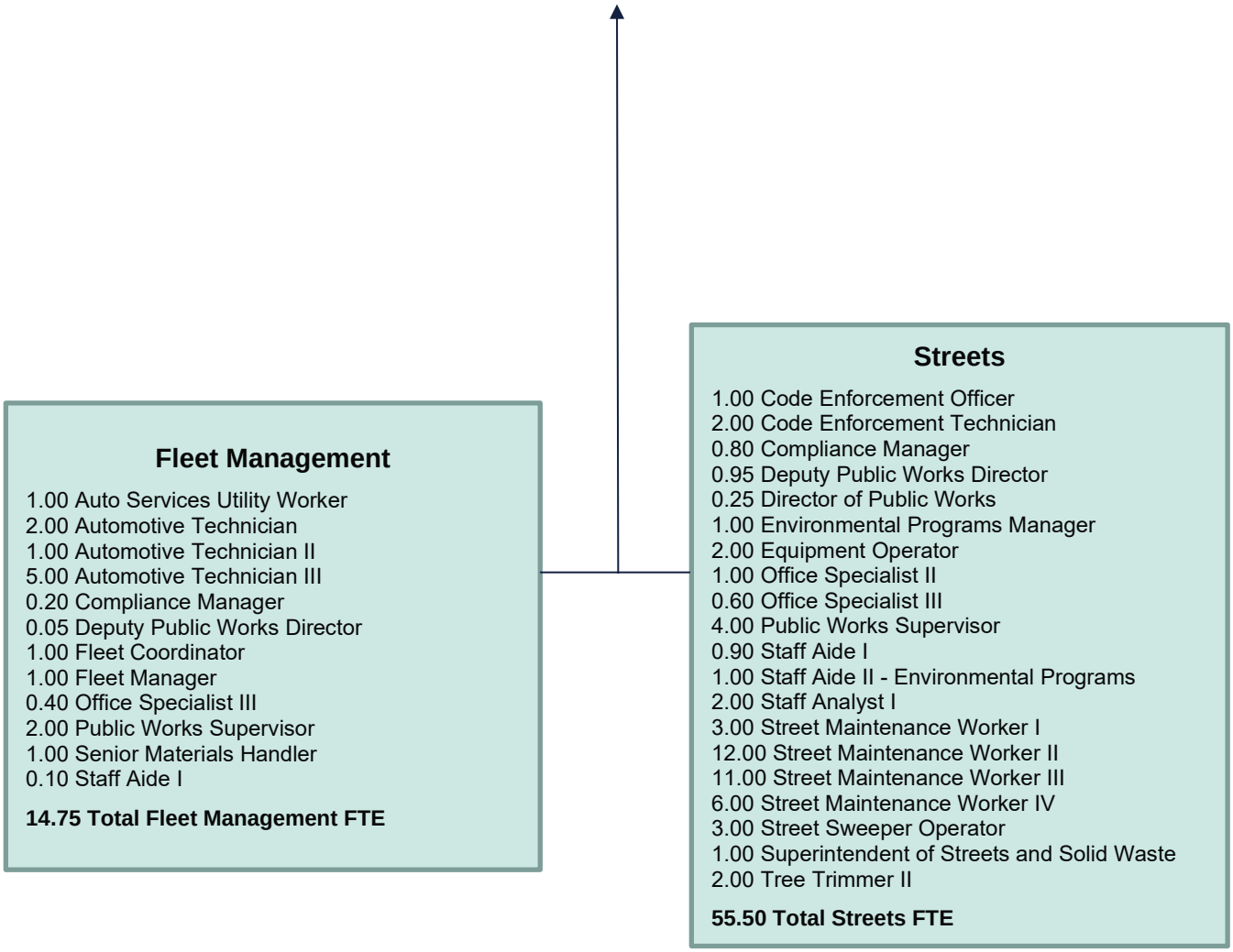
- The remaining as-needed budget from the budget savings reduction has been further reduced as a one-time reduction for FY 2021/22. Phase 1 reduced the as-needed budget as an ongoing reduction. This reduction will impact operations in the following divisions: Facilities Services Division, Field Services Division, Land and Property Development Division (LPD), and the Traffic Division.

- The Department of Public Works budget also reduces funding for as-needed repairs and maintenance as an ongoing reduction. This will reduce the money available for basic, as-needed repairs and maintenance at the City Hall complex.

- The transfer to from the General Fund to the Downtown Parking Maintenance District Fund budget is reduced for the full year implementation of reduced street sweeping frequency and deactivation of the fountains. Public Works will use existing fund balance for maintenance and operations costs in FY 2021/22.

- A Transfer from the Vehicle Replacement Fund to the General Fund is budgeted for FY 2021/22 and FY 2022/23 to account for General Fund savings for vehicles eligible for replacement with funding from Greenhouse Gas Program in the Electric Operating Grant Trust Fund.


Public Works Department
122.50 FTEs*
Engineering –Administration
0.75 Director of Public Works
1.00 Assistant Director of Pub Works/City Engineer
1.00 Management Analyst
0.50 Office Specialist II
1.00 Office Specialist III
1.00 Office Specialist IV
5.25 Total Engineering-Administration FTE
Engineering – Design
2.00 Associate Engineer (Civil)
1.00 Principal Engineer
4.00 Senior Engineer (Civil)
7.00 Total Engineering-Design FTE
Engineering – Field Services
1.00 Account Clerk II
1.00 Chief of Party
1.00 Principal Engineer
4.00 Public Works Inspector
1.00 Senior Engineer (Civil)
1.00 Senior Engineering Aide
9.00 Total Engineering-Field Services FTE
Engineering – Land and Property Development
5.00 Associate Engineer (Civil)
2.00 Principal Engineer
2.00 Senior Engineer (Civil)
1.00 Sr Engineering Aide
10.00 Total Engineering-Land and Prop Dev FTE
Engineering – Traffic
3.00 Associate Engineer (Civil)
1.00 Principal Planner
2.00 Senior Engineer (Civil)
1.00 Traffic Engineer
1.00 Traffic Operations Engineer
8.00 Total Engineering-Traffic FTE
Facility Services
5.00 Building Maintenance Worker
1.00 Building Maintenance Manager
3.00 Mechanical Maintenance Worker
2.00 Public Works Supervisor
1.00 Office Specialist II
1.00 Utility Worker
13.00 Total Facility Services FTE



**The positions above represent all funded positions. This excludes the 1.0 Associate Engineer, 1.0 Assistant Engineer (Civil), and 1.0 Automotive Technician positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402). This also excludes 1.0 Public Works Inspector position added in November 2019 to support the Related project that is currently frozen based on the anticipated project schedule.*

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Facility Services Division							
2222	Maintenance Repair	2,722,994	2,551,432	2,387,358	(6.4%)	2,518,095	5.5%
2223	Janitorial	1,127,046	1,179,647	1,315,607	11.5%	1,477,254	12.3%
2961	Convention Center Maintenance District[1]	2,497,478	2,696,738	2,479,539	(8.1%)	2,730,881	10.1%
Total Facility Services Division		**6,347,518**	**6,427,817**	**6,182,504**	**(3.8%)**	**6,726,230**	**8.8%**
Engineering-Administration Division							
4411	General Services	696,708	582,239	412,354	(29.2%)	437,017	6.0%
4412	Developer Projects	297,430	344,556	402,934	16.9%	421,179	4.5%
4413	Capital Improvement Projects	364,422	432,081	539,200	24.8%	560,379	3.9%
Total Engineering-Administration Division		**1,358,560**	**1,358,876**	**1,354,488**	**(0.3%)**	**1,418,575**	**4.7%**
Engineering-Design Division							
4441	General Services	512,654	491,249	52,760	(89.3%)	56,626	7.3%
4442	Developer Projects	158,767	210,942	220,532	4.5%	228,801	3.7%
4443	Capital Improvement Projects[1]	8,229,012	6,135,108	6,424,267	4.7%	7,516,872	17.0%
Total Engineering-Design Division		**8,900,433**	**6,837,299**	**6,697,559**	**(2.0%)**	**7,802,299**	**16.5%**
Engineering-Field Services Division							
4461	General Services	376,966	531,730	301,539	(43.3%)	329,274	9.2%
4462	Developer Projects	629,222	569,579	641,470	12.6%	669,974	4.4%
4463	Capital Improvement Projects	1,108,109	1,383,759	1,295,265	(6.4%)	1,346,797	4.0%
Total Engineering-Field Services Division		**2,114,297**	**2,485,068**	**2,238,274**	**(9.9%)**	**2,346,045**	**4.8%**
Engineering-Land and Property Development Division							
4451	General Services	367,566	284,833	232,529	(18.4%)	278,119	19.6%
4452	Development Support	1,665,928	1,496,265	2,128,091	42.2%	2,408,727	13.2%
Total Engineering-Land and Property Development Division		**2,033,494**	**1,781,098**	**2,360,620**	**32.5%**	**2,686,846**	**13.8%**

[1]*Starting in the FY 2019/20 Adopted Budget, transfers to other funds are included in departmental costs and reflected in the Dollars by Category section.*

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Engineering-Traffic Division							
4431	General Services	755,409	621,208	315,974	(49.1%)	355,038	12.4%
4432	Developer Projects	561,573	705,954	670,436	(5.0%)	696,540	3.9%
4433	Capital Improvement Projects[1]	2,133,432	2,555,884	2,840,545	11.1%	2,497,414	(12.1%)
4434	Traffic Signal Management	1,022,656	1,145,014	1,174,746	2.6%	1,204,223	2.5%
4435	Traffic Striping and Signing	74,961	114,289	171,242	49.8%	179,592	4.9%
Total Engineering-Traffic Division		**4,548,031**	**5,142,349**	**5,172,943**	**0.6%**	**4,932,807**	**(4.6%)**
Streets Division							
2911	Street Maintenance	3,577,984	3,703,719	3,609,472	(2.5%)	3,743,475	3.7%
2921	Storm System Maintenance	1,583,735	1,741,049	1,520,014	(12.7%)	1,579,134	3.9%
2924	Non-Point Source	1,300,104	1,545,036	1,548,197	0.2%	1,623,059	4.8%
2931	Garbage Collection[1]	18,397,392	22,377,110	23,595,994	5.4%	24,228,247	2.7%
2932	Clean Green Collection	2,567,153	2,691,727	2,927,111	8.7%	3,162,143	8.0%
2933	Clean-Up Campaign	399,234	4,171,644	2,427,618	(41.8%)	2,526,596	4.1%
2934	Residential Recycling	2,741,591	3,120,707	3,562,902	14.2%	4,131,843	16.0%
2935	Street Sweeping	890,151	923,358	968,325	4.9%	998,604	3.1%
2936	Household Hazardous Waste	41,122	46,904	44,548	(5.0%)	46,448	4.3%
2941	Parking District Maintenance[1]	364,024	303,825	140,673	(53.7%)	144,815	2.9%
2951	Landscape Maintenance	3,821,564	4,074,570	3,880,523	(4.8%)	4,046,884	4.3%
2952	Street Tree Program	1,244,063	1,218,366	1,274,807	4.6%	1,318,444	3.4%
2971	Traffic Maintenance	1,146,890	1,192,354	1,042,828	(12.5%)	1,078,721	3.4%
Total Streets Division		**38,075,007**	**47,110,369**	**46,543,012**	(1.2%)	**48,628,413**	**4.5%**
Fleet Management Division							
2111	Fleet Acquisitions[1]	1,986,867	2,995,500	4,060,649	35.6%	3,214,961	(20.8%)
2123	Fleet Operations	4,852,153	5,271,715	5,161,720	(2.1%)	5,330,229	3.3%
Total Fleet Management Division		**6,839,020**	**8,267,215**	**9,222,369**	**11.6%**	**8,545,190**	**(7.3%)**
Total by Division / Program		**70,216,360**	**79,410,091**	**79,771,769**	**0.5%**	**83,086,405**	**4.2%**

[1]*Starting in the FY 2019/20 Adopted Budget, transfers to other funds are included in departmental costs and reflected in the Dollars by Category section.*

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund[1]	24,565,944	25,273,988	23,972,705	(5.1%)	25,203,805	5.1%
Downtown Parking Maintenance District Fund	218,041	152,762	138,163	(9.6%)	142,308	3.0%
Convention Center Maintenance District Fund	1,726,130	1,861,380	1,698,119	(8.8%)	1,878,119	10.6%
Public Works Capital Projects Management Fund	3,394,835	3,835,476	3,962,713	3.3%	4,114,234	3.8%
Vehicle Replacement Fund	1,561,867	2,995,500	4,060,649	35.6%	3,214,961	(20.8%)
Fleet Operations Fund	4,850,123	5,271,715	5,161,720	(2.1%)	5,330,229	3.3%
Expendable Trust Fund	17,146	0	0	0.0%	0	0.0%
Solid Waste Fund[1]	25,029,639	33,331,450	33,525,296	0.6%	35,092,680	4.7%
Other City Departments Operating Grant Fund	182,136	0	0	0.0%	0	0.0%
Engineering Operating Grant Trust Fund	0	16,464	0	(100.0%)	0	0.0%
Gas Tax Fund[1]	4,254,548	2,567,856	2,482,144	(3.3%)	3,509,479	41.4%
Road Repair and Accountability Act of 2017 SB1 Fund[1]	2,403,979	2,100,000	2,100,000	0.0%	2,100,000	0.0%
Traffic Mitigation Fund[1]	1,681,780	2,003,500	2,184,927	9.1%	1,815,000	(16.9%)
Bridge District #2 Fund	65,000	0	80,000	0.0%	80,000	0.0%
Related Santa Clara Developer Fund	265,192	0	405,333	0.0%	605,590	49.4%
Total by Fund	**70,216,360**	**79,410,091**	**79,771,769**	**0.5%**	**83,086,405**	**4.2%**

[1]*Starting in the FY 2019/20 Adopted Budget, transfers to other funds are included in departmental costs and reflected in the Dollars by Category section.*

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Category						
Salary and Benefits						
Salary	14,329,547	14,817,323	14,016,760	(5.4%)	14,687,080	4.8%
As-Needed	328,429	225,000	36,225	(83.9%)	141,025	289.3%
Overtime	174,649	226,848	234,766	3.5%	242,984	3.5%
Retirement	4,531,665	4,763,874	5,280,763	10.9%	5,651,423	7.0%
Health Allocation	1,535,150	1,618,798	1,751,980	8.2%	1,836,068	4.8%
Medicare	221,116	234,931	225,034	(4.2%)	235,052	4.5%
Social Security	849,981	967,210	928,949	(4.0%)	957,155	3.0%
Other Benefits	645,842	615,109	632,576	2.8%	649,157	2.6%
Total Salary and Benefits	**22,616,379**	**23,469,093**	**23,107,053**	**(1.5%)**	**24,399,944**	**5.6%**
Non-Personnel						
Materials/Services/Supplies	9,296,930	12,905,839	11,377,192	(11.8%)	11,928,393	4.8%
Resource/Production	19,729,975	24,983,380	27,130,516	8.6%	28,350,571	4.5%
Interfund Services	5,758,157	5,936,873	5,493,846	(7.5%)	5,647,115	2.8%
Franchise Tax	754,590	693,600	707,472	2.0%	721,621	2.0%
Capital Outlay	1,664,532	2,995,500	3,100,649	3.5%	2,254,961	(27.3%)
Transfer to Other Funds	10,395,797	8,425,806	8,855,041	5.1%	9,783,800	10.5%
Total Non-Personnel	**47,599,981**	**55,940,998**	**56,664,716**	**1.3%**	**58,686,461**	**3.6%**
Total by Category	**70,216,360**	**79,410,091**	**79,771,769**	**0.5%**	**83,086,405**	**4.2%**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
Facility Services Division					
2222 Maintenance Repair	11.62	11.62	11.62	0.00	11.62
2223 Janitorial	1.28	1.28	1.28	0.00	1.28
2961 Convention Center Maintenance District	0.10	0.10	0.10	0.00	0.10
Total Facility Services Division	**13.00**	**13.00**	**13.00**	**0.00**	**13.00**
Engineering-Administration Division					
4411 General Services	2.40	2.40	1.74	(0.67)	1.74
4412 Developer Projects	1.41	1.41	1.74	0.33	1.74
4413 Capital Improvement Projects	1.44	1.44	1.78	0.34	1.78
Total Engineering-Administration Division	**5.25**	**5.25**	**5.25**	**0.00**	**5.25**
Engineering-Design Division					
4441 General Services	1.70	1.70	(0.10)	(1.80)	(0.10)
4442 Developer Projects	0.80	0.80	0.80	0.00	0.80
4443 Capital Improvement Projects	5.50	5.50	6.30	0.80	6.30
Total Engineering-Design Division	**8.00**	**8.00**	**7.00**	**(1.00)**	**7.00**
Engineering-Field Services Division					
4461 General Services	0.90	0.90	0.90	0.00	0.90
4462 Developer Projects	2.70	2.70	3.05	0.35	3.05
4463 Capital Improvement Projects	5.40	5.40	5.05	(0.35)	5.05
Total Engineering-Field Services Division	**9.00**	**9.00**	**9.00**	**(0.00)**	**9.00**
Engineering-Land and Property Development Division					
4451 General Services	0.99	0.99	0.87	(0.12)	0.87
4452 Development Support	7.01	10.01	9.13	(0.88)	9.13
Total Engineering-Land and Property Development Division	**8.00**	**11.00**	**10.00**	**(1.00)**	**10.00**
Engineering-Traffic Division					
4431 General Services	2.05	2.05	1.00	(1.05)	1.00
4432 Developer Projects	2.80	2.80	2.45	(0.35)	2.45
4433 Capital Improvement Projects	2.35	2.35	2.55	0.20	2.55
4434 Traffic Signal Management	1.30	1.30	1.30	0.00	1.30
4435 Traffic Striping and Signing	0.50	0.50	0.70	0.20	0.70
Total Engineering-Traffic Division	**9.00**	**9.00**	**8.00**	**(1.00)**	**8.00**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
Streets Division					
2911 Street Maintenance	16.55	16.55	13.80	(2.75)	13.80
2921 Storm System Maintenance	6.35	6.35	6.45	0.10	6.45
2924 Non-Point Source	5.70	5.70	5.70	0.00	5.70
2931 Garbage Collection	1.95	1.95	2.15	0.20	2.15
2933 Clean-Up Campaign	0.40	0.40	0.45	0.05	0.45
2934 Residential Recycling	1.20	1.20	1.20	0.00	1.20
2935 Street Sweeping	2.70	2.70	2.70	0.00	2.70
2936 Household Hazardous Waste	0.15	0.15	0.15	0.00	0.15
2941 Parking District Maintenance	0.50	0.50	0.50	0.00	0.50
2951 Landscape Maintenance	17.35	17.35	15.55	(1.80)	15.55
2952 Street Tree Program	3.55	3.55	3.65	0.10	3.65
2971 Traffic Maintenance	4.20	4.20	3.20	(1.00)	3.20
Total Streets Division	**60.60**	**60.60**	**55.50**	**(5.10)**	**55.50**
Fleet Management Division					
2123 Fleet Operations	15.65	15.65	14.75	(0.90)	14.75
Total Fleet Management Division	**15.65**	**15.65**	**14.75**	**(0.90)**	**14.75**
Total by Division / Program	**128.50**	**131.50**	**122.50**	**(9.00)**	**122.50**
Positions by Fund					
General Fund	90.81	90.81	83.16	(7.65)	83.16
Downtown Parking Maintenance District Fund	0.50	0.50	0.50	0.00	0.50
Convention Center Maintenance District Fund	0.10	0.10	0.10	0.00	0.10
Public Works Capital Projects Management Fund	14.69	14.69	14.34	(0.35)	14.34
Fleet Operations Fund	15.75	15.75	14.75	(1.00)	14.75
Solid Waste Fund	6.65	6.65	6.65	0.00	6.65
Electric Utility Fund	0.00	0.00	0.50	0.50	0.50
Related Santa Clara Developer Fund	0.00	3.00	2.50	(0.50)	2.50
Total by Fund	**128.50**	**131.50**	**122.50**	**(9.00)**	**122.50**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Position Classification					
Account Clerk	1.00	1.00	1.00	0.00	1.00
Assistant Engineer (Civil)	1.00	1.00	0.00	(1.00)	0.00
Associate Engineer (Civil)	10.00	11.00	10.00	(1.00)	10.00
Assistant Director Of Public Works/City Engineer	1.00	1.00	1.00	0.00	1.00
Auto Services Utility Worker	1.00	1.00	1.00	0.00	1.00
Automotive Technician I	2.00	2.00	2.00	0.00	2.00
Automotive Technician II	1.00	1.00	1.00	0.00	1.00
Automotive Technician III	6.00	6.00	5.00	(1.00)	5.00
Building Maintenance Foreperson	1.00	1.00	0.00	(1.00)	0.00
Building Maintenance Worker	5.00	5.00	5.00	0.00	5.00
Building Maintenance Manager	1.00	1.00	1.00	0.00	1.00
Chief Of Party	1.00	1.00	1.00	0.00	1.00
Code Enforcement Officer	1.00	1.00	1.00	0.00	1.00
Code Enforcement Technician	2.00	2.00	2.00	0.00	2.00
Compliance Manager	1.00	1.00	1.00	0.00	1.00
Deputy Public Works Director	1.00	1.00	1.00	0.00	1.00
Director Of Public Works	1.00	1.00	1.00	0.00	1.00
Environmental Programs Manager	1.00	1.00	1.00	0.00	1.00
Equipment Operator	2.00	2.00	2.00	0.00	2.00
Fleet Coordinator	1.00	1.00	1.00	0.00	1.00
Fleet Manager	1.00	1.00	1.00	0.00	1.00
Management Analyst	1.00	1.00	1.00	0.00	1.00
Mechanical Maintenance Foreperson	1.00	1.00	0.00	(1.00)	0.00
Mechanical Maintenance Worker	3.00	3.00	3.00	0.00	3.00
Office Specialist II	2.50	2.50	2.50	0.00	2.50
Office Specialist III	2.00	2.00	2.00	0.00	2.00
Office Specialist IV	1.00	1.00	1.00	0.00	1.00
Principal Engineer	4.00	4.00	4.00	0.00	4.00
Principal Planner	1.00	1.00	1.00	0.00	1.00
Public Works Inspector	4.00	5.00	4.00	(1.00)	4.00
Public Works Supervisor	6.00	6.00	8.00	2.00	8.00
Senior Engineer (Civil)	8.00	9.00	9.00	0.00	9.00
Senior Engineering Aide	2.00	2.00	2.00	0.00	2.00
Senior Materials Handler	1.00	1.00	1.00	0.00	1.00
Staff Aide I	1.00	1.00	1.00	0.00	1.00
Staff Aide II - Environmental Programs	1.00	1.00	1.00	0.00	1.00
Staff Analyst I	2.00	2.00	2.00	0.00	2.00

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Position Classification					
Street Maintenance Worker I	5.00	5.00	3.00	(2.00)	3.00
Street Maintenance Worker II	11.00	11.00	12.00	1.00	12.00
Street Maintenance Worker III	14.00	14.00	11.00	(3.00)	11.00
Street Maintenance Worker IV	7.00	7.00	6.00	(1.00)	6.00
Street Sweeper Operator	3.00	3.00	3.00	0.00	3.00
Superintendent of Streets and Solid Waste	1.00	1.00	1.00	0.00	1.00
Traffic Engineer	1.00	1.00	1.00	0.00	1.00
Traffic Operations Engineer	1.00	1.00	1.00	0.00	1.00
Tree Trimmer II	2.00	2.00	2.00	0.00	2.00
Utility Worker	1.00	1.00	1.00	0.00	1.00
Total Positions	**128.50**	**131.50**	**122.50**	**(9.00)**	**122.50**

**The positions above represent all funded positions. This excludes the 1.0 Associate Engineer, 1.0 Assistant Engineer (Civil), and 1.0 Automotive Technician positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402). This also excludes 1.0 Public Works Inspector position added in November 2019 to support the Related project that is currently frozen based on the anticipated project schedule.*

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	131.50	79,410,091
FY 2021/22 Base Budget Adjustments		
One Time Cost Base Adjustments		
Surveying Services Consultant		(197,000)
Level of Service (LOS)-Vehicle Miles Traveled (VMT) Transition Traffic Consultant		(65,000)
Rebudget: Solid Waste - Materials/Services/Supplies		(1,173,128)
Rebudget: Solid Waste - Resource/Production		(703,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments and position reallocations including:		786,644
1.0 Building Maintenance Foreperson and 1.0 Mechanical Maintenance Foreperson to 2.0 Public Works Supervisor	0.00	
1.0 Street Maintenance Worker I to 1.0 Street Maintenance Worker II	0.00	
Freeze of 1.0 Public Works Inspector position for the Related Santa Clara Project	(1.00)	
Internal Service Funds Adjustments		(453,747)
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021)		
- Freeze 1.0 Associate Engineer Design Division	(1.00)	(208,147)
- Freeze 1.0 Assistant Engineer Traffic Division	(1.00)	(190,779)
- Freeze 1.0 Automotive Technician III	(1.00)	(157,894)
- As-Needed Staff Elimination Ongoing	0.00	(100,000)
- Materials/Service/Supplies (conferences, training and travel; facilities maint., supplies; consultant services, uniform services, fountain maint.)		(169,224)
Net Resource and Production increase for Solid Waste Collection, Processing and Disposal Services (Mission Trail Waste Systems, Recology, Green Waste Recovery)		2,850,136
Reimbursement to General Fund for holiday tree, leaf-vac, HHW drop-off event and street sweeping		162,941
Solid Waste Fund Contractual Services - Changes to Garbage and Cleanup Campaign		127,947
City Building Janitorial SWA Contract		126,666
Capital Outlay for Vehicle Replacements		105,149
Materials testing & special inspections support for Capital projects		94,086
Technicial adjustment transfer from Bridge District #2 Fund to Streets and Highways Capital Fund for Bridge Maintenance Program project		80,000
Kone Elevator Contract Tasman Garage Maintenance		31,046
Net adjustments to various transfers to other funds		30,643
Net materials, services and supplies increase including trash capture devices, annual memberships, and surveying equipment calibration		26,908

Budget Reconciliation

	Positions	Expenditures (All Funds)
Ongoing Cost Adjustments		
Parkways & Boulevards tree maintenance contract increase		26,073
Eastside Drainage Swale Mowing and Environmental Services Consultant		24,996
Reduce Transfer from the Solid Waste Fund to the Solid Waste Capital Fund		(491,408)
Decrease in materials, services, and supplies for convention center maintenance district		(216,181)
Total FY 2021/22 Base Budget Adjustments	**(4.00)**	**347,727**
Total FY 2021/22 Base Budget	**127.50**	**79,757,818**
FY 2021/22 Service Level Changes		
Streets Staffing Reductions	(5.00)	(684,399)
As-Needed Staff Elimination	0.00	(96,650)
Maintenance Reduction		(15,000)
Transfer to the General Fund for Electric Vehicle Replacements		960,000
Reduction to Transfer to the Downtown Parking Maintenance District Fund		(150,000)
Total Service Level Changes	**(5.00)**	**13,951**
Total FY 2021/22 Proposed Budget	**122.50**	**79,771,769**
FY 2022/23 Base Budget Adjustments		
One Time Cost Adjustments		
As-Needed Staff Elimination	0.00	96,650
Ongoing Cost Adjustments		
Salary and Benefits adjustments		1,241,191
Net Resource and Production increase for Solid Waste Collection, Processing and Disposal Services (Mission Trail Waste Systems, Recology, Green Waste Recovery)		1,220,055
Net increase in transfers to other funds for CIP		928,759
Net increase for materials, services, and supplies		551,201
Net increase to interfund services		122,468
Reduction to Capital Outlay costs for vehicle replacements		(845,688)
Total FY 2022/23 Base Budget Adjustments	**0.00**	**3,314,636**
Total FY 2022/23 Base Budget	**122.50**	**83,086,405**
Total FY 2022/23 Proposed Budget	**122.50**	**83,086,405**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Streets Division Staffing Reductions	(5.00)	0	(684,399)	0	(710,659)
Programs:	2911 - Street Maintenance 2951 - Landscape Maintenance 2971 - Traffic Maintenance				

This proposal eliminates 5.0 vacant positions within the Streets Division as part of the Phase 2 General Fund budget reductions. The total reduction in staff is 1.0 of seven Street Maintenance Worker IV, 3.0 of 14 Street Maintenance Worker III, and 1.0 of 16 Street Maintenance Worker I/II. The Department will continue to prioritze safety related items such as tree maintenance, calls for pothole or sidewalk repair, damaged traffic signs, and flood prevention.

Performance Impact

This proposal reduces the amount of maintenance to median islands, City Hall complex, Harris-Lass grounds, and other landscapes that will result in a reduced level of overall beautification (less frequent mowing and litter pick-up, more weeds, and overgrown vegetation). It may result in longer response times to repair sidewalks; refresh roadway striping and curb painting; traffic signage requests and maintenance; and fewer catch basins and storm drain lines cleaned throughout the year. This reduction may also impact the Street Maintenance Division's ability to perform asphalt repair for encroachment permits and crack sealing in the summer months.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
As-Needed Staff Elimination	0.00	(96,650)	0	0	0
Programs:	2222 - Maintenance Repair 4431 - General Services Traffic Division 4451 - General Services Land and Property Development Division 4461 - General Services Field Services Division				

This proposal eliminates the remaining as-needed staffing budget in the amount of $96,650 on a one-time basis. This will impact operations as follows:

Facilities Services Division - Eliminates as-needed hours used to help with City Hall building maintenance and repair jobs by 20 hours/week. This will cause a decrease in the number of special projects and work orders completed, and also reduces regular maintenance and repair projects. Work will be absorbed by other staff and the response time to resolve complaints may increase due to this staffing reduction.

Field Services Division - Eliminates as-needed hours that support administrative responsibilities as well as field operations. Full-time staff will need to take on additional workload while prioritizing critical work with delays. Response times to complaints, inspection requests, and construction issues may be lengthened. Performance measures for quality of construction management services and number of projects meeting their target schedules may be impacted.

Land and Property Development Division (LPD) - Eliminates as-needed hours that support preparation and review of title/legal documents and work on Encroachment Permits (EP) and title documents with current staff absorbing the workload. Response times for reviews of maps and major and minor EPs may lengthen and impact performance targets.

Traffic Division - Eliminates funding for student interns, which will delay responses to the public and turnaround times for requests such as traffic studies, data collection, traffic calming, signal timing, permit parking, and Bicycle and Pedestrian Advisory Committee (BPAC) inquiries.

Performance Impact

This proposal impacts staff capacity and may impact the response time for various tasks noted above.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Maintenance Reduction	0.00	0	(15,000)	0	(15,000)

Program: 2222 - Maintenance Repair

This proposal reduces funding for as-needed repairs and maintenance by $15,000 ongoing. This will reduce the funding available for basic, as-needed repairs and maintenance at the City Hall complex. Facilities Services will prioritize critical maintenance services.

Performance Impact

This reduction will case an increase in maintenance backlog a well as as well as the response time to other maintenance needs, service orders, and other requests.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Transfer to the General Fund for Electric Vehicle Replacement	0.00	960,000	0	960,000	0

Program: 2111 - Fleet Acquisitions

This proposal transfers $960,000 to the General Fund from the Vehicle Replacement Fund to recognize savings for planned electric vehicle replacements funded by the Electric Utility Department's Greenhouse Gas Program. Eligible funding in the Greenhouse Gas Program in the Electric Operating Grant Trust Fund provides funding to replace City vehicles and equipment with electric options, removing GHG emitting internal combustion engines from the City fleet. A transfer of $1.03 million in FY 2021/22 and $400,000 in FY 2022/23 from the Electric Operating Grant Trust Fund to the Vehicle Replacement Fund is budgeted for planned electric vehicles replacements for all funds. Total planned electric replacements from FY 2020/21 through FY 2023/24 for the General Fund result in roughly $2.0 million in General Fund savings and is programmed into the Vehicle Replacement Fund. Currently planned electric vehicle replacements are anticipated to replace approximately 60 vehicles/equipment from FY 2020/21 through FY 2023/24. Funding is contingent on eligibility through the Greenhouse Gas Program, vehicle technology, and electric charging infrastructure; replacements will be evaluated accordingly.

Performance Impact

This proposal works towards City vehicle electrification and supports the climate action plan as well as generates General Fund savings.

Strategic Pillar:  Deliver and Enhance High Quality Efficient Services and Infrastructure

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Reduction of Transfer from the General Fund to the Downtown Parking Maintenance District Fund	0.00	0	(150,000)	0	(154,500)

Program: 2941 - Parking District Maintenance

This proposal reduces the transfer from the General Fund to the Downtown Parking Maintenance District Fund (Fund 025) by $150,000 for two fiscal years. The General Fund provides the funding to cover the annual maintenance costs in this District. There is currently excess fund balance in the Downtown Parking Maintenance District Fund from prior year General Fund contributions that will be used to cover the costs for the next two years. This source of funding does not include property based assessments.

Performance Impact

This will reduce the General Fund expense for the next two years due to the availability of fund balance to cover the maintenance district cost. The maintenance costs also lower due to the Phase 1 reductions that reduced street sweeping frequency and the deactivated of the fountains.

Strategic Pillar:  Manage Strategically Our Workforce Capacity and Resources

Performance and Workload Measures

Facility Services Division

Performance Measures

	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of all requests for service responded to within four business days		95%	95%	95%	95%	95%	95%
Percent of customers rating services performed by the Facility Services team as meeting expectations or better		N/A	80%	80%	80%	80%	80%
Percent of rest rooms cleaned in all major buildings daily		100%	95%	95%	95%	95%	95%

Workload Measures

Total number of work requests received annually		N/A	1,434	1,900	557	1,900	1,900

Performance and Workload Measures

Engineering Design Division

Performance Measures

	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of projects completed within the approved schedule. Note: these include Master Plan studies, standard details and standard specifications and the capital projects		100%	80%	75%	60%	75%	75%
Percentage of Sanitary Sewer Capacity Impact Evaluation applications reviewed within 10 business days		N/A	90%	90%	90%	90%	90%
Percent of customers rating design services as meeting expectations or better		N/A	80%	80%	80%	80%	80%

Workload Measures

Number of projects managed		N/A	45	26	36	24	24
Number of Sanitary Sewer Model Run requests processed		N/A	9	8	9	8	8
Number of Records updated. Note: Records include As-builts, utility maps, and block book		N/A	49	20	20	20	20

Engineering Field Services Division

Performance Measures

	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of complaints responded to within one business day		93%	96%	90%	90%	90%	90%
Percent of inspection requests responded to within one business day		94%	99%	95%	95%	95%	95%
Percent of capital improvement projects that reached substantial completion within the construction contract time		88%	82%	75%	80%	75%	75%
Percent of customers rating construction services as provided by the construction management team meeting expectations or better		100%	93%	90%	90%	90%	90%

Performance and Workload Measures

Engineering Field Services Division

Performance Measures

Workload Measures

	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of encroachment permits inspected		N/A	455	300	420	300	300
Number of construction capital projects managed		N/A	25	15	24	15	15

Engineering Land and Property Development Division

Performance Measures

	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of subdivision maps reviewed by target date (first submittal reviewed at 20 business days, subsequent submittals at 10 business days)		81%	84%	85%	88%	85%	85%
Percent of major encroachment permits reviewed by target date (1st submittal at 20 business days, subsequent submittals at 15 business days)		N/A	91%	85%	91%	85%	85%
Percent of minor encroachment permits reviewed by target date (1st submittal at 15 business days, subsequent submittals at 10 business days)		N/A	97%	85%	98%	85%	85%
Percent of Project Clearance Committee and Subdivision Committee Items reviewed by target date (All submittals at three business days after the Committee meeting)		N/A	78%	85%	86%	85%	85%

Performance and Workload Measures

Engineering Land and Property Development Division							
Performance Measures							
	Strategic Pillars	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Percent of Public Works Site Clearances reviewed by target date (All submittals at five business days)		N/A	97%	85%	88%	85%	85%
Workload Measures							
Subdivision Maps received		N/A	9	6	7	6	6
Land title documents received		N/A	73	65	65	65	65
Encroachment Permits received		N/A	380	350	440	350	350
Project Clearance Committee and Subdivision Committee applications received		N/A	51	40	18	35	35
Project Clearance Committee and Subdivision Committee resubmission applications received - *New for FY 2021/22*		N/A	N/A	N/A	N/A	30	30
Public Works Site Clearances received		N/A	473	550	402	500	500

Performance and Workload Measures

Engineering Traffic Division

Performance Measures

	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of traffic engineering studies completed within 30 business days		N/A	34%	85%	33%	85%	85%
Percent of encroachment permits, capital improvement projects, and traffic control plans reviewed by target date (1st submittal at 20 business days, subsequent submittals at 15 business days)		N/A	75%	85%	88%	85%	85%
Percent of Project Clearance Committee and Subdivision Committee items reviewed by target date (All submittals at three business days after the Committee meeting)		N/A	39%	85%	84%	85%	85%
Percent of timing, coordination, detection, equipment, or other signal management requests responded to within 1 business day*		N/A	75%	85%	92%	85%	85%

Workload Measures

	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Funding grants applied for or being processed		10	10	10	15	10	10
Special transportation permits issued [a]		N/A	405	450	255	450	450
Traffic engineering studies completed [a]		N/A	48	170	82	170	170
Number of encroachment permits, capital improvement projects, and traffic control plans reviewed		N/A	466	600	645	600	600
Number of timing, coordination, detection, equipment, or other signal management requests* [a]		N/A	77	120	48	120	120
Minor Encroachment Permits (temporary storage facilities in public right of way) - *New for FY 2021/22*		N/A	N/A	N/A	N/A	40	40

Performance and Workload Measures

Streets Division

Performance Measures

	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percent of pothole repair requests responded to within three business days, except during Clean-Up Campaign		80%	37%	85%	85%	85%	85%
Percent of sidewalk tripping complaints inspected within three work days		95%	21%	95%	95%	95%	95%
Percent of minor utility trench repairs completed within thirty days after notification and release		100%	100%	50%	100%	50%	50%
Percent of catch basin inlets cleaned annually		80%	100%	100%	100%	100%	100%
Percent of pump station wet wells cleaned annually		70%	67%	70%	70%	70%	70%
Percent of pump station storm drain outfalls visually inspected annually		100%	100%	100%	100%	100%	100%
Percent of industrial/commercial facilities re-inspected within ten business days following a notice of violation		100%	96%	100%	100%	100%	100%
Percent of active construction sites over one acre inspected once a month during the wet season		100%	100%	100%	100%	100%	100%

Performance and Workload Measures

Streets Division							
Performance Measures							
	Strategic Pillars	**2018/19 Actual**	**2019/20 Actual**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Remove graffiti from public property within five working days once notified and properly documented*		95%	88%	95%	95%	95%	95%
Respond to public trash container complaints within two (2) business days, following notification - *Delete for FY 2021/22*		100%	100%	100%	100%	N/A	N/A
Percent of public litter cans serviced weekly. - *New for FY 2021/22*		N/A	N/A	100%	100%	100%	100%
Percent of citizen requested tree service inspections completed within 30 days*		100%	100%	100%	100%	100%	100%
Maintain "Tree City USA" certification		Yes	Yes	Yes	Yes	Yes	Yes
Ensure that garbage collection contractor services all of regularly scheduled collection routes		100%	99%	99%	99%	99%	99%
Respond to complaints of missed garbage collection within one (1) working day of initial contact (Garbage Collection)*		100%	100%	99%	100%	99%	99%
Complete annual Clean-Up Campaign within a four-week (20 day) time frame		Yes	Yes	Yes	Yes	Yes	Yes

Performance and Workload Measures

Streets Division	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Performance Measures							
Respond to complaints of missed collection within one (1) working day of initial contact*		100%	100%	99%	99%	99%	99%
Ensure that recycling collection contractor services all of regularly scheduled collection routes		95%	100%	99%	99%	99%	99%
Respond to complaints of missed collection within one (1) working day of initial contact (Residential Recycling)*		95%	100%	99%	99%	99%	99%
Percent of sweeping complaints responded to within one (1) work day*		100%	100%	95%	95%	95%	95%
Percent of residential streets swept on a bi-weekly basis		100%	96%	95%	95%	95%	95%
Percentage of traffic signs repaired or replaced within four (4) working days*		100%	82%	97%	97%	97%	97%
Workload Measures							
Lineal feet of Crack Sealing performed in-house		N/A	273,210	100,000	100,000	100,000	100,000
Square feet of sidewalk replace		N/A	11,397	8,000	8,000	8,000	8,000
Catch basins cleaned		N/A	2,830	4,000	4,000	4,000	4,000
Commercial/Industrial facility stormwater inspections		N/A	353	600	650	600	600
Percent of annual inspection of sites with post-construction stormwater treatment facilities - *New for FY 2021/22*		N/A	N/A	30%	30%	30%	30%
Pounds of litter removed through Adopt-a-Spot Program		N/A	435	475	50	475	475
Percent trash/litter reduction achieved to meet Stormwater Permit Requirement		N/A	87%	85%	87%	100%	100%
Pounds of solid waste disposed per resident per day (8.2 lbs. is target for 50% landfill diversion)		N/A	6.40	6.30	6.20	6.00	6.00

Performance and Workload Measures

Streets Division

Workload Measures

	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Miles of streets swept		N/A	29,837	30,000	30,000	30,000	30,000
Number of Street trees pruned*		N/A	2,048	1,400	1,400	1,400	1,400
Miles of striping installed		N/A	237	130	130	130	130
Lineal feet of curbs painted		N/A	28,219	12,000	12,000	12,000	12,000
Number of signs installed or repaired		N/A	3,514	4,500	4,500	4,500	4,500

Fleet Management Division

Performance Measures

	Strategic Pillars	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Procure equipment and vehicles identified for replacement during fiscal year		87%	82%	90%	82%	90%	90%
Percent of Preventive Maintenance (PM) completed on all vehicles and equipment within two weeks of due date		94%	92%	90%	94%	90%	90%
Percent of alternative fuel vehicles and equipment		10%	34%	15%	35%	36%	36%

Workload Measures

Fleet size		780	774	800	760	760	760
Fuel usage total (diesel and unleaded)		323,000	305,000	322,000	300,000	310,000	310,000
Percent of Preventive Maintenance (PM) hours of total work hours*		N/A	40%	70%	40%	50%	50%
Direct vs indirect labor percentage		N/A	61%	70%	63%	70%	70%

[a] *This measure replaces prior year measure to reflect a workload measure and not a performance measure.*

** This measure was reworded from the prior year.*

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Water and Sewer Utilities Department

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Water and Sewer Utilities Department Description

The Water and Sewer Utilities Department is a utility enterprise which provides planning, design, construction, maintenance and operation of the City's water distribution system, sewer collection system and recycled water system. The three utility funds, water, sewer, and recycled water, operate independently and charge rates to recover the costs of providing these services to Santa Clara residents and businesses, including capital investment in City infrastructure and funding of needed reserves.

In 2020, the Water Utility produced and distributed 6 billion gallons of water to approximately 26,000 service connections. Of the total water supply, 49.7% is obtained from the City's own wells; 34.2% is treated water purchased from two wholesale potable water agencies; and 16.1% is from recycled water delivered through the South Bay Water Recycling system. The Department provides for the design, construction, distribution, metering, quality monitoring, and system maintenance for both potable and recycled water. The Department provided for the collection and conveyance of wastewater for approximately 26,000 accounts and assessment, maintenance, or repair for more than 288 miles of sewer mains as required. The Department constructs, operates, and maintains the recycled water system within the Santa Clara city limits. This recycled water system distributes highly treated wastewater for non-potable use.

Other activities include:

- Design and construction of new recycled water pipelines by City forces
- Provide connection of water services for landscape irrigation of commercial and industrial sites, City parks and school fields
- Promote water conservation and environmental sustainability through outreach to the community
- Contract management for construction of new South Bay Recycled Water pipelines
- Coordinate planning efforts for the future expansions of recycled water systems in Santa Clara County (County)
- Maintain compliance with State regulations through development plan reviews and site inspections

The Sewer Utility operates and maintains a sanitary sewage collection system which collects and conveys wastewater to the jointly-owned San José-Santa Clara Regional Wastewater Facility (RWF) for treatment and disposal. The Sewer Utility maintains sewer pump stations and assists the Public Works Department in the operation and maintenance of the storm pump stations. Additional services are: property line clean-outs installed for access to maintain residential sewer laterals; maintain seven sanitary and twenty-one storm water pump stations to ensure reliable service; assist the industrial waste inspectors from the RWF with investigations of City industries; and implement Sanitary Sewer Management Plan as submitted to the State and Regional Water Quality Control Board.

Bonds are issued to mitigate rate increases while allowing for the repair and replacement of critical infrastructure. Proceeds from outstanding debt were being used to pay for repairs and rehabilitation of the Trimble Road Sanitary Sewer main trunk and will be repaid over the next 13 years.

Divisions and Services

The Water and Sewer Utilities Department is organized into five Divisions: Solar Utility; Water Construction, Maintenance, Operations; Water Engineering; Recycled Water Program; and Sewer.

Solar Utility Division Mission	Provide installation and maintenance of solar heating systems for commercial, residential, and pool water heating.
Division Objectives	Maintain more than 162 swimming pool systems.
	Maintain nine domestic solar hot water systems.
Water Construction, Maintenance, Operations Division Mission	Operate and maintain the Water Utility in the most efficient manner and ensure that the approved levels of service are met.
Division Objectives	Increase reliability of the water system through the replacement of obsolete mains and appurtenances.
	Complete the design, construction, and installation of approximately 10,000 linear feet of water main.
	Construct, repair, and/or rehabilitate at least two water wells to continue to provide reliable water service.
Water Engineering Division Mission	Provide Engineering services that improve and protect the water supply and distribution system while planning for future expansion and upgrades to infrastructure to ensure future reliability.
Division Objectives	Continue to improve the seismic safety of water utility system.
	Continue the use of innovative technology to optimize the management of City water assets and appurtenances.
	Construct improvements to Santa Clara Valley Water District Turnout.
	Undertake engineering studies of the condition and reliability of water system assets.

Recycled Water Program Division Mission	Provide for the safe, efficient, and reliable distribution of sustainable and high-quality recycled water which meets all requirements of State regulations and local codes. Deliver services in a cost effective and efficient manner with a focus on outstanding customer service.
Division Objectives	Provide connection of water services for landscape irrigation of commercial and industrial sites, City parks and school fields.
	Coordinate contract management for construction of new South Bay Recycled Water pipelines.
	Coordinate planning efforts for the future expansions of recycled water systems in the County, and coordinate and compile semi-annual site inspections as required by the State.
	Maintain compliance with State regulations through development plan reviews and site inspections.
	Design, construct, and maintain recycled water pipelines.

Sewer Division Mission	Collect, treat, and dispose of wastewater in an efficient, cost-effective, and environmentally safe manner. Provide for maintenance of storm water pump stations. Deliver services at approved levels in a cost effective and efficient manner with a focus on outstanding customer service.
Division Objectives	Property line clean-outs installed for access to maintain residential sewer laterals.
	Maintain seven sanitary and twenty-one storm water pump stations to ensure reliable service.
	Assist the industrial waste inspectors from the RWF with investigations of City industries.
	Implement Sanitary Sewer Management Plan as submitted to the State and Regional Water Quality Control Board.
	Clean, assess, and repair sanitary sewer mains.

Significant Accomplishments

- Continued outreach, inspection, and code enforcement of Food Serving Establishments (FSEs) as part of the administration of Fats, Oils, and Grease (FOG) Program
- Won 2020 Santa Clara Valley Section Collection System of the Year (Medium) from the Clean Water Environment Association (CWEA)
- Ongoing Supervisory Control and Data Acquisition (SCADA) replacements and process control improvements, including at City Hall and the City's Emergency Operations Center (EOC)
- Completed 2020 Update to the Urban Water Management Plan
- Updated Water and Sewer Rate Study to inform customer service charges for new fiscal year
- In response to the COVID-19 pandemic, implemented Water & Sewer Rate Assistance Program
- Assisted with funding of the Help Your Neighbor program
- Completed upgrades to Recycled Water System
- Completed the assessment by closed circuit television of approximately 270,000 linear feet of sewer line
- Jet flushed approximately 342,000 linear feet of sewer main
- Completed the in-house design, construction, and installation of approximately 4,000 linear feet of water main
- Substantial completion of rehabilitation of three Serra Tanks, each storing over 4 million gallons
- Completed hydraulic model for fire flows and fire service analyses
- Water Supply Assessments completed for El Camino, Patrick Henry, and Freedom Circle Specific Plans
- Completed a Risk & Resiliency Assessment and Updated Emergency Response Plan
- Substantial completion of sewer condition assessment work related to the Riverwatch Agreement

Significant Objectives

- Complete the construction and installation of approximately 10,000 linear feet of water main
- Complete the rehabilitation of four City water distribution wells
- Complete Water Supply Master Plan
- Complete Utility Asset Management Plan
- Utilize findings of Well Feasibility Study to begin the design process for two new water wells
- Optimize the recycled water system while focusing on expansion opportunities with regional partners
- Continue to repair or rehabilitate the most severely impacted sewer mains, based on accepted rating criteria
- Clean and assess the condition of over 585,000 linear feet of sanitary sewer main
- Continue robust sampling and cross connection programs to ensure water quality meets State and federal standards
- Increasing recycled water supply and expanding its use for non-potable uses
- Increased outreach regarding water conservation and overall environmental sustainability

Budget Highlights

- The budget reflects updates to the City of Santa Clara's contribution to the Regional Wastewater Facility, co-owned with the City of San José, as well as revised revenues and costs to continue to effectively deliver water, recycled water, and sewer services.

Water and Sewer Utilities Department

73.00 FTEs

Sewer

0.25 Assistant Engineer (Civil)
0.35 Assistant Director of Water and Sewer Utilities
1.00 Assistant Sanitary Sewer Superintendent
0.40 Assistant Water and Sewer Superintendent
0.60 Associate Engineer
1.00 Code Enforcement Officer
0.10 Code Enforcement Technician
0.40 Compliance Manager
0.40 Director of Water and Sewer Utilities
1.00 Equipment Operator
0.80 Facilities Technician
0.50 Maintenance Systems Specialist
0.80 Management Analyst
1.00 Office Records Specialist
0.40 Office Specialist IV
0.40 Principal Engineer
1.00 Pump Maintenance Technician
2.00 Sewer Inspection Technician
0.15 Senior Engineering Aide
0.40 Senior Project Engineer
0.50 Senior Water and Sewer System Operator
0.50 Utility Business Systems Manager
2.00 Utility Crew Supervisor
0.35 Water and Sewer Operations Manager
0.75 Water and Sewer System Operator
0.15 Water Resource Planner
5.00 Water and Sewer Maintenance Worker II

22.20 Total Sewer FTE

Water Construction, Maintenance, Operations

1.00 Assistant Engineer (Civil)
1.75 Assistant Water Superintendent
0.10 Code Enforcement Technician
4.00 Equipment Operator
1.00 Facilities Inspection Supervisor
1.00 Facilities Technician
0.25 Maintenance Systems Specialist
1.50 Pump Maintenance Technician
5.00 Utility Crew Supervisor
0.50 Water and Sewer System Operator
0.25 Water Resource Planner
4.75 Water Service Technician II
11.70 Water and Sewer Maintenance Worker II

32.80 Total Water Construction, Maintenance, Operations FTE

Recycled Water Program

0.15 Assistant Engineer (Civil)
0.25 Assistant Water Superintendent
0.15 Associate Engineer
0.80 Code Enforcement Technician
0.20 Compliance Manager
0.20 Facilities Technician
0.50 Management Analyst
0.10 Principal Engineer
0.15 Senior Engineering Aide
0.10 Senior Water Utility Engineer
0.10 Utility Business Systems Manager
0.15 Water Resource Planner
0.25 Water Service Technician II
0.30 Water and Sewer Utility Maintenance Worker II

3.40 Total Recycled Water Program FTE

Water Engineering

0.60 Assistant Engineer (Civil)
0.65 Assistant Director of Water and Sewer Utilities
0.60 Assistant Water and Sewer Superintendent
1.25 Associate Engineer
0.40 Compliance Manager
0.60 Director of Water and Sewer Utilities
0.25 Maintenance Systems Specialist
0.70 Management Analyst
2.60 Office Specialist II/III/IV
0.50 Principal Engineer
1.00 Senior Engineer (Civil)
0.70 Senior Engineering Aide
0.60 Senior Project Engineer
0.50 Senior Water and Sewer System Operator
0.40 Utility Business Supervisor
0.65 Water and Sewer Operations Manager
0.65 Water and Sewer System Operator
0.45 Water Resource Planner

13.10 Total Water Engineering FTE

Solar Utility

0.50 Pump Maintenance Technician
1.00 Water and Sewer Maintenance Worker II

1.50 Total Solar Utility FTE

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Solar Utility Division							
1532	Solar – System Maintenance	206,446	282,462	257,806	(8.7%)	273,487	6.1%
Total Solar Utility Division		**206,446**	**282,462**	**257,806**	**(8.7%)**	**273,487**	**6.1%**
Water Construction, Maintenance, Operations Division							
1422	Water System Maintenance	1,708,501	1,858,214	1,795,740	(3.4%)	1,862,288	3.7%
1423	Water Construction	4,004,314	3,789,856	3,524,421	(7.0%)	3,670,820	4.2%
1424	Water System Operations	7,995,451	8,239,396	9,201,755	11.7%	9,597,804	4.3%
Total Water Construction, Maintenance, Operations Division		**13,708,266**	**13,887,466**	**14,521,916**	**4.6%**	**15,130,912**	**4.2%**
Water Engineering Division							
1411	Administration Design	16,225,816	8,535,151	10,054,440	17.8%	8,285,534	(17.6%)
1412	Water Quality	353,093	301,910	272,230	(9.8%)	280,185	2.9%
1413	Water Resources	26,962,977	30,422,398	28,035,161	(7.8%)	26,944,500	(3.9%)
Total Water Engineering Division		**43,541,886**	**39,259,459**	**38,361,831**	**(2.3%)**	**35,510,219**	**(7.4%)**
Recycled Water Program Division							
1522	System Maintenance	5,314,979	6,078,685	5,425,453	(10.7%)	5,455,750	0.6%
1525	South Bay Water Recycling Maintenance	292,017	339,253	334,129	(1.5%)	349,598	4.6%
Total Recycled Water Program Division		**5,606,996**	**6,417,938**	**5,759,582**	**(10.3%)**	**5,805,348**	**0.8%**
Sewer Division							
1511	System Administration	4,475,203	4,693,413	5,514,072	17.5%	5,119,616	(7.2%)
1512	System Maintenance	2,177,361	2,494,856	2,462,577	(1.3%)	2,569,630	4.3%
1514	Operations	6,013,463	39,973,125	7,026,428	(82.4%)	32,521,691	362.8%
1515	San José-Santa Clara Water Pollution Control Plant	20,536,761	20,222,722	21,552,990	6.6%	22,129,061	2.7%
1516	Storm Pump Maintenance	140,322	170,405	171,292	0.5%	179,072	4.5%
Total Sewer Division		**33,343,110**	**67,554,521**	**36,727,359**	**(45.6%)**	**62,519,070**	**70.2%**
Total by Division / Program		**96,406,704**	**127,401,846**	**95,628,494**	**(24.9%)**	**119,239,036**	**24.7%**

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
OPEB Plan Trust Fund	50,243	0	0	0.0%	0	0.0%
Water Utility Fund	57,405,162	53,429,387	53,141,553	(0.5%)	50,914,618	(4.2%)
Water Recycling Program Fund	5,606,996	6,417,938	5,759,582	(10.3%)	5,805,348	0.8%
Sewer Utility Fund	33,320,652	67,554,521	36,727,359	(45.6%)	62,519,070	70.2%
Other City Departments Operating Grant Fund	23,651	0	0	0.0%	0	0.0%
Total by Fund	**96,406,704**	**127,401,846**	**95,628,494**	**(24.9%)**	**119,239,036**	**24.7%**
Dollars by Category						
Salary and Benefits						
Salary	6,106,372	8,566,860	8,555,669	(0.1%)	8,941,954	4.5%
As-Needed	116,772	230,000	238,050	3.5%	243,484	2.3%
Overtime	241,735	252,000	260,820	3.5%	269,948	3.5%
Retirement	2,140,627	2,632,896	2,921,243	11.0%	3,120,518	6.8%
Health Allocation	751,152	932,832	1,070,947	14.8%	1,118,066	4.4%
Medicare	102,840	128,410	128,633	0.2%	134,239	4.4%
Social Security	405,588	526,574	533,300	1.3%	548,983	2.9%
Other Benefits	412,828	359,147	383,265	6.7%	390,434	1.9%
Total Salary and Benefits	**10,277,914**	**13,628,719**	**14,091,927**	**3.4%**	**14,767,626**	**4.8%**
Non-Personnel						
Materials/Services/Supplies	6,522,219	7,484,100	7,757,948	3.7%	8,024,959	3.4%
Resource/Production	50,598,192	53,521,385	52,532,885	(1.8%)	51,532,885	(1.9%)
Interfund Services	7,022,945	7,245,866	7,200,737	(0.6%)	7,354,643	2.1%
Capital Outlay	144,556	0	0	0.0%	0	0.0%
Transfers to Other Funds	21,840,878	45,521,776	14,044,997	(69.1%)	37,558,923	167.4%
Total Non-Personnel	**86,128,790**	**113,773,127**	**81,536,567**	**(28.3%)**	**104,471,410**	**28.1%**
Total by Category	**96,406,704**	**127,401,846**	**95,628,494**	**(24.9%)**	**119,239,036**	**24.7%**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Division / Program					
Solar Utility Division					
1532 Solar – System Maintenance	1.50	1.50	1.50	0.00	1.50
Total Solar Utility Division	**1.50**	**1.50**	**1.50**	**0.00**	**1.50**
Water Construction, Maintenance, Operations Division					
1422 Water System Maintenance	7.00	7.00	7.00	0.00	7.00
1423 Water Construction	13.80	13.80	13.80	0.00	13.80
1424 Water System Operations	12.50	12.00	12.50	0.50	12.50
Total Water Construction, Maintenance, Operations Division	**33.30**	**32.80**	**33.30**	**0.50**	**33.30**
Water Engineering Division					
1411 Administration Design	11.75	11.75	11.75	0.00	11.75
1412 Water Quality	0.45	0.45	0.45	0.00	0.45
1413 Water Resources	0.25	0.25	0.25	0.00	0.25
Total Water Engineering Division	**12.45**	**12.45**	**12.45**	**0.00**	**12.45**
Recycled Water Program Division					
1522 System Maintenance	1.85	1.85	1.65	(0.20)	1.65
1525 South Bay Water Recycling Maintenance	1.75	1.75	1.65	(0.10)	1.65
Total Recycled Water Program Division	**3.60**	**3.60**	**3.30**	**(0.30)**	**3.30**
Sewer Division					
1511 System Administration	5.80	5.80	6.10	0.30	6.10
1512 System Maintenance	11.55	11.55	11.55	0.00	11.55
1514 Operations	3.80	4.30	3.80	(0.50)	3.80
1515 SJSC Water Pollution Control Plant	0.10	0.10	0.10	0.00	0.10
1516 Storm Pump Maintenance	0.90	0.90	0.90	0.00	0.90
Total Sewer Division	**22.15**	**22.65**	**22.45**	**(0.20)**	**22.45**
Total by Division / Program	**73.00**	**73.00**	**73.00**	**(0.00)**	**73.00**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Positions by Fund					
Water Utility Fund	47.25	46.75	47.25	0.50	47.25
Water Recycling Program Fund	3.60	3.60	3.30	(0.30)	3.30
Sewer Utility Fund	22.15	22.65	22.45	(0.20)	22.45
Total by Fund	**73.00**	**73.00**	**73.00**	**0.00**	**73.00**
Position Classification					
Assistant Director of Water and Sewer Utility	1.00	1.00	1.00	0.00	1.00
Assistant Engineer (Civil)	2.00	2.00	2.00	0.00	2.00
Assistant Sanitary Sewer Superintendent	1.00	1.00	1.00	0.00	1.00
Assistant Water and Sewer Superintendent	1.00	1.00	1.00	0.00	1.00
Assistant Water Superintendent	2.00	2.00	2.00	0.00	2.00
Associate Engineer	0.00	0.00	2.00	2.00	2.00
Code Enforcement Officer	0.00	1.00	1.00	0.00	1.00
Code Enforcement Technician	1.00	1.00	1.00	0.00	1.00
Compliance Manager	1.00	1.00	1.00	0.00	1.00
Director of Water and Sewer Utility	1.00	1.00	1.00	0.00	1.00
Equipment Operator	5.00	5.00	5.00	0.00	5.00
Facilities Inspection Supervisor	1.00	1.00	1.00	0.00	1.00
Facilities Technician	2.00	2.00	2.00	0.00	2.00
Maintenance Systems Specialist	1.00	1.00	1.00	0.00	1.00
Management Analyst	2.00	2.00	2.00	0.00	2.00
Office Records Specialist	1.00	1.00	1.00	0.00	1.00
Office Specialist II/III	2.00	2.00	2.00	0.00	2.00
Office Specialist IV	1.00	1.00	1.00	0.00	1.00
Principal Engineer	1.00	1.00	1.00	0.00	1.00
Pump Maintenance Technician	3.00	3.00	3.00	0.00	3.00
Senior Civil Engineer	0.00	0.00	1.00	1.00	1.00
Senior Engineering Aide	1.00	1.00	1.00	0.00	1.00
Senior Project Engineer	1.00	1.00	0.00	(1.00)	0.00
Senior Water and Sewer System Operator	1.00	1.00	1.00	0.00	1.00
Senior Water Utility Engineer	1.00	1.00	0.00	(1.00)	0.00
Sewer Inspection Technician	2.00	2.00	2.00	0.00	2.00
Utility Business Systems Manager	1.00	1.00	1.00	0.00	1.00
Utility Crew Supervisor	7.00	7.00	7.00	0.00	7.00
Utility Operations Engineer	0.00	0.00	1.00	1.00	1.00
Water and Sewer Maintenance Worker II	18.00	18.00	18.00	0.00	18.00

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change	FY 2022/23 Proposed
Position Classification					
Water and Sewer System Operator	4.00	3.00	2.00	(1.00)	2.00
Water Resource Planner	1.00	1.00	1.00	0.00	1.00
Water Service Technician II	5.00	5.00	5.00	0.00	5.00
Water Utility Engineer	1.00	1.00	0.00	(1.00)	0.00
Total Positions	**73.00**	**73.00**	**73.00**	**0.00**	**73.00**

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	73.00	127,401,846
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Net decrease in transfers to the capital improvement program		(31,933,015)
Ongoing Cost Adjustments		
Salary and benefits adjustments		463,208
Increase in debt service costs		456,236
Non-personnel adjustments		228,719
Decrease in resource/production costs		(988,500)
Total FY 2021/22 Base Budget Adjustments	**0.00**	**(31,773,352)**
Total FY 2021/22 Base Budget	**73.00**	**95,628,494**
Total FY 2021/22 Proposed Budget	**73.00**	**95,628,494**
FY 2022/23 Base Budget Adjustments		
One-Time Cost Adjustments		
Net increase in transfers to the capital improvement program		23,513,926
Ongoing Cost Adjustments		
Salary and benefit adjustments		675,699
Non-personnel adjustments		267,011
Net increase in various interfund service fund allocations		153,906
Decrease in resource/production costs		(1,000,000)
Total FY 2022/23 Base Budget Adjustments	**0.00**	**23,610,542**
Total FY 2022/23 Base Budget	**73.00**	**119,239,036**
Total FY 2022/23 Proposed Budget	**73.00**	**119,239,036**

Performance and Workload Measures

Solar Utility Division

Workload Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Number of systems provided with semi-annual winterization service		48	45	55	55	55	55
Number of removal and reinstallation requests		3	1	6	6	6	6

Water Construction, Maintenance, Operations Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Maintain an industrial standard for unaccounted water of 5% or less		< or = 8%	≤10%	< or = 8%	< or = 5%	< or = 8%	< or = 8%
Respond to customer service requests within 30 minutes of receipt of calls (excluding scheduled appointments and after hours call back requests)		90%	90%	80%	80%	80%	80%

Workload Measures

Number of responses to customer service requests		1,919	1,649	1,600	1,600	1,600	1,600
Number of backflow prevention devices tested		3,360	3,688	2,000	2,000	2,000	2,000
Number of linear feet of water mains installed		3,700	4,000	5,000	5,000	5,000	5,000
Number of new service installations		123	129	80	50	80	80
Number of underground utility locates performed		12,437	13,978	3,000	2,000	3,000	3,000
Perform routine maintenance on City fire hydrants		994	832	600	750	600	600
Number of production meters read and recorded		774	768	600	800	600	600
Number of mainline water valves tested and exercised		1,686	1,122	400	800	400	400

Performance and Workload Measures

Water Engineering Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Complete review of plans by the required due dates		99%	96%	90%	90%	90%	90%
Respond to customer service requests within 30 minutes of receipt of calls (excluding scheduled appointments and after hours call back requests)		80%	80%	80%	80%	80%	80%

Workload Measures

Number of plans reviewed		991	904	400	220	400	400
Number of water quality samples processed		3,634	3,307	2,800	3,000	2,800	2,800
Promote water conversation at public events		13	7	4	4	4	4

Recycled Water Program Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Provide all operations and maintenance services as required in Agreement for Services		100%	100%	100%	100%	100%	100%

Performance and Workload Measures

Sewer Division

Performance Measures

	Strategic Pillar	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Percentage of sanitary sewer overflows reported to the State CIQWS database within the time frame required by regulations		100%	100%	100%	100%	100%	100%
Provide all preventative and routine maintenance as specified in operations and maintenance manual		100%	100%	100%	100%	100%	100%
Provide sufficient funding for all Water Pollution Control Plant (WPCP) approved projects		100%	100%	100%	100%	100%	100%
Provide all preventative and routine maintenance as specified in operations and maintenance manuals		100%	100%	100%	100%	100%	100%

Workload Measures

Prepare annual Sewer Revenue Program (as required for federal program and WPCP cost distribution) by due dates each year		2	2	2	2	2	2
Prepare monthly status reports and Treatment Plant Advisory Committee (TPAC) agenda reports		10	10	12	12	12	12
Number of feet of mainlined jetted		207,500	342,319	350,000	350,000	350,000	350,000
Number of reportable sewer spills		< 3	0	< 3	< 3	< 3	< 3
Number of pump and metering stations inspections performed		366	396	396	396	396	396
Support TPAC members to represent the City in matters relating to the WPCP at monthly meetings		11	12	12	12	12	12
Number of storm pump stations inspected		382	408	408	408	408	408
Coordinate annual load test for generators		0	10	10	10	10	10

Non-Departmental

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Non-Departmental Description

The Non-Departmental budget provides a way to report expenditures that are not attributable to a single department but are citywide in nature or to break out specific operational costs. This budget also houses key positions with citywide functions and responsibilities.

Divisions and Services

Non-Departmental has three primary program areas: Citywide Programs; Citywide Strategic Planning and Initiatives; and Stadium Operations. The Debt Service budget information is reflected in the Debt Service section of this document.

Citywide Programs Division Mission	Provides transparency for expenses that are not attributable to a single department but are citywide.
Division Objectives	Provide funding for community grants, utilities at citywide facilities, and transactions to fund the City's approved Capital Improvement Program (CIP).

Citywide Strategic Planning and Initiatives Division Mission	Provides oversight to and general administration of initiatives, programs, and activities with citywide functions and responsibilities. These include the Santa Clara Convention Center, risk management, sustainability, and real estate management.
Division Objectives	Develop citywide programs and processes related to risk management, sustainability, real estate management, and venue management that are consistent with best practices.
	Provide general and administrative support to the Convention Center, Tourism Improvement District (TID), and the new Destination Marketing Organization (DMO). As a critical economic development strategy, leads collaborative efforts with key stakeholders to implement a comprehensive tourism strategy focused on providing elevated destination, convention, and visitor services in Santa Clara; while ensuring alignment of marketing and booking goals between the Convention Center and TID which collectively enhance economic growth and city revenues. Provide management of the City's real estate portfolio, promote economic development, and generate revenue for the General Fund. Provide a comprehensive citywide sustainability program that oversees current sustainability initiatives and expands on sustainability efforts to advance local climate and sustainability targets and State environmental regulations.

Stadium Operations Division Mission	Provides general and administrative support to the Santa Clara Stadium Authority in its oversight and deployment of resources at Levi's Stadium events. All General and Administrative, Police, Fire and Public Works Departments expenditures specific to the stadium are included in this division. This division is responsible for implementing operational and public safety plans during National Football League (NFL) games and Non-NFL events held at Levi's Stadium to protect patrons and residents in and around the stadium. In addition, the reimbursements from the Santa Clara Stadium Authority and the Forty-Niners Stadium Management Company, LLC (Stadium Manager) and other stadium-related revenues such as ground and performance rent, are reported in this division but displayed separately in the General Fund revenues section of this document.
Division Objectives	Ensure compliance with Measure J.
	Maintain a productive and functional business relationship with Forty-Niners SC Stadium Company, LLC as the tenant of Levi's Stadium.
	Develop and implement oversight initiatives consistent with public entity organizations.
	Provide support from the Police, Fire, and Public Works Departments to maintain a safe environment in and around Levi's Stadium during NFL games and Non-NFL events.

Significant Accomplishments

- Lead efforts in the successful formation of the new Destination Marketing Organization (DMO) including the development of Articles of Incorporation and Bylaws; appointment of a Board of Directors; hiring of new CEO; and development of a funding model.
- Developed Revenue Strategies to plan for the City's future needs and engaged a third-party consultant to poll for potential revenue strategies/tax measures. Coordinated informational campaign about City infrastructure needs with virtual community meetings and behind-the-scenes tours on Facebook Live that garnered thousands of views.
- Worked with IT Department to build a GIS (Geographic Information System) mapping tool that serves as an interactive database providing transparent detailed information for all city-owned sites.
- Developed strategy (internal/external stakeholders, guiding values, best practices, goals, priorities) for establishing new City Sustainability Program as a roadmap to launch the new City Council Sustainability Pillar.
- Established nine new Sustainability Program priorities under three category areas (innovation, integration, collaboration) approved by City Council.
- Developed new City Climate Friendly Sustainable Purchasing Policy.
- Developed proposed Fleet Electrification Plan.
- Began implementation of mixed-waste processing for organics collection in collaboration with Public Works Department.

COVID-19 Response and Relief Efforts

- Proclaimed a local state of emergency on March 11, 2020, to prepare for the growing spread of COVID-19 in the community
- Activated the City's Emergency Operations Center (EOC) to ensure the City's continuity of essential operations, maintain situational awareness, manage resources, and coordinate public information in response to the COVID-19 pandemic
- Distributed regular COVID-19 updates to the community with the latest information on the pandemic as well as the City's response efforts through digital communication channels including website, video, and direct email updates
- Established a City of Santa Clara Reference Line launched for residents who have questions about City services and programs during the COVID-19 pandemic
- Housed a temporary Federal Medical Station (FMS) at the Santa Clara Convention Center and coordinated with several regional organizations in support of this effort
- Facilitated the use of the City Library branches as COVID-19 testing sites
- Participated in the virtual Parade of Champions event and provided City video montage highlighting city departments and the various COVID-19 response efforts

Significant Objectives

- Continue to build and maintain a productive and functional business relationship with Forty-Niners SC Stadium Company, LLC as the tenant of Levi's Stadium in accordance with the applicable agreements
- Continue to provide strategic oversight of the management of the Convention Center and ensure alignment of marketing and booking goals between the Convention Center, TID, and DMO
- Lead efforts to implement a comprehensive tourism strategy and continued development of the new destination marketing organization (DMO) that will work closely with the Convention Center and the TID to provide destination, convention, and visitor services in Santa Clara
- Provide general and administrative support in the development and implementation of a new TID established under the Property & Business Improvement District Law of 1994
- Continue to develop and implement a comprehensive real estate program to manage City-owned properties, promote economic development, and generate revenue for the General Fund
- Continue to develop and implement a comprehensive citywide sustainability program that oversees current sustainability initiatives and expands on sustainability efforts
- Continue to invest in training City employees to ensure that they are prepared to deliver effective and efficient services to the Santa Clara community through various efforts, such as City-wide trainings and Quarterly Management Meetings
- Continue to develop, finalize, and approve a comprehensive update to the City's Climate Action Plan as a roadmap to meet local goals and state regulatory targets
- Establish a Climate Action Plan monitoring system across all departments including conducting an annual greenhouse gas inventory to measure and report progress on adopted targets
- Ensure continued alignment of the City's Climate Action Plan with other relevant plans including, but not limited to, Fleet Electrification Plan, SVP Electric Vehicle Blueprint, Bicycle Master Plan, the Santa Clara Urban Water Management Plan (UWMP), and any reach codes that are adopted and meets the goals of state regulatory requirements in the areas of water, solid waste, transportation and energy
- Continue to implement the City's Fleet Electrification Plan and community Electric Vehicle Charging Program
- Implement waste reduction measures within City operations to comply with SB 1383 Organics state mandate
- Continue to lead and support the Related development, as well as other significant development projects within the community

Budget Highlights

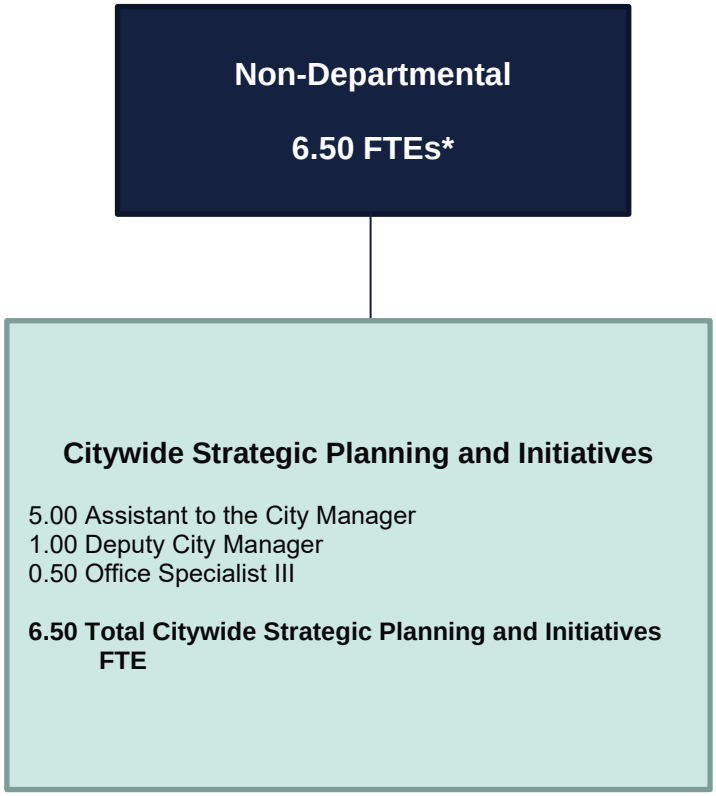
- This budget factors in the COVID-19 Phase 1 budget rebalancing actions approved by the City Council on March 9, 2021, including the following:
    - Conference, travel, and training
    - Elimination of City Manager's contingency funds and reduction of City Council contingency allocation
    - Reduction of Silicon Valley Animal Control Authority (SVACA) allocation
    - Froze 1.0 Deputy City Manager position for the Stadium Authority
    - Froze 1.0 Office Specialist III position
- The Proposed Budget includes the following Phase 2 budget reductions to help address the General Fund shortfall:
    - Consolidation of the Community Grants Program and the Championship Teams budgets and overall funding reduction of $40,000 (bringing the total Community Grants/Championship Teams budget to $100,000); also eliminates the Miss Santa Clara allocation of $12,000 and reduces the Triton Museum allocation by $29,600, one-time in FY 2021/22 and FY 2022/23.
- Migration of all the membership, conference, travel, and training budgets from City Manager's Office to Non-Departmental. Ongoing membership fees, conference, travel, and training costs will be included as a line item under the Non-Departmental Citywide Program
- Addition of $50,000 to support the Task Force on Diversity, Equity, and Inclusion to cover costs for printing and mailing services, listening sessions for targeted outreach as well as community engagement

- Summary of the Santa Clara Stadium Authority Budget[1]:'

Revenue	FY2021/22 Adopted
NFL Ticket Surcharge	8,665,000
SBL Proceeds	23,682,000
Interest	56,000
Net Revenues from Non-NFL Events	0
Naming Rights	7,165,000
Sponsorship Revenue (STR)	325,000
Rent	24,762,000
Senior and Youth Program Fees	232,000
Non-NFL Event Ticket Surcharge	150,000
Total Revenue	**65,037,000**

Expenditures	FY2021/22 Adopted
Stadium Operations	0
Insurance	3,136,000
Stadium Management Fee	0
SBL Sales and Service	3,448,000
Senior and Youth Program Fees (paid to City)	232,000
Net Expense from Non-NFL Events	600,000
Ground Rent (paid to City)	425,000
Performance Rent (paid to City)	0
Discretionary Fund Expense	250,000
Utilities	1,586,000
Use of StadCo Tenant Improvements	26,000
Stadium Authority General and Administrative	2,590,000
Stadium Authority Legal Services	2,525,000
Naming Rights Commission	88,000
Other Expenses	388,000
Transfers Out	41,262,000
Legal Contingency	8,123,000
Contribution to Operating Reserve	0
Total Expenditures	**64,679,000**

[1]Santa Clara Stadium Authority budget was adopted on March 23, 2021 and can be found on the City's website at https://www.santaclaraca.gov/home/showpublisheddocument?id=72128



**The positions above represent all funded positions. This excludes the 1.0 Deputy City Manager and 1.0 Office Specialist III positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Summary

		FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program							
Citywide Programs Division							
3611	Citywide Programs	67,709,666	28,548,377	46,998,766	64.6%	11,632,453	(75.2%)
Total Citywide Programs Division		**67,709,666**	**28,548,377**	**46,998,766**	**64.6%**	**11,632,453**	**(75.2%)**
Citywide Strategic Planning and Initiatives Division							
3631	Strategic Planning and Initiatives	1,516,686	21,897,041	11,296,680	(48.4%)	16,231,254	43.7%
Total Citywide Strategic Planning and Initiative Division		**1,516,686**	**21,897,041**	**11,296,680**	**(48.4%)**	**16,231,254**	**43.7%**
Debt Service Division[1]							
3394	2010 Lease (Refunding 1997 COPS)	0	0	0	0.0%	0	0.0%
3395	2013 COPS (Refunding 2002A)	0	0	0	0.0%	0	0.0%
Total Debt Service Division		**0**	**0**	**0**	**0.0%**	**0**	**0.0%**
Stadium Operations Division[2]							
3621	Stadium - General Administrati	652,382	1,278,820	1,034,052	(19.1%)	1,070,045	3.5%
3622	Stadium - Police	5,189,237	4,843,417	4,950,411	3.7%	5,020,857	4.7%
3623	Stadium - Fire	429,592	437,300	439,635	3.5%	439,739	3.5%
3624	Stadium - Public Works	460,203	747,600	747,688	3.5%	747,640	3.5%
Total Stadium Operations Division		**6,731,414**	**7,307,137**	**7,171,786**	**(1.9%)**	**7,278,281**	**1.5%**
Total by Division / Program		**75,957,766**	**57,752,555**	**65,467,232**	**13.4%**	**35,141,988**	**(46.3%)**

[1]The Debt Service Division budget information can be found under the Debt Service section of this document.
[2]Santa Clara Stadium Authority budget is posted on the City's website at https://www.santaclaraca.gov/home/showpublisheddocument?id=72128

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Fund						
General Fund	74,396,949	38,119,118	55,501,432	45.6%	20,305,762	(63.4%)
Convention Center Enterprise Fund	319,232	19,357,548	9,581,861	(50.5%)	14,428,381	50.6%
Housing Authority Fund	17,719	55,175	0	(100.0%)	0	0.0%
City Affordable Housing Fund	35,437	110,357	0	(100.0%)	0	0.0%
Housing Successor Agency Fund	35,437	110,357	0	(100.0%)	0	0.0%
Other City Departments Operating Grant Trust Fund	1,152,992	0	0	0.0%	0	0.0%
Related Santa Clara Developer Fund	0	0	383,939	0.0%	407,845	6.2%
Total by Fund	**75,957,766**	**57,752,555**	**65,467,232**	**13.4%**	**35,141,988**	**(46.3%)**

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Category						
Salary and Benefits						
Salary	1,981,366	5,224,226	4,333,067	(17.1%)	4,512,826	4.1%
As-Needed	1,314,015	1,471,700	1,471,700	0.0%	1,498,199	1.8%
Overtime	2,194,305	2,878,400	2,878,400	0.0%	2,865,613	(0.4%)
Retirement	309,764	592,958	507,894	(14.3%)	547,269	7.8%
Health Allocation	50,187	119,321	79,370	(33.5%)	82,760	4.3%
Medicare	30,233	28,942	19,148	(33.8%)	20,054	4.7%
Social Security	38,638	78,395	53,669	(31.5%)	53,803	0.2%
Other Benefits	491,325	324,862	407,105	25.3%	421,920	3.6%
Total Salary and Benefits	**6,409,833**	**10,718,804**	**9,750,353**	**(9.0%)**	**10,002,444**	**2.6%**
Non-Personnel						
Materials/Services/Supplies	5,116,857	23,521,470	13,734,895	(41.6%)	18,639,722	35.7%
Interfund Services	442,735	487,088	413,771	(15.1%)	426,783	3.1%
Capital Outlay	71,662	62,900	62,900	0.0%	62,900	0.0%
Transfers to Other Funds	63,916,679	22,962,293	41,505,313	80.8%	6,010,139	(85.5%)
Total Non-Personnel	**69,547,933**	**47,033,751**	**55,716,879**	**18.5%**	**25,139,544**	**(54.9%)**
Total by Category	**75,957,766**	**57,752,555**	**65,467,232**	**13.4%**	**35,141,988**	**(46.3%)**

Position Summary

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Division / Program					
Citywide Programs Division					
3611 Citywide Programs	0.00	0.00	0.00	0.00	0.00
Total Citywide Programs Division	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**
Citywide Strategic Planning and Initiatives Division					
3631 Strategic Programs and Initiatives	9.00	11.00	6.50	(4.50)	6.50
Total Citywide Strategic Planning and Initiatives Division	**9.00**	**11.00**	**6.50**	**(4.50)**	**6.50**
Total by Division / Program	**9.00**	**11.00**	**6.50**	**(4.50)**	**6.50**

	FY 2019/20 Adopted	FY 2020/21 Adopted	FY 2021/22 Proposed*	FY 2021/22 Change	FY 2022/23 Proposed*
Positions by Fund					
General Fund	6.80	7.80	4.00	(3.80)	4.00
Housing Authority Fund	0.14	0.14	0.00	(0.14)	0.00
City Affordable Housing Fund	0.28	0.28	0.00	(0.28)	0.00
House and Urban Development Fund	0.28	0.28	0.00	(0.28)	0.00
Convention Center Enterprise Fund	1.50	1.50	1.50	0.00	1.50
Related Santa Clara Developer Fund	0.00	1.00	1.00	0.00	1.00
Total by Fund	**9.00**	**11.00**	**6.50**	**(4.50)**	**6.50**
Position Classification					
Assistant to the City Manager	4.00	6.00	5.00	(1.00)	5.00
Deputy City Manager	1.00	1.00	1.00	0.00	1.00
Office Specialist III	2.00	2.00	0.50	(1.50)	0.50
Public Records Manager	1.00	1.00	0.00	(1.00)	0.00
Risk Manager	1.00	1.00	0.00	(1.00)	0.00
Total Positions	**9.00**	**11.00**	**6.50**	**(4.50)**	**6.50**

**The positions above represent all funded positions. This excludes the 1.0 Deputy City Manager and 1.0 Office Specialist III positions that were frozen, as approved by the City Council on March 9, 2021 (Agenda Item 5.0 – Report to Council 21-402).*

Budget Reconciliation

	Positions	Expenditures (All Funds)
Prior Year Budget	11.00	57,752,555
FY 2021/22 Base Budget Adjustments		
One-Time Cost Adjustments		
Transfer of Building Inspection Reserve from General Fund to the newly established Building Development Services Fund		18,013,097
Transfer to the Special Liability Insurance Fund		5,200,000
Transfer to the Land Sale Reserve to reflect Parks and Recreation loan repayment		3,026,782
Decrease in Convention Center event and indirect expenses		(9,842,696)
Net decrease in transfers to various capital improvement program funds		(7,913,156)
Convention Center Resources		(100,000)
Ongoing Cost Adjustments		
Salary and benefits adjustments		430,599
Reallocation of 1.0 Assistant to the City Manager to the Community Development Department	(1.00)	(334,895)
Reallocation of 1.0 Risk Manager to the Human Resources Department	(1.00)	(296,457)
Reallocation of 0.5 Office Specialist III to the City Manager's Office	(0.50)	(64,526)
COVID-19 Phase 1 Budget Rebalancing (Approved by City Council March 9, 2021):		
- Freeze of 1.0 Deputy City Manager	(1.00)	(397,768)
- Freeze of 1.0 Office Specialist III	(1.00)	(123,768)
- Reduction in various contingency funds		(484,500)
- Reduction in various advertising and community promotion allocations		(79,716)
Reallocation of Accela funding from various City departments to a central allocation		348,530
Reallocation of various City Memberships to Non-Departmental		160,697
Increase for CalPERS replacement benefits funding		101,742
Increase for contractual services extensions for the Convention Center		45,000
Increase in transfer to the Solid Waste Fund - Rate Assistance Program		33,600
Additional funding for Local Agency Formation Committee (State-mandated committee)		21,193
Increase for various City memberships		2,519
Total FY 2021/22 Base Budget Adjustments	**(4.50)**	**7,746,277**
Total FY 2021/22 Base Budget	**6.50**	**65,498,832**

Budget Reconciliation

	Positions	Expenditures (All Funds)
FY 2021/22 Service Level Changes		
Task Force for Diversity, Equity and Inclusion		50,000
Community Funding Reductions		(81,600)
Total Service Level Changes		**(31,600)**
Total FY 2021/22 Proposed Budget	**6.50**	**65,467,232**
FY 2022/23 Base Budget Adjustments		
One-Time Cost Adjustments		
Increase in Convention Center event and indirect expenses		4,822,879
Transfer of Building Inspection Reserve from General Fund to the newly established Building Development Services Fund		(18,013,097)
Decrease in transfers to various capital improvement program funds		(8,250,682)
Transfer to the Special Liability Insurance Fund		(5,200,000)
Transfer to the Land Sale Reserve to reflect Parks and Recreation loan repayment		(3,026,782)
Decrease in transfer to the Public Financing Fund to reflect debt service payments		(1,094,164)
Ongoing Cost Adjustments		
Salary and benefits adjustments		436,602
Total FY 2022/23 Base Budget Adjustments		**(30,325,244)**
Total FY 2022/23 Base Budget	**6.50**	**35,141,988**
Total FY 2022/23 Proposed Budget	**6.50**	**35,141,988**

Non-Departmental Detail

	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2022/23 Proposed
Citywide Programs Division			
Citywide Programs			
Accela Licensing	0	348,530	351,300
CalPERS Replacement Benefit Fund	243,571	356,498	374,935
Championship Teams	36,000	0	0
City Council Contingency Fund	102,000	25,000	25,000
City Facilities Utilities - Electric	313,799	326,351	339,405
City Facilities Utilities - Garbage	39,699	41,287	42,938
City Facilities Utilities - Gas	60,540	62,962	65,480
City Facilities Utilities - Miscellaneous	2,704	2,812	2,924
City Facilities Utilities - Sewer	26,048	27,090	28,174
City Facilities Utilities - Water	52,020	54,101	56,265
City Manager Special Initiatives	408,000	8,160	16,483
Citywide Training	102,000	104,040	106,121
Community Grants Program	102,000	100,000	100,000
Community Outreach	250,920	255,938	261,057
Golf and Tennis Maintenance	549,506	571,002	582,422
Miss Santa Clara	12,000	0	0
Mission City Scenes	18,360	18,727	19,102
Pension/OPEB Trust Program Administration	22,440	22,889	23,347
Separation Payouts	1,800,000	1,810,000	1,845,972
Silicon Valley Animal Control Authority	1,143,258	1,086,407	1,109,730
Sister Cities Association	5,659	5,659	5,659
Transfers to Capital Improvement Program			
Agenda and Document Management Systems	500,000	0	0
Annual Creek Trail Rehabilitation Program	360,000	580,000	0
Annual Curb Ramp Installation	300,000	300,000	0
Bowers Roof Replacement Project	130,680	0	0
Bridge Maintenance Program	0	250,000	560,000
CAD Fire Station Alerting System	0	30,000	0
City Plaza Park Placemaking	200,000	0	0
Citywide AED Replacements	0	76,800	0
Civic Center Campus Renovation (Multi-Department)	100,000	0	0
Computer Replacement Program	100,000	150,000	0
Consolidate and Upgrade Servers	50,000	150,000	0
COVID-19 Safety Improvements	0	100,000	0
Defibrillator/Monitor Replacements	0	80,000	0
Diesel Exhaust Removal System	0	200,000	0
Downtown Master Plan	100,000	300,000	0
Downtown Master Plan Implementation	1,800,000	30,000	0
Electronic Access for Meeting Rooms	576,200	0	0
Engineering CIP Management Services	2,473,658	2,585,532	2,676,745

Non-Departmental Detail

	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2022/23 Proposed
Citywide Programs Division			
Citywide Programs			
FHRMS Update Project	136,733	39,283	39,283
Fiber Development, Design, and Expansion	0	330,000	0
Fire Department Accela Implementation	0	63,000	0
Fire Department Relief Radios	0	48,000	0
Fire Station 8 FF&E	60,000	0	0
Permit Information System	204,400	0	0
Protective Equipment Replacement	227,001	289,310	247,536
Public Building Parking Lot Improvements	250,000	0	0
Public Right-of-Way ADA Improvements	5,750,000	5,000,000	0
Repair to Historic Buildings	100,000	100,000	0
Repairs - Modifications to City Buildings	150,000	150,000	0
Replace Network Equipment	210,000	0	0
Lafayette St. Underpass at Subway Pump Station	200,000	0	0
Laurelwood Pump Station Rehabilitation	3,200,000	0	0
Morse Mansion Maintenance and Repair	50,000	50,000	0
Sarah E. Fox Memorial Mausoleum Repairs	300,000	0	0
SDPS Motor and Control Maintenance, Repair, and Replacement	0	189,000	0
Station 2 Training Tower	0	50,000	0
Stationary Standby Generators	1,000,000	0	0
Storm Drain Repairs and Maintenance	100,000	0	0
Storm Drain Slide Gate Rehabilitation	390,000	0	0
Street Tree Services	0	323,000	0
Traffic Engineering Consultant Support	125,000	125,000	0
Triton Museum Repair and Modifications	35,000	35,000	0
Uncontrolled Crosswalks	200,000	0	0
Urban Runoff Pollution Prevention Program	300,000	150,000	0
Transfers to Capital Improvement Program Subtotal	19,678,672	11,773,925	3,523,564
Transfer to Building Development Services Fund	0	18,013,097	0
Transfer to Cemetery Fund	771,769	850,000	870,000
Transfer to Parking Maintenance District	4,508	0	0
Transfers to Public Facilities Financing Fund			
2010 Lease Debt Issuance	1,097,069	1,094,164	0
2013 Refunding Certificates of Participation	1,403,275	1,407,275	1,402,275
Transfers to Public Facilities Financing Fund Subtotal	2,500,344	2,501,439	1,402,275
Transfer to Certified Access Specialist (CASp) Certification and Training Fund	7,000	0	0
Transfer to Land Sale Reserve	0	3,026,782	0
Transfer to Solid Waste Fund	0	33,600	33,600

Non-Departmental Detail

	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2022/23 Proposed
Citywide Programs Division			
Citywide Programs			
Transfer to Special Liability Insurance Fund	0	5,200,000	0
Transfer to Reserves	0	106,470	180,700
Triton Museum	295,560	266,000	266,000
Citywide Programs Subtotal	**28,548,377**	**46,998,766**	**11,632,453**
Citywide Strategic Planning and Initiatives Division			
Citywide Strategic Programs and Initiatives			
Citywide Strategic Planning and Initiatives Positions	2,633,147	1,789,197	1,889,126
City Memberships	0	184,409	187,621
Interfund Services Allocations	412,337	229,603	238,157
Santa Clara Convention Center	18,851,557	9,043,471	13,866,350
Task Force on Diversity, Equity and Inclusion	0	50,000	50,000
Citywide Strategic Planning and Initiatives Subtotal	**21,897,041**	**11,296,680**	**16,231,254**
Stadium Operations Division			
Stadium – General Administration			
City Attorney	121,176	131,493	136,095
City Council	5,670	5,670	5,670
City Clerk	27,968	22,722	23,517
City Manager	640,008	452,172	467,998
Citywide Strategic Planning and Initiatives	0	0	0
Community Development	3,100	2,901	3,003
Finance	469,427	410,174	424,530
Human Resources	4,735	2,505	2,593
Information Technology	3,401	3,208	3,320
Public Works	3,335	3,207	3,319
Stadium – General Administration Subtotal	**1,278,820**	**1,034,052**	**1,070,045**
Stadium – Fire			
Levi's Stadium NFL Regular	16,500	16,500	16,500
Levi's Stadium Non-NFL Regular	10,100	10,100	10,100
Levi's Stadium General Regular	16,000	16,000	16,000
Levi's Stadium NFL OT	179,400	179,400	179,400
Levi's Stadium Non-NFL OT	171,000	171,000	171,000
Levi's Stadium General OT	25,200	25,200	25,200
Levi's Stadium General Supplies	14,100	14,100	14,100
Levi's Stadium General Equipment Maintenance	5,000	7,335	7,439
Stadium – Fire Subtotal	**437,300**	**439,635**	**439,739**

Non-Departmental Detail

	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2022/23 Proposed
Stadium Operations Division			
Stadium – Public Works			
Levi's Stadium NFL Regular	13,500	13,500	13,500
Levi's Stadium Non-NFL Regular	22,500	22,500	22,500
Levi's Stadium General Regular	5,700	5,700	5,700
Levi's Stadium NFL OT	389,400	389,400	389,400
Levi's Stadium Non-NFL OT	283,400	283,400	283,400
Levi's Stadium General OT	26,900	26,900	26,900
Levi's Stadium General Supplies	6,200	6,288	6,240
Stadium – Public Works Subtotal	**747,600**	**747,688**	**747,640**
Stadium – Police			
Levi's Stadium NFL Regular	69,300	69,300	69,300
Levi's Stadium Non-NFL Regular	50,600	50,600	50,600
Levi's Stadium General Regular	42,700	42,700	42,700
Levi's Stadium NFL As Needed	702,500	702,500	702,500
Levi's Stadium Non-NFL As Needed	663,700	663,700	663,700
Levi's Stadium General As Needed	20,800	21,200	21,200
Levi's Stadium NFL OT	977,000	977,000	977,000
Levi's Stadium Non-NFL OT	744,500	744,500	744,500
Levi's Stadium General OT Reimb - NFL	8,600	9,213	9,213
Levi's Stadium General Supplies	19,900	19,900	19,900
Levi's Stadium General Stadium Authority Equipment Maintenance	28,700	24,247	24,474
Per Diem Workers' Compensation Insurance	31,200	31,200	31,200
NFL Outside Agency - CA Highway Patrol	419,000	419,000	419,000
Non-NFL Outside Agency - CA Highway Patrol	271,000	271,000	271,000
NFL Outside Agency - Santa Clara County	158,300	158,300	158,300
NFL Outside Agency - City of Sunnyvale	14,800	14,800	14,800
Non-NFL Outside Agency - Santa Clara County	84,200	84,200	84,200
Non-NFL Outside Agency - County of San Francisco	11,400	11,400	11,400
Levi's Stadium General Contractual Services	28,500	28,500	28,500
Levi's Stadium NFL IT Outside Services	12,500	23,600	23,600
Levi's Stadium Non-NFL IT Outside Services	12,500	12,500	12,500
Levi's Stadium General IT Outside Services	55,300	44,200	44,200
Silicon Valley Regional Interoperability Authority	62,900	62,900	62,900
Public Safety Stadium-Related Training Program	214,200	311,453	377,497
Citywide Strategic Planning Function	139,317	152,498	156,673
Stadium – Police Subtotal	**4,843,417**	**4,950,411**	**5,020,857**
Total Non-Departmental	**57,752,555**	**65,467,232**	**35,141,988**

Service Level Changes

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Task Force on Diversity, Equity and Inclusion	0.00	50,000	0	50,000	0

Program: 3631 – Citywide Strategic Programs & Initiatives

On September 29, 2020, the City Council approved the establishment of the Task Force on Diversity, Equity and Inclusion. The Task Force is a Council-appointed meeting body charged with making recommendations to policies that will help the City achieve racial equity. This proposal adds additional funding for the Task Force to cover costs for printing and mailing services, listening sessions for targeted outreach as well as community engagement. In FY 2021, $50,000 was allocated to the Mayor and Council Office for this Task Force. The work of the Task Force is anticipated to go into FY 2022/23.

Performance Impact

This funding will provide City staff more opportunities to connect with the residents to ensure transparency of equity and inclusion across the City.

Strategic Pillar:  Enhance Community Engagement and Transparency

Title	Positions	FY 2021/22 One-Time Expenditures (All Funds)	FY 2021/22 Ongoing Expenditures (All Funds)	FY 2022/23 One-Time Expenditures (All Funds)	FY 2022/23 Ongoing Expenditures (All Funds)
Community Funding Reductions	0.00	(29,600)	(52,000)	(29,600)	(52,000)

Program: 3611 – Citywide Programs

This proposal combines the Community Grants Program budget ($104,000) and the Championship Teams budget ($36,000) for a combined total of $140,000. It is recommended that this combined allocation be decreased by $40,000, bringing the total Community Grants/Championship Teams budget allocation to $100,000. Additionally, this proposal eliminates the Miss Santa Clara allocation of $12,000 ongoing and reduces the Triton Museum allocation by $29,600, one-time in FY 2021/22 and FY 2022/23.

Performance Impact

This proposal will limit the amount of programs and community groups that receive funding through the City.

Strategic Pillar:  Enhance Community Engagement and Transparency

Performance and Workload Measures

Non-Departmental							
Performance Measures							
	Strategic Pillar	**2018/19 Actuals**	**2019/20 Actuals**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Enhanced risk management practices resulting in reduction to citywide claim losses (% reduction)		N/A	4%	5%	4%	4%	4%
Number of vendor contracts confirmed compliance with city insurance requirements – *Delete for FY 2021/22*		N/A	997	N/A	N/A	N/A	N/A
Workload Measures							
Enhanced risk management practices resulting in reduction to citywide claim losses (number of claims)		N/A	78	78	75	75	75
Number of City properties managed		N/A	18	18	18	18	18

Performance and Workload Measures

Convention Center Spectra Venue Management – *(New for FY 2021/22)*

Performance Measures

	Strategic Pillar	2018/19 Actuals	2019/20 Actuals	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Convention Center Gross Revenue		N/A	N/A	N/A	N/A	$8.4 m	$13.6 m
Net Income[1]		N/A	N/A	N/A	N/A	($0.6 m)	($0.2 m)
Economic Impact[2]		N/A	N/A	N/A	N/A	$8.9 m	$17.2 m
Customer Service Survey Results (*overall satisfaction*)		N/A	N/A	N/A	N/A	85%	85%
Event Mix at the Convention Center (*consumed*)							
Percent of P1 Events[3] Number of P1 Events		N/A	N/A	N/A	N/A	1% 1	1% 3
Percent of P2 Events[4] Number of P2 Events		N/A	N/A	N/A	N/A	1% 2	2% 6
Percent of P3 Events[5] Number of P3 Events		N/A	N/A	N/A	N/A	8% 16	6% 24
Percent of P4 Events[6] Number of P4 Events		N/A	N/A	N/A	N/A	20% 42	18% 67
Percent of P5 Events[7] Number of P5 Events		N/A	N/A	N/A	N/A	71% 150	73% 274

[1] The next two years will focus on recovery from the impacts of COVID-19 and the phasing in of staff as needed based on projected future events. Target numbers are based on the ability to host events starting October 2021.
[2] Economic impact is the amount of additional spending that occurs in the community by visitors while attending events at a Convention Center. For example, when Convention Center event attendees come to Santa Clara, they create economic activity that ripples throughout the area: stay at hotels, eat at restaurants, buy at retail stores, visit attractions, etc.
[3] Priority 1 (P1) event – Large multi-day convention and/or conference that utilizes all venue space at the Convention Center, utilizes significant venue services such as food and beverage, audio-visual and information technology, and draws a substantial number of out of town visitors that stay in multiple Santa Clara hotels.
[4] Priority 2 (P2) event – Primarily large multi-day convention and/or conference that utilizes most of the venue space at the Convention Center, utilizes venue services such as food and beverage, audio-visual and information technology, and draws out of town visitor that stay in multiple Santa Clara hotels.
[5] Priority 3 (P3) event – Multiple or single day event that utilizes space at the Convention Center. Attendance and out of town visitors are less than for a P1 or P2. Examples of P3 events may include trade shows, consumer shows, smaller conventions/conferences, and sporting events.
[6] Priority 4 (P4) event – Typically a one- or two-day event that utilizes space at the Convention Center. Attendees are primarily local. Special events (e.g. graduations), smaller meetings and/or smaller trade and consumer shows are examples of P4 events.
[7] Priority 5 (P5) event – Usually a single day event. Examples of P5 events are banquets, galas, other social type events and meetings.

Performance and Workload Measures

Convention Center Spectra Venue Management – *(New for FY 2021/22)*

Performance Measures

	Strategic Pillar	2018/19 Actuals	2019/20 Actuals	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Community Benefit							
Percent of Convention Center employees that volunteer in the community		N/A	N/A	N/A	N/A	50%	60%
Percent of small, local and M/WBE businesses/vendors		N/A	N/A	N/A	N/A	20%	20%
Number of room nights consumed		N/A	N/A	N/A	N/A	6,605	14,755
Number of Prospects[1] (*active*)		N/A	N/A	N/A	N/A	204	220
Number of collaborative, community-based events hosted at the Center		N/A	N/A	N/A	N/A	1	2

[1] A prospect is a potential customer who has been contacted and qualified by the sales team as having desirable criteria for an event in Santa Clara such as: size of event fits in the venue, there is a history of hotel needs that can be provided by Santa Clara hotels, and they have expressed interest in holding an event in Santa Clara.

Performance and Workload Measures

Convention Center Levy Premium Foodservice – *(New for FY 2021/22)*

Performance Measures

	Strategic Pillar	2018/19 Actuals	2019/20 Actuals	2020/21 Target	2020/21 Estimate	2021/22 Target	2022/23 Target
Customer Service Survey Results (*overall satisfaction)*		N/A	N/A	N/A	N/A	90%	90%
Number of room nights generated		N/A	N/A	N/A	N/A	9,375	16,438
Net Profit[1]		N/A	N/A	N/A	N/A	$0.6 m	$1.2 m
Community Impact							
Number of collaborative, community-based events hosted at Center		N/A	N/A	N/A	N/A	1	2
Number of meals donated to local non-profit partner (*daily excess food)*		N/A	N/A	N/A	N/A	300	500
Percent of Levy's management team that volunteer in the community		N/A	N/A	N/A	N/A	75%	85%
Percent waste diversion rate[2]		N/A	N/A	N/A	N/A	25%	50%
Workforce Development/Training[3]							
Teaching Kitchen - Percent of graduates		N/A	N/A	N/A	N/A	0%	70%
Percent of sucessful job placements		N/A	N/A	N/A	N/A	0%	65%
Percent of purchases from Northern California grown and produced food, beverages and supplies		N/A	N/A	N/A	N/A	25%	25%
Level of participation in securing P1 and P2 events		N/A	N/A	N/A	N/A	85%	85%
Number of prospects[4] *(active)*		N/A	N/A	N/A	N/A	350	550

[1] The next two years will focus on recovery from the impacts of COVID-19 and the phasing in of staff as needed based on projected future events. Target numbers are based on the ability to host events starting October 2021.
[2] Levy's five-year Roadmap to Sustainability goal is to reach 80% waste diversion rate by 2024 and to achieve a "zero waste operation".
[3] Due to the impacts of COVID-19, Teaching Kitchen program planning will occur in FY 2021/22 for implementation in FY 2022/23.
[4] A prospect is a potential customer who has been contacted and qualified by the sales team as having desirable criteria for an event in Santa Clara such as: size of event fits in the venue, there is a history of hotel needs that can be provided by Santa Clara hotels, and they have expressed interest in holding an event in Santa Clara.

Performance and Workload Measures

Convention Center Levy Premium Foodservice – *(New for FY 2021/22)*							
Performance Measures							
	Strategic Pillar	**2018/19 Actuals**	**2019/20 Actuals**	**2020/21 Target**	**2020/21 Estimate**	**2021/22 Target**	**2022/23 Target**
Number of new businesses/events to Convention Center		N/A	N/A	N/A	N/A	4	12
Retail/Public Space Activation							
Net Profit		N/A	N/A	N/A	N/A	$ 32,400	$ 98,800
Number of transactions		N/A	N/A	N/A	N/A	19,900	48,390
Workload Measures							
Number of Santa Clara University interns[1]		N/A	N/A	N/A	N/A	0	1
Workforce Development/Training							
Teaching Kitchen - number of participants enrolled		N/A	N/A	N/A	N/A	0	20
Number of internships and apprenticeships provided		N/A	N/A	N/A	N/A	0	1

[1] Due to the impacts of COVID-19, internship opportunities will be implemented in FY 2022/23.

SANTA CLARA CONVENTION CENTER
FISCAL YEAR 2022 - July 1, 2021 - June 30, 2022
INCOME STATEMENT
BUDGET PROPOSAL

	Spectra BUDGET 2021/2022	Budget 2020/2021	Budget VARIANCE FAV/(UNFAV)
# OF EVENTS	**211**	**436**	**(225)**
ATTENDANCE	**119,350**	**344,164**	**(224,814)**
DAYS	**443**	**1,059**	**(616)**
DIRECT EVENT REVENUE			
RENTAL REVENUE	1,849,675	5,789,533	(3,939,858)
SERVICE REVENUE	815,645	2,080,242	(1,264,597)
TOTAL DIRECT EVENT REVENUE	**2,665,320**	**7,869,775**	**(5,204,455)**
ANCILLARY REVENUE			
FOOD AND BEVERAGE REVENUE	4,416,923	11,044,000	(6,627,078)
AUDIO-VISUAL REVENUE	989,212	2,304,995	(1,315,783)
ELECTRICAL REVENUE	219,600	524,600	(305,000)
TOTAL ANCILLARY REVENUE	**5,625,735**	**13,873,595**	**(8,247,861)**
TOTAL EVENT REVENUE	**8,291,055**	**21,743,370**	**(13,452,316)**
OTHER REVENUE	**61,150**	**168,836**	**(107,686)**
TOTAL GROSS REVENUE	**8,352,205**	**21,912,206**	**(13,560,002)**
EVENT EXPENSE			
SERVICE EXPENSE	520,623	1,480,000	(959,377)
FOOD & BEVERAGE EXPENSE	3,785,611	7,505,662	(3,720,051)
AUDIO-VISUAL EXPENSE	662,772	1,675,000	(1,012,228)
ELECTRICAL EXPENSE	164,700	393,450	(228,750)
TOTAL EVENT EXPENSE	**5,133,706**	**11,054,112**	**(5,920,406)**
TOTAL EVENT INCOME	**3,157,348**	**10,689,258**	**(7,531,910)**
TOTAL INCOME WITH OTHER REVENUE	**3,218,498**	**10,858,094**	**(7,639,596)**
INDIRECT EXPENSES			
EXECUTIVE	332,143	752,860	420,717
FINANCE	365,547	581,427	215,880
MARKETING & SALES	245,052	598,924	353,872
EVENTS	228,558	530,531	301,973
OPERATIONS	1,492,492	3,844,722	2,352,230
OVERHEAD	1,200,974	1,482,849	281,876
FOOD & BEVERAGE	0		0
AUDIO VISUAL	0		0
TOTAL INDIRECT EXPENSES	**3,864,765**	**7,791,313**	**3,926,548**
CAPITAL EXPENSE	**0**	**0**	**0**
NET INCOME / (SUBSIDY)	**(646,267)**	**3,066,781**	**(3,713,048)**

SANTA CLARA CONVENTION CENTER
FISCAL YEAR 2022 - July 1, 2021 - June 30, 2022
INCOME STATEMENT
BUDGET PROPOSAL

	TOTAL	July	August	September	October	November	December	January	February	March	April	May	June
# OF EVENTS	**211**	0	0	0	23	20	14	24	17	29	33	27	24
GENERAL ATTENDANCE	**119,350**	0	0	0	21,300	10,150	5,350	12,200	9,250	12,500	18,250	14,250	16,100
DAYS	**443**	0	0	0	62	46	28	48	44	59	63	48	45
TOTAL EVENT REVENUE													
Consumer Shows	**105,000**	0	0	0	52,000	0	0	0	0	0	0	53,000	0
Conventions	**875,970**	0	0	0	62,000	189,550	0	67,850	98,465	110,810	68,500	135,000	143,795
Banquets	**109,445**	0	0	0	8,450	13,720	38,100	5,000	4,450	13,100	14,125	8,250	4,250
Meetings/Conferences	**798,160**	0	0	0	135,060	46,500	39,500	67,290	59,800	93,850	119,270	135,340	101,550
Special Events	**255,990**	0	0	0	21,050	13,850	8,670	28,350	41,750	23,970	25,650	63,250	29,450
Sporting Events	**209,415**	0	0	0	0	40,500	0	42,775	35,250	39,000	33,750	18,140	0
Trade Shows	**311,340**	0	0	0	160,640	34,000	0	13,650	0	17,500	25,050	60,500	0
TOTAL DIRECT EVENT REVENUE	**2,665,320**	**0**	**0**	**0**	**439,200**	**338,120**	**86,270**	**224,915**	**239,715**	**298,230**	**286,345**	**473,480**	**279,045**
ANCILLARY REVENUE													
Service Revenue only	**810,395**	0	0	0	135,700	110,550	8,200	62,250	58,250	107,250	65,400	187,250	75,545
Food & Beverage Revenue	**4,416,923**	0	0	0	641,310	340,215	323,053	235,090	744,575	584,110	622,025	541,785	384,760
Audio-Visual Revenue	**989,212**	0	0	0	341,500	36,400	53,000	98,000	61,500	158,812	65,000	115,000	60,000
Electrical Revenue	**219,600**	0	0	0	41,300	22,500	0	15,000	15,000	41,500	21,000	40,800	22,500
TOTAL ANCILLARY REVENUE	**5,625,735**	**0**	**0**	**0**	**1,024,110**	**399,115**	**376,053**	**348,090**	**821,075**	**784,422**	**708,025**	**697,585**	**467,260**
TOTAL EVENT REVENUE	**8,291,055**	**0**	**0**	**0**	**1,463,310**	**737,235**	**462,323**	**573,005**	**1,060,790**	**1,082,652**	**994,370**	**1,171,065**	**746,305**
OTHER REVENUE													
Advertising & Sponsorship	**18,750**	1,563	1,563	1,563	1,563	1,563	1,563	1,563	1,563	1,563	1,563	1,563	1,563
Cancellation Fees	**8,063**	672	672	672	672	672	672	672	672	672	672	672	672
Interest and Dividends	**7,500**	625	625	625	625	625	625	625	625	625	625	625	625
F&B Vending	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Other Miscellaneous Revenue	**26,837**	2,236	2,236	2,236	2,236	2,236	2,236	2,236	2,236	2,236	2,236	2,236	2,236
TOTAL OTHER REVENUE	**61,150**	5,096	5,096	5,096	5,096	5,096	5,096	5,096	5,096	5,096	5,096	5,096	5,096
TOTAL GROSS REVENUE	**8,352,205**	**5,096**	**5,096**	**5,096**	**1,468,406**	**742,331**	**467,418**	**578,101**	**1,065,886**	**1,087,748**	**999,466**	**1,176,161**	**751,401**
EVENT EXPENSE													
Service Expense	**520,623**	0	0	0	55,500	78,070	3,700	43,475	38,295	75,110	44,400	133,755	48,318
Food & Beverage Expense	**3,785,611**	53,366	56,192	68,428	514,549	296,866	284,596	243,086	541,787	454,640	474,666	446,964	350,471
Audio-Visual Expense	**662,772**	0	0	0	228,805	24,388	35,510	65,660	41,205	106,404	43,550	77,050	40,200
Parking Expense	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Elecrical Expense	**164,700**	0	0	0	30,975	16,875	0	11,250	11,250	31,125	15,750	30,600	16,875
Business Center Expense	**0**	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0
TOTAL EVENT EXPENSE	**5,133,706**	**53,366**	**56,192**	**68,428**	**829,829**	**416,199**	**323,806**	**363,471**	**632,537**	**667,279**	**578,366**	**688,369**	**455,864**
NET EVENT INCOME	**3,157,348**	**(53,366)**	**(56,192)**	**(68,428)**	**633,481**	**321,036**	**138,517**	**209,534**	**428,253**	**415,373**	**416,004**	**482,696**	**290,441**
NET INCOME W/OTH REVENUE	**3,218,498**	**(48,270)**	**(51,096)**	**(63,332)**	**638,577**	**326,132**	**143,612**	**214,630**	**433,349**	**420,469**	**421,100**	**487,792**	**295,537**
INDIRECT EXPENSES													

SANTA CLARA CONVENTION CENTER
FISCAL YEAR 2022 - July 1, 2021 - June 30, 2022
INCOME STATEMENT
BUDGET PROPOSAL

	TOTAL	July	August	September	October	November	December	January	February	March	April	May	June
PERSONNEL EXPENSE													
Salaries	**1,345,539**	155,255	103,503	103,503	103,503	103,503	155,255	103,503	103,503	103,503	103,503	103,503	103,503
Payroll Taxes	**112,454**	12,975	8,650	8,650	8,650	8,650	12,975	8,650	8,650	8,650	8,650	8,650	8,650
Employee Benefits	**351,771**	31,859	28,805	28,805	28,805	28,805	31,859	28,805	28,805	28,805	28,805	28,805	28,805
Part-time Wages	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Allocation of Event Labor	**40,000**	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333
Contract Labor	**26,520**	2,210	2,210	2,210	2,210	2,210	2,210	2,210	2,210	2,210	2,210	2,210	2,210
Temporary Labor	**50,680**	4,223	4,223	4,223	4,223	4,223	4,223	4,223	4,223	4,223	4,223	4,223	4,223
TOTAL PERSONNEL EXPENSE	**1,926,964**	209,856	150,725	150,725	150,725	150,725	209,856	150,725	150,725	150,725	150,725	150,725	150,725
OTHER OPERATING EXPENSE													
Advertising	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Automobile Expense	**1,733**	144	144	144	144	144	144	144	144	144	144	144	144
Bad Debt	**20,000**	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667
Building Supplies	**97,191**	8,099	8,099	8,099	8,099	8,099	8,099	8,099	8,099	8,099	8,099	8,099	8,099
Computer Services	**27,324**	2,277	2,277	2,277	2,277	2,277	2,277	2,277	2,277	2,277	2,277	2,277	2,277
Consulting & Professional Fees	**67,223**	5,602	5,602	5,602	5,602	5,602	5,602	5,602	5,602	5,602	5,602	5,602	5,602
Contracted Services	**41,887**	3,491	3,491	3,491	3,491	3,491	3,491	3,491	3,491	3,491	3,491	3,491	3,491
Data Processing Fees	**136,634**	11,386	11,386	11,386	11,386	11,386	11,386	11,386	11,386	11,386	11,386	11,386	11,386
Dues & Subscriptions	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Equipment & Supply Rental	**7,160**	597	597	597	597	597	597	597	597	597	597	597	597
Equip Maintenance Agreement	**104,737**	8,728	8,728	8,728	8,728	8,728	8,728	8,728	8,728	8,728	8,728	8,728	8,728
F&B Overhead	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Good & Welfare	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Insurance	**266,972**	22,248	22,248	22,248	22,248	22,248	22,248	22,248	22,248	22,248	22,248	22,248	22,248
Licenses and Permits	**3,978**	332	332	332	332	332	332	332	332	332	332	332	332
Management Fee	**165,000**	13,750	13,750	13,750	13,750	13,750	13,750	13,750	13,750	13,750	13,750	13,750	13,750
Meetings/Conferences	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Office Supplies	**11,000**	917	917	917	917	917	917	917	917	917	917	917	917
Other - Lighting	**15,000**	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250
Other	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Other-Overhead	**15,000**	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250
Photography	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Postage	**4,500**	375	375	375	375	375	375	375	375	375	375	375	375
Printing	**20,750**	1,729	1,729	1,729	1,729	1,729	1,729	1,729	1,729	1,729	1,729	1,729	1,729
Promotions	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Relocation	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Recruitment	**500**	42	42	42	42	42	42	42	42	42	42	42	42
Repairs/Maintenance	**80,641**	6,720	6,720	6,720	6,720	6,720	6,720	6,720	6,720	6,720	6,720	6,720	6,720
Telephone	**5,638**	470	470	470	470	470	470	470	470	470	470	470	470
Tools/Equipment	**8,095**	675	675	675	675	675	675	675	675	675	675	675	675
Training	**10,065**	839	839	839	839	839	839	839	839	839	839	839	839
Trash Hauling	**92,051**	7,671	7,671	7,671	7,671	7,671	7,671	7,671	7,671	7,671	7,671	7,671	7,671
Travel & Entertainment	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Uniforms	**13,450**	1,121	1,121	1,121	1,121	1,121	1,121	1,121	1,121	1,121	1,121	1,121	1,121
Utilities	**787,274**	65,606	65,606	65,606	65,606	65,606	65,606	65,606	65,606	65,606	65,606	65,606	65,606
Allocation of Utilities	**(66,000)**	(5,500)	(5,500)	(5,500)	(5,500)	(5,500)	(5,500)	(5,500)	(5,500)	(5,500)	(5,500)	(5,500)	(5,500)
TOTAL OPERATING EXPENSES	**1,937,802**	161,483	161,483	161,483	161,483	161,483	161,483	161,483	161,483	161,483	161,483	161,483	161,483
TOTAL INDIRECT EXPENSES	**3,864,765**	371,340	312,209	312,209	312,209	312,209	371,340	312,209	312,209	312,209	312,209	312,209	312,209
CAPITAL EXPENSE	**0**	0	0	0	0	0	0	0	0	0	0	0	0
NET INCOME / (SUBSIDY)	**(646,267)**	(419,610)	(363,305)	(375,541)	326,368	13,923	(227,727)	(97,579)	121,140	108,260	108,891	175,583	(16,672)

SANTA CLARA CONVENTION CENTER
EVENTS BUDGET
FISCAL YEAR 2022 - July 1, 2021 - June 30, 2022

	CONVENTIONS	TRADE SHOWS	CONSUMER SHOWS	SPECIAL EVENTS	MEETINGS	BANQUETS	SPORTING EVENTS	TOTALS
NUMBER OF EVENTS	17	10	3	37	105	24	15	211
GENERAL ATTENDANCE	24,650	11,200	9,200	18,750	29,800	16,550	9,200	119,350
DAYS	76	38	8	79	169	40	33	443
DIRECT EVENT REVENUE								
RENTAL REVENUE	508,875	215,840	91,000	235,740	492,760	101,295	204,165	1,849,675
SERVICE REVENUE	367,095	95,500	14,000	20,250	305,400	8,150	5,250	815,645
DIRECT EVENT REVENUE	875,970	311,340	105,000	255,990	798,160	109,445	209,415	2,665,320
SERVICE REVENUE								
MARKETING SERVICES	0	0	0	0	0	0	0	0
GUEST SERVICES	0	0	0	0	0	0	0	0
TICKET OFFICE	0	0	0	0	0	0	0	0
OPERATIONS LABOR	0	0	0	0	0	0	0	0
EQUIPMENT RENTAL	18,050	18,750	0	2,750	60,650	7,650	4,250	112,100
CLEANING BILLED	0	0	0	0	0	0	0	0
IN HOUSE ELECTRICAL BILLED	0	0	0	0	0	0	0	0
TELECOMMUNICATIONS BILLED	349,045	76,750	14,000	17,500	244,750	500	1,000	703,545
UTILITIES BILLED	0	0	0	0	0	0	0	0
LINENS BILLED	0	0	0	0	0	0	0	0
INSURANCE BILLED	0	0	0	0	0	0	0	0
DAMAGES BILLED	0	0	0	0	0	0	0	0
OTHER SERVICE BILLED	0	0	0	0	0	0	0	0
TOTAL SERVICE REVENUE	367,095	95,500	14,000	20,250	305,400	8,150	5,250	815,645
SERVICE REVENUE TO RENTAL REVENUE RATIO	72.1%	44.2%	15.4%	8.6%	62.0%	8.0%	2.6%	44.1%
LESS SERVICE EXPENSES:								
MARKETING SERVICES EXPENSE	0	0	0	0	0	0	0	0
GUEST SERVICES EXPENSE	0	0	0	0	0	0	0	0
TICKET OFFICE EXPENSE	0	0	0	0	0	0	0	0
OPERATIONS LABOR EXPENSE	0	0	0	0	0	0	0	0
EQUIPMENT RENTAL EXPENSE	0	0	0	0	0	0	0	0
CLEANING EXPENSE	0	0	0	0	0	0	0	0
ELECTRICAL EXPENSE	0	0	0	0	0	0	0	0
TELECOMMUNICATIONS EXPENSE	(258,293)	(56,795)	(10,360)	(12,950)	(181,115)	(370)	(740)	(520,623)
UTILITIES EXPENSE	0	0	0	0	0	0	0	0
LINEN EXPENSE	0	0	0	0	0	0	0	0
INSURANCE EXPENSE	0	0	0	0	0	0	0	0
DAMAGES EXPENSE	0	0	0	0	0	0	0	0
OTHER SERVICE EXPENSE	0	0	0	0	0	0	0	0
TOTAL SERVICE EXPENSES	(258,293)	(56,795)	(10,360)	(12,950)	(181,115)	(370)	(740)	(520,623)
NET SERVICE INCOME/(LOSS)	108,802	38,705	3,640	7,300	124,285	7,780	4,510	295,022
SERVICE REVENUE PROFIT MARGIN	29.6%	40.5%	26.0%	36.0%	40.7%	95.5%	85.9%	36.2%
FOOD & BEVERAGE								
CATERING	4,161,664	0	0	0	0	0	0	4,161,664
CATERING-Non Alcoholic	0	0	0	0	0	0	0	0
CATERING-Alcoholic	0	0	0	0	0	0	0	0
SERVICE CHARGE	255,259	0	0	0	0	0	0	255,259
CONCESSIONS	0	0	0	0	0	0	0	0
AT COST CATERING	0	0	0	0	0	0	0	0

SANTA CLARA CONVENTION CENTER
EVENTS BUDGET
FISCAL YEAR 2022 - July 1, 2021 - June 30, 2022

	CONVENTIONS	TRADE SHOWS	CONSUMER SHOWS	SPECIAL EVENTS	MEETINGS	BANQUETS	SPORTING EVENTS	TOTALS
OTHER INCOME	0	0	0	0	0	0	0	0
GROSS FOOD & BEVERAGE REVENUE	4,416,923	0	0	0	0	0	0	4,416,923
CATERING EXPENSE-Food	(3,785,611)	0	0	0	0	0	0	(3,785,611)
CATERING EXPENSE-Non Alocoholic	0	0	0	0	0	0	0	0
CATERING EXPENSE-Alocoholic	0	0	0	0	0	0	0	0
CONCESSIONS EXPENSE	0	0	0	0	0	0	0	0
CATERING/CONCESSIONS LABOR EXPENSE	0	0	0	0	0	0	0	0
TOTAL FOOD & BEVERAGE EXPENSE	(3,785,611)	0	0	0	0	0	0	(3,785,611)
NET FOOD & BEVERAGE INCOME	631,312	0	0	0	0	0	0	631,312
FOOD & BEVERAGE EVENT PROFIT MARGIN	14.3%							14.3%
AUDIO VISUAL REVENUE								
AV SERVICE REVENUE	473,550	170,250	55,000	11,700	185,062	93,650	0	989,212
AV SERVICE EXPENSE	(317,279)	(114,068)	(36,850)	(7,839)	(123,992)	(62,746)	0	(662,772)
NET AUDIO VISUAL INCOME	156,272	56,183	18,150	3,861	61,070	30,905	0	326,440
AUDIO VISUAL PROFIT MARGIN	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	0.0%	33.0%
ELECTRICAL SERVICES								
ELECTRICAL SERVICES REVENUE	104,300	59,500	7,800	8,000	40,000	0	0	219,600
ELECTRICAL SERVICES EXPENSE	(78,225)	(44,625)	(5,850)	(6,000)	(30,000)	0	0	(164,700)
NET DECORATOR SERVICES INCOME	26,075	14,875	1,950	2,000	10,000	0	0	54,900
DECORATOR SERVICES PROFIT MARGIN	25.0%	25.0%	25.0%	25.0%	25.0%	0.0%	0.0%	25.0%
TOTAL ANCILLARY INCOME	813,658	71,058	20,100	5,861	71,070	30,905	0	1,012,651
EVENT OPERATING INCOME	1,431,335	325,603	114,740	248,901	688,115	139,980	208,675	3,157,348
TOTAL GROSS REVENUE	5,870,743	541,090	167,800	275,690	1,023,222	203,095	209,415	8,291,055

SANTA CLARA CONVENTION CENTER
FISCAL YEAR 2023 - July 1, 2022 - June 30, 2023
INCOME STATEMENT
BUDGET PROPOSAL

	Spectra BUDGET 2022/2023	BUDGET 2021/22	Budget VARIANCE FAV/(UNFAV)
# OF EVENTS	**374**	**211**	**163**
ATTENDANCE	**248,505**	**119,350**	**129,155**
DAYS	**739**	**443**	**296**
DIRECT EVENT REVENUE			
RENTAL REVENUE	3,100,791	1,849,675	1,251,116
SERVICE REVENUE	1,231,236	815,645	415,591
TOTAL DIRECT EVENT REVENUE	**4,332,027**	**2,665,320**	**1,666,707**
ANCILLARY REVENUE			
FOOD AND BEVERAGE REVENUE	7,588,310	4,416,923	3,171,387
AUDIO-VISUAL REVENUE	1,254,800	989,212	265,588
ELECTRICAL REVENUE	355,548	219,600	135,948
TOTAL ANCILLARY REVENUE	**9,198,658**	**5,625,735**	**3,572,923**
TOTAL EVENT REVENUE	**13,530,685**	**8,291,055**	**5,239,630**
OTHER REVENUE	**72,950**	**61,150**	**11,800**
TOTAL GROSS REVENUE	**13,603,635**	**8,352,205**	**5,251,430**
EVENT EXPENSE			
SERVICE EXPENSE	812,964	520,623	292,341
FOOD & BEVERAGE EXPENSE	6,401,870	3,785,611	2,616,259
AUDIO-VISUAL EXPENSE	840,716	662,772	177,944
ELECTRICAL EXPENSE	262,911	164,700	98,211
TOTAL EVENT EXPENSE	**8,318,461**	**5,133,706**	**3,184,755**
TOTAL EVENT INCOME	**5,212,224**	**3,157,349**	**2,054,875**
TOTAL INCOME WITH OTHER REVENUE	**5,285,174**	**3,218,499**	**2,066,675**
INDIRECT EXPENSES			
EXECUTIVE	339,385	332,143	(7,242)
FINANCE	429,193	365,547	(63,646)
MARKETING & SALES	346,281	245,052	(101,229)
EVENTS	359,017	228,558	(130,459)
OPERATIONS	2,615,957	1,492,492	(1,123,465)
OVERHEAD	1,413,057	1,200,974	(212,083)
FOOD & BEVERAGE	0		0
AUDIO VISUAL	0		0
TOTAL INDIRECT EXPENSES	**5,502,889**	**3,864,766**	**(1,638,123)**
CAPITAL EXPENSE	**0**	**0**	**0**
NET INCOME / (SUBSIDY)	**(217,715)**	**(646,267)**	**428,552**

SANTA CLARA CONVENTION CENTER
FISCAL YEAR 2023 - July 1, 2022 - June 30, 2023
INCOME STATEMENT
BUDGET PROPOSAL

	TOTAL	July	August	September	October	November	December	January	February	March	April	May	June
# OF EVENTS	**374**	13	16	36	41	35	25	35	26	43	40	34	30
GENERAL ATTENDANCE	**248,505**	4,650	13,250	22,100	25,050	16,750	10,740	14,400	8,750	19,150	84,950	18,065	10,650
DAYS	**739**	26	36	83	88	70	38	63	52	90	79	66	48
TOTAL EVENT REVENUE													
Consumer Shows	**153,371**	0	12,850	24,500	15,400	0	0	19,000	0	29,500	0	52,121	0
Conventions	**1,369,768**	0	48,950	130,000	224,500	293,175	33,750	52,000	61,250	121,835	158,508	171,500	74,300
Banquets	**244,325**	0	0	17,600	26,450	47,900	45,600	13,950	21,900	27,350	13,875	29,700	0
Meetings/Conferences	**1,213,828**	55,080	50,450	133,095	91,668	50,995	23,150	215,710	75,650	165,250	108,430	112,100	132,250
Special Events	**426,598**	26,660	16,175	47,110	52,820	43,740	19,800	38,665	16,830	44,950	43,500	44,790	31,558
Sporting Events	**247,410**	0	8,750	43,750	0	0	0	45,510	44,250	44,250	44,900	12,250	3,750
Trade Shows	**676,727**	0	98,460	117,500	166,880	0	26,452	20,320	13,300	125,750	41,700	66,365	0
TOTAL DIRECT EVENT REVENUE	**4,332,027**	**81,740**	**235,635**	**513,555**	**577,718**	**435,810**	**148,752**	**405,155**	**233,180**	**558,885**	**410,913**	**488,826**	**241,858**
ANCILLARY REVENUE													
Service Revenue only	**1,221,786**	51,100	106,700	160,700	91,150	110,900	4,000	98,500	73,650	168,350	76,500	215,986	64,250
Food & Beverage Revenue	**7,588,310**	63,245	279,715	671,970	821,970	772,270	775,130	237,090	717,570	937,275	899,440	709,710	702,925
Audio-Visual Revenue	**1,254,800**	0	35,000	140,000	150,000	155,000	50,000	100,000	70,000	225,000	85,000	150,000	94,800
Parking Revenue	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Electrical Revenue	**355,548**	0	35,000	48,500	47,500	30,198	7,750	17,600	22,500	61,500	25,000	50,000	10,000
Business Center Revenue	**0**	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL ANCILLARY REVENUE	**9,198,658**	**63,245**	**349,715**	**860,470**	**1,019,470**	**957,468**	**832,880**	**354,690**	**810,070**	**1,223,775**	**1,009,440**	**909,710**	**807,725**
TOTAL EVENT REVENUE	**13,530,685**	**144,985**	**585,350**	**1,374,025**	**1,597,188**	**1,393,278**	**981,632**	**759,845**	**1,043,250**	**1,782,660**	**1,420,353**	**1,398,536**	**1,049,583**
OTHER REVENUE													
Advertising & Sponsorship	**28,750**	2,396	2,396	2,396	2,396	2,396	2,396	2,396	2,396	2,396	2,396	2,396	2,396
Cancellation Fees	**9,000**	750	750	750	750	750	750	750	750	750	750	750	750
Interest and Dividends	**7,500**	625	625	625	625	625	625	625	625	625	625	625	625
F&B Vending	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Other Miscellaneous Revenue	**27,700**	2,308	2,308	2,308	2,308	2,308	2,308	2,308	2,308	2,308	2,308	2,308	2,308
TOTAL OTHER REVENUE	**72,950**	6,079	6,079	6,079	6,079	6,079	6,079	6,079	6,079	6,079	6,079	6,079	6,079
TOTAL GROSS REVENUE	**13,603,635**	**151,064**	**591,429**	**1,380,104**	**1,603,267**	**1,399,357**	**987,711**	**765,924**	**1,049,329**	**1,788,739**	**1,426,432**	**1,404,615**	**1,055,662**
EVENT EXPENSE													
Service Expense	**812,964**	**36,186**	**70,485**	**111,555**	**54,945**	**74,000**	**0**	**69,523**	**49,025**	**111,740**	**46,250**	**148,555**	**40,700**
Food & Beverage Expense	**6,401,870**	**159,145**	**306,639**	**548,301**	**664,477**	**621,062**	**622,802**	**309,849**	**585,658**	**720,130**	**687,930**	**592,936**	**582,941**
Audio-Visual Expense	**840,716**	**0**	**23,450**	**93,800**	**100,500**	**103,850**	**33,500**	**67,000**	**46,900**	**150,750**	**56,950**	**100,500**	**63,516**
Parking Expense	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Elecrical Expense	**262,911**	**0**	**26,250**	**36,375**	**35,625**	**22,649**	**5,813**	**13,200**	**16,875**	**46,125**	**15,000**	**37,500**	**7,500**
Business Center Expense	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
TOTAL EVENT EXPENSE	**8,318,461**	**195,331**	**426,824**	**790,031**	**855,547**	**821,561**	**662,115**	**459,572**	**698,458**	**1,028,745**	**806,130**	**879,491**	**694,657**
NET EVENT INCOME	**5,212,224**	**(50,346)**	**158,526**	**583,994**	**741,641**	**571,718**	**319,518**	**300,273**	**344,792**	**753,915**	**614,223**	**519,045**	**354,926**
NET INCOME W/OTH REVENUE	**5,285,174**	**(44,267)**	**164,605**	**590,073**	**747,720**	**577,797**	**325,597**	**306,352**	**350,871**	**759,994**	**620,302**	**525,124**	**361,005**
INDIRECT EXPENSES													

SANTA CLARA CONVENTION CENTER
FISCAL YEAR 2023 - July 1, 2022 - June 30, 2023
INCOME STATEMENT
BUDGET PROPOSAL

	TOTAL	July	August	September	October	November	December	January	February	March	April	May	June
PERSONNEL EXPENSE													
Salaries	**2,222,736**	249,085	170,980	170,980	178,364	170,980	249,085	170,980	170,980	178,364	170,980	170,980	170,980
Payroll Taxes	**185,271**	20,776	14,252	14,252	14,853	14,252	20,776	14,252	14,252	14,853	14,252	14,252	14,252
Employee Benefits	**754,233**	67,818	61,786	61,786	62,155	61,786	67,818	61,786	61,786	62,155	61,786	61,786	61,786
Part-time Wages	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Allocation of Event Labor	**40,000**	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333
Contract Labor	**35,000**	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917	2,917
Temporary Labor													
TOTAL PERSONNEL EXPENSE	**3,237,241**	343,928	253,267	253,267	261,623	253,267	343,928	253,267	253,267	261,623	253,267	253,267	253,267
OTHER OPERATING EXPENSE													
Advertising	**7,500**	625	625	625	625	625	625	625	625	625	625	625	625
Automobile Expense	**1,785**	149	149	149	149	149	149	149	149	149	149	149	149
Bad Debt	**20,000**	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667
Building Supplies	**95,921**	7,993	7,993	7,993	7,993	7,993	7,993	7,993	7,993	7,993	7,993	7,993	7,993
Computer Services	**29,947**	2,496	2,496	2,496	2,496	2,496	2,496	2,496	2,496	2,496	2,496	2,496	2,496
Consulting & Professional Fees	**75,680**	6,307	6,307	6,307	6,307	6,307	6,307	6,307	6,307	6,307	6,307	6,307	6,307
Contracted Services	**42,244**	3,520	3,520	3,520	3,520	3,520	3,520	3,520	3,520	3,520	3,520	3,520	3,520
Data Processing Fees	**140,733**	11,728	11,728	11,728	11,728	11,728	11,728	11,728	11,728	11,728	11,728	11,728	11,728
Dues & Subscriptions	**2,488**	207	207	207	207	207	207	207	207	207	207	207	207
Equipment & Supply Rental	**7,363**	614	614	614	614	614	614	614	614	614	614	614	614
Equip Maintenance Agreement	**107,355**	8,946	8,946	8,946	8,946	8,946	8,946	8,946	8,946	8,946	8,946	8,946	8,946
Other	**15,000**	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250
Good & Welfare	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Insurance	**303,316**	25,276	25,276	25,276	25,276	25,276	25,276	25,276	25,276	25,276	25,276	25,276	25,276
Licenses and Permits	**4,097**	341	341	341	341	341	341	341	341	341	341	341	341
Management Fee	**169,950**	14,163	14,163	14,163	14,163	14,163	14,163	14,163	14,163	14,163	14,163	14,163	14,163
Meetings/Conferences	**12,390**	1,033	1,033	1,033	1,033	1,033	1,033	1,033	1,033	1,033	1,033	1,033	1,033
Office Supplies	**13,500**	1,125	1,125	1,125	1,125	1,125	1,125	1,125	1,125	1,125	1,125	1,125	1,125
Other - Lighting	**15,000**	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250
Other - Marketing	**5,000**	417	417	417	417	417	417	417	417	417	417	417	417
Photography	**3,750**	313	313	313	313	313	313	313	313	313	313	313	313
Postage	**3,500**	292	292	292	292	292	292	292	292	292	292	292	292
Printing	**12,875**	1,073	1,073	1,073	1,073	1,073	1,073	1,073	1,073	1,073	1,073	1,073	1,073
Promotions	**2,500**	208	208	208	208	208	208	208	208	208	208	208	208
Relocation	**0**	0	0	0	0	0	0	0	0	0	0	0	0
Recruitment	**500**	42	42	42	42	42	42	42	42	42	42	42	42
Repairs/Maintenance	**93,797**	7,816	7,816	7,816	7,816	7,816	7,816	7,816	7,816	7,816	7,816	7,816	7,816
Telephone	**8,074**	673	673	673	673	673	673	673	673	673	673	673	673
Tools/Equipment	**23,255**	1,938	1,938	1,938	1,938	1,938	1,938	1,938	1,938	1,938	1,938	1,938	1,938
Training	**16,761**	1,397	1,397	1,397	1,397	1,397	1,397	1,397	1,397	1,397	1,397	1,397	1,397
Trash Hauling	**110,615**	9,218	9,218	9,218	9,218	9,218	9,218	9,218	9,218	9,218	9,218	9,218	9,218
Travel & Entertainment	**7,500**	625	625	625	625	625	625	625	625	625	625	625	625
Uniforms	**24,088**	2,007	2,007	2,007	2,007	2,007	2,007	2,007	2,007	2,007	2,007	2,007	2,007
Utilities	**999,838**	83,320	83,320	83,320	83,320	83,320	83,320	83,320	83,320	83,320	83,320	83,320	83,320
Allocation of Utilities	**(110,672)**	(9,223)	(9,223)	(9,223)	(9,223)	(9,223)	(9,223)	(9,223)	(9,223)	(9,223)	(9,223)	(9,223)	(9,223)
TOTAL OPERATING EXPENSES	**2,265,649**	**188,804**	**188,804**	**188,804**	**188,804**	**188,804**	**188,804**	**188,804**	**188,804**	**188,804**	**188,804**	**188,804**	**188,804**
TOTAL INDIRECT EXPENSES	**5,502,889**	**532,732**	**442,071**	**442,071**	**450,427**	**442,071**	**532,732**	**442,071**	**442,071**	**450,427**	**442,071**	**442,071**	**442,071**
CAPITAL EXPENSE	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
NET INCOME / (SUBSIDY)	**(217,715)**	**(576,999)**	**(277,466)**	**148,002**	**297,293**	**135,725**	**(207,136)**	**(135,719)**	**(91,200)**	**309,567**	**178,231**	**83,053**	**(81,066)**

SANTA CLARA CONVENTION CENTER
EVENTS BUDGET
FISCAL YEAR 2023 - July 1, 2022 - June 30, 2023

	CONVENTIONS	TRADE SHOWS	CONSUMER SHOWS	SPECIAL EVENTS	MEETINGS	BANQUETS	SPORTING EVENTS	TOTALS
NUMBER OF EVENTS	28	16	7	80	191	37	15	374
GENERAL ATTENDANCE	110,850	23,000	9,250	25,025	46,675	23,455	10,250	248,505
DAYS	149	67	19	161	251	46	46	739
DIRECT EVENT REVENUE								
RENTAL REVENUE	923,643	424,962	99,500	363,798	814,253	236,675	237,960	3,100,791
SERVICE REVENUE	446,125	251,765	53,871	62,800	399,575	7,650	9,450	1,231,236
DIRECT EVENT REVENUE	1,369,768	676,727	153,371	426,598	1,213,828	244,325	247,410	4,332,027
SERVICE REVENUE								
MARKETING SERVICES	0	0	0	0	0	0	0	0
GUEST SERVICES	0	0	0	0	0	0	0	0
TICKET OFFICE	0	0	0	0	0	0	0	0
OPERATIONS LABOR	0	0	0	0	0	0	0	0
EQUIPMENT RENTAL	44,650	25,515	6,621	8,300	36,600	4,450	6,500	132,636
CLEANING BILLED	0	0	0	0	0	0	0	0
IN HOUSE ELECTRICAL BILLED	0	0	0	0	0	0	0	0
TELECOMMUNICATIONS BILLED	401,475	226,250	47,250	54,500	362,975	3,200	2,950	1,098,600
UTILITIES BILLED	0	0	0	0	0	0	0	0
LINENS BILLED	0	0	0	0	0	0	0	0
INSURANCE BILLED	0	0	0	0	0	0	0	0
DAMAGES BILLED	0	0	0	0	0	0	0	0
OTHER SERVICE BILLED	0	0	0	0	0	0	0	0
TOTAL SERVICE REVENUE	446,125	251,765	53,871	62,800	399,575	7,650	9,450	1,231,236
SERVICE REVENUE TO RENTAL REVENUE RATIO	48.3%	59.2%	54.1%	17.3%	49.1%	3.2%	4.0%	39.7%
LESS SERVICE EXPENSES:								
MARKETING SERVICES EXPENSE	0	0	0	0	0	0	0	0
GUEST SERVICES EXPENSE	0	0	0	0	0	0	0	0
TICKET OFFICE EXPENSE	0	0	0	0	0	0	0	0
OPERATIONS LABOR EXPENSE	0	0	0	0	0	0	0	0
EQUIPMENT RENTAL EXPENSE	0	0	0	0	0	0	0	0
CLEANING EXPENSE	0	0	0	0	0	0	0	0
ELECTRICAL EXPENSE	0	0	0	0	0	0	0	0
TELECOMMUNICATIONS EXPENSE	(297,092)	(167,425)	(34,965)	(40,330)	(268,602)	(2,368)	(2,183)	(812,964)
UTILITIES EXPENSE	0	0	0	0	0	0	0	0
LINEN EXPENSE	0	0	0	0	0	0	0	0
INSURANCE EXPENSE	0	0	0	0	0	0	0	0
DAMAGES EXPENSE	0	0	0	0	0	0	0	0
OTHER SERVICE EXPENSE	0	0	0	0	0	0	0	0
TOTAL SERVICE EXPENSES	(297,092)	(167,425)	(34,965)	(40,330)	(268,602)	(2,368)	(2,183)	(812,964)
NET SERVICE INCOME/(LOSS)	149,034	84,340	18,906	22,470	130,974	5,282	7,267	418,272
SERVICE REVENUE PROFIT MARGIN	33.4%	33.5%	35.1%	35.8%	32.8%	69.0%	76.9%	34.0%
FOOD & BEVERAGE								
CATERING	7,115,117	0	0	0	0	0	0	7,115,117
CATERING-Non Alcoholic	0	0	0	0	0	0	0	0
CATERING-Alcoholic	0	0	0	0	0	0	0	0
SERVICE CHARGE	473,193	0	0	0	0	0	0	473,193
CONCESSIONS	0	0	0	0	0	0	0	0
AT COST CATERING	0	0	0	0	0	0	0	0
OTHER INCOME	0	0	0	0	0	0	0	0
GROSS FOOD & BEVERAGE REVENUE	7,588,310	0	0	0	0	0	0	7,588,310
CATERING EXPENSE-Food	(6,401,870)	0	0	0	0	0	0	(6,401,870)
CATERING EXPENSE-Non Alocoholic	0	0	0	0	0	0	0	0
CATERING EXPENSE-Alocoholic	0	0	0	0	0	0	0	0
CONCESSIONS EXPENSE	0	0	0	0	0	0	0	0
CATERING/CONCESSIONS LABOR EXPENSE	0	0	0	0	0	0	0	0
TOTAL FOOD & BEVERAGE EXPENSE	(6,401,870)	0	0	0	0	0	0	(6,401,870)

SANTA CLARA CONVENTION CENTER
EVENTS BUDGET
FISCAL YEAR 2023 - July 1, 2022 - June 30, 2023

	CONVENTIONS	TRADE SHOWS	CONSUMER SHOWS	SPECIAL EVENTS	MEETINGS	BANQUETS	SPORTING EVENTS	TOTALS
NET FOOD & BEVERAGE INCOME	1,186,440	0	0	0	0	0	0	1,186,440
FOOD & BEVERAGE EVENT PROFIT MARGIN	15.6%							15.6%
AUDIO VISUAL REVENUE								
AV SERVICE REVENUE	423,790	82,000	7,500	31,450	625,785	84,275	0	1,254,800
AV SERVICE EXPENSE	(283,939)	(54,940)	(5,025)	(21,072)	(419,276)	(56,464)	0	(840,716)
NET AUDIO VISUAL INCOME	139,851	27,060	2,475	10,379	206,509	27,811	0	414,084
AUDIO VISUAL PROFIT MARGIN	33.0%	33.0%	33.0%	33.0%	33.0%	33.0%	0.0%	33.0%
ELECTRICAL SERVICES								
ELECTRICAL SERVICES REVENUE	170,198	94,250	22,500	0	68,600	0	0	355,548
ELECTRICAL SERVICES EXPENSE	(123,899)	(70,688)	(16,875)	0	(51,450)	0	0	(262,911)
NET DECORATOR SERVICES INCOME	46,300	23,563	5,625	0	17,150	0	0	92,637
DECORATOR SERVICES PROFIT MARGIN	27.2%	25.0%	25.0%	0.0%	25.0%	0.0%	0.0%	26.1%
TOTAL ANCILLARY INCOME	1,372,590	50,623	8,100	10,379	223,659	27,811	0	1,693,161
EVENT OPERATING INCOME	2,445,267	559,925	126,506	396,647	1,168,886	269,768	245,227	5,212,224
TOTAL GROSS REVENUE	9,552,066	852,977	183,371	458,048	1,908,213	328,600	247,410	13,530,685

Sports and Open Space Authority

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Sports and Open Space Authority

The Sports and Open Space Authority of the City of Santa Clara (Authority) was created by the City Council in 1974 to establish a separate entity to acquire and develop open space within the City of Santa Clara. The validity of the Authority and its legal existence was established in 1975 by final judgment of the Santa Clara County Superior Court. The Santa Clara Golf and Tennis Club (SCGTC) was developed by the Authority on City-owned land and operated under a management agreement with a private company and a private restaurant facility at the Golf and Tennis Club leased to a private operator. In 1997/98, the City Council set aside approximately 40 acres of the former golf course site to be preserved and maintained as open space, and in 1999 the Authority approved the sale of 4.3 acres of the former golf course property to the City's Redevelopment Agency to be disposed of as a site for development of affordable housing.

The Authority terminated operations of SCGTC in late calendar year 2019 and the land will be redeveloped into a mixed-use commercial/residential project. There is minimal funding budgeted in FY 2021/22 and FY 2022/23 for the Open Space Authority.

Budget Summary

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Division / Program						
Sports and Open Space Authority						
8011 Sports and Open Space Authority	168,959	9,540	5,420	(43.2%)	5,420	0.0%
8013 Santa Clara Golf & Tennis Club	894,165	0	0	0.0%	0	0.0%
Total Sports and Open Space Authority	**1,063,124**	**9,540**	**5,420**	**(43.2%)**	**5,420**	**0.0%**
Total by Division / Program	**1,063,124**	**9,540**	**5,420**	**(43.2%)**	**5,420**	**0.0%**
Dollars by Fund						
Sports and Open Space Authority Fund	11,473	9,540	5,420	(43.2%)	5,420	0.0%
Sports and Open Space Authority Capital Fund	157,486	0	0	0.0%	0	0.0%
Santa Clara Golf and Tennis Club Fund	894,165	0	0	0.0%	0	0.0%
Total by Fund	**1,063,124**	**9,540**	**5,420**	**(43.2%)**	**5,420**	**0.0%**

	FY 2019/20 Actual	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Change %	FY 2022/23 Proposed	FY 2022/23 Change %
Dollars by Category						
Salary and Benefits						
Salary and Benefits	0	0	0	0.0%	0	0.0%
Board Member Stipend	4,920	4,320	4,920	13.9%	4,920	0.0%
Total Salary and Benefits	**4,920**	**4,320**	**4,920**	13.9%	**4,920**	0.0%
Non-Personnel						
Materials/Services/Supplies	899,607	5,220	500	(90.4%)	500	0.0%
Interfund Services	1,111	0	0	0.0%	0	0.0%
Transfers to Other Funds	157,486	0	0	0.0%	0	0.0%
Total Non-Personnel	**1,058,204**	**5,220**	**500**	(90.4%)	**500**	0.0%
Total by Category	**1,063,124**	**9,540**	**5,420**	**(43.2%)**	**5,420**	**0.0%**

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Outside Group Funding

The City considers funding non-profit community organizations to meet significant community needs or address concerns of Santa Clara residents. Funding in any case is made on an individual basis dependent upon City budget limitation, past performance and services provided. This list reflects the actions approved by City Council on March 9, 2021 as part of the COVID-19 Phase 1 Budget Rebalancing as well as additional reductions recommended in this budget document.

Community Organization	Department	Description	FY 2021/22	FY 2022/23
Bill Wilson Center	Community Development	Provides family and individual counseling and youth crisis intervention at local schools and grief support services, including individual and group counseling	85,000	85,000
Catholic Charities Long Term Care Ombudsman	Community Development	Monitors quality of care to elderly and disabled residents of long-term care facilities	10,000	10,000
Firehouse Fun Run	Electric Utility	A Santa Clara community walk/run event established to support Santa Clara Unified School District and local Military Veterans	1,000	1,000
Heart of the Valley	Community Development	Provides transportation for seniors and disabled persons who are unable to travel by bus or other public transportation, collect demographic information on new paratransit clients and to coordinate and train volunteers for service delivery	10,000	10,000
Live Oak Adult Day Services	Community Development	Provides adult day care for dependent and disabled seniors	15,000	15,000
Next Door Solutions	Community Development	Provides case management for residents at HomeSafe Santa Clara, a transitional housing program for victims of domestic violence	20,000	20,000
Project Sentinel – Fair Housing	Community Development	Addresses complaints and undertakes investigation of illegal housing	30,000	30,000
Project Sentinel – Rent Mediation	Community Development	Provides advice, referrals, counseling, and mediation services to tenants and landlords to resolve disputes regarding rental arrangements	70,000	70,000
Saint Justin Community Ministry	Community Development	Provides food assistance to low/moderate income residents	17,500	17,500
Santa Clara Senior Nutrition	Parks and Recreation	Provides daily delivery of meals to severely disabled and homebound seniors	24,000	24,000

Community Organization	Department	Description	FY 2021/22	FY 2022/23
Santa Clara Sister Cities Association	Non-Departmental	Funding for the cultural exchange program for the City of Santa Clara's three sister cities, Coimbra, Portugal, Limerick, Ireland and Izumo, Japan	5,659	5,659
Santa Clara Swim Club	Parks and Recreation	Host swim meets which bring national and international visitors to our city	20,000	20,000
Santa Clara Unified School District STEAM Symposium	Electric Utility	Celebration by the Santa Clara Unified School District of Science, Technology, Engineering, Art and Math (STEAM) learning within and out of the classroom	5,000	5,000
Senior Adult Legal Assistance	Community Development	Provides free legal services for seniors that include advice and referrals, document writing and legal representation	15,000	15,000
Silicon Valley BBQ Championship	Electric Utility	An annual event sponsored by the Rotary Club of Santa Clara, where 100% of proceeds will help support various community events, including Steps for Success, Christmas for Kids, Enterprise Leadership Conference, Scholarships and Veterans programs	5,000	5,000
Silicon Valley Independent Living	Community Development	Provide residents with disabilities education and training on all aspects of how to conduct a housing search to transition from homelessness, healthcare facilities or unstable housing to independent living	15,000	15,000
State of the Valley Conference	Electric Utility	Silicon Valley's annual "town meeting" convenes stakeholders from the entire region to discuss the Valley's challenges and opportunities. The Silicon Valley Index is shared and discussed	5,000	5,000
Triton Museum	Non-Departmental	Provides artistic exhibitions and educational programs	265,960	265,960
United Way Silicon Valley – 2-1-1 Phone System	Community Development	Non-emergency information and referral for health and human services	5,000	5,000
YWCA of Silicon Valley	Parks and Recreation	Provides counseling, shelter and legal services for battered spouses and their families	15,000	15,000
Total Outside Group Funding			**639,119**	**639,119**

Santa Clara City Council Priorities in the FY 2021/22 and 2022/23 Adopted Biennial Operating Budget

Due to the urgent needs regarding COVID-19, the City Council decided at their 2021 Council Priority Setting Session that their priorities would focus primarily on COVID-19 Assistance and Relief. This includes programs for food distribution, rental assistance, small business support and more. The Council discussed additional priorities at the following levels:

- **Urgent/Top Priority**: Items critical in the near-term, needing immediate focus and attention.
- **Important**: Important items that will be included in staff's work plans but not at the urgent/top priority level.
- **Mid-Year or 2022**: Items for Council to consider at a mid-year Priority Session check-in (July 2021) or for 2022.
- **Already in Progress/Ongoing**: Items that have already been initiated and will continue.

	Pillar	Council Priorities	Outcomes
URGENT/TOP PRIORITY			
1.1		COVID-19 Assistance and Relief	**Small Business Assistance Grant Program** The City launched its Small Business Assistance Grant Program in April 2020, shortly following the closure of nonessential service providers. The program provided $1,745,000 to eligible businesses and nonprofits. $1,100,000 was allocated by Council from various sources; $55,000 was donated; and $590,000 was appropriated from CARES Act funding. The Council continues to discuss additional allocations to the program and how best to support the business community moving forward.
1.2		COVID-19 Assistance and Relief	**Food for Families** In November 2020, the City partnered with The Salvation Army and Second Harvest Food Bank to launch a new program called Food for Families. This program offers weekly essential food items for all Santa Clara residents and seeks to address food insecurity in the Santa Clara community. The program was originally planned to close in December 2020 but was extended through June 2021 due to increased demand. Cost of this program was limited to staff time and any additional costs were covered by donations given to the City.
1.3		COVID-19 Assistance and Relief	**Senior Nutrition Program** The City transitioned its daily Senior Nutrition Program as "Meals To-Go" in order to better maintain the health and safety of the senior community and participating staff. This weekday meal program provides hot meals to approximately 170 seniors each week. Additionally, the City added weekend meals to address increased food insecurity among older adults. The City's Fire Department delivers meals to approximately 100 homebound seniors each weekend, providing both access to food and wellbeing checks. These programs are supported by County of Santa Clara funding, community donations and City resources.
1.4		COVID-19 Assistance and Relief	**Emergency Rental Assistance Program** The City of Santa Clara's Emergency Rental Assistance Program (ERAP) assists low-income households in Santa Clara with rental assistance for past due rent payments that have accumulated due to the COVID-19 crisis. The goal of the program is to prevent low-income households from becoming unhoused. As of April 8, 2021, the program has assisted 169 households with approximately $734,000 in funding. The third phase of ERAP opened in April 2021. Almost 60% of the funding for ERAP came from the City's CARES Act Funds.

	Pillar	Council Priorities	Outcomes
URGENT/TOP PRIORITY			
1.5		COVID-19 Assistance and Relief	**Small Business Energy Efficiency Grants** Silicon Valley Power grant program to help fund energy efficiency upgrades for small businesses. These upgrades help lower business operating costs by reducing electric consumption. Energy efficiency projects may also have other non-energy benefits, such as reduced maintenance costs. Grants can be up to $10,000, depending on the project identified. Almost $100,000 was funded as of April 7, 2021.
1.6		COVID-19 Assistance and Relief	**Communications and Outreach** Since the start of the pandemic in March 2020, the City has made significant efforts to keep our community informed through a variety of communication efforts. Since April 2020, the City has produced over 100 videos that cover a range of topics, including COVID-19 updates, messages from Mayor and Council, new program announcements, and more. All public meetings have been held virtually over the past year, even some that had not been previously broadcast. The City released daily COVID-19 updates from March 16th to June 12th and continued producing weekly reports through September 2020. Additionally, 36 COVID-19 Update videos were produced and continue to be produced on a weekly basis.
1.7		COVID-19 Assistance and Relief	**Utility Assistance** To assist residents who had been financially impacted by COVID-19, the City implemented the following: • A suspension on service disconnections for utility (electric and water) nonpayment • Leveraging the Silicon Valley Power Public Benefits Program, issued a $30 credit on all residential electric bills • Expanded Silicon Valley Power's rate assistance program (25% off) to include residents financially impacted by COVID-19 • Introduced Water and Sewer rate assistance program for residential customers experiencing hardship due to COVID-19 • Reopened drive-thru service window for bill payment and other finance services
1.8		COVID-19 Assistance and Relief	**Other Programs** For a full list of past and ongoing COVID-19 Assistance and Relief efforts, visit www.SantaClaraCA.gov/SantaClaraResponds.

	Pillar	Council Priorities	Outcomes
IMPORTANT			
2		Revisit Stadium Curfew and Fee (part of revenue generation)	Staff will present information to Council regarding steps necessary to discuss the Stadium curfew and associated fee.
3		Business Employee Tax	Staff will provide a foundational information presentation to the Council on May 27, 2021 during the Budget Study Session.
4		Housing for Middle to Low Income	Per the City's Affordable Housing Ordinance, nearly **1,000 additional affordable inclusionary units** will be produced over the coming years and valuable housing dedicated funds will be generated through non-residential impact fees. In early 2020, the City launched new programs in response to the COVID-19 pandemic, including an Emergency Rental Assistance Program (ERAP) and an Ordinance placing a moratorium on evictions for tenants affected by COVID-19.

	Pillar	Council Priorities	Outcomes
ALREADY IN PROGRESS/ONGOING			
		Facilitate Economic Recovery	The City continues to pursue opportunities to facilitate economic recovery during the COVID-19 pandemic. This includes ongoing progress with the Related project as capacity allows, supporting the business community, working with the TID, and more.
		Elections/Redistricting for 2022	Every ten years following the release of U.S. Census data, jurisdictions must update their district boundaries based on the new data. Due to COVID-19, the release of census data has been delayed, thus also delaying redistricting processes. The City will bring options for redistricting to the Council for direction on May 4, 2021. The final maps for Santa Clara must be approved by April 17, 2022. Funding for this process will be dependent on the option chosen by Council but will be made available by consolidating allocations from the existing budget.
		Provide Core Services, including Public Safety	The City continues to provide services in compliance with County, State and Federal safety guidelines.

	Pillar	Council Priorities	Outcomes
ALREADY IN PROGRESS/ONGOING			
		Plan for Re-Opening, post COVID-19	The City is working with current staffing and capacity resources to ensure that facilities and services are ready to reopen when it is safe and allowable to do so. Parks and Recreation classes reopened in-person classes in spring 2021, and City libraries reopened for limited in-person services in April 2021. The City is tentatively planning to reopen City Hall and other facilities in a phased approach in summer/fall 2021.
		Diversity, Equity and Inclusion Task Force	The Diversity, Equity and Inclusion Task Force continues to meet and move forward with their charge of identifying key issues facing the City involving historically disenfranchised communities and making recommendations to policies that help the City achieve racial equity. The Task Force provides quarterly reports on their work efforts to the Council.
		Downtown	The City continues to support the revitalization of our Downtown by developing a Precise Plan that will provide guidance through policies, guidelines, and illustrations that implement the community vision and objectives for a vibrant, pedestrian-oriented destination Downtown. Staff works with the Council-appointed Downtown Community Task Force (DCTF) to develop a plan that best represents the desires of the community. The DCTF makes periodic reports to Council on their progress.

	Pillar	Council Priorities	Outcomes
MID-YEAR OR 2022			
		Elected Police Chief and City Clerk	Updates for these items will be available as part of the mid-year check-in, currently scheduled for July 2021. Please check SantaClaraCA.gov/CouncilGoals for current updates and more information on the Council's priorities.
		RV Parking/Homelessness	
		Economic Support from Large Businesses (voluntary)	
		Transportation "Quiet Zone"	
		Election Reform/Contribution Cap	

	Pillar	Council Priorities	Outcomes
MID-YEAR OR 2022			
		Internet Equity and WiFi	

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Cemetery Capital Fund (593)

Project	Source of Funds	Use of Funds	Explanation
PW Capital Projects Management - Cemetery/Transfer from the General Fund	8,409	8,409	Updates the Public Works Capital Management allocation based on the recalculated project distribution. The Transfer from the General Fund that supports this cost is also increased.
Total Cemetery Capital Fund	8,409	8,409	

Electric Utility Capital Fund (591)

Project	Source of Funds	Use of Funds	Explanation
Transmission and Distribution Capital Maintenance and Betterments		1,350,000	Adds funding of $1.35 million for design and installation of a pad mount capacitor bank solution to improve the efficiency of the distribution system and allow more real power to be delivered. This funding will help the reactive power demand within the bulk electric system.
Implementation of Advanced Metering Infrastructure (AMI)		(3,688,840)	Reallocates funding from FY 2021/22 to FY 2022/23 to align with work initiatives and purchase schedule.
Generation Capital Maintenance and Betterments		(3,225,000)	Reduces project funding by $3.2 million from FY 2021/22 (from $3,725,000 to $500,000) to align with scheduled projects expected to be completed.
Transmission System Reinforcements		5,000,000	Adds funding to reflect construction estimate that is scheduled for FY 2021/22. This project is expected to be completed Quarter 2 of 2022. Costs will be funded by corresponding developer contribution.
Network and Cyber Security Infrastructure		(2,208,000)	Reallocates funding from FY 2021/22 to FY 2022/23 to align with updated schedule and shift some funding to the operating budget.
Esperanca Substation		(16,640,000)	Shifting project timeline by 1 year based on customer's schedule. SVP will coordinate with this customer to realign budget with schedule and resubmit during the next budget cycle. This budget will be moving to FY 2022/23.
NRS 230kv Spare Transformer		800,000	Establishes funding for this project to perform analysis and scoping to address potential P2 violation identified from the California Independent System Operators (CAISO). The P2 violation is due to forecasted load that may overload the existing transformers; thus a spare is required. This a new project that will be engineered in FY 2021/22.

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Electric Utility Capital Fund (591) Cont'd.

Project	Source of Funds	Use of Funds	Explanation
Homestead Substation Rebuild		(7,250,000)	Shifting project timeline by 1 year. Design and CEQA are expected for FY 2021/22. This budget will be moving to FY 2022/23.
Replace Balance of Plant Control System (DCS)		500,000	Adds funding for the replacement and upgrade of automatic voltage regulators (AVRs) to support generators in coordination of the ovation excitation control system. This aligns with the amended Emerson Process Management Power and Water Solutions agreement executed through RTC 20-436.
DOT Gas Pipeline Upgrades and Repairs		800,000	Adds funding based on revised estimates for inspections and work to complete repairs on the 6” gas line. Initial proposals from 2019 did not reflect all work needed to complete the 6" inch line repairs. Compliance requirements include an inline inspection (ILI) on the 6-inch line due in 2021. SVP's gas pipelines require maintenance of the cathodic protection system as the anodes are depleted over time and the system renewed to maximum protection. Updated estimates include the necessary components to be in compliance with DOT.
Laurelwood Substation		(2,500,000)	Adjusts the project budget to align with the schedule. Design work is scheduled for FY 2021/22. This budget will be moving to FY 2022/23.
Northwest Loop Capacity Upgrade		(300,000)	This project was set to begin in FY 2021/22; due to future development, this project can be delayed. SVP will monitor load impacts and future developer activities to align infrastructure improvements needed within the distribution system.
Electric Capital Project Management		18,391	Increase the Electric Capital Project Management project to align with updated salary and benefits and the transfers from the operating funds.
60KV Breaker Upgrades		1,468,823	Establishes a new project to upgrade existing breakers that are past their end of useful life to a higher amp rating to allow for new customer load ramps at Fairview Substation and at the future Stender Way Junction. Funding was shifted from the System Capacity Expansion project for this new transmission project. This a new project that will be engineered in FY 2021/22.
KRS Rebuild and Replacement		4,700,000	Establishes a new project to replace the existing Kifer Receiving Station (KRS) with a Gas Insulated Substation (GIS) to satisfy projected peak load and prevent system overload. Funding was shifted from the System Capacity Expansion project for this new transmission project. This is a new project that will be engineered in FY 2021/22. This provides funding for year one of a multi-year project.

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Electric Utility Capital Fund (591) Cont'd.

Project	Source of Funds	Use of Funds	Explanation
NRS Transformer Replacement		1,000,000	Establishes a new project to replace existing 186 MVA transformers by two 300 MVA 115/60 KV power transformers to satisfy projected peak load and prevent system overload. Funding was shifted from the System Capacity Expansion project for this new transmission project. This provides funding for year one of a multi-year project.
NRS-KRS 115kV Line		4,342,000	Establishes a new project to build a new 115kV OH/UG transmission Line between Northern Receiving Station (NRS) and Kifer Receiving Station (KRS) to satisfy projected peak load and prevent system overload. Funding was shifted from the System Capacity Expansion project for this new transmission project. This is a new project that will be engineered in FY 2021/22. This provides funding for year one of a multi-year project.
SRS Rebuild and Replacement		4,700,000	Establishes a new project to replace the existing Scott Receiving Station (SRS) with a Gas Insulated Substation (GIS) to satisfy projected peak load and prevent system overload. Funding was shifted from the System Capacity Expansion project for this new transmission project. This is a new project that will be engineered in FY 2021/22. This provides funding for year one of a multi-year project.
Transfer from the Electric Operating Grant Trust Fund (Fund 191)	(15,316)		Reduce the transfer to the capital fund for updated salary and benefits costs in the capital management project
Transfer from the Electric Utility Fund (Fund 091)	(32,972,779)		Reduce the transfer from the Electric Utility Operating Fund to support capital projects based on revised capital project needs. This change has been incorporated in the base budget for the Electric Utility Operating Fund.

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Electric Utility Capital Fund (591) Cont'd.

Project	Source of Funds	Use of Funds	Explanation
Developer Contributions	(5,067,854)		Net decrease to Developer contributions, including: increase of $5.0 million to cover Transmission System Reinforcements for anticipated developer contribution to cover cost within agreement; increase of $1.0 million for CIP 2006 T&D Capital Maintenance Betterments to cover new distribution related projects; decrease of $100,000 for Northwest Loop Capacity Upgrade being delayed; decrease of $2.5 million for Laurelwood Substation to align with schedule; decrease of $1.1 million for New Business Work project to offset staff costs; and a decrease of $7.3 million for CIP 2418 Esperanca Substation share of developer contributions. Esperanca Substation is partially funded by developer contributions from Related, which should be decreased as the project is delayed; $7.3 million in developer contributions was budgeted in FY2021/22.
Unrestricted Beginning Fund Balance	31,472,821		Increases the Unrestricted Beginning Fund Balance for several projects that are not expected to move forward in FY 2020/21, generating savings that will carryover to FY 2021/22. These savings will help fund the requested projects above.
Unrestricted Ending Fund Balance		4,549,498	Increases the Unrestricted Ending Fund Balance to offset the actions recommended above.
Total Electric Utility Capital Fund	(6,583,128)	(6,583,128)	

Fire Capital Fund (536)

Project	Source of Funds	Use of Funds	Explanation
Diesel Exhaust Removal System		200,000	This project replaces the aging and failing hose mounted systems installed in the fire stations. Per the Fire Department, the Neiderman and Plymovent systems in the stations are obsolete and ineffective. In 2017, the Department replaced the systems of two fire stations with AirVac systems. To finalize this process and to fully capture all exhaust and off-gassing of apparatus and equipment, the Department must install air filtration systems in seven fire stations.

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Fire Capital Fund (536) (Cont'd.)

Project	Source of Funds	Use of Funds	Explanation
Station 2 Training Tower Renovation		50,000	This project funds an assessment to renovate the Station 2 Training Tower. The Santa Clara Fire Department Training Center is used to train all City firefighters to the State Fire Marshal (SFM) Firefighter I curriculum. This curriculum includes classes such as Fire Behavior, Live Fire burns, and High-Rise Operations. The Training Center also holds other State Fire Marshal-approved classes used to maintain the Department's State of California Office of Emergency Services (CalOES) regional typing for Hazardous Materials and Urban Search and Rescue operations. The Training Tower is a major component of the Training Center and needs to meet minimum facility requirements of the SFM and CalOES; and multi-level facilities such as the Training Tower are integral in training City's personnel in fire rescue and firefighting operations.
Computer Aided Dispatch (CAD) Station Alerting System Upgrade		30,000	This action increases funding for the Computer Aided Dispatch (CAD) Station Alerting System Upgrade project by $30,000 (from $547,848 to $577,848). This project funds the mandatory upgrade of the CAD radio alert system, which notifies fire station personnel that emergency response is required. The CAD system is also responsible for ensuring that electrical and gas appliances shut down and automatic light turn-ons for faster emergency response. The FY2020/21 project budget totals $547,848; however, based on the project bids, additional funding of $30,000 is needed to award the contract.
City-Wide AED Replacements		76,800	This project replaces 48 automated external defibrillators (AEDs) ($1,600/each) that are reaching the end of their service life in FY 2021/22 (AEDs have a service life of eight years). The AEDs are placed in various City facilities and personnel are trained and annually re-certified on the operation of these AEDs. This program, recommended by the Citizen's Advisory Committee, significantly increases the chance of residents and employees at, or near these City facilities of surviving a heart attack.

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Fire Capital Fund (536) (Cont'd.)

Project	Source of Funds	Use of Funds	Explanation
Defibrillator/Monitor Replacements		80,000	This project replaces two defibrillator/monitors ($40,000/each) that are reaching the end of their service life in FY 2021/22. Defibrillators have a service life of eight (8) years. These defibrillators are used on Advanced Life Support (ALS) incidents by paramedics.
Fire Department Relief Radios		48,000	This project provides funding to add four Motorola APX handheld radios to the Fire Department's inventory to be used as relief radios. Motorola APX handheld radios are used to support emergency response communications. When possible, radios are sent to the vendor for repair on an average of 7-10 per year. While being repaired, relief radios are needed in order to continue communications.
Fire Department Accela Implementation		63,000	This project provides funding to support the implementation of Accela for Field Operations inspections and Community Risk Education annual fee-supported inspections, performed by the Fire Department. This will fund the Fire Department's HdL transition into Accela, which was not included in the vendor's original scope of work. The expanded scope of work includes the addition of operational permit inspection and finance modules (i.e., inspections, reinspections, permitting, State reporting, and fee collections) and the implementation of the DigEplan software. DigEplan is a plan review software that allows all City Departments to simultaneously work on a plan review.
PW Capital Projects Management - Fire/Transfer from General Fund	(3,928)	(3,928)	Eliminates funding for the Public Works Capital Management allocation based on the recalculated project distribution. The Transfer from the General Fund that supports this cost is also eliminated.
Transfer from the General Fund Capital Projects Reserve	547,800		Transfer from the General Fund Capital Projects Reserve to fund the requested projects.
Unrestricted Beginning Fund Balance/Unrestricted Ending Fund Balance	(1,933)	(1,933)	Decreases the Unrestricted Beginning Fund Balance and Unrestricted Ending Fund Balance to account for changes from the FY 2021/22 Adopted CIP budget.
Total Fire Capital Fund	541,939	541,939	

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

General Government Capital Fund (539)

Project	Source of Funds	Use of Funds	Explanation
Transfer from the General Fund - Capital Projects Reserve/Downtown Master Plan	300,000	300,000	This project funds work identified by the Downtown Task Force at the April 6, 2021 Council meeting. This includes additional tasks associated with the Downtown Precise Plan such as preparation of a form-based zoning code and a downtown sign ordinance. This will also fund additional Downtown Community Task Force meetings with the consultant team to review currently development projects within the Plan area. Additional funding may be necessary.
Transfer from the General Fund - Land Sale Reserve/ Downtown Master Plan Implementation	30,000	30,000	This project funds outside attorney services and engineering support to complete the $1.8 million acquisition of the Franklin and Washington Street easements.
PW Capital Projects Management - Fire/Transfer from General Fund	(35,736)	(35,736)	Eliminates funding for the Public Works Capital Management allocation based on the recalculated project distribution. The Transfer from the General Fund that supports this cost is also eliminated.
Transfer from the General Fund - Building Inspection Reserve	(1,737)		This action eliminates the Transfer from the General Fund - Building Inspection Reserve due to the establishment of the Building Development Fund in FY 2021/22, which moved funding out of the General Fund.
Transfer from the Building Development Fund	1,737		This action establishes a transfer from the Building Development Fund, which was established in FY 2021/22 and moved out of the General Fund.
Total General Government Capital Fund	294,264	294,264	

Library Capital Fund (537)

Project	Source of Funds	Use of Funds	Explanation
PW Capital Projects Management - Library/ Transfer from the General Fund	7,872	7,872	Updates the Public Works Capital Management allocation based on the recalculated project distribution. The Transfer from the General Fund that supports this cost is also increased.
Total Library Capital Fund	7,872	7,872	

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Parks and Recreation Capital Fund (532)

Project	Source of Funds	Use of Funds	Explanation
Other Agencies Revenue/Maywood Park Playground Rehabilitation	256,662	256,662	This action recognizes and appropriates State of California Per Capita Grant Funding of $256,662 for the Maywood Park Playground Rehabilitation project, increasing the project funding from $2,000,000 (funded by Park in-lieu fees) to $2,256,662. This project is estimated to cost $2,493,700 and the grant funding addresses the majority of the funding gap for the project, leaving a remaining potential funding need of $234,038. If additional funding from grants or fees is not received, the City will reduce the scope of work to stay within available funding.
Henry Schmidt Park Playground Transfer from Rotary Park Playground		235,000	This project adds funding for the Henry Schmidt Park Playground Rehabilitation. The playground equipment was removed at Henry Schmidt due to wear beyond repair. Funding will finance the design and public input phase of the project. Additional funding will be required for the engineering and construction phase of the project. This project is being funded by reallocating funds budgeted for the Rotary Park Playground Rehabilitation in FY 2020/21. Given the failure of the equipment at Henry Schmidt Park, this project is a higher priority.
PW Capital Projects Management - Parks & Recreation		(185,878)	Updates the Public Works Capital Management allocation based on the recalculated project distribution.
Park Impact Fees (Quimby, MFA, Developer) Monitoring		30,000	This action increases this project by $30,000 (from $220,000 to $250,000) to fund projected staff costs that support the park impact fee monitoring. As part of the Phase 1 budget rebalancing actions approved on March 9, 2021, the Parks and Recreation Department staff that supports this function was shifted to this funding source.
Tech Adj: Transfer to the Streets and Highways Capital Fund		2,025,000	This action is a technical adjustment to transfer park in lieu fee funding to the Streets and Highways Capital Fund to correct a funding source error for the Saratoga Creek Trail (Homeridge Park to Central Park) project in the Streets and Highways Capital Fund.
Unrestricted Beginning Fund Balance	(8,506,429)		Decreases the Unrestricted Beginning Fund Balance to account for changes from the FY 2021/22 Adopted CIP budget. This primarily reflects lower actual Mitigation Fee Act revenue in FY 2020/21.

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Parks and Recreation Capital Fund (532) (Cont'd.)

Project	Source of Funds	Use of Funds	Explanation
Unrestricted Ending Fund Balance		(10,610,551)	Decreases the Ending Fund Balance to offset the actions recommended above.
Total Parks and Recreation Capital Fund	(8,249,767)	(8,249,767)	

Public Buildings Capital Fund (538)

Project	Source of Funds	Use of Funds	Explanation
PW Capital Projects Management - Public Buildings/Transfer from the General Fund	(94,862)	(94,862)	Updates the Public Works Capital Management allocation based on the recalculated project distribution. The Transfer from the General Fund that supports this cost is also decreased.
COVID-19 Safety Improvements/Transfer from the General Fund CPR	100,000	100,000	Establishes a project to provide funding for facility improvements necessary to safely reopen facilities and address any COVID-19 safety protocols.
Unrestricted Beginning Fund Balance/Unrestricted Ending Fund Balance	(111,789)	(111,789)	Decreases the Unrestricted Beginning Fund Balance and Unrestricted Ending Fund Balance to account for changes from the FY 2021/22 Adopted CIP budget.
Total Public Buildings Capital Fund	(106,651)	(106,651)	

Recycled Water Capital Fund (597)

Project	Source of Funds	Use of Funds	Explanation
Unrestricted Beginning Fund Balance/Unrestricted Ending Fund Balance	50,000	50,000	Increases the Unrestricted Beginning Fund Balance and Unrestricted Ending Fund Balance to account for changes from the FY 2021/22 Adopted CIP budget.
Total Recycled Water Capital Fund	50,000	50,000	

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Related Santa Clara Developer Fund (540)

Project	Source of Funds	Use of Funds	Explanation
Other Revenue	(687,809)		Decreases the Other Revenue to account for updated anticipated revenue to reimburse staff costs.
Related General Admin Project		(10,757)	Decreases the Related General Admin Project to account for updated estimates for staff costs.
Related Permit Work Project		(676,992)	Decreases the Related Permit Work Project to account for updated estimates for staff costs.
Unrestricted Beginning Fund Balance/Unrestricted Ending Fund Balance	3,000	3,000	Increases the Unrestricted Beginning Fund Balance and Unrestricted Ending Fund Balance to account for changes from the FY 2021/22 Adopted CIP budget.
Total Related Santa Clara Developer Fund	(684,809)	(684,749)	

Sewer Utility Capital Fund (594)

Project	Source of Funds	Use of Funds	Explanation
Unrestricted Beginning Fund Balance	23,927,900		Increases the Unrestricted Beginning Fund Balance to account for changes from the FY 2021/22 Adopted CIP budget.
Transfer from the Sewer Utility Debt Services Fund	(6,411,784)		Decreases the transfer from the Sewer Utility Debt Service Fund to reflect the City of San Jose's updated allocation detail based on the latest TPAC budget.
San Jose - Santa Clara Regional Wastewater Facility		(6,786,626)	The City of Santa Clara works with the City of San Jose regarding the maintenance and operations of the Regional Wastewater Facility. This project's budget is based on the City of San Jose's allocation detail. Based upon the latest TPAC budget provided by the City of San Jose, Santa Clara's allocation will be reduced by $6,786,626.
Sanitary Sewer Capacity Improvements		(71,393)	Updates the Public Works Capital Management allocation based on the recalculated project distribution.
Sanitary Sewer System Improvements		(85,671)	Updates the Public Works Capital Management allocation based on the recalculated project distribution.
PW Capital Projects Management - Sewer		294,145	Updates the Public Works Capital Management allocation based on the recalculated project distribution.
Ending Fund Balance		24,165,611	Increases the unrestricted fund balance to offset the actions recommended above.
Total Sewer Utility Capital Fund	17,516,116	17,516,066	

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Solid Waste Capital Fund (596)

Project	Source of Funds	Use of Funds	Explanation
Developer Contributions	173,700		Recognizes Developer Contributions of $173,700. Per development agreement with Related Santa Clara (Related), the City is responsible for the landfill postclosure expenditures up to $450,000. Expenditures between $450,000 to $1,100,000 are the responsibility of Related. The City will bill Related for any expenditures over $450,000 after the end of the fiscal year.
Transfer from Solid Waste Fund	(371,401)		Decreases the transfer from the Solid Waste Fund to account for $173,700 funding for Landfill Postclosure expenditures that will be covered by Related and reflect the use of fund balance. The adjusted transfer amount for FY 021/22 will be $250,000.
Beginning Fund Balance	266,657		Net increase to the Beginning Fund Balance to reflect estimated FY 2020/21 year-end performance, including a decrease the Landfill Corrective Action Costs Allocation ($324,671) and an increase to the Unrestricted Fund Balance ($591,328).
Ending Fund Balance		68,956	Net increase to the Ending Fund Balance, including a decrease to the Landfill Corrective Actions Costs Allocation ($338,372) and an increase to the Unrestricted Ending Fund Balance ($407,328)
Total Solid Waste Capital Fund	68,956	68,956	

Storm Drain Capital Fund (535)

Project	Source of Funds	Use of Funds	Explanation
PW Capital Projects Management - Storm Drain/Transfer from the General Fund	(61,382)	(61,382)	Updates the Public Works Capital Management allocation based on the recalculated project distribution. The Transfer from the General Fund that supports this cost is also decreased.
Charges for Services/Transfer to the General Fund	(21,000)	(21,000)	Decreases the Charges for Services and the Transfer to the General Fund to reflect the updated storm drain fee projection. This revenue is received in the Storm Drain Capital Fund and transferred to the General Fund to support Storm Drain operations.
Unrestricted Beginning Fund Balance/Unrestricted Ending Fund Balance	288,019	288,019	Increases the Unrestricted Beginning Fund Balance and Unrestricted Ending Fund Balance to account for changes from the FY 2021/22 Adopted CIP budget.
Total Storm Drain Capital Fund	205,637	205,637	

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Street Lighting Capital Fund (534)

Project	Source of Funds	Use of Funds	Explanation
2871 - Miscellaneous Street Lighting		(125,000)	Eliminates funding for the Miscellaneous Street Lighting to meet expected work activity. This project is to respond to street light complaints and install additional street lights or replace street lighting where needed. This budget is being eliminated from FY 2021/22.
2875 - Great America Street Light Replacement Project		(2,500,000)	Reducing the project to align with schedule. Design and procurement are scheduled for FY 2021/22. Most construction is expected to occur in FY 2022/23. This budget is moving to FY 2022/23.
Transfer from the Electric Utility Fund (Fund 091)	(2,625,000)		This action reduces the transfer from the Electric Utility Fund based on the reduced project funding needs. This reduction has been incorporated in the Base Budget for the Electric Utility Fund.
Total Street Lighting Capital Fund	(2,625,000)	(2,625,000)	

Streets and Highways Capital Fund (533)

Project	Source of Funds	Use of Funds	Explanation
Revenue from Other Agencies/Lafayette Bassett Bike Lane Project	224,361	224,361	This action recognizes and appropriates additional Transportation Development Act Article 3 grant funding for the Lafayette Bassett Bike Lane project that was identified as part of the City's Bicycle Plan Update 2018. On May 21, 2019 Council approved Resolution No.19-8702 which includes the staff's proposal to apply for the additional grant monies and this action appropriates the funding as it was approved by the MTC. This project provides funding for the installation of a Class II bicycle facility along the Lafayette/Bassett corridor from Agnew Road to Central Expressway. Currently, there are no bicycle facilities that connect the Lafayette and Bassett corridors. The original project funding of $600,000 in FY 2020/21 will be increased by $224,361. This grant award is eligible to be used for bicycle and pedestrian improvements.

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Streets and Highways Capital Fund (533) (Cont'd.)

Project	Source of Funds	Use of Funds	Explanation
Transfer from the General Fund Capital Projects Reserve/Street Tree Services	323,000	413,000	Adds a Street Tree Services project to fund contractual emergency tree services, tree removals, and tree plantings in FY 2021/22. The Tree Division maintains approximately 11,500 trees. The current 3-year Tree Services agreement expires in June 2021. Public Works is going out to bid with the plan to prune over 900 trees/year. The average cost/prune is being increased to account for new agreement pricing. The largest component of the requested funding will go towards contractual tree removals. Based on a consultant evaluation and recommendations for many of the City's Modesto Ash trees which were old and declining, over the next 3 year period over 100 trees will be removed each year. This request includes an offset of $90,000 in funding from Silicon Valley Power to pay for removals of approximately 30 trees that have conflicts with overhead wires. This allocation funds year one of the three-year project. Additional funding of $382,000 is needed for year two and additional funding is also needed for year three.
Transfer from the Electric Utility Fund for Tree Services	90,000		This proposal provides Silicon Valley Power's contribution for removal of trees that have wires.
PW Capital Projects Management - Streets and Highways/ Transfer from the General Fund	177,494	177,494	Updates the Public Works Capital Management allocation based on the recalculated project distribution. The Transfer from the General Fund that supports this cost is also increased.
Tech Adj: Transfer from the General Fund	(2,025,000)		This action is a technical adjustment correcting the funding source for the Saratoga Creek Trail (Homeridge Park to Central Park) project from a Transfer from the General Fund to a Transfer from the Parks and Recreation Capital Fund. Park in Lieu fees will be used to fund this project.
Tech Adj: Transfer from the Parks and Recreation Capital Fund	2,025,000		This action is a technical adjustment correcting the funding source for the Saratoga Creek Trail (Homeridge Park to Central Park) project from a Transfer from the General Fund to a Transfer from the Parks and Recreation Capital Fund. Park in Lieu fees will be used to fund this project.

FY 2021/22 Capital Improvement Program (CIP) Budget Amendments

Streets and Highways Capital Fund (533) (Cont'd.)

Project	Source of Funds	Use of Funds	Explanation
Unrestricted Beginning Fund Balance/Unrestricted Ending Fund Balance	1,297,853	1,297,853	Increases the Unrestricted Beginning Fund Balance and Unrestricted Ending Fund Balance to account for changes from the FY 2021/22 Adopted CIP budget.
Total Streets and Highways Capital Fund	2,112,708	2,112,708	

Tasman East Infrastructure Improvement Fund (541)

Tasman East Administration		23,757	Annual funding for Public Works costs for fee administration.
Tasman East Infrastructure Impact Fee	1,192,891		Anticipated impact fee revenue to be collected for Summer Hill project.
Transfer to the General Fund Capital Projects Reserve		175,757	Restores funding to the General Fund Capital Projects Reserve for FY 2020/21 costs.
Unrestricted Ending Fund Balance		993,377	Adjusts the unrestricted fund balance to offset the actions recommended above.
Total Tasman East Infrastructure Improvement Fund	1,192,891	1,192,891	

Water Utility Capital Fund (592)

Project	Source of Funds	Use of Funds	Explanation
Unrestricted Beginning Fund Balance / Unrestricted Ending Fund Balance	10,163,309	10,163,309	Increases the Unrestricted Beginning Fund Balance and Unrestricted Ending Fund Balance to account for changes from the FY 2021/22 Adopted CIP budget.
Total Water Utility Capital Fund	10,163,309	10,163,309	

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California Society of Municipal Finance Officers

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Capital Budget Excellence Award
Fiscal Year 2020-2021

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The Center of What's Possible

FY 2021/22 Municipal Fee Schedule

Proposed

June 22, 2021

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Reader's Guide

The purpose of this Reader's Guide is to make the City of Santa Clara FY 2021/22 Municipal Fee Schedule easier to review. The Reader's Guide highlights information contained in this document, defines terminology used in column headers, and briefly explains how voter approved Proposition 26 impacts the Schedule.

Fees, rates, and charges are intended to encompass all charges established by license, permit fees, utility charges, refuse collection and any other charges for goods and services and use of City-owned or operated facilities. Certain fees omitted from the Municipal Fee Schedule are published separately and noted on page V of this schedule. Such fees and charges published separately are unique because they are mandated by external agencies or because they receive special attention and review from City Council prior to adoption.

A comprehensive listing of the City's fees, rates, and charges, arranged in sections by department make up the City of Santa Clara Municipal Fee Schedule. During an annual review, each department recommends appropriate adjustments after considering the total costs to the City for each service provided. Costs include (1) personnel time (providing the service and collecting data), (2) equipment used, (3) material, service and supply costs, (4) department and City-wide overhead, and (5) any other costs that may be incurred that are directly related to the specific fees, rates or charges. Periodically, the City will contract with an outside consultant to perform a comprehensive review/study of fees. For FY 2019/20, Matrix Consulting Group completed a Cost of Services (User Fee) Study. Incremental updates typically occur in the years in between comprehensive studies. This update represents an interim year update with minor, incremental, changes proposed that incorporate feedback received during the prior fee update and feedback received subsequent to adoption of the City's current schedule of fees. Since this is an interim year, the vast majority of fees are proposed to increase by the most recent annual change in the regional consumer price index (CPI). The CPI change for the most recent year was 1.72%. This minor recalibration of fees is simply intended to maintain cost recovery levels consistent with the fees previously adopted by the City Council. In addition to the general inflationary changes proposed for fees, there are a limited number of discrete changes proposed to add new fees to recover costs, to increase or continue to phase in fees to increase cost recovery, to align with mandates, and to provide further clarification.

<u>Proposition 26</u>

Proposition 26, passed by voters on November 2, 2010, is a constitutional amendment that introduces, for the first time, a definition of what constitutes a local tax:

> *As used in this section, "tax" means any levy, charge, or exaction of any kind imposed by a local government…*

Under this definition, many requirements imposed by a local government that results in the local government receiving revenues are considered local taxes. This means that local government would need to obtain majority approval of the voters if the revenues are to be used for general governmental purpose and by two-thirds of voters if used for a specific purpose. In contrast, a fee may be adopted by a majority vote of City Council. There are seven (7) exceptions to this amendment under Proposition 26:

1. **Special Benefit or Privilege:** A charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.

2. **Government Service or Product:** A charge imposed for specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.

3. **Licenses and Permits:** A charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, enforcing agricultural marketing orders, and the administrative enforcement and adjudication thereof.

4. **Local Government Property:** A charge imposed for entrance to or use of local government property, or the purchase, rental or lease of a local government property.

5. **Fines and Penalties:** A fine, penalty, or other monetary charge imposed by the judicial branch of government or a local government, as a result of a violation of law.

6. **Property Development:** A charge imposed as a condition of property development.

7. **The Prop 218 Exception:** Provides that property assessment and property-related fees that are already subject to the approval requirements of Proposition 218 are not taxes. Common examples include water and sewer rates and special district assessments such as Landscape and Lighting District Act assessments.

All fees, rates, and charges have been reviewed by the City Attorney's Office and meet one or more of the exceptions to Proposition 26, or are not subject to Proposition 26.

City of Santa Clara Municipal Fee Schedule Column Descriptors

1. Description of Fee, Rate, or Charge: Identifies the nature of the fee, rate, or charge.

2. Current Fee and Period: Identifies the current cost associated with the fee, rate, or charge.

3. Technology Fee: Identifies whether or not the Technology Fee applies.

4. Charging Dept/Div: City Department responsible for initiating the fee, rate, or charge.

   Collecting Dept/Div: City Department assigned to collect the fee, rate, or charge.

5. Date Fee Last Changed: The date the fee was last updated by ordinance and/or resolution.

6. Fee Detail:

   Objective: The reasoning as to why the City collects the fee, rate, or charge. This schedule may identify one or more of the following classifications: (1) Recover Cost, (2) User Tax, (3) User Fee, (4) Penalty, (5) Compliance, and (6) Impact Development Fee.

   Prop 26 Exception: Identifies exception classification for the fee, rate, or charge. The reader will see numbers 1-7, or a combination of 1-7, as some fees, rates, and charges fall under multiple classifications. N/A signifies the fee, rate, or charge is not a fee imposed exclusively by local government.

   Full Cost: Summarizes both direct and indirect costs associated with the fee, rate, or charge. If no cost is provided, the basis for the charge is defined either by ordinance or resolution, calculated separately based on individual circumstances, or established by an outside entity.

7. Comments: Identifies special notes related to the specific fee, rate, or charge.

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

The Following is a List of Separately Published Fee Schedules.
These Schedules Are Not Included in This Document.
Copies of These Documents Can Be Found in the City Clerk's Office Located at City Hall and at Central Library's Reference Desk.

- **Community Development Department**

  - California Electrical Code
  - California Administrative Code
  - California Building Code, Volume 1, 2
  - California Building Security Code
  - California Code for the Abatement of Dangerous Buildings
  - California Housing Code
  - California Mechanical Code
  - California Plumbing Code

- **Electric Utility**

  - Electric Rates

- **Parks and Recreation Department**

  - Class Rates

- **Public Works Department**

  - Cleanup Campaign Rates
  - Garbage / Rubbish / Recycle Rates
  - Household Hazardous Waste Rates
  - Storm Drain Environmental Compliance Fee

- **Water and Sewer Utilities**

  - Sewer Rates
  - Solar Domestic Hot Water System Service Charges
  - Solar Swimming Pool Heater Service Charges
  - Water Rates

- **Taxable items are subject to applicable sales taxes at prevailing tax rates.**

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Municipal Fee Schedule

Citywide

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
CITYWIDE

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Copy Fee Public	$ 0.20 per page	No	**Charged By:** Citywide **Collected By:** Citywide	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 0.20	Copies of Statements of Economic Interest (Form 700) and Campaign Statements are 10 cents per page for copies.	$ 0.20 per page	
CD / DVD Materials	$ 3.00 per CD / DVD	No	**Charged By:** Citywide **Collected By:** Citywide	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 3.00		$ 3.00 per CD / DVD	
Payment Default Fee (includes NSF check, direct payment decline, default credit card charge)	$ 25.00	No	**Charged By:** Citywide **Collected By:** Citywide	**Date:** 7/16/2019 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,5 **Full Cost:** $ 25.00	CA Civil Code 1719	$ 25.00	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
CITYWIDE

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV -------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Technology Fee	$ 3.37% of Applicable Fees	Yes	**Charged By:** Citywide **Collected By:** Citywide	**Date:** 7/16/2019 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ Varies		$ 3.37% of Applicable Fees	
Subpoena Fees All Employees (Deposit)	$ 275.00	No	**Charged By:** Citywide **Collected By:** Citywide	**Date:** 4/22/2014 **O. No.:** **O. Date:** **Other (specify):** CMD 99	**Objective:** Compliance **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 275.00	
Jury Fees Federal District Court	$ 30.00 per day and IRS Business Mileage Rate	No	**Charged By:** Citywide **Collected By:** Citywide	**Date:** 6/12/2001 **O. No.:** **O. Date:** **Other (specify):** CMD 25	**Objective:** Recover Cost **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 30.00 per day and IRS Business Mileage Rate	

(* Note: "N/A" here signifies the fee, rate, or charge is not a fee imposed exclusively by local government.)

Municipal Fee Schedule

City Clerk

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
CITY CLERK'S OFFICE

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Lobbying Activities Annual Registration Fee	$ 745.00	No	**Charged By:** City Clerk's Office **Collected By:** City Clerk's Office	**Date:** 4/28/2020 **Res. No.:** 20-8839 **O. No.:** 1949 **O. Date:** 1/12/2016	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 3 **Full Cost:** $ 757.90	Annual registration is due by January 15th of a given year.	$ 757.00	1.61%
Lobbying Activities Prorated Registration Fee	$ 355.00	No	**Charged By:** City Clerk's Office **Collected By:** City Clerk's Office	**Date:** 4/28/2020 **Res. No.:** 20-8839 **O. No.:** 1949 **O. Date:** 1/12/2016	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 3 **Full Cost:** $ 361.87	Persons registering for the first time after June 30th of a given year.	$ 361.00	1.69%
Lobbying Activities Amended Registration Fee	$ 171.00	No	**Charged By:** City Clerk's Office **Collected By:** City Clerk's Office	**Date:** 4/28/2020 **Res. No.:** 20-8839 **O. No.:** 1949 **O. Date:** 1/12/2016	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 3 **Full Cost:** $ 174.00	Lobbyists with a change to registration information shall file an amended registration within fifteen (15) days of such change if he or she has accepted a new client for compensation in excess of five hundred dollars ($500.00).	$ 174.00	1.75%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
CITY CLERK'S OFFICE

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Lobbying Activities Client Registration Fee	$ 128.00 per client	No	**Charged By:** City Clerk's Office **Collected By:** City Clerk's Office	**Date:** 4/28/2020 **Res. No.:** 20-8839 **O. No.:** 1949 **O. Date:** 1/12/2016	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 3 **Full Cost:** $ 130.23		$ 130.00 per client	1.56%
Lobbying Activities Delinquent Fee (Non-Compliance Fine)	$ 25.00 per day	No	**Charged By:** City Clerk's Office **Collected By:** City Clerk's Office	**Date:** 12/5/2017 **Res. No.:** 17-8483 **O. No.:** 1949 **O. Date:** 1/12/2016	**Objective:** Recover Cost Penalty **Prop 26 Exception:** 5 **Full Cost:** $ 25.43	Up to a maximum of $500.00	$ 25.00 per day	

Municipal Fee Schedule

City Manager

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
CITY MANAGER'S OFFICE

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
No-Fee Parade Permit For Santa Clara non-profit organizations	$ No Fee	No	**Charged By:** City Manager's Office **Collected By:** City Manager's Office	**Date:** 9/18/2018 **R. No.:** 18-8606 **R. Date:** 9/18/2018	**Objective:** **Prop 26 Exception:** **Full Cost:** $ -	See Resolution No. 18-8606	No Fee	

Municipal Fee Schedule



Community Development

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / BUILDING

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Technology Fee	3.37% of Building Permit Fee, Electrical Permit Fee, Plumbing Permit Fee, Mechanical Permit Fee, and Plan Check & Sign Fee	No	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 7/16/2019 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ Varies		3.37% of Building Permit Fee, Electrical Permit Fee, Plumbing Permit Fee, Mechanical Permit Fee, and Plan Check & Sign Fee	
General Plan / Advanced Planning Surcharge	12.39% of Building Permit and Plan Check Fees	No	**Charged By:** Planning Division **Collected By:** Building Division	**Date:** 7/16/2019 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** 12.39%		12.39% of Building Permit and Plan Check Fees	
Building Conformance Fee		No	**Charged By:** Building Division **Collected By:** Building Division	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Valuation x $0.00032	Surcharge applied to the City's Plan Review fees collected by the Building Division to cover the costs of zoning conformance review work.	Valuation x $0.00032	new fee
3-B ELECTRICAL PERMIT FEES								
Minimum Permit Fee	$ 205.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 3 **Full Cost:** $ 209.21		$ 209.00	1.95%
Permit Issuance	$ 86.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2 **Full Cost:** $ 87.54		$ 87.00	1.16%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / BUILDING

RESOLUTION NUMBER: **APPROVED:**

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SYSTEM FEE SCHEDULE								
New Buildings or Alterations Commercial Buildings per sq. ft. Residential Buildings per sq. ft. New garages, carports and accessory buildings per sq. ft.	$ 0.30 $ 0.22 $ 0.08	Yes Yes Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** VARIES		$ 0.31 $ 0.22 $ 0.08	1.72%
Private Swimming Pools For new private, in-ground swimming pools for single-family and multi-family occupancies	$ 325.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 330.92		$ 330.00	1.54%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / BUILDING

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Outdoor Events			**Charged By:**	**Date:** 4/28/2020	**Objective:**			
For electric generators and electrically driven rides	$ 325.00	Yes	Building Division	**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 330.00	1.54%
			Collected By:	**O. Date:**				
For mechanically driven rides and walk-through attractions or displays having electric lighting	$ 325.00	Yes	Building Division		**Full Cost:** VARIES		$ 330.00	1.54%
For a system of area and booth lighting	$ 325.00	Yes					$ 330.00	1.54%
Temporary Power Service			**Charged By:**	**Date:** 4/28/2020	**Objective:**			
For a temporary service power pole or pedestal-mounted receptacle outlets and appurtenances	$ 325.00	Yes	Building Division	**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 330.00	1.54%
			Collected By:	**O. Date:**				
For a temporary distribution system and temp lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sales lots, fireworks stands, etc.	$ 325.00	Yes	Building Division		**Full Cost:** VARIES		$ 330.00	1.54%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / BUILDING

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
UNIT FEE SCHEDULE								
Receptacle, Switch and Lighting Outlets First 20, each	$ 3.14	Yes	**Charged By:** Building Division	**Date:** 4/28/2020 **O. No.:**	**Objective:** **Prop 26 Exception:** 1,3		$ 3.19	1.72%
Additional fixtures, each	$ 3.14	Yes	**Collected By:** Building Division	**O. Date:**	**Full Cost:** VARIES		$ 3.19	1.72%
Lighting Fixtures First 20 fixtures, each	$ 3.14	Yes	**Charged By:** Building Division	**Date:** 4/28/2020 **O. No.:**	**Objective:** **Prop 26 Exception:** 1,3		$ 3.19	1.72%
Additional fixtures, each	$ 3.14	Yes	**Collected By:** Building Division	**O. Date:**	**Full Cost:** VARIES		$ 3.19	1.72%
For pole or platform-mounted lighting fixtures, each	$ 7.34	Yes					$ 7.47	1.72%
For theatrical-type lighting fixtures or assemblies, each	$ 7.34	Yes					$ 7.47	1.72%
Residential Appliances For fixed residential appliances or receptacle outlets, each	$ 22.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,3 **Full Cost:** $ 22.42		$ 22.00	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / BUILDING

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Power Apparatus			**Charged By:**	**Date:** 4/28/2020	**Objective:**			
Up to and including 1, each	$ 35.00	Yes	Building Division				$ 36.00	2.86%
Over 1 and not over 10, each	$ 54.00	Yes		**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 55.00	1.85%
Over 10 and not over 50, each	$ 90.00	Yes	**Collected By:**	**O. Date:**			$ 92.00	2.22%
Over 50 and not over 100, each	$ 108.00	Yes	Building Division		**Full Cost:** VARIES		$ 110.00	1.85%
Over 100, each	$ 144.00	Yes					$ 146.00	1.39%
Busways			**Charged By:**	**Date:** 4/28/2020	**Objective:**			
For trolley and plug-in-type busways, each 100 feet	$ 90.00	Yes	Building Division				$ 91.00	1.11%
				O. No.:	**Prop 26 Exception:** 1,2,3			
			Collected By:	**O. Date:**				
			Building Division		**Full Cost:** $ 91.80			
Signs, Outline Lighting and Marquees								
For signs, outline lighting systems or marquees supplies from one branch circuit	$ 90.00	Yes	**Charged By:** Building Division	**Date:** 4/28/2020	**Objective:**		$ 91.00	1.11%
				O. No.:	**Prop 26 Exception:** 1,2,3			
			Collected By:	**O. Date:**				
For additional branch circuits with the same sign, outline lighting system or marquee	$ 72.00	Yes	Building Division		**Full Cost:** VARIES		$ 73.00	1.39%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / BUILDING

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Services For services of 600 volts or less and not over 200 amperes in rating, each	$ 144.00	Yes	**Charged By:** Building Division	**Date:** 4/28/2020 **O. No.:**	**Objective:** **Prop 26 Exception:** 1,2,3		$ 146.00	1.39%
For services of 600 volts or less and over 200 amperes to 1,000 amperes in rating, each	$ 252.00	Yes	**Collected By:** Building Division	**O. Date:**	**Full Cost:** VARIES		$ 256.00	1.59%
For services over 600 volts or over 1,000 amperes in rating, each	$ 379.00	Yes					$ 386.00	1.85%
Miscellaneous Apparatus, Conduits, and Conductors For electrical apparatus, conduits, and conductors for which a permit is required but for which no fee is herein set forth	$ 90.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 91.80		$ 91.00	1.11%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / BUILDING

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3-C MECHANICAL PERMIT								
NEW BUILDINGS								
New Commercial buildings, per sq. ft.	$ 0.26	Yes	**Charged By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** VARIES		$ 0.26	
New Residential buildings, per sq. ft.	$ 0.08	Yes	**Collected By:** Building Division				$ 0.08	
UNIT FEE SCHEDULE								
Furnaces For installation or relocation of forced-air or gravity-type furnace, up to and including 100,000 Btu/h	$ 270.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** VARIES		$ 275.00	1.85%
For installation or relocation or forced-air or gravity-type furnace, over 100,000 Btu/h	$ 270.00	Yes					$ 275.00	1.85%
For installation or relocation of each floor furnace	$ 270.00	Yes					$ 275.00	1.85%
For installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit	$ 270.00	Yes					$ 275.00	1.85%
Appliance Vents For the installation, relocation or replacement of each appliance vent not included in an appliance permit	$ 433.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 440.87		$ 440.00	1.62%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / BUILDING

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Repairs or Additions For the repair or, alteration of, or additional to each	$ 433.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 440.87		$ 440.00	1.62%
Boilers, Compressors and Absorption Systems Up to and including 3 horsepower or up to and including 100,000 Btu/h	$ 379.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** VARIES		$ 386.00	1.85%
Over 3 horsepower to and including 15 horsepower or Over 100,000 Btu/h to and including 500,000 Btu/h	$ 433.00	Yes					$ 440.00	1.62%
Over 15 to and including 30 horsepower or Over 500,000 to and including 1,000,000 Btu/h	$ 470.00	Yes					$ 478.00	1.70%
Over 30 to and including 50 horsepower or Over 1,000,000 to and including 1,750,000 Btu/h	$ 523.00	Yes					$ 532.00	1.72%
Over 50 horsepower or Over 1,750,000 Btu/h	$ 578.00	Yes					$ 588.00	1.73%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
<u>Air Handlers</u> Each unit up to and including 10,000 cubic feet per minute	$ 288.00	Yes	**Charged By:** Building Division	**Date:** 4/28/2020 **O. No.:**	**Objective:** **Prop 26 Exception:** 1,2,3		$ 293.00	1.74%
Each unit Over 10,000 cfm	$ 433.00	Yes	**Collected By:** Building Division	**O. Date:**	**Full Cost:** VARIES		$ 440.00	1.62%
<u>Evaporative Coolers</u> For each evaporative cooler other than portable type	$ 433.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 440.87		$ 440.00	1.62%
<u>Ventilation and Exhaust</u> For each ventilation fan connected to a single duct	$ 90.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** VARIES		$ 92.00	2.22%
For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	$ 162.00	Yes					$ 165.00	1.85%
For the installation of each hood which is served by mechanical exhaust	$ 433.00	Yes					$ 440.00	1.62%

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Incinerators For the installation or relocation of each domestic-type incinerator	$ 217.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** VARIES		$ 220.00	1.38%
For the installation or relocation of each commercial or industrial-type incinerator	$ 433.00	Yes					$ 440.00	1.62%
Miscellaneous For each appliance or piece of equipment regulated by the Mechanical Code but not classified in other appliance categories	$ 433.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 440.87		$ 440.00	1.62%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / BUILDING

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
3-C PLUMBING PERMIT FEES								
NEW BUILDINGS								
			Charged By:	**Date:** 11/19/2019	**Objective:**			
New Commercial buildings, per sq. ft.	$ 0.19	Yes	Building Division				$ 0.19	
				O. No.:	**Prop 26 Exception:** 1,2,3			
New Residential buildings, per sq. ft.	$ 0.08	Yes	**Collected By:**	**O. Date:**			$ 0.08	
			Building Division		**Full Cost:** VARIES			
UNIT FEE SCHEDULE								
			Charged By:	**Date:** 4/28/2020	**Objective:**			
Fixtures and Vents								
For each plumbing fixture or trap or set of fixtures on one trap	$ 217.00	Yes	Building Division				$ 220.00	1.38%
				O. No.:	**Prop 26 Exception:** 1,2,3			
			Collected By:	**O. Date:**				
For repair or alteration of drainage or vent piping, each fixture	$ 217.00	Yes	Building Division		**Full Cost:** VARIES		$ 220.00	1.38%
			Charged By:	**Date:** 4/28/2020	**Objective:**			
Sewers, Disposal Systems and Interceptors								
For each building sewer and each trailer park sewer	$ 217.00	Yes	Building Division				$ 220.00	1.38%
				O. No.:	**Prop 26 Exception:** 1,2,3			
			Collected By:	**O. Date:**				
For each cesspool	$ 90.00	Yes	Building Division		**Full Cost:** VARIES		$ 91.00	1.11%
For each private sewage disposal system	$ 90.00	Yes					$ 91.00	1.11%
For each industrial waste pretreatment interceptor	$ 217.00	Yes					$ 220.00	1.38%
Rainwater systems - per drain	$ 53.00	Yes					$ 54.00	1.89%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Water Piping and Water Heaters			**Charged By:**	**Date:** 4/28/2020	**Objective:**			
For installation, alteration, or repair of water piping and/or water-treating equipment	$ 217.00	Yes	Building Division	**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 220.00	1.38%
			Collected By:	**O. Date:**				
			Building Division		**Full Cost:** VARIES			
For each water heater including vent	$ 217.00	Yes					$ 220.00	1.38%
Gas Piping Systems			**Charged By:**	**Date:** 4/28/2020	**Objective:**			
For each gas piping system of one to five outlets	$ 144.00	Yes	Building Division	**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 146.00	1.39%
			Collected By:	**O. Date:**				
For each additional outlet over five	$ 5.24	Yes	Building Division		**Full Cost:** VARIES		$ 5.00	-4.58%
Lawn Sprinklers, Vacuum Breakers and Backflow Protection Devices			**Charged By:**	**Date:** 4/28/2020	**Objective:**			
For each lawn sprinkler system on any one meter	$ 217.00	Yes	Building Division	**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 220.00	1.38%
			Collected By:	**O. Date:**				
For atmospheric-type vacuum breakers or backflow protection 1 to 5 devices	$ 90.00	Yes	Building Division		**Full Cost:** VARIES		$ 91.00	1.11%
Over 5 devices, each	$ 17.00	Yes					$ 17.00	
For each backflow protective device other than atmospheric-type vacuum breakers 2 in and smaller	$ 217.00	Yes					$ 220.00	1.38%
Over 2 in	$ 217.00	Yes					$ 220.00	1.38%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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COMMUNITY DEVELOPMENT / BUILDING

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Swimming Pools			**Charged By:**	**Date:** 4/28/2020	**Objective:**			
Public pool	$ 648.00	Yes	Building Division				$ 659.00	1.70%
				O. No.:	**Prop 26 Exception:** 1,2,3			
Public spa	$ 541.49	Yes	**Collected By:**	**O. Date:**			$ 550.00	1.57%
			Building Division		**Full Cost:** VARIES			
Private pool	$ 541.49	Yes					$ 550.00	1.57%
Private spa	$ 433.40	Yes					$ 440.00	1.52%
Miscellaneous			**Charged By:**	**Date:** 4/28/2020	**Objective:**			
For each appliance or piece of equipment regulated by the Plumbing Code but not classified in other appliance categories	$ 217.23	Yes	Building Division				$ 220.00	1.28%
				O. No.:	**Prop 26 Exception:** 1,2,3			
			Collected By:	**O. Date:**				
			Building Division		**Full Cost:** $ 220.97			

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
3-G GRADING PLAN REVIEW FEES								
50 cubic yards or less	$ No Fee	Yes	**Charged By:**	**Date:** 4/28/2020	**Objective:**		$ No Fee	
51 to 100 cubic yards	$ 323.00	Yes	Building Division				$ 329.00	1.86%
101 to 1,000 cubic yards	$ 860.00	Yes		**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 875.00	1.74%
1,001 to 10,000 cubic yards	$ 1,290.00	Yes	**Collected By:**	**O. Date:**			$ 1,312.00	1.71%
10,001 to 100,000 cubic yards - base	$ 2,151.00	Yes	Building Division		**Full Cost:** VARIES		$ 2,188.00	1.72%
Each additional 10,000 cubic yards	$ 95.00	Yes					$ 97.00	2.11%
100,001 to 200,000 cubic yards - base	$ 3,011.00	Yes					$ 3,063.00	1.73%
Each additional 10,000 cubic yards	$ 215.00	Yes					$ 219.00	1.86%
200,001 cubic yards or more - base	$ 5,163.00	Yes					$ 5,252.00	1.72%
Each additional 10,000 cubic yards	$ 108.00	Yes					$ 110.00	1.85%
3-H GRADING PERMIT FEES								
			Charged By:	**Date:** 4/28/2020	**Objective:**			
100 cubic yards or less	$ 434.00	Yes	Building Division				$ 441.00	1.61%
101 to 1,000 cubic yards - base	$ 434.00	Yes		**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 441.00	1.61%
Each additional 100 cubic yards	$ 72.00	Yes	**Collected By:**	**O. Date:**			$ 73.00	1.39%
1,001 to 10,000 cubic yards - base	$ 1,087.00	Yes	Building Division		**Full Cost:** VARIES		$ 1,106.00	1.75%
Each additional 1,000 cubic yards	$ 48.00	Yes					$ 49.00	2.08%
10,001 to 100,000 cubic yards - base	$ 1,521.00	Yes					$ 1,547.00	1.71%
Each additional 10,000 cubic yards	$ 193.00	Yes					$ 196.00	1.55%
100,001 cubic yards or more - base	$ 3,260.00	Yes					$ 3,316.00	1.72%
Each additional 10,000 cubic yards	$ 96.00	Yes					$ 98.00	2.08%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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3-I OTHER INSPECTIONS AND FEES								
Inspections outside of normal business hours (per hour) (Min of 2 hours)	$ 267.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 3 **Full Cost:** $ 272.21		$ 272.00	1.87%
Re-inspection fees assessed under provisions of Section 305.8 (per hour)	$ 217.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 3 **Full Cost:** $ 220.76		$ 220.00	1.38%
Inspections for which no fee is specifically indicated (per hour)	$ 217.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 3 **Full Cost:** $ 220.97		$ 220.00	1.38%
Additional plan review required by changes, additions or revisions to approved plans (per hour)	$ 215.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,3 **Full Cost:** $ 218.83		$ 218.00	1.40%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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For use of outside consultants for plan checking and inspections	$ No Fee	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** **Full Cost:** $ -		$ No Fee	
Plan Review outside of normal business hours (per hour) (Min of 2 hours)	$ 264.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 3 **Full Cost:** $ 269.00		$ 269.00	1.89%
Replacement of Job Card	$ 43.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2 **Full Cost:** $ 43.76		$ 43.00	
Residential Re-Roof	$ 628.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 639.41		$ 639.00	1.75%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Application Extension	$ 86.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 87.54		$ 87.00	1.16%
Permit Extension	$ 86.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,3 **Full Cost:** $ 87.54		$ 87.00	1.16%
Replacement Permit	$ 86.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2 **Full Cost:** $ 87.54		$ 87.00	1.16%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Addressing (per hour - two hour minimum)	$ 314.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2 **Full Cost:** $ 320.24		$ 319.00	1.59%
Plan Duplication of lost plan set (up to 20 pages)	$ 86.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2 **Full Cost:** $ 87.54		$ 87.00	1.16%
Review and stamp transfer of lost plan set	$ 86.00	Yes	**Charged By:** Building Division **Collected By:** Building Division	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** **Prop 26 Exception:** 1,2 **Full Cost:** $ 87.54		$ 87.00	1.16%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Photovoltaic - Residential			**Charged By:**	**Date:** 4/28/2020	**Objective:**	See Gov't Code 66015		
15KW or less	$ 524.00	Yes	Building Division				$ 450.00	-14.12%
Per KW above 15	$ 15.74	Yes		**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 15.00	-4.70%
			Collected By:	**O. Date:**				
			Building Division		**Full Cost:** VARIES			
Photovoltaic - Commercial			**Charged By:**	**Date:** 4/28/2020	**Objective:**	See Gov't Code 66015		
50KW or less	$ 1,049.00	Yes	Building Division				$ 1,000.00	-4.67%
Between 50KW and 250 KW (base)	$ 1,049.00	Yes		**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 1,000.00	-4.67%
Between 50KW and 250 KW (per KW)	$ 7.34	Yes	**Collected By:**	**O. Date:**			$ 7.00	-4.63%
Greater than 250 KW (base)	$ 2,518.00	Yes	Building Division		**Full Cost:** VARIES		$ 2,400.00	-4.69%
Greater than 250 KW (per KW)	$ 5.24	Yes					$ 5.00	-4.58%
Photovoltaic - Solar Thermal			**Charged By:**	**Date:** 4/28/2020	**Objective:**	See Gov't Code 66015		
10kwth or less	$ 472.00	Yes	Building Division				$ 450.00	-4.66%
10kwth or more (base)	$ 472.00	Yes		**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 450.00	-4.66%
10kwth or more (per kwth)	$ 15.74	Yes	**Collected By:**	**O. Date:**			$ 15.00	-4.70%
			Building Division		**Full Cost:** VARIES			

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / BUILDING

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
SINGLE-FAMILY / DUPLEX / ADDITIONAL DWELLING UNIT RESIDENTIAL SCALED PERMIT FEE								
PLAN CHECK								
			Charged By:	**Date:** 4/28/2020	**Objective:**			
Project Size			Building Division					
1 to 250 sq. ft.	$ 645.44	Yes		**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 656.55	1.72%
			Collected By:	**O. Date:**				
251 to 1,000 sq. ft.			Building Division		**Full Cost:** VARIES			
First 250 sq. ft.	$ 645.44	Yes					$ 656.55	1.72%
Each additional 100 sq. ft. or fraction thereof	$ 258.17	Yes					$ 262.62	1.72%
1,001 to 3,000 sq. ft.								
First 1,000 sq. ft.	$ 2,581.77	Yes					$ 2,626.23	1.72%
Each additional 100 sq. ft. or fraction thereof	$ 129.09	Yes					$ 131.31	1.72%
3,001 to +								
First 3,000 sq. ft.	$ 5,163.53	Yes					$ 5,252.45	1.72%
Each additional 100 sq. ft. or fraction thereof	$ 64.55	Yes					$ 65.66	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
INSPECTION								
			Charged By:	**Date:** 4/28/2020	**Objective:**			
Project Size			Building Division					
1 to 250 sq. ft.	$ 724.62	Yes		**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 737.10	1.72%
			Collected By:	**O. Date:**				
251 to 1,000 sq. ft.			Building Division		**Full Cost:** VARIES			
First 250 sq. ft.	$ 724.62	Yes					$ 737.10	1.72%
Each additional 100 sq. ft. or fraction thereof	$ 222.22	Yes					$ 226.05	1.72%
1,001 to 3,000 sq. ft.								
First 1,000 sq. ft.	$ 2,391.24	Yes					$ 2,432.42	1.72%
Each additional 100 sq. ft. or fraction thereof	$ 188.40	Yes					$ 191.64	1.72%
3,001 to +								
First 3,000 sq. ft.	$ 6,159.25	Yes					$ 6,265.31	1.72%
Each additional 100 sq. ft. or fraction thereof	$ 94.20	Yes					$ 95.82	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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COMMERCIAL / MULTI-FAMILY / INDUSTRIAL SCALED PERMIT FEE								
PLAN CHECK								
			Charged By:	**Date:** 4/28/2020	**Objective:**			
Project Valuation			Building Division					
$1 to $1,000	$ 107.57	Yes		**O. No.:**	**Prop 26 Exception:** 1,2,3,6		$ 109.42	1.72%
			Collected By:	**O. Date:**				
$1,001 to $10,000			Building Division		**Full Cost:** VARIES			
First $1,000	$ 107.57	Yes					$ 109.42	1.72%
Each additional $1,000 or fraction thereof	$ 17.92	Yes					$ 18.23	1.73%
$10,001 to $75,000								
First $10,000	$ 268.93	Yes					$ 273.56	1.72%
Each additional $1,000 or fraction thereof	$ 15.72	Yes					$ 15.99	1.72%
$75,001 to $150,000								
First $75,000	$ 1,290.89	Yes					$ 1,313.12	1.72%
Each additional $1,000 or fraction thereof	$ 20.00	Yes					$ 20.34	1.72%
$150,001 to $750,000								
First $150,000	$ 2,796.91	Yes					$ 2,845.07	1.72%
Each additional $1,000 or fraction thereof	$ 6.98	Yes					$ 7.10	1.72%
$750,001 to $3,000,000								
First $750,000	$ 6,992.28	Yes					$ 7,112.69	1.72%
Each additional $1,000 or fraction thereof	$ 4.92	Yes					$ 5.00	1.62%
$3,000,001 to $10,000,000								
First $3,000,000	$ 18,072.36	Yes					$ 18,383.57	1.72%
Each additional $1,000 or fraction thereof	$ 2.88	Yes					$ 2.93	1.74%
$10,000,001 to +								
First $10,000,000	$ 38,296.19	Yes					$ 38,955.65	1.72%
Each additional $1,000 or fraction thereof	$ 1.44	Yes					$ 1.46	1.39%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
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RESOLUTION NUMBER: **APPROVED:**

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INSPECTION PERMIT			**Charged By:**	**Date:** 4/28/2020	**Objective:**			
Project Valuation			Building Division					
$1 to $1,000	$ 90.57	Yes		**O. No.:**	**Prop 26 Exception:** 1,2,3		$ 92.13	1.72%
			Collected By:	**O. Date:**				
$1,001 to $10,000			Building Division		**Full Cost:** VARIES			
First $1,000	$ 90.57	Yes					$ 92.13	1.72%
Each additional $1,000 or fraction thereof	$ 38.24	Yes					$ 38.90	1.72%
$10,001 to $75,000								
First $10,000	$ 434.00	Yes					$ 441.47	1.72%
Each additional $1,000 or fraction thereof	$ 17.84	Yes					$ 18.15	1.72%
$75,001 to $150,000								
First $75,000	$ 1,594.15	Yes					$ 1,621.60	1.72%
Each additional $1,000 or fraction thereof	$ 22.71	Yes					$ 23.10	1.72%
$150,001 to $750,000								
First $150,000	$ 3,297.02	Yes					$ 3,353.80	1.72%
Each additional $1,000 or fraction thereof	$ 9.90	Yes					$ 10.07	1.72%
$750,001 to $3,000,000								
First $750,000	$ 9,238.88	Yes					$ 9,397.97	1.72%
Each additional $1,000 or fraction thereof	$ 3.94	Yes					$ 4.01	1.72%
$3,000,001 to $10,000,000								
First $3,000,000	$ 18,115.45	Yes					$ 18,427.40	1.72%
Each additional $1,000 or fraction thereof	$ 3.66	Yes					$ 3.72	1.72%
$10,000,001 to +								
First $10,000,000	$ 43,748.80	Yes					$ 44,502.16	1.72%
Each additional $1,000 or fraction thereof	$ 1.82	Yes					$ 1.85	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / HOUSING & COMMUNITY **RESOLUTION NUMBER:** **APPROVED:**

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Neighborhood Conservation Improvement Program (NCIP) Loan Application Fee	$ 1,012.00	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 1,029.43	Non-Interest bearing fee, due at loan payoff for all new loans as of 7/1/2018.	$ 1,029.00	1.68%
Residential Loan Refinance / Subordinations all programs	$ 1,112.00	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 1,131.15		$ 1,131.00	1.71%
Multi-Family (MF) Loan Subordination Request Review Fee	$ 3,646.00	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 3,708.78	Deposit of $3,708 to cover estimated internal costs. Will bill actual excess costs over deposit. Borrower will be responsible for all outside legal & consulting fees, ie., HTSV.	$ 3,708.00	1.70%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
COMMUNITY DEVELOPMENT / HOUSING & COMMUNITY **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Loan Demand Payoff Fee - NCIP through Title closings	$ 1,134.00	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 1,153.53	For new loans effective 7/1/2018.	$ 1,153.00	1.68%
Loan Demand Payoff Fee - FTHB & BMP through Title closings	$ 1,047.00	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 1,065.03	For new loans effective 7/1/2018.	$ 1,065.00	1.72%
Loan Demand Payoff Fee All Programs for walk-ins	$ 767.00	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 780.21	For new loans effective 7/1/2018.	$ 780.00	1.69%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Multi-Family Monitoring Fee	$ 117.00 Per Unit	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 205.48		$ 119.00 Per Unit	1.71%
AHA Affordable Housing Agreements - For Sale	$ 3,708.00 Per Agreement	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 3,771.85		$ 3,771.00 Per Agreement	1.70%
Affordable Housing Application Fee	$ 50.00 Per Application	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 5/8/2018 **Res. No.** 18-8518	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 50.86	Affordable Housing Application Processing Fee: $500.00 This is a pass through fee with our 3rd party BMP Administrator.	$ 50.00 Per Application	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
AHA Affordable Housing Agreement - MF For Rental	$ 5,027.00 Per Agreement	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 5,113.57		$ 5,113.00 Per Agreement	1.71%
AHA Affordable Housing Agreement - Amendments	$ 1,957.00 Per Agreement	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 1,990.70		$ 1,990.00 Per Agreement	1.69%
Loan Demand Payoff Fee Recalculation	$ 90.00	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 20-8839	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 91.55		$ 91.00	1.11%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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COMMUNITY DEVELOPMENT / HOUSING & COMMUNITY **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Development Impact Fees Affordable Housing Fees For Sale Residential Single Family Home Townhome Condominium	Per Square foot $ 32.04 26.70 21.36	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 17-8482	Impact Development Fee **Objective:** **Prop 26 Exception:** 6 **Full Cost:** $ -	Applicable to Developers with a planning permit application deemed complete on 7.1.2020 Any in-lieu fee payment due to the City by the Applicant shall be paid prior to receipt of the occupancy certificate of the last unit at completion. Affordable Units shall have prices set in accordance with the City's Below Market Purchase (BMP) Program Policies	Fees shall be equal to the difference between the unrestricted appraised market value ("Initial Market Value") of the unit and the Affordable Sales Price of the unit, multiplied by the fractional amount due. The Initial Market Value of the last unit sold shall be the basis for calculating the in-lieu fee.	
Development Impact Fees Affordable Housing Fees Rental Residential Any Tenure type	Per Square foot $ 21.36	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 17-8482	Impact Development Fee **Objective:** **Prop 26 Exception:** 6 **Full Cost:** $ -	Applicable to Developers with a planning permit application deemed complete on 7.1.2020 Inflate annually by Feb - Feb change in regional BCI SCMC 17.40.060	**Per Square foot** $ 22.22	4.03%
Development Impact Fees Affordable Housing Fees Non-Residential Projects Retail < 5,000 sf Retail ≥ 5,000 sf Hotel Office[1] < 20,000 sf Office[1] ≥20,000 sf Other Commercial Light Industrial < 20,000 sf Light Industrial ≥20,000 sf Low-Intensity Uses[2]	Per Square foot $ No Fee 5.34 5.34 10.68 21.36 5.34 5.34 10.68 2.14	No	**Charged By:** HCSD **Collected By:** HCSD	**Date:** 4/28/2020 **Res. No.** 17-8482	Impact Development Fee **Objective:** **Prop 26 Exception:** 6 **Full Cost:** $ -	1. Office including Industrial Office, R&D and Commercial Office 2. Low-Intensity Uses such as Data Centers and Warehouses Applicable to Developers with a planning permit application deemed complete on 7/1/2020	**Per Square foot** $ No Fee 5.56 5.56 11.11 22.22 5.56 5.56 11.11 2.22	 4.03% 4.03% 4.03% 4.03% 4.03% 4.03% 4.03% 4.03%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Rezoning			**Charged By:**	**Date:** 4/28/2020	**Objective:** Recover Cost	Specific cost data available in User Fee Study FY 19/20.		
Rezone single lot to R1	$ 8,197.00 per application	Yes	Community Development	**O. No.:** **O. Date:**	**Prop 26 Exception:** 3		$ 8,338.00 per application	1.72%
Non Planned Development (PD)	$ 18,610.00	Yes	**Collected By:** Finance		**Full Cost:** $ Varies		$ 18,930.00	1.72%
Planned Development (PD)	$ 53,297.00	Yes					$ 54,215.00	1.72%
Planned Development Master Community (PD-MC)	$ 63,957.00	Yes				Developer Specific	$ 65,058.00	1.72%
Development Area Plan Related to a PD-MC Rezoning	$ 34,643.00	Yes				Developer Specific	$ 35,240.00	1.72%
Zoning Code Text Amendment	$ 23,984.00 per application	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 24,397.04	Developer Specific	$ 24,397.00 per application	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Variance - Single Family	$ 3,133.00 per application	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 16,263.98	Below cost recovery to encourage single-family planning	$ 3,187.00 per application	1.72%
Variance - All Others	$ 9,313.00 per application	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 16,263.98		$ 9,473.00 per application	1.72%
Minor Modifications			**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ Varies	Specific cost data available in User Fee Study FY 19/20.		
Single Family	$ 533.00	Yes					$ 542.00	1.69%
All Others	$ 1,332.00	Yes				Below cost recovery to encourage single-family planning	$ 1,355.00	1.73%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Off-Site Parking Permit (Citywide)	$ 1,332.00	Yes	**Charged By:** Community Development	**Date:** 4/28/2020 **R. No.:** **R. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ Varies	Specific cost data available in User Fee Study FY 19/20.	$ 1,355.00	1.73%
Off-Site Parking Permit (Events North of 101)	$ 1,332.00 (per permit) per year for events north of 101 AND	Yes	**Collected By:** Finance			(subject to April CPI figure to be effective July 1 ea. year)	$ 1,355.00 (per permit) per year for events north of 101 AND	1.73%
Off-Site Parking Facilities (Events North of 101)	$ 5.91 per space per event N of 101	No	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 10-7778 **R. Date:** 10/12/2010	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 6.02	Collected from persons obtaining an Off-Site Parking Permit from Zoning Administrator and for each parking space for sports or entertainment venues north of Highway 101.	$ 5.91 per space per event N of 101	

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Use Permits			**Charged By:**	**Date:** 4/28/2020	**Objective:** Recover Cost	Specific cost data available in User Fee Study FY 19/20.		
Use Permit - Standard	$ 13,027.00 per application	Yes	Community Development	**O. No.:**	**Prop 26 Exception:** 3		$ 13,251.00 per application	1.72%
Use Permit - Minor	$ 5,628.00 per application	Yes	**Collected By:** Finance	**O. Date:**	**Full Cost:** $ Varies		$ 5,725.00 per application	1.72%
Special Permit - Council Approval	$ 2,664.00 per application	Yes					$ 2,710.00 per application	1.73%
Special Permit - Non Profit	$ 250.00	Yes					$ 254.00	1.60%
Special Permit - Admin. Approval	$ 1,332.00	Yes					$ 1,355.00	1.73%

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Maps			**Charged By:** Community Development	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6 **Full Cost:** $ Varies	Specific cost data available in User Fee Study FY 19/20.		
4 or Fewer Lots	$ 15,989.00	Yes					$ 16,264.00	1.72%
5 or More Lots	$ 21,319.00	Yes					$ 21,686.00	1.72%
Lot line adjustment	$ 5,330.00 per application	Yes	**Collected By:** Finance				$ 5,422.00 per application	1.73%
Appeals			**Charged By:** Community Development	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 21,685.67	Below cost recovery to encourage single-family planning		
From Non-Applicant Resident	$ 469.00 per request	Yes					$ 477.00 per request	1.71%
All Others	$ 9,381.00	Yes	**Collected By:** Finance				$ 9,543.00	1.73%
Reposting of Public Notification			**Charged By:** Community Development	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 1,084.55	Below cost recovery to encourage single-family planning		
Single Family	$ 117.00 per application	Yes	**Collected By:** Finance				$ 119.00 per application	1.71%
Non-Single Family	$ 1,066.00 per application	Yes					$ 1,084.00 per application	1.69%
Re-Noticing in Newspaper	$ At Cost	Yes					$ At Cost	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Annexation of territory to City of Santa Clara	$ 37,308.00 per application	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6 **Full Cost:** $ 37,950.72	Developer Specific	$ 37,950.00 per application	1.72%
Architectural Review			**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ Varies			
Over the Counter	$ 0.00	Yes					$ 0.00	
Single Family	$ 878.00	Yes				Below cost recovery to encourage single-family planning	$ 893.00	1.71%
New development-Non-SFR	$ 31,978.00	Yes					$ 32,529.00	1.72%
Design Consultant Review	$ Deposit of Consultant Estimated Costs Plus Citywide Overhead	Yes					$ Deposit of Consultant Estimated Costs Plus Citywide Overhead	

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Environmental Review			**Charged By:**	**Date:** 4/28/2020	**Objective:** Recover Cost			
City review of Draft EIR and preparation of Final EIR	$ 31,978.00 per application	Yes	Community Development	**O. No.:** **O. Date:**	**Prop 26 Exception:** 1,2,6	Specific cost data available in User Fee Study FY 19/20.	$ 32,529.00 per application	1.72%
City Review of Supplemental EIR/Final EIR	$ 15,989.00	Yes	**Collected By:** Finance		**Full Cost:** $ Varies		$ 16,264.00	1.72%
City review or preparation of Initial Study/MND and Negative Declaration	$ 21,319.00 per application	Yes					$ 21,686.00 per application	1.72%
Exemption	$ 799.00	Yes					$ 813.00	1.75%
Exemption (SFR or Paperless)	$ 0.00	Yes					$ 0.00	
Recordation of Exemption	$ 533.00	Yes					$ 542.00	1.69%
Re-Use of Prior Environmental Determination	$ 1,599.00	Yes					$ 1,627.00	1.75%
Addendum to Prior Environmental Determination	$ 4,263.00	Yes					$ 4,336.00	1.71%

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General Plan Amendment - Single Family	$ 2,664.00	Yes	**Charged By:** Community Development	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ Varies		$ 2,710.00	1.73%
General plan Amendment - Up to one acre	$ 21,319.00 per application	Yes	**Collected By:** Finance			Developer Specific	$ 21,686.00 per application	1.72%
General Plan Amendment - One to five acres	$ 31,978.00	Yes					$ 32,529.00	1.72%
General Plan Amendment - Over five acres	$ 37,308.00	Yes					$ 37,950.00	1.72%
Development Agreement	$ 31,978.00 per application	Yes	**Charged By:** Community Development	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6	Developer Specific	$ 32,529.00 per application	1.72%
Amendment or Cancellation of Development Agreement	$ 10,660.00 per application	Yes	**Collected By:** Finance	**O. Date:**	**Full Cost:** $ Varies		$ 10,844.00 per application	1.73%
Development Agreement Negotiations	$ Actual Cost	No					$ Actual Cost	

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Certificate of Compliance	$ 2,132.00 per certificate	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 2,169.10		$ 2,169.00 per certificate	1.74%
Signs Sign Permit Fees (attached or ground) for first sign	$ 312.00 per application	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ Varies	Specific cost data available in User Fee Study FY 19/20.	$ 317.00 per application	1.60%
Temporary Sign Permit/Street Banner (pursuant to Zoning Ord. Sec. 40-27) good for 60 days; or ea. additional sign under a Sign Permit application	$ 77.00 per application	Yes					$ 78.00 per application	1.30%
Temporary Sign Removal Fees	$ 133.00 per sign	Yes				Fees to be paid prior to retrieval of signs to any person.	$ 135.00 per sign	1.50%
Master Sign Program	$ 3,997.00	Yes					$ 4,066.00	1.73%

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Mills Act Application	$ 7,564.00 per application	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 10,843.37		$ 7,694.00 per application	1.72%
Pre-Application			**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6 **Full Cost:** $ Varies	Pre-Application fee credited toward cost of full application fee if submitted within 3 months after completion of preliminary review.		
Single Family	$ 468.00	Yes					$ 476.00	1.71%
Planning Review	$ 3,125.00	Yes					$ 3,179.00	1.73%
Project Clearance Committee	$ 5,330.00	Yes					$ 5,422.00	1.73%
Flood Zone Verification	$ 266.00	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 271.14		$ 271.00	1.88%
Zoning Verification	$ 455.00	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 813.41		$ 463.00	1.76%

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Historical & Landmarks			**Charged By:**	**Date:** 4/28/2020	**Objective:** Recover Cost			
Single Family	$ 878.00	Yes	Community Development	**O. No.:** **O. Date:**	**Prop 26 Exception:** 1,2	Below cost recovery to encourage single-family planning	$ 893.00	1.71%
All Others	$ 10,660.00	Yes	**Collected By:** Finance		**Full Cost:** $ Varies		$ 10,844.00	1.73%
Stormwater Management Plan Review	$ 799.00	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 813.41		$ 813.00	1.75%
Minor Amendment to Approved Projects	$ 799.00	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 813.41		$ 813.00	1.75%
ABC Review Verification	$ 533.00	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 542.28		$ 542.00	1.69%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Heritage Tree Removal	$ 745.00	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 2,169.10	Below cost recovery to encourage single-family planning	$ 758.00	1.74%
Non-Historical Referral to Historical and Landmarks Commission - Standard	$ 469.00	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** 1972 **O. Date:** 11/7/2017	**Objective:** Recover Cost **Prop 26 Exception:** 2,3,6 **Full Cost:** $ 5,421.68		$ 477.00	1.71%
Non-Historical Referral to Historical and Landmarks Commission - Comprehensive	$ 878.00	Yes	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** 1972 **O. Date:** 11/7/2017	**Objective:** Recover Cost **Prop 26 Exception:** 2,3,6 **Full Cost:** $ 10,843.37		$ 893.00	1.71%
Contract Administration	$ Actual Cost	No	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/18/2017 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ Actual Cost		$ Actual Cost	

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Time Extensions			**Charged By:** Community	**Date:** 4/18/2017	**Objective:** Recover Cost			
Entitlement Extension	$ 50% of application fee	No	Development	**O. No.:** **O. Date:**	**Prop 26 Exception:** 1,2		$ 50% of application fee	
			Collected By:		**Full Cost:** $ 25-50% of			
Processing Time Extension	$ 25% of application fee	No	Finance		application fee		$ 25% of application fee	
Significant Property Alteration			**Charged By:** Community	**Date:** 4/28/2020	**Objective:** Recover Cost	Specific cost data available in User Fee Study FY 19/20.		
Major - Single Family	$ 878.00	Yes	Development	**O. No.:** 1972 **O. Date:** 11/7/2017	**Prop 26 Exception:** 1,2,3	Applies to Historic Preservation properties only.	$ 893.00	1.71%
			Collected By:		**Full Cost:** $ Varies			
Major - Other	$ 10,660.00	Yes	Finance			Subject to Historical annd Land-mark Commission approval.	$ 10,844.00	1.73%
Significant Property Alteration			**Charged By:** Community	**Date:** 4/28/2020	**Objective:** Recover Cost	Specific cost data available in User Fee Study FY 19/20.		
Minor - Single Family	$ 586.00	Yes	Development	**O. No.:** 1972 **O. Date:** 11/7/2017	**Prop 26 Exception:** 1,2,3	Applies to Historic Preservation properties only.	$ 596.00	1.71%
			Collected By:		**Full Cost:** $ Varies			
Minor - Other	$ 1,861.00	Yes	Finance				$ 1,893.00	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

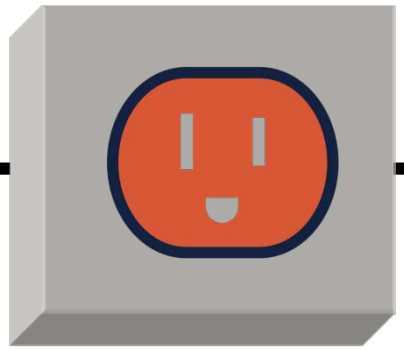
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Specific Plan Fee - Lawrence Station Area Plan (LSAP) Phase I Developers Phase II Developers	 $ 21,328.44 (per acre) $ 13,639.57 (per acre)	 No No	**Charged By:** Community Development **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 17-8407 **R. Date:** 1/10/2017	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,061,593.28	Fees adjusted annually using the December CPI factor from the previous year. (Fees first adjusted in 2018) Fees collected at the time of Building Permit Application.	 $ 21,755.01 (per acre) $ 13,912.36 (per acre)	 2.00% 2.00%
Specific Plan Fee - Tasman East Specific Plan Area (TESP)	$ 269.85 (per unit)	No	**Charged By:** Community Development **Collected By:** Finance	**Date:** 3/15/2019 **R. No.:** 19-8644 **R. Date:** 1/15/2019	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,235,233.77	Fees adjusted annually using the December CPI factor from the previous year. (Fees to be adjusted beginning in 2021.) Fees collected prior to Architectural Committee Review.	$ 275.25 (per unit)	2.00%

Municipal Fee Schedule



Electric Utility

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Overhead Lines - New Single Family/Residential	$ 1,176.89 per lot	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 1,197.16		$ 1,197.16 per lot	1.72%
Overhead Lines - New Multiple Units	$ 723.77 per unit	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 736.24		$ 736.24 per unit	1.72%
Overhead Lines - New Street Lighting	$ 7.29 per front foot	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 7.42		$ 7.42 per front foot	1.72%
Underground - New Single Family/Residential	$ 1,734.82 per lot	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 1,764.70		$ 1,764.70 per lot	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Underground - New Multiple Units/Residential	$ 1,547.04 per unit	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 1,573.68		$ 1,573.68 per unit	1.72%
Underground - New Street Lighting	$ 17.92 per front foot	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 18.23		$ 18.23 per front foot	1.72%
~~Underground - New Street Lighting (Over 10 acres)~~	~~$ 2,734.95 per acre~~	~~No~~	~~**Charged By:** Electric~~ ~~**Collected By:** Finance~~	~~**Date:** 4/28/2020~~ ~~**O. No.:**~~ ~~**O. Date:**~~	~~**Objective:** Recover Cost~~ ~~**Prop 26 Exception:** 1,2,6~~ ~~**Full Cost:** $ 2,782.05~~	Removing fee, no longer used	~~$ 2,782.05 per acre~~	~~1.72%~~
Underground - Existing Single Family	$ 3,409.04 per lot	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 3,467.74		$ 3,467.74 per lot	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Underground - Existing Multi-Units	$ 1,822.19 per unit	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 1,853.56		$ 1,853.56 per unit	1.72%
Underground - Existing Street Lighting	$ 26.62 per front foot	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 27.08		$ 27.08 per front foot	1.72%
Load Development	$ 139.23 per KVA Up to 4,500 KVA	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** Varies	1st Tier Fee: Up to 4,500 KVA 2nd Tier Fee: > 4,500 KVA	$ 141.63 per KVA Up to 4,500 KVA	1.72%
	$ 235.97 per KVA > 4,500 KVA	No					$ 240.03 per KVA > 4,500 KVA	1.72%
Temporary Pole Connection	$ 635.13	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 646.06		$ 646.06	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Temporary Power	$ Actual cost	No	**Charged By:** Electric **Collected By:** Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost		$ Actual cost	
Underground Street Light Relocation	$ Actual cost	No	**Charged By:** Electric **Collected By:** Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost		$ Actual cost	
Service Wire Relocation from Mid-Span	$ 2,377.96	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 2,418.91		$ 2,418.91	1.72%
Service Wire Relocation from Pole	$ 524.71	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 533.75		$ 533.75	1.72%

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ELECTRIC UTILITY

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Meter Test Deposit	$ 188.89	No	**Charged By:** Electric **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 192.14		$ 192.14	1.72%
Service Wire Relocation Additional Linework Includes: Labor Costs Material Costs Equipment Costs	$ Cost plus 61% overhead cost plus 15% Warehouse expenses	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 8/6/1991 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** As Calculated		$ Actual labor, materials and equipment costs, including overhead	
Electric System Damage Includes: Labor Costs Material Costs Equipment Costs	$ Cost plus 61% overhead cost plus 15% Warehouse expenses	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 8/6/1991 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 5 **Full Cost:** As Calculated		$ Actual labor, materials and equipment costs, including overhead	
~~Energy Data Pulses~~	~~$ Actual Cost Customer shall pay all City out-of-pocket expenses~~	~~No~~	~~**Charged By:** Electric~~ ~~**Collected By:** Finance~~	~~**Date:**~~ ~~**O. No.:**~~ ~~**O. Date:**~~	~~**Objective:** Recover Cost~~ ~~**Prop 26 Exception:** 1,2~~ ~~**Full Cost:** Actual Cost~~	Removing fee, no longer used	~~$ Actual Cost Customer shall pay all City out-of-pocket expenses~~	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
ELECTRIC UTILITY

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Service Reconnection at the Pole/Weatherhead	$ 158.46	No	**Charged By:** Electric **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 161.18		$ 161.18	1.72%
Service Disconnection at the Pole/Weatherhead	$ 158.46	No	**Charged By:** Electric **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 161.18		$ 161.18	1.72%
Electric Reconnection Fee - Normal Reconnection	$ 105.99 per account	No	**Charged By:** Electric **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost Penalty **Prop 26 Exception:** 1,2,5 **Full Cost:** $ 107.82		$ 107.82 per account	1.72%
Electric Disconnection fee	$ 105.99 per account	No	**Charged By:** Electric **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost Penalty **Prop 26 Exception:** 1,2,5 **Full Cost:** $ 107.82		$ 107.82 per account	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Service Fee Customer-Owned Equipment Problem	$ 211.98 per hour	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 215.63		$ 215.63 per hour	1.72%
Electric replacement/ reconnection fee due to meter tampering/illegal access	$ 211.98 per account Fee to fix meter plus two (2) times estimated cost of services used	No	**Charged By:** Electric **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:** **Electric Rules and Regulations #7B**	**Objective:** Recover Cost Penalty **Prop 26 Exception:** 1,2,5 **Full Cost:** $ 215.63		$ 215.63 per account Fee to fix meter plus two (2) times estimated cost of services used	1.72%
Service Removal	$ Actual cost	No	**Charged By:** Electric **Collected By:** Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost		$ Actual cost	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Engineering Plan Check - Electric (per sheet) - Includes 3 checks	$ 287.53 per sheet	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2,3 **Full Cost:** $ 292.48	For reviewing Encroachment Permit plans that have no electric services request. For conflicts with existing electric infrastructure.	$ 292.48 per sheet	1.72%
Engineering Plan Check - Electric (per sheet) - 4th and subsequent review	$ 40.93 per sheet	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2,3 **Full Cost:** $ 41.63	For reviewing Encroachment Permit plans that have no electric services request. For conflicts with existing electric infrastructure.	$ 41.63 per sheet	1.72%
Time of Use Meter Installation - Residential	$ 293.83 per meter	No	**Charged By:** Electric **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 298.89		$ 298.89 per meter	1.72%
Time of Use Meter Installation - Non-Residential	$ 587.67 per meter	No	**Charged By:** Electric **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2,3 **Full Cost:** $ 597.79		$ 597.79 per meter	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Field Marking-Fiber Up to 50 ft of excavation	$ 120.68	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2 **Full Cost:** $ 122.76		$ 122.76	1.72%
Field Marking-Fiber Over 50 ft. of excavation	$ 80.81 per each additional 50 ft of excavation	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2 **Full Cost:** $ 82.20		$ 82.20 per each additional 50 ft of excavation	1.72%
Electric equipment relocation	$ Actual cost	No	**Charged By:** Electric **Collected By:** Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2 **Full Cost:** Actual Cost	Per Electric Rules and Regulations Section 6.C	$ Actual cost	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Distribution Pole Contact-Application fee	$ 226.25 per pole in application	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost Under CA Public Utilities Code Sections 9510-9520 **Prop 26 Exception:** 2 **Full Cost:** $ 230.15		$ 230.15 per pole in application	1.72%
Distribution Pole Contact-cable attachment	$ 16.76 per each attachment 2.5% annual escalation	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **Res.No.:** 16-8285	**Objective:** Recover Cost Under CA Public Utilities Code Sections 9510-9520 **Prop 26 Exception:** 2 **Full Cost:** $ 17.18	Resolution # 16-8285 2.5% annual escalation per Resolution. "Full Cost" represents the amount allowable under PU Code Sections 9510-9520, which were created by AB1027	$ 17.18 per each attachment 2.5% annual escalation	2.50%
Distribution Pole Contact-equipment attachment	$ 47.57 per each attachment 2.5% annual escalation	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **Res.No.:** 16-8285	**Objective:** Recover Cost Under CA Public Utilities Code Sections 9510-9520 **Prop 26 Exception:** 2 **Full Cost:** $ 48.76	Resolution # 16-8285 2.5% annual escalation per Resolution. "Full Cost" represents the amount allowable under PU Code Sections 9510-9520, which were created by AB1027	$ 48.76 per each attachment 2.5% annual escalation	2.50%
Distribution Pole Contact-riser attachment	$ 35.22 per each attachment 2.5% annual escalation	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **Res.No.:** 16-8285	**Objective:** Recover Cost Under CA Public Utilities Code Sections 9510-9520 **Prop 26 Exception:** 2 **Full Cost:** $ 36.10	Resolution # 16-8285 2.5% annual escalation per Resolution. "Full Cost" represents the amount allowable under PU Code Sections 9510-9520, which were created by AB1027	$ 36.10 per each attachment 2.5% annual escalation	2.50%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Distribution Pole Contact-anchor attachment	$ 3.27 per each attachment 2.5% annual escalation	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **Res.No.:** 16-8285	**Objective:** Recover Cost Under CA Public Utilities Code Sections 9510-9520 **Prop 26 Exception:** 2 **Full Cost:** $ 3.35	Resolution # 16-8285 2.5% annual escalation per Resolution. "Full Cost" represents the amount allowable under PU Code Sections 9510-9520, which were created by AB1027	$ 3.35 per each attachment 2.5% annual escalation	2.50%
Distribution Pole Contact-small cell	$ 85.23 per each contact 2.5% annual escalation	No	**Charged By:** Electric **Collected By:** Finance	**Date:** 4/28/2020 **Res.No.:** 18-8594	**Objective:** Recover Cost Under CA Public Utilities Code Sections 9510-9520 **Prop 26 Exception:** 2 **Full Cost:** $ 87.36	Resolution # 18-8594 2.5% annual escalation per Resolution. "Full Cost" represents the amount allowable under PU Code Sections 9510-9520, which were created by AB1027	$ 87.36 per each contact 2.5% annual escalation	2.50%

Municipal Fee Schedule



Finance

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FINANCE / ADMINISTRATIVE SERVICES

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~~**Transient Occupancy Tax**~~ ~~For occupancy in any hotel/motel, each transient is subject to this tax for the rent charged by the hotel/motel operator.~~	~~$ 9.5% of rent (less allowable exemptions)~~	~~No~~	~~**Charged By:**~~ ~~Finance~~ ~~**Collected By:**~~ ~~Finance~~	~~**Date:** 6/30/1992~~ ~~**O. No.:** 1640~~ ~~**O. Date:** 6/30/1992~~	~~**Objective:** Tax~~ ~~**Prop 26 Exception:** * N/A~~ ~~**Full Cost:** N/A~~	removing from schedule because these are taxes and not fees	~~$ 9.5% of rent (less allowable exemptions)~~	
~~**CFD 2010-1 Mello-Roos Tax**~~ ~~Base Special Tax which equals 2% of the rent that is used in the calculation of the Transient Occupancy Tax for Hotel Property.~~	~~$ 2.0% of rent (less allowable exemptions)~~	~~No~~	~~**Charged By:**~~ ~~Finance~~ ~~**Collected By:**~~ ~~Finance~~	~~**Date:** 5/11/2010~~ ~~**Res. No.:** 10-7727~~	~~**Objective:** Tax~~ ~~**Prop 26 Exception:** * N/A~~ ~~**Full Cost:** N/A~~	removing from schedule because these are taxes and not fees -	~~$ 2.0% of rent (less allowable exemptions)~~	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Business Tax Certificate Commercial Enterprises	$ See Schedule 100 attached	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ See Schedule 100 attached	
Business Tax Certificate Manufacturing/Industrial Enterprises	$ See Schedule 300 attached	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ See Schedule 300 attached	
Business Tax Certificate Professional	$ See Schedule 200 attached	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ See Schedule 200 attached	
Business Tax Certificate Companies conducting business in the City without a fixed place of business	$ 45.00 per year	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 45.00 per year	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Delinquent payment of business certificate fees - 30 days after due date	$ 100% of appropriate business license fee	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 8/18/1981 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** 5 **Full Cost:** N/A		$ 100% of appropriate business license fee	
Change of name, address or business type as shown on current certificate	$ 11.00 per each update	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/16/2019 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** User Fee **Prop 26 Exception:** 1,2 **Full Cost:** $ 11.74		$ 11.00 per each update	
Business Certificate Info. Special Request (Research Required)	$ Actual cost of compilation	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 6/11/1996 **O. No.:** **O. Date:**	**Objective:** User Fee **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost		$ Actual cost of compilation	
Duplicate business certificate	$ 11.00 each	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/16/2019 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** User Fee **Prop 26 Exception:** 1,2 **Full Cost:** $ 11.74		$ 11.00 each	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Business Tax Certificate Ambulance Service	$ 45.00 flat fee per business **plus**	No	**Charged By:** Finance	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A		$ 45.00 flat fee per business **plus**	
	$ 15.00 additional fee for each ambulance	No	**Collected By:** Finance / Municipal Serv. - Business Tax		**Full Cost:** N/A		$ 15.00 additional fee for each ambulance	
Business Tax Certificate Carnivals	$ 150.00 per day	No	**Charged By:** Finance	**Date:** 7/7/1992 **O. No.:** 1721	**Objective:** Tax **Prop 26 Exception:** * N/A		$ 150.00 per day	
Carnival concession, ride, sideshow	$ 15.00 per each per day	No	**Collected By:** Finance / Municipal Serv. - Business Tax	**O. Date:** 10/27/1998	**Full Cost:** N/A		$ 15.00 per each per day	
Business Tax Certificate Circus	$ 150.00 per day	No	**Charged By:** Finance	**Date:** 7/7/1992 **O. No.:** 1721	**Objective:** Tax **Prop 26 Exception:** * N/A		$ 150.00 per day	
Circus concession, ride, sideshow	$ 15.00 per each per day	No	**Collected By:** Finance / Municipal Serv. - Business Tax	**O. Date:** 10/27/1998	**Full Cost:** N/A		$ 15.00 per each per day	
Business Tax Certificate Promotional Show	$ 150.00 per day	No	**Charged By:** Finance	**Date:** 10/13/1998 **O. No.:** 1721	**Objective:** Tax **Prop 26 Exception:** * N/A		$ 150.00 per day	
Promotional Show concession, ride, sideshow	$ 15.00 per each per day	No	**Collected By:** Finance / Municipal Serv. - Business Tax	**O. Date:** 10/27/1998	**Full Cost:** N/A		$ 15.00 per each per day	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Business Tax Certificate Escort Service (funerals, personal escort services, etc.)	$ 150.00 per year	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 150.00 per year	
Business Tax Certificate Intracity bus service and public transportation	$ 150.00 per year	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 150.00 per year	
Business Tax Certificate Parade route vendor	$ 15.00 per parade	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 15.00 per parade	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Business Tax Certificate Pawnshop	$ 150.00 per year	No	**Charged By:** Finance	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 150.00 per year	
			Collected By: Finance / Municipal Serv. - Business Tax					
Business Tax Certificate Taxicab Company per cab per year	$ 15.00 per cab per year	No	**Charged By:** Finance Police	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 15.00 per cab per year	
Taxicab Stand	$ 90.00 per year	No	**Collected By:** Finance / Municipal Serv. - Business Tax				$ 90.00 per year	
Business Tax Certificate Rental units (3+) - Apartments per year	$ 5.22 per unit per year	No	**Charged By:** Finance	**Date:** 6/5/2007 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A	Rental unit = $3.00 3.40.350	$ 5.22 per unit per year	
- Hotels/Motels per unit per year	$ 3.00 per unit per year	No	**Collected By:** Finance / Municipal Serv. - Business Tax			Surcharge = $2.22 3.40.360	$ 3.00 per unit per year	
Business Tax Certificate Business providing regular service by use of vehicles including catering trucks	$ 23.00 per vehicle	No	**Charged By:** Finance	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 23.00 per vehicle	
			Collected By: Finance / Municipal Serv. - Business Tax					

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Business Tax Certificate Public market operators	$ 0.75 per booth per day	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 0.75 per booth per day	
Business Tax Certificate Vending Operators	$ 79.00 per year	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 79.00 per year	
Business Tax Certificate Automatic coin-operated amusement machines and peep shows	$ 60.00 each per year	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 60.00 each per year	
Business Tax Certificate Juke Box	$ 30.00 each per year	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 30.00 each per year	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FINANCE / MUNICIPAL SERVICES **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Business Tax Certificate Billiard and pool tables Ping-pong tables Bowling or Tenpin lanes	$ 8.00 per table or lane per year $ 80.00 flat fee for 11 or more tables or lanes per year	No No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 8.00 per table or lane per year $ 80.00 flat fee for 11 or more tables or lanes per year	
Business Tax Certificate Merry-go-rounds, shooting galleries, golf ranges, and skating rinks	$ See Schedule 200 attached	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ See Schedule 200 attached	
Business Tax Certificate Theaters 1-500 seats or stalls 501-1000 seats or stalls 1001 or more seats or stalls	 $ 23.00 per year $ 30.00 per year $ 45.00 per year	 No No No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		 $ 23.00 per year $ 30.00 per year $ 45.00 per year	
Business Tax Certificate Nightclubs, cabarets, etc.	$ See Schedule 100 attached	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1639 **O. Date:** 7/7/1992	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ See Schedule 100 attached	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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FINANCE / MUNICIPAL SERVICES **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Business Tax Certificate Class I entertainment license without a valid theater or night club license for same location.	$ 263.00 first year $ 210.00 annual renewal	No No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 263.00 first year $ 210.00 annual renewal	
Business Tax Certificate Class II entertainment license	$ 90.00 first year $ 75.00 annual renewal	No No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 10/13/1998 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 90.00 first year $ 75.00 annual renewal	
Business Tax Certificate Class III entertainment license without a valid theater or night club license for same location.	$ 413.00 first year $ 360.00 annual renewal	No No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 10/13/1998 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 413.00 first year $ 360.00 annual renewal	
Business Tax Certificate Massage establishment	$ See Schedule 200 attached	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1685 **O. Date:** 2/27/1996 **City Code Section:** 5.40.040	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ See Schedule 200 attached	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FINANCE / MUNICIPAL SERVICES **RESOLUTION NUMBER:** **APPROVED:**

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Business Tax Certificate Contractors - State licensed	$ 45.00 per year	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 45.00 per year	
Business Tax Certificate Detective Agency	$ 150.00 per year	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 10/13/1998 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 150.00 per year	
Business Tax Certificate Itinerant merchant Peddlers	$ 225.00 per year, max 190 days $ 113.00 per year plus $5.00	No No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 225.00 per year, max 190 days $ 113.00 per year plus $5.00	
Business Tax Certificate Secondhand Dealer	$ 150.00 per year	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 10/13/1998 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 150.00 per year	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FINANCE / MUNICIPAL SERVICES

RESOLUTION NUMBER:

APPROVED:

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Business Tax Certificate Principal solicitors certificate	$ 113.00 per year	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 10/13/1998 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 113.00 per year	
Business Tax Certificate Miniature golf course	$ See Schedule 200 attached	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ See Schedule 200 attached	
Business Tax Certificate Christmas tree lots Merchants with an established place of business in the City of Santa Clara	$ 150.00 plus all other applicable fees per lot per sale	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 7/7/1992 **O. No.:** 1721 **O. Date:** 10/27/1998 **City Code Section:** 5.15.030	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 150.00 plus all other applicable fees per lot per sale	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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FINANCE / MUNICIPAL SERVICES

RESOLUTION NUMBER: **APPROVED:**

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Business Tax Certificate Pumpkin sales lots	$ 150.00 plus all other applicable fees per lot per sale	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 10/13/1998 **O. No.:** 1721 **O. Date:** 10/27/1998 **City Code Section:** 5.15.030	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 150.00 plus all other applicable fees per lot per sale	
Business Tax Certificate Seasonal items sales lots	$ 150.00 plus all other applicable fees per lot per sale	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 10/13/1998 **O. No.:** 1721 **O. Date:** 10/27/1998 **City Code Section:** 5.15.030	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A		$ 150.00 plus all other applicable fees per lot per sale	
Business Tax Certificate Bingo	$ 50.00	No	**Charged By:** Finance **Collected By:** Finance / Municipal Serv. - Business Tax	**Date:** 6/9/2009 **O. No.:** 1658 & 1729 **O. Date:** 6/28/1994 & 4/6/1999 **City Code Section:** 5.75.180 & 5.75.050	**Objective:** Tax **Prop 26 Exception:** * N/A **Full Cost:** N/A	Regulated business - see Police Dept. Fee Schedule for additional applicable fees. Business tax amount set by SCCC 5.75.180	$ 50.00	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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RESOLUTION NUMBER: **APPROVED:**

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Amplified Music Permit	$ 69.00	No	**Charged By:** Finance **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:** **City Code Section:** 9.05.060 (c) (2)	**Objective:** User Fee **Prop 26 Exception:** 3 **Full Cost:** $ 70.45		$ 70.00	1.45%
City Flag	$ Actual Cost	No	**Charged By:** Finance **Collected By:** Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** Actual Cost	City Council Approved Policy 7/20/1993.	$ Actual Cost	
Block Party Request	$ No Charge	No	**Charged By:** Finance **Collected By:** Finance	**Date:** 6/15/2010 **O. No.:** **O. Date:**	**Objective:** User Fee **Prop 26 Exception:** N/A **Full Cost:** $ 69.26	Fee waived to promote community spirit.	$ No Charge	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FINANCE / MUNICIPAL SERVICES

RESOLUTION NUMBER: **APPROVED:**

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Utility service deposit - commercial, industrial and residential	$ Estimated three (3) month's usage based on history and/or projected load	No	**Charged By:** Municipal Serv. **Collected By:** Finance / Municipal Serv.	**Date:** 8/9/1966 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** As Calculated		$ Estimated three (3) month's usage based on history and/or projected load	
Service turn-on fee (for each service) Electric Water	$ 43.00 $ 43.00	No No	**Charged By:** Municipal Serv. **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 43.76		$ 43.00 $ 43.00	
Billing service charge for late payment - residential, commercial and industrial	$ 10.00 or 1.5% per account whichever greater	No	**Charged By:** Municipal Serv. **Collected By:** Finance / Municipal Serv.	**Date:** 6/12/2012 **O. No.:** **O. Date:**	**Objective:** Recover Cost Penalty **Prop 26 Exception:** 1,2,5 **Full Cost:** $ 14.94	Set base fee equal to cost of service 1.5% on outstanding balance or $14.00, whichever is greater.	$ 14.00 or 1.5% per account whichever greater	varies
Delinquent Service Letter (48 hour notice)	$ 49.00 per account	No	**Charged By:** Municipal Serv. **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost Penalty **Prop 26 Exception:** 1,2 **Full Cost:** $ 50.17		$ 50.00 per account	2.04%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FINANCE / MUNICIPAL SERVICES

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Fees for the verification of electric meter address (aka "ring out")	$ 124.00 per address plus $ 5.00 * per meter	No No	**Charged By:** Municipal Serv. **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 127.03	* Per meter full cost is $10.00	$ 126.00 per address plus $ 5.00 * per meter	1.61%
Utility Billing Splitting or Combining Accounts	$ 147.00 per account	No	**Charged By:** Municipal Serv. **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 150.52		$ 150.00 per account	2.04%
Municipal Services Information Special Request (Request Research)	$ Actual cost of compilation	No	**Charged By:** Municipal Serv. **Collected By:** Finance / Municipal Serv.	**Date:** 6/12/2001 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost	Fee waived for the most recent three-month period.	$ Actual cost of compilation	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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FINANCE / MUNICIPAL SERVICES

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
10-day letter for house meter for up to 10 units	$ 126.00	No	**Charged By:** Municipal Serv.	**Date:** 4/28/2020	**Objective:** Recover Cost		$ 128.00	1.59%
For each full or partial increment of 10 thereafter	$ 18.00	No	**Collected By:** Finance / Municipal Serv.	**O. No.:** **O. Date:**	**Prop 26 Exception:** 1,2 **Full Cost:** $ 129.17		$ 18.00	
Meter reading more than once per month 1st meter per location	$ 83.00	No	**Charged By:** Municipal Serv. **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 85.40		$ 84.00	1.20%
Delinquent Reconnect Fee	$ 75.00 per account	No	**Charged By:** Municipal Serv. **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost Penalty **Prop 26 Exception:** 1,2 **Full Cost:** $ 76.86		$ 76.00 per account	1.33%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

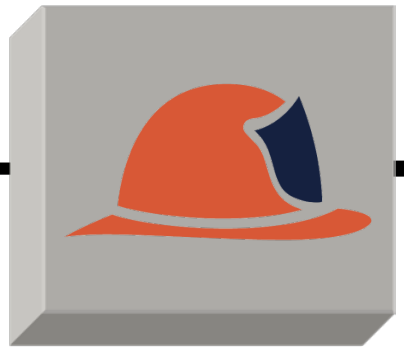
Attachment - Finance/Municipal Services Division

Schedule No. 100 - Commercial/Industrial			
1	Employee(s)	$	15
2-5	"		30
6-10	"		70
11-15	"		90
16-20	"		115
21-25	"		175
26-30	"		225
31-40	"		280
41-55	"		330
56-75	"		380
76-100	"		460
101+	"		500

Schedule No. 200 - Professional			
1	Employee(s)	$	15
2-3	"		30
4-6	"		70
7-10	"		90
11-20	"		115
21-25	"		175
26-35	"		225
36-40	"		280
41-45	"		330
46-50	"		380
51-55	"		460
56+	"		500

Schedule No. 300 - Manufacturing			
1-3	Employee(s)	$	15
4-20	"		45
21-30	"		65
31-50	"		100
51-75	"		135
76-100	"		175
101-125	"		225
126-175	"		280
176-225	"		330
226-300	"		380
301-400	"		460
401+	"		500

Municipal Fee Schedule



Fire

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / TRAINING FEES

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Training Fee- CPR – Adult Heart Saver (4 Hours)	$ 1,037.00 Per 6 Persons	No	**Charged By:** Fire/Training **Collected By:** Fire/Training	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** * N/A **Full Cost:** $ 1,335.61	Full cost recovery is being phased in over a 4 year period	$ 1,137.00 Per 6 Persons	9.64%
Training Fee- CPR – Adult/Pediatric Heart Saver (6 Hours)	$ 1,422.00 Per 6 Persons	No	**Charged By:** Fire/Training **Collected By:** Fire/Training	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** * N/A **Full Cost:** $ 1,870.67	Full cost recovery is being phased in over a 4 year period	$ 1,572.00 Per 6 Persons	10.55%
Training Fee- First Aid (4 Hours)	$ 1,037.00 Per 6 Persons	No	**Charged By:** Fire/Training **Collected By:** Fire/Training	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** * N/A **Full Cost:** $ 1,335.61	Full cost recovery is being phased in over a 4 year period	$ 1,137.00 Per 6 Persons	9.64%

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / TRAINING FEES

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Training Fee- PALS/ACLS Recognition (2 Days)	$ 2,627.00 Per 6 Persons	No	**Charged By:** Fire/Training **Collected By:** Fire/Training	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** * N/A **Full Cost:** $ 2,672.24		$ 2,672.00 Per 6 Persons	1.71%
Training Fee- PALS/ACLS Re-Recognition (1 Day)	$ 1,402.00 Per 6 Persons	No	**Charged By:** Fire/Training **Collected By:** Fire/Training	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** * N/A **Full Cost:** $ 1,426.14		$ 1,426.00 Per 6 Persons	1.71%
Training Fee- Fire Extinguisher Training (2 Hours) *Does not include fees for fire extinguisher use.*	$ 359.00 Limit 12 Persons	No	**Charged By:** Fire/Training **Collected By:** Fire/Training	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** * N/A **Full Cost:** $ 365.18		$ 365.00 Limit 12 Persons	1.67%

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / TRAINING FEES

RESOLUTION NUMBER: **APPROVED:**

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Training Fee- Safety and Evacuation Lecture (2 Hours)	$ 384.00 Limit 20 Persons	No	**Charged By:** Fire/Training **Collected By:** Fire/Training	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** * N/A **Full Cost:** $ 390.61		$ 390.00 Limit 20 Persons	1.56%

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / RENTAL FEES

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Facility Rental Fee: Headquarters' Conference Room Rental	$ 177.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 4 **Full Cost:** $ 180.05		$ 180.00 per hour	1.69%
Facility Rental Fee: Training Center: Classroom (Limit 80 persons)	$ 177.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 4 **Full Cost:** $ 180.05		$ 180.00 per hour	1.69%
Facility Rental Fee: Training Center: Classroom (Limit 30 persons)	$ 177.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 4 **Full Cost:** $ 180.05		$ 180.00 per hour	1.69%
Facility Rental Fee: Training Center: Classroom (Limit 20 persons)	$ 177.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 4 **Full Cost:** $ 180.05		$ 180.00 per hour	1.69%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / RENTAL FEES

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Facility Rental Fee: Training Center: Drill Grounds/Tower	$ 143.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 4 **Full Cost:** $ 270.58	Full cost recovery is being phased in over a 4 year period	$ 186.00 per hour	30.07%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / RENTAL FEES

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Resource Fees: Stand-by (One Engine for Permitted Activity)	$ 459.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 1,2 **Full Cost:** $ 466.90		$ 466.00 per hour	1.53%
Resource Fees: Fire Watch (Per Person)	$ 229.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 1,2 **Full Cost:** $ 232.94		$ 232.00 per hour	1.31%
Resource Fees: Water Clean-up – Industrial and Commercial (1 Engine)	$ 477.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 1,2 **Full Cost:** $ 485.21		$ 485.00 per hour	1.68%
Resource Fees: Water Clean-up – Industrial and Commercial (1 Truck)	$ 614.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 1,2 **Full Cost:** $ 624.57		$ 624.00 per hour	1.63%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / RENTAL FEES

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Resource Fees: Water Clean-up – Industrial and Commercial (1 Haz-Mat)	$ 172.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	Date: 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 1,2 **Full Cost:** $ 174.96		$ 174.00 per hour	1.16%
Resource Fees: Water Clean-up – Industrial and Commercial (1 Battalion Chief)	$ 194.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 1,2 **Full Cost:** $ 197.34		$ 197.00 per hour	1.55%
Resource Fees: DUI Fire Response	$ 477.00 per hour	No	**Charged By:** Fire **Collected By:** Fire/Administration	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** User Fee **Prop 26 Exception:** 1,2 **Full Cost:** $ 485.21		$ 485.00 per hour	1.68%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Alternate Materials and Methods Review	$ 1,276.00	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention Permit Center	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,297.97		$ 1,297.00	1.65%
Automatic Fire Extinguishing Systems: Special Hazard Systems (including Halon, Wet and Dry Chemical Systems, CO2, Foam and Similar Systems).	$ 1,338.88	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,361.94		$ 1,361.00	1.65%
Automatic Fire Extinguishing Systems: Hood & Duct	$ 790.36	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 865.65	Phasing in full cost recovery over 2 year period	$ 865.00	9.44%
Automatic Fire Sprinkler Systems - New: 1-49 heads	$ 1,002.23	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,081.30	Phasing in full cost recovery over 2 year period	$ 1,081.00	7.86%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Automatic Fire Sprinkler Systems - New: 50-100 heads	$ 1,700.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,729.98		$ 1,729.00	1.66%
Automatic Fire Sprinkler Systems - New: 101-200 heads	$ 2,763.86	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,811.45		$ 2,811.00	1.71%
Automatic Fire Sprinkler Systems - New: Each additional 100 heads (>200 heads)	$ 637.52	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 648.50		$ 648.00	1.64%
Automatic Fire Sprinkler Systems - Existing: 1-49 heads, no calculations	$ 637.52	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 648.50		$ 648.00	1.64%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Automatic Fire Sprinkler Systems - Existing: 50-100 heads, no calculations	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98		$ 864.00	1.61%
Automatic Fire Sprinkler Systems - Existing: 1-49 heads, with calculations	$ 1,381.45	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,405.24		$ 1,405.00	1.70%
Automatic Fire Sprinkler Systems - Existing: 50-100 heads, with calculations	$ 1,594.27	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,621.72		$ 1,621.00	1.68%
Automatic Fire Sprinkler Systems - Existing: 101-200 heads, with calculations	$ 2,552.00	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,595.95		$ 2,595.00	1.68%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Automatic Fire Sprinkler Systems - Existing: Each additional 100 heads (>200 heads)	$ 318.27	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 323.75		$ 323.00	1.49%
Battery Systems	$ 1,062.20	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,080.49		$ 1,080.00	1.68%
Building Plans 30% of Building Department Fee (MIN NOW 3.5 HRS)	$ 273.77	Yes	**Charged By:** Permit Center **Collected By:** Permit Center	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 756.00		$ 756.00	176.14%
Carnivals and Fairs	$ 592.05 per event	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 648.99	Phasing in full cost recovery over a 2 year period	$ 648.00 per event	9.45%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Closure of an Onsite Hazardous Waste Treatment System: Conditionally Authorized and Conditionally Exempt	$ 686.85	Yes	**Charged By:** Fire **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 865.65	Phasing in full cost recovery over a 4 year period	$ 746.00	8.61%
Closure of an Onsite Hazardous Waste Treatment System: Permit by Rule	$ 827.13	Yes	**Charged By:** Fire **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,081.30	Phasing in full cost recovery over a 4 year period	$ 912.00	10.26%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Compressed Gas Installation	$ 1,227.63	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,513.62	Phasing in full cost recovery over a 4 year period	$ 1,323.00	7.77%
Cooking Oil Storage Tanks	$ 1,062.20	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,080.49		$ 1,080.00	1.68%
Demolition of Building	$ 637.52	Yes	**Charged By:** Fire **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 648.50		$ 648.00	1.64%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Emergency Responder Radio Coverage System	$ 3,145.01	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 3,893.92	Phasing in full cost recovery over a 4 year period	$ 3,395.00	7.95%
Emergency Alarm Systems: New System ~~or Modification~~ – No Gas Detection	$ 1,700.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,729.98		$ 1,729.00	1.66%
Emergency Alarm Systems: Modification – No Gas Detection *** NEW FEE - SPLIT FROM ABOVE ***	$	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,080.00		$ 1,080.00	
Emergency Alarm Systems: New System ~~or Modification~~ including Gas Detection	$ 2,125.37	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,161.97		$ 2,161.00	1.68%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Emergency Alarm Systems: Modification including Gas Detection *** NEW FEE - SPLIT FROM ABOVE ***	$	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,296.00		$ 1,296.00	
Engineering Referrals (Parcel maps, public roads, public fire hydrants)	$ 424.69	Yes	**Charged By:** Fire **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.00		$ 432.00	1.72%
Environmental Study Initial Review (includes 6 hours of review)	$ 1,397.89	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,730.29	Phasing in full cost recovery over a 4 year period	$ 1,509.00	7.95%
Environmental Study each additional hour after initial review	$ 212.83	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.49		$ 216.00	1.49%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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RESOLUTION NUMBER:

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Exhibit and Trade Shows	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98		$ 864.00	1.61%
Fire Alarm Systems (Non-high rise and R-2 Occupancies: 1-20 Devices	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98		$ 864.00	1.61%
Fire Alarm Systems (Non-high rise and R-2 Occupancies: 21-40 Devices	$ 1,276.00	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,297.97		$ 1,297.00	1.65%
Fire Alarm Systems (Non-high rise and R-2 Occupancies: 41-100 Devices	$ 2,125.37	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,161.97		$ 2,161.00	1.68%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Fire Alarm Systems (Non-high rise and R-2 Occupancies: 101-200 Devices	$ 2,763.86	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,811.45		$ 2,811.00	1.71%
Fire Alarm Systems (Non-high rise and R-2 Occupancies: Each additional 50 devices (>200 devices)	$ 424.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.00		$ 432.00	1.72%
Fire Alarm Systems with pre-wire inspection required (high rise and R-2 occupancies): 1-20 Devices	$ 1,062.20	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,080.49		$ 1,080.00	1.68%
Fire Alarm Systems with pre-wire inspection required (high rise and R-2 occupancies): 21-40 Devices	$ 1,700.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,729.98		$ 1,729.00	1.66%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Fire Alarm Systems with pre-wire inspection required (high rise and R-2 occupancies): 41-100 Devices	$ 2,552.00	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,595.95		$ 2,595.00	1.68%
Fire Alarm Systems with pre-wire inspection required (high rise and R-2 occupancies): 101-200 Devices	$ 3,189.51	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 3,244.43		$ 3,244.00	1.71%
Fire Alarm Systems with pre-wire inspection required (high rise and R-2 occupancies): Each additional 50 devices (>200 devices)	$ 637.52	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 648.50		$ 648.00	1.64%
Fire Pump Installation	$ 2,552.00	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,595.95		$ 2,595.00	1.68%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
High-Rise Fire Protection Water Storage Tank (1st tank)	$ 1,169.58	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,189.72		$ 1,189.00	1.66%
High-Rise Fire Protection Water Storage Tank (each additional tank)	$ 424.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.00		$ 432.00	1.72%
Hazardous Materials Closure Plan: Facility/Site	$ 3,507.79	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 4,326.24	Phasing in full cost recovery over a 4 year period	$ 3,781.00	7.79%
Hazardous Materials Closure Plan: Equipment	$ 1,752.93	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,162.61	Phasing in full cost recovery over a 4 year period	$ 1,889.00	7.76%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Hazardous Material Tool/Equipment Installation	$ 1,989.94	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,161.98	Phasing in full cost recovery over a 2 year period	$ 2,161.00	8.60%
High-Piled Combustible Storage	$ 1,700.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,729.98		$ 1,729.00	1.66%
Liquefied Petroleum Gases Installation Per Tank	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98		$ 864.00	1.61%
Methane Venting and Detection Systems	$ 2,976.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 3,027.95		$ 3,027.00	1.69%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Open Burnings	$ 637.52	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 648.50		$ 648.00	1.64%
Ovens: Industrial Baking and/or Drying per oven	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98		$ 864.00	1.61%
Community Development Department Referrals	$ 617.20	Yes	**Charged By:** Fire **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 865.65	Phasing in full cost recovery over a 2 year period	$ 865.00	40.15%
Public Fireworks Display and Pyrotechnic Special Effects Use	$ 1,314.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,513.48	Phasing in full cost recovery over a 2 year period	$ 1,513.00	15.08%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Pyrotechnics Special Effects Proximal to Audience	$ 2,552.00	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,595.95	Full cost recovery due to increased overtime for this type of permit	$ 2,595.00	1.68%
Refrigeration System	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98		$ 864.00	1.61%
Roadways: Access Control and Traffic Calming Devices Gates and Barricades across fire apparatus access roads	$ 424.69	Yes	**Charged By:** Fire **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.00		$ 432.00	1.72%
Smoke Control System	$ 4,035.99	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 4,325.91	Phasing in full cost recovery over a 2 year period	$ 4,325.00	7.16%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Standpipe Systems: Wet, Combination and Horizontal	$ 1,062.20	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,080.49		$ 1,080.00	1.68%
Storage Tanks - Hazardous Materials: Underground and Above Ground Tank Installations (1st tank)	$ 1,576.86	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,946.96	Phasing in full cost recovery over a 4 year period	$ 1,700.00	7.81%
Underground and Above Ground Tank Installations (each additional tank after the 1st)	$ 701.36	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 865.65	Phasing in full cost recovery over a 4 year period	$ 756.00	7.79%
Storage Tanks - Hazardous Materials: Underground and Above Ground Tank Removals (1st tank)	$ 1,576.86	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,946.96	Phasing in full cost recovery over a 4 year period	$ 1,700.00	7.81%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Underground and Above Ground Tank Removals (each additional tank after the 1st)	$ 701.36	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 865.65	Phasing in full cost recovery over a 4 year period	$ 756.00	7.79%
Underground and Above Ground Tank Modifications	$ 876.46	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,081.30	Phasing in full cost recovery over a 4 year period	$ 945.00	7.82%
First Tent, Canopy or Air Supported Structure (NO STAGE CANOPY)	$ 790.36	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 865.65	Phasing in full cost recovery over a 2 year period	$ 865.00	9.44%
Each additional temporary membrane structure and tent	$ 265.07	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49	Phasing in full cost recovery over a 2 year period	$ 324.00	22.23%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
STAGE CANOPY or Air Supported Structure (fee based on 10 hr)	$	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,160.00		$ 2,160.00	
Underground Fire Service Systems: Fire Sprinkler System (no hydrants)	$ 1,487.86	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,513.48		$ 1,513.00	1.69%
Underground Fire Service Systems: Fire Sprinkler System with Hydrants	$ 2,125.37	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,161.97		$ 2,161.00	1.68%
Underground Fire Service Systems: Repairs	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98		$ 864.00	1.61%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Automatic Fire Sprinkler Systems: Residential 13D - Initial Submittal Plan Review Required	$ 1,050.59	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,297.97	Phasing in full cost recovery over a 4 year period	$ 1,133.00	7.84%
Automatic Fire Sprinkler Systems: Residential 13D - Secondary Submittal - No Plan Review Required	$ 637.52	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 648.50		$ 648.00	1.64%
Automatic Fire Protection System for Spray Booths	$ 1,276.00	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,297.97		$ 1,297.00	1.65%
On-Demand Mobile Fueling Site Permit	$ 1,700.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,729.98		$ 1,729.00	1.66%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
2-Way Elevator Permit	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98		$ 864.00	1.61%
Photovoltaic System - COMMERCIAL	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98		$ 864.00	1.61%
Photovoltaic System - RESIDENTIAL ** BASED ON 2.0 HR **	$	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.00		$ 432.00	
Phased Occupancy Plan	$ 2,552.00	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,595.95		$ 2,595.00	1.68%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

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Access Controlled Egress	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98		$ 864.00	1.61%
Fire Safety Demolition/Construction Plan	$ 637.52	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 648.50		$ 648.00	1.64%
Hazardous Materials Tool/Equipment Modification	$ 1,276.00	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,297.97		$ 1,297.00	1.65%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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FIRE / CONSTRUCTION PERMITS

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Energy Storage Systems ** REVISE TO 6 HR **	$ 850.34	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,296.00		$ 1,296.00	52.41%
Energy Storage Systems - RESIDENTIAL (R3)	$	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.00		$ 432.00	
Plant Extraction Systems	$ 1,700.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,729.98		$ 1,729.00	1.66%
Special Events Structure	$ 424.69	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.00		$ 432.00	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Plan Revision/Resubmittal Fee	$ 302.80	Yes	**Charged By:** Fire/Prevention **Collected By:** Fire/Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32	Phasing in full cost recovery over a 3 year period	$ 432.00	42.67%
Firefighter Air Replenishment System	$ 1,317.60	Yes	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,340.29		$ 1,340.00	1.70%
Carbon Dioxide Beverage Dispensing System	$ 888.07	Yes	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 903.36		$ 903.00	1.68%
Design Review/Consultation	$ 212.83 per hour	Yes	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.49		$ 216.00 per hour	1.49%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Miscellaneous Inspections or Plan Reviews, per hour	$ 212.83 per hour	Yes	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.49		$ 216.00 per hour	1.49%
Overtime Inspection (min 3 hrs)	$ 909.35 (min 3 hrs)	Yes	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 925.01		$ 925.00 (min 3 hrs)	1.72%
Overtime Plan Review (min 3 hrs)	$ 909.35 (min 3 hrs)	Yes	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 925.01		$ 925.00 (min 3 hrs)	1.72%
Outdoor Assembly Event	$ 850.34	Yes	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 864.98	This fee was moved from Operational Permits to Construction Permits	$ 864.00	1.61%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CONSTRUCTION PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Licensed Care Facility (Pre-Inspection)	$ 425.00 per inspection	No	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32	This fee was moved from State Mandated to Construction Permits This is not subject to the technology fee.	$ 432.00	1.65%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Aerosol products	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 280.00 Annual	1.45%
Operational Permit: Amusement Park Buildings	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 281.00 Annual	1.81%
Operational Permit: Covered and Open Mall Buildings	$ 811.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 824.97		$ 824.00 Annual	1.60%
Operational Permit: Exhibit and Trade Shows	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 280.00 Annual	1.45%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Explosives	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 280.00 Annual	1.45%
Operational Permit: Cutting and Welding	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 280.00 Annual	1.45%
Operational Permit: Cellulose Nitrate Storage	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Operational Permit: Combustible Dust Producing Operations	$ 425.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32		$ 432.00 Annual	1.65%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Combustible Fiber Storage	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Operational Permit: Combustible Storage - Including tires in excess of 2,500 cubic feet	$ 395.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 541.16	Phasing in full cost recovery over 2 year period	$ 541.00 Annual	36.96%
Operational Permit: Dry Cleaning Plants	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%
Operational Permit: ENERGY STORAGE SYSTEMS FEE BASED ON 1.2 hrs**	$ Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 259.00		$ 259.00 Annual	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Fruit Ripening	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Operational Permit: High-Piled Combustible Storage	$ 425.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32		$ 432.00 Annual	1.65%
Operational Permit: Hot Work Operations	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Operational Permit: Lumber Yard - More than 100,000 board feet	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Magnesium Working - More than 10 lbs. per work day	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Operational Permit: Miscellaneous combustible storage	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 280.00 Annual	1.45%
Operational Permit: Organic Coatings	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%
Operational Permit: Ovens (Industrial baking or Drying)	$ 106.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 107.83		$ 107.00 Annual	0.94%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Places of Assembly	$ 159.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 161.74		$ 161.00 Annual	1.26%
Operational Permit: Places of Assembly TEMPORARY - SPECIAL EVENT ** FEE BASED ON 6 HRS **	$ Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,296.00		$ 1,296.00 Annual	
Operational Permit: Private Fire Hydrants	$ 425.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32		$ 432.00 Annual	1.65%
Operational Permit: Pyroxylin Plastics	$ 425.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32		$ 432.00 Annual	1.65%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Refrigeration Equipment	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 280.00 Annual	1.45%
Operational Permit: Repair Garages	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Operational Permit: Rooftop Heliports	$ 425.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32		$ 432.00 Annual	1.65%
Operational Permit: Spraying or Dipping Operations	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Tire Rebuilding Plants	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%
Operational Permit: Waste Handling Facilities	$ 425.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32		$ 432.00 Annual	1.65%
Operational Permit: Wood Products – Storage in excess of 200 cubic feet	$ 425.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32		$ 432.00 Annual	1.65%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Mobile Food Preparation Vehicles	$ 106.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 107.83		$ 107.00 Annual	0.94%
Operational Permit: Liquid-or-gas Vehicles or Equipment in Assembly Buildings	$ 106.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 107.83		$ 107.00 Annual	0.94%
Operational Permit: Motor Fuel Dispensing Facilities	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Pyrotechnics Special Effects Material Storage	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Operational Permit: Plant Extraction Systems	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Operational Permit: Indoor Growing Operations	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%
Operational Permit: Emergency Responder Radio Coverage System	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Operational Permit: Operational Permit Reinspection Fee (per hour)	$ 213.00 per hour	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 per hour	1.41%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS - HAZ-MAT

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Combustible and Flammable Materials (any amount)	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Combustible and Flammable Materials - On Demand Mobile Fueling	$ 1,276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,297.97		$ 1,297.00 Annual	1.65%
Compressed Gases (any amount)	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS - HAZ-MAT

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Corrosives	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 280.00 Annual	1.45%
Cryogens	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 280.00 Annual	1.45%
Highly Toxic Materials	$ 425.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32		$ 432.00 Annual	1.65%
Liquefied Petroleum Gas (any amount)	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 280.00 Annual	1.45%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS - HAZ-MAT

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Organic Peroxides: Liquids and Solids - any amount ***Except: Class V Organic Peroxides***	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%
Oxidizing Materials: Gases - more than 504 cubic feet Liquids and Solids - any amount ***Except: Class 1 Oxidizers***	$ 276.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 280.75		$ 280.00 Annual	1.45%
Pyrophoric Materials: Gases, Liquids and Solids - any amount	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / OPERATIONAL PERMITS - HAZ-MAT

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Toxic Materials: Gases, Liquids and Solids - any amount	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%
Unstable (Reactive) Materials: Gases, Liquids and Solids - any amount ***Except: Class 1 Unstable Reactive Materials***	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%
Water Reactive Materials: Gases, Liquids and Solids - any amount ***Except: Class 1 Water Reactive Materials***	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 1/0/1900 **R. No.:** 0 **R. Date:** 1/0/1900	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / STATE MANDATED

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
High-Rise (per floor)	$ 851.00 per floor Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 865.65		$ 865.00 per floor Annual	1.65%
R-1/R-2 Occupancies: Multi-Family, 3 or more residential units	$ 25.00 per unit Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 25.43		$ 25.00 per unit Annual	
High-Rise R-1/R-2 per floor	$ 851.00 per floor Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 865.65		$ 865.00 per floor Annual	1.65%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / STATE MANDATED

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Commercial Day Care (E3) Adult Day Care (I4) 7-49 persons	$ 213.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Commercial Day Care (E3) Adult Day Care (I4) 50-149 persons	$ 319.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%
Commercial Day Care (E3) Adult Day Care (I4) 150+ persons	$ 638.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 648.99		$ 648.00 Annual	1.57%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / STATE MANDATED

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
School 1-250 students	$ 425.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32		$ 432.00 Annual	1.65%
School 251-500 students	$ 851.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 865.65		$ 865.00 Annual	1.65%
School > 500 students	$ 1,701.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,730.29		$ 1,730.00 Annual	1.70%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / STATE MANDATED

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Jails	$ 425.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 432.32		$ 432.00 Annual	1.65%
Hospitals	$ 2,026.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,060.89		$ 2,060.00 Annual	1.68%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / INSPECTION FEES

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Single Story Building 1 to 20,000 square feet	$ 213.00 Annual	No	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 216.67		$ 216.00 Annual	1.41%
Single Story Buildings 20,001 square feet or greater	$ 319.00 Annual	No	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%
Multi-Story Buildings 2 or more stories in height and not classified as a High Rise.	$ 319.00 Annual	No	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 324.49		$ 324.00 Annual	1.57%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / PENALTY FEES

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE / PROP 26 EXCEPTION (SEE READER'S GUIDE) / FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
False Alarm Responses: After third time in 180 day period per response	$ 312.00	No	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Penalty **Prop 26 Exception:** 1,2 **Full Cost:** $ 317.37		$ 317.00	1.60%
Re-Inspection Fee: For failure to cancel appointment, work not ready for inspection or more than three re-inspections	$ 376.00	No	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Penalty **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 382.47		$ 382.00	1.60%
Expired Construction Permit Reactivation Fee	$ 207.00	No	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Penalty **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 210.56		$ 210.00	1.45%
Expired Construction Permit Plan Review Reactivation Fee	$ 207.00	No	**Charged By:** Fire **Collected By:** Fire Prevention	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Penalty **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 210.56		$ 210.00	1.45%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / DOCUMENT FEES

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Microfilm Copies	$ 24.93 **plus actual cost**	No	**Charged By:** Fire **Collected By:** Fire	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 25.36		$ 25.00 **plus actual cost**	0.28%
Photographs	$ 24.93 **plus actual cost**	No	**Charged By:** Fire **Collected By:** Fire	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 25.36		$ 25.00 **plus actual cost**	0.28%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CUPA FEES

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Hazardous Waste Generator Fees: Used Oil Only	$ 334.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 454.70	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 374.00 Annual	11.98%
Hazardous Waste Generator Fees: Less than 100 Kg per year	$ 334.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 454.70	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 374.00 Annual	11.98%
Hazardous Waste Generator Fees: Less than 5 tons per year	$ 526.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 681.54	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 578.00 Annual	9.89%
Hazardous Waste Generator Fees: 5 tons to less than 25 tons per year	$ 645.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 795.47	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 695.00 Annual	7.75%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CUPA FEES

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Hazardous Waste Generator Fees: 25 tons and greater	$ 786.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 909.39	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 827.00 Annual	5.22%
California Accidental Release Program (CALARP) Fees: CalARP Facility Operating Permit Program 1	$ 1,756.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,273.49	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 1,928.00 Annual	9.79%
California Accidental Release Program (CALARP) Fees: CalARP Facility Operating Permit Program 2	$ 2,108.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,728.18	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 2,315.00 Annual	9.82%
California Accidental Release Program (CALARP) Fees: CalARP Facility Operating Permit Program 3	$ 2,108.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,728.18	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 2,315.00 Annual	9.82%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CUPA FEES

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
California Accidental Release Program (CALARP) Fees: RMP Review Fee per hour	$ 223.00 per hour	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 226.84		$ 226.00 per hour	1.35%
Onsite treatment of Hazardous Waste Annual Fee - Highest Tier: Permit by Rule	$ 1,285.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,590.93	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 1,387.00 Annual	7.94%
Onsite treatment of Hazardous Waste Annual Fee - Highest Tier: Conditionally Authorized	$ 918.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,136.23	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 991.00 Annual	7.95%
Onsite treatment of Hazardous Waste Annual Fee - Highest Tier: Conditionally Exempt	$ 351.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 454.70	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 386.00 Annual	9.97%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CUPA FEES

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
State of California Annual Surcharges: CUPA Oversight Fee	$ As Determined by State Regulation	No	**Charged By:** Fire **Collected By:** Finance	**Date:** 7/14/2009 **R. No.:** 09-7653 **R. Date:** 7/14/2009	**Objective:** User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** N/A	Set by State Collected by City and paid to State.	$ As Determined by State Regulation	
State of California Annual Surcharges: Underground Tank Fee	$ As Determined by State Regulation	No	**Charged By:** Fire **Collected By:** Finance	**Date:** 7/14/2009 **R. No.:** 09-7653 **R. Date:** 7/14/2009	**Objective:** User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** N/A	Set by State Collected by City and paid to State.	$ As Determined by State Regulation	
State of California Annual Surcharges: California Accidental Release Prevention Program	$ As Determined by State Regulation	No	**Charged By:** Fire **Collected By:** Finance	**Date:** 7/14/2009 **R. No.:** 09-7653 **R. Date:** 7/14/2009	**Objective:** User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** N/A	Set by State Collected by City and paid to State.	$ As Determined by State Regulation	
State of California Annual Surcharges: Aboveground Petroleum Storage Act	$ As Determined by State Regulation	No	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/21/2015 **R. No.:** 15-8226 **R. Date:** 4/21/2015	**Objective:** User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** N/A	Set by State Collected by City and paid to State.	$ As Determined by State Regulation	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CUPA FEES

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Aboveground Petroleum Storage Tank Program <1,320 gallon capacity	$ 419.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 567.61	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 469.00 Annual	11.93%
Aboveground Petroleum Storage Tank Program 1,320 - 10,000 gallon capacity	$ 505.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 681.54	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 564.00 Annual	11.68%
Aboveground Petroleum Storage Tank Program More than 10,000 gallon capacity	$ 734.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 909.39	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 792.00 Annual	7.90%
Aboveground Petroleum Storage Tank Program Tank in Underground Area (TIUGA)	$ Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 434.00		$ 434.00 Annual	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CUPA FEES

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Underground Hazardous Materials Tank: First Tank	$ 1,122.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,647.90	CUPA fees to be phased in over a four year period as outlined in the September 10 & 12, 2019 stakeholder meeting.	$ 1,297.00 Annual	15.60%
Underground Hazardous Materials Tank: Each additional tank	$ 447.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R.Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 454.70	Cost recovery goal is mandated by State CUPA Regulations.	$ 454.00 Annual	1.57%
Hazardous Materials Business Plan 1-3 chemicals	$ 350.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 681.54	Cost recovery goal is mandated by State CUPA Regulations. Phased in over a four year period. lowering to 10% this year to ease increase to customers	$ 385.00 Annual	10.00%
Hazardous Materials Business Plan 4-6 chemicals	$ 488.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 909.39	Cost recovery goal is mandated by State CUPA Regulations. Phased in over a four year period.	$ 628.00 Annual	28.69%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
FIRE / CUPA FEES

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / RESOLUTION NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Hazardous Materials Business Plan 7-9 chemicals	$ 732.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,364.09	Cost recovery goal is mandated by State CUPA Regulations. Phased in over a four year period.	$ 943.00 Annual	28.83%
Hazardous Materials Business Plan 10-15 chemicals	$ 1,018.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 1,818.79	Cost recovery goal is mandated by State CUPA Regulations. Phased in over a four year period.	$ 1,285.00 Annual	26.23%
Hazardous Materials Business Plan 16-21 chemicals	$ 1,353.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 2,273.49	Cost recovery goal is mandated by State CUPA Regulations. Phased in over a four year period.	$ 1,660.00 Annual	22.69%
Hazardous Materials Business Plan Each additional chemical > 21 chemical	$ 55.00 Annual	~~No~~ Yes	**Charged By:** Fire **Collected By:** Finance	**Date:** 4/28/2020 **R. No.:** 20-8839 **R. Date:** 4/28/2020	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 55.95		$ 55.00 Annual	

Municipal Fee Schedule

Library

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
LIBRARY

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV -------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Overdue fines covering interlibrary loans	$ 1.50 per item per day	No	**Charged By:** Library **Collected By:** Library	**Date:** 6/11/2013 **O. No.:** **O. Date:**	**Objective:** Penalty **Prop 26 Exception:** 5 **Full Cost:** N/A	Fine is assessed to encourage prompt return of the materials.	$ 1.50 per item per day	
Overdue fines - all other items excluding children's books	$ 0.25 per item per day $ 8.00 maximum per item	No No	**Charged By:** Library **Collected By:** Library	**Date:** 4/22/2014 **O. No.:** **O. Date:**	**Objective:** Penalty **Prop 26 Exception:** 5 **Full Cost:** N/A	Fine is assessed to encourage prompt return of the materials.	$ 0.25 per item per day $ 8.00 maximum per item	
Replacement for library materials	$ Current costs of item +processing fee: $ 5.00 or $ 15.00	No No No	**Charged By:** Library **Collected By:** Library	**Date:** 4/18/2017 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 48.27	Processing fee incurred to recover some of the cost of replacing library materials. Two tier system: $5.00 for paperbacks and $15.00 all other items	$ Current costs of item +processing fee: $ 5.00 or $ 15.00	
Replacement fee for lost or damaged library card	$ 2.00	No	**Charged By:** Library **Collected By:** Library	**Date:** 4/22/2014 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 4.20	Cost recovery for replacing a lost or damaged library card; 1st replacement at no charge.	$ 2.00	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
LIBRARY

RESOLUTION NUMBER: **APPROVED:**

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Fee for borrowing materials from other libraries (interlibrary loan)	$ 10.00 per item	No	**Charged By:** Library **Collected By:** Library	**Date:** 5/8/2018 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 112.29		$ 10.00 per item	
Replacement fee for lost Link+ materials borrowed from other libraries	$ 115.00	No	**Charged By:** Library **Collected By:** Library	**Date:** 6/10/2003 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost	Replacement fee is collected by the library and transferred to the owning library; fee amount is determined by Link+ consortium.	$ 115.00	
Overdue fine for Link+ materials borrowed from other libraries	$ 1.00 per item per day	No	**Charged By:** Library **Collected By:** Library	**Date:** 6/14/2011 **O. No.:** **O. Date:**	**Objective:** Penalty **Prop 26 Exception:** 5 **Full Cost:** Actual Cost	Overdue fine amount is determined by the Link+ consortium.	$ 1.00 per item per day	
Collection Agency Fee Library Asset Recovery	$ 27.00	No	**Charged By:** Library **Collected By:** Library	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost Penalty **Prop 26 Exception:** 1,2 **Full Cost:** $ 27.28	Fee is assessed to recover the cost charged by collection agency to the library for resolving delinquent accounts.	$ 27.00	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
LIBRARY

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Overdue Fines for Portable Electronic Devices	$ 15.00	No	**Charged By:** Library **Collected By:** Library	**Date:** 6/12/2012 **O. No.:** **O. Date:**	**Objective:** Penalty **Prop 26 Exception:** 5 **Full Cost:** N/A	Fine is assessed to encourage prompt return of portable electronic devices.	$ 15.00	
Room Rental Processing and Set Up and Clean Up Fee	$ 50.00	No	**Charged By:** Library **Collected By:** Library	**Date:** 4/22/2014 **O. No.:** **O. Date:**	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 4 **Full Cost:** $ 134.00	Currently suspended. Fee change to be brought forward separately at a later date. In addition to labor costs, there are indirect costs of using the facility: water, electricity, equipment, furniture, etc.	$ 50.00	
Fee for using library meeting room	$ 50.00 per hour Two hour minimum	No	**Charged By:** Library **Collected By:** Library	**Date:** 6/11/2013 **O. No.:** **O. Date:**	**Objective:** User Fee **Prop 26 Exception:** 4 **Full Cost:** N/A	Currently suspended. Fee change to be brought forward separately at a later date.	$ 50.00 per hour Two hour minimum	

Municipal Fee Schedule

Parks and Recreation

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS ** Plus sales tax.	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
SITE PREPARATION								
Casket Burial, Install Single Burial Vault, Single Depth Grave	$ 3,467.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 3,526.93		$ 3,526.00	1.70%
Casket Burial, Install Single Burial Vault, Double Depth Grave	$ 3,517.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 3,578.16		$ 3,578.00	1.73%
Casket Burial, Install Companion Vault, Double Depth Grave	$ 4,220.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 4,293.36		$ 4,293.00	1.73%
Casket Burial, Pre-Installed Companion Vault, Double Depth Grave	$ 3,215.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 3,270.74		$ 3,270.00	1.71%

(Note: "N/A" here signifies the fee, rate, or charge is not a fee imposed exclusively by local government.)

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

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Casket Burial, Install One Small Burial Vault (infants/babies), Single Depth Grave	$ 262.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 2,913.13		$ 267.00	1.91%
Casket - One casket Burial in a grave, with existing cremation(s)	$ 3,416.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 3,475.68		$ 3,475.00	1.73%
Cremation - One cremation burial in a Grave	$ 1,407.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 1,431.47		$ 1,431.00	1.71%
Cremation - One Cremation placement in a Niche.	$ 1,105.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 1,124.04		$ 1,124.00	1.72%

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

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Casket - One casket placement in a Crypt	$ 2,211.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 2,249.17		$ 2,249.00	1.72%
Disinterment - One Casket from a Grave	$ 4,220.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 4,293.36		$ 4,293.00	1.73%
Disinterment - One Casket from a Crypt	$ 2,009.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 2,044.21		$ 2,044.00	1.74%

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS ** Plus sales tax.	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Disinterment of One Cremation from a Grave	$ 1,005.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 1,022.63		$ 1,022.00	1.69%
Disinterment of One Cremation from a Niche	$ 553.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 562.56		$ 562.00	1.63%
Disinter and reinter casket into same grave to make Grave extra depth (Vault not included)	$ 5,090.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 5,178.30		$ 5,178.00	1.73%

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

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MARKER INSTALLATION								
Installation of a monobar, emblem, flower vase, or ring on a crypt (each)	$ Actual Cost	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** Actual Cost	Service performed by outside agency charge is market rate	$ Actual Cost	
Installation of a flower vase and ring on a niche (each)	$ Actual Cost	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** Actual Cost	Service performed by outside agency charge is market rate	$ Actual Cost	
Inscribe shutters or grave markers (per letter charge)	$ Actual Cost	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** Actual Cost	Service performed by outside agency charge is market rate	$ Actual Cost	
Installation of a niche plaque (each)	$ Actual Cost	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** Actual Cost	Service performed by outside agency charge is market rate	$ Actual Cost	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

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Installation of grave marker in South Babyland, Babyland, Children's Garden and Oak Grove Infant	$ 262.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 612.76		$ 267.00	1.91%
Flat marker (10"x18" or 12"x24") set into earth	$ 201.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 204.95		$ 204.00	1.49%
Flat marker (20"x28") set into earth	$ 250.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 255.12		$ 254.00	1.60%
Flat marker (10"x18" or 12"x24") set into concrete frame, with or w/o vase cups	$ 603.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 613.80		$ 613.00	1.66%

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS ** Plus sales tax.	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Single (34" x 12") or Double (46" x 12") Upright Monument Foundation	$ 401.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 408.84		$ 408.00	1.75%
Remove and dispose of marker, marker frame, plaque, vase and ring upon request	$ 201.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 204.95		$ 204.00	1.49%

(Note: "N/A" here signifies the fee, rate, or charge is not a fee imposed exclusively by local government.)

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS ** Plus sales tax.	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
PROFESSIONAL SERVICES								
Vault Disposal Casket	$ 401.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 408.84		$ 408.00	1.75%
Vault Disposal Cremation	$ 67.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 68.32		$ 68.00	1.49%
Sanitize Crypt	$ 1,407.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 1,431.47		$ 1,431.00	1.71%
City to repurchase interment rights	$ 196.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 199.62		$ 199.00	1.53%

(Note: "N/A" here signifies the fee, rate, or charge is not a fee imposed exclusively by local government.)

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV -------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS ** Plus sales tax.	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Burial Permit Filing Fee	$ 393.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 400.31		$ 400.00	1.78%
Dig single depth grave to double depth (Grave, casket)	$ 603.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 613.80		$ 613.00	1.66%
Hourly Rate (Personnel)	$ 201.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 204.95		$ 204.00	1.49%
Custom Hourly Rate	$ Actual Cost	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** Actual Cost		$ Actual Cost	

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS ** Plus sales tax.	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Saturday Service - Casket (Hourly Rate)	$ Actual Cost	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** Actual Cost		$ Actual Cost	
Saturday Service - Cremation (Hourly Rate)	$ Actual Cost	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** Actual Cost		$ Actual Cost	
Chapel rental - Two Hours of Use Non- Resident Resident	 $ 319.00 $ No Charge	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 324.51		 $ 324.00 $ No Charge	 1.57%

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS ** Plus sales tax.	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
PERPETUAL CARE (ENDOWMENT)								
Casket - Two Caskets Below Ground Burial			**Charged by:** Cemetery	**Date:** 4/28/2020	**Objective:** Recover Cost			
Non-Resident	$ 4,985.00	No	**Collected By:**	**O. No.:** **O. Date:**	**Prop 26 Exception:** N/A		$ 5,071.00	1.73%
Resident	$ 2,493.00	No	Cemetery & Finance		**Full Cost:** $ 5,071.55		$ 2,536.00	1.72%
Casket - Two Caskets Above Ground Burial			**Charged by:** Cemetery	**Date:** 4/28/2020	**Objective:** Recover Cost			
Non-Resident	$ 4,985.00	No	**Collected By:**	**O. No.:** **O. Date:**	**Prop 26 Exception:** N/A		$ 5,071.00	1.73%
Resident	$ 4,985.00	No	Cemetery & Finance		**Full Cost:** $ 5,071.55		$ 5,071.00	1.73%
Casket - One Casket Below Ground			**Charged by:** Cemetery	**Date:** 4/28/2020	**Objective:** Recover Cost			
Non-Resident	$ 2,491.00	No	**Collected By:**	**O. No.:** **O. Date:**	**Prop 26 Exception:** N/A		$ 2,534.00	1.73%
Resident	$ 2,491.00	No	Cemetery & Finance		**Full Cost:** $ 2,534.17		$ 2,534.00	1.73%
Cremation - Two Cremations Below Ground Burial			**Charged by:** Cemetery	**Date:** 4/28/2020	**Objective:** Recover Cost			
Non-Resident	$ 4,985.00	No	**Collected By:**	**O. No.:** **O. Date:**	**Prop 26 Exception:** N/A		$ 5,071.00	1.73%
Resident	$ 2,493.00	No	Cemetery & Finance		**Full Cost:** $ 5,071.55		$ 2,536.00	1.72%

(Note: "N/A" here signifies the fee, rate, or charge is not a fee imposed exclusively by local government.)

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

RESOLUTION NUMBER:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV -------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS ** Plus sales tax.	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Cremation - One Cremation Below Ground			**Charged by:** Cemetery	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A			
Non-Resident	$ 2,494.00	No	**Collected By:**	**O. Date:**	**Full Cost:** $ 2,537.37		$ 2,536.00	1.68%
Resident	$ 1,246.00	No	Cemetery & Finance				$ 1,267.00	1.69%
Cremation -Two Cremations Above Ground Burial			**Charged by:** Cemetery	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A			
Non-Resident	$ 4,985.00	No	**Collected By:**	**O. Date:**	**Full Cost:** $ 5,071.55		$ 5,071.00	1.73%
Resident	$ 2,493.00	No	Cemetery & Finance				$ 2,536.00	1.72%
Casket - One Casket - Babyland, South Babyland, Children's Garden			**Charged by:** Cemetery	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A			
Non-Resident	$ 315.00	No	**Collected By:**	**O. Date:**	**Full Cost:** $ 5,071.55		$ 320.00	1.59%
Resident	$ 262.00	No	Cemetery & Finance				$ 266.00	1.53%
Cremation - Two Cremations Above Ground Bank of Memories			**Charged by:** Cemetery	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A	Resident fee is set at 25% lower than full cost recovery,		
Non-Resident	$ 4,985.00	No	**Collected By:**	**O. Date:**	**Full Cost:** $ 5,071.55	but was entered in-	$ 5,071.00	1.73%
Resident	$ 3,739.00	No	Cemetery & Finance			correctly in initial year.	$ 3,804.00	1.74%

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

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Casket - One Casket - Above Ground Indoor Mausoleum			**Charged by:** Cemetery	**Date:** 4/28/2020	**Objective:** Recover Cost	Resident fee is set at 25% lower than		
				O. No.:	**Prop 26 Exception:** N/A	full cost recovery,		
Non-Resident	$ 4,985.00	No	**Collected By:** Cemetery &	**O. Date:**		but was entered in-	$ 5,071.00	1.73%
					Full Cost: $ 5,071.55	correctly in initial year.		
Resident	$ 3,739.00	No	Finance				$ 3,804.00	1.74%
Cremation - Four Cremations Above Ground Indoor Mausoleum			**Charged by:** Cemetery	**Date:** 4/28/2020	**Objective:** Recover Cost	Resident fee is set at 25% lower than		
				O. No.:	**Prop 26 Exception:** N/A	full cost recovery,		
Non-Resident	$ 9,971.00	No	**Collected By:** Cemetery &	**O. Date:**		but was entered in-	$ 10,143.00	1.73%
					Full Cost: $ 10,143.11	correctly in initial year.		
Resident	$ 7,478.00	No	Finance				$ 7,607.00	1.73%
Cremation - One Cremation Above Ground Indoor Community Mausoleum			Charged by: Cemetery	Date: 4/28/2020	**Objective:** Recover Cost	Fee based on above studied fee divided		
				O. No.:	**Prop 26 Exception:** N/A	by four to provide		
Non-Resident	$ 2,492.00	No	Collected By: Cemetery &	O. Date:		single perpetual care	$ 2,535.00	1.73%
					Full Cost: $ 2,535.79	option.		
Resident	$ 1,869.00	No	Finance				$ 1,901.00	1.71%
Casket - One Casket Above Ground Garden Mausoleum			**Charged by:** Cemetery	**Date:** 4/28/2020	**Objective:** Recover Cost	Resident fee is set at 25% lower than		
				O. No.:	**Prop 26 Exception:** N/A	full cost recovery,		
Non-Resident	$ 4,985.00	No	**Collected By:** Cemetery &	**O. Date:**		but was entered in-	$ 5,071.00	1.73%
					Full Cost: $ 5,071.55	correctly in initial year.		
Resident	$ 3,739.00	No	Finance				$ 3,804.00	1.74%
Casket - Two Caskets Above Ground Garden Mausoleum			**Charged by:** Cemetery	**Date:** 4/28/2020	**Objective:** Recover Cost	Resident fee is set at 25% lower than		
				O. No.:	**Prop 26 Exception:** N/A	full cost recovery,		
Non-Resident	$ 9,971.00	No	**Collected By:** Cemetery &	**O. Date:**		but was entered in-	$ 10,143.00	1.73%
					Full Cost: $ 10,143.11	correctly in initial year.		
Resident	$ 7,478.00	No	Finance				$ 7,607.00	1.73%

(Note: "N/A" here signifies the fee, rate, or charge is not a fee imposed exclusively by local government.)

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / CEMETERY

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Cremation - Two Cremations Above Ground Garden Mausoleum			**Charged by:** Cemetery	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A			
Non-Resident	$ 4,985.00	No	**Collected By:** Cemetery & Finance	**O. Date:**	**Full Cost:** $ 5,071.55		$ 5,071.00	1.73%
Resident	$ 2,493.00	No					$ 2,536.00	1.72%
Cremation - Four Cremations Below Ground Oak Grove			**Charged by:** Cemetery	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A			
Non-Resident	$ 9,971.00	No	**Collected By:** Cemetery & Finance	**O. Date:**	**Full Cost:** $ 10,143.11		$ 10,143.00	1.73%
Resident	$ 4,987.00	No					$ 5,071.00	1.68%
Casket - One Casket - Below Ground Oak Grove Infant			**Charged by:** Cemetery	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A			
Non-Resident	$ 630.00	No	**Collected By:** Cemetery & Finance	**O. Date:**	**Full Cost:** $ 5,071.55		$ 641.00	1.75%
Resident	$ 525.00	No					$ 534.00	1.71%
BURIAL MATERIALS								
Burial Materials processing Fee All materials are priced at actual cost	$ 130.00	No	**Charged by:** Cemetery **Collected By:** Cemetery & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 132.37		$ 132.00	1.54%

(Note: "N/A" here signifies the fee, rate, or charge is not a fee imposed exclusively by local government.)

Mission City Memorial Park Interment Rights and Burial Materials Fee Schedule

Interment Rights			FY 2020/21 Resident Current Rate	FY 2021/22 Resident Proposed Rate		FY 2020/21 Non-Resident Current Rate	FY 2021/22 Non-Resident Proposed Rate	
Casket	Crypt	Right to inter one decedent, Garden Mausoleum, Tier A	$21,344	$21,712	1.72%	$26,681	$27,140	1.72%
Casket	Crypt	Right to inter one decedent, Garden Mausoleum, Tier B or C	$23,189	$23,589	1.72%	$28,986	$29,485	1.72%
Casket	Crypt	Right to inter one decedent, Garden Mausoleum, Tier D	$19,788	$20,129	1.72%	$24,736	$25,162	1.72%
Casket	Crypt	Right to inter one decedent, Garden Mausoleum, Tier E	$17,937	$18,246	1.72%	$22,422	$22,808	1.72%
Casket	Crypt	Right to inter one decedent, Indoor Mausoleum, Tier A	$24,545	$24,967	1.72%	$30,681	$31,209	1.72%
Casket	Crypt	Right to inter one decedent, Indoor Mausoleum, Tier B-C	$26,668	$27,127	1.72%	$33,052	$33,621	1.72%
Casket	Crypt	Right to inter one decedent, Indoor Mausoleum, Tier D	$22,757	$23,149	1.72%	$28,446	$28,935	1.72%
Casket	Crypt	Right to inter one decedent, Indoor Mausoleum, Tier E	$20,627	$20,982	1.72%	$25,784	$26,228	1.72%
Casket	Crypts	Right to inter two decedents, Garden Mausoleum, All tiers	$35,874	$36,492	1.72%	$43,049	$43,790	1.72%
Casket	Crypts	Right to inter two decedents, Indoor Mausoleum, All tiers	$49,090	$49,935	1.72%	$58,907	$59,921	1.72%
Casket	Grave	Right to inter one decedent, Oak Grove Infant	$525	$534	1.72%	$630	$641	1.72%
Casket	Grave	Right to inter one decedent, flat marker section*	$3,723	$3,787	1.72%	$4,655	$4,735	1.72%
Casket	Grave	Right to inter one decedent, upright monument section**	$5,771	$5,870	1.72%	$7,214	$7,338	1.72%
Casket	Grave	Right to inter two decedents, flat marker section*	$5,230	$5,320	1.72%	$6,537	$6,650	1.72%
Casket	Grave	Right to inter two decedents, upright monument section**	$7,585	$7,716	1.72%	$9,508	$9,671	1.72%
Casket/Cremation	Grave	Right to inter one decedent, Babyland, South Babyland and Children's Garden	$263	$267	1.72%	$315	$320	1.72%
Cremation	Grave	Right to inter four cremations in a grave, upright monument section**	$8,362	$8,506	1.72%	$10,034	$10,207	1.72%
Cremation	Grave	Right to inter three cremations in a grave, upright monument section**	$5,228	$5,318	1.72%	$6,273	$6,381	1.72%
Cremation	Grave	Right to inter two cremations in a grave, upright monument section**	$4,181	$4,253	1.72%	$5,017	$5,103	1.72%
Cremation	Grave	Right to inter one cremation in a grave with a casket	$1,742	$1,772	1.72%	$2,090	$2,125	1.72%
Cremation	Grave	Right to inter two cremations in a grave, Willow Bend Way and Sunrise Gardens	$3,485	$3,545	1.72%	$4,356	$4,431	1.72%
Cremation	Niche	Right to inter two cremations in Bank of Memories, Tiers M-T	$917	$932	1.72%	$1,146	$1,165	1.72%
Cremation	Niche	Right to inter two cremations in Bank of Memories, Tiers I-L	$1,100	$1,119	1.72%	$1,376	$1,399	1.72%
Cremation	Niche	Right to inter two cremations in Bank of Memories, Tiers E-H	$1,290	$1,313	1.72%	$1,613	$1,641	1.72%
Cremation	Niche	Right to inter two cremations in Bank of Memories, Tiers A-D	$1,100	$1,119	1.72%	$1,376	$1,399	1.72%
Cremation	Niche	Right to inter four cremations in Indoor Mausoleum, Tier 1-2	$8,400	$8,545	1.72%	$10,080	$10,254	1.72%
Cremation	Niche	Right to inter four cremations in Indoor Mausoleum, Tier 3-5	$8,400	$8,545	1.72%	$10,080	$10,254	1.72%
Cremation	Niche	Right to inter four cremations in Indoor Mausoleum, Tier 6-8	$8,400	$8,545	1.72%	$10,080	$10,254	1.72%
Cremation	Niche	Right to inter four cremations in Indoor Mausoleum, Tier 9-10	$8,400	$8,545	1.72%	$10,080	$10,254	1.72%

Mission City Memorial Park Interment Rights and Burial Materials Fee Schedule

Interment Rights			FY 2020/21 Resident Current Rate	FY 2021/22 Resident Proposed Rate		FY 2020/21 Non-Resident Current Rate	FY 2021/22 Non-Resident Proposed Rate	
Cremation	Niche	Right to inter one cremation in Indoor Community Mausoleum	$2,100	$2,136	1.72%	$2,625	$2,670	1.72%
Cremation	Niche	Right to inter two cremations in Garden Court or Sunset Garden Niche Bank, Tiers E-F	$3,297	$3,354	1.72%	$4,121	$4,192	1.72%
Cremation	Niche	Right to inter two cremations in Garden Court Niche Bank or Sunset Garden Niche Bank, Tier D	$2,934	$2,984	1.72%	$3,668	$3,731	1.72%
Cremation	Niche	Right to inter two cremations in Garden Court Niche Bank or Sunset Garden Niche Bank, Tier C	$2,563	$2,607	1.72%	$3,204	$3,259	1.72%
Cremation	Niche	Right to inter two cremations in Garden Court Niche Bank or Sunset Garden Niche Bank, Tiers A-B	$2,123	$2,160	1.72%	$2,654	$2,700	1.72%
Cremation	Niche	Right to inter two cremations in Garden Mausoleum, Tier A - D	$3,297	$3,354	1.72%	$3,956	$4,025	1.72%
Cremation	Niche	Right to inter two cremations in Garden Mausoleum, Tier E - H	$2,934	$2,984	1.72%	$3,520	$3,580	1.72%
Cremation	Niche	Right to inter two cremations in Garden Mausoleum, Tier I - J	$2,563	$2,607	1.72%	$3,075	$3,128	1.72%

** Acacia Lawn, Hillside Lawn, Palm Lawn, Palm Hill, Redwood Grove, Section L, Section S, Serenity Lawn, Willow Bend Way, Evergreen.*

*** Azalea Lawn, Begonia Lawn, Camellia Lawn, Greek Annex, Greek Plot, Oak Grove, Valley Oak, Cypress Lawn, Sections D, E, F, EE, G, H, J, K, P, and T, All corridors and family blocks.*

Burial Materials			Cost
Casket	Crypt	Casket tray and absorbant pad	Market Rate + Tax + Shipping & Handling
Casket	Crypt	Monbar/unibar	Market Rate + Tax + Shipping & Handling
Casket	Crypt	Shutter replacement, crypt	Market Rate + Tax + Shipping & Handling
Casket	Grave	Outer Burial Container, companion casket vault (G3086-5)	Market Rate + Tax + Shipping & Handling
Casket	Grave	Outer Burial Container, extra long, single casket vault G3690-6)	Market Rate + Tax + Shipping & Handling
Casket	Grave	Outer Burial Container, extra small casket vault, child (V1637-1)	Market Rate + Tax + Shipping & Handling
Casket	Grave	Outer Burial Container, extra wide, single casket vault (G4490-6)	Market Rate + Tax + Shipping & Handling
Casket	Grave	Outer Burial Container, single casket vault (G3086-6)	Market Rate + Tax + Shipping & Handling
Casket	Grave	Outer Burial Container, small casket vault, infant (U711)	Market Rate + Tax + Shipping & Handling
Cremation	Grave	Outer Burial Container, double cremation vault (U711)	Market Rate + Tax + Shipping & Handling
Cremation	Grave	Outer Burial Container, single cremation vault	Market Rate + Tax + Shipping & Handling
Cremation	Niche	Niche plaque, Bank of Memories (5660 TC and BC)	Market Rate + Tax + Shipping & Handling
Cremation	Niche	Niche plaque, Bank of Memories (5660 TCB)	Market Rate + Tax + Shipping & Handling
Cremation	Niche	Niche plaque, Garden mausoleum	Market Rate + Tax + Shipping & Handling
Cremation	Niche	Shutter replacement, niche	Market Rate + Tax + Shipping & Handling
Casket/Cre-mation	Niche/Crypt	Bronze Flower Vase	Market Rate + Tax + Shipping & Handling
Casket/Cre-mation	Niche/Crypt	Plastic Flower Vase and Bronze Vase Ring	Market Rate + Tax + Shipping & Handling
		Emblem (custom under 8")	Market Rate + Tax + Shipping & Handling
		Emblem (stand alone)	Market Rate + Tax + Shipping & Handling

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / RECREATION

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Community Recreation Center Room Rental	Cost per hour		**Charged By:** Parks & Rec.	**Date:** 5/8/2018	**Objective:** Recover Cost	Fee change to be brought forward separately at a later date.	Cost per hour	
				O. No.:	**Prop 26 Exception:** 4	Full cost includes kitchen.		
Auditorium with kitchen	$ 307.00	No	**Collected By:**	**O. Date:**		Resident/private party use.	$ 307.00	0.00%
Auditorium w/o kitchen			Parks & Rec.		**Full Cost:** $ 348.19	Hourly Staff costs may be charged to		
	$ 244.00	No				resident/private party in addition to the room rental fee.	$ 244.00	0.00%
Community Recreation Center Room Rental	Cost per hour		**Charged By:** Parks & Rec.	**Date:** 5/8/2018	**Objective:** Recover Cost	Fee change to be brought forward separately at a later date.	Cost per hour	
				O. No.:	**Prop 26 Exception:** 4	Hourly Staff costs are charged to		
Meeting rooms:			**Collected By:**	**O. Date:**		resident/private party in addition to the		
Music, A&C, Diablo, Preschool			Parks & Rec.		**Full Cost:** $ 144.11	room rental fee.		
Mission	$ 47.00	No					$ 47.00	0.00%
Park Building Room Rentals	$ 68.00 per hour	No	**Charged By:** Parks & Rec.	**Date:** 5/8/2018	**Objective:** Recover Cost	Fee change to be brought forward separately at a later date.	$ 68.00 per hour	0.00%
				O. No.:	**Prop 26 Exception:** 4			
			Collected By:	**O. Date:**				
Resident community group use	$ 25.00 per meeting	No	Parks & Rec.		**Full Cost:** $ 399.22		$ 25.00 per meeting	0.00%

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Central Park	Flat rate per section, per day	No	**Charged By:** Parks & Rec.	**Date:** 4/28/2020	**Objective:** Recover Cost	Hourly staff cost may be charged, in addition to rental fee, for any use based on hours of use, estimated attendance and scope.	Flat rate per section, per day	
Resident Large Group Picnic Area (Pavilion & Arbor)	$ 168.00			**O. No.:**	**Prop 26 Exception:** 4		$ 171.00	1.79%
			Collected By: Parks & Rec.	**O. Date:**	**Full Cost:** $ 649.03			
Resident non-profit youth-weekday	$ No Fee						$ No Fee	
Non-Resident Picnic	$ 638.00						$ 649.00	1.72%
City Plaza Park Gazebo	Cost per day	No	**Charged By:** Parks & Rec.	**Date:** 4/28/2020	**Objective:** Recover Cost	Hourly staff cost may be charged, in addition to rental fee, for any use based on hours of use and scope.	Cost per day	
Resident wedding	$ 158.00			**O. No.:**	**Prop 26 Exception:** 4		$ 161.00	1.90%
Non-profit resident community event, open to the public.	$ No Fee		**Collected By:** Parks & Rec.	**O. Date:**	**Full Cost:** $ 425.92		$ No Fee	
Hourly Staff (as-needed) assigned to facility	$ 34.00 Per person, per hour	No	**Charged By:** Parks & Rec.	**Date:** 7/16/2019	**Objective:** Recover Cost	Staffing needs determined by Parks & Recreation staff based on hours of use, estimated attendance and scope of event.	$ 35.00 Per person per hour	2.94%
			Collected By: Parks & Rec.	**O. No.:** **O. Date:**	**Prop 26 Exception:** 4 **Full Cost:** rate x hrs.			

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Senior Citizens Center Auditorium and Kitchen	Cost per hour $ 294.00	No	**Charged By:** Parks & Rec. **Collected By:** Parks & Rec.	**Date:** 5/8/2018 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 4 **Full Cost:** $ 313.84	Fee change to be brought forward separately at a later date. Hourly Staff costs are charged to resident/private party in addition to the room rental fee. Kitchen and auditorium rented together. Resident group private party.	Cost per hour $ 294.00	0.00%
Senior Citizens Center Meeting Rooms Non-profit group use	$ 87.00 per hour $ 18.00 per meeting	No	**Charged By:** Parks & Rec. **Collected By:** Parks & Rec.	**Date:** 5/8/2018 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 4 **Full Cost:** $ 313.84	Fee change to be brought forward separately at a later date. Hourly Staff costs are charged to resident/private party in addition to the room rental fee.	$ 87.00 per hour $ 18.00 per meeting	0.00% 0.00%
Youth Activity Center Room Rental Fees Gymnasium	Cost per hour $ 200.00	No	**Charged By:** Parks & Rec. **Collected By:** Parks & Rec.	**Date:** 5/8/2018 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 4 **Full Cost:** $ 302.09	Fee change to be brought forward separately at a later date. Hourly Staff costs are charged to resident/private party in addition to the room rental fee. Resident Youth Sports Groups are exempt.	Cost per hour $ 200.00	0.00%
Youth Activity Center Room Rental Fees	Cost per hour $ 140.00	No	**Charged By:** Parks & Rec. **Collected By:** Parks & Rec.	**Date:** 5/8/2018 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 4 **Full Cost:** $ 149.45	Fee change to be brought forward separately at a later date. Hourly Staff costs are charged to resident/private party in addition to the room rental fee. Resident Youth Sports Groups are exempt.	Cost per hour $ 140.00	0.00%

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Fields and turf areas reservations	Cost per hour		**Charged By:** Parks & Rec.	**Date:** 4/28/2020	**Objective:** Recover Cost		Cost per hour	
				O. No.:	**Prop 26 Exception:** 4			
Resident	$ 106.00	No	**Collected By:** Parks & Rec.	**O. Date:**	**Full Cost:** $ 280.76		$ 108.00	1.89%
Resident youth or non-profit	$ No Fee						$ No Fee	
Non-resident	$ 276.00						$ 280.00	1.45%
Tennis Reservations	$ 10.00 per hour (resident)	No	**Charged By:** Parks & Rec.	**Date:** 4/28/2020	**Objective:** Recover Cost	Per hour rate/resident; prime time reserved.	$ 10.00 per hour (resident)	0.00%
Tennis court reservations are by agreement with vendor.	$ 12.00 per hour (non-resident)	No	**Collected By:** Parks & Rec.	**O. No.:** **O. Date:**	**Prop 26 Exception:** 4 **Full Cost:** rate x hrs.	Per hour rate/non-resident; prime time reserved.	$ 12.00 per hour (non-resident)	0.00%
	$ 5.00 (resident)	No				Per hour rate/resident; non-prime time.	$ 5.00 (resident)	0.00%
	$ 6.00 per hour (non-resident)	No				Per hour rate/non-resident; non-prime time. Fees are based on market rate. *Detailed in quarterly Activity Guide.*	$ 6.00 per hour (non-resident)	0.00%
Recreation Cancellation Fee	Flat fee		**Charged By:** Parks & Rec.	**Date:** 4/28/2020	**Objective:** Recover Cost		Flat fee	
Rental cancellation fee	$ 51.00	No		**O. No.:**	**Prop 26 Exception:** 4	Cancellation must be requested 14 days or more in advance.	$ 52.00	1.96%
			Collected By: Parks & Rec.	**O. Date:**	**Full Cost:** $ 52.32			

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Field Preparation Soccer Natural Turf	Cost per day	No	**Charged By:**	**Date:** 4/28/2020	**Objective:** Recover Cost		Cost per day	
Resident	$ 149.00		Parks & Rec.				$ 152.00	2.01%
				O. No.:	**Prop 26 Exception:** 4			
Resident Youth or non-profit	$ No Fee		**Collected By:**	**O. Date:**			$ No Fee	
			Parks & Rec.		**Full Cost:** $ 674.65			
Non-resident	$ 663.00						$ 674.00	1.66%
Field Preparation Soccer-Synthetic Turf	Cost per day	No	**Charged By:**	**Date:** 4/28/2020	**Objective:** Recover Cost		Cost per day	
Resident	$ 149.00		Parks & Rec.				$ 152.00	2.01%
				O. No.:	**Prop 26 Exception:** 4			
Resident Youth or non-profit	$ No Fee		**Collected By:**	**O. Date:**			$ No Fee	
			Parks & Rec.		**Full Cost:** $ 367.21			
Non-resident	$ 361.00						$ 367.00	1.66%
Field Preparation Football-Natural Turf	Cost per day	No	**Charged By:**	**Date:** 4/28/2020	**Objective:** Recover Cost		Cost per day	
Resident	$ 700.00		Parks & Rec.				$ 712.00	1.71%
				O. No.:	**Prop 26 Exception:** 4			
Resident Youth or non-profit	$ No Fee		**Collected By:**	**O. Date:**			$ No Fee	
			Parks & Rec.		**Full Cost:** $ 983.14			
Non-resident	$ 967.00						$ 983.00	1.65%

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Field Preparation Football-Synthetic Turf	Cost per day	No					Cost per day	
			Charged By:	**Date:** 4/28/2020	**Objective:** Recover Cost			
Resident	$ 360.00		Parks & Rec.				$ 366.00	1.67%
				O. No.:	**Prop 26 Exception:** 4			
Resident Youth or non-profit	$ No Fee		**Collected By:**	**O. Date:**			$ No Fee	
			Parks & Rec.		**Full Cost:** $ 367.21			
Non-resident	$ 360.00						$ 366.00	1.67%
Field Preparation Baseball-Natural Turf	Cost per day	No					Cost per day	
			Charged By:	**Date:** 4/28/2020	**Objective:** Recover Cost			
Resident	$ 213.00		Parks & Rec.				$ 217.00	1.88%
				O. No.:	**Prop 26 Exception:** 4			
Resident Youth or non-profit	$ No Fee		**Collected By:**	**O. Date:**			$ No Fee	
			Parks & Rec.		**Full Cost:** $ 983.14			
Non-resident	$ 966.00						$ 983.00	1.76%
Field Preparation Baseball-Synthetic Turf	Cost per day	No					Cost per day	
			Charged By:	**Date:** 4/28/2020	**Objective:** Recover Cost			
Resident	$ 213.00		Parks & Rec.				$ 217.00	1.88%
				O. No.:	**Prop 26 Exception:** 4			
Resident Youth or non-profit	$ No Fee		**Collected By:**	**O. Date:**			$ No Fee	
			Parks & Rec.		**Full Cost:** $ 290.36			
Non-resident	$ 285.00						$ 290.00	1.75%

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Field Preparation Softball-Natural Turf	Cost per day	No					Cost per day	
			Charged By:	**Date:** 4/28/2020	**Objective:** Recover Cost			
Resident	$ 213.00		Parks & Rec.				$ 217.00	1.88%
				O. No.:	**Prop 26 Exception:** 4			
Resident Youth or non-profit	$ No Fee		**Collected By:**	**O. Date:**			$ No Fee	
			Parks & Rec.		**Full Cost:** $ 674.65			
Non-resident	$ 663.00						$ 674.00	1.66%
Field Preparation Softball-Synthetic Turf	Cost per day	No					Cost per day	
			Charged By:	**Date:** 4/28/2020	**Objective:** Recover Cost			
Resident	$ 171.00		Parks & Rec.				$ 174.00	1.75%
				O. No.:	**Prop 26 Exception:** 4			
Resident Youth or non-profit	$ No Fee		**Collected By:**	**O. Date:**			$ No Fee	
			Parks & Rec.		**Full Cost:** $ 367.21			
Non-resident	$ 360.00						$ 366.00	1.67%

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Amplified Music	$ 71.00 Per event per day	No	**Charged By:** Parks & Rec. **Collected By:** Parks & Rec.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 4 **Full Cost:** $ 72.58		$ 72.00 Per event per day	1.41%
Teen Center Room Rental Multi-Purpose Room	$ 200.00	No	**Charged By:** Parks & Rec. **Collected By:** Parks & Rec.	**Date:** 5/8/2018 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 4 **Full Cost:** $ 326.65	Fee change to be brought forward separately at a later date. Resident Youth Groups are exempt. Hourly Staff costs are charged to resident/private party in addition to the room rental fee.	$ 200.00	0.00%
Teen Center Room Rental Meeting rooms Arts and Crafts or Classroom Conference Room	Cost range depending on priority (per hour) $ 142.00	No	**Charged By:** Parks & Rec. **Collected By:** Parks & Rec.	**Date:** 5/8/2018 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 4 **Full Cost:** $ 151.59	Fee change to be brought forward separately at a later date. Resident Youth Groups are exempt. Hourly Staff costs are charged to resident/private party in addition to the room rental fee.	Cost range depending on priority (per hour) $ 142.00	0.00%

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Special Event Application Fee	Cost range depending on priority (per hour)		**Charged By:** Parks & Rec.	**Date:** 4/28/2020	**Objective:** Recover Cost	One time application processing fee per request; non-exclusive use of public property based on Department Head approval. City Code 9.35060	Cost range depending on priority (per hour)	
Resident Special Event	$ 315.00	No	**Collected By:** Parks & Rec.	**O. No.:** **O. Date:**	**Prop 26 Exception:** 3 **Full Cost:** $ 497.43		$ 320.00	1.59%
Resident, non-profit	$ 26.00	No					$ 26.00	0.00%
City Sponsored Event	$ No Fee	No					$ No Fee	
Non-resident	$ 489.00	No					$ 497.00	1.64%

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Neighborhood Parks	$ 52.00	No	**Charged By:** Parks & Rec.	**Date:** 4/28/2020	**Objective:** Recover Cost	Resident use only.	$ 53.00	1.92%
Resident- Picnic Table	Flat rate per table per day		**Collected By:** Parks & Rec.	**O. No.:** **O. Date:**	**Prop 26 Exception:** 4 **Full Cost:** $ 263.66	Hourly staff cost may be charged, in addition to rental fee, for any use based on hours of use, estimated attendance and scope.	Flat rate per table per day	
Jump House Permit	$ 26.00	No	**Charged By:** Parks & Rec.	**Date:** 4/28/2020	**Objective:** Recover Cost		$ 26.00	0.00%
Resident- Jump House Permit	flat rate per jump house per day		**Collected By:** Parks & Rec.	**O. No.:** **O. Date:**	**Prop 26 Exception:** 4 **Full Cost:** $ 88.60	Hourly staff cost may be charged, in addition to rental fee, for any use based on hours of use, estimated attendance and scope.	flat rate per jump house per day	
Pool Rentals	Cost per hour	No	**Charged By:** Parks & Rec.	**Date:** 4/28/2020	**Objective:** Recover Cost		Cost per hour	
Shared Facility	$ 78.00		**Collected By:** Parks & Rec.	**O. No.:** **O. Date:**	**Prop 26 Exception:** 4 **Full Cost:** $ 280.75	Fees are based on market rate.	$ 79.00	1.28%
Exclusive Use	$ 276.00						$ 280.00	1.45%
Tournament Fee	Per Day	No	**Charged By:** Parks & Rec.	**Date:** 4/28/2020	**Objective:** Recover Cost		Per Day	
0-50 Players	$ 42.00		**Collected By:** Parks & Rec.	**O. No.:** **O. Date:**	**Prop 26 Exception:** 4 **Full Cost:** $ -	Fees are based on market rate.	$ 43.00	2.38%
51-100 Players	$ 63.00						$ 64.00	1.59%
101-200 Players	$ 105.00						$ 107.00	1.90%
201+ Players	$ 262.00						$ 267.00	1.91%

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Special Event Sponsorship/ Vendor	Per event $ 0-50,000	No	**Charged By:** Parks & Rec. **Collected By:** Parks & Rec.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 4 **Full Cost:** $ -	Fees are based on market rate.	Per event $ 0-50,000	
Special Event Concessions	Per event $ 0-100	No	**Charged By:** Parks & Rec. **Collected By:** Parks & Rec.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 4 **Full Cost:**	Fees are based on market rate.	Per event $ 0-100	
Recreation Classes	Per activity $ 0-5,000	No	**Charged By:** Parks & Rec. **Collected By:** Parks & Rec.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 4 **Full Cost:**	Fees are based on market rate. *Detailed in quarterly Activity Guide.*	Per activity $ 0-5,000	

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Residential Development Park Dedication In-Lieu Fees ZIP Code 95050 Quimby Act (Single Fam)	$ 40,588.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. Nos.:** 1928; 1937 **O. Dates:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 42,612.00	5.0%
Residential Development Park Dedication In-Lieu Fees ZIP Code 95050 Quimby Act (Multi Fam)	$ 32,688.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 34,319.00	5.0%
Residential Development Park Dedication In-Lieu Fees ZIP Code 95050 Mitigation Fee Act (Single Fam)	$ 36,044.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 38,068.00	5.6%
Residential Development Park Dedication In-Lieu Fees ZIP Code 95050 Mitigation Fee (Multi Fam)	$ 29,028.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 30,659.00	5.6%

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Residential Development Park Dedication In-Lieu Fees ZIP Code 95051 Quimby Act (Single Fam)	$ 42,913.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 44,937.00	4.7%
Residential Development Park Dedication In-Lieu Fees ZIP Code 95051 Quimby Act (Multi Fam)	$ 34,561.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 36,191.00	4.7%
Residential Development Park Dedication In-Lieu Fees ZIP Code 95051 Mitigation Fee (Single Fam)	$ 38,059.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 40,083.00	5.3%
Residential Development Park Dedication In-Lieu Fees ZIP Code 95051 Mitigation Fee (Multi Fam)	$ 30,651.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 32,282.00	5.3%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PARKS & RECREATION / RECREATION

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Residential Development Park Dedication In-Lieu Fees ZIP Code 95054 Quimby Act (Single Fam)	$ 43,296.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 45,320.00	4.7%
Residential Development Park Dedication In-Lieu Fees ZIP Code 95054 Quimby Act (Multi Fam)	$ 34,869.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 36,500.00	4.7%
Residential Development Park Dedication In-Lieu Fees ZIP Code 95054 Mitigation Fee (Single Fam)	$ 38,390.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 40,415.00	5.3%
Residential Development Park Dedication In-Lieu Fees ZIP Code 95054 Mitigation Fee (Multi Fam)	$ 30,918.00	No	**Charged By:** Parks & Rec. **Collected By:** Engineering	**Res. No.:** 19-8769 **Date:** 10/29/2019 **O. No.:** 1928; 1937 **O. Date:** 6/24/2014 2/24/2015	**Objective:** Impact Dev. Fee **Prop 26 Exception:** 6 **Full Cost:**	Per Muni Code 17.35.040 (b) & (c), See Resolution 19-8769 for fee calculation through FY 2022/23	$ 32,549.00	5.3%

Municipal Fee Schedule

Police

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
POLICE

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Dispatch service required for special events	$ 219.00 per hour	No	**Charged By:** Police **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 223.10		$ 223.00 per hour	1.83%
Off-duty employment:	Per current salary schedule plus benefits and overhead of 97.58%	No	**Charged By:** Police **Collected By:** Finance	**Date:** 6/6/2006 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** As calculated		Per current salary schedule plus benefits and current citywide overhead ~~of 97.58%~~	
Second Response Ordinance	Per current salary schedule plus benefits and overhead of 97.58%	No	**Charged By:** Police **Collected By:** Finance	**Date:** 8/22/1990 **O. No.:** 1849 **O. Date:** 11/24/2009 Code Section 9.05.020	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** As calculated	(Regulatory Fee)	Per current salary schedule plus benefits and current citywide overhead ~~of 97.58%~~	
Tow Drivers Application	$ 229.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:** **Other (specify):** City Contract	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 233.78	Does not include mandated DOJ/FBI Live Scan fees. (Regulatory Fee)	$ 233.00	1.75%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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ID Card Renewal~~/Replacement~~ (for multiple applicants)	$ 98.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:** **Other:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 100.34		$ 100.00	2.04%
Taxicab/Pedicab Company Application	$ 7,006.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 7,126.43	Does not include mandated DOJ/FBI Live Scan fees. (Regulatory Fee)	$ 7,126.00	1.71%
Taxicab/Pedicab Company Renewal	$ 3,502.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 3,563.22		$ 3,562.00	1.71%
Taxicab/Pedicab Driver Application	$ 246.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1713	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 250.86	Does not include mandated DOJ/FBI Live Scan fees. (Regulatory Fee)	$ 250.00	1.63%
Taxicab/Pedicab Driver Renewal, Retest or Reinspection	$ 98.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1713	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 100.34	(Regulatory Fee)	$ 100.00	2.04%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Taxicabs/Pedicab Safety Inspection Fee (Annual)	$ 98.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1713	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 100.34	(Regulatory Fee)	$ 100.00	2.04%
Fingerprinting LiveScan (Sent to Department of Justice)	$ 51.00 per roll	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 52.31	Does not include mandated FBI/DOJ Live Scan fees. (Regulatory Fee)	$ 52.00 per roll	1.96%
Fingerprinting Hard Card (Person takes card with them)	$ 68.00 per card	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 69.39	Does not include mandated FBI/DOJ Live Scan fees. (Regulatory Fee)	$ 69.00 per card	1.47%
Police Reports Per page	$ 0.20 per page	No	**Charged By:** Police **Collected By:** Police	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 0.20	Per Public Records Act	$ 0.20 per page	
Crime Analysis Reports	$ 0.20 per page	No	**Charged By:** Police **Collected By:** Police	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost User Fee **Prop 26 Exception:** 1,2 **Full Cost:** $ 0.20	Per Public Records Act	$ 0.20 per page	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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CAD report for legal purposes Per page	$ 0.20 per page	No	**Charged By:** Police **Collected By:** Finance	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 0.20	Per Public Records Act	$ 0.20 per page	
Color Photographs 4" x 6" Per copy Travel Cost	$ Actual Cost	No	**Charged By:** Police **Collected By:** Police	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost	Actual cost of duplication.	$ Actual Cost	
Color Photographs 5" x 7" Per copy Travel Cost	$ Actual Cost	No	**Charged By:** Police **Collected By:** Police	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost	Actual cost of duplication.	$ Actual Cost	
Color Photographs 8" x 10" Per copy Travel Cost	$ Actual Cost	No	**Charged By:** Police **Collected By:** Police	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost	Actual cost of duplication.	$ Actual Cost	
Color Photographs 11" x 14" Per copy Travel Cost	$ Actual Cost	No	**Charged By:** Police **Collected By:** Police	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost	Actual cost of duplication.	$ Actual Cost	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Color Photographs 16" x 20" Per copy Travel Cost	$ Actual Cost	No	**Charged By:** Police **Collected By:** Police	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost	Actual cost of duplication.	$ Actual Cost	
Color Photographs 20" x 30" Per copy Travel Cost	$ Actual Cost	No	**Charged By:** Police **Collected By:** Police	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Actual Cost	Actual cost of duplication.	$ Actual Cost	
Photo CD's	$ 3.00 per CD	No	**Charged By:** Police **Collected By:** Police	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 3.05	PRA - no labor fee	$ 3.00 per CD	
CD for legal purposes	$ 3.00 per CD	No	**Charged By:** Police **Collected By:** Police	**Date:** 6/10/2008 **Res. No.:** 08-7525	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 3.05		$ 3.00 per CD	
USB Drive for Police Reports	$ 8.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 7/16/2019 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2 **Full Cost:** $ 8.14		$ 8.00	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Clearance Letter	$ 34.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 35.23		$ 35.00	2.94%
Citation Sign Off Non-Santa Clara Citations Only	$ 32.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 33.09		$ 33.00	3.13%
Alarm Permit	$ 37.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 5/8/2018 **O. No.:** 1748 **O. Date:** 2/15/2000	**Objective:** Penalty **Prop 26 Exception:** 3 **Full Cost:** $ 100.34	(Regulatory Fee)	$ 37.00	
Non-registration	**$** 50.00	No		**Date:** 1/28/2020			$ 50.00	
Annual Renewal	**$** 15.00	No					$ 15.00	
Late	**$** 25.00	No		**O. No.:** 2012			$ 25.00	
Reinstatement	**$** 15.00	No		**O. Date:** 1/14/2020			$ 15.00	
False Alarm Calls			**Charged By:** Police	**Date:** 1/28/2020	**Objective:** Recover Cost Penalty	(Regulatory Fee)		
Second false alarm	**$** 50.00	No		**O. No.:** 2012			$ 50.00	
Third false alarm	$ 111.00	No		**O. Date:** 1/14/2020	**Prop 26 Exception:** 1,2,5		$ 111.00	
Fourth false alarm ($25 penalty)	$ 136.00	No	**Collected By:**				$ 136.00	
Fifth & subsequent false alarms ($50 penalty)	$ 161.00	No	Finance		**Full Cost:** $ 129.68		$ 161.00	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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False Alarm Calls Dispatch for a Holdup Alarm	$ 121.00 In addition to false alarm fees	No	**Charged By:** Police **Collected By:** Finance	**Date:** 5/8/2018 **O. No.:** 1735 **O. Date:** 6/1/1999	**Objective:** Recover Cost Penalty **Prop 26 Exception:** 1,2,5 **Full Cost:** $ 129.68	(Regulatory Fee)	$ 121.00	
Residential Parking Permit	$ 32.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:** **Res. No.:** 11-7815 **Res. Date:** 1/11/2011	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 33.09	(Regulatory Fee)	$ 33.00	3.13%
Release of Stored Vehicles	$ 85.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 86.47	(Regulatory Fee)	$ 86.00	1.18%
Driving Under the Influence Emergency Response	Per current salary schedule plus benefits and overhead of 97.58%	No	**Charged By:** Police **Collected By:** Finance	**Date:** 6/15/1999 **Government Code Sections:** 53150 **and** 53154	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** As calculated		Per current salary schedule plus benefits and current citywide overhead ~~of 97.58%~~	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Repo Fee (Repossessed Vehicles)	$ 33.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **Government Code Section:** 41612	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 34.16	Mandated by State Law.	$ 15.00	-54.55%
Massage Establishment Application - (Initial)	$ 679.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 691.34	Does not include mandated DOJ/FBI Live Scan fees. (Regulatory Fee)	$ 691.00	1.77%
Massage Establishment Application - Sole Proprietor (Initial)	**$** 138.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 141.05		$ 140.00	1.45%
Massage Establishment Renewal	$ 546.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 555.67	(Regulatory Fee)	$ 555.00	1.65%
Massage Establishment Renewal Sole Proprietor	**$** 96.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 98.36		$ 98.00	2.08%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Massage Establishment Inspections / Follow-Up	$ 190.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 193.80		$ 193.00	1.58%
Massage Establishment Permit Amendments	$ 44.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 45.57		$ 45.00	2.27%
Closing Out Sale	$ 214.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1719 **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 217.76	(Regulatory Fee)	$ 217.00	1.40%
Solicitor / Peddler Application Background Investigation	$ 279.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1718 **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 283.95	Does not include mandated DOJ/FBI Live Scan fees. (Regulatory Fee)	$ 283.00	1.43%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Solicitor / Peddler Renewal	$ 98.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 100.34		$ 100.00	2.04%
Solicitor/Peddler Application - Employee Only	$ 147.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 150.51		$ 150.00	2.04%
Motor Funeral Escort - Initial	$ 343.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 349.06	Does not include mandated DOJ/FBI Live Scan fees.	$ 349.00	1.75%
Motor Funeral Escort - Renewal	$ 75.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 76.86		$ 76.00	1.33%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Private Security - Initial	$ 197.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 200.68		$ 200.00	1.52%
Private Security - Renewal	$ 75.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 76.86		$ 76.00	1.33%
Pawn/Secondhand Dealer	$ 217.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1723 **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 220.97	Does not include mandated DOJ/FBI Live Scan fees. (Regulatory Fee)	$ 220.00	1.38%
Pawn/Secondhand Dealer (Renewal) Renewal Fee	$ 98.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O.No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 100.34	(Regulatory Fee)	$ 100.00	2.04%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
POLICE

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Bingo Organization	$ 1,348.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1729 **O. Date:** 3/16/1999	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 1,371.70	Does not include mandated DOJ/FBI Live Scan fees. (Regulatory Fee)	$ 1,371.00	1.71%
Public Entertainment Application ~~General~~ Background Investigation (Includes one rolling fee)	$ 584.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1748 **O. Date:** 2/15/2000	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 594.58	Does not include mandated DOJ/FBI Live Scan fees. (Regulatory Fee)	$ 594.00	1.71%
Public Entertainment Application ~~General~~ Rolling Fee (for additional employees)	$ 78.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1748 **O. Date:** 2/15/2000	**Objective:** Recover Cost **Prop 26 Exception:** 3 **Full Cost:** $ 80.06	Does not include mandated DOJ/FBI Live Scan fees.	$ 79.00	1.28%
Public Entertainment General Fines for Violation (Infraction): 1st Offense	$ 147.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1748 **O. Date:** 2/15/2000	**Objective:** Penalty **Prop 26 Exception:** 5 **Full Cost:** $ 151.54		$ 150.00	2.04%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Public Entertainment General Fines for Violation (Infraction): 2nd Offense	$ 296.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1748 **O. Date:** 2/15/2000	**Objective:** Penalty **Prop 26 Exception:** 5 **Full Cost:** $ 303.05		$ 301.00	1.69%
Public Entertainment General Fines for Violation (Infraction): Subsequent Offenses	$ 744.00	No	**Charged By:** Police **Collected By:** Police	**Date:** 4/28/2020 **O. No.:** 1748 **O. Date:** 2/15/2000	**Objective:** Penalty **Prop 26 Exception:** 5 **Full Cost:** $ 757.69		$ 757.00	1.75%
~~Concealed Weapon Permit Investigation~~ Processed by Sheriff's Dept.	~~$ 228.00~~	~~No~~	~~**Charged By:** Police~~ ~~**Collected By:** Police~~	~~**Date:** 4/28/2020~~ ~~**O. No.:**~~ ~~**O. Date:**~~	~~**Objective:** Recover Cost~~ ~~**Prop 26 Exception:** 3~~ ~~**Full Cost:** $ 232.71~~	~~Does not include mandated FBI/DOJ Live Scan fees.~~	~~$ 232.00~~	~~1.75%~~
~~Pedi-Cab - Initial~~ Included in Taxicab / Pedicab Section Above	~~$ 279.00~~	~~No~~	~~**Charged By:** Police~~ ~~**Collected By:** Police~~	~~**Date:** 4/28/2020~~ ~~**O. No.:**~~ ~~**O. Date:**~~	~~**Objective:** Recover Cost~~ ~~**Prop 26 Exception:** 3~~ ~~**Full Cost:** $ 283.95~~	~~Does not include mandated DOJ/FBI Live Scan fees.~~	~~$ 284.00~~	~~1.79%~~
~~Pedi-Cab - Renewal~~ Included in Taxicab / Pedicab Section Above	~~$ 98.00~~	~~No~~	~~**Charged By:** Police~~ ~~**Collected By:** Police~~	~~**Date:** 4/28/2020~~ ~~**O. No.:**~~ ~~**O. Date:**~~	~~**Objective:** Recover Cost~~ ~~**Prop 26 Exception:** 3~~ ~~**Full Cost:** $ 100.34~~		~~$ 100.00~~	~~2.04%~~

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
POLICE / SVACA

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
ANIMAL CONTROL								
LICENSE FEES						For owners who are 65 years		
Dog License Fees			**Charged By:**	**Date:** 3/27/2019	**Objective:** Recover Cost	of age or older, there is no		
Altered One Year	$ 25.00	No	Silicon Valley		User Fee	license fee charged for the	$ 25.00	
Altered Two Years	$ 37.00	No	Animal Control	**Res. No.**	Penalty	first animal. Fees will apply	$ 37.00	
Altered Three Years	$ 50.00	No	Authority	SVACA 2019-2		to the second and additional	$ 50.00	
Unaltered One Year	$ 100.00	No	**Collected By:**	**Res. Date:**	**Prop 26 Exception:** 3	animals for such owners.	$ 100.00	
			Silicon Valley	3/27/2019				
Cat License Fees			Animal Control		**Full Cost:** N/A	State law requires that dogs		
Altered One Year	$ 15.00	No	Authority			must be licensed by the age	$ 15.00	
Altered Two Years	$ 23.00	No				of (4) four months.	$ 23.00	
Altered Three Years	$ 30.00	No					$ 30.00	
Unaltered One Year	$ 50.00	No				Failure to license a dog by	$ 50.00	
						the age of (4) four months,		
Other License Fees						or within 30 days of		
Replacement Tag	$ 5.00	No				acquisition or within 30 days	$ 5.00	
Late (Delinquent) Fee - Licensing	$ 50.00	No				of residency (for a new	$ 50.00	
						resident) or within 30 days of		
Courtesy Fee	$ 2.00	No	**Charged By:**	**Date:** 3/27/2019	Fee collected to offset the cost of	the expiration date of a	$ 2.00	
			Silicon Valley		expenses for a new web based	previously issued license will		
			Animal Control	**Res. No.**	licensing program. The program	be subject to the		
			Authority	SVACA 2019-2	simplifies the licensing process for	Late (Delinquent) Fee.		
			Collected By:	**Res. Date:**	animal owners and increases staff			
			Silicon Valley	3/27/2019	efficiency. Service is optional.	Dog licenses are not		
			Animal Control		Owners may still renew or license in	transferable from one owner		
			Authority		person or by mail.	to the next.		

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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POLICE / SVACA

RESOLUTION NUMBER: **APPROVED:**

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SHELTER SERVICES								
Impound/Redemption Fees			**Charged By:**	**Date:** 3/27/2019	**Objective:** Recover Cost	Includes animals		
Dogs and Cats			Silicon Valley		Penalty	impounded for rabies		
Altered-1st Offense	$ 35.00	No	Animal Control	**Res. No.**		quarantine.	$ 35.00	
Unaltered-1st Offense	$ 100.00	No	Authority	SVACA 2019-2	**Prop 26 Exception:** 3	Offenses accumulate	$ 100.00	
Altered or Unaltered-2nd Offense	$ 125.00	No	**Collected By:**	**Res. Date:**		through the life of the	$ 125.00	
Altered or Unaltered-3rd Offense	$ 175.00	No	Silicon Valley	3/27/2019	**Full Cost:** N/A	animal.	$ 175.00	
Altered or Unaltered-4th Offense	$ 205.00	No	Animal Control				$ 205.00	
			Authority					
Other Domestic/Exotic								
Large animal (horse, pig, etc.)	$ 75.00	No					$ 75.00	
Small Animal (bird, rabbit, etc.)	$ 28.00	No					$ 28.00	
Boarding Fees								
per day or portion thereof:								
Dogs and Cats	$ 22.00	No					$ 22.00	
All Other Animals	$ 11.00	No					$ 11.00	
ADOPTION FEES								
Type of Animal			**Charged By:**	**Date:** 3/27/2019	**Objective:** Recover Cost	SVACA reserves the right		
Dog	$ 150.00	No	Silicon Valley		User Fee	to deny adoptions in	$ 150.00	
Cat	$ 100.00	No	Animal Control	**Res. No.**		certain circumstances for	$ 100.00	
Kitten (less than six months)	$ 150.00	No	Authority	SVACA 2019-2	**Prop 26 Exception:** 3	cause.	$ 150.00	
Rabbit	$ 30.00	No	**Collected By:**	**Res. Date:**			$ 30.00	
Small Animal	$ 20.00	No	Silicon Valley	3/27/2019	**Full Cost:** N/A		$ 20.00	
Bird	$ 20.00	No	Animal Control				$ 20.00	
Dog Behavior Training Deposit	$ 100.00	No	Authority				$ 100.00	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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POLICE / SVACA

RESOLUTION NUMBER: **APPROVED:**

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ANIMAL SURRENDER FEES								
Dog/Cat	$ 150.00	No	**Charged By:**	**Date:** 3/27/2019	**Objective:** Recover Cost		$ 150.00	
Other	$ 40.00	No	Silicon Valley		User Fee		$ 40.00	
			Animal Control					
			Authority	**Res. No.**	**Prop 26 Exception:** 3			
				SVACA 2019-2				
			Collected By:	**Res. Date:**	**Full Cost:** N/A			
Disposal			Silicon Valley	3/27/2019				
Small Animals	$ 25.00	No	Animal Control				$ 25.00	
Dog/Cat/Rabbit	$ 50.00	No	Authority				$ 50.00	
Dogs and others over 150 lbs.	$ 125.00	No					$ 125.00	
TRAP FEES								
No Daily Fees			**Charged By:**	**Date:** 3/27/2019	**Objective:** Recover Cost	Maximum rental period on		
Refundable Deposit	$ 100.00	No	Silicon Valley		User Fee	all traps is 2 weeks, unless	$ 100.00	
			Animal Control	**Res. No.**		extended by SVACA staff.		
			Authority	SVACA 2019-2	**Prop 26 Exception:** 3			
			Collected By:	**Res. Date:**				
			Silicon Valley	3/27/2019	**Full Cost:** N/A			
			Animal Control					
			Authority					
OTHER FEES								
Animal Establishment Fee	$ 200.00	No	**Charged By:**	**Date:** 3/27/2019	**Objective:** Recover Cost		$ 200.00	
Animal Rescue Registration	$ 25.00	No	Silicon Valley		User Fee		$ 25.00	
Keeping of Animal or Fowl Permit	$ 50.00	No	Animal Control	**Res. No.**	Penalty		$ 50.00	
Dangerous Dog Fee	$ 200.00	No	Authority	SVACA 2019-2			$ 200.00	
Field Service Charge, per trip	$ 50.00	No	**Collected By:**	**Res. Date:**	**Prop 26 Exception:** 3		$ 50.00	
Home Quarantine Fee	$ 50.00	No	Silicon Valley	3/27/2019			$ 50.00	
Returned Check Charge	$ 50.00	No	Animal Control		**Full Cost:** N/A		$ 50.00	
Lab Processing Fee	$ 100.00	No	Authority				$ 100.00	
Volunteer Materials Fee	$ 35.00	No					$ 35.00	
Records Request Fee	$ 0.20/page	No					$ 0.20/page	

Municipal Fee Schedule

Public Works

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / ENGINEERING/LPD; DESIGN; TRAFFIC

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE or CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Parcel Map and Record of Survey Checking Fee (includes 3 checks) Parcel Map and Record of Survey Checking Fee (4th and subsequent reviews)	$ 10,377.51 per map	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6 **Full Cost:** $ 7,760.49 $ 1,365.11	New structure to accommodate use of 3rd party review See note 1	$ 7,760.49 per map $ 1,365.11 For the 4th and subsequent reviews	
Final Map Checking Fee - First 5 Lots (includes 3 checks) Final Map Checking Fee - First 5 Lots (4th and subsequent reviews) Final Map Checking Fee per lot beyond 5 lots (includes 3 checks) Final Map Checking Fee per lot beyond 5 lots (4th and subsequent reviews)	$ 13,706.21 plus $ 642.26 per lot beyond 5 lots	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6 **Full Cost:** $ 9,875.45 $ 1,365.11 $ 449.23 $ 449.23	New structure to accommodate use of 3rd party review See note 1	$ 9,875.45 $ 1,365.11 For the 4th and subsequent reviews 449.23 per lot beyond 5 lots $ 449.23 For the 4th and subsequent reviews per lot beyond 5 lots	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / ENGINEERING/LPD; DESIGN; TRAFFIC

RESOLUTION NUMBER:

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Amended Parcel Map and Record of Survey Checking Fee (includes 2 checks) Amended Parcel Map and Record of Survey Checking fee (For the 3rd and subsequent reviews)	$ 3,744.26 per map	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6 **Full Cost:** $ 3,240.63 $ 1,004.02	New structure to accommodate use of 3rd party review See note 1	$ 3,240.63 per map $ 1,004.02 For the 3rd and subsequent reviews	
Amended Final Map Checking Fee (includes 2 checks) Amended Final Map Checking Fee (For the 3rd and subsequent reviews)	$ 4,834.58 per map	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6 **Full Cost:** $ 3,258.29 $ 1,004.02	New structure to accommodate use of 3rd party review See note 1	$ 3,258.29 per map $ 1,004.02 For the 3rd and subsequent reviews	
Processing Certificate of Correction (includes 2 checks) Processing Certificate of Correction (For the 3rd and subsequent reviews) (for Final/Parcel Maps.)	$ 3,828.21 per certificate	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6 **Full Cost:** $ 3,626.54 $ 1,180.11	New structure to accommodate use of 3rd party review See note 1	$ 3,626.54 per map $ 1,180.11 For the 3rd and subsequent reviews	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / ENGINEERING/LPD; DESIGN; TRAFFIC **RESOLUTION NUMBER:** **APPROVED:**

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Assessment District Reapportionment Fee - Assemblage/Parcel Split			**Charged By:** Engineering/ LPD	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6	See note 1		
First two Parcels	$ 8,493.84	No	**Collected By:** Finance		**Full Cost:** $ 8,640.10		$ 8,640.10	1.72%
Each Subsequent Parcel	$ 2,182.75	No					$ 2,220.34	1.72%
Processing Certificate of Compliance (includes 2 checks)	City staff time at a rate of		**Charged By:** Engineering/	**Date:** 4/28/2020	**Objective:** Recover Cost			
	$ 1,076.68 per certificate	No	LPD	**O. No.:** **O. Date:**	**Prop 26 Exception:** 1,2,3,6	New structure to accommodate use of 3rd party review		
Processing Certificate of Compliance (For the 3rd and subsequent reviews)			**Collected By:** Finance		**Full Cost:** $ 1,645.95	See note 1	$ 1,645.95 per certificate	
					$ 933		$ 933.45 For the 3rd and subsequent reviews	
Lot Line Adjustment Processing (includes 3 checks)	$ 7,017.33 per application	Yes	**Charged By:** Engineering/ LPD	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6	New structure to accommodate use of 3rd party review See note 1		
Lot Line Adjustment Processing (For the 4th and subsequent reviews)			**Collected By:** Finance		**Full Cost:** $ 7,063.49		$ 7,063.49 per application	
					$ 1,180.11		$ 1,180.11 For the 4th and subsequent reviews	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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PUBLIC WORKS / ENGINEERING/LPD; DESIGN; TRAFFIC **RESOLUTION NUMBER:** **APPROVED:**

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Security Deposit for Survey Property Monument	$ 1,585.50 per monument	No	**Charged By:** Engineering/ LPD	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3,6	Adjust by Jan - Jan change in CCI See note 2	$ 1,621.62 per monument	2.28%
Minimum Security Deposit	$ 3,171.00 minimum per map	No	**Collected By:** Finance		**Full Cost:** $ 3,243.24		$ 3,243.24 minimum per map	2.28%
Security Deposit for Survey City Standard Street Monuments	$ 2,114.00 per monument	No	**Charged By:** Engineering/ LPD	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2	Adjust by Jan - Jan change in CCI See note 2	$ 2,162.16 per monument	2.28%
Minimum Security Deposit	$ 3,171.00 minimum per map	No	**Collected By:** Finance		**Full Cost:** $ 3,243.24		$ 3,243.24 minimum per map	2.28%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Encroachment Permit: Processing Fee for Project up to $25K	$ 369.39 per permit	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 751.50	See note 1	$ 375.75 per permit	1.72%
for Project over $25K	$ 738.78 per permit	Yes					$ 751.50 per permit	1.72%
Encroachment Permit: Engineering Plan Check for Projects up to $25K (per plan set) - includes 3 checks	$ 675.81	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** Varies	See note 1	$ 687.45	1.72%
Engineering Plan Check for Projects over $25K (per plan sheet) - includes 3 checks	$ 1,657.00	Yes					$ 1,685.53	1.72%
Engineering Plan Check (per plan set) for Projects up to $25K - 4th and subsequent review	$ 147.96	Yes					$ 150.51	1.72%
Engineering Plan check (per plan sheet) for Projects over $25K - 4th and subsequent review	$ 271.79	Yes					$ 276.47	1.72%
Engineering Plan Check (per plan sheet) for Projects over $25K for revisions after EP issuance	$ 455.44	Yes		**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 463.28		$ 463.28	1.72%
Encroachment Permit: Engineering Inspection						See note 1		
$0-$15K	$ 457.54	Yes					$ 465.42	1.72%
$15,001-$25K-base + 13.450% of cost above $15K	$ 457.54	Yes					$ 465.42	1.72%
$25,001-$50K-base + 12.468% of cost above $25K	$ 1,868.98	Yes					$ 1,901.16	1.72%
$50,001-$100K-base + 2.672% of cost above $50K	$ 5,139.96	Yes					$ 5,228.47	1.72%
$101K-$200K-base + 5.344% of cost above $100K	$ 6,541.96	Yes					$ 6,654.61	1.72%
$201K-$500K-base + 4.898% of cost above $200K	$ 12,149.95	Yes					$ 12,359.17	1.72%
$501K-$1M-base + 4.631% of cost above $500K	$ 27,570.88	Yes					$ 28,045.65	1.72%
>$1M; base + plus $12,729 for each additional $500K or fraction thereof	$ 51,869.74	Yes					$ 52,762.94	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / ENGINEERING/LPD; DESIGN; TRAFFIC **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE or CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Encroachment Permit: Slurry Seal Fee	$ 2.07 per square ft, or	Yes	**Charged By:** Engineering/ LPD	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3	Adjust by Jan - Jan change in CCI	$ 2.12 per square ft, or	2.28%
	$ 95.13 minimum	Yes	**Collected By:** Finance	**O. Date:**	**Full Cost:** $ 97.30	See note 2	$ 97.30 minimum	2.28%
Encroachment Permit: Field Marking-Storm Drain Up to 50 ft. of excavation	$ 171.05	Yes	**Charged By:** Engineering/ LPD	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3	See Article 2 of Chapter 3.1 of Div. 5 of Title 1 of the	$ 174.00	1.72%
Over 50 ft. of excavation	$ 171.05 plus	Yes	**Collected By:** Finance	**O. Date:**	**Full Cost:** $ 174.00	Government Code.	$ 174.00 plus	1.72% plus
	$ 114.38 Each additional 50 ft or fraction thereof	Yes				See note 1	$ 116.35 Each additional 50 ft or fraction thereof	1.72%
Encroachment Permit: Field Marking-Traffic Signal Up to 50 ft. of excavation	$ 120.68	Yes	**Charged By:** Engineering/LPD	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** 2	See note 1 & 3	$ 122.76	1.72%
Over 50 ft. of excavation	$ 120.68 plus	Yes	**Collected By:** Finance	**O. Date:**	**Full Cost:** $ 122.76		$ 122.76 plus	1.72%
	$ 80.81 Each additional 50 ft or fraction thereof	Yes					$ 82.20 Each additional 50 ft or fraction thereof	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Copy of Design Criteria Standard Details Standard Specifications Subdivision Code Property Development Ordinance	$ 0.20 per page for public $ 0.05 per page for employees	No No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 6/9/2009 **Res. No.** 09-7631	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Cost	Citywide rate for copying plus sales tax.	$ 0.20 per page for public $ 0.05 per page for employees	
Black Line Print of Plans on file	$ Actual Cost	No	**Charged By:** Engineering **Collected By:** Finance	**Date:** 6/9/2009 **Res. No.** 09-7631	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Cost	Actual cost of duplication.	$ Actual Cost	
Record Drawings Archiving Fee	$ 78.70 per sheet	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 80.06	See note 1	$ 80.06 per sheet	1.72%
Watershed Map	$ Actual Cost	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 6/9/2009 **Res. No.** 09-7631	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Cost	Actual cost of duplication.	$ Actual Cost	

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Encroachment Agreement Application Into Easements	$ 4,834.58 per application	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 4,917.83		$ 4,917.83 per application	1.72%
Encroachment Agreement Application Into Rights-of-Way	$ 5,249.09 per application	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 5,339.48	See note 1	$ 5,339.48 per application	1.72%

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Preparation of Agreement/ Easement/Grant Deed (includes 2 checks)	$ 5,945.90 per document	Yes	**Charged By:** Engineering/ LPD	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 5,258.73	New structure to accommodate use of 3rd party review	$ 5,258.73 per document	
	$ 4,084.26	Yes	**Collected By:** Finance		$ 1,180.10	See note 1	$ 1,180.10 For 3rd and subsequent review	
Preparation of Agreement/Easement/Grant Deed (For the 3rd and subsequent review)					$ 4,131.98		$ 4,131.98 per document	
					$ 1,180.11		$ 1,180.11 For 3rd and subsequent review	
Combination Agreement/ Grant Deed for the same lot (includes 2 checks)	$ 8,116.06 both documents	Yes	**Charged By:** Engineering/ LPD	**Date:** 4/28/2020 **O. No.:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2	New structure to accommodate use of 3rd party review	$ 6,943.72 both documents	
Preparation of Minor Easement/Grant Deed (For the 3rd and subsequent review)						See note 1	$ 1,180.11 For 3rd and subsequent review	
				O. Date:	**Full Cost:** $ 6,943.72			
			Collected By: Finance		$ 1,180.11			
Document Recordation Fee	$ Actual Cost	No	**Charged By:** Engineering/ LPD	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2	Fee to recover direct costs for recording documents at the County Recorder.	$ Actual Cost	
			Collected By: Finance	**Res. No.** 08-7527 **Res. Dat** 6/10/2008	**Full Cost:** Cost			

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Review of Agreements & Easements	$ 4,415.88 per document	Yes	**Charged By:** Engineering/ LPD	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 4,491.92		$ 4,491.92 per document	1.72%
Review of Minor Agrmnts & Easements	$ 2,684.37	Yes	**Collected By:** Finance			See note 1	$ 2,730.60 per document	1.72%
Outside 3rd Party Review or Inspection of Items within public ROW or City Easements	$ Actual Cost	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Cost	Not a new fee. Incorporating into fee schedule for documentation purposes	$ Actual Cost with Initial Deposit	
Overtime Plan Check, Mapping Review, etc.	$ Actual Cost	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Cost	Not a new fee. Incorporating into fee schedule for documentation purposes	$ Actual Cost with Initial Deposit	
Outside 3rd Party Review for Survey or Mapping	$ Actual Cost	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** Cost	Not a new fee. Incorporating into fee schedule for documentation purposes	$ Actual Cost with Initial Deposit	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Storm Drain Outlet Charge	$ 7,342.98 per acre	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 7,510.26	Adjust by Jan - Jan change in CCI See note 2	$ 7,510.26 per acre	2.28%
Storm Outlet Charge Institutional (allowed under certain conditions)	$ 7,342.98 per acre $ 2,433.21 per acre	Yes Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 7,510.26	Adjust by Jan - Jan change in CCI See note 2	$ 7,510.26 per acre $ 2,488.64 per acre	2.28% 2.28%

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Sanitary Sewer Outlet Charge Residential-Single Family (choose the greatest and add Conveyance Fee)	$ 431.25 per unit $ 1,621.44 per lot $ 7,342.98 per acre	Yes Yes Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 7,510.26	Adjust by Jan - Jan change in CCI See note 2	$ 441.07 per unit $ 1,658.38 per lot $ 7,510.26 per acre	2.28% 2.28% 2.28%
Sanitary Sewer Outlet Charge Trailer Parks & Mobile Homes (choose the greatest and add Conveyance Fee)	$ 606.19 per lot $ 7,342.98 per acre	Yes Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 7,510.26	Adjust by Jan - Jan change in CCI See note 2	$ 620.00 per lot $ 7,510.26 per acre	2.28% 2.28%
Sanitary Sewer Outlet Charge Condo & Planned Unit Development (choose the greatest and add Conveyance Fee)	$ 431.25 per unit $ 7,342.98 per acre	Yes Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 7,510.26	Adjust by Jan - Jan change in CCI See note 2	$ 441.07 per unit $ 7,510.26 per acre	2.28% 2.28%
Sanitary Sewer Outlet Charge Commercial & Industrial (choose the greatest and add Conveyance Fee)	$ 1,621.44 per lot $ 7,342.98 per acre	Yes Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 7,510.26	Adjust by Jan - Jan change in CCI See note 2	$ 1,658.38 per lot $ 7,510.26 per acre	2.28% 2.28%

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Sanitary Sewer Outlet Charge - Conveyance Fee Residential	$ 4,218.00 per dwelling unit	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 5/8/2018 **Res. No.** 10-7741 **Res. Dat** 6/15/2010	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 4,290.63	See note 2	$ 4,218.00 per dwelling unit	
Accessory Dwelling Unit*	$ 2,653.00	No		**O. No.:** 1968 **O. Date:** 8/22/2017	**Full Cost:** $ 2,698.68	* See note 4 for accessory dwelling unit rate justification.	$ 2,653.00	
Sanitary Sewer Outlet Charge - Conveyance Fee Non-residential	$ 8.60 per gallon per day	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 6/15/2010 **Res. No.** 10-7741 **Res. Dat** 6/15/2010	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 8.75		$ 8.60 per gallon per day	

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Sanitary Sewer Capacity Model Run Fee	$ 8,844.00 for initial run time & material for subsequent model run	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/18/2017 **O. No.:** **O. Date:** **Res. No.** 08-7526 **Res. Dat** 6/10/2008	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 8,996.29		$ 8,844.00 for initial run time & material for subsequent model run	
Existing Improvements A. Street Improvements Residential Commercial Industrial	 $ 103.16 $ 218.80 $ 157.49 per front foot	 No No No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 223.78	Adjust by Jan - Jan change in CCI	 $ 105.51 $ 223.78 $ 161.08 per front foot	 2.28% 2.28% 2.28%
Existing Improvement B. Street Curbing	$ 37.63 per front foot	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 38.49	Adjust by Jan - Jan change in CCI	$ 38.49 per front foot	2.28%
Existing Improvement C. Sidewalk Improvements	$ 15.01 per square foot	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 15.35	Adjust by Jan - Jan change in CCI	$ 15.35 per square foot	2.28%
Existing Improvement (cont'd) D. Street Name Signs	$ 0.26 per front foot	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 0.27	Adjust by Jan - Jan change in CCI	$ 0.27 per front foot	2.28%

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Existing Improvement (cont'd) E. Sanitary Sewers	$ 37.52 per front foot	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 38.37	Adjust by Jan - Jan change in CCI	$ 38.37 per front foot	2.28%
Existing Improvement (cont'd) F. Storm Drains	$ 37.52 per front foot	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 38.37	Adjust by Jan - Jan change in CCI	$ 38.37 per front foot	2.28%
Existing Improvement (cont'd) G. Right-of-way and/or Easements	$ Use original cost per square foot	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 6/29/1989 **O. No.:** **O. Date:** **Other (specify):**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** Cost	Original cost paid by the City will be charged. Each case is unique and will require research for its original cost.	$ Use original cost per square foot	

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Recreation Tax (Bedroom) - New Construction-Permit First Bedroom Each additional	$ 15.00 $ 5.00 per bedroom	No No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 8/5/1969 **O. No.:** 1216 **O. Date:** 8/5/1969	**Objective:** User Fee **Prop 26 Exception:** 6 **Full Cost:** $ 15.26	See SCCC 3.15.020	$ 15.00 $ 5.00 per bedroom	
Recreation Tax (Bedroom) - Additions Each additional	$ 5.00 per bedroom	No	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 8/5/1969 **O. No.:** 1216 **O. Date:** 8/5/1969	**Objective:** User Fee **Prop 26 Exception:** 6 **Full Cost:** $ 5.09	See SCCC 3.15.020	$ 5.00 per bedroom	

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Traffic Impact Fee pre 10/22/18	per square foot		**Charged By:**	**Date:** 4/28/2020	**Objective:** Impact Dev. Fee	Applicable to areas within the	per square foot	
Office/R & D	$ 1.05	No	Engineering/			Traffic Impact Fee Area Map.	$ 1.07	2.28%
Industrial	$ 0.71	No	LPD		**Prop 26 Exception:** 6	Projects entitled **before**	$ 0.73	2.28%
Warehousing, Utilities	$ 0.21	No				October 22, 2018 will pay this	$ 0.21	2.28%
Communications			**Collected By:**	**Res. No.** 10-7756	**Full Cost:** Varies	Traffic Impact Fee.		
Hotel-Motel	$ 425.97	No	Finance	**Res. Dat** 7/6/2010		See Note 2	$ 435.67	2.28%
	per room					See SCMC 17.15.330	per room	
Traffic Impact Fee	per square foot		**Charged By:**	**Date:** 4/28/2020	**Objective:** Impact Dev. Fee	Applicable citywide.	per square foot	
Office/R & D	$ 1.44	No	Engineering/			Projects entitled **on or after**	$ 1.47	2.28%
Industrial	$ 0.79	No	LPD		**Prop 26 Exception:** 6	October 22, 2018 will pay this	$ 0.81	2.28%
Warehousing, Utilities	$ 0.23	No				Traffic Impact Fee.	$ 0.24	2.28%
Communications			**Collected By:**	**O. No.:** 1986	**Full Cost:** Varies	Retail elements with total		
Retail	$ 4.79	No	Finance	**O. Date:** 8/21/2018		sq. ft. < 50,000 sf and any	$ 4.90	2.28%
Hotel-Motel	$ 755.01	No				affordable housing units are	$ 772.21	2.28%
	per room					exempt from paying this fee.	per room	
Multi-Family Residential	$ 553.66	No				See Note 2	$ 566.27	2.28%
	per dwelling unit					See SCMC 17.15.330	per dwelling unit	
Single-Family Residential	$ 1,245.73	No					$ 1,274.11	2.28%
	per dwelling unit						per dwelling unit	
Tasman East Specific Plan Area Impact Fee			**Charged By:**	**Date:** 11/17/2020	**Objective:** Impact Dev. Fee	New fee adopted in 2020		
Multi-Family Residential	$ 6,731.00	No	Engineering/			Adding to fee schedule	$ 6,884	2.28%
	per dwelling unit		LPD		**Prop 26 Exception:** 6		per dwelling unit	
				Res. No. 20-8911		See Note 2		
			Collected By:	**O. No.:** 2026	**Full Cost:** Varies			
			Finance	**O. Date:** 11/17/2020				

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Oversize, Overweight Vehicles Fee	per vehicle		**Charged By:** Engineering/ Traffic	**Date:** 6/7/2005 **O. No.:** **O. Date:**	**Objective:** User Fee **Prop 26 Exception:** 3 **Full Cost:** $ 119.01	Statewide rate	per vehicle	
Single	$ 16.00	No					$ 16.00	
Annual	$ 90.00	No	**Collected By:** Finance				$ 90.00	
Traffic Flow Map - Mailed	$ 37.78 each	No	**Charged By:** Engineering/ Traffic	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 38.43	See note 1	$ 38.43 each	1.72%
Traffic Flow Map - Not Mailed	$ 18.89 each	No	**Collected By:** Finance				$ 19.22 each	1.72%
Storage or Refuse Bins on City Street	$ 246.61 each	No	**Charged By:** Engineering/ Traffic **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 250.86	See note 1	$ 151.00	-38.77%

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SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / ENGINEERING/LPD; DESIGN; TRAFFIC **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE or CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Subdivision Committee Review: Tentative Map (4 or fewer lots)	$ 1,496.44	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 1,522.21	See note 1	$ 1,522.21	1.72%
Subdivision Committee Review: Tentative Map (5 or more lots)	$ 2,382.13	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 2,423.15	See note 1	$ 2,423.15	1.72%
Subdivision Committee Review: Lot Line Adjustment	$ 677.91	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 689.58	See note 1	$ 689.58	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / ENGINEERING/LPD; DESIGN; TRAFFIC

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE or CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Project Clearance Committee Review: Preliminary application/Re-Zoning/ Architect Review	$ 846.86	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 861.44	See note 1	$ 861.44	1.72%
Project Clearance Committee Review: Use Permit/Variance	$ 411.36	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 418.44	See note 1	$ 418.44	1.72%
Project Clearance Committee Review: CEQA - Initial Study Review	$ 2,628.75	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 2,674.02	See note 1	$ 2,674.02	1.72%
Project Clearance Committee Review: CEQA - EIR Review	$ 4,385.45	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 4,460.97	See note 1	$ 4,460.97	1.72%
Project Clearance Committee Review: Traffic Study Report Review (without EIR)	$ 2,636.09	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 2,681.48	See note 1	$ 2,681.48	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / ENGINEERING/LPD; DESIGN; TRAFFIC **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE or CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Cost Analysis for Development - CAD - Minor (accessory dwelling unit, single family home, and up to 4 residential units)	$ 409.26	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 416.31	See note 1	$ 416.31	1.72%
Cost Analysis for Development - CAD - Major	$ 994.82	Yes	**Charged By:** Engineering/ LPD **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 1,011.95	See note 1	$ 1,011.95	1.72%

PUBLIC WORKS DEPARTMENT, ENGINEERING DIVISION

JUSTIFICATION FOR INCREASE IN FEES, RATES, AND CHARGES

DRAFT

NOTE 1: Fees, rates, and charges to recover costs for these types of Engineering services are proposed to be increased by 1.72% above 2020-21 fees, rates, and charges, consistent with the annual percentage increase in the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-Hayward, CA region.

NOTE 2: Fees, rates, and charges to recover costs for these types of fees/reimbursements for public improvements are proposed to be increased 2.28% above 2020-21 fees, rates, and charges, consistent with the percentage increase in the Construction Cost Index(January 2021) as published by the Engineering News-Record.

NOTE 3: Fees, rates, and charges to recover costs for Field Marking – Traffic Signal Engineering Services is equal to the Field Marking – Fiber which services are performed by the same Silicon Valley Power (SVP) field staff. Fees, rates, and charges to recover costs for these types of Engineering servicesare proposed to be increased by 1.72% above 2020-21 fees, rates, and charges, consistent with the annual percentage increase in the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-Hayward, CA region.

NOTE 4: City is required to charge a pro-rated sanitary sewer conveyance fee for accessory dwelling units per City Ordinance 1968. An accessory dwelling unit is equivalent to an apartment and will be charged a sanitary sewer conveyance fee equivalent to 62.9% of the sanitary sewer conveyance fee for a single family home. This 62.9% is based on the ratio of an apartment daily average discharge of 154 gallons per day (gpd) over a single family home daily average discharge of 245 gpd (154 gpd/245 gpd = 0.629).

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / STREET / STORM DRAIN DIVISION **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
1. Active construction site inspections of projects over one (1) acre in size and high priority sites during wet season (Oct. - Apr.) as required by Provision C.6 of MRP	$ 199.00	Yes	**Charged By:** Storm Drain **Collected By:** Storm Drain & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 202.82	MRP requires inspection of sites once a month during wet season. 7 inspections per year required if permit is open during wet season, plus reinspections as needed.	$ 202.00	1.51%
2. Industrial/commercial facility stormwater inspections as required by Provision C.4 of MRP (Tier 1)	$ 540.00	Yes	**Charged By** Storm Drain **Collected By** Storm Drain & Finance	**Date** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 549.75	Inspection frequency of businesses that have filed a Notice of Intent (NOI) is once per year as required by the Municipal Regional Stormwater NPDES Permit.	$ 549.00	1.67%
3. Industrial/commercial facility stormwater inspections as required by Provision C.4 of MRP (Tier 2)	$ 199.00	Yes	**Charged By** Storm Drain **Collected By** Storm Drain & Finance	**Date** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 202.82	Businesses that received a Notice of Violation during an industrial/commercial stormwater inspection the previous year are required to be inspected the following year.	$ 202.00	1.51%
4. Operation & maintenance inspection of stormwater treatment systems installed on projects as required by Provision C.3 of MRP	$ 199.00	Yes	**Charged By** Storm Drain **Collected By:** Storm Drain & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 202.82	Operation & maintenance inspections required on annual basis to ensure the stormwater treatment systems are properly maintained.	$ 202.00	1.51%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / STREET / STORM DRAIN DIVISION **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
5. Operation & maintenance Administration of permanent stormwater treatment systems installed on projects as required by Provision C.3 of MRP	$ n/a	Yes	**Charged By:** Storm Drain **Collected By:** Storm Drain & Finance	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 193.27	New fee proposed for service currently provided without corresponding fee	$ 193.00	new
6. Stormwater Management Planning Application Plan review as required by Provision C.3 of MRP - First three (3) reviews	$ n/a	Yes	**Charged By:** Engineering/ LPD **Collected By:** Planning	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 1,546.17	New fee proposed for service currently provided without corresponding fee	$ 1,546.00	new
7. Stormwater Management Building Application Improvement plans review for stormwater management compliance with Provision C.3 of MRP - First three (3) reviews	$ n/a	Yes	**Charged By:** Storm Drain **Collected By:** Building	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 773.09	New fee proposed for service currently provided without corresponding fee	$ 773.00	new

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / STREET / STREET MAINTENANCE DIVISION **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Pavement Restoration Charge Up to 3" Thick Asphalt			**Charged By:** Engineering	**Date:** 4/28/2020	**Objective:** Recover Cost	Pavement restoration charges are applied on work associated with utility street		
1. First 80 cubic feet	$ 3,960.00 up to 80 sq. ft.	Yes	**Collected By:** Engineering & Finance	**O. No.:** **O. Date:**	**Prop 26 Exception:** 1,2 **Full Cost:** $ 4,028.63	opening encroachment permits associated with repair of existing infrastructure, not utility trench work consisting of installation of new main and lateral lines.	$ 4,028.00 up to 80 sq. ft.	1.72%
2. Each additional cubic foot	$ 38.00 per sq. ft.	Yes					$ 39.00 per sq. ft.	2.63%
Engineering Plan Review per sheet (Streets)			**Charged By** Engineering	**Date** 4/28/2020	**Objective:** Recover Cost	Fee is applicable to trench repairs for City utilities		
1. First three (3) reviews	$ 157.00	Yes	**Collected By** Engineering & Finance	**O. No.:** **O. Date:**	**Prop 26 Exception:** 1,2 **Full Cost:** $ 160.12	street opening permits.	$ 160.00	1.91%
2. Fourth and subsequent review	$ 32.00	Yes					$ 33.00	3.13%
Concrete Removal/Replace Charge - Curb/Gutter			**Charged By** Engineering	**Date:** 4/28/2020	**Objective:** Recover Cost	Fee is applicable to trench repairs for City utilities		
1. Base	$ 261.00 per l.f.	Yes	**Collected By:** Engineering & Finance	**O. No.:** **O. Date:**	**Prop 26 Exception:** 1,2 **Full Cost:** $ 597.78	street opening permits. Full cost recovery is being phased in over a 4 year period	$ 373.26 per l.f.	43.01%
2. Per linear ft.	$ 68.75	Yes					$ 69.93	1.72%
Concrete Removal/Replace Charge - Sidewalk			**Charged By:** Engineering	**Date:** 4/28/2020	**Objective:** Recover Cost	Fee is applicable to trench repairs for City utilities		
1. Base	$ 174.00 per sq. ft.	Yes	**Collected By:** Engineering & Finance	**O. No.:** **O. Date:**	**Prop 26 Exception:** 1,2 **Full Cost:** $ 597.78	street opening permits. Full cost recovery is being phased in over a 4 year period	$ 261.00	50.00% per sq. ft.
2. Per square ft.	$ 18.50	Yes					$ 18.82	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / STREET / STREET MAINTENANCE DIVISION **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Traffic Sign Fabrication	$ 860.00	Yes	**Charged By:** Engineering **Collected By:** Engineering & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 875.33	Fee is for traffic sign fabrication.	$ 875.00	1.74%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / STREET / PARKWAYS & BOULEVARDS **RESOLUTION NUMBER:** **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Street tree removal	$ 221.00 per hour Plus contract cost to remove tree & stump as specified in the Comments Section are added to the Fee.	Yes	**Charged By:** Parkways & Boulevards **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 225.24	Contract Costs: 1-3" dbh: $55 4-6" dbh: $110 7-12" dbh: $220 13-24" dbh: $987.50 25-36" dbh: $1,650 37-48" dbh: $2,500 49" and above dbh: $2,000	$ 225.00 per hour Plus contract cost to remove tree & stump as specified in the Comments Section are added to the Fee.	1.81%
Street tree planting Property development	$ 588.00 per tree	Yes	**Charged By:** Engineering **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 598.85	Includes tractor, auger, fertilizer, compost & stakes and 15 gallon tree.	$ 598.00 per tree	1.70%
Engineering Plan Review per sheet - Initial Review 1. First three (3) reviews 2. Fourth and subsequent review	 $ 165.00 $ 33.00	 Yes Yes	**Charged By:** Engineering **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2 **Full Cost:** $ 168.66	Initial Review includes up to three (3) plan checks.	 $ 168.00 $ 34.00	 1.82% 3.03%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
PUBLIC WORKS / STREET / SOLID WASTE

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Non-exclusive franchise hauler application fee	$ 1,298.00	No	**Charged By:** Solid Waste **Collected By:** Solid Waste & Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** User Fee **Prop 26 Exception:** 2 **Full Cost:** $ 1,320.35	Haulers that want to charge for solid waste collection services at properties zoned for Industrial use have agreements approved by Council at a Public Hearing.	$ 1,320.00	1.69%
Solid Waste Management Planning Application Plan review as required by City Municipal Code - First three (3) reviews	$ n/a	Yes	**Charged By:** Solid Waste **Collected By:** Planning	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 760.00	New fee proposed for service currently provided without corresponding fee	$ 760.00	new
Solid Waste Management Building Permit Application Improvement plans review for solid waste management compliance with City's municipal codes - First three (3) reviews	$ n/a	Yes	**Charged By:** Solid Waste **Collected By:** Building	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 760.00	New fee proposed for service currently provided without corresponding fee	$ 760.00	new
Construction & Demolition (C&D) waste management: Processing solid waste management and Green Halo reconciliation	$ n/a	Yes	**Charged By:** Solid Waste **Collected By:** Building	**Date:** **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 190.00	New fee proposed for service currently provided without corresponding fee	$ 190.00	new

Municipal Fee Schedule



Water and Sewer Utilities

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
WATER & SEWER UTILITIES / WATER

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
5/8" x 3/4" water service	$ 19,194.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 19,525.11	Note: The cost of meters, backflows, and Encroachment Permit not included.	$ 19,525.00	1.72%
1" water service	$ 19,194.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 19,525.11	Note: The cost of meters, backflows, and Encroachment Permit not included.	$ 19,525.00	1.72%
1-1/2" water service	$ 19,194.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 19,525.11	Note: The cost of meters, backflows, and Encroachment Permit not included.	$ 19,525.00	1.72%
2" water service	$ 19,194.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 19,525.11	Note: The cost of meters, backflows, and Encroachment Permit not included.	$ 19,525.00	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
WATER & SEWER UTILITIES / WATER

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
3" water service	$ 41,779.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 42,499.21	Note: The cost of meters, backflows, and Encroachment Permit not included.	$ 42,498.00	1.72%
4" water service	$ 42,445.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 43,175.99	Note: The cost of meters, backflows, and Encroachment Permit not included.	$ 43,175.00	1.72%
6" water service	$ 42,864.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 43,602.98	Note: The cost of meters, backflows, and Encroachment Permit not included.	$ 43,602.00	1.72%
8" water service	$ 43,882.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 44,638.43	Note: The cost of meters, backflows, and Encroachment Permit not included.	$ 44,638.00	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
WATER & SEWER UTILITIES / WATER

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
5/8" x 3/4" water meter	$ 112.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 114.22	This is the cost of the meter only If a backflow device is required, it will be a 1" backflow.	$ 114.00	1.79%
1" water meter and backflow preventer	$ 629.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 640.48	Includes cost of RP backflow prevention device. Fees for the meter or backflow can be assessed separately based on the discretion of the Water & Sewer Utilities.	$ 640.00	1.75%
1-1/2" water meter and backflow preventer	$ 1,165.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 1,185.96	Includes cost of RP backflow prevention device. Fees for the meter or backflow can be assessed separately based on the discretion of the Water & Sewer Utilities.	$ 1,185.00	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
WATER & SEWER UTILITIES / WATER

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
2" water meter and backflow preventer	$ 1,426.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 1,450.69	Includes cost of RP backflow prevention device. Fees for the meter or backflow can be assessed separately based on the discretion of the Water & Sewer Utilities.	$ 1,450.00	1.68%
3" water meter and backflow preventer	$ 2,072.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 2,108.25	Includes cost of RP backflow prevention device. Fees for the meter or backflow can be assessed separately based on the discretion of the Water & Sewer Utilities.	$ 2,108.00	1.74%
4" water meter and backflow preventer	$ 2,477.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 2,520.30	Includes cost of RP backflow prevention device. Fees for the meter or backflow can be assessed separately based on the discretion of the Water & Sewer Utilities.	$ 2,520.00	1.74%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
WATER & SEWER UTILITIES / WATER

RESOLUTION NUMBER: **APPROVED:**

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV --------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
6" water meter and backflow preventer	$ 5,054.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 5,142.01	Includes cost of RP backflow prevention device. Fees for the meter or backflow can be assessed separately based on the discretion of the Water & Sewer Utilities.	$ 5,141.00	1.72%
8" water meter and backflow preventer	$ 20,689.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 21,046.25	Includes cost of RP backflow prevention device. Fees for the meter or backflow can be assessed separately based on the discretion of the Water & Sewer Utilities.	$ 21,045.00	1.72%
Fire hydrant	$ 37,246.00	No	**Charged By:** Water **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 37,887.74	For hydrant requested by property owner/developer.	$ 37,887.00	1.72%

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Fire Service			**Charged By:**	**Date:** 4/28/2020	**Objective:** Recover Cost	Cost for DCDA, RPDA, or		
(Installation of fire service line)			Water			Encroachment Permit not included.		
				O. No.:	**Prop 26 Exception:** 6			
2" fire service	$ 20,795.00	No	**Collected By:**	**O. Date:**			$ 21,153.00	1.72%
4" fire service	$ 44,272.00	No	Engineering		**Full Cost:** Varies		$ 45,034.00	1.72%
6" fire service	$ 46,318.00	No					$ 47,116.00	1.72%
8" fire service	$ 52,559.00	No					$ 53,464.00	1.72%
10" fire service	$ 60,356.00	No					$ 61,395.00	1.72%
Fire Service Upgrade			**Charged By:**	**Date:** 4/28/2020	**Objective:** Recover Cost	Cost for DCDA, RPDA, or		
(Upgrade device to DCDA			Water			Encroachment Permit not included.		
or RPDA)				**O. No.:**	**Prop 26 Exception:** 6			
			Collected By:	**O. Date:**				
4" fire service	$ 18,341.00	No	Engineering		**Full Cost:** Varies		$ 18,657.00	1.72%
6" fire service	$ 20,387.00	No					$ 20,738.00	1.72%
8" fire service	$ 22,705.00	No					$ 23,096.00	1.72%
10" fire service	$ 30,502.00	No					$ 31,027.00	1.72%

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Cost of Backflow Preventer - device cost only			**Charged By:** Water	**Date:** 4/28/2020	**Objective:** Recover Cost			
				O. No.:	**Prop 26 Exception:** 6			
4" DCDA	$ 2,697.00	No	**Collected By:**	**O. Date:**			$ 2,743.00	1.71%
6" DCDA	$ 4,013.00	No	Engineering		**Full Cost:** Varies		$ 4,082.00	1.72%
8" DCDA	$ 7,699.00	No					$ 7,832.00	1.73%
10" DCDA	$ 11,858.00	No					$ 12,062.00	1.72%
4" RPDA	$ 3,425.00	No					$ 3,484.00	1.72%
6" RPDA	$ 4,900.00	No					$ 4,984.00	1.71%
8" RPDA	$ 9,331.00	No					$ 9,492.00	1.73%
10" RPDA	$ 12,979.00	No					$ 13,202.00	1.72%
Fire Hydrant Flow Test	$ 1,873.00	No	**Charged By:** Water	**Date:** 4/28/2020	**Objective:** Recover Cost	Recovery of full cost of doing fire flow tests for new developments.	$ 1,905.00	1.71%
				O. No.:	**Prop 26 Exception:** 2			
			Collected By: Finance / Municipal Serv.	**O. Date:**	**Full Cost:** $ 1,905.44			

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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Portable hydrant meter and Deposit (Includes cost of RP backflow)	$ 2,148.00	No	**Charged By:** Water **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 2,185.11	Deposit to ensure return of meter, or cover replacement if lost or damaged. $125 of the deposit is non-refundable.	$ 2,185.00	1.72%
Recycled hydrant meter and Deposit (Includes cost of RP backflow)	$ 2,148.00	No	**Charged By:** Water **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 2,185.11	Deposit to ensure return of meter, or cover replacement if lost or damaged. $125 of the deposit is non-refundable.	$ 2,185.00	1.72%
Water meter test	$ 428.00	No	**Charged By:** Water **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 947.91	Non-routine testing of water meter when customer questions meter accuracy. Refundable if meter falls outside accepted range.	$ 435.00	1.64%

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Engineering Plan Review			**Charged By:** Water	**Date:** 4/28/2020	**Objective:** Recover Cost			
Engineering Plan Check for Projects up to $25K (per plan set) - includes 3 checks	$ 638.00	No	**Collected By:** Engineering	**O. No.:** **O. Date:**	**Prop 26 Exception:** 6 **Full Cost:** Varies		$ 649.00	1.72%
Engineering Plan Check for Projects over $25K (per sheet) - includes 3 checks	$ 1,817.00	No					$ 1,848.00	1.71%
Engineering Plan Check (per plan set for Projects up to $25K and per sheet for Projects over $25K) - 4th and subsequent review	$ 416.00	No					$ 423.00	1.68%
Engineering Inspection								
$0-$15K	$ 355.00	No					$ 361.00	1.69%
$15,001-$25K-base + 10.17% of cost above $15K	$ 355.00	No					$ 361.00	1.69%
$25,001-$50K-base + 8.13% of cost above $25K	$ 1,423.00	No					$ 1,448.00	1.76%
$50,001-$100K-base + 4.52% of cost above $50K	$ 3,556.00	No					$ 3,617.00	1.72%
$101K-$200K-base + 3.39% of cost above $100K	$ 5,925.00	No					$ 6,027.00	1.72%
$201K-$500K-base + 3.39% of cost above $200K	$ 9,484.00	No					$ 9,647.00	1.72%
$501K-$1M-base + 3.84% of cost above $500K	$ 20,153.00	No					$ 20,500.00	1.72%
>$1M; base + plus $12,427 for each additional $500K or fraction thereof	$ 40,307.00	No					$ 41,001.00	1.72%

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Water Supply Assessment Preparation	$ 13,554.00	No	**Charged By:** Water **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 13,787.45	Developers shall be required to pay for water supply assessment preparation (WSA) services rendered by the Water Utility.	$ 13,787.00	1.72%
Supplemental Assessment Preparation	$ 8,674.00	No				Required due to changes in project.	$ 8,823.00	1.72%
Water reconnection fee - normal reconnection	$ 241.00 per account	No	**Charged By:** Water **Collected By:** Finance / Municipal Serv.	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost Penalty **Prop 26 Exception:** 1,2,5 **Full Cost:** $ 445.82		$ 245.00 per account	1.66%
Water replacement/ reconnection fee due to meter tampering/illegal access	$ 437.00 per account Fee to fix meter plus two (2) times the estimated cost of services used	No					$ 445.00 per account Fee to fix meter plus two (2) times the estimated cost of services used	1.83%
Small water service (2" and smaller) abandonment	$ 10,248.00	No	**Charged By:** Water **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 10,424.92	No Encroachment Permit cost included.	$ 10,424.00	1.72%

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Large water service (3" and larger) abandonment	$ 15,029.00	No	**Charged By:** Water **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 15,288.32	No Encroachment Permit cost included.	$ 15,288.00	1.72%
Water service relocation	$ 7,007.00	No	**Charged By:** Water **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 7,128.58	For service relocation of no more than 4 feet from the existing location. No Encroachment Permit cost included.	$ 7,128.00	1.73%
Field Marking - Water Up to 50 ft. of excavation Over 50 ft. - each additional 50 ft. or fraction thereof of excavation	$ 235.00 $ 6.00	No No	**Charged By:** Water **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2 **Full Cost:** $ 239.05		$ 239.00 $ 6.00	1.70%
Field Marking - Recycled Water Up to 50 ft. of excavation Over 50 ft. - each additional 50 ft. or fraction thereof of excavation	$ 235.00 $ 6.00	No No	**Charged By:** Water **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2 **Full Cost:** $ 239.05		$ 239.00 $ 6.00	1.70%

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Small water and fire services - 2" and smaller (Inspection & Tap for Construction Installation Services)	$ 773.00	No	**Charged By:** Water **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2 **Full Cost:** $ 786.73		$ 786.00	1.68%
Large water and fire services - 3" and larger (Inspection & Tap for Construction Installation Services)	$ 904.00	No	**Charged By:** Water **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2 **Full Cost:** $ 920.16		$ 920.00	1.77%
Fire Hydrant (Inspection & Tap for Construction Installation Services)	$ 6,827.00	No	**Charged By:** Water **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 2 **Full Cost:** $ 6,944.96		$ 6,944.00	1.71%

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Tapping Valve Installation			**Charged By:** Water	**Date:** 4/28/2020	**Objective:** Recover Cost			
2" Valve	$ 3,066.00	No		**O. No.:**	**Prop 26 Exception:** 6		$ 3,119.00	1.73%
3" Valve	$ 3,177.00	No	**Collected By:**	**O. Date:**			$ 3,232.00	1.73%
4" Valve	$ 4,916.00	No	Engineering		**Full Cost:** Varies		$ 5,001.00	1.73%
6" Valve	$ 5,245.00	No					$ 5,335.00	1.72%
8" Valve	$ 5,543.00	No					$ 5,638.00	1.71%
10" Valve	$ 7,777.00	No					$ 7,911.00	1.72%
12" Valve	$ 8,628.00	No					$ 8,777.00	1.73%
Project Clearance Committee/ Subcommittee Review	$ 591.00	No	**Charged By:** Water	**Date:** 4/28/2020	**Objective:** Recover Cost		$ 601.00	1.69%
				O. No.:	**Prop 26 Exception:** 2			
			Collected By: Finance	**O. Date:**	**Full Cost:** $ 602.05			
Hold Harmless Agreement	$ 999.00	No	**Charged By:** Water	**Date:** 4/28/2020	**Objective:** Recover Cost		$ 1,016.00	1.70%
				O. No.:	**Prop 26 Exception:** 2			
			Collected By: Finance	**O. Date:**	**Full Cost:** $ 1,016.23			

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Hydraulic Model			**Charged By:** Water	**Date:** 4/28/2020	**Objective:** Recover Cost			
Single Family Homes (SFH)	$ 661.00	No		**O. No.:**	**Prop 26 Exception:** 2		$ 672.00	1.66%
Others, Excluding SFH	$ 1,496.00	No	**Collected By:** Finance	**O. Date:**	**Full Cost:** Varies		$ 1,522.00	1.74%
Water Service Upgrade excluding Device Cost			**Charged By:** Water	**Date:** 4/28/2020	**Objective:** Recover Cost			
				O. No.:	**Prop 26 Exception:** 2			
5/8" x 3/4" water services and backflow preventer	$ 10,287.00	No	**Collected By:** Finance	**O. Date:**	**Full Cost:** Varies		$ 10,464.00	1.72%
1" water service and backflow preventer	$ 10,295.00	No					$ 10,472.00	1.72%
1-1/2" water service and backflow preventer	$ 10,798.00	No					$ 10,984.00	1.72%
2" water service and backflow preventer	$ 10,798.00	No					$ 10,984.00	1.72%
3" water service and backflow preventer	$ 11,486.00	No					$ 11,684.00	1.72%

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Sewer lateral cleanout 4 inch lateral	$ 1,824.00	No	**Charged By:** Sewer **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 12,554.52	When no cleanout exists, it is necessary that one be installed in order for City to have access to sewer lateral for courtesy maintenance.	$ 2,006.40	10.00%
Sewer lateral cleanout 6 inch lateral or larger	$ 9,027.00	No	**Charged By:** Sewer **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 12,554.52	When no cleanout exists, it is necessary that one be installed in order for City to have access to sewer lateral for courtesy maintenance.	$ 9,929.70	10.00%
Cleanout box only	$ 285.00	No	**Charged By:** Sewer **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2 **Full Cost:** $ 853.98		$ 313.50	10.00%

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4" sewer lateral installation	$ 37,032.00	No	**Charged By:** Sewer **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 37,669.98	No Encroachment Permit cost included. No cleanout or box cost included.	$ 37,669.00	1.72%
6" sewer lateral installation	$ 37,032.00	No	**Charged By:** Sewer **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 37,669.98	No Encroachment Permit cost included. No cleanout or box cost included.	$ 37,669.00	1.72%
8" sewer lateral installation	$ 37,032.00	No	**Charged By:** Sewer **Collected By:** Engineering	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 37,669.98	No Encroachment Permit cost included. No cleanout or box cost included.	$ 37,669.00	1.72%
Sewer lateral video inspection	$ 382.80	No	**Charged By:** Sewer **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,6 **Full Cost:** $ 855.04	Video inspection of existing lateral to determine that its replacement is not required as a condition of redevelopment.	$ 421.08	10.00%

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Encroachment Permit: Field Marking-Sanitary Sewer Up to 50 ft. of excavation	$ 202.00	No	**Charged By:** Engineering/ LPD	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 1,2,3 **Full Cost:** $ 206.02	See Article 2 of Chapter 3.1 of Div. 5 of Title 1 of the Government Code.	$ 205.00	1.49%
Over 50 ft. - each additional 50 ft. or fraction thereof of excavation	$ 202.00 plus $ 4.00 per foot	No	**Collected By:** Finance				$ 205.00 plus $ 4.00 per foot	1.49%
Wastewater Treatment Plant Capacity Fee Residential Dwelling Unit	$ 1,187.00 per dwelling unit	No	**Charged By:** Engineering/ LPD	**Date:** 5/8/2018 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 2,421.95	See SCCC 17.15.220(e) Sewer Treatment Plant Fee. To be brought forward later.	$ 1,187.00 per dwelling unit	
Accessory Dwelling Unit	$ 747.00 per accessory dwelling unit	No	**Collected By:** Finance	**O. No.:** 1968 **O. Date:** 8/22/2017		Accessory Dwelling Unit Charge per City Ordinance 1968 passed by Council on 8/22/2017.	$ 747.00 per accessory dwelling unit	
Wastewater Treatment Plant Capacity Fee Non-residential	$ 4.47 per gallon per day	No	**Charged By:** Engineering/ LPD	**Date:** 4/18/2017 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** 6 **Full Cost:** $ 10.33	See SCCC 17.15.220(e) Sewer Treatment Plant Fee. To be brought forward later.	$ 4.47 per gallon per day	

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

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WATER & SEWER UTILITIES /SOLAR

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Solar pool heating system Installation Fee	$ 4,332.00 plus	No	**Charged By:** Water/Solar	**Date:** 4/28/2020	**Objective:** Recover Cost	Costs are recovered through the combination of installation fees and monthly service charges, and recoverable system components.	$ 4,407.00 plus	1.73%
				O. No.:	**Prop 26 Exception:** N/A			
	$ 253.00 per panel	No	**Collected By:** Finance	**O. Date:**	**Full Cost:** $ 4,900.61		$ 257.00 per panel	1.58%
Solar domestic hot water system installation fee Single-family fee	$ Actual Cost	No	**Charged By:** Water/Solar	**Date:** 6/9/2009	**Objective:** Recover Cost	Costs are recovered through the combination of installation fees and monthly service charges, and recoverable system components.	$ Actual Cost	
				O. No.:	**Prop 26 Exception:** N/A			
			Collected By: Finance	**O. Date:**	**Full Cost:** Actual Cost			
Solar domestic hot water system installation fee Multi-family fee	$ Actual Cost	No	**Charged By:** Water/Solar	**Date:** 3/14/1985	**Objective:** Recover Cost	Installation fees based on cost of labor and permanently-installed materials. Example for system to serve 10 dwelling units. Remaining costs recovered by monthly service charges.	$ Actual Cost	
				O. No.:	**Prop 26 Exception:** N/A			
			Collected By: Finance	**O. Date:**	**Full Cost:** Actual Cost			
Solar domestic hot water system panel removal and replacement fee	$ 508.00 per panel	No	**Charged By:** Water/Solar	**Date:** 4/28/2020	**Objective:** Recover Cost	Costs are recovered through the combination of installation fees and monthly service charges, and recoverable system components.	$ 517.00 per panel	1.77%
				O. No.:	**Prop 26 Exception:** N/A			
			Collected By: Finance	**O. Date:**	**Full Cost:** $ 2,772.48			

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

SUBMITTED BY DEPARTMENT / DIVISION:
WATER & SEWER UTILITIES /SOLAR

RESOLUTION NUMBER:

APPROVED:

DESCRIPTION OF FEE , RATE OR CHARGE	CURRENT FEE and PERIOD	TECHNOLOGY FEE (3.37%) APPLIES (Yes or No)	CHARGING DEPT / DIV -------- COLLECTING DEPT / DIV	DATE FEE LAST CHANGED / ORDINANCE NUMBER & DATE (if applicable)	FEE DETAIL OBJECTIVE PROP 26 EXCEPTION (SEE READER'S GUIDE) FULL COST FACTOR	COMMENTS	PROPOSED NEW OR REVISED FEE 2021-22	Percent Change
Solar pool heating system system panel removal and replacement fee	$ 309.00 per panel	No	**Charged By:** Water/Solar **Collected By:** Finance	**Date:** 4/28/2020 **O. No.:** **O. Date:**	**Objective:** Recover Cost **Prop 26 Exception:** N/A **Full Cost:** $ 470.71	Costs are recovered through the combination of installation fees and monthly service charges, and recoverable system components.	$ 314.00 per panel	1.62%

(Note: "N/A" here signifies the fee, rate, or charge is not a fee imposed exclusively by local government.)

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Municipal Fee Schedule

Alphabetical Listing by Fee

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CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

Alphabetical Listing by Fee

Fee	Section	Page No.
2-Way Elevator Permit	Fire	7 - 28
10-Day Letter for House Meter	Finance	6 - 16
ABC Review Verification	Community Development	4 - 39
Aboveground Petroleum Storage Tank Program	Fire	7 - 59
Access Controlled Egress	Fire	7 - 29
Active Construction Site Inspections of Projects	Street	11 - 22
Additional Temporary Membrane Structure and Tent	Fire	7 - 25
Affordable Housing Application	Community Development	4 - 27
AHA Affordable Housing Agreement	Community Development	4 - 27
Alarm Permit	Police	10 - 6
Alternate Materials and Methods Review	Fire	7 - 8
Amended Final Map Checking	Engineering	11 - 1
Amended Parcel Map, and Record of Survey Checking	Engineering	11 - 1
Amplified Music	Parks and Recreation	9 - 24
Amplified Music Permit	Finance	6 - 13
Animal Control - Adoption	Police	10 - 17
Animal Control - Animal Surrender	Police	10 - 18
Animal Control - License	Police	10 - 16
Animal Control - Other Fees	Police	10 - 18
Animal Control - Shelter Services	Police	10 - 17
Animal Control - Trap	Police	10 - 18
Annexation of Territory to City of Santa Clara	Community Development	4 - 34
Appeals	Community Development	4 - 33
Architectural Review	Community Development	4 - 34
Assessment District Reapportionment	Engineering	11 - 2
Automatic Fire Extinguishing Systems	Fire	7 - 8
Automatic Fire Protection System for Spray Booths	Fire	7 - 27
Automatic Fire Sprinkler Systems - Existing	Fire	7 - 9
Automatic Fire Sprinkler Systems - New	Fire	7 - 8
Automatic Fire Sprinkler Systems - Residential 13D	Fire	7 - 27
Backflow Preventer - Device Cost Only	Water and Sewer Utilities	12 - 6
Battery Systems	Fire	7 - 11
Billing Service Charge for Late Payment	Finance	6 - 14
Bingo Organization	Police	10 - 12
Black Line Print of Plans on File	Engineering	11 - 6

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

Alphabetical Listing by Fee

Fee	Section	Page No.
Block Party Request	Finance	6 - 13
Borrowing Materials from Other Libraries (Interlibrary Loan)	Library	8 - 2
Building Conformance Fee	Community Development	4 - 1
Building Plans	Fire	7 - 11
Burial Materials Processing	Parks and Recreation	9 - 14
Burial Permit Filing	Parks and Recreation	9 - 9
Business Certificate Information	Finance	6 - 3
Business Tax Certificate	Finance	6 - 2
CAD Report for Legal Purposes	Police	10 - 4
California Accidental Release Program (CALARP)	Fire	7 - 56
Carbon Dioxide Beverage Dispensing System	Fire	7 - 31
Carnivals and Fairs	Fire	7 - 11
Casket	Parks and Recreation	9 - 2
Casket Burial	Parks and Recreation	9 - 1
CD for Legal Purposes	Police	10 - 5
CD/DVD Materials	Citywide	1 - 1
Central Park - Picnic Area (Pavilion & Arbor)	Parks and Recreation	9 - 18
Central Park - Tennis Court Reservations	Parks and Recreation	9 - 20
Certificate of Compliance	Community Development	4 - 36
Certificate of Compliance Processing	Engineering	11 - 2
Certificate of Correction Processing	Engineering	11 - 2
CFD 2010-1 Mello-Roos Tax	Finance	6 - 1
Change of Name, Address or Business Type as Shown on Current Certificate	Finance	6 - 3
Chapel Rental	Parks and Recreation	9 - 10
Citation Sign Off	Police	10 - 6
City Flag	Finance	6 - 13
City Plaza Park Gazebo	Parks and Recreation	9 - 18
City to Repurchase Interment Rights	Parks and Recreation	9 - 8
Cleanout Box Only	Water and Sewer Utilities	12 - 15
Clearance Letter	Police	10 - 6
Closing Out Sale	Police	10 - 9
Closure of an Onsite Hazardous Waste Treatment System	Fire	7 - 12
Collection Agency Fee	Library	8 - 2
Color Photographs	Police	10 - 4
Combination Agreement/Grant Deed for the Same Lot	Engineering	11 - 8

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

Alphabetical Listing by Fee

Fee	Section	Page No.
Combustible and Flammable Materials	Fire	7 - 44
Commercial Day Care (E3)	Fire	7 - 49
Community Development Department Referrals	Fire	7 - 22
Community Recreation Center Room Rental	Parks and Recreation	9 - 17
Compressed Gas Installation	Fire	7 - 13
Compressed Gases	Fire	7 - 44
Concealed Weapon Permit	Police	10 - 7
Concrete Removal/Replace	Street	11 - 24
Contract Administration	Community Development	4 - 39
Cooking Oil Storage Tanks	Fire	7 - 13
Copy Fee	Citywide	1 - 1
Corrosives	Fire	7 - 45
Cost Analysis for Development	Engineering	11 - 20
Cremation	Parks and Recreation	9 - 2
Crime Analysis Reports	Police	10 - 3
Cryogens	Fire	7 - 45
Custom Hourly Rate	Parks and Recreation	9 - 9
Delinquent Payment of Business Certificate Fees	Finance	6 - 3
Delinquent Reconnect	Finance	6 - 16
Delinquent Service Letter	Finance	6 - 14
Demolition of Building	Fire	7 - 13
Design Review/Consultation	Fire	7 - 31
Development Agreement	Community Development	4 - 36
Development Impact Fees	Community Development	4 - 28
Dig Single Depth Grave to Double Depth	Parks and Recreation	9 - 9
Disinter and Reinter Casket into Same Grave	Parks and Recreation	9 - 4
Disinternment	Parks and Recreation	9 - 3
Dispatch Service Required for Special Events	Police	10 - 1
Distribution Pole Contact	Electric Utility	5 - 10
Document Recordation	Engineering	11 - 9
Driving Under the Influence Emergency Response	Police	10 - 7
Duplicate Business Certificate	Finance	6 - 3
Electric Disconnection	Electric Utility	5 - 6
Electric Equipment Relocation	Electric Utility	5 - 9
Electric Reconnection Fee - Normal Reconnection	Electric Utility	5 - 6

Alphabetical Listing by Fee

Fee	Section	Page No.
Electric Replacement/Reconnection Fee Due to Meter Tampering/Illegal Access	Electric Utility	5 - 7
Electric System Damage	Electric Utility	5 - 5
Electrical Permit	Community Development	4 - 1
Emergency Alarm Systems	Fire	7 - 14
Emergency Responder Radio Coverage System	Fire	7 - 14
Encroachment Agreement Application	Engineering	11 - 7
Encroachment Permit	Engineering	11 - 3
Encroachment Permit: Field Marking - Sanitary Sewer	Water and Sewer Utilities	12 - 18
Energy Data Pulses	Electric Utility	5 - 5
Energy Storage Systems	Fire	7 - 30
Engineering Plan Check - Electric	Electric Utility	5 - 8
Engineering Plan Review	Street	11 - 27
Engineering Plan Review & Inspection	Water and Sewer Utilities	12 - 8
Engineering Plan Review (Streets)	Street	11 - 24
Engineering Referrals	Fire	7 - 14
Environmental Review	Community Development	4 - 35
Environmental Study	Fire	7 - 15
Exhibit and Trade Shows	Fire	7 - 15
Existing Improvements	Engineering	11 - 12
Expired Construction Permit	Fire	7 - 53
Facility Rental	Fire	7 - 4
False Alarm Calls	Police	10 - 8
False Alarm Responses	Fire	7 - 53
Field Marking - Fiber	Electric Utility	5 - 9
Field Marking - Recycled Water	Water and Sewer Utilities	12 - 11
Field Marking - Water	Water and Sewer Utilities	12 - 11
Field Preparation	Parks and Recreation	9 - 21
Fields and Turf Areas Reservations	Parks and Recreation	9 - 20
Final Map Checking	Engineering	11 - 1
Fingerprinting	Police	10 - 3
Fire Alarm Systems	Fire	7 - 16
Fire Alarm Systems with Pre-Wire Inspection Required	Fire	7 - 17
Fire Hydrant	Water and Sewer Utilities	12 - 5
Fire Hydrant Flow Test	Water and Sewer Utilities	12 - 7
Fire Pump Installation	Fire	7 - 18

Alphabetical Listing by Fee

Fee	Section	Page No.
Fire Safety Demolition/Construction Plan	Fire	7 - 29
Fire Service	Water and Sewer Utilities	12 - 5
Fire Service Upgrade	Water and Sewer Utilities	12 - 5
Firefighter Air Replenishment System	Fire	7 - 31
First Tent, Canopy or Air Supported Structure	Fire	7 - 25
Flat Marker	Parks and Recreation	9 - 6
Flood Zone Verification	Community Development	4 - 38
General Plan / Advanced Planning Surcharge	Community Development	4 - 1
General Plan Amendment	Community Development	4 - 36
Grading Permit	Community Development	4 - 14
Grading Plan Review	Community Development	4 - 14
Hazardous Material Tool/Equipment Installation	Fire	7 - 19
Hazardous Materials Business Plan	Fire	7 - 60
Hazardous Materials Closure Plan	Fire	7 - 19
Hazardous Materials Tool/Equipment Modification	Fire	7 - 29
Hazardous Waste Generator	Fire	7 - 55
Heritage Tree Removal	Community Development	4 - 40
High-Piled Combustible Storage	Fire	7 - 20
High-Rise	Fire	7 - 48
High-Rise Fire Protection Water Storage Tank	Fire	7 - 18
High-Rise R-1/R-2	Fire	7 - 48
Highly Toxic Materials	Fire	7 - 45
Historical & Landmarks	Community Development	4 - 39
Hold Harmless Agreement	Water and Sewer Utilities	12 - 13
Hospitals	Fire	7 - 51
Hourly Rate (Personnel)	Parks and Recreation	9 - 9
Hourly Staff (As-Needed) Assigned to Facility	Parks and Recreation	9 - 18
Hydraulic Model	Water and Sewer Utilities	12 - 13
ID Card Renewal/Replacement	Police	10 - 2
Industrial Scaled Permit	Community Development	4 - 22
Industrial/Commercial Facility Stormwater Inspections	Street	11 - 22
Inscribe Shutters or Grave Markers	Parks and Recreation	9 - 5
Installation of a Flower Vase and Ring on a Niche	Parks and Recreation	9 - 5
Installation of a Monobar, Emblem, Flower Vase, or Ring on a Crypt	Parks and Recreation	9 - 5
Installation of a Niche Plaque	Parks and Recreation	9 - 5

Alphabetical Listing by Fee

Fee	Section	Page No.
Installation of Grave Marker	Parks and Recreation	9 - 6
Jails	Fire	7 - 51
Jump House Permit	Parks and Recreation	9 - 26
Jury Fees	Citywide	1 - 2
Licensed Care Facility	Fire	7 - 32
Liquefied Petroleum Gas	Fire	7 - 45
Liquefied Petroleum Gases - Installation Per Tank	Fire	7 - 20
Load Development	Electric Utility	5 - 3
Loan Demand Payoff	Community Development	4 - 25
Lobbying Activities	City Clerk	2 - 1
Lot Line Adjustment Processing	Engineering	11 - 2
Maps	Community Development	4 - 33
Massage Application / Inspections	Police	10 - 8
Mechanical Permit	Community Development	4 - 7
Meter Reading More Than Once Per Month	Finance	6 - 16
Meter Test Deposit	Electric Utility	5 - 5
Methane Venting and Detection Systems	Fire	7 - 20
Microfilm Copies	Fire	7 - 54
Mills Act Application	Community Development	4 - 38
Minor Amendment to Approved Projects	Community Development	4 - 39
Minor Modifications	Community Development	4 - 30
Miscellaneous Inspections or Plan Reviews	Fire	7 - 32
Mission City Memorial Park Interment Rights and Burial Materials	Parks and Recreation	9 - 15
Motor Funeral Escort	Police	10 - 10
Multi-Family (MF) Loan Subordination Request Review	Community Development	4 - 24
Multi-Family Monitoring	Community Development	4 - 26
Multi-Story Buildings	Fire	7 - 52
Municipal Services Information	Finance	6 - 15
Neighborhood Conservation Improvement Program (NCIP) Loan Application	Community Development	4 - 24
Neighborhood Parks	Parks and Recreation	9 - 26
No-Fee Parade Permit	City Manager	3 - 1
Non-Exclusive Franchise Hauler Application	Street	11 - 28
Non-Historical Referral to Historical and Landmarks Commission	Community Development	4 - 40
Off-Duty Employment	Police	10 - 1
Off-Site Parking	Community Development	4 - 31

Alphabetical Listing by Fee

Fee	Section	Page No.
On-Demand Mobile Fueling Site Permit	Fire	7 - 28
Onsite Treatment of Hazardous Waste Annual Fee	Fire	7 - 57
Open Burnings	Fire	7 - 21
Operation & Maintenance Inspection of Stormwater Treatment Systems	Street	11 - 23
Operational Permits	Fire	7 - 33
Organic Peroxides	Fire	7 - 46
Other Inspections and Fees	Community Development	4 - 15
Ovens	Fire	7 - 21
Overdue Fine for Link+ Materials Borrowed from Other Libraries	Library	8 - 2
Overdue Fines - All Other Items Excluding Children's Books	Library	8 - 1
Overdue Fines Covering Interlibrary Loans	Library	8 - 1
Overdue Fines for Portable Electronic Devices	Library	8 - 3
Overhead Lines - New	Electric Utility	5 - 1
Oversize, Overweight Vehicles	Engineering	11 - 16
Overtime Inspection	Fire	7 - 32
Overtime Plan Review	Fire	7 - 32
Oxidizing Materials	Fire	7 - 46
Parcel Map and Record of Survey Checking	Engineering	11 - 1
Park Building Room Rentals	Parks and Recreation	9 - 17
Pavement Restoration	Street	11 - 24
Pawn/Secondhand Dealer	Police	10 - 11
Payment Default	Citywide	1 - 1
Pedi-Cab	Police	10 - 14
Perpetual Care (Endowment)	Parks and Recreation	9 - 11
Phased Occupancy Plan	Fire	7 - 28
Photo CD's	Police	10 - 5
Photographs	Fire	7 - 54
Photovoltaic System	Fire	7 - 28
Plan Revision/Resubmittal	Fire	7 - 30
Plant Extraction Systems	Fire	7 - 30
Plumbing Permit	Community Development	4 - 11
Police Reports	Police	10 - 3
Pool Rentals	Parks and Recreation	9 - 26
Portable Hydrant Meter and Deposit	Water and Sewer Utilities	12 - 7
Pre-Application	Community Development	4 - 38

Alphabetical Listing by Fee

Fee	Section	Page No.
Preparation of Agreement/Easement/Grant Deed	Engineering	11 - 8
Private Security	Police	10 - 11
Project Clearance Committee Review	Engineering	11 - 18
Project Clearance Committee/Subcommittee Review	Water and Sewer Utilities	12 - 13
Public Entertainment General	Police	10 - 12
Public Fireworks Display and Pyrotechnic Special Effects Use	Fire	7 - 22
Pyrophoric Materials	Fire	7 - 46
Pyrotechnics Special Effects Proximal to Audience	Fire	7 - 22
R-1/R-2 Occupancies	Fire	7 - 48
Re-Inspection	Fire	7 - 53
Record Drawings Archiving	Engineering	11 - 6
Recreation Cancellation	Parks and Recreation	9 - 21
Recreation Classes	Parks and Recreation	9 - 27
Recreation Tax (Bedroom)	Engineering	11 - 14
Recycled Hydrant Meter and Deposit	Water and Sewer Utilities	12 - 7
Refrigeration System	Fire	7 - 22
Release of Stored Vehicles	Police	10 - 7
Remove and Dispose of Marker, Marker Frame, Plaque, Vase and Ring	Parks and Recreation	9 - 7
Replacement Fee for Lost Link+ Materials Borrowed from Other Libraries	Library	8 - 2
Replacement Fee for Lost or Damaged Library Card	Library	8 - 1
Replacement for Library Materials	Library	8 - 1
Repo Fee (Repossessed Vehicles)	Police	10 - 8
Reposting of Public Notification	Community Development	4 - 33
Residential Development Park Dedication In-Lieu Fees	Parks and Recreation	9 - 28
Residential Loan Refinance/Subordinations All Programs	Community Development	4 - 24
Residential Parking Permit	Police	10 - 7
Residential Scaled Permit	Community Development	4 - 20
Resource Fees	Fire	7 - 6
Review of Agreements and Easements	Engineering	11 - 9
Rezoning	Community Development	4 - 29
Roadways	Fire	7 - 23
Room Rental Processing and Set Up and Clean Up	Library	8 - 3
Sanitary Sewer Capacity Model Run	Engineering	11 - 11
Sanitary Sewer Outlet Charge	Engineering	11 - 10
Sanitize Crypt	Parks and Recreation	9 - 8

Alphabetical Listing by Fee

Fee	Section	Page No.
Saturday Service	Parks and Recreation	9 - 10
School	Fire	7 - 50
Second Response Ordinance	Police	10 - 1
Security Deposit for Survey	Engineering	11 - 3
Senior Citizens Center	Parks and Recreation	9 - 19
Service Disconnection at the Pole/Weatherhead	Electric Utility	5 - 6
Service Fee Customer - Owned Equipment Problem	Electric Utility	5 - 7
Service Reconnection at the Pole/Weatherhead	Electric Utility	5 - 6
Service Removal	Electric Utility	5 - 7
Service Turn-On	Finance	6 - 14
Service Wire Relocation	Electric Utility	5 - 4
Sewer Lateral Cleanout	Water and Sewer Utilities	12 - 15
Sewer Lateral Installation	Water and Sewer Utilities	12 - 16
Sewer Lateral Video Inspection	Water and Sewer Utilities	12 - 17
Significant Property Alteration	Community Development	4 - 41
Signs	Community Development	4 - 37
Single or Double Upright Monument Foundation	Parks and Recreation	9 - 7
Single Story Buildings	Fire	7 - 52
Smoke Control System	Fire	7 - 23
Solar Domestic Hot Water System Installation	Water and Sewer Utilities	12 - 19
Solar Domestic Hot Water System Panel Removal and Replacement	Water and Sewer Utilities	12 - 19
Solar Pool Heating System Installation	Water and Sewer Utilities	12 - 19
Solar Pool Heating System Panel Removal and Replacement	Water and Sewer Utilities	12 - 20
Solicitor/Peddler	Police	10 - 9
Solid Waste Management	Public Works	11 - 29
Special Event Application	Parks and Recreation	9 - 25
Special Event Concessions	Parks and Recreation	9 - 27
Special Event Sponsorship/Vendor	Parks and Recreation	9 - 27
Special Events Structure	Fire	7 - 30
Specific Plan	Community Development	4 - 41
Standpipe Systems	Fire	7 - 23
State Certified Massage	Police	10 - 10
State of California Annual Surcharges	Fire	7 - 58
Storage or Refuse Bins on City Street	Engineering	11 - 16
Storage Tanks - Hazardous Materials	Fire	7 - 24

Alphabetical Listing by Fee

Fee	Section	Page No.
Storm Drain Outlet Charge	Engineering	11 - 9
Storm Outlet Charge	Engineering	11 - 9
Stormwater Management Plan Review	Community Development	4 - 39
Stormwater Management Building and Planning	Public Works	11 - 24
Street Tree Planting	Street	11 - 28
Street Tree Removal	Street	11 - 28
Subdivision Committee Review	Engineering	11 - 17
Subpoena Fees	Citywide	1 - 2
Tapping Valve Installation	Water and Sewer Utilities	12 - 13
Taxicab Driver	Police	10 - 2
Taxicab/Pedicab Company	Police	10 - 2
Technology Fee	Citywide	1 - 2
Technology Fee (Building Fees)	Community Development	4 - 1
Teen Center Room Rental	Parks and Recreation	9 - 24
Temporary Pole Connection	Electric Utility	5 - 3
Temporary Power	Electric Utility	5 - 4
Time Extensions	Community Development	4 - 41
Time of Use Meter Installation	Electric Utility	5 - 8
Tournament	Parks and Recreation	9 - 26
Tow Drivers	Police	10 - 1
Toxic Materials	Fire	7 - 47
Traffic Flow Map	Engineering	11 - 16
Traffic Impact	Engineering	11 - 15
Traffic Sign Fabrication	Street	11 - 25
Training	Fire	7 - 1
Transient Occupancy Tax	Finance	6 - 1
Underground - Existing	Electric Utility	5 - 2
Underground - New	Electric Utility	5 - 1
Underground and Above Ground Tank Installations	Fire	7 - 24
Underground and Above Ground Tank Modifications	Fire	7 - 25
Underground and Above Ground Tank Removals	Fire	7 - 24
Underground Fire Service Systems	Fire	7 - 26
Undergournd Hazardous Materials Tank	Fire	7 - 60
Underground Street Light Relocation	Electric Utility	5 - 4
Unstable (Reactive) Materials	Fire	7 - 47

CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE

Alphabetical Listing by Fee

Fee	Section	Page No.
USB Drive for Police Reports	Police	10 - 5
Use Permits	Community Development	4 - 32
Using Library Meeting Room	Library	8 - 3
Utility Billing Splitting or Combining Accounts	Finance	6 - 15
Utility Service Deposit	Finance	6 - 14
Variance	Community Development	4 - 30
Vault Disposal	Parks and Recreation	9 - 8
Verification of Electric Meter Address	Finance	6 - 15
Wastewater Treatment Plant Capacity	Water and Sewer Utilities	12 - 18
Water and Fire Services	Water and Sewer Utilities	12 - 12
Water Meter and Backflow Preventer	Water and Sewer Utilities	12 - 3
Water Meter Test	Water and Sewer Utilities	12 - 8
Water Reactive Materials	Fire	7 - 47
Water Reconnection	Water and Sewer Utilities	12 - 9
Water Service	Water and Sewer Utilities	12 - 1
Water Service Abandonment	Water and Sewer Utilities	12 - 10
Water Service Relocation	Water and Sewer Utilities	12 - 11
Water Service Upgrade Excluding Device Cost	Water and Sewer Utilities	12 - 14
Water Supply Assessment Preparation	Water and Sewer Utilities	12 - 10
Watershed Map	Engineering	11 - 7
Youth Activity Center Room Rental	Parks and Recreation	9 - 19
Zoning Code Text Amendment	Community Development	4 - 29
Zoning Verification	Community Development	4 - 38

21-710 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Proclamation of Asian American and Pacific Islander Heritage Month

BACKGROUND
Asian American and Pacific Islander Heritage Month is recognized each May to celebrate and pay tribute to the contributions generations of Asian/Pacific Americans have made to our nation's history, society and culture. The month of May was chosen to commemorate the immigration of the first Japanese to the United States on May 7, 1843, and to mark the anniversary of the completion of the transcontinental railroad on May 10, 1869. Most of the workers who laid the tracks were Chinese immigrants.

The origin of Asian American and Pacific Islander Heritage Month dates to the 95th Congress (1977-1978) when five joint resolutions were introduced proposing that a week in May be designated to commemorate the accomplishments of Asian Americans and Pacific Islanders (AAPIs).

On March 28, 1979, President Carter issued Proclamation 4650, the first presidential proclamation, for Asian/Pacific American Heritage Week. In this proclamation, President Carter spoke of the significant role Asian/Pacific Americans played in the creation of a dynamic and pluralistic American society with their contributions to the sciences, arts, industry, government, and commerce.

On May 7, 1990, President George H.W. Bush issued Presidential Proclamation 6130 designating May 1990 as the first "Asian/Pacific American Heritage Month," and Congress permanently designated May of each year as "Asian/Pacific American Heritage Month" on October 23, 1992.

DISCUSSION
As a Special Order of Business on May 25, 2021, the Santa Clara City Council will proclaim the month of May 2021 as Asian American and Pacific Islander Heritage Month to honor and recognize the AAPI community's rich heritage which has
shaped the history of the United States.

ENVIRONMENTAL REVIEW
This is an information report only and no action is being taken by the City Council; no environmental review under the California Environmental Quality Act ("CEQA") is required.

FISCAL IMPACT
There is no fiscal impact to the City other than staff time.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City's official-notice bulletin board

outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

Reviewed by: Julie Minot, Executive Assistant to the Mayor and City Council
Approved by: Deanna J. Santana, City Manager

21-743 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Recognize Local Student for Achievement in the Telugu Book of Records and Super Kids of India

BACKGROUND
In April 2021, the Telugu Book of Records and Super Kids of India recognized local student Akyuta Batchu for her recitation by memory of all US states within 27 seconds, and of the names of 196 countries by continent within one (1) minute 50 seconds.

DISCUSSION
As a Special Order of Business on May 25, 2021, the Santa Clara City Council will honor this remarkable achievement by presenting a Certificate of Special Mayor Recognition, which will be accepted by Akyuta and her family.

ENVIRONMENTAL REVIEW
This is an information report only and no action is being taken by the City Council; no environmental review under the California Environmental Quality Act ("CEQA") is required.

FISCAL IMPACT
There is no fiscal impact to the City other than staff time.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

Reviewed by: Julie Minot, Executive Assistant to the Mayor and City Council
Approved by: Deanna J. Santana, City Manager

21-646 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Verbal Report from City Manager regarding COVID-19 Pandemic

COUNCIL PILLAR
Enhance Community Engagement and Transparency

21-11 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Board, Commissions and Committee Minutes

COUNCIL PILLAR
Enhance Community Engagement and Transparency

RECOMMENDATION
Note and file the Minutes of:

Santa Clara Tourism Improvement District - March 18, 2021
Santa Clara Tourism Improvement District - April 16, 2021
City-School Liaison Committee - March 3, 2020
City-Mission College Liaison Committee - November 30, 2021
Cultural Commission - April 5, 2021
Board of Library Trustees - April 5, 2021
Historical and Landmarks Commission - April 1, 2021
Planning Commission - April 28, 2021

Santa Clara Tourism Improvement District
Advisory Board Regular Meeting – MINUTES

March 18, 2021, 8:00 a.m.

Call to Order

Chair Hodges called the meeting to order at 8:04 a.m.

Roll Call

Present: 6 Justin Hart, General Manager, AC Hotel Santa Clara
Peter Hart, General Manager, Embassy Suites
Eron Hodges, General Manager, Hyatt Regency Santa Clara
Jean-Phillippe Rollet, General Manager, The Plaza Suites
Mark Salquist, General Manager, Avatar Hotel
Jon Siebring, General Manager, Biltmore Hotel

Absent: 5 Vince Buonocore, Interim General Manager, Marriott Santa Clara
Bridgette Burns, General Manager, TownePlace Suites by Marriott
Joe Eustice, General Manager, Hilton Santa Clara
Alan Mass, General Manager, Hyatt House
Ryan Turner, General Manager, Element Santa Clara

A quorum was met.

In Attendance
Ruth Mizobe Shikada, Assistant City Manager, City of Santa Clara
Nancy Thome, Assistant to the City Manager, City of Santa Clara
Dan Fenton, Executive Vice President, JLL
Bethanie DeRose, Senior Vice President, JLL
Kelly Carr, General Manager, Spectra Venue Management
Matt Stewart, CEO, Silicon Valley/Santa Clara DMO, Inc.

Public Comments

There were no public comments.

Consent Calendar

Matters listed in the Consent Calendar section will be considered routine by the Advisory Board and will be enacted by one motion. If discussion is requested, that item will be removed from the section entitled Consent Calendar and will be considered separately.

1. Action on the Minutes of the Santa Clara Tourism Improvement District Advisory Board
- Regular Meeting – February 18, 2021

A motion was made by Jean-Phillippe Rollet, seconded by Justin Hart, to approve the Consent Calendar. Motion passed unanimously (6-0).

Consent Items Pulled for Discussion

General Business – Items for Discussion

2. Two-Year Budget Planning

Matt Stewart provided a brief overview of the projected fund balance for future years. The estimated balance for FY 2020/21 is $1.4 million and projected TID revenue in FY 2021/22 is $610,936. Matt indicated he is currently working on the budget and is planning to present to the TID at the April 15 meeting.

3. Silicon Valley/Santa Clara DMO, Inc. Updates

Matt Stewart provided an update on DMO activities:

- DMO will be looking to extend the sales contractor agreement.
- A temp administrative assistant was hired by the name of Martina. Martina has been on board for three weeks.
- Reported trends: 81% of travelers will travel in the next six months; lanners are hesitant to book events this year but there is pent up demand.
- Sales contractor Michael spoke to 54 clients resulting in two tentative leads.
- Michael is putting together a newsletter for Santa Clara and the DMO is working on a citywide presentation.
- The monthly report includes a new table that summarizes sales contractor goals and attainments.
- Extranet access to Simpleview was sent to the hotel lead catchers. This access will provide hotels the ability to view Simpleview, the DMO's CRM system.
- DMO is finalizing its KPI goals which will be shared with the TID at a future meeting.

4. TID Conversion Timeline and Update on Petition Process

Nancy Thome reported that as the City has received petitions from hotels who will collectively pay more than 50% of the assessment which initiates the TID conversion process. The conversion process is a three-step process and tentative dates have been scheduled for each step:

- April 6 – Upon receiving petitions from hotels who will collectively be paying more than 50% of the assessment, City Council can adopt a Resolution of Intention (ROI) to establish the district under the 1994 Law.
- April 20 – Upon the Council approving the ROI, a public meeting will take place to allow for the public to provide public comments.
- May 25 – A public hearing will take place to establish the new district which would go into effect July 1.

5. Action on the Tourism Improvement District Subsidy Guidelines

This item had been deferred from the February 18th meeting.

A motion was made by Mark Salquist, seconded by Jean-Phillippe Rollet, to approve the proposed Tourism Improvement District Subsidy Guidelines. Motion passed unanimously (6-0).

6. Action on the Santa Clara Convention Center Booking Strategy (Revised)

Eron reported that a few inconsistencies were found in the Booking strategy which required simple clerical/administrative revisions.

A motion was made by Jean-Phillippe Rollet, seconded by Peter Hart, to approve the revised Santa Clara Convention Center Booking Strategy. Motion passed unanimously (6-0).

7. California Hotel & Lodging Association Clean + Safe Certification Updates

Eron reported that the following hotels have completed certification: Marriott, Hyatt, Biltmore, Element, Embassy Suites, and requested updates from the remaining hotels:

- Mark (Avatar) and Jean-Phillippe (Plaza Suites) reported they had completed certification.
- Justin (AC Santa Clara) reported that he will look into the follow-up on the certification process.
- There were no updates for Hilton, TownePlace Suites, or Hyatt House.

8. Santa Clara Convention Center Updates

Kelly Carr reported that the Center is still serving as a vaccination clinic. The clinic is no longer running on weekends and only running Monday thru Friday, 8:00 a.m. – 4:30 p.m.

Justin Hart left the meeting at 8:44 a.m.

In regard to the CIP projects:

- Spectra has have moved into the design development phase with HOK and will be review projected costs shortly.
- The glass pyramid project is almost complete. There are about 10 pieces of glass that need to be replaced.
- The security camera assessment was completed by Johnson Controls and the new cameras and system has been ordered.
- The new HVAC units are being installed and will be completed by the end of the day.
- The start of construction is anticipated in June or July.

9. Economic Development, Communications, and Marketing Committee Tentative Schedule (attachment – schedule)

Nancy Thome shared the tentative schedule for the EDCM Meetings which included regular updates by the DMO. The ECDM is comprised of Councilmembers Watanabe, Park and Becker.

General Updates

- City of Santa Clara - Brown Act and Robert's Rules of Order Presentation at May 20, 2021 meeting.
- Mark reported Avatar is under renovations and will remain closed until Q1 of 2022.

Avatar is re-branding and will no longer be under the Hyatt.
- Eron reported that there is no re-opening date for the Hilton.
- Jean-Phillippe reported the Plaza Suites will not re-open until this summer.

Adjournment

The meeting was adjourned at 9:02 a.m. The next regular scheduled meeting is on April 15, 2021 at 8:00 a.m.

Santa Clara Tourism Improvement District
Advisory Board Special Meeting – MINUTES

April 16, 2021, 8:00 a.m.

Call to Order

Chair Hodges called the meeting to order at 8:03 a.m.

Roll Call

Present: 4 Vince Buonocore, Interim General Manager, Marriott Santa Clara
Eron Hodges, General Manager, Hyatt Regency Santa Clara
Jon Siebring, General Manager, Biltmore Hotel
Ryan Turner, General Manager, Element Santa Clara

Absent: 7 Joe Eustice, General Manager, Hilton Santa Clara
Justin Hart, General Manager, AC Hotel Santa Clara
Jean-Phillippe Rollet, General Manager, The Plaza Suites
Peter Hart, General Manager, Embassy Suites
Mark Salquist, General Manager, Avatar Hotel
Alan Mass, General Manager, Hyatt House
Bridgette Burns, General Manager, TownePlace Suites by Marriott

A quorum was not met. Eron reported that Joe is on assignment in Orlando, Jean-Phillippe and Mark are in transition meetings with new hotel ownerships and Justin and Peter are out on vacation.

In Attendance
Ruth Mizobe Shikada, Assistant City Manager, City of Santa Clara
Nancy Thome, Assistant to the City Manager, City of Santa Clara
Dan Fenton, Executive Vice President, JLL
Kelly Carr, General Manager, Spectra Venue Management
Matt Stewart, CEO, Silicon Valley/Santa Clara DMO, Inc.

Public Comments

There were no public comments.

Consent Calendar

Matters listed in the Consent Calendar section will be considered routine by the Advisory Board and will be enacted by one motion. If discussion is requested, that item will be removed from the section entitled Consent Calendar and will be considered separately.

Consent Items Pulled for Discussion

General Business – Items for Discussion

1. Budget Presentation: Discussion and Action on the Silicon Valley/Santa Clara DMO, Inc. Proposed FY 2021/22 Operating Budget.

Matt Stewart provided an overview of the first draft of the DMO FY 2021/22 Proposed Budget.

There was no action taken as a quorum was not met.

2. Presentation: Discussion and Action on the Silicon Valley/Santa Clara DMO, Inc. Key Performance Indicators.

Matt Stewart provided an overview of the DMO's key performance indicators.

There was no action taken as a quorum was not met.

General Updates

- City of Santa Clara - Brown Act and Robert's Rules of Order Presentation at May 20, 2021 meeting.
- Nancy Thome reported City Council approved the Resolution of Intention to establish the new district on April 6. The public meeting and public hearing notice were sent to the hotels via email on April 7 and also mailed hard copies the same day. The public meeting is scheduled for April 20 and the public hearing is scheduled for May 25.
- Eron Hodges reported that Manny Gonzales, General Manager of California's Great America and DMO Vice-Chair announced his departure at the last DMO meeting. Manny has accepted a new assignment with Cedar Fair and will be moving to North Carolina in June. Eron also noted that Top Golf in San Jose opened effective today to be open 300 days of the year for families and businesses.
- Eron Hodges reported the CDC and Cal Osha have release new guidance on venue/events re-opening June 15. It was suggested that the hotels and Convention Center work together to offer consistent baseline safety best practices for guests.

Adjournment

The meeting adjourned at 9:13 a.m. The next regular scheduled meeting is on May 20, 2021 at 8:00 a.m.

City of Santa Clara
The Center of What's Possible

MINUTES OF THE CITY-SCHOOL LIAISON COMMITTEE SPECIAL MEETING

Virtual Meeting
Wednesday, March 3, 2021 at 11:45 a.m.

Council Present:
Mayor Lisa M. Gillmor
Vice Mayor Raj Chahal
Councilmember Kathy Watanabe

City of Santa Clara Staff Present:
City Manager Deanna J. Santana
Assistant City Manager Cynthia Bojorquez
Assistant to the City Manager Robyn Sahid
Assistant Chief of Police Wahid Kazem
Director of Parks and Recreation Jim Teixeira
Director of Community Development Andrew Crabtree

Santa Clara Unified School District (District) Present:
Board President Jodi Muirhead
Trustee Albert Gonzalez
Trustee Andrew Ratermann
Superintendent Stella Kemp
Chief Business Official Mark Schiel
Director of Facility Development and Planning Michal Healy
Director of Bond Projects Larry Adams
Public Information Officer Jennifer Dericco

Mayor Lisa M. Gillmor called the meeting to order at 11:47 a.m.

Item 1. Introduction of New Members

Item 2. Approve Minutes from September 2, 2020
It was moved by Trustee Andrew Ratermann, seconded by Councilmember Kathy Watanabe, and unanimously carried to approve the meeting minutes from September 2, 2020.

Item 3. Approve 2021 Meeting Calendar
The Committee meets the first Wednesday of every other month, starting in January. Board President Jodi Muirhead asked to move July meeting to mid-August. Superintendent Stella Kemp further suggested that there should be no meetings in July or August due to the District's need to plan for school opening in August. The meeting that would have taken place on July 7th was proposed to take place on June 23, 2021. All were in favor of this date change.

It was moved by Councilmember Watanabe, seconded by Trustee Ratermann, and unanimously carried to approve the 2021 meeting calendar with this change.

Item 4. Status of Returning to School in Person
Superintendent Kemp gave an overview of the District's plan to reopen, noting that the County is nearing the Orange phase. There is a Memorandum of Understanding (MOU) with employee groups that in-person instruction can begin on the Monday following the announcement of the County moving into the Orange phase. Of families that have completed the District's survey, an average of 40% of families want to go back to in-person learning. Plans for safety and reopening for the remainder of this year are in place and fall reopening plans are in progress. The County Office of Education is working with the County of Santa Clara to make vaccines available to district employees.

Mayor Gillmor asked if the District honors all parent requests for return to in person learning. Superintendent Kemp responded that the method of determining who returns to campus is dependent upon the number of students who want to come back in as compared with capacity limits. The District can accommodate most of the families who want to come back to campus. For all families who did not respond to the survey, the default is to remain in distance learning.

Vice Mayor Raj Chahal asked if all teachers and staff are returning to school sites. Superintendent Kemp responded staff members who do not want to come back for health reasons can meet with Human Resources for an interactive meeting. This matter was settled with the teachers' union. All teachers are returning to campus unless they have a medical note.

Councilmember Watanabe asked if temperature checks are required to enter the building. Superintendent Kemp responded that temperature checks are not required by public health guidelines. There are several screening and protection measures in place however, and the District is providing thermometers to teachers for their optional use.

Item 5. Update of Food Distribution Programs
Director of Parks and Recreation Jim Teixeira presented an overview of the City's programs, including the Commodity Point of Distribution (CPOD) operations at the Santa Clara Senior Center and the Food for Families distribution in partnership with the Salvation Army. The Senior Center continues to see an increase in community participation. The Food for Families operation distributes an average of 555 food boxes per week. As of the date of this meeting, a total of 8000 boxes/2818 households have been served. The City's contract with Salvation Army runs through June 2021; the Silicon Valley Food Bank is the source of the food boxes, and the City is prepared to continue the operation for as long as it is needed.

Mayor Gillmor suggested that the City send the District information on this program to share with their families and asked what kind of paperwork is needed to participate. Director Teixeira responded that the paperwork is simple, and Salvation Army will work with individuals to assist them in completing the requirements. Community members are even able to register for the program on the same day.

Chief Business Official Mark Schiel provided an overview of the District's food distribution operations. He reminded the committee of the many regulations in place from the US Department of Agriculture (USDA), and that the USDA issued a waiver and release from these regulations due to pandemic. As a result, the District has been able to serve any student that is under 18, and students are offered breakfast, lunch and sometimes dinner. Increased funding by the Federal government means no increased debt to the District for the distribution programs. The District served more students in the period from March – December 2020 than all of 2019. The District is also thinking creatively about using produce grown as part of its farm program; and has packed and distributed 42,000 lbs. of organically grown produce. In additional, the District distributed 20,000 boxes of food in collaboration

with the City. The District also implemented the Taste of Farm dinner program, a fundraising catering service, whereby Food Services staff cooks gourmet meals from scratch cooking using District grown organic produce.

Mayor Gillmor welcomed Mr. Schiel to the committee.

Councilmember Watanabe spoke about the Farm to Families distribution operation by the River of Life (ROL) Christian Church; she and Mayor Gillmor were contacted by Pastor Sam Loh of ROL about their program giving out meals every Tuesday, Thursday, and Saturday. ROL is the largest distributor of food boxes in the Bay Area. The USDA reached out to ROL through the Farm to Families program. Councilmember Watanabe also reached out to the School District through Suzy Cortez to promote this program; the District has been picking up 300 to 500 boxes at Bill Wilson Center each Saturday and the Mayor and Councilmember Watanabe have been distributing these boxes to local families in need.

Board President Muirhead spoke in more detail about the District's Taste of the Farm Dinner Program – these are four-course meals, very high quality and are available for pick up on Tuesday evenings. Orders are due the Monday evening prior. Cost per meals is between $20 and $30 per person.

Superintendent Kemp asked Public Information Officer Jennifer Dericco to speak on the additional food distribution done by the District Family. In early February, the District launched a family pantry through the Family Resource Center in response to learning that many families were in immediate need of food staples and couldn't wait for the distribution days. The Teachers and Classified Staff Unions partnered with the Santa Clara Schools Foundation and Family Resource Center to buy a commercial refrigerator and have been coordinating on keeping pantry stocked every week, and working with members to raise funds and shopping at Costco to purchase food for the program.

Item 6. City Budget Discussion

City Manager Deanna J. Santana gave an overview of the City's budget impacts due to the pandemic, which are severe. Prior to the pandemic, the City was able to reduce the City's deficit from 3 years ago from $116 million to $13 million just prior to the pandemic. At that time the City was on a growth strategy. With the impacts from COVID, preliminary numbers were released; in Fiscal Year (FY) 19-20 the City had a $10 Million deficit which was cured by expenditure controls. FY 20-21 the City was projecting a $22.7 million deficit. This was premature information in April 2020, at the time when the duration of COVID was not known. The recent forecast is now at 41.7 million. The Council has been deliberating on the budget and looking at where to make changes to staff's proposal. This has been a difficult process. The changes are being addressed in phases. Phase 1 comprises an initial cut of up to 43 vacant positions, thereby reducing the deficit to $29 million from $42 million and allow for the City to maintain status quo.

Assistant City Manager Cynthia Bojorquez detailed three proposals related to the District.

1. One-time reduction in maintenance of closed school sites equivalent to $36,000 - the previous agreement has expired.
2. Reduction to the Latchkey Program, resulting in a savings of approximately $108,000 ongoing– this agreement expired, in conversations with Superintendent Kemp, the City was informed that the program would continue since the District has access to state funding but there will be a reduction of 10 spots available for this program.
3. As part of Tier 2 budget balancing, there is a proposed liquidation to the $50,000 annual allocation to the Library's Footsteps to Brilliance Program. Program expires at the end of this fiscal year and the City will propose to reallocate this funding.

Superintendent Kemp responded that the District would look into options to maintain the Footsteps to Brilliance program.

Mayor Gillmor commented the bulk of the Council's budget discussions at the past two meetings centered around public safety. An agreement was not reached and will go to a third meeting.

Assistant Chief of Police Wahid Kazem provided an update of the crossing guard program in preparation for the return to school in person at the end of March. As many of the crossing guards are seniors, the Santa Clara Police Department (PD) is assisting with coordinating vaccines. The aim is to meet the need for staffing.

Trustee Albert Gonzalez commented that it will be beneficial to have people and PD presence in place to ensure a smooth reopening. Students are no longer used to crossing streets and drivers are not used to student presence.

Trustee Ratermann commented on programs he finds have been very beneficial to the community. One program is the D.A.R.E program, which he feels goes a long way in helping community policing. He does not want it to be cut and is asking for the District to be part of these discussions. The youth safety patrol is another example of a positive program for students. He further commented about the positive impacts to students for both the D.A.R.E and the Every15 Minutes program. Mayor Gillmor agreed with the positive effects of the D.A.R.E program and said she would fight to keep this and other programs funded in the City budget. Councilmember Watanabe concurred.

Director Teixeira commented that due to the need to respond to County/State emergency orders, the City immediately shifted to a role of providing disaster service. A lot of the City's recreation facilities are closed to indoor programs. One-time budget cuts related to this equaled $4.7 million, of this amount $1 million was for contractual services. The City cut 48% of as-needed staffing for Parks and Recreation programs which resulted in $1.3 million in savings. The City projects reduced hours at recreation centers; the Senior travel program was cut which resulted in savings, as well as savings from not being able to hold special events. Parks and Recreation departments have also realized savings by freezing vacant positions. Phase 2 budget reductions project about $830,000 in ongoing savings.

Trustee Muirhead commented on D.A.R.E and other programs, sharing her hope the programs can continue and that 5th graders who missed the D.A.R.E program can participate in future years.

Vice Mayor Chahal asked about the D.A.R.E and the School Resource Officer (SRO) programs, stating that the Chief of Police has assured him that no services will be reduced because of the proposed cuts to the public safety and that standards will be maintained. He asked if it is possible for District to help with funding to some of the supplemental programs. He further asked if City Manager Santana knew if any of the programs mentioned by Trustee Ratermann are on the list for budget cuts. City Manager Santana did not know specifically about the D.A.R.E program and asked for confirmation from Assistant Chief Kazem.

Assistant Chief Kazem responded that the department is in early stages of submitting phase 2 cuts. D.A.R.E positions are on the list for Council's future consideration.

City Manager Santana cited the loss of the City's two main income streams - sales tax and TOT revenues. More budget solutions will be brought in May to address the additional $29.4 million shortfall.

Vice Mayor Chahal reiterated his request that the District investigate ways it might supplement funding and to contact the City Manager and/or Assistant Chief Kazem.

Mayor Gillmor commented that SCPD is offering $3.8 million in cuts, and that there will be service reductions, according to information she received from the Police Officers Association (POA). This

could impact the D.A.R.E program.

Trustee Ratermann commented that it would nice to make input on these topics as a Board, but that the Board of Trustees would not be able to do so as the topic would need to be agendized, and asked that the Liaison Committee members share what is being discussed at this meeting with the full City Council. He then spoke about the $36,000 on maintenance for closed school sites and wanted to get further details. He also asked for a future discussion on the leases for the Teen Center, YAC, and Skate Park, in the hopes that the City and District find a good solution for all parties.

Mayor Gillmor asked staff to follow up.

Trustee Gonzalez asked about whether the City anticipates receiving Federal COVID relief funding. City Manager Santana responded that City staff does not know for sure yet, however it is anticipated that the City may receive $23 to $26 million in one-time funds, noting that that one-time funds cannot address ongoing budget shortfalls.

Assistant City Manager Bojorquez commented that the libraries have experienced savings due to identifying some non-personnel related costs, and savings due to key positions being vacant, resulting in less of an impact in Tier 1 budget solutions. There will be more of an impact in the Tier 2 phase of budget solutions.

Councilmember Watanabe thanked trustees who have made comments regarding their concerns about public safety. The community's concerns have been illustrated by the number of emails received on this topic.

Trustee Muirhead commented about the potential for the District to assist in funding some of the programs but that this would affect the District's budget. She asked that the City share information about costs with Superintendent Kemp to see if there is any room in the District budget to absorb extra costs, if possible She further commented that the Board of Trustees can't entertain a conversation if they don't know what the costs are.

City Manager Santana closed the discussion with her last comments. Like any other public agency, the City is an organization in transition. COVID resulted in immediate cuts of 550 employees from the City's staffing resources and had a hiring freeze. The City is at a 17% staffing vacancy rate. The opportunity for the Board of Trustees to consider would be April and offered to have the City's Finance Director to present to the Board.

Superintendent Kemp asked City Manager Santana to send a list of the items that are on the Phase 1 cuts and Phase 2 cuts, and she will take the list to the CBO and to the Board at their next budget study session.

Director Teixeira addressed Trustee Ratermann's comments about the Youth Activity Center– the lease goes through May 2022. The City and District staff have been meeting to discuss master agreement and joint use facilities.

Director of Facility Development and Planning Michal Healy addressed comments about the decrease in budget for maintenance of the closed sites. District grounds staff members already do the maintenance. This agreement was like a reimbursement agreement and won't affect staffing or service since the District is already doing the maintenance. For the Latchkey program, it has been discussed internally.

CBO Schiel stated that he sent a message to staff during this meeting to find out if the District contributes to the D.A.R.E Program; the District provides a $62,000 offset to the cost of the D.A.R.E

Program.

Item 7. Reopening Support, Fee Based After School Programming from Parks and Recreation Department.
Superintendent Kemp commented that the District is interested in seeing if the City has staff and capacity to run a fee-based after school program for families on District school sites. Families have need for after school childcare and there aren't enough spots at existing programs. The District has a contact person as a coordinator to share with Director Teixeira.

Mayor Gillmor asked the City Manager to review options and report back to the committee at the May meeting. Director Teixeira stated the department would need to look at hiring capacity and is in process of determining the number of staff needed to operate City programs as they restart. If this is a fee-based program, the City could look at staffing separately.

Superintendent Kemp said the District will connect Director Teixeira with a District staff member to further the conversation. This program should be either net zero or revenue-generating for the City.

Trustee Muirhead commented that this conversation should move forward now not wait until 2 months as the need is now. The Mayor responded that she wants to track progress through the committee.

Councilmember Watanabe asked about a program she has seen on the campus of Don Callejon School. Superintendent Kemp responded that it may be a learning center – she is not certain and would find out.

Item 8. SCUSD Comments on Patrick Henry Drive Specific Plan
Director Healy opened by stating the District is still looking for a school site to be designated on the Patrick Henry Specific Plan before it gets approved and asked that the City reach out to developers for this request. Mayor Gillmor asked Director Healy if the District provided parameters in what it was looking for in a school site. Director Healy responded affirmatively and restated that the District is looking for 4 to 5 acres to accommodate a facility that would house up to 600 students; for a multi-story building to fit on small site against park land to use joint use fields.

Community Development Director Andrew Crabtree commented that he and Director Healy met a few months ago to discuss a potential property and asked if there was an update from that meeting. Director Healy responded that there was no update now.

Mayor Gillmor asked Director Crabtree about public outreach on the Patrick Henry Specific Plan. Director Crabtree responded that there is a community meeting on March 10, 2021 and that the Environmental Impact Report (EIR) public circulation is scheduled to start in April.

Director Crabtree shared that there are still 11 to 12 developers who are actively participating in the planning effort. Mayor Gillmor asked if this includes the Kylli site, and Director Crabtree confirmed that it does not include the Kylli site. Mayor Gillmor asked Director Healy about District preferences. Director Healy responded that since Kylli is no longer looking at putting a school site in their project that Patrick Henry Specific Plan is the only option. The last conversation the District had with Kylli was last month. CBO Schiel clarified that a smaller school site would require a state waiver.

Trustee Ratermann asked about any way that the developers of the projects north of Highway 101 north could form a consortium of to come to an agreement, for example on a proportional basis with other developers. Director Crabtree responded that the City recognizes a property owner has a right to a certain amount of development capacity. The City can identify preferable sites and can try to facilitate between property owners and the District.

General Updates from Attendees
Director Crabtree provided planning and development updates and commented on the upcoming Housing Element update. Director Healy asked a question on whether the conversion of the project on N. Winchester Blvd. rezoning would mean increased school impact fees due to the District. She also asked for distinctions regarding the units counted in the Housing Element update. Director Healy updated the committee about school fields reopening. New gates on fencing will be posted that gates will be unlocked after school operations are closed for the day. Tracks are not yet open to the public since they are being used for school track teams. The District will be putting in a new playground for the preschool program and will relocate fencing at the Montague Swim Center which will reduce some turf area.

Trustee Gonzalez commented on the community use of fields, and the Mayor further commented that the community wants to use the new tracks. The citizens feel that they funded the project cost and the Mayor commented that there should be a compromise.

Trustee Ratermann thought about an opportunity for the community to use highly impacted facilities, such as a period earmarked for community use. He agreed that he would like to see a compromise.

Vice Mayor Chahal thanked Trustee Gonzalez and Trustee Ratermann for the idea of opening facilities to the community. The City received emails from the community on this topic and Vice Mayor Chahal asked for more notice to the City when fences are put up and to disseminate this information to the public.

Director Teixeira provided an update on new parks and rehabilitation projects.

Director of Bond Projects Larry Adams commented that the District has begun construction of a new fence between Bowers Elementary School and the park and has put signs up on the new fences to inform the community. They have been taking calls and emails from concerned residents.

Mayor Gillmor spoke about the recent passing of Don Callejon and asked the District to inform the City of their plans to honor Mr. Callejon.

A motion to adjourn was made by Trustee Ratermann, seconded by Vice Mayor Chahal, and was unanimously carried. The next regularly scheduled meeting is the first Wednesday in May. The meeting was adjourned at 1:38 p.m.

MINUTES OF THE CITY-MISSION COLLEGE LIASION COMMITTEE MEETING
November 30, 2020 at 4:00 PM

Council Present:

- Chair Gillmor
- Committee Member Hardy
- Committee Alternate O'Neill

Staff Present:

- Deanna J. Santana, City Manager
- Robyn Sahid, Assistant to the City Manager
- James Teixeira, Director of Parks and Recreation
- Andrew Crabtree, Director of Community Development
- Julie Minot, Executive Assistant to the Mayor and City Council

Mission College Present:

- Ann Kepner, Mission College Board of Trustees
- Bob Owens, Mission College Board of Trustees
- Brad Davis, Chancellor
- Manny Cappello, Associate Vice Chancellor
- Daniel Peck, President
- Danny Nguyen, Vice President

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Chair Gillmor called the meeting to order at 3:35 p.m.

Item 1. Mission College Response to COVID-19

President Daniel Peck gave an overview of Mission College's (Mission) transition to remote operations during COVID-19 and related challenges. The impacts across student populations, such as the digital divide and health challenges were emphasized during this time. Mission provided over 300 laptops and hotspots and is continuing to seek out students who need help. Mission also provided technical support and opened a by-reservation computer lab which complies with Santa Clara County COVID-19 safety mandates.

In partnership with Second Harvest Food Bank, Mission resumed a drive through food distribution operation and increased frequency to once per week, making a big difference in helping the students and community. Mission established a food assistance program, distributing meal vouchers to students and families in need, supported through CARES act funding, and donations from nonprofits. Mission has also given $1.7 million in direct aid to over 5000 students. Mission is also helping undocumented and international students with financial support.

Mission is also expanding mental health services, and has also partnered with Kaiser, to support flu shots.

Mayor Lisa M. Gillmor asked if the food distribution is only for students. President Peck responded that the meal service program is limited to the student population; however, in partnership with Second Harvest Food Bank the food distribution is open to the community. The meal service program is one day a week with vouchers that are applied for electronically. The student response is very positive and as a result Mission is looking into opportunities for a permanent food pantry location.

Vice Mayor Karen Hardy thanked Mission College for their work and commented that educators must think of all barriers that students face. President Peck then acknowledged Mission's partnership with Santa Clara Unified School District (SCUSD).

Item 2. Mission College Spring/Summer/Fall Planning

President Peck shared that Mission plans for the upcoming Spring and Summer semesters will continue to be remote, and that much planning is being done to transition to a hybrid model. Mission is planning a return to campus in Fall 2021 but will be prepared to maintain a remote model if needed.

Vice President Danny Nguyen stated that the Mission/West Valley District has weekly check in calls with County of Santa Clara.

Mayor Gillmor asked about enrollment numbers, and President Peck responded that enrollment is down by 6 to 8 percent.

Item 3. Mission College Bond Project Update

President Peck began by thanking the community for their support. The "Big Building" is gone, and the plaza is complete. All new buildings are modern and designed for today's instruction, in celebrating diversity and cultures, and all incorporate social justice into the design. Mission has also just begun construction on other projects, including renovation to the building which houses the Child Development Program, and installation of new turf on fields. All projects are on schedule and President Peck commented that Mission may be able to take advantage of less escalation costs.

Item 4. Mission College Scholarships and Financial Assistance

President Peck introduced the Mission Promise program, which offers two years free tuition plus $1000 per term for books with priority given to SCUSD graduates and City of Santa Clara residents. Mission looks forward to giving an update on the program at a City Council meeting. There are a few requirements to meet to qualify; it is not a competitive scholarship, but a community scholarship. Trustee Ann Kepner commented that the City's Youth Commission would be a good way to promote the Mission Promise program.

Item 5. College and Faculty/Staff Housing

President Peck opened by stating that housing affordability is a challenge in our region and poses significant obstacles for students and staff, which affects employee retention. Chancellor Brad Davis commented that the theme Mission would like to promote is one of collaboration and that Mission wants to collaborate with City on all matters including housing and transportation. He further stated that all Community College Districts in the Bay Area are planning for housing and transportation needs for student, and that Mission looks forward to a partnership for a better way forward.

Mayor Gillmor asked if a plan was in place to build housing on campus. President Peck responded that the prior proposed project did not happen. Mayor Gillmor commented that the City has nearby affordable housing projects/components at developments such as Tasman East, St. Anton, other Specific Plans. The Mayor asked if there is land on the Mission Campus that could be used to build housing. President Peck responded that they are looking into possibilities.

Councilmember Teresa O'Neill recalled her time serving on the SCUSD Board and remarked that her happiest moment was the grand opening of La Casa Del Maestro Apartment Complex. She further commented that the San Mateo Community College District has followed Santa Clara models, and is in process of their third project for affordable housing for staff. Councilmember O'Neill shared her hope that there will be a more open approach to financing options and said Casa Del Maestro was a huge success and helped SCUSD retain staff.

Item 6. City of Santa Clara Land Planning Update

Community Development Director Andrew Crabtree reported that construction activity in the region remains strong and there are higher levels of permit activity over last year and a lot of long range planning taking place, especially on the Northern part of Santa Clara in proximity of the Mission campus. He named the Tasman East Specific Plan, the 100% affordable housing project by St. Anton. A total of 4480 units are proceeding through the permit process to start construction this year and early next year. The success of the plan is that we've achieved target number of units without using all the land. The City has also started the process to amend the Patrick Henry plan to add 1500 more units. Director Crabtree also commented on the Related Santa Clara project, a 10 million square feet project including commercial and food/beverage space, retail, and a hotel, which is going through land use entitlement process. The first two phases are in the final planning approvals. Director Crabtree then spoke about the status of the Patrick Henry Specific Plan, which is adjacent to Mission College. This is anticipated to add 12,000 housing units to the area. He further referred to a meeting with Mission staff in November 2020 to explore adding a roadway between the campus and Patrick Henry Drive. This is currently being studied under the Patrick Henry Specific Plan. An analysis of the amount of traffic the roadway would carry is being done and the City has provided some of the information to Mission College; further discussions will take place. It is anticipated that the Patrick Henry Specific Plan will be completed in a year. Other nearby projects include the expansion of the Hilton Hotel on its existing site, and other interest in developing in the Northside.

President Peck shared that one of Mission's concerns in addition to increased traffic is road maintenance to support increase in traffic.

Mayor Gillmor commented about potential of the CCD or Mission college to partner with the developers for workforce or housing and recommended that they explore this potential opportunity. The economy is unknown, such as the current increase vacancy rate and lower rents. The Related project will have a tremendous impact and will present many opportunities for students and Mission will naturally be a source of a workforce. She further commented that transportation issues will be a concern and asked for clarification from City Manager Santana on scooter use, as this is a popular mode of transportation for students. City Manager Santana reported that the State recently passed legislation that allows local governments to provide permits for scooters and similar mobile activity and that City staff will be bringing forward as part of the January 2021 Policy Priority Setting Session for the Council to discuss a permitting program.

President Peck reported that Mission has met with developers as referenced by the Mayor; Mission looks forward to future meetings and would appreciate connections. He further reported on past connections with Levi's Stadium for hospitality employment and learning opportunities for students and cited positive conversations with Related. He then stated the last mile stretch of roadway in getting from the transportation hubs to campus is a critical one and asked that Mission College is included in all future discussions.

Director Jim Teixeira commented that he doesn't have anything to add to Land Update and looks forward to collaborating with Mission College. He further stated that COVID-19 has limited recreation activities and adult sports are not allowed under current conditions. He looks forward to future collaboration when possible.

Mayor Gillmor stated that the City just opened a new sports complex and the City is upgrading parks in the City/trails, etc. The City of Santa Clara's facilities are ripe for youth sports as an attractive destination. Mission College's facilities will be very attractive for future sports events as well.

President Peck asked about a plan for developing a walking trail along Calabasas creek, and Mission is interested in this potential. Director Teixeira responded that Patrick Henry Drive has several park facilities, and since many parks are connected via trail system, at least one park will be connected to the campus by a trail. Councilmember O'Neill also stated her hope to see the trail enhancement.

Item 7. Future Opportunities for Partnerships

President Peck reiterated his hope for collaboration and asked to be connected to the right parties for future partnership. Mayor Gillmor remarked that the City's goals as of January 2020 had to be set aside due to the pandemic and the focus changed to meeting the basic needs of the community. The City is doing more with less as tax revenue is severely decreased. We all need to focus on doing more with less as well as stay positive that we will get through these difficult times. Mayor Gillmor commented that Mission is a lifeline for students and the community in this time. President Peck thanked outgoing Councilmember O'Neill for her service.

President Peck suggested that Mission College hold quarterly presentations to the City Council, as well as a joint City Council/West Valley/Mission College meeting in the first quarter 2021. Mayor Gillmor agreed that Mission's updates to the City Council are always helpful and concurred with ensuring future meetings are scheduled.

The meeting was adjourned at 4:47 p.m.

Draft

City of Santa Clara

Meeting Minutes

Cultural Commission

04/05/2021 **7:00 PM** **Virtual Meeting**

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely.

Via Zoom:
https://santaclaraca.zoom.us/j/98272283531

Webinar ID: 982 7228 3531

Or join by phone: 1 669 900 6833

The meeting set-up is in line with the recommendations of the COVID-19 White House Task Force, which notes no more than ten (10) people gathering. The Chair will be present for the meeting with the staff liaison and commissioners participating remotely.

CALL TO ORDER AND ROLL CALL

The meeting was called to order by Chair Samara at 7:09 P.M.

Present 5 - Chair Louis Samara, Commissioner Niha Mathur, Commissioner Debra von Huene, Commissioner Candida Diaz, and Commissioner Teresa Sulcer

Absent 1 - Vice Chair Jonathan Marinaro

CONSENT CALENDAR

1.A 21-296 Cultural Commission Regular Meeting Minutes of March 1, 2021

Recommendation: Approve the Cultural Commission Regular Meeting Minutes of March 1, 2021.

A motion was made by Commissioner Diaz, seconded by Commissioner Mathur that this item be approved. The motion passed with the following vote:

Aye: 5 - Chair Samara, Commissioner Mathur, Commissioner von Huene, Commissioner Diaz, and Commissioner Sulcer

Absent: 1 - Vice Chair Marinaro

PUBLIC PRESENTATIONS

None.

GENERAL BUSINESS

2. 21-482 Cultural Commission Work Plan FY2020/21 Goals and Activities

Recommendation: Provide status reports on the FY 2020/21 Cultural Commission work plan goals and activities.

The Commission discussed the work plan goals and reported on the progress in each area.

Goal #2-Commissioner von Huene shared that 16 agreements were received for the Virtual Sculpture Exhibition. The photos will be posted on the website and the public will vote on their favorite. The video will follow at a later date. Commissioner von Huene reported as of 4/5, 41 applications were received for the Surviving Covid Project. The kickoff meeting will be after 4/15. Only one artist is from the youth category. The judges were discussed.

Commissioner Diaz shared an updated presentation on the Utility box project. All six (6) boxes have been identified. Call for Artists will be on 4/19 and closes on 5/3. Winners will be announced at the June meeting.

Commissioner Mathur shared the Art map has been updated with all the Utility Box locations.

Goal #3-Commissioner Diaz shared a rough draft of the coloring book for the Commemorative months.

Goal #4-The Commission will be attending the City Council meeting on 4/6. Will mention the NEA Grant, as well as how the commission celebrates diversity through art and events.

A motion was made by Commissioner Diaz, seconded by Commissioner Sulcer, that $4,500 be allocated to the Utility Art Box project for the first round of six (6) boxes. The motion passed with the following vote:

Aye: 5 - Chair Samara, Commissioner Mathur, Commissioner von Huene, Commissioner Diaz, and Commissioner Sulcer

Absent: 1 - Vice Chair Marinaro

A motion was made by Commissioner Diaz, seconded by Commissioner von Huene, that the judging panel for the Utility Box project will consist of Commissioner Diaz, Commissioner Mathur and Commisioner von Huene. The motion passed with the following vote:

Aye: 5 - Chair Samara, Commissioner Mathur, Commissioner von Huene, Commissioner Diaz, and Commissioner Sulcer

Absent: 1 - Vice Chair Marinaro

A motion was made by Commissioner von Huene, seconded by Commissioner Sulcer, that $1,200 be allocated for the Commemorative Months coloring book. The motion passed with the following vote:

Aye: 5 - Chair Samara, Commissioner Mathur, Commissioner von Huene, Commissioner Diaz, and Commissioner Sulcer

Absent: 1 - Vice Chair Marinaro

STAFF REPORT

Recreation Manager Castro discussed a fun event that just concluded, "Let's Eggsplore Santa Clara". She mentioned a virtual ribbon cutting video for Homeridge and Creekside Parks and Raymond G. Gamma Dog Park that is being rehabilitated. She mentioned spring classes started the week of April 5 and staff are programming for Summer. She also mentioned budget challenges and food service projects the City is undertaking.

COMMISSIONERS REPORT

Commissioner von Huene mentioned she attended the California for the Arts South Bay Regional Networking meeting on March 25. She shared a slide deck from Arts, Culture and Creativity Month (ACCM) that was declared in 2019 by the California Senate to be every April. She mentioned there is a full day virtual ACCM convening on April 27. She thanked staff for working on the Virtual Sculpture agreements.

Commissioner Diaz formally thanked City staff for their work on the Utility Box project.

21-562 California Arts, Culture, & Creativity Month April 2021 Post Meeting Material

ADJOURNMENT

A motion was made by Commissioner von Huene, seconded by Commissioner Diaz, that the meeting be adjourned at 8:05 P.M.

Aye: 5 - Chair Samara, Commissioner Mathur, Commissioner von Huene, Commissioner Diaz, and Commissioner Sulcer

Absent: 1 - Vice Chair Marinaro

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Draft

City of Santa Clara

Meeting Minutes

Board of Library Trustees

04/05/2021 **6:00 PM** **Virtual Meeting**

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

• Via Zoom:
o https://zoom.us/j/96309770871

Webinar ID: 963 0977 0871 or

o Phone: 1(669) 900-6833

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- Use the raise your hand feature in Zoom when you would like to speak on an item and lower when finished speaking. Press *9 to raise your hand if you are calling in by phone only.
- Identify yourself by name before speaking on an item.
- Unmute when called on to speak and mute when done speaking. If there is background noise coming from a participant, they will be muted by the host. Press *6 if you are participating by phone to unmute.
- If you no longer wish to stay in the meeting once your item has been heard, please exit the meeting.

CALL TO ORDER AND ROLL CALL

Chair Ricossa called the meeting to order at 6:01pm

Present 4 - Trustee Leonne Broughman, Trustee Debbie Tryforos, Vice Chair Jan Hintermeister, and Chair Stephen Ricossa

CONSENT CALENDAR

1 21-486 Board of Library Trustee Minutes of March 1, 2021

Recommendation: Approve March 1, 2021 meeting minutes

Vice Chair Hintermeister inquired how public comment is summarized in minutes. **Deputy City Clerk Dhadli** informed **the Board of Library Trustees (the Board)** that the City Clerk's practice is to use action minutes that note a comment was made by a public individual, but the comment is not summarized.

A motion was made by Trustee Broughman, seconded by Trustee Tryforos, that the minutes of the March 1, 2021 meeting be approved.

Aye: 4 - Trustee Broughman, Trustee Tryforos, Vice Chair Hintermeister, and Chair Ricossa

PUBLIC PRESENTATIONS

JoAnn Davis, Executive Director (Library Foundation and Friends) gave an update on Foundation and Friends activities. The Foundation and Friends has tentative plans to reopen their bookstore in the Central Park Library on May 3, 2021. COVID-19 protocols, staffing, and hours of operation for the bookstore are still being developed.

The Foundation and Friends will be providing books for three "little free libraries" the Santa Clara Fire Department is installing at Fire Stations 1, 5 and 7.

GENERAL BUSINESS

2 21-488 Informational Report on the Recruitment Process for the City Librarian Position

Recommendation: This item is for information only; no action is required at this time.

Acting City Librarian Bojorquez informed **the Board** the new City Librarian recruitment began on March 22, 2021 and would end on April 18, 2021. At the time of the meeting, 11 applications had already been received. The executive recruiter, **Teri Black**, will screen the applications and provide the City with a list of qualified candidates.

Vice Chair Hintermeister would like to receive information about what materials will be presented to **the Board** and what decision **the Board** will be asked to make before the **City Manager** presents a City Librarian candidate for approval. **Acting City Librarian Bojorquez** will work with the executive recruiter to provide this information.

3 21-516 Discussion of Potential Interview Topics for City Librarian Recruitment

Recommendation: Review and discuss potential interview topics to be forwarded to the City Manager for consideration.

Vice Chair Hintermeister provided a list of questions he would like to be considered for the interview panel of the City Librarian. **Acting City Librarian Bojorquez** presented potential interview questions that were drafted by **the Board** during the March 9, 2020 meeting. **The Board** added additional questions. The questions were as follows:

- Have you worked closely with a library board and/or a foundation in a recent library position?

- How would you work with a board or library commission to achieve your goals?

- Describe your approach to estimating needs for capital or library services improvements, up to and including facility planning.

- What is your experience with proposing planning for major facilities upgrades?

- Have you dealt directly with providing library services to a diverse community? What has worked and what has not?

- Name three basic experiences or attributes that lead you to believe you are ready to lead a library system like Santa Clara.

- What criteria do you use to measure the success of a library system in a community?

- What have you done with data to evaluate library performance?

- What qualities do you look for when hiring key library staff members, beyond technical proficiency?

- Have you made continuing education of staff a priority? Please quantify.

- How do you keep up with modern library trends in both materials and programming?

- What is your collection philosophy?

- How do you manage hiring and mentoring new hires for staff level librarians and other staff?

- Given staffing gaps, how would you address staff development?

- How would you manage staffing gaps?

- How would you manage training and development?

- What services could be provided during a library shutdown?

- What is your experience with strategic planning? Give examples.

- Our City Library is in the Silicon Valley, but operations are traditional. How can we be a gold star library of the 90s?

- How do you plan library capacity in relation to community growth?

- How do you plan to maintain a leadership role in the County?

- What is your management style?

- How do you manage organizational change and external change?

- How do you balance needs for budget and programming between main libraries and branch libraries?

- How do you show interest and support for history and genealogy?

Acting City Librarian Bojorquez explained confidential nature of the recruitment process and the limitations of information that can be discussed. The specific questions being asked in the interview panel and the names of the candidates are considered confidential.

Acting City Librarian Bojorquez discussed possible formats of the interview panel and the limited scope in which a panel interviewer can ask questions.

Acting City Librarian Bojorquez presented the results of a staff survey on the desired qualities of the new City Librarian.

Public comment: **Jonathon Evans** and **Linda Sanders**

STAFF REPORT

STAFF REPORT

4 21-517 Verbal Report on Library Programs and Activities

Recommendation: Note and file the monthly update on Library activities.

Acting City Librarian Bojorquez presented updates on the following Library activities:

- The Mission Branch Library and Northside Branch Library reopened for limited in-person services on April 5, 2021;

- National Library Week activities happening between April 4, 2021 - April 10, 2021;

- All three Library locations would offer limited computer and printing services starting April 19, 2021;

- The Stanford Blood Center conducted a mobile blood drive on April 2, 2021 at the Northside Branch Library;

- A 40kw roof mounted photovoltaic system will be installed at the Northside Branch Library in late April. It is anticipated to be completed in early summer;

- The Library and Santa Clara City Library Foundation and Friends are working to support the Fire Department's three "little free libraries;"

An email from the Friends of the San Francisco Library was shared with **the Board** by the request of **Trustee Broughman**.

Acting City Librarian Bojorquez presented a list of current staff vacancies and the status of their recruitments.

Acting City Librarian Bojorquez discussed a survey comparing the required qualifications for Library Directors by other local libraries.

Trustee Hintermeister revisited creating a one-page policy document to help the Board advocate for Library services when the City is planning new developments. **Acting City Librarian Bojorquez** will speak with **Director of Community Development, Andrew Crabtree,** to provide guidance to the Board in this matter.

TRUSTEES REPORT

Trustee Broughman inquired about the status of the heating, ventilation and air conditioning (HVAC) system at Central Park Library. **Acting City Librarian Bojorquez** discussed some of the current capital improvement projects that have been prioritized.

ADJOURNMENT

A motion was made by Trustee Broughman, seconded by Trustee Tryforos, that the meeting be adjourned at 7:34pm.

Aye: 4 - Trustee Broughman, Trustee Tryforos, Vice Chair Hintermeister, and Chair Ricossa

The Board of Library Trustees Meeting is adjourned to May 3, 2021.

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City of Santa Clara

Meeting Minutes

Historical & Landmarks Commission

04/01/2021 **6:00 PM** **Virtual Meeting**

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• Via Zoom:
o https://santaclaraca.zoom.us/j/97233262035 or
o Phone: 1 (669) 900-6833
Webinar ID: 972 3326 2035

Public Comments prior to meeting may be submitted via email to PlanningPublicComment@santaclaraca.gov no later than noon on the day of the meeting. Clearly indicate the project address, meeting body, and meeting date in the email. Historical and Landmarks Commissioners and Staff Liaison will be participating remotely.

PUBLIC PARTICIPATION IN ZOOM WEBINAR:
Please follow the guidelines below when participating in a Zoom Webinar:
- The meeting will be recorded so you must choose 'continue' to accept and stay in the meeting.
- If there is an option to change the phone number to your name when you enter the meeting, please do so as your name will be visible online and will be used to notify you that it is your turn to speak.
- Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- Use the raise your hand feature in Zoom when you would like to speak on an item and lower when finished speaking. Press *9 to raise your hand if you are calling in by phone only.
- Identify yourself by name before speaking on an item.
- Unmute when called on to speak and mute when done speaking. If there is background noise coming from a participant, they will be muted by the host. Press *6 if you are participating by phone to unmute.
- If you no longer wish to stay in the meeting once your item has been heard, you may leave the meeting.

CALL TO ORDER AND ROLL CALL

Chair Leung called the meeting to order at 6:01 p.m.

Present 7 - Chair Patricia Leung, Vice Chair Stephen Estes, Commissioner J.L. "Spike" Standifer, Commissioner Ana Vargas-Smith , Commissioner Michael Celso , Commissioner Megan Swartzwelder , and Commissioner Kathleen Romano

CONSENT CALENDAR

1.A 21-432 Consideration of a request for a plaque for the property at 710 Madison Street

Recommendation: Approve a bronze plaque circa 1911 for the property located at 710 Madison Street, and allocate funds to cover the cost of the plaque in the amount of approximately $200.00.

Item 1.A was pulled from the consent calendar for discussion by **Staff Liaison Rebecca Bustos.**

Chair Leung and **Commissioner Romano** were recused from voting due to their proximity to the property.

Public Speaker(s): Tim Konkol
Suzanne Avina

A motion was made by Commissioner Vargas-Smith, seconded by Commissioner Celso to continue Item 1.A to the next meeting to allow staff to get a quote for a larger plaque and to work with Mr. Konkol, Ms. Avina, and Historical and Landmarks Commission Historical Advisor Lorie Garcia on the plaque language.

Aye: 5 - Vice Chair Estes, Commissioner Standifer, Commissioner Vargas-Smith, Commissioner Celso, and Commissioner Swartzwelder

Recused: 2 - Chair Leung, and Commissioner Romano

1.B 21-433 Historical and Landmarks Commission Minutes of March 4, 2021

Recommendation: Approve the Historical and Landmarks Commission Minutes of March 4, 2021.

A motion was made by Commissioner Vargas-Smith, seconded by Commissioner Swartzwelder to approve staff recommendation.

Aye: 7 - Chair Leung, Vice Chair Estes, Commissioner Standifer, Commissioner Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

PUBLIC PRESENTATIONS

None.

GENERAL BUSINESS

2. 21-435 Public Hearing: Consideration of an Architectural Review of a proposed addition at a property located at 1772 Main Street that is within 200 feet of a Historic Resource. (Continued from March 4, 2021 HLC Meeting)

Recommendation: There is no staff recommendation.

Associate Planner Nimisha Agrawal provided the staff presentation. The Commission thanked the owner for working with staff to revise the plans and suggested modifying the proposed windows and garage to carriage-style. **Historical and Landmarks Commission Architectural Advisor Craig Mineweaser** discussed his comment letter.

Commissioner Standifer abstained from voting due to technical difficulties relating to Zoom.

Public Speaker(s): Azadeh Masrour
Guillermo Segura

A motion was made by Commissioner Estes, seconded by Commissioner Vargas-Smith find the proposed project, given that alterations are made to the front windows to harmonize their alignment and given the choice of a carriage-style garage door in the rear, does not destroy or have a significant adverse effect on the integrity of the designated property across the street; that the alterations are compatible with the existing structure and setting in the Old Quad neighborhood; and recommend approval at the Development Review Hearing subject to the conditions of approval.

Aye: 6 - Chair Leung, Vice Chair Estes, Commissioner Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

Abstained: 1 - Commissioner Standifer

3. 21-434 Public Hearing: Action on the Certified Local Government (CLG) 2019-2020 Annual Report

Recommendation: Approve the Certified Local Government (CLG) 2019-2020 Annual Report.

Staff Liaison Rebecca Bustos presented the report to the Commission.

A motion was made by Commissioner Romano, seconded by Commissioner Vargas-Smith to accept the report, pending any additional information, and to submit it to the Office of Historical Preservation by April 30, 2021.

STAFF REPORT

Staff Liaison Rebecca Bustos updated the Commission about the 2021 California Preservation Foundation conference being moved to June with more details to be given at the next meeting.

1. Berryessa Adobe Maintenance

Staff Liaison Rebecca Bustos shared that the Berryessa Adobe's maintenance is currently on hold.

COMMISSIONERS REPORT

1. Subcommittee Reporting - 20 minutes

Commissioners present reported on subcommittee activities.

2. Board and Committee Assignments - 15 minutes

Commissioners present reported on assignments.

3. Announcements and Other Items - 10 minutes

Commissioner Romano shared that **Historical and Landmarks Commission Historical Advisor Lorie Garcia** urged the Commission to view the modern preservation series held by the California Preservation Foundation. Commissioners also discussed ideas to advertise Preservation Month in May.

4. Commissioner Travel and Training Requests - 10 minutes

None.

ADJOURNMENT

A motion was made by Commissioner Romano, seconded by Commissioner Vargas-Smith to adjourn the meeting.

The meeting adjourned at 8:13 p.m.

The next regular scheduled meeting is on Thursday, May 6, 2021 at 6 p.m.

Aye: 7 - Chair Leung, Vice Chair Estes, Commissioner Standifer, Commissioner Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

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City of Santa Clara

Meeting Minutes

Planning Commission

04/28/2021 **6:00 PM** **Virtual Meeting**

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

- Via Zoom:
  - o https://santaclaraca.zoom.us/j/91729202898
    Webinar ID: 917 2920 2898 or
  - o Phone: 1(669) 900-6833
- Via the City's eComment (available during the meeting)

The public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

Public Comments prior to meeting may be submitted via email to PlanningPublicComment@SantaClaraCA.gov no later than noon on the day of the meeting; and also before and during the meeting via eComment. Clearly indicate the project address, meeting body, and meeting date in the email.

PUBLIC PARTICIPATION IN ZOOM WEBINAR: Please follow the guidelines below when participating in a Zoom Webinar:
- The meeting will be recorded so you must choose 'continue' to accept and stay in the meeting.
- If there is an option to change the phone number to your name when you enter the meeting, please do so as your name will be visible online and will be used to notify you that it is your turn to speak.
- Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- Use the raise your hand feature in Zoom when you would like to speak on an item and lower when finished speaking. Press *9 to raise your hand if you are calling in by phone only.
- Identify yourself by name before speaking on an item.
- Unmute when called on to speak and mute when done speaking. If there is background noise coming from a participant, they will be muted by the host. Press *6 if you are participating by phone to unmute.
- If you no longer wish to stay in the meeting once your item has been heard, please exit the meeting.

6:00 PM REGULAR MEETING

Call to Order

Chair Saleme called the meeting to order at 6:03 p.m.

Pledge of Allegiance and Statement of Values

Roll Call

Present 6 - Vice Chair Nancy A. Biagini, Commissioner Priya Cherukuru, Commissioner Ricci Herro, Commissioner Qian Huang, Commissioner Yuki Ikezi, and Chair Lance Saleme

DECLARATION OF COMMISSION PROCEDURES

Secretary Cherukuru read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

A motion was made by Commissioner Biagini, seconded by Commissioner Ikezi to approve the Consent Calendar.

Aye: 6 - Vice Chair Biagini, Commissioner Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Chair Saleme

1. 21-33 Planning Commission Meeting Minutes of April 14, 2021 Meeting

Recommendation: Approve the Planning Commission Minutes of the April 14, 2021 Meeting

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. 21-642 Action on the El Camino Real Specific Plan, General Plan Amendment for the creation of four new General Plan land use designations, creation of the El Camino Real Zoning Districts, and an Environmental Impact Report.

Staff is requesting that the Planning Commission open the public hearing and then continue this item to the May 10, 2021 Planning Commission Special Meeting.

The item was opened to the public and there were no public speakers.

A motion was made by Commissioner Biagini, seconded by Commissioner Cherukuru to continue this item to the May 10 Planning Commission Special Meeting.

Aye: 6 - Vice Chair Biagini, Commissioner Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Chair Saleme

3. 21-534 Action on a Conditional Use Permit for Twisters Gymnastics to allow a youth gymnastics center at 2800 Bowers Avenue.

Recommendation: Adopt a Resolution to Approve a Use Permit to allow a youth gymnastics center located at 2800 Bowers Avenue, subject to conditions of approval.

Assistant Planner Tiffany Vien provided a PowerPoint presentation.

Applicant Allan and Erika Fusilero spoke.

Commissioners inquired as to why there was a previous code violation that resulted in the facility being closed. Applicant replied he misunderstood the details of when the facility could be open in relation to the Conditional Use Permit.

Public Speakers:
Bonnie Sanders - parent of a student at Twisters Gymnastic School
Lea Tanquary - Airborne Gymnastics

Applicant stated they have been closed for one year and this has created a financial strain and inquired if they could operate with a conditional permit. **Staff Liaison/Development Review Officer Gloria Sciara** replied that there may be improvements needed which would be noted in the Conditions of Approval and that there is a 7-day waiting period due to the appeals process from the date of the decision to approve the project.

A motion was made by Commissioner Ikezi, seconded by Commissioner Cherukuru to close public hearing.

Aye: 6 - Vice Chair Biagini, Commissioner Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Chair Saleme

A motion was made by Commissioner Biagini, seconded by Chair Saleme to approve this item.

Aye: 6 - Vice Chair Biagini, Commissioner Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Chair Saleme

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Planning Manager Reena Brilliot provided updates that Community Development received recent awards from the American Planning Association for Rebuilding Downtown Santa Clara and for the Tasman East Specific Plan.

2. Commissioner Travel and Training Reports, Requests to attend Trainings

Planning Manager Reena Brilliot informed the Commission that a joint training for City Council, Downtown Community Task Force, and the Planning Commission is being coordinated on the topic of Form Based Codes. The date has not yet been confirmed but a tentative date of July 15, 2021 is being requested for the training. **Ms. Brilliot** also requested that the Commission consider using their budget to pay for the training and a vote will take place at the next meeting regarding the expense.

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

2. Upcoming Agenda Items

Planning Manager Reena Brilliot provided updates.

3. City Council Actions

Staff Liaison/Development Review Officer Gloria Sciara provided updates.

ADJOURNMENT:

A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini to adjourn the meeting.

The meeting adjourned at 7:10 p.m.

The next meeting is a Special Planning Commission Meeting on Monday, May 10, 2021 at 6 p.m.

Aye: 6 - Vice Chair Biagini, Commissioner Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, and Chair Saleme

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

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21-583 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action on Bills and Claims Report (CC, SA) for the period April 10th, 2021 - April 23rd, 2021

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
Disbursements made by the City are based on invoices submitted for payment. Prior to payment, staff reviews all disbursement documents to ensure they are reflective of the goods or services provided. Invoices are usually paid within 30 days of receipt of an accurate invoice. As the final step, the City Auditor, or her designee verifies all documents before payment is issued. Payments are issued through accounts payable checks and wire transfers. It's important to note that items that pertain to the Stadium Authority are billed to the Stadium Manager (ManCo) to pay on behalf of the Stadium Authority for Non-NFL events and the 49ers for NFL events.

The Bills and Claims Report represents the cash disbursements required for operations of the City during the period. The report reflects the payment date, invoice number, description of the payment, funding source, and payment amount for all invoices. The budget control is set by the City Council through the budget adoption process.

DISCUSSION
Significant expenditures in this time period include:

- Payment to the Northern California Power Agency in the amount of $13,433,013 for April 2021 all resources bill.
- Payment to MSR Public Agency/Energy Authority in the amount of $3,323,900 for March 2021 energy purchase and shaping fee.
- Payment to Tri-Dam Project/Authority in the amount of $1,450,862 for February and March 2021 hydroelectric purchase.
- Payment to Manzana Wind LLC., in the amount of $1,022,639 for March 2021 energy purchase.
- Payment to TransCanada Turbines Inc., in the amount $958,177.62 for purchased/exchanged of a High-Pressure Turbine (HPT) and installation cost.

Payments to ManCo are not included in the City's Bills and Claims report as they are currently reported through a separate Stadium Authority Bills and Claims report. Stadium Authority related payments in the City's Bills and Claims report include general administrative, materials, and supplies expenses of approximately $1,322. These expenses are reimbursed to the City by the Stadium

Authority.

Certain information such as names of law firms and recipients of workers' compensation have been redacted from the Bills and Claims report. The Supreme Court of California in *Los Angeles County Board of Supervisors v. Superior Court*, (2016) 2 Cal.5th 282, held that invoices specifying the amounts billed by a law firm to a client fall within the scope of attorney-client privilege while the matters are active. In accordance with the Supreme Court's ruling, the names of law firms retained by the City have been redacted from the public report to maintain confidentiality of billing records for legal services. In addition, individually identifiable information about recipients of workers' compensation has been redacted from the report based on California Labor Code section 138.7.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

The expenditures of $35,535,082 were appropriated to various funds with the adoption of the Fiscal Year 2020/21 Budget, as amended.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

RECOMMENDATION

Approve the list of Bills and Claims for April 10, 2021 - April 23, 2021.

Reviewed by: Kenn Lee, Director of Finance
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Bills and Claims Approved for Payment Report

City of Santa Clara
List of All Bills and Claims Approved for Payment
From 04/10/2021 to 04/23/2021

Run Date 4/26/2021
Run Time 11:24:25 AM

Sorted by Payment Amount

Payment No: W21299

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	GEO1 FIXED APR21	Electric Utility	1,025,075.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	GEO1 VAR APR21	Electric Utility	-1,566,146.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	GEO1 DEBT APR21	Electric Utility	183,128.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	CT FIXED APR21	Electric Utility	236,918.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	CT VAR APR21	Electric Utility	-154,934.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	HYDRO FIXED APR21	Electric Utility	563,224.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	HYDRO VAR APR21	Electric Utility	-774,595.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	HYDRO DEBT APR21	Electric Utility	1,071,561.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	LEC FUEL APR21	Electric Utility	333,390.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	LEC VARIABLE APR21	Electric Utility	-2,986,185.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	LEC FIXED APR21	Electric Utility	366,220.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	LEC DEBT APR21	Electric Utility	633,175.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	LEG/REG/PM PASS THRU SVC APR21	Electric Utility	373,272.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	LEG/REG/PM PASS THRU SVC APR21	Electric Utility	7,203.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	PASSTHRU-CMUA EE APR21	Electric Utility	8,769.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	CONTRACT SVC-CADMUS CONFIRM 01	Elec OperatingGrant Trust Fund	23,059.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	CONTRACT SVC-CADMUS CONFIRM 01	Elec OperatingGrant Trust Fund	15,692.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	REC CREDIT SALES	Electric Utility	-100,800.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	REC ENERGY SALES	Electric Utility	-3,307.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	CISO MKT EST APR21	Electric Utility	14,178,294.00
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	CISO GMC FEB21,JAN21,OTHER	Electric Utility	180,285.98

04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	CISO MKT FEB21,JAN21,OTHER	Electric Utility	-2,700,715.87
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	CISO XMN FEB21,JAN21,OTHER	Electric Utility	3,238,775.89
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	CISO CRR FEB21,JAN21,OTHER	Electric Utility	-474,807.28
04/22/2021	NORTHERN CALIF POWER AGENCY	00491819	006002-0421025	CISO A/S FEB21,JAN21,OTHER	Electric Utility	-243,538.72
				Total for Payment No.:		13,433,013.00

Payment No: W21301

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	FULVIO CAJINA	00491949	36471APR2021	Legal Payment	Special Liability Insurance	2,676,292.43
				Total for Payment No.:		2,676,292.43

Payment No: 002355

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ELECTRONIC FEDERAL TAX	00491841	04/04/21-04/17/21	DD: FED TAXES W/H B2108	Payroll Liability&ClearingAcct	943,608.01
04/23/2021	ELECTRONIC FEDERAL TAX	00491841	04/04/21-04/17/21	DD: FED TAXES W/H B2108	Payroll Liability&ClearingAcct	340,316.14
04/23/2021	ELECTRONIC FEDERAL TAX	00491841	04/04/21-04/17/21	DD: FED TAXES W/H B2108	Payroll Liability&ClearingAcct	340,316.14
				Total for Payment No.:		1,624,240.29

Payment No: 019164

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	TRI-DAM PROJECT	00491131	2021-2 SVPTU	ENERGY PURCH (HYDRO) FEB21 TRU	Electric Utility	76.61
04/23/2021	TRI-DAM PROJECT	00491132	2021-3 SVP	ENERGY PURCH (HYDRO) MAR21	Electric Utility	1,341,529.58
				Total for Payment No.:		1,341,606.19

Payment No: 002350

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/14/2021	CAL PERS - PO BOX 1982	00491290	03/21/21-04/03/21	EMPLOYER/EMPLOYEE DED	Payroll Liability&ClearingAcct	479,758.12
04/14/2021	CAL PERS - PO BOX 1982	00491290	03/21/21-04/03/21	EMPLOYER/EMPLOYEE DED	Payroll Liability&ClearingAcct	835,338.25
				Total for Payment No.:		1,315,096.37

Payment No: W21293

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/20/2021	MSR PUBLIC POWER AGENCY	00491167	041121	BIG HORN ENERGY MAR21	Electric Utility	1,304,978.19
				Total for Payment No.:		1,304,978.19

Payment No: W21300

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MSR ENERGY AUTHORITY	00491196	EA2027	NAT GAS PURCH DVR MAR21	Electric Utility	1,020,514.42
04/23/2021	MSR ENERGY AUTHORITY	00491196	EA2027	NAT GAS PURCH COGEN MAR21	Electric Utility	153,106.83
				Total for Payment No.:		1,173,621.25

Payment No: W21298

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/22/2021	MANZANA WIND LLC	00491165	125346	ENERGY PURCH (WIND) MAR21	Electric Utility	1,022,369.24
				Total for Payment No.:		1,022,369.24

Payment No: 019091

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	TRANSCANADA TURBINES INC	00491163	1014982A	ROTABLE HPTR / STG 1 & 2	Electric Utility Construction	950,000.00
04/16/2021	TRANSCANADA TURBINES INC	00491184	1014934	FIELD SERVICES (LABOR)	Electric Utility	8,158.00
04/16/2021	TRANSCANADA TURBINES INC	00491184	1014934	MATERIALS	Electric Utility	19.62
				Total for Payment No.:		958,177.62

Payment No: W21303

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GOLDSTEIN, BORGEN, DARDARIAN & HO	00491961	32217APR2021	Legal Payment	Special Liability Insurance	712,500.00
				Total for Payment No.:		712,500.00

Payment No: 019165

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	UNISYS CORP	00491773	M2103009	INFORMATION TECHNOLOGY SERVICE	Information Technology Service	641,665.81
04/23/2021	UNISYS CORP	00491773	M2103009	Stadium operations costs	General Fund	969.78
				Total for Payment No.:		642,635.59

Payment No: 019038

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	AMERESCO	00490933	40714	ENERGY (VASCO LF GAS) MAR21	Electric Utility	311,989.81
04/16/2021	AMERESCO	00490933	40714	VASCO LF O&M CHARGE MAR21	Electric Utility	13,065.57
04/16/2021	AMERESCO	00490934	40715	ENERGY (FORWARD LF GAS) MAR21	Electric Utility	305,851.05
04/16/2021	AMERESCO	00490934	40715	FORWARD LF O&M CHG MAR21	Electric Utility	9,316.37
				Total for Payment No.:		640,222.80

Payment No: 650375

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	BILL WILSON CENTER	00491483	ERAP-10-2020	OCTOBER 2020 ERAP - QI	H.U.D Capital Projects	112,365.69
04/23/2021	BILL WILSON CENTER	00491484	ERAP-11-2020	NOVEMBER 2020 ERAP -QI	H.U.D Capital Projects	19,222.08
04/23/2021	BILL WILSON CENTER	00491485	ERAP-12-2020	DECEMBER 2020 ERAP - QI	H.U.D Capital Projects	36,841.82
04/23/2021	BILL WILSON CENTER	00491486	ERAP-1-2021	JANUARY 2021 ERAP - QI	H.U.D Capital Projects	226,657.49
04/23/2021	BILL WILSON CENTER	00491487	ERAP-2-2021	FEBRUARY 2021 ERAP - QI	H.U.D Capital Projects	103,126.86
04/23/2021	BILL WILSON CENTER	00491488	ERAP-3-2021	MARCH 2021 ERAP - QI	H.U.D Capital Projects	45,258.19

04/23/2021	BILL WILSON CENTER	00491605	FAS-12-2020	BWC - FAS FY20/21	H.U.D Capital Projects	9,810.00
04/23/2021	BILL WILSON CENTER	00491606	CDBG-03-2021	BILL WILSON COUNSELING PROGRAM	H.U.D Capital Projects	11,568.00
04/23/2021	BILL WILSON CENTER	00491607	FAS-3-2021	BWC - FAS FY20/21	H.U.D Capital Projects	9,810.00
04/23/2021	BILL WILSON CENTER	00491607	FAS-3-2021	BWC - FAS FY20/21	H.U.D Capital Projects	1,308.00
				Total for Payment No.:		575,968.13

Payment No: W21289

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/20/2021	SFPUC WATER DEPT	00491676	2395APR2021	WT:2021 MAR SFPUC WATER PURCH	Water Utility	552,982.40
				Total for Payment No.:		552,982.40

Payment No: W21294

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/20/2021	RE ROSAMOND ONE LLC	00491168	00088	ENERGY PURCH (SOLAR) MAR21	Electric Utility	548,983.38
				Total for Payment No.:		548,983.38

Payment No: 019138

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MSR PUBLIC POWER AGENCY	00491133	041421	BIG HORN 2 POWER MAR21	Electric Utility	482,282.95
				Total for Payment No.:		482,282.95

Payment No: W21290

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/21/2021	SANTA CLARA VALLEY WATER DIST	00491675	TI002471	WT:2021 MAR RINCONADA TRTD WTR	Water Utility	480,345.38
				Total for Payment No.:		480,345.38

Payment No: 002354

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CA EMPLOYMENT DEVELOPMENT DEPT	00491840	04/04/21-04/17/21	DD: SIT & SDI W/H B2108	Payroll Liability&ClearingAcct	394,153.01
04/23/2021	CA EMPLOYMENT DEVELOPMENT DEPT	00491840	04/04/21-04/17/21	DD: SIT & SDI W/H B2108	Payroll Liability&ClearingAcct	45,884.43
				Total for Payment No.:		440,037.44

Payment No: W21306

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	NATIONWIDE RETIREMENT SOLUTIONS, INC.	00491822	04/04/21-04/17/21	WT: B2108 DEFERRED COMP	Fringe Benefits	370,935.15
				Total for Payment No.:		370,935.15

Payment No: W21292

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/20/2021	MSR PUBLIC POWER AGENCY	00491166	040821	BIG HORN SHAPING MAR21	Electric Utility	363,017.59
				Total for Payment No.:		363,017.59

Payment No: W21291

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT GMC APR21	Electric Utility	446.91
04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT A/S APR21	Electric Utility	-0.26
04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT MKT APR21	Electric Utility	21,419.56
04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT CRR APR21	Electric Utility	-10,681.30
04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT GMC MAR21	Electric Utility	6,399.74
04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT A/S MAR21	Electric Utility	7,626.22
04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT MKT MAR21	Electric Utility	320,476.99
04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT CRR MAR21	Electric Utility	-53,352.89
04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT A/S JUN20	Electric Utility	0.01
04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT CRR JUN20	Electric Utility	-6.20

04/19/2021	CALIF ISO	00491490	2021041331-48633455	ISO SETTLEMENT CRR SEP19	Electric Utility	135.52
				Total for Payment No.:		292,464.30

Payment No: 019115

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CENTRAL 40 LLC	00491111	131576-2021-03	ENERGY PURCH (SOLAR) MAR21	Electric Utility	272,451.36
				Total for Payment No.:		272,451.36

Payment No: 650215

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	RECOLOGY SOUTH BAY	00490968	MARCH-21	MONTHLY COLLECTN- MAR-21	Solid Waste Program	238,209.67
				Total for Payment No.:		238,209.67

Payment No: 019143

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PG&E	00491106	6738869084-3 APR2021	GAS TRANSPORT DVR MAR21	Electric Utility	223,751.54
				Total for Payment No.:		223,751.54

Payment No: 019057

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	FRIANT POWER AUTHORITY	00490940	806	ENERGY PURCH (HYDRO1) MAR21	Electric Utility	4,473.29
04/16/2021	FRIANT POWER AUTHORITY	00490940	806	ENERGY PURCH (HYDRO2) MAR21	Electric Utility	170,408.21
				Total for Payment No.:		174,881.50

Payment No: W21307

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	WASHINGTON TRUST BANK	00491823	04/04/21-04/17/21	WT:VEBA CONTRIB B2108	Fringe Benefits	165,400.52
				Total for Payment No.:		165,400.52

Payment No: W21288

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/13/2021	CALIF ISO	00491096	467APR2021	INTERCONNECT STUDY SC BESS1	Electric Utility Construction	150,000.00
				Total for Payment No.:		150,000.00

Payment No: 019056

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	FLYNN RESOURCE CONSULTANTS INC	00490945	1457	CAISO,CRR,PG&E,LITIG NOV-DEC20	Electric Utility	123,256.25
				Total for Payment No.:		123,256.25

Payment No: 019052

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ELECTRICAL CONSULTANTS INC	00490786	92910	POWER SYSTEM EXPANSION PLANNIN	Electric Utility Construction	88,560.50
04/16/2021	ELECTRICAL CONSULTANTS INC	00490787	91966	POWER SYSTEM EXPANSION PLANNIN	Electric Utility Construction	24,274.89
04/16/2021	ELECTRICAL CONSULTANTS INC	00491313	89543	TRANSMISSION ENGINEERING DESIG	Electric Utility Construction	4,699.00
				Total for Payment No.:		117,534.39

Payment No: 019163

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	TRI-DAM POWER AUTHORITY	00491130	2021-3S SVP	ENERGY PURCH (HYDRO) MAR21	Electric Utility	109,256.18
				Total for Payment No.:		109,256.18

Payment No: 650421

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PRECISION ICEBLAST CORP	00491677	2021-0511P	TOOLING FABRICATION	Electric Utility	24,986.25
04/23/2021	PRECISION ICEBLAST CORP	00491677	2021-0511P	TOOLING DESIGN	Electric Utility	14,991.75

04/23/2021	PRECISION ICEBLAST CORP	00491677	2021-0511P	DEEP CLEANING PROCEDURE	Electric Utility	9,994.50
04/23/2021	PRECISION ICEBLAST CORP	00491677	2021-0511P	EQUIPMENT	Electric Utility	29,983.50
04/23/2021	PRECISION ICEBLAST CORP	00491677	2021-0511P	MOBILIZATION	Electric Utility	19,989.00
				Total for Payment No.:		99,945.00

Payment No: 650204

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	OSISOFT LLC	00490444	9000132874	ENTERPRISE SOFTWARE RENEWAL	Electric Utility	97,614.00
				Total for Payment No.:		97,614.00

Payment No: 019058

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	G2 ENERGY OSTROM RD LLC	00490936	SVP 3-21	ENERGY (LANDFILL GAS) MAR21	Electric Utility	96,672.32
				Total for Payment No.:		96,672.32

Payment No: 650175

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	FOLSOM LAKE FORD	00491006	FL0791	2020 BLACK & WHITE (CHP PAINT)	Vehicle Replacement Fund	44,256.76
04/16/2021	FOLSOM LAKE FORD	00491006	FL0791	CA TIRE FEES	Vehicle Replacement Fund	8.75
04/16/2021	FOLSOM LAKE FORD	00491006	FL0791	SHIPPING	Vehicle Replacement Fund	125.00
04/16/2021	FOLSOM LAKE FORD	00491006	FL0791	DISCOUNT FOR EARLY PYMNT	Vehicle Replacement Fund	-545.00
04/16/2021	FOLSOM LAKE FORD	00491013	FL0793	2020 BLACK & WHITE (CHP PAINT)	Vehicle Replacement Fund	44,035.48
04/16/2021	FOLSOM LAKE FORD	00491013	FL0793	2020 BLACK & WHITE (CHP PAINT)	Vehicle Replacement Fund	221.28
04/16/2021	FOLSOM LAKE FORD	00491013	FL0793	CA TIRE FEES	Vehicle Replacement Fund	8.71
04/16/2021	FOLSOM LAKE FORD	00491013	FL0793	CA TIRE FEES	Vehicle Replacement Fund	0.04

04/16/2021	FOLSOM LAKE FORD	00491013	FL0793	SHIPPING	Vehicle Replacement Fund	124.37
04/16/2021	FOLSOM LAKE FORD	00491013	FL0793	SHIPPING	Vehicle Replacement Fund	0.63
04/16/2021	FOLSOM LAKE FORD	00491013	FL0793	DISCOUNT FOR EARLY PYMNT	Vehicle Replacement Fund	-545.00
				Total for Payment No.:		87,691.02

Payment No: 019155

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	RICOH CORP	00491600	9028694534	DEC 2020 LEASE RICOH	Information Technology Service	17,343.05
04/23/2021	RICOH CORP	00491600	9028694534	DEC 2020 LEASE RICOH	General Fund	77.78
04/23/2021	RICOH CORP	00491600	9028694534	DEC 2020 LEASE RICOH	S.C.Stadium Authority Ops	70.85
04/23/2021	RICOH CORP	00491601	9028771323	FEB 2021 LEASE RICOH	Information Technology Service	18,149.86
04/23/2021	RICOH CORP	00491601	9028771323	FEB 2021 LEASE RICOH	General Fund	77.78
04/23/2021	RICOH CORP	00491601	9028771323	FEB 2021 LEASE RICOH	S.C.Stadium Authority Ops	70.85
04/23/2021	RICOH CORP	00491601	9028771323	FEB 2021 LEASE RICOH	General Fund	217.46
04/23/2021	RICOH CORP	00491602	9028803209	MAR 2021 LEASE RICOH	Information Technology Service	18,149.86
04/23/2021	RICOH CORP	00491602	9028803209	MAR 2021 LEASE RICOH	General Fund	77.78
04/23/2021	RICOH CORP	00491602	9028803209	MAR 2021 LEASE RICOH	S.C.Stadium Authority Ops	70.85
04/23/2021	RICOH CORP	00491603	9028842925	APR 2021 LEASE RICOH	Information Technology Service	25,664.63
04/23/2021	RICOH CORP	00491603	9028842925	APR 2021 LEASE RICOH	General Fund	77.78
04/23/2021	RICOH CORP	00491603	9028842925	APR 2021 LEASE RICOH	S.C.Stadium Authority Ops	70.85
				Total for Payment No.:		80,119.38

Payment No: 650384

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	CF-PREMIUM-R-HST, CF #47817	Electric Utility	3,848.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	CF-PREMIUM-R-HST, CF #47817	Electric Utility	3,848.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	CF-PREMIUM-R-HST, CF #47817	Electric Utility	1,924.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	CF-PREMIUM-R-WW, CF #47817	Electric Utility	10,904.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	CF-PREMIUM-R-WW, CF #47817	Electric Utility	10,904.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	CF-PREMIUM-R-WW, CF #47817	Electric Utility	5,452.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	10-7090 WCF - REINSTATEMENT FE	Electric Utility	1,475.20
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	10-7090 WCF - REINSTATEMENT FE	Electric Utility	1,475.20
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	10-7090 WCF - REINSTATEMENT FE	Electric Utility	737.60
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	HSTSTD-01-S-20-P1 ,AVEVA HISTO	Electric Utility	1,378.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	HSTSTD-01-S-20-P1 ,AVEVA HISTO	Electric Utility	1,378.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	HSTSTD-01-S-20-P1 ,AVEVA HISTO	Electric Utility	689.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	COMDRV-01-N-20 AVEVA COMMUNICA	Electric Utility	430.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	COMDRV-01-N-20 AVEVA COMMUNICA	Electric Utility	430.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	COMDRV-01-N-20 AVEVA COMMUNICA	Electric Utility	215.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	CF-ADD-WW, CF#47817	Electric Utility	92.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	CF-ADD-WW, CF#47817	Electric Utility	92.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491669	372261	CF-ADD-WW, CF#47817	Electric Utility	46.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	DELL-POWEREDGE-R640 DELL POWER	Electric Utility	9,997.48
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	DELL-POWEREDGE-R640 DELL POWER	Electric Utility	9,997.48
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	DELL-POWEREDGE-R640 DELL POWER	Electric Utility	4,998.74
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	9EM-00653 WINDOWS SERVER 2019	Electric Utility	2,048.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	9EM-00653 WINDOWS SERVER 2019	Electric Utility	2,048.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	9EM-00653 WINDOWS SERVER 2019	Electric Utility	1,024.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	VS7-STD-C VMWAREVSPHERE STANDA	Electric Utility	980.00

04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	VS7-STD-C VMWAREVSPHERE STANDA	Electric Utility	980.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	VS7-STD-C VMWAREVSPHERE STANDA	Electric Utility	490.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	VS7-STD-3P-SSS-C VMWARE SUPPOR	Electric Utility	892.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	VS7-STD-3P-SSS-C VMWARE SUPPOR	Electric Utility	892.00
04/23/2021	E & M ELECTRIC & MACHINERY	00491670	372488	VS7-STD-3P-SSS-C VMWARE SUPPOR	Electric Utility	446.00
				Total for Payment No.:		80,111.70

Payment No: W21295

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/21/2021	GEORGE HILLS COMPANY, INC	00491672	1299APR2021	Replensih Special Liability	Special Liability Insurance	80,000.00
				Total for Payment No.:		80,000.00

Payment No: 019046

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	[redacted]	00491146	266451	LEGAL SERVICES CHANGE ORDER #1: ADDITIONAL FU	Related Santa Clara Dvlpr Fund	68,010.00
				Total for Payment No.:		68,010.00

Payment No: 019037

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	AIR PRODUCTS & CHEMICALS	00490938	416448054	PURCHASE OF RA CAPACITY MAR21	Electric Utility	60,000.00
				Total for Payment No.:		60,000.00

Payment No: 019084

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PG&E	00490784	3135894939-9 MAR2021A	ELE SVC BENICIA PUMPHOUS	Electric Utility	48.21

				MAR21		
04/16/2021	PG&E	00490790	3219228267-4 MAR2021A	ELE SVC BENICIA HOUSE MAR21	Electric Utility	10.32
04/16/2021	PG&E	00491027	6960110313-3 APR2021	GAS TRANSPORT GIANERA MAR21	Electric Utility	1,032.73
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	PUMP/ELEC-LAWRENCE/HSTEAD	Sewer Utility	10.99
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	PUMP/4495 N 1ST ST	Sewer Utility	2,813.69
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	POOL/2250 ROYAL	General Fund	3,957.08
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	SR CNTR 1303 FREMONT ST	General Fund	1,218.05
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	NORTHSIDE LIB 695 MORELAND WAY	General Fund	433.56
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	FIRE-STA2 1900 WALSH AVE.	General Fund	1,383.59
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	AUTO SVCS/1700 WALSH 50%	Fleet Operation Fund	969.38
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	STREET/1700 WALSH 50%	General Fund	969.38
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	CITY HALL-1500 WARBURTON	General Fund	1,953.45
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	POLICE/601 EL CAMINO	General Fund	4,477.71
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	COMM SVCS-1515 EL CAMINO REAL	General Fund	113.47
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	BERMAN BLDG-1405 CIVIC CTR	General Fund	571.06
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	FIRE/#1 777 BENTON	General Fund	917.04
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	FIRE/#4-2323 PRUNERIDGE	General Fund	281.16
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	POOL/BUCHER-REBIERO	General Fund	8.38
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	POOL/BACHER-REBIERO STS	General Fund	5,861.81
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	FIRE/#9-3011 CORVIN	General Fund	2,630.78
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	GYM/2450 CABRILLO	General Fund	1,415.35
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	SPORTS CTR/3445 BENTON	General Fund	15.63
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	CRC/969 KIELY	General Fund	4,315.24
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	FIRE/#3 2821 HOMESTEAD RD	General Fund	233.42
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	LIBRARY/2635 HOMESTEAD	General Fund	2,590.83
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	POOL/2625 PATRICIA	General Fund	19,353.44
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	YOUTH SOCCER 5049 CENTENNIAL	General Fund	69.75
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	FIRE/#10 2401 TALLUTO	General Fund	0.00
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	PARKS/4750 LICK MILL BLVD	General Fund	249.12

04/16/2021	PG&E	00491094	2490226441-5 MAR2021	BACKUP GEN/2279 CALLE DE LUNA	Sewer Utility	10.95
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	FIRE/#6-888 AGNEW RD	General Fund	483.07
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	POOL/3750 DELA CRUZ	General Fund	0.00
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	2975 LAFAYETTE ST.	General Fund	161.48
04/16/2021	PG&E	00491094	2490226441-5 MAR2021	POL SUBSTN/3992 RIVERMARK PLZ	General Fund	335.30
				Total for Payment No.:		58,895.42

Payment No: 650261

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	WRECO	00491104	P19074.000-10	AGREEMENT FOR THE GREAT AMERIC	Streets And Highways	22,645.60
04/16/2021	WRECO	00491105	P19074.000-11	AGREEMENT FOR THE GREAT AMERIC	Streets And Highways	22,961.80
04/16/2021	WRECO	00491192	P19074.000-12	AGREEMENT FOR THE GREAT AMERIC	Streets And Highways	2,400.00
04/16/2021	WRECO	00491193	P19074.000-13	AGREEMENT FOR THE GREAT AMERIC	Streets And Highways	8,432.50
				Total for Payment No.:		56,439.90

Payment No: W21296C

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/21/2021	SANTA CLARA CONVENTION CENTER	00491783	20.04039.00-4	CIP Fund Request - HOK 2, 3,4	SCCC Capital Improvement Fund	54,090.86
				Total for Payment No.:		54,090.86

Payment No: W21296B

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/21/2021	SANTA CLARA CONVENTION CENTER	00491775	20.04039.00-3	CIP Fund Request - HOK 2, 3, 4	SCCC Capital Improvement Fund	52,930.45
				Total for Payment No.:		52,930.45

Payment No: 019051

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	EFFICIENCY SERVICES GROUP, LLC	00490782	3130	EXTER/PRKING LOT LITE MAR21	Elec OperatingGrant Trust Fund	3,300.00
04/16/2021	EFFICIENCY SERVICES GROUP, LLC	00490782	3130	EXTER/PRKING LOT LITE MAR21	Elec OperatingGrant Trust Fund	48,080.00
				Total for Payment No.:		51,380.00

Payment No: 650270

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	TOMAHAWK STRATEGIC SOLUTIONS	00491038	1920	SRT TRAINING	Police Operating Grant Fund	50,000.00
				Total for Payment No.:		50,000.00

Payment No: 650419

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ORLAND UNIT WATER USERS ASSN.	00491455	2031APR2021	STONY CRK HYDRO EXPENSES MAR21	Electric Utility	27,190.47
04/23/2021	ORLAND UNIT WATER USERS ASSN.	00491455	2031APR2021	STONY CRK HYDRO EXPENSES MAR21	Electric Utility	14,136.96
04/23/2021	ORLAND UNIT WATER USERS ASSN.	00491455	2031APR2021	STONY CRK HYDRO EXPENSES MAR21	Electric Utility	51.08
04/23/2021	ORLAND UNIT WATER USERS ASSN.	00491455	2031APR2021	STONY CRK HYDRO EXPENSES MAR21	Electric Utility	51.08
04/23/2021	ORLAND UNIT WATER USERS ASSN.	00491455	2031APR2021	STONY CRK HYDRO EXPENSES MAR21	Electric Utility	7,328.06
04/23/2021	ORLAND UNIT WATER USERS ASSN.	00491455	2031APR2021	STONY CRK HYDRO EXPENSES MAR21	Electric Utility	51.08
				Total for Payment No.:		48,808.73

Payment No: 650223

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SANTA CLARA UNIVERSITY	00490804	R21-SLR-0069	LTG REBATE; 64111-1 500 EL CAM	Elec OperatingGrant Trust Fund	47,792.18
				Total for Payment No.:		47,792.18

Payment No: 650242

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	UNITED RENTALS (NORTH AMERICA) INC	00491126	191176314-001	Steel Plates for W&S job sites	Water Utility	22,931.14
04/16/2021	UNITED RENTALS (NORTH AMERICA) INC	00491126	191176314-001	Steel Plates for W&S job sites	Sewer Utility	22,931.15
				Total for Payment No.:		45,862.29

Payment No: 019123

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ELECTRICAL CONSULTANTS INC	00490025	91493	TRANSMISSI ENG SRV NOV2020	Electric Utility Construction	43,757.88
				Total for Payment No.:		43,757.88

Payment No: W21296A

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/21/2021	SANTA CLARA CONVENTION CENTER	00491774	20.04039.00-2	CIP Fund Request - HOK 2, 3, 4	SCCC Capital Improvement Fund	42,023.74
				Total for Payment No.:		42,023.74

Payment No: 650202

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	NWN CORPORATION	00491189	#IN387313	CISCO ECN EQUIPMENT AS DETAILE	Electric Utility Construction	6,429.84
04/16/2021	NWN CORPORATION	00491189	#IN387313	CISCO ICCP EQUIPMENT AS DETAIL	Electric Utility Construction	10,094.72
04/16/2021	NWN CORPORATION	00491189	#IN387313	CISCO ICCP EQUIPMENTAS DETAIL	Electric Utility Construction	23,589.13
				Total for Payment No.:		40,113.69

Payment No: 650170

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/16/2021	DOWNTOWN FORD SALES	00491301	318076	2021 WHITE FORD F150 4X2 CREW	Vehicle Replacement Fund	38,823.62
04/16/2021	DOWNTOWN FORD SALES	00491301	318076	DOC FEE	Vehicle Replacement Fund	92.65
04/16/2021	DOWNTOWN FORD SALES	00491301	318076	DELIVERY	Vehicle Replacement Fund	300.00
04/16/2021	DOWNTOWN FORD SALES	00491301	318076	CA TIRE FEE	Vehicle Replacement Fund	8.75
04/16/2021	DOWNTOWN FORD SALES	00491301	318076	DISCOUNT FOR EARLY PYMNT	Vehicle Replacement Fund	-545.00
				Total for Payment No.:		38,680.02

Payment No: 650153

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	BRUNO LANDSCAPE MANAGEMENT	00491185	10003	LATITUDE 36 BERMUDA SOD	Parks And Recreation	28,481.70
04/16/2021	BRUNO LANDSCAPE MANAGEMENT	00491185	10003	INSTALLATION	Parks And Recreation	8,710.00
04/16/2021	BRUNO LANDSCAPE MANAGEMENT	00491185	10003	DELIVERY	Parks And Recreation	305.20
				Total for Payment No.:		37,496.90

Payment No: 650168

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	DOBLE ENGINEERING CO	00490943	PSEI11071529	EQPMT RENTAL/SOFTWAR APR21-22	Electric Utility	36,500.00
				Total for Payment No.:		36,500.00

Payment No: 019104

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	INTL FIREFIGHTERS LOCAL 1171	00491828	03/21/21-04/17/21	UNION DUES B2107 & B2108	Payroll Liability&ClearingAcct	32,594.38
				Total for Payment No.:		32,594.38

Payment No: 650205

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	OSULLIVAN GREEN SOLAR	00490313	2021-LISG-012	LOW INCOME SOLAR ACCT42737-01	Elec OperatingGrant Trust Fund	10,500.00
04/16/2021	OSULLIVAN GREEN SOLAR	00490314	2021-LISG-018	LOW INCOME SOLAR ACCT43311-01	Elec OperatingGrant Trust Fund	10,500.00
04/16/2021	OSULLIVAN GREEN SOLAR	00490315	2021-LISG-002	LOW INCOME SOLAR ACCT23804-01	Elec OperatingGrant Trust Fund	10,500.00
				Total for Payment No.:		31,500.00

Payment No: 650208

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PETERSON TRACTOR CO	00491125	A3156001	DEALER PRE DELIVERY	Vehicle Replacement Fund	0.00
04/16/2021	PETERSON TRACTOR CO	00491125	A3156001	4-YEAR/2,000 HOUR POWER TRAIN	Vehicle Replacement Fund	0.00
04/16/2021	PETERSON TRACTOR CO	00491125	A3156001	OPERATOR TRAINING	Vehicle Replacement Fund	0.00
04/16/2021	PETERSON TRACTOR CO	00491125	A3156001	NEW CATERPILLAR MODEL: CB1.7 P	Vehicle Replacement Fund	30,664.10
				Total for Payment No.:		30,664.10

Payment No: 019121

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	DESILVA GATES CONSTRUCTION LP	00491807	92010806	CONTRACT FOR 2020 ANNUAL STREE	Streets And Highways	132.00
04/23/2021	DESILVA GATES CONSTRUCTION LP	00491807	92010806	10% CONTINGENCY. FUNDING: 53	Streets And Highways	31,904.92
04/23/2021	DESILVA GATES CONSTRUCTION LP	00491807	92010806	RETENTION	Streets And Highways	-1,601.84
				Total for Payment No.:		30,435.08

Payment No: 650192

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	LECKEY CONSULTING INC	00490996	1569	CONSULTING SERVICES: BARCODING	Electric Utility Construction	14,625.00
04/16/2021	LECKEY CONSULTING INC	00491147	1572	CONSULTING SERVICES:	Electric Utility	14,287.50

				BARCODING	Construction	
				Total for Payment No.:		28,912.50

Payment No: 650397

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	HOPE SERVICES	00491661	FY2021-01	HOPE Services FY20/21 - Media	H.U.D Capital Projects	27,150.73
				Total for Payment No.:		27,150.73

Payment No: 019080

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	MILTON SECURITY GROUP LLC	00490944	Q31480	AMI/MDMS PROJECT SUPPORT	Electric Utility Construction	8,000.00
04/16/2021	MILTON SECURITY GROUP LLC	00490944	Q31480	CYBER SECURITY,SSG,APPLCTN SUP	Electric Utility	19,000.00
				Total for Payment No.:		27,000.00

Payment No: 650415

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MTH ENGINEERS INC	00491171	12370	ENG/CON DESIGN AUG2020	Electric Utility Construction	26,261.00
				Total for Payment No.:		26,261.00

Payment No: 019142

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PFM ASSET MGMT LLC	00491722	SMA-M0321-23311	INVESTMENT MANAGEMENT SERVICES	General Fund	25,811.53
				Total for Payment No.:		25,811.53

Payment No: 002351

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/15/2021	REPLACEMENT BENEFIT FUND	00491659	100000016387048	2021 ANNUAL REPLACEMENT BENEFI	Electric Utility	4,766.76
04/15/2021	REPLACEMENT BENEFIT FUND	00491659	100000016387048	2021 ANNUAL REPLACEMENT BENEFI	General Fund	20,376.91
				Total for Payment No.:		25,143.67

Payment No: 650246

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VANTAGE DATA CNTR MGMNT CO LLC	00490802	R20-DCR-0013-2	DATA CNTR REBATE; 69113-2	Elec OperatingGrant Trust Fund	12,504.58
04/16/2021	VANTAGE DATA CNTR MGMNT CO LLC	00490803	R20-DCR-0012-2	DATA CNTR REBATE; ACCT# 69113-	Elec OperatingGrant Trust Fund	12,504.58
				Total for Payment No.:		25,009.16

Payment No: 650300

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	INVECAS INC	00491539	62508-05 Utility Refund	UTILITY REFUND	General Fund	11,482.54
04/23/2021	INVECAS INC	00491540	62509-07 Utility Refund	UTILITY REFUND	General Fund	13,312.58
				Total for Payment No.:		24,795.12

Payment No: 019137

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MITSUBISHI POWER SYSTEMS	00491671	80015074	PN# VY-00490-000001 VALVE SOLE	Electric Utility	10,500.00
04/23/2021	MITSUBISHI POWER SYSTEMS	00491671	80015074	PN# VV-00075-900005 KIT IMPELL	Electric Utility	14,167.50
				Total for Payment No.:		24,667.50

Payment No: 019073

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	INTERTEK AIM	00491162	US0100004297	NDE ANALYSES AND ENGINEERING S	Electric Utility	24,345.00

				Total for Payment No.:		24,345.00

Payment No: 019158

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SERRANO ELECTRIC INC	00491007	30603	SCCC LABOR	Convention Cnt Maintenance Dis	7,161.00
04/23/2021	SERRANO ELECTRIC INC	00491007	30603	SCCC MATERIALS	Convention Cnt Maintenance Dis	607.18
04/23/2021	SERRANO ELECTRIC INC	00491007	30603	PUMP STATION LABOR	Storm Drain	5,208.00
04/23/2021	SERRANO ELECTRIC INC	00491007	30603	PUMP STATION MATERIAL	Storm Drain	9,660.99
				Total for Payment No.:		22,637.17

Payment No: 019061

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GEORGE HILLS COMPANY, INC	00491114	INV1019546	20-21 Administration Monthly F	Special Liability Insurance	400.00
04/16/2021	GEORGE HILLS COMPANY, INC	00491115	INV1019474	Claim Adjusting	Special Liability Insurance	21,250.51
				Total for Payment No.:		21,650.51

Payment No: 650373

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	BAY AREA WATER SUPPLY &	00491416	7270	FY20-21 4TH QTR REG ASSESSMENT	Water Utility	21,578.00
				Total for Payment No.:		21,578.00

Payment No: 650258

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	WEST COAST ARBORISTS INC	00490531	170388	TREE MAINTNCE-2/16-2/28/2021	General Fund	21,284.00
				Total for Payment No.:		21,284.00

Payment No: 650196

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	MARTECH	00491155	7399	LABOR MOTOR REPAIRS, ALIGNMENT	Electric Utility	20,380.62
04/16/2021	MARTECH	00491155	7399	MATERIALS	Electric Utility	888.67
				Total for Payment No.:		21,269.29

Payment No: 650147

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	AMERESCO	00490935	40717	ENERGY (LANDFILL GAS) MAR21	Electric Utility	21,035.42
				Total for Payment No.:		21,035.42

Payment No: 650233

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	THE HEALTH TRUST	00491120	31520-21-01	HEALTH TRUST/MOW FY20/21 MEALS	H.U.D Capital Projects	11,185.21
04/16/2021	THE HEALTH TRUST	00491302	31520-06-04	HEALTH TRUST/MOW FY20/21 MEALS	H.U.D Capital Projects	9,537.22
				Total for Payment No.:		20,722.43

Payment No: 650164

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CSG CONSULTANTS INC	00491314	34444	DESIGN SERVICES FOR THE SC SCH	Streets And Highways	20,701.00
				Total for Payment No.:		20,701.00

Payment No: 650176

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	FRANK SCHMIDT & ASSOCIATES	00491174	170(revised)	For all materials provided and	Parks And Recreation	180.00
04/16/2021	FRANK SCHMIDT & ASSOCIATES	00491174	170(revised)	ADDITIONAL FUNDS PER AMENDMENT	Parks And Recreation	20,000.00

				Total for Payment No.:		20,180.00

Payment No: 650255

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VIGILANT SOLUTIONS LLC	00491191	40867 RI	VS-IDP-02: Investigative Data	Police Operating Grant Fund	18,700.00
				Total for Payment No.:		18,700.00

Payment No: 019106

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SANTA CLARA POLICE ASSN	00491831	03/21/21-04/17/21	UNION DUES B2107 & B2108	Payroll Liability&ClearingAcct	18,184.44
				Total for Payment No.:		18,184.44

Payment No: 650167

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	DNV GL ENERGY INSIGHTS USA INC	00491159	870010131866	SAP/SQL ANYWHERE - NONSYNC DB	Electric Utility	0.00
04/16/2021	DNV GL ENERGY INSIGHTS USA INC	00491159	870010131866	SAP/SQL ANYWHERE - SYNC DB UPG	Electric Utility	0.00
04/16/2021	DNV GL ENERGY INSIGHTS USA INC	00491159	870010131866	CASCADE CONCURRENT USER LICENS	Electric Utility	2,567.88
04/16/2021	DNV GL ENERGY INSIGHTS USA INC	00491159	870010131866	CASCADE AUTOCOMMS MODULE	Electric Utility	0.00
04/16/2021	DNV GL ENERGY INSIGHTS USA INC	00491159	870010131866	CASCADE BASESTATION - ORACLE	Electric Utility	8,253.90
04/16/2021	DNV GL ENERGY INSIGHTS USA INC	00491159	870010131866	CASCADE FIELDUNIT USER LICENSE	Electric Utility	6,878.25
04/16/2021	DNV GL ENERGY INSIGHTS USA INC	00491159	870010131866	CASCADE BASESTATION - LICENSED	Electric Utility	0.00
				Total for Payment No.:		17,700.03

Payment No: 019079

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/16/2021	MIDWEST TAPE LLC	00490262	500179045	1241 AD ABKS	General Fund	113.29
04/16/2021	MIDWEST TAPE LLC	00490262	500179045	1241 AD CD'S	General Fund	31.42
04/16/2021	MIDWEST TAPE LLC	00490262	500179045	1241 AD DVD'S	General Fund	330.77
04/16/2021	MIDWEST TAPE LLC	00490262	500179045	1233 AD DVD'S	General Fund	55.55
04/16/2021	MIDWEST TAPE LLC	00490262	500179045	1233 Juv DVD	General Fund	27.77
04/16/2021	MIDWEST TAPE LLC	00490262	500179045	1235 AD DVD'S	General Fund	83.32
04/16/2021	MIDWEST TAPE LLC	00490262	500179045	1235 Juv DVD'S	General Fund	38.36
04/16/2021	MIDWEST TAPE LLC	00490628	500212317	1241 AD CD'S	General Fund	248.28
04/16/2021	MIDWEST TAPE LLC	00490628	500212317	1241 AD DVD'S	General Fund	156.82
04/16/2021	MIDWEST TAPE LLC	00490628	500212317	1231 Juv DVD'S	General Fund	111.08
04/16/2021	MIDWEST TAPE LLC	00490628	500212317	1233 AD DVD	General Fund	26.96
04/16/2021	MIDWEST TAPE LLC	00490628	500212317	1233 Juv DVD	General Fund	27.77
04/16/2021	MIDWEST TAPE LLC	00490628	500212317	1235 AD DVD'S	General Fund	123.32
04/16/2021	MIDWEST TAPE LLC	00490629	500224799	1241 AD DVD	General Fund	35.95
04/16/2021	MIDWEST TAPE LLC	00490629	500224799	1231 Juv DVD'S	General Fund	437.68
04/16/2021	MIDWEST TAPE LLC	00490801	500250882	1241 AD DB	General Fund	14,795.63
				Total for Payment No.:		16,643.97

Payment No: 650166

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	DANIEL EDELSTEIN	00491122	213021	Management Action 3 Reduce the	General Fund	3,000.00
04/16/2021	DANIEL EDELSTEIN	00491122	213021	Managaement Action 4 Write Goo	General Fund	13,500.00
				Total for Payment No.:		16,500.00

Payment No: 019153

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PRESIDIO HOLDINGS INC.	00491591	6013220014075	AIR-ANT2568VG-N= 2.4 GHz 6dBi/	General Fund	523.21
04/23/2021	PRESIDIO HOLDINGS INC.	00491591	6013220014075	AIR-ACCAMK-2= 1560 External Di	General Fund	70.50
04/23/2021	PRESIDIO HOLDINGS INC.	00491591	6013220014075	SHIPPING & HANDLING	General Fund	24.87

04/23/2021	PRESIDIO HOLDINGS INC.	00491592	6013220014055	AIR-ANT5114P2M-N= 5 GHz 14 dBi	General Fund	407.13
04/23/2021	PRESIDIO HOLDINGS INC.	00491592	6013220014055	SHIPPING & HANDLING	General Fund	26.72
04/23/2021	PRESIDIO HOLDINGS INC.	00491593	6013220014074	AIR-AP3802I-B-K9; 802.11ac W2	General Fund	2,174.57
04/23/2021	PRESIDIO HOLDINGS INC.	00491593	6013220014074	SHIPPING & HANDLING	General Fund	29.03
04/23/2021	PRESIDIO HOLDINGS INC.	00491594	6013220001377	AIR-AP1562E-B-K9 - LOW PROFILE	Parks And Recreation	2,302.08
04/23/2021	PRESIDIO HOLDINGS INC.	00491594	6013220001377	AIR-ANT2568VG-N - 2.4 GHz DUAL	Parks And Recreation	501.40
04/23/2021	PRESIDIO HOLDINGS INC.	00491594	6013220001377	AIR-ACCAMK-2 - EXTERNAL DIRECT	Parks And Recreation	135.16
04/23/2021	PRESIDIO HOLDINGS INC.	00491594	6013220001377	SHIPPING & HANDLING	Parks And Recreation	64.26
04/23/2021	PRESIDIO HOLDINGS INC.	00491595	6013220001286	WS-C3560CX-12PC-S - CISCO CATA	Parks And Recreation	1,785.03
04/23/2021	PRESIDIO HOLDINGS INC.	00491595	6013220001286	WS-C3560CX-8PC-S - CISCO CATAL	Parks And Recreation	1,548.71
04/23/2021	PRESIDIO HOLDINGS INC.	00491595	6013220001286	C1A1PCAT3560CXK9 - CISCO ONE A	Parks And Recreation	3,060.00
04/23/2021	PRESIDIO HOLDINGS INC.	00491595	6013220001286	C3560CX1-DNAC-1A-5Y - 5 YR	Parks And Recreation	3,693.00
04/23/2021	PRESIDIO HOLDINGS INC.	00491595	6013220001286	SHIPPING & HANDLING	Parks And Recreation	34.64
				Total for Payment No.:		16,380.31

Payment No: 650207

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PALO ALTO ELECTRIC MOTOR	00490478	RI7412	LABOR- M7959	Storm Drain	3,500.00
04/16/2021	PALO ALTO ELECTRIC MOTOR	00490478	RI7412	PARTS- M7959	Storm Drain	1,248.77
04/16/2021	PALO ALTO ELECTRIC MOTOR	00490479	RI7413	LABOR- M7960	Storm Drain	6,770.00
04/16/2021	PALO ALTO ELECTRIC MOTOR	00490479	RI7413	PARTS- M7960	Storm Drain	4,623.58
				Total for Payment No.:		16,142.35

Payment No: 650152

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	BRIGHTVIEW LANDSCAPE SERVICES, INC.	00491020	7287292	FY 2020-21 LANDSCAPING SERVICE	Convention Cnt Maintenance Dis	14,989.00
04/16/2021	BRIGHTVIEW LANDSCAPE SERVICES, INC.	00491307	7305484	ADDITIONAL SERVICE - CONTINGEN	Convention Cnt Maintenance Dis	920.00

				Total for Payment No.:		15,909.00

Payment No: 650389

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	FIELD COMMAND LLC	00491172	54	SRT WORKSHOP TRAINING	Police Operating Grant Fund	15,000.00
				Total for Payment No.:		15,000.00

Payment No: 650245

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VALLEY POWER SYSTEMS INC	00490481	K56700	LABOR-V#3420 WO#130136	Fleet Operation Fund	7,699.40
04/16/2021	VALLEY POWER SYSTEMS INC	00490500	K57166	LABOR-V#1424 WO#129788	Fleet Operation Fund	818.00
04/16/2021	VALLEY POWER SYSTEMS INC	00490500	K57166	MCHN OPS-V#1424 WO#129788	Fleet Operation Fund	274.28
04/16/2021	VALLEY POWER SYSTEMS INC	00490500	K57166	MILEAGE-V#1424 WO#129788	Fleet Operation Fund	56.75
04/16/2021	VALLEY POWER SYSTEMS INC	00490500	K57166	PARTS-V#1424 WO#129788	Fleet Operation Fund	50.97
04/16/2021	VALLEY POWER SYSTEMS INC	00490504	K57167	LABOR-V#0743 WO#129789	Fleet Operation Fund	664.00
04/16/2021	VALLEY POWER SYSTEMS INC	00490504	K57167	MCHN OPS-V#0743 WO#129789	Fleet Operation Fund	274.28
04/16/2021	VALLEY POWER SYSTEMS INC	00490504	K57167	MILEAGE-V#0743 WO#129789	Fleet Operation Fund	27.26
04/16/2021	VALLEY POWER SYSTEMS INC	00490504	K57167	PARTS-V#0743 WO#129789	Fleet Operation Fund	234.46
04/16/2021	VALLEY POWER SYSTEMS INC	00490527	K57210	LABOR-V#0002 WO#130096	Fleet Operation Fund	1,200.00
04/16/2021	VALLEY POWER SYSTEMS INC	00490528	K57215	LABOR-V#2415 WO#130095	Fleet Operation Fund	1,200.00
04/16/2021	VALLEY POWER SYSTEMS INC	00490529	K57219	LABOR-V#2571 WO#130097	Fleet Operation Fund	1,200.00
04/16/2021	VALLEY POWER SYSTEMS INC	00490530	K57161	LABOR-V#2692 WO#129782	Fleet Operation Fund	552.00
04/16/2021	VALLEY POWER SYSTEMS INC	00490530	K57161	MCHN OPS-V#2692 WO#129782	Fleet Operation Fund	274.28
04/16/2021	VALLEY POWER SYSTEMS INC	00490530	K57161	MILEAGE-V#2692 WO#129782	Fleet Operation Fund	13.57
04/16/2021	VALLEY POWER SYSTEMS INC	00490530	K57161	PARTS-V#2692 WO#129782	Fleet Operation Fund	360.15
				Total for Payment No.:		14,899.40

Payment No: 650413

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MIWALL CORPORATION	00490837	1009879	Ammunition	General Fund	14,834.60
				Total for Payment No.:		14,834.60

Payment No: 650386

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	EQUINIX INC	00491264	100210295675	SANTA CLARA IBX - SV2 (FIBER)	Electric Utility	14,558.61
				Total for Payment No.:		14,558.61

Payment No: 019103

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	IBEW	00491827	03/21/21-04/17/21	UNION DUES B2107 & B2108	Payroll Liability&ClearingAcct	14,228.23
				Total for Payment No.:		14,228.23

Payment No: 019156

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	RWG (REPAIR & OVERHAULS) USA, INC.	00491818	011899	SHOP LABOR	Electric Utility Construction	469.80
04/23/2021	RWG (REPAIR & OVERHAULS) USA, INC.	00491818	011899	FIELD SERVICE LABOR	Electric Utility Construction	10,378.02
04/23/2021	RWG (REPAIR & OVERHAULS) USA, INC.	00491818	011899	FIELD SERVICE TRAVEL	Electric Utility Construction	1,188.63
04/23/2021	RWG (REPAIR & OVERHAULS) USA, INC.	00491818	011899	FIELD SERVICE MIS & EXPENSE FE	Electric Utility Construction	1,183.02
				Total for Payment No.:		13,219.47

Payment No: 019068

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	HOUSEKEYS INC	00491121	CR210324BMR	HOUSEKEYS FY20/21 Program Admi	Housing Successor	13,000.00
				Total for Payment No.:		13,000.00

Payment No: 650174

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	FLYERS ENERGY LLC	00490942	21-289155	MOBIL JET OIL II	Electric Utility	6,182.34
04/16/2021	FLYERS ENERGY LLC	00490942	21-289155	MOBIL JET OIL II	Electric Utility	6,182.33
04/16/2021	FLYERS ENERGY LLC	00490942	21-289155	MISC PRODUCT CHARGE	Electric Utility	263.50
04/16/2021	FLYERS ENERGY LLC	00490942	21-289155	MISC PRODUCT CHARGE	Electric Utility	263.49
04/16/2021	FLYERS ENERGY LLC	00490942	21-289155	CA MOTOR OIL TAX	Electric Utility	4.50
04/16/2021	FLYERS ENERGY LLC	00490942	21-289155	CA MOTOR OIL TAX	Electric Utility	4.49
04/16/2021	FLYERS ENERGY LLC	00490942	21-289155	CALIFORNIA RECYCLING FEE (TAX)	Electric Utility	21.58
04/16/2021	FLYERS ENERGY LLC	00490942	21-289155	CALIFORNIA RECYCLING FEE (TAX)	Electric Utility	21.58
04/16/2021	FLYERS ENERGY LLC	00490942	21-289155	REGULATORY COMPLIANCE FEE(TAX)	Electric Utility	3.79
04/16/2021	FLYERS ENERGY LLC	00490942	21-289155	REGULATORY COMPLIANCE FEE(TAX)	Electric Utility	3.78
				Total for Payment No.:		12,951.38

Payment No: 650425

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SENIOR ADULT LEGAL ASSISTANCE	00491611	Q1-2020-2021	SALA -SENIOR ADULT LEGAL ASSIS	H.U.D Capital Projects	4,200.14
04/23/2021	SENIOR ADULT LEGAL ASSISTANCE	00491612	Q2-2020-2021	SALA -SENIOR ADULT LEGAL ASSIS	H.U.D Capital Projects	4,646.38
04/23/2021	SENIOR ADULT LEGAL ASSISTANCE	00491613	Q3-2020-2021	SALA -SENIOR ADULT LEGAL ASSIS	H.U.D Capital Projects	4,034.09
				Total for Payment No.:		12,880.61

Payment No: 002349

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/13/2021	NAVIA BENEFIT SOLUTIONS, INC	00490975	03/21/21-04/03/21A	DD:BIWEEKLY NAVIA BENEFIT	Payroll Liability&ClearingAcct	4,719.14
04/13/2021	NAVIA BENEFIT SOLUTIONS, INC	00490975	03/21/21-04/03/21A	DD:BIWEEKLY NAVIA BENEFIT	Payroll Liability&ClearingAcct	8,160.09

				Total for Payment No.:		12,879.23

Payment No: 650145

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ALLIED UNIVERSAL SECURITY	00491019	11134829	FY 2020-21 SECURITY SERVICES F	Convention Cnt Maintenance Dis	12,637.03
				Total for Payment No.:		12,637.03

Payment No: 019154

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	R F MACDONALD CO	00491667	306204	PN# 10SV12NC30 - LIQEND 12STG	Electric Utility	4,879.92
04/23/2021	R F MACDONALD CO	00491673	306469	PN# CR15-12-A-GJ-A-E-HQQE - GR	Electric Utility	7,713.46
				Total for Payment No.:		12,593.38

Payment No: 019085

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	POWER SYSTEMS OPERATIONS	00490950	1388	VERA VALIDATION UPDATES MAR21	Electric Utility	11,730.59
				Total for Payment No.:		11,730.59

Payment No: 650259

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	WESTERN EXTERMINATOR COMPANY	00490661	7617852	MISSION LIB TERMITE FUMIGATION	General Fund	10,800.00
				Total for Payment No.:		10,800.00

Payment No: 019095

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VALLEY FAIR MALL, LLC	00490312	63832-01 CPV FEB-21	PBI SOLAR PROD PYMT #38 FEB202	Elec OperatingGrant Trust Fund	10,682.37

				Total for Payment No.:		10,682.37

Payment No: 650189

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	JAS PACIFIC	00491102	PC 5884	Agreement for services to perf	General Fund	1,015.00
04/16/2021	JAS PACIFIC	00491143	PC 5902	Agreement for services to perf	General Fund	9,500.00
				Total for Payment No.:		10,515.00

Payment No: 019167

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	US BANK NATIONAL ASSOCIATION	00491109	NNPB000270321	POWER BILL MAR21	Electric Utility	275,817.21
04/23/2021	US BANK NATIONAL ASSOCIATION	00491109	NNPB000270321	WREGIS PASS-THRU CHGS MAR21	Electric Utility	221.38
04/23/2021	US BANK NATIONAL ASSOCIATION	00491109	NNPB000270321	CVP O&M FUNDING CREDIT	Electric Utility	-265,652.00
				Total for Payment No.:		10,386.59

Payment No: 650219

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	REED & GRAHAM INC	00490645	996248	DEERY & DE TAC	General Fund	4,323.02
04/16/2021	REED & GRAHAM INC	00490646	996353	DEERY	General Fund	6,046.99
				Total for Payment No.:		10,370.01

Payment No: 019089

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SUNE W12DG-C, LLC	00491029	CA-12-0396-28	ENERGY PURCH (SOLAR) MAR20	Electric Utility	10,215.30
				Total for Payment No.:		10,215.30

Payment No: 650193

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/16/2021	LEE & RO INC	00491312	668/01	CITYWIDE EMERGENCY GENERATOR R	Public Buildings	9,927.50
				Total for Payment No.:		9,927.50

Payment No: 650209

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PG&E	00491025	0007999644-3	COO 115KV NRS (TFA) APR21	Electric Utility	6,600.59
04/16/2021	PG&E	00491026	0007999645-0	COO NONRULE 2 LES/230KV APR21	Electric Utility	3,231.16
				Total for Payment No.:		9,831.75

Payment No: 650183

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	HYAS GROUP, LLC	00490667	4269	CONSULTING 457 PLAN Q42020	Expendable Trust Funds	9,750.00
				Total for Payment No.:		9,750.00

Payment No: 650151

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	BRIGHTON ENERGY	00490969	R21-NPGR-0154	SMALL BUSINESS LTG/HVA 33901-1	Elec OperatingGrant Trust Fund	9,644.73
				Total for Payment No.:		9,644.73

Payment No: 019159

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STATEN SOLAR CORPORATION	00491617	21073	CONTRACT FOR THE PHOTOVOLTAIC	Library	9,998.20
04/23/2021	STATEN SOLAR CORPORATION	00491617	21073	RETENTION	Library	-499.91
				Total for Payment No.:		9,498.29

Payment No: 650182

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/16/2021	HSI WORKPLACE COMPLIANCE SOLUTIONS INC	00490605	INV42502	MANAGED TRAINING	Electric Utility	9,362.50
				Total for Payment No.:		9,362.50

Payment No: 650179

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GTT COMMUNICATIONS INC	00491031	INV4765816	INTERNET SVCS 881/1705 APR21	Electric Utility	9,360.55
				Total for Payment No.:		9,360.55

Payment No: 650436

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	U.S. BANK	00491839	04/04/21-04/17/21	BIWKLY PAYROLL DED PARS B2107	Fringe Benefits	9,358.27
				Total for Payment No.:		9,358.27

Payment No: 019081

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	MT TIRE SERVICE	00490447	16077	LABOR-V#2919 WO#129922	Fleet Operation Fund	50.00
04/16/2021	MT TIRE SERVICE	00490448	16082	PARTS-V#3195 WO#129941	Fleet Operation Fund	780.44
04/16/2021	MT TIRE SERVICE	00490448	16082	TIRE TAX- V#3195 WO#129941	Fleet Operation Fund	7.00
04/16/2021	MT TIRE SERVICE	00490448	16082	LABOR- V#3195 WO#129941	Fleet Operation Fund	100.00
04/16/2021	MT TIRE SERVICE	00490450	16050	PARTS-V#2951 WO#129978	Fleet Operation Fund	5,450.31
04/16/2021	MT TIRE SERVICE	00490450	16050	TIRE TAX- V#2951 WO#129978	Fleet Operation Fund	308.08
04/16/2021	MT TIRE SERVICE	00490450	16050	LABOR-V#2951 WO#129978	Fleet Operation Fund	240.00
04/16/2021	MT TIRE SERVICE	00490451	16051	LABOR-V#3464 WO#129931	Fleet Operation Fund	60.00
04/16/2021	MT TIRE SERVICE	00490451	16051	TIRE TAX- V#3464 WO#129931	Fleet Operation Fund	130.14
04/16/2021	MT TIRE SERVICE	00490451	16051	PARTS-V#3464 WO#129931	Fleet Operation Fund	1,277.98
04/16/2021	MT TIRE SERVICE	00490452	16053	LABOR-FLEET SERVICE	Fleet Operation Fund	120.00
04/16/2021	MT TIRE SERVICE	00490454	15986	LABOR-FLEET SERVICES	Fleet Operation Fund	120.00
04/16/2021	MT TIRE SERVICE	00490455	16020	LABOR-V#3142 WO#130119	Fleet Operation Fund	90.00

04/16/2021	MT TIRE SERVICE	00490456	15940	LABOR-V#3340 WO#130081	Fleet Operation Fund	30.00
04/16/2021	MT TIRE SERVICE	00490457	16105	LABOR-V#3364 WO#130112	Fleet Operation Fund	120.00
04/16/2021	MT TIRE SERVICE	00490458	16251	PARTS-V#3440 WO#130049	Fleet Operation Fund	234.35
04/16/2021	MT TIRE SERVICE	00490458	16251	TIRE TAX- V#3440 WO#130049	Fleet Operation Fund	1.75
04/16/2021	MT TIRE SERVICE	00490458	16251	LABOR-V#3440 WO#130049	Fleet Operation Fund	25.00
04/16/2021	MT TIRE SERVICE	00490459	16252	LABOR-FLEET SERVICE	Fleet Operation Fund	120.00
				Total for Payment No.:		9,265.05

Payment No: 019043

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	BAYWA R.E. SOLAR PROJECTS, LLC	00490306	66381-03/66317-03 CPV FEB-2021	PBI FEB2021 PYMT #35 PR II TWR	Elec OperatingGrant Trust Fund	9,186.12
				Total for Payment No.:		9,186.12

Payment No: 650254

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VERIZON WIRELESS	00490776	9876229598	CELL PHONE SERVICE MAR21	Electric Utility	9,004.58
				Total for Payment No.:		9,004.58

Payment No: 019107

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ACT ENVIRO	00491127	326167	55 GAL RECON POLY DRUM UN1H2	Electric Utility	316.10
04/23/2021	ACT ENVIRO	00491127	326167	USED OIL	Electric Utility	870.00
04/23/2021	ACT ENVIRO	00491127	326167	ENVIRONMENTAL SERVICE CHARGE	Electric Utility	128.16
04/23/2021	ACT ENVIRO	00491127	326167	MANIFEST FEE	Electric Utility	35.00
04/23/2021	ACT ENVIRO	00491127	326167	3 HR LABOR DRIVER 3/17/21	Electric Utility	201.00
04/23/2021	ACT ENVIRO	00491127	326167	PPE GEAR LEVEL D	Electric Utility	8.00
04/23/2021	ACT ENVIRO	00491127	326167	TRANSPORTATOIN 55 GALLON	Electric Utility	198.00
04/23/2021	ACT ENVIRO	00491128	327106A	CUBIC YARD BOX W/PALLET	Electric Utility	680.16

					Construction	
04/23/2021	ACT ENVIRO	00491128	327106A	ENVIRONMENTAL SERVICE CHARGE	Electric Utility Construction	193.20
04/23/2021	ACT ENVIRO	00491128	327106A	4.5HR LABOR EMERGENCY 3/21/21	Electric Utility Construction	1,350.00
04/23/2021	ACT ENVIRO	00491128	327106A	SUPPLIES	Electric Utility Construction	300.00
04/23/2021	ACT ENVIRO	00491128	327106A	PPE GEAR LEVEL D	Electric Utility Construction	16.00
04/23/2021	ACT ENVIRO	00491128	327106A	GEAR TRUCK (BOB TAIL) 3/21/21	Electric Utility Construction	125.00
04/23/2021	ACT ENVIRO	00491129	328126	OILY DEBRIS	Electric Utility Construction	1,050.00
04/23/2021	ACT ENVIRO	00491129	328126	OILY DEBRIS	Electric Utility Construction	330.00
04/23/2021	ACT ENVIRO	00491129	328126	OILY DEBRIS	Electric Utility Construction	1,400.00
04/23/2021	ACT ENVIRO	00491129	328126	4 HRS DRIVER 3/26/21	Electric Utility Construction	268.00
04/23/2021	ACT ENVIRO	00491129	328126	4 HRS TECHNICIAN 3/26/21	Electric Utility Construction	268.00
04/23/2021	ACT ENVIRO	00491129	328126	PPE GEAR LEVEL D	Electric Utility Construction	16.00
04/23/2021	ACT ENVIRO	00491129	328126	TRANSPORTATION 55 GALLON	Electric Utility Construction	66.00
04/23/2021	ACT ENVIRO	00491129	328126	TRANSPORTATION CUBIC YARD BOX	Electric Utility Construction	700.00
04/23/2021	ACT ENVIRO	00491129	328126	MANIFEST FEE	Electric Utility Construction	60.00
04/23/2021	ACT ENVIRO	00491129	328126	ENVIRONMENTAL SERVICE CHARGE	Electric Utility Construction	332.64
				Total for Payment No.:		8,911.26

Payment No: 019087

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	RUBIETTA, JOSH R.	00491169	WI2021-2	Contractor Payment for classes	General Fund	7,889.70
				Total for Payment No.:		7,889.70

Payment No: 019112

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ASPEN ENVIRONMENTAL GROUP	00491725	3360.003-11	SELF GENERATION TASK A-2	Electric Utility	7,733.40
				Total for Payment No.:		7,733.40

Payment No: 650400

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JOHN ZINK COMPANY LLC	00491731	1397750	PN# 1411855 - SCAN,FLM 65UV5-1	Electric Utility	6,311.10
04/23/2021	JOHN ZINK COMPANY LLC	00491731	1397750	PN# 1408597 - CABLE, SCANNER	Electric Utility	926.50
04/23/2021	JOHN ZINK COMPANY LLC	00491731	1397750	FREIGHT	Electric Utility	102.07
				Total for Payment No.:		7,339.67

Payment No: 650227

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SEL ENGINEERING SERVICES, INC.	00490419	39049	ELECT SUPPORT/UPGRADES DEC20	Electric Utility Construction	1,241.00
04/16/2021	SEL ENGINEERING SERVICES, INC.	00490419	39049	ELECT SUPPORT/UPGRADES DEC20	Electric Utility Construction	4,913.50
04/16/2021	SEL ENGINEERING SERVICES, INC.	00490419	39049	ELECT SUPPORT/UPGRADES DEC20	Electric Utility	1,115.00
				Total for Payment No.:		7,269.50

Payment No: 650150

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	BATEMAN SENIOR MEALS	00491113	INV4650004792	ADDITIONAL ENCUMBRANCE (OVERAG	Park and Rec Opr GrantTst Fund	4,047.36
04/16/2021	BATEMAN SENIOR MEALS	00491173	INV4650004999	ADDITIONAL ENCUMBRANCE (OVERAG	Park and Rec Opr GrantTst Fund	3,106.24
				Total for Payment No.:		7,153.60

Payment No: 019071

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	INGRAM LIBRARY SERVICES INC	00490430	52139534	1241 AD BK	General Fund	587.91
04/16/2021	INGRAM LIBRARY SERVICES INC	00490430	52139534	1231 JUV BK	General Fund	994.97
04/16/2021	INGRAM LIBRARY SERVICES INC	00490430	52139534	1232 YA BK	General Fund	62.48
04/16/2021	INGRAM LIBRARY SERVICES INC	00490431	52139549	1235 AD/JUV/YA BK	General Fund	1,075.54
04/16/2021	INGRAM LIBRARY SERVICES INC	00490433	52139565	1236 JUV BK	General Fund	1,679.49
04/16/2021	INGRAM LIBRARY SERVICES INC	00490434	52139566	1233 AD/JUV/YA BK	General Fund	219.90
04/16/2021	INGRAM LIBRARY SERVICES INC	00490796	52263008	1241 AD BK	General Fund	798.85
04/16/2021	INGRAM LIBRARY SERVICES INC	00490796	52263008	1231 JUV BK	General Fund	879.32
04/16/2021	INGRAM LIBRARY SERVICES INC	00490796	52263008	1232 YA BK	General Fund	32.66
04/16/2021	INGRAM LIBRARY SERVICES INC	00490797	52263024	1235 AD/JUV BK	General Fund	429.86
04/16/2021	INGRAM LIBRARY SERVICES INC	00490798	52263040	1236 JUV BK	General Fund	25.84
04/16/2021	INGRAM LIBRARY SERVICES INC	00490799	52263041	1233 JUV BK	General Fund	220.41
				Total for Payment No.:		7,007.23

Payment No: 019100

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	AFSCME COUNCIL 57	00491826	03/21/21-04/17/21	UNION DUES B2107 & B2108	Payroll Liability&ClearingAcct	6,835.72
				Total for Payment No.:		6,835.72

Payment No: 650216

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	RED WING SHOE STORE	00490317	231-72-29261	CUC 2020: BOOTS- RAMIREZ, F	Solid Waste Program	185.28
04/16/2021	RED WING SHOE STORE	00490318	231-72-29262	CUC 2020: BOOTS- PERKINS, R	Solid Waste Program	185.28
04/16/2021	RED WING SHOE STORE	00490319	231-72-29263	CUC 2020: BOOTS- HAN, D	Solid Waste Program	185.28
04/16/2021	RED WING SHOE STORE	00490320	231-72-29264	CUC 2020: BOOTS- TO, E	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490321	231-72-29265	CUC 2020: BOOTS- BELTRAN, J	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490322	231-72-29266	CUC 2020: BOOTS- CALVO, D	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490323	231-72-29267	CUC 2020: BOOTS- RODRIGUEZ,P	Solid Waste Program	157.49

04/16/2021	RED WING SHOE STORE	00490324	231-72-29268	CUC 2020: BOOTS- MCAVOY,J	Solid Waste Program	185.28
04/16/2021	RED WING SHOE STORE	00490325	231-72-29269	CUC 2020: BOOTS- TAMONE,B	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490326	231-72-29270	CUC 2020: BOOTS- AVELAR, S	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490327	231-72-29271	CUC 2020: BOOTS- FARIA, M	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490328	231-72-29272	CUC 2020: BOOTS- SOTO,P	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490329	231-72-29273	CUC 2020: BOOTS- ORENDAIN,J	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490330	231-72-29274	CUC 2020: BOOTS- MORENO,G	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490331	231-72-29275	CUC 2020: BOOTS- DIAZ, C	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490332	231-72-29277	CUC 2020: BOOTS- WAGNESS, J	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490333	231-72-29278	CUC 2020: BOOTS- KODAMA,JEFF	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490334	231-72-29279	CUC 2020: BOOTS- SANCHEZ,R	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490335	231-72-29280	CUC 2020: BOOTS- MARTINEZ,C	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490336	231-72-29281	CUC 2020: BOOTS- CARDOZA, D	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490337	231-72-29282	CUC 2020: BOOTS- NAJAR R	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490338	231-72-29283	CUC 2020: BOOTS-JOHNSON,D	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490339	231-72-29284	CUC 2020: BOOTS- LEONOR,G	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490340	231-72-29285	CUC 2020: BOOTS- BANUELOS,E	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490341	231-72-29286	CUC 2020: BOOTS- ODELL,T	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490342	231-72-29287	CUC 2020: BOOTS- ALEJO,R	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490343	231-72-29288	CUC 2020: BOOTS- TEIXEIRA,T	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490344	231-72-29289	CUC 2020: BOOTS- MILLER,J	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490345	231-72-29290	CUC 2020: BOOTS- CARLSON,B	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490346	231-72-29291	CUC 2020: BOOTS- TROSTLE,C	Solid Waste Program	185.28
04/16/2021	RED WING SHOE STORE	00490347	231-72-29292	CUC 2020: BOOTS- REGALA,T	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490348	231-72-29294	CUC 2020: BOOTS- QUANZ,C	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490349	231-72-29295	CUC 2020: BOOTS- MANUEL,L	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490350	231-72-29296	CUC 2020: BOOTS- MYERS,C	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490351	231-72-29297	CUC 2020: BOOTS- CASTRO,P	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490354	231-72-29298	CUC 2020: BOOTS- NIEVES,C	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490355	231-72-29299	CUC 2020: BOOTS- ARRIGHI,J	Solid Waste Program	157.49

04/16/2021	RED WING SHOE STORE	00490357	231-72-29300	CUC 2020: BOOTS- LARA, D	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490360	231-72-29301	CUC 2020: BOOTS- NAKAMURA,K	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490361	231-72-29302	CUC 2020: BOOTS- FERNANDEZ,J	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490362	231-72-29303	CUC 2020: BOOTS- BEDELL,E	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490363	231-72-29304	CUC 2020: BOOTS- DOYLE,P	Solid Waste Program	157.49
04/16/2021	RED WING SHOE STORE	00490365	231-72-29305	CUC 2020: BOOTS- CASTRO,M	Solid Waste Program	185.28
04/16/2021	RED WING SHOE STORE	00490366	231-2-35207	CREDIT-CUC 2020: BOOTS- ALEJO,R	Solid Waste Program	-157.49
04/16/2021	RED WING SHOE STORE	00490368	231-2-35209	CREDIT-CUC 2020: BOOTS- MYERS,C	Solid Waste Program	-157.49
04/16/2021	RED WING SHOE STORE	00490369	231-2-35211	CREDIT-CUC 2020: BOOTS- CARDOZA	Solid Waste Program	-157.49
04/16/2021	RED WING SHOE STORE	00490372	231-2-35219	CREDIT-CUC 2020: BOOTS- CARLSON	Solid Waste Program	-157.49
04/16/2021	RED WING SHOE STORE	00490375	231-72-29583	CUC 2020: BOOTS- GRAY,C	Solid Waste Program	176.03
04/16/2021	RED WING SHOE STORE	00490376	231-1-118305	CREDIT-CUC 2020: BOOTS- QUANZ,C	Solid Waste Program	-157.49
04/16/2021	RED WING SHOE STORE	00490380	231-1-118477	CUC 2020: BOOTS- GARDEA,RAUL	Solid Waste Program	134.64
04/16/2021	RED WING SHOE STORE	00490381	231-2-35369	CUC 2020: BOOTS- BRIBIESCA,M	Solid Waste Program	134.64
04/16/2021	RED WING SHOE STORE	00490382	231-2-35371	CUC 2020: BOOTS- RAMOS,K	Solid Waste Program	134.64
				Total for Payment No.:		6,731.31

Payment No: 650203

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ORCHARD COMMERCIAL, INC	00491306	9448APR2021	FY 2020-21 PROPERTY MANAGEMENT	Convention Cnt Maintenance Dis	6,459.00
				Total for Payment No.:		6,459.00

Payment No: 002353

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/22/2021	CA DEPT OF TAX & FEE ADMIN	00491497	MARCH2021	DD:SALES & USE TAX MAR21	General Fund	1,395.61
04/22/2021	CA DEPT OF TAX & FEE ADMIN	00491497	MARCH2021	DD:SALES & USE TAX MAR21	Information Technology Service	11.23

04/22/2021	CA DEPT OF TAX & FEE ADMIN	00491497	MARCH2021	DD:SALES & USE TAX MAR21	Vehicle Replacement Fund	7.18
04/22/2021	CA DEPT OF TAX & FEE ADMIN	00491497	MARCH2021	DD:SALES & USE TAX MAR21	Fleet Operation Fund	182.13
04/22/2021	CA DEPT OF TAX & FEE ADMIN	00491497	MARCH2021	DD:SALES & USE TAX MAR21	Electric Utility	2,281.96
04/22/2021	CA DEPT OF TAX & FEE ADMIN	00491497	MARCH2021	DD:SALES & USE TAX MAR21	Other City Dept Op Grant Fund	433.13
04/22/2021	CA DEPT OF TAX & FEE ADMIN	00491497	MARCH2021	DD:SALES & USE TAX MAR21	Police Operating Grant Fund	172.80
04/22/2021	CA DEPT OF TAX & FEE ADMIN	00491497	MARCH2021	DD:SALES & USE TAX MAR21	Fire Department	86.06
04/22/2021	CA DEPT OF TAX & FEE ADMIN	00491497	MARCH2021	DD:SALES & USE TAX MAR21	Electric Utility	1,452.78
04/22/2021	CA DEPT OF TAX & FEE ADMIN	00491497	MARCH2021	DD:SALES & USE TAX MAR21	Cemetery	243.45
				Total for Payment No.:		6,266.33

Payment No: 650382

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	DELTAWRX LLC	00490781	1077	Phase III March '21 (5th mo.)	General Government - Other	6,254.82
				Total for Payment No.:		6,254.82

Payment No: 650156

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CIVITAS ADVISORS	00491186	56593	Assist the City in completing	Deposit Funds.	6,240.00
				Total for Payment No.:		6,240.00

Payment No: 019053

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ENVIRONMENTAL TECHNICAL SERVICES, INC.	00490948	SVP-2101-A	ASBESTOS NEA MAR21	Electric Utility	6,190.00
				Total for Payment No.:		6,190.00

Payment No: 650226

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SEAN MENDELSON	00491118	1 2021	Contractor Payment for FY 20/2	General Fund	6,162.00
				Total for Payment No.:		6,162.00

Payment No: 019047

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CINTAS CORP #630	00479419	4057847904	CLEANERS-ISC	Other City Dept Op Grant Fund	22.42
04/16/2021	CINTAS CORP #630	00482072	4059845045	CHEMICALS-CENTRAL	General Fund	68.09
04/16/2021	CINTAS CORP #630	00482072	4059845045	DS1-CENTRAL	Other City Dept Op Grant Fund	39.24
04/16/2021	CINTAS CORP #630	00482073	4059845008	CHEMICALS-EARL CARMICHAEL	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482073	4059845008	DS1-EARL CARMICHAEL	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00482074	4059845046	CHEMICALS-WILSON	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482074	4059845046	DS1-WILSON	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00482075	4059844979	CHEMICALS-MACHADO	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482075	4059844979	DS1-MACHADO	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00482076	4059845016	CHEMICALS-EVERETT N EDDIE	General Fund	32.00
04/16/2021	CINTAS CORP #630	00482076	4059845016	DS1-EVERETT N EDDIE	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00482077	4060068350	CHEMICALS-LIVE OAK	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482077	4060068350	DS1-LIVE OAK	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00482078	4060068507	CHEMICALS-THAMIEN	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482078	4060068507	DS1-THAMIEN	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00482079	4060068563	CHEMICALS-FULLER	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482079	4060068563	DS1-FULLER	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00482080	4060068500	CHEMICALS-AGNEW	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482080	4060068500	DS1-AGNEW	Other City Dept Op Grant Fund	19.62

04/16/2021	CINTAS CORP #630	00482081	4060075279	CHEMICALS-SENIOR CTR	General Fund	80.52
04/16/2021	CINTAS CORP #630	00482081	4060075279	DS1-SENIOR CTR	Other City Dept Op Grant Fund	39.24
04/16/2021	CINTAS CORP #630	00482082	4060074932	CHEMICALS-SCHMIDT	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482082	4060074932	DS1-SCHMIDT	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00482083	4060074791	CHEMICALS-EVERETT ALVAREZ	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482083	4060074791	DS1-EVERETT ALVAREZ	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00482084	4060224182	CHEMICALS-PARKWAY	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482084	4060224182	DS1-PARKWAY	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00482085	4059844391	CHEMICALS-WESTWOOD	General Fund	34.06
04/16/2021	CINTAS CORP #630	00482085	4059844391	DS1-WESTWOOD	Other City Dept Op Grant Fund	16.35
04/16/2021	CINTAS CORP #630	00483006	4065058195	CHEMICALS-STEVE CARLI	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483006	4065058195	DS1-STEVE CARLI	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483007	4065066199	CHEMICALS-WARBURTON	General Fund	21.66
04/16/2021	CINTAS CORP #630	00483007	4065066199	DS1-WARBURTON	Other City Dept Op Grant Fund	9.81
04/16/2021	CINTAS CORP #630	00483009	4065056474	CHEMICALS-WESTWOOD OAKS	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483009	4065056474	DS1-WESTWOOD OAKS	Other City Dept Op Grant Fund	16.35
04/16/2021	CINTAS CORP #630	00483010	4065058251	CHEMICALS-WILSON	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483010	4065058251	DS1-WILSON	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483011	4065334661	CHEMICALS-AGNEW	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483011	4065334661	DS1-AGNEW	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483013	4065334717	CHEMICALS-LICKMILL	General Fund	43.24
04/16/2021	CINTAS CORP #630	00483014	4065334971	CHEMICALS-EVERRETT ALVAREZ	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483014	4065334971	DS1-EVERRETT ALVAREZ	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483029	4065334738	CHEMICALS-FULLER	General Fund	34.06

04/16/2021	CINTAS CORP #630	00483029	4065334738	DS1-FULLER	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483030	4065335057	CHEMICALS-SENIOR CTR	General Fund	80.52
04/16/2021	CINTAS CORP #630	00483030	4065335057	DS1-SENIOR CTR	Other City Dept Op Grant Fund	39.24
04/16/2021	CINTAS CORP #630	00483031	4065334921	CHEMICALS-HENRY SCHMIDT	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483031	4065334921	DS1-HENRY SCHMIDT	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483032	4065334647	CHEMICALS-LIVE OAK	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483032	4065334647	DS1-LIVE OAK	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483033	4065334737	CHEMICALS-THAMIEN	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483033	4065334737	DS1-THAMIEN	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483034	4065457054	CHEMICALS-PARKWAY	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483034	4065457054	DS1-PARKWAY	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483035	4065752326	CHEMICALS-MONTAGUE	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483035	4065752326	DS1-MONTAGUE	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483036	4065752422	CHEMICALS-THOMAS BARRETT	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483036	4065752422	DS1-THOMAS BARRETT	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483037	4065753081	CHEMICALS-BRACHER	General Fund	20.42
04/16/2021	CINTAS CORP #630	00483037	4065753081	DS1-BRACHER	Other City Dept Op Grant Fund	9.81
04/16/2021	CINTAS CORP #630	00483038	4065753339	CHEMICALS-YAC	General Fund	53.61
04/16/2021	CINTAS CORP #630	00483038	4065753339	DS1-YAC	Other City Dept Op Grant Fund	4.97
04/16/2021	CINTAS CORP #630	00483039	4065753407	CHEMICALS-ISC	General Fund	23.52
04/16/2021	CINTAS CORP #630	00483039	4065753407	DS1-ISC	Other City Dept Op Grant Fund	13.08
04/16/2021	CINTAS CORP #630	00483040	4065753330	CHEMICALS-JENNY STRAND	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483040	4065753330	DS1-JENNY STRAND	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483041	4065753717	CHEMICALS-LARRY J MAR	General Fund	15.88

04/16/2021	CINTAS CORP #630	00483041	4065753717	DS1-LARRY J MAR	Other City Dept Op Grant Fund	6.54
04/16/2021	CINTAS CORP #630	00483042	4065753385	CHEMICALS-MACHADO	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483042	4065753385	DS1-MACHADO	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483043	4065753360	CHEMICALS-MARY GOMEZ	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483043	4065753360	DS1-MARY GOMEZ	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483044	4065753307	CHEMICALS-YSP	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483044	4065753307	DS1-YSP	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483045	4065753775	CHEMICALS-WARBURTON	General Fund	21.66
04/16/2021	CINTAS CORP #630	00483045	4065753775	DS1-WARBURTON	Other City Dept Op Grant Fund	9.81
04/16/2021	CINTAS CORP #630	00483046	4065753416	CHEMICALS-WAR MEMORIAL	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483046	4065753416	DS1-WAR MEMORIAL	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483047	4065994493	CHEMICALS-AGNEW	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483047	4065994493	DS1-AGNEW	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483048	4065994406	CHEMICALS-LICKMILL	General Fund	43.24
04/16/2021	CINTAS CORP #630	00483049	4065995269	CHEMICALS-SENIOR CTR	General Fund	80.52
04/16/2021	CINTAS CORP #630	00483049	4065995269	DS1-SENIOR CTR	Other City Dept Op Grant Fund	39.24
04/16/2021	CINTAS CORP #630	00483050	4065994466	CHEMICALS-FULLER	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483050	4065994466	DS1-FULLER	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483051	4065994379	CHEMICALS-LIVE OAK	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483051	4065994379	DS1-LIVE OAK	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00483052	4065994482	CHEMICALS-THAMIEN	General Fund	34.06
04/16/2021	CINTAS CORP #630	00483052	4065994482	DS1-THAMIEN	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00489836	4075125644	CHEMICALS - AGNEW	General Fund	34.06
04/16/2021	CINTAS CORP #630	00489836	4075125644	DS1 - AGNEW	Other City Dept Op Grant Fund	19.62

04/16/2021	CINTAS CORP #630	00489838	4074921693	CHEMICALS - YAC	General Fund	47.06
04/16/2021	CINTAS CORP #630	00489838	4074921693	DS1- YAC	Other City Dept Op Grant Fund	4.97
04/16/2021	CINTAS CORP #630	00489841	4076198736	CHEMICALS - YAC	General Fund	47.06
04/16/2021	CINTAS CORP #630	00489841	4076198736	DS1 - YAC	Other City Dept Op Grant Fund	4.97
04/16/2021	CINTAS CORP #630	00489843	4075504080	CHEMICALS - YAC	General Fund	45.15
04/16/2021	CINTAS CORP #630	00489843	4075504080	DS1 - YAC	Other City Dept Op Grant Fund	4.97
04/16/2021	CINTAS CORP #630	00489844	4076821128	CHEMICALS - YAC	General Fund	45.41
04/16/2021	CINTAS CORP #630	00489844	4076821128	DS1- YAC	Other City Dept Op Grant Fund	5.02
04/16/2021	CINTAS CORP #630	00489846	4074921616	CHEMICALS - GARDEN	General Fund	32.00
04/16/2021	CINTAS CORP #630	00489846	4074921616	DS1 - GARDEN	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00489847	4075130804	CHEMICALS- EVERETT ALVAREZ	General Fund	34.06
04/16/2021	CINTAS CORP #630	00489847	4075130804	DS1- EVERETT ALVAREZ	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00489848	4075130866	CHEMICALS - SENIOR CENTER	General Fund	80.52
04/16/2021	CINTAS CORP #630	00489848	4075130866	DS1-SENIOR CENTER	Other City Dept Op Grant Fund	39.24
04/16/2021	CINTAS CORP #630	00489849	4076426452	CHEMICALS - SENIOR CENTER	General Fund	80.52
04/16/2021	CINTAS CORP #630	00489849	4076426452	DS1- SENIOR CENTER	Other City Dept Op Grant Fund	39.24
04/16/2021	CINTAS CORP #630	00489850	4075125539	CHEMICALS - FULLER STREET	General Fund	34.06
04/16/2021	CINTAS CORP #630	00489850	4075125539	DS1 - FULLER STREET	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00489851	4075130766	CHEMICALS - HENRY SCHMIDT	General Fund	34.06
04/16/2021	CINTAS CORP #630	00489851	4075130766	DS1- HENRY SCHMIDT	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00489997	4075125455	CHEMICALS - LIVE OAK	General Fund	34.06
04/16/2021	CINTAS CORP #630	00489997	4075125455	DS1- LIVE OAK	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490001	4074921373	CHEMICALS - JENNY STRAND	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490001	4074921373	DS1- JENNY STRAND	Other City Dept Op Grant Fund	19.62

04/16/2021	CINTAS CORP #630	00490002	4074922425	CHEMICALS - MARSALLI	General Fund	15.88
04/16/2021	CINTAS CORP #630	00490002	4074922425	DS1- MARSALLI	Other City Dept Op Grant Fund	6.54
04/16/2021	CINTAS CORP #630	00490008	4075125524	CHEMICALS -THAMIEN	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490008	4075125524	DS1- THAMIEN	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490017	4074922380	CHEMICALS - WARBURTON	General Fund	21.66
04/16/2021	CINTAS CORP #630	00490017	4074922380	DS1- WARBURTON	Other City Dept Op Grant Fund	9.81
04/16/2021	CINTAS CORP #630	00490022	4074921358	CHEMICALS - WESTWOOD	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490022	4074921358	DS1- WESTWOOD	Other City Dept Op Grant Fund	16.35
04/16/2021	CINTAS CORP #630	00490047	4075130858	UNIFORMS -CEMETERY	Cemetery	30.96
04/16/2021	CINTAS CORP #630	00490047	4075130858	DS1 - CEMETERY	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490047	4075130858	CHEMICALS - CEMETERY	Cemetery	53.92
04/16/2021	CINTAS CORP #630	00490597	4079602678	2021 MAR WATER UNIFORM SERVICE	Water Utility	307.28
04/16/2021	CINTAS CORP #630	00490597	4079602678	2021 MAR WATER UNIFORM SERVICE	Sewer Utility	307.27
04/16/2021	CINTAS CORP #630	00490640	4080245431	STREET RENTALS	General Fund	309.98
04/16/2021	CINTAS CORP #630	00490640	4080245431	FLEET RENTALS	Fleet Operation Fund	203.97
04/16/2021	CINTAS CORP #630	00490640	4080245431	SAFEWASHR MOB SRV- TAXBLE	Fleet Operation Fund	31.03
04/16/2021	CINTAS CORP #630	00490823	4075802612	CHEMICALS - CEMETERY	Cemetery	53.92
04/16/2021	CINTAS CORP #630	00490823	4075802612	DS1- CEMETERY	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490823	4075802612	UNIFORMS - CEMETERY	Cemetery	30.96
04/16/2021	CINTAS CORP #630	00490841	4076426372	CHEMICALS - CEMETERY	Cemetery	53.92
04/16/2021	CINTAS CORP #630	00490841	4076426372	DS1 - CEMETERY	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490841	4076426372	UNIFORMS - CEMETERY	Cemetery	30.96
04/16/2021	CINTAS CORP #630	00490844	4077125167	CHEMICALS - CEMETERY	Cemetery	54.31
04/16/2021	CINTAS CORP #630	00490844	4077125167	DS1- CEMETERY	Other City Dept Op Grant Fund	19.86
04/16/2021	CINTAS CORP #630	00490844	4077125167	UNIFORM - CEMETERY	Cemetery	31.25

04/16/2021	CINTAS CORP #630	00490847	4075125374	UNIFORMS - LICKMILL	General Fund	70.21
04/16/2021	CINTAS CORP #630	00490850	4076420727	UNIFORMS - LICK MILL	General Fund	70.21
04/16/2021	CINTAS CORP #630	00490852	4077124240	UNIFORMS - LICK MILL	General Fund	72.44
04/16/2021	CINTAS CORP #630	00490856	4074921677	CHEMICALS - PARKS YARD	General Fund	130.37
04/16/2021	CINTAS CORP #630	00490857	4074921236	CHEMICALS - YSP	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490857	4074921236	DS1- YSP	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490869	4074921590	CHEMICALS - STEVE CARLI	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490869	4074921590	DS1- STEVE CARLI	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490873	4074749375	CHEMICALS -THOMAS BARRET	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490873	4074749375	DS1- THOMAS BARRETT	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490879	4074921589	CHEMICALS - WAR MEMORIAL	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490879	4074921589	DS1- WAR MEMORIAL	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490882	4074921675	CHEMICALS - WILSON	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490882	4074921675	DS1- WILSON	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490888	4074921610	CHEMICALS- CRC	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490888	4074921610	DS1- CRC	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490891	4075503988	CHEMICALS - CRC	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490891	4075503988	DS1- CRC	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490892	4076198677	CHEMICALS - CRC	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490892	4076198677	DS1- CRC	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490893	4074749019	CHEMICALS - MONTAGUE	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490893	4074749019	DS1- MONTAGUE	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490895	4074922625	CHEMICALS - PARKWAY PARK	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490895	4074922625	DS1- PARKWAY PARK	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490896	4074921629	CHEMICALS - TENNIS CENTER	General Fund	34.06

04/16/2021	CINTAS CORP #630	00490896	4074921629	DS1- TENNIS CENTER	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490900	4074921392	CHEMICALS - MAYWOOD	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490900	4074921392	DS1- MAYWOOD	Other City Dept Op Grant Fund	19.62
04/16/2021	CINTAS CORP #630	00490902	4074749082	CHEMICALS - MONTAGUE	General Fund	34.06
04/16/2021	CINTAS CORP #630	00490902	4074749082	DS1- MONTAGUE	Other City Dept Op Grant Fund	19.62
				Total for Payment No.:		6,144.45

Payment No: 650428

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STALKER RADAR	00491710	S257744	LIDARS WITH BATTERIES & HOLSTE	General Fund	6,143.43
				Total for Payment No.:		6,143.43

Payment No: 650239

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	TOWNSEND PUBLIC AFFAIRS INC	00491310	17030	State and Federal Legislative	General Fund	2,166.60
04/16/2021	TOWNSEND PUBLIC AFFAIRS INC	00491310	17030	Silicon Valley Power's Adminis	Electric Utility	3,000.00
04/16/2021	TOWNSEND PUBLIC AFFAIRS INC	00491310	17030	Water Utility Fund	Water Utility	416.70
04/16/2021	TOWNSEND PUBLIC AFFAIRS INC	00491310	17030	Sewer Utility Fund	Sewer Utility	416.70
				Total for Payment No.:		6,000.00

Payment No: 002356

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STATE DISBURSEMENT UNIT	00491843	04/04/21-04/17/21	WAGE ATTACHMENTS B2108	Payroll Liability&ClearingAcct	5,643.98
				Total for Payment No.:		5,643.98

Payment No: 019130

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	HOT LINE CONSTRUCTION, INC.	00491097	12524	2420A OVERHEAD FACILITIES MSTR	Electric Utility Construction	5,542.04
				Total for Payment No.:		5,542.04

Payment No: 650165

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	D&M TRAFFIC SERVICES	00490520	77199	ORANGE MARKING CHALK	General Fund	58.26
04/16/2021	D&M TRAFFIC SERVICES	00490521	77198	CLEARANCE JACKET	General Fund	27.25
04/16/2021	D&M TRAFFIC SERVICES	00490641	77350	P&B - CONES	General Fund	1,222.16
04/16/2021	D&M TRAFFIC SERVICES	00490641	77350	STENCIL-CONE	General Fund	75.00
04/16/2021	D&M TRAFFIC SERVICES	00490642	77351	CONES- STREET DEPT	General Fund	1,629.55
04/16/2021	D&M TRAFFIC SERVICES	00490642	77351	STENCIL-CONE	General Fund	100.00
04/16/2021	D&M TRAFFIC SERVICES	00490966	77349	CONES- STORM DRAIN	General Fund	814.78
04/16/2021	D&M TRAFFIC SERVICES	00490966	77349	STENCIL - NON TAXABLE	General Fund	50.00
04/16/2021	D&M TRAFFIC SERVICES	00491161	77244	TRAFFIC CONTROL SERVICES	Electric Utility Construction	1,470.00
				Total for Payment No.:		5,447.00

Payment No: 650417

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	NEXT DOOR	00491610	CofSC 03	NEXT DOOR SOLUTIONS TO DOMESTI	H.U.D Capital Projects	5,441.57
				Total for Payment No.:		5,441.57

Payment No: 650213

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	QUESTICA, INC.	00491292	INV106361	DEVELOPMENT OF A MUNICIPAL FEE	General Fund	2,650.00
04/16/2021	QUESTICA, INC.	00491293	INV106752	DEVELOPMENT OF A MUNICIPAL FEE	General Fund	2,550.00

				Total for Payment No.:		5,200.00

Payment No: 019144

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PG&E	00491257	9644211793-1 MAR2021	ELEC SVC GRIZZLY PWRHSE MAR21	Electric Utility	5,164.53
				Total for Payment No.:		5,164.53

Payment No: 019074

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	JOHN'S SALT SERVICE INC	00490775	31460	BULK SALT ONE TON-COGEN APR21	Electric Utility	4,551.84
04/16/2021	JOHN'S SALT SERVICE INC	00490775	31460	FREIGHT	Electric Utility	438.00
04/16/2021	JOHN'S SALT SERVICE INC	00490775	31460	FUEL	Electric Utility	169.00
				Total for Payment No.:		5,158.84

Payment No: 650438

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	UNIVAR SOLUTIONS USA INC	00491255	49073927	DVR CHEM DEL SOD HYP APR2021	Electric Utility	918.95
04/23/2021	UNIVAR SOLUTIONS USA INC	00491255	49073927	CALIFORNIA MILL FEE	Electric Utility	19.99
04/23/2021	UNIVAR SOLUTIONS USA INC	00491414	49081045	DVR CHEM DEL SULFURIC AC APR21	Electric Utility	4,178.46
				Total for Payment No.:		5,117.40

Payment No: 019150

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PITNEY BOWES	00491316	8977ARP2021	POSTAGE	General Fund	5,046.99
				Total for Payment No.:		5,046.99

Payment No: 650377

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CBRE, INC	00490021	41224-NW204321	PROFESSIONAL FEES	Electric Utility Construction	5,000.00
				Total for Payment No.:		5,000.00

Payment No: 650180

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	HEALTHINVEST HRA	00491139	32307MAR2021	VEBA ADMINISTRATOR - $2,500 MO	General Fund	2,500.00
04/16/2021	HEALTHINVEST HRA	00491140	32307APR2021	VEBA ADMINISTRATOR - $2,500 MO	General Fund	2,500.00
				Total for Payment No.:		5,000.00

Payment No: 650184

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ICE US OTC COMMODITY MARKETS LLC	00491030	0321000868088	ENERGY BROKER COMM MAR21	Electric Utility	4,982.44
				Total for Payment No.:		4,982.44

Payment No: 019141

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PENINSULA GYMNASTICS	00491615	0003	CONTRACT PAYMENT FOR CLASSES F	General Fund	4,813.20
				Total for Payment No.:		4,813.20

Payment No: 019082

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	NVIDIA CORP	00490311	63037-04 CPV FEB-2021	PBI SOLAR PROD PYMT #48 FEB-20	Elec OperatingGrant Trust Fund	4,605.75
				Total for Payment No.:		4,605.75

Payment No: 650286

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CHANG INCOME PROPERTY	00491541	62707-07 Utility Refund	UTILITY REFUND	General Fund	4,567.03
				Total for Payment No.:		4,567.03

Payment No: 650225

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SCP DISTRIBUTORS LLC	00490524	36023568	CONNECTING NUT ADAPTER	General Fund	111.05
04/16/2021	SCP DISTRIBUTORS LLC	00490525	36023730	INJECTION CHECK VALVE	General Fund	74.65
04/16/2021	SCP DISTRIBUTORS LLC	00490598	36023392	HEAD CLASSIC PUMP	General Fund	828.51
04/16/2021	SCP DISTRIBUTORS LLC	00490881	36023573	DISCHARGE TUBING	General Fund	259.07
04/16/2021	SCP DISTRIBUTORS LLC	00490890	36023642	LIQUID CHLORINE/ MURIATIC ACID	General Fund	2,448.14
04/16/2021	SCP DISTRIBUTORS LLC	00490890	36023642	PESTICIDE ASSESSMENT	General Fund	39.89
04/16/2021	SCP DISTRIBUTORS LLC	00490890	36023642	SURCHARGE	General Fund	76.00
04/16/2021	SCP DISTRIBUTORS LLC	00490894	36023647	LIQUID CHLORINE	General Fund	528.75
04/16/2021	SCP DISTRIBUTORS LLC	00490894	36023647	PESTICIDE ASSESSMENT	General Fund	8.33
04/16/2021	SCP DISTRIBUTORS LLC	00490894	36023647	FUEK SURCHARGE	General Fund	38.00
				Total for Payment No.:		4,412.39

Payment No: 650407

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	LIVE OAK ADULT DAY SERVICES	00491608	2020-21 A	LIVE OAK ADULT SERVICES FY20/2	H.U.D Capital Projects	2,947.94
04/23/2021	LIVE OAK ADULT DAY SERVICES	00491609	2020-21 B	LIVE OAK ADULT SERVICES FY20/2	H.U.D Capital Projects	1,420.30
				Total for Payment No.:		4,368.24

Payment No: 019134

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	KIDZ LOVE SOCCER	00491724	2021FEB-10078-0014	Contractor Payment for classes	General Fund	4,264.00
				Total for Payment No.:		4,264.00

Payment No: 019042

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	BARRY S MILSTONE	00491303	12063	REMAINING BALANCE FROM PO 2462	Related Santa Clara Dvlpr Fund	4,132.50
				Total for Payment No.:		4,132.50

Payment No: W21297

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/21/2021	SANTA CLARA CONVENTION CENTER	00491776	449283	CIP Fund Request #2 - ldibri/D	SCCC Capital Improvement Fund	4,087.00
				Total for Payment No.:		4,087.00

Payment No: 650395

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GUIDEHOUSE INC	00482762	0100057020	NERC CIP SUPPORT OCT20	Electric Utility	4,004.25
				Total for Payment No.:		4,004.25

Payment No: 650368

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ALAMEDA CO SHERIFF`S OFFICE	00490620	290131-0321-6817	Academy - M Hararah	General Fund	4,000.00
				Total for Payment No.:		4,000.00

Payment No: 019117

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CINTAS CORP #630	00481058	4058443338	CLEANERS-MONTAGUE SWIM CENTER	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481058	4058443338	DS1-MONTAGUE SWIM CENTER	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481059	4058443356	CLEANER-MONTAGUE PARK	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481059	4058443356	DS1-MONTAGUE PARK	Other City Dept Op Grant Fund	19.62

04/23/2021	CINTAS CORP #630	00481060	4058553291	CLEANERS-BRACHER PARK	General Fund	20.42
04/23/2021	CINTAS CORP #630	00481060	4058553291	DS1- BRACHER PARK	Other City Dept Op Grant Fund	9.81
04/23/2021	CINTAS CORP #630	00481061	4058555170	CLEANERS-BOWERS PARK	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481061	4058555170	DS1- BOWERS PARK	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481062	4058558279	CLEANERS-WARBURTON SWIM CENTER	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481062	4058558279	DS1- WARBURTON SWIM CENTER	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481063	4058554349	CLEANERS-SC YOUTH SOCCER	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481063	4058554349	DS1-SC YOUTH SOCCER	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481064	4058555164	CLEANERS-WAR MEMORIAL	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481064	4058555164	DS1- WAR MEMORIAL	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481065	4058555177	CLEANERS-ISC	General Fund	24.61
04/23/2021	CINTAS CORP #630	00481065	4058555177	DS1-ISC	Other City Dept Op Grant Fund	11.99
04/23/2021	CINTAS CORP #630	00481067	4058555253	CLEANERS-MARY GOMEZ PARK &POOL	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481067	4058555253	DS1-MARY GOMEZ PARK & POOL	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481068	4058555210	CLEANESR-CENTRAL PARK	General Fund	68.09
04/23/2021	CINTAS CORP #630	00481068	4058555210	DS1-CENTRAL PARK	Other City Dept Op Grant Fund	39.24
04/23/2021	CINTAS CORP #630	00481070	4058555090	CLEANERS-HOMERIDGE	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481070	4058555090	DS1-HOMERIDGE	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481071	4058555282	CLEANERS-MACHADO	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481071	4058555282	DS1-MACHADO	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481072	4058555167	CLEANERS- COMMUNITY GARDEN	General Fund	32.00
04/23/2021	CINTAS CORP #630	00481072	4058555167	DS1- COMMUNITY GARDEN	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481073	4058555220	CLEANERS-WILSON	General Fund	34.06

04/23/2021	CINTAS CORP #630	00481073	4058555220	DS1-CLEANERS	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481074	4058555208	CLEANERS-EARL CARMICHAEL	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481074	4058555208	DS1-EARL CARMICHAEL	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00481075	4058814099	CLEANERS-HENRY SCHMIDT	General Fund	34.06
04/23/2021	CINTAS CORP #630	00481075	4058814099	DS1-HENRY SCHMIDT	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00488363	4065753399	CHEMICALS - HOMERIDGE	General Fund	34.06
04/23/2021	CINTAS CORP #630	00488363	4065753399	DS- HOMERIDGE	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00488364	4069650121	CHEMICALS- LARRY MARSALLI	General Fund	15.88
04/23/2021	CINTAS CORP #630	00488364	4069650121	DS1 - LARRY MARSALLI	Other City Dept Op Grant Fund	6.54
04/23/2021	CINTAS CORP #630	00491044	4066900966	CHEMICALS-THOMAS BARRETT	General Fund	34.06
04/23/2021	CINTAS CORP #630	00491044	4066900966	DS1-THOMAS BARRETT	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00491045	4076196476	CHEMICALS-YSP	General Fund	34.06
04/23/2021	CINTAS CORP #630	00491045	4076196476	DS1-YSP	Other City Dept Op Grant Fund	19.62
04/23/2021	CINTAS CORP #630	00491417	4080918688	2021 APR WATER UNIFORM SERVICE	Water Utility	303.74
04/23/2021	CINTAS CORP #630	00491417	4080918688	2021 APR WATER UNIFORM SERVICE	Sewer Utility	303.74
04/23/2021	CINTAS CORP #630	00491736	4073329008	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	330.04
04/23/2021	CINTAS CORP #630	00491737	4078979469	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	129.34
04/23/2021	CINTAS CORP #630	00491738	4078979475	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	35.85
04/23/2021	CINTAS CORP #630	00491740	4078979714	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	105.71
04/23/2021	CINTAS CORP #630	00491741	4079602534	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	129.34
04/23/2021	CINTAS CORP #630	00491744	4079603096	LAUNDRY SERVICE	Electric Utility	105.71

				FY20/21 SVP FR		
04/23/2021	CINTAS CORP #630	00491745	4080243550	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	35.85
04/23/2021	CINTAS CORP #630	00491746	4080243594	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	129.34
04/23/2021	CINTAS CORP #630	00491747	4080244179	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	105.71
04/23/2021	CINTAS CORP #630	00491748	4080918213	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	598.04
04/23/2021	CINTAS CORP #630	00491749	4080918261	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	35.85
04/23/2021	CINTAS CORP #630	00491750	4080918308	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	129.34
04/23/2021	CINTAS CORP #630	00491751	4080918748	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	105.71
04/23/2021	CINTAS CORP #630	00491752	4080504822	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	330.00
				Total for Payment No.:		3,966.71

Payment No: 019067

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	HILL BROTHERS CHEMICAL CO	00491138	07087559	AQUEOUS AMMONIA DELIVERIES	Electric Utility	3,936.84
				Total for Payment No.:		3,936.84

Payment No: 650155

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CA DEPT OF WATER RESOURCES	00490779	1800141422	DAM FEES BLACK BUTTE FY 21/22	Electric Utility	3,873.00
				Total for Payment No.:		3,873.00

Payment No: 019055

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ESSENSE PARTNERS	00490316	2153	MARKETING/PR RETAINER AUG20	Elec OperatingGrant Trust Fund	1,000.00
04/16/2021	ESSENSE PARTNERS	00490316	2153	MARKETING/PR RETAINER AUG20	Electric Utility	2,837.50
				Total for Payment No.:		3,837.50

Payment No: 650371

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	BATEMAN SENIOR MEALS	00491714	INV4650005043	ADDITIONAL ENCUMBRANCE (OVERAG	Park and Rec Opr GrantTst Fund	3,775.36
				Total for Payment No.:		3,775.36

Payment No: 650177

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GLOBAL RENTAL CO	00490613	7306913	FASTRACK TOLL VIOLATION 2/2/21	Electric Utility Construction	36.00
04/16/2021	GLOBAL RENTAL CO	00491034	3616329	2019 INTL4300 4/6/21-5/3/21	Electric Utility	3,706.00
				Total for Payment No.:		3,742.00

Payment No: 019129

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	HILL BROTHERS CHEMICAL CO	00491598	07089862	AQUEOUS AMMONIA DELIVERIES	Electric Utility	3,712.62
				Total for Payment No.:		3,712.62

Payment No: 019140

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	NALCO CO	00491411	6670050384	MO.SRV FEE DVR APR21	Electric Utility	946.35
04/23/2021	NALCO CO	00491464	6600295321	PERMACLEAN PC-11 4/12/21	Electric Utility	2,741.35
04/23/2021	NALCO CO	00491464	6600295321	TRANSPORTATION/ENERGY FEE	Electric Utility	16.35

				Total for Payment No.:		3,704.05

Payment No: 650376

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	BMI IMAGING SYSTEMS	00491415	315233	Digitizing and Indexing Docs	General Fund	3,657.99
				Total for Payment No.:		3,657.99

Payment No: 650248

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VERIZON WIRELESS	00490432	9875400398	FIRE MDC WIRELESS	General Fund	1,026.27
04/16/2021	VERIZON WIRELESS	00490432	9875400398	PD MDC WIRELESS	General Fund	114.03
04/16/2021	VERIZON WIRELESS	00490432	9875400398	PD MDC WIRELESS	General Fund	38.01
04/16/2021	VERIZON WIRELESS	00490432	9875400398	PD MDC WIRELESS	General Fund	38.01
04/16/2021	VERIZON WIRELESS	00490432	9875400398	PD MDC WIRELESS	General Fund	2,128.56
04/16/2021	VERIZON WIRELESS	00490432	9875400398	STREET MDC WIRELESS	General Fund	114.03
04/16/2021	VERIZON WIRELESS	00490432	9875400398	LIBRARY MDC WIRELESS	General Fund	38.01
04/16/2021	VERIZON WIRELESS	00490432	9875400398	PARKS MDC WIRELESS	General Fund	38.01
				Total for Payment No.:		3,534.93

Payment No: 019077

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	MBL & SONS, INC	00490309	63467-01 CPV FEB-2021	ST LAWRNC PBI PYMT #36 FEB 202	Elec OperatingGrant Trust Fund	2,679.32
04/16/2021	MBL & SONS, INC	00490310	75175-01 CPV FEB-2021	ST JUSTIN PBI PYMT #31 FEB-202	Elec OperatingGrant Trust Fund	828.33
				Total for Payment No.:		3,507.65

Payment No: 650385

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ED JONES CO INC	00490815	46646	Police Badges Retire Badges	General Fund	3,419.26

				Total for Payment No.:		3,419.26

Payment No: 650398

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	IMAGETREND INC	00491036	127506	CAD INTEGRATIONS HOSTING	General Fund	2,100.00
04/23/2021	IMAGETREND INC	00491036	127506	CA INTEGRATIONS SUPPORT	General Fund	1,280.00
				Total for Payment No.:		3,380.00

Payment No: 650392

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GENEVIEVE ALTWER LMFT	00491073	769	BEHAVIORAL COUNSELING #129	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491074	721	BEHAVIORAL COUNSELING #129	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491075	730	BEHAVIORAL COUNSELING #127	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491076	800	BEHAVIORAL COUNSELING #125	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491077	772	BEHAVIORAL COUNSELING #125	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491078	755	BEHAVIORAL COUNSELING #125	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491079	728	BEHAVIORAL COUNSELING #125	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491080	727	BEHAVIORAL COUNSELING #121	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491081	766	BEHAVIORAL COUNSELING #119	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491082	781	BEHAVIORAL COUNSELING #119	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491083	741	BEHAVIORAL COUNSELING #119	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491084	775	BEHAVIORAL COUNSELING #117	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491085	723	BEHAVIORAL COUNSELING #119	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491086	753	BEHAVIORAL COUNSELING #117	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491087	801	BEHAVIORAL COUNSELING #115	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491088	774	BEHAVIORAL COUNSELING #115	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491089	731	BEHAVIORAL COUNSELING #731	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491090	747	BEHAVIORAL COUNSELING #115	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491091	725	BEHAVIORAL COUNSELING #115	General Fund	160.00

04/23/2021	GENEVIEVE ALTWER LMFT	00491092	773	BEHAVIORAL COUNSELING #111	General Fund	160.00
04/23/2021	GENEVIEVE ALTWER LMFT	00491093	756	BEHAVIORAL COUNSELING #101	General Fund	160.00
				Total for Payment No.:		3,360.00

Payment No: 650221

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ROBERT E. VAN HEUIT	00491308	1103	AMENDMENT NO. 3 INCREASE PO BY	Related Santa Clara Dvlpr Fund	3,325.00
				Total for Payment No.:		3,325.00

Payment No: 019119

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CINTAS FIRE PROTECTION #F44	00491626	0F44745729	FIRE EXTINGUISHER SERVICE CUST	Electric Utility	68.27
04/23/2021	CINTAS FIRE PROTECTION #F44	00491626	0F44745729	NON TAXABLE	Electric Utility	144.33
04/23/2021	CINTAS FIRE PROTECTION #F44	00491627	0F44745730	FIRE EXTINGUISHER SERVICE CUST	General Fund	121.44
04/23/2021	CINTAS FIRE PROTECTION #F44	00491627	0F44745730	NON TAXABLE	General Fund	175.28
04/23/2021	CINTAS FIRE PROTECTION #F44	00491844	0F44745471	FIRE EXTINGUISHER SERVICE CUST	Electric Utility	721.94
04/23/2021	CINTAS FIRE PROTECTION #F44	00491844	0F44745471	TAXABLE	Electric Utility	437.07
04/23/2021	CINTAS FIRE PROTECTION #F44	00491845	0F44746645	FIRE EXTINGUISHER SERVICE CUST	Fleet Operation Fund	556.55
04/23/2021	CINTAS FIRE PROTECTION #F44	00491845	0F44746645	TAXABLE	Fleet Operation Fund	977.61
				Total for Payment No.:		3,202.49

Payment No: 650372

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	BAUER COMPRESSORS INC	00491066	0000277650	2021 ANNUAL PM	General Fund	1,310.00
04/23/2021	BAUER COMPRESSORS INC	00491066	0000277650	TAXABLE	General Fund	1,828.83
				Total for Payment No.:		3,138.83

Payment No: 650181

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	HOME DEPOT USA	00490590	605277573	JANITORIAL SUPPLIES	General Fund	38.16
04/16/2021	HOME DEPOT USA	00490591	606064962	JANITORIAL SUPPLIES	General Fund	235.67
04/16/2021	HOME DEPOT USA	00490592	606064970	JANITORIAL SUPPLIES	General Fund	249.46
04/16/2021	HOME DEPOT USA	00490593	607363850	JANITORIAL SUPPLIES	General Fund	215.45
04/16/2021	HOME DEPOT USA	00490594	607363868	JANITORIAL SUPPLIES	General Fund	150.07
04/16/2021	HOME DEPOT USA	00490600	607095833	URINAL SCREENS AND CLEANSER	General Fund	883.99
04/16/2021	HOME DEPOT USA	00490601	607289543	URINAL MAT	General Fund	129.49
04/16/2021	HOME DEPOT USA	00490826	607363876	TORK PREM CLOTH WIPER	General Fund	671.88
04/16/2021	HOME DEPOT USA	00490829	608065009	MIRROR ANGLE FRAME	General Fund	318.67
04/16/2021	HOME DEPOT USA	00490941	606858470	SCOTT MULTIFOLD TOWEL 1PLY	Electric Utility	88.87
04/16/2021	HOME DEPOT USA	00490941	606858470	SCOTT 2PLY TOILET TISSUE	Electric Utility	55.07
04/16/2021	HOME DEPOT USA	00490941	606858470	RENOWN KITCHEN TWL 3PLY	Electric Utility	30.26
				Total for Payment No.:		3,067.04

Payment No: 019108

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	AEMTEK, INC	00491732	2103154	Water Quality Testing	Water Utility	3,053.00
				Total for Payment No.:		3,053.00

Payment No: 650423

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	REBUILDING TOGETHER	00491846	2021-Q3-RTSV	REBUILD TOGETHER S.V. FY20/21	H.U.D Capital Projects	2,943.23
				Total for Payment No.:		2,943.23

Payment No: 650403

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/23/2021	KAREN MURPHY LANSING	00490627	SCPD 37	Psych Services	General Fund	2,820.00
				Total for Payment No.:		2,820.00

Payment No: 019124

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	FARWEST LINE SPECIALTIES LLC	00491463	329631	MILWAUKEE LINEAR UTILITY KIT	Electric Utility	2,037.79
04/23/2021	FARWEST LINE SPECIALTIES LLC	00491463	329631	MILWAUKEE M18CABLE CUTTING JAW	Electric Utility	324.96
04/23/2021	FARWEST LINE SPECIALTIES LLC	00491463	329631	MILWAUKEE M18 477 ACSR JAW	Electric Utility	411.91
04/23/2021	FARWEST LINE SPECIALTIES LLC	00491463	329631	SHIPPING	Electric Utility	21.64
				Total for Payment No.:		2,796.30

Payment No: 650211

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	POCO SOLAR ENERGY INC	00490576	117630	SOLAR COMPONENTS	Water Utility	2,786.91
				Total for Payment No.:		2,786.91

Payment No: 019162

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	TIMOTHY D BOWEN	00491614	DB20286	Contractor Payment for FY 20/2	General Fund	2,752.00
				Total for Payment No.:		2,752.00

Payment No: 650393

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GLOBAL RENTAL CO	00491108	3613200	2019 FORD F550 APR21	Electric Utility Construction	2,725.00
				Total for Payment No.:		2,725.00

Payment No: 650143

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ACCEL AIR SYSTEMS, INC.	00491151	10504	AC-6 SERVER ROOM REPAIR FOR CI	Electric Utility	2,450.00
04/16/2021	ACCEL AIR SYSTEMS, INC.	00491153	10572	HVAC SERVICES 881 MARTIN AVE	Electric Utility	245.00
				Total for Payment No.:		2,695.00

Payment No: 019105

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PUBLIC SAFETY NON-SWORN	00491829	03/21/21-04/17/21	UNION DUES B2107 & B2108	Payroll Liability&ClearingAcct	2,600.00
				Total for Payment No.:		2,600.00

Payment No: 650162

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CRESCO EQUIPMENT RENTALS	00491160	5369351-0001	EQUIPMENT RENTAL	Electric Utility	2,234.50
04/16/2021	CRESCO EQUIPMENT RENTALS	00491160	5369351-0001	NON TAXABLE	Electric Utility	272.50
04/16/2021	CRESCO EQUIPMENT RENTALS	00491180	5366858-0001	EQUIPMENT RENTAL	Electric Utility	64.58
04/16/2021	CRESCO EQUIPMENT RENTALS	00491183	5377103-0001	EQUIPMENT RENTAL	Electric Utility	27.99
				Total for Payment No.:		2,599.57

Payment No: 650257

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	WELLS FARGO BANK NA	00491195	13299094	INVEST CUSTODY FEES JAN-MAR21	General Fund	2,586.25
				Total for Payment No.:		2,586.25

Payment No: 019146

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PG&E	00491259	3345487577-5 MAR2021A	ELEC SVC STONY GORGE HYD MAR21	Electric Utility	976.76
04/23/2021	PG&E	00491259	3345487577-5 MAR2021A	ELEC SVC BLACK BUTTE HYD	Electric Utility	1,465.32

				MAR21		
04/23/2021	PG&E	00491259	3345487577-5 MAR2021A	ELEC SVC HIGH LINE CANAL MAR21	Electric Utility	102.95
				Total for Payment No.:		2,545.03

Payment No: 019064

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GRANITE CONSTRUCTION CO	00490644	1979924	ASPHALT-VICTORIA& SANTA CRUZ	General Fund	2,466.89
04/16/2021	GRANITE CONSTRUCTION CO	00490644	1979924	FEES- NONTAXBLE	General Fund	32.29
				Total for Payment No.:		2,499.18

Payment No: 650157

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CLEARBLU ENVIROMENTAL	00490442	24921	WASH RACK- SHOP USE	Fleet Operation Fund	2,446.32
				Total for Payment No.:		2,446.32

Payment No: 019102

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CITY OF SANTA CLARA EMPLOYEES	00491830	03/21/21-04/17/21	UNION DUES B2107 & B2108	Payroll Liability&ClearingAcct	2,415.00
				Total for Payment No.:		2,415.00

Payment No: 019065

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GRANITE ROCK CO #29145	00491100	1292246	SAND	Water Utility Construction	391.69
04/16/2021	GRANITE ROCK CO #29145	00491100	1292246	SAND	Water Utility	293.77
04/16/2021	GRANITE ROCK CO #29145	00491100	1292246	SAND	Electric Utility Construction	979.22
04/16/2021	GRANITE ROCK CO #29145	00491100	1292246	SAND	Water Utility	195.84
04/16/2021	GRANITE ROCK CO #29145	00491100	1292246	SAND	Sewer Utility	97.91

04/16/2021	GRANITE ROCK CO #29145	00491101	1293388	SAND	Water Utility Construction	85.31
04/16/2021	GRANITE ROCK CO #29145	00491101	1293388	SAND	Water Utility	63.98
04/16/2021	GRANITE ROCK CO #29145	00491101	1293388	SAND	Electric Utility Construction	213.30
04/16/2021	GRANITE ROCK CO #29145	00491101	1293388	SAND	Water Utility	42.65
04/16/2021	GRANITE ROCK CO #29145	00491101	1293388	SAND	Sewer Utility	21.33
				Total for Payment No.:		2,385.00

Payment No: 019060

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GARDENLAND POWER EQUIPMENT	00490571	839327	GENERATOR	Water Utility	1,370.05
04/16/2021	GARDENLAND POWER EQUIPMENT	00490572	839667	CLEAN AIR ELEMENT	Water Utility	25.06
04/16/2021	GARDENLAND POWER EQUIPMENT	00490820	841188	ARBORIST PROTECTIVE HELMET	General Fund	253.30
04/16/2021	GARDENLAND POWER EQUIPMENT	00490822	841179	GEAR CASE CHAIN SPROCKET COVER	General Fund	730.16
				Total for Payment No.:		2,378.57

Payment No: 650237

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	TJH2B ANALYTICAL SERVICES	00490615	21-137823	SUBSTATIONS ANALYSIS	Electric Utility	1,710.00
04/16/2021	TJH2B ANALYTICAL SERVICES	00490616	21-137825	SUBSTATIONS ANALYSIS	Electric Utility	600.00
				Total for Payment No.:		2,310.00

Payment No: 650142

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	3M CO	00490441	9410752749	SIGN SUPPLIES- TAPE&FILM	General Fund	1,455.95
04/16/2021	3M CO	00490964	9410870334	TRAFFIC SUPPLIES- FILM	General Fund	810.25
				Total for Payment No.:		2,266.20

Payment No: 019070

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490602	4578787-00	SPRINKLER MAINTENANCE	General Fund	19.75
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490831	4585534-00	SPRINKLER MAINTENANCE	General Fund	665.82
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490832	4584319-00	SPRINKLER MAINTENANCE	General Fund	14.42
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490834	4582559-00	SPRINKLER MAINTENANCE	General Fund	23.00
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490835	4579789-00	SPRINKLER MAINTENANCE	General Fund	561.15
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490838	4579819-00	GLUE GASKET JOINT	General Fund	10.87
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490840	4578856-00	CAP PVC	General Fund	65.86
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490904	4574031-00	DIAPHRAGM NE W STYLE	General Fund	43.54
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490905	4589105-00	RAINBIRD 5004 PLUS PRS	General Fund	54.93
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490906	4591504-00	RAINBIRD BRASS INLINE VALVE	General Fund	588.73
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490907	4593236-00	SPRINKLER MAINTENANCE	General Fund	31.11
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490908	4593447-00	BRASS HOSE	General Fund	98.96
04/16/2021	IMPERIAL SPRINKLER SUPPLY INC	00490967	4578995-00	TREE SUPPLIES	General Fund	37.22
				Total for Payment No.:		2,215.36

Payment No: 650178

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GLR FASTENERS INC	00490777	88107	HEX BOLTS	Electric Utility	350.56
04/16/2021	GLR FASTENERS INC	00490777	88107	BOLTS PLAIN	Electric Utility	167.30
04/16/2021	GLR FASTENERS INC	00490777	88107	HEAVY DUTY NUTS PLAIN	Electric Utility	1,482.69
04/16/2021	GLR FASTENERS INC	00490778	87553	HEX BOLTS AND NUTS	Electric Utility	140.47
				Total for Payment No.:		2,141.02

Payment No: 650187

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	IRON MOUNTAIN	00490858	202316821	DATA STORAGE - MARCH 2021	Information Technology Service	2,140.49
				Total for Payment No.:		2,140.49

Payment No: 019041

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	BAKER & TAYLOR BOOKS	00490428	CI239209	1241 AD BK	General Fund	994.40
04/16/2021	BAKER & TAYLOR BOOKS	00490793	2035854137	1233 AD BK	General Fund	19.43
04/16/2021	BAKER & TAYLOR BOOKS	00490794	2035854138	1235 AD/JUV BK	General Fund	703.48
04/16/2021	BAKER & TAYLOR BOOKS	00490795	CI239714	1241 AD BK	General Fund	394.81
				Total for Payment No.:		2,112.12

Payment No: 019116

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CHAPARRAL AT CALAVERAS INC	00491700	CC2021-3	Contractor Payment FY 20/21	General Fund	308.00
04/23/2021	CHAPARRAL AT CALAVERAS INC	00491715	CC2021-4	Contractor Payment FY 20/21	General Fund	1,792.00
				Total for Payment No.:		2,100.00

Payment No: 650267

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JOEY MCDONALD	00491697	PRCK#90189	REPLACEMENT CK#90189	Payroll Liability&ClearingAcct	2,090.14
				Total for Payment No.:		2,090.14

Payment No: 650429

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STANFORD HOSPITAL AND CLINICS	00491037	2106-106933CITYNSCL	MEDICAL DIRECTOR SERVICES	General Fund	2,083.00
				Total for Payment No.:		2,083.00

Payment No: 650161

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CRANE CERTIFICATION &	00490443	1120	INSPCTN- V#2392 WO#130117	Fleet Operation Fund	450.00
04/16/2021	CRANE CERTIFICATION &	00490443	1120	INSPCTN- V#3357 WO#130114	Fleet Operation Fund	450.00

04/16/2021	CRANE CERTIFICATION &	00490443	1120	INSPCTN- V#3228 WO#130115	Fleet Operation Fund	450.00
04/16/2021	CRANE CERTIFICATION &	00490443	1120	INSPCTN- V#3204 WO#130116	Fleet Operation Fund	450.00
04/16/2021	CRANE CERTIFICATION &	00490443	1120	INSPCTN- V#3308 WO#130118	Fleet Operation Fund	275.00
				Total for Payment No.:		2,075.00

Payment No: 019069

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	HSQ TECHNOLOGY INC	00491032	199552	2021 MARCH CABLE MANAGMENT 20	Storm Drain	2,023.04
				Total for Payment No.:		2,023.04

Payment No: 019093

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	UNIVERSAL SITE SERVICES	00491014	21015353	SWEEPING - FRANKLIN SQUARE	Downtown Parking Maintenance D	224.80
04/16/2021	UNIVERSAL SITE SERVICES	00491015	21017738	SWEEPING - FRANKLIN SQUARE	Downtown Parking Maintenance D	1,795.60
				Total for Payment No.:		2,020.40

Payment No: 650383

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	DESTINATION ADVANTAGE LLC	00491665	364	VISIT SC MONTHLY SERVIES	Deposit Funds.	2,000.00
				Total for Payment No.:		2,000.00

Payment No: 650263

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ARMANDO FERRARIS	00491662	14186MAR2021	TUITION REIMBURSEMENT	General Fund	2,000.00
				Total for Payment No.:		2,000.00

Payment No: 650290

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	DESILVA GATES CONSTRUCTION LP	00491543	65036-08 Utility Refund	UTILITY REFUND	General Fund	1,980.26
				Total for Payment No.:		1,980.26

Payment No: 650412

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MICRO FOCUS SOFTWARE INC	00491719	IVUSL00090000446	Authentication and Client Su	General Fund	1,962.82
				Total for Payment No.:		1,962.82

Payment No: 019063

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GRAINGER-SAN JOSE	00490578	9814767415	SEALANT GLASS SCRAPER	Water Utility	119.47
04/16/2021	GRAINGER-SAN JOSE	00490579	9814797727	ANTI-SLIP TAPE	Sewer Utility	44.46
04/16/2021	GRAINGER-SAN JOSE	00490580	9816392329	ASSORTED TOOLS	Water Utility Construction	346.31
04/16/2021	GRAINGER-SAN JOSE	00490581	9825413181	5 MICRON FILTER	Water Utility	103.87
04/16/2021	GRAINGER-SAN JOSE	00490582	9833490130	ASSORTED TOOLS	Water Utility Construction	777.20
04/16/2021	GRAINGER-SAN JOSE	00490583	9838139294	KNEE PADS	Sewer Utility	155.97
04/16/2021	GRAINGER-SAN JOSE	00490584	9838613272	ASSORTED TOOLS	Sewer Utility	250.27
04/16/2021	GRAINGER-SAN JOSE	00490585	9839039691	STEEL SOCKETS	Electric Utility	82.54
				Total for Payment No.:		1,880.09

Payment No: 650238

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	TMT ENTERPRISES INC	00490526	08025	DURA PITCJ MOUND CLAY	General Fund	437.00
04/16/2021	TMT ENTERPRISES INC	00490921	08111	PAC-BELL 2.0 MIX	General Fund	1,404.99
				Total for Payment No.:		1,841.99

Payment No: 650125

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	JJM BEN FOODS INC	00461244	61392-04 Utility Refund	UTILITY REFUND	General Fund	1,838.39
				Total for Payment No.:		1,838.39

Payment No: 019135

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	LPA, INC.	00491194	99348	Reed & Grant Closeout	Parks And Recreation	1,837.50
				Total for Payment No.:		1,837.50

Payment No: 650136

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SANTA CLARA COUNTY	00491112	2429MAR2021A	ALUC referral for the El Camin	Engineerg Operating Grant Fund	1,829.00
				Total for Payment No.:		1,829.00

Payment No: 650235

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	THOMSON REUTERS WEST	00491149	844074193	LEGAL DATABASE FEB 2021	General Fund	1,822.06
				Total for Payment No.:		1,822.06

Payment No: 650404

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	LANGUAGE LINE SOLUTIONS	00491446	10207197	LANGUAGE LINE SVCS MARCH 2021	Information Technology Service	1,814.24
				Total for Payment No.:		1,814.24

Payment No: 019160

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	THE GOODYEAR TIRE & RUBBER COMPANY	00491059	189-1106063	PARTS - STOCK	Fleet Operation Fund	1,790.85

				Total for Payment No.:		1,790.85

Payment No: 019170

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	WAXIE SANITARY SUPPLY	00491067	79805348	PAPER TOWELS	General Fund	833.46
04/23/2021	WAXIE SANITARY SUPPLY	00491067	79805348	TOILET PAPER	General Fund	236.80
04/23/2021	WAXIE SANITARY SUPPLY	00491068	79909970	PAPER TOWELS	General Fund	717.70
				Total for Payment No.:		1,787.96

Payment No: 650160

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CONCENTRA MEDICAL CENTERS	00490410	70748673	SVP - FIELD SERVICES	Electric Utility	100.00
04/16/2021	CONCENTRA MEDICAL CENTERS	00490410	70748673	WATER/SEWER MAINTENANCE	Water Utility	90.00
04/16/2021	CONCENTRA MEDICAL CENTERS	00490410	70748673	FACILITIES	General Fund	235.00
04/16/2021	CONCENTRA MEDICAL CENTERS	00490666	70675967	PRE EMPLOY PHYSICALS	General Fund	272.00
04/16/2021	CONCENTRA MEDICAL CENTERS	00490666	70675967	SVP FIELD	Electric Utility	65.00
04/16/2021	CONCENTRA MEDICAL CENTERS	00490666	70675967	SVP GENERATION	Electric Utility	45.00
04/16/2021	CONCENTRA MEDICAL CENTERS	00490666	70675967	FACILITIES	General Fund	605.00
04/16/2021	CONCENTRA MEDICAL CENTERS	00490727	70822041	PRE EMPLOY PHYSICALS	General Fund	85.00
04/16/2021	CONCENTRA MEDICAL CENTERS	00490727	70822041	SVP FIELD SERVICES	Electric Utility	280.00
				Total for Payment No.:		1,777.00

Payment No: 650387

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	FAST UNDERCAR SANTA CLARA	00491049	237142	PARTS - V3395	Fleet Operation Fund	16.06
04/23/2021	FAST UNDERCAR SANTA CLARA	00491050	236771	PARTS - V3263	Fleet Operation Fund	55.70
04/23/2021	FAST UNDERCAR SANTA CLARA	00491051	237243	CORE CREDIT - TRF TO VENDOR	Fleet Operation Fund	-179.85
04/23/2021	FAST UNDERCAR SANTA CLARA	00491052	235841	PARTS - V2951	Fleet Operation Fund	524.81
04/23/2021	FAST UNDERCAR SANTA CLARA	00491053	236250	PARTS - V3328	Fleet Operation Fund	60.87

04/23/2021	FAST UNDERCAR SANTA CLARA	00491054	236454	PARTS V3090	Fleet Operation Fund	144.68
04/23/2021	FAST UNDERCAR SANTA CLARA	00491055	239428	PARTS - V3511	Fleet Operation Fund	434.03
04/23/2021	FAST UNDERCAR SANTA CLARA	00491056	235688	PARTS - V3414	Fleet Operation Fund	440.53
04/23/2021	FAST UNDERCAR SANTA CLARA	00491057	236389	PARTS - V3414	Fleet Operation Fund	215.43
				Total for Payment No.:		1,712.26

Payment No: 650435

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	THYSSENKRUPP ELEVATOR	00490836	3005872082	Elevator Gold Maintenance 3 mo	General Fund	1,703.32
				Total for Payment No.:		1,703.32

Payment No: 019072

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	INTERNAP NETWORK SERVICES CORP	00490922	INV15004554	INTERNET SERVICES	Information Technology Service	1,697.38
				Total for Payment No.:		1,697.38

Payment No: 019151

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PLANET FUTSAL INC	00491723	3	Contractor Payment FY 20/21	General Fund	1,674.40
				Total for Payment No.:		1,674.40

Payment No: 650146

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ALTRADE SUPPLIES INC	00474561	INV0018	HAND SANITIZER	Other City Dept Op Grant Fund	611.49
04/16/2021	ALTRADE SUPPLIES INC	00474562	INV0021	HAND SANITIZER	Other City Dept Op Grant Fund	1,053.99
				Total for Payment No.:		1,665.48

Payment No: 650188

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	JACK DOHENY COMPANIES	00490573	121960	ROPE AND WHEELSET	Sewer Utility	1,612.55
				Total for Payment No.:		1,612.55

Payment No: 650264

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CALIFORNIA BANK OF COMMERCE	00491810	24570FEB2021A	RETENTION	Streets And Highways	1,601.84
				Total for Payment No.:		1,601.84

Payment No: 650405

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	LC ACTION POLICE SUPPLY	00490621	423913	Shotgun Light replments	General Fund	1,595.76
				Total for Payment No.:		1,595.76

Payment No: 650431

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STEVEN DOLEZAL	00490625	892MAR2021	Psych Services March	General Fund	1,575.00
				Total for Payment No.:		1,575.00

Payment No: 019114

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	BOUNDTREE MEDICAL LLC	00490290	83986656	PPE GLOVES	General Fund	13.83
04/23/2021	BOUNDTREE MEDICAL LLC	00490623	83996457	PPE Gloves	Other City Dept Op Grant Fund	1,369.37
04/23/2021	BOUNDTREE MEDICAL LLC	00491024	83976445	MEDICAL SUPPLIES	General Fund	134.59
				Total for Payment No.:		1,517.79

Payment No: 019118

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CINTAS CORP #630	00491001	4079455635	UNIFORMS	General Fund	64.74
04/23/2021	CINTAS CORP #630	00491002	4079895264	UNIFORMS	General Fund	124.76
04/23/2021	CINTAS CORP #630	00491003	4080151852	UNIFORMS	General Fund	64.74
04/23/2021	CINTAS CORP #630	00491004	4080504635	UNFORMS	General Fund	96.22
04/23/2021	CINTAS CORP #630	00491596	4080243737	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	234.71
04/23/2021	CINTAS CORP #630	00491597	4080243457	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	598.04
04/23/2021	CINTAS CORP #630	00491599	4079895296	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	330.00
				Total for Payment No.:		1,513.21

Payment No: 019161

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	THERMAL MECHANICAL INC	00491010	80944	PD COOLING IN DISPATCH	General Fund	1,509.00
				Total for Payment No.:		1,509.00

Payment No: 650399

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	INTEGRATED TACTICAL CONCEPTS	00491040	2021-Santa Clara PD/TAV	TACTICAL ARMORED VEHICLE CLASS	General Fund	1,500.00
				Total for Payment No.:		1,500.00

Payment No: 650159

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	COGENT COMMUNICATIONS	00491021	CITYOFSA00015APR2021	INTERNET SERVICES FOR APR 2021	Information Technology Service	1,500.00
				Total for Payment No.:		1,500.00

Payment No: 019040

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ANIXTER INC.	00490568	4804955-00	METAL BRAID	Electric Utility	915.60
04/16/2021	ANIXTER INC.	00490569	4853396-01	ALUMINUM LETTERS	Electric Utility	316.10
04/16/2021	ANIXTER INC.	00490570	4853215-01	ASSORTED PARTS	Electric Utility	160.23
				Total for Payment No.:		1,391.93

Payment No: 019122

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	EBSCO INFORMATION SERVICES	00491289	0524007	1235 AD/JUV/YA PR	General Fund	1,368.25
				Total for Payment No.:		1,368.25

Payment No: 650434

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SWA SERVICES GROUP	00491009	21508	3025 RAYMOND BLDG	Electric Utility	1,350.52
				Total for Payment No.:		1,350.52

Payment No: 650367

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ABB ENTERPRISE SOFTWARE INC.	00491709	8600089319	PART NUMBER: 1KGT037400R0001 /	Electric Utility	1,223.97
04/23/2021	ABB ENTERPRISE SOFTWARE INC.	00491709	8600089319	PART NUMBER: 1KGT201652R0012 /	Electric Utility	120.00
				Total for Payment No.:		1,343.97

Payment No: 019131

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	HSQ TECHNOLOGY INC	00491733	198852	3RD QTR PAYMENT-SCADA PHONE SU	Water Utility	801.60
04/23/2021	HSQ TECHNOLOGY INC	00491733	198852	3RD QTR PAYMENT-SCADA PHONE SU	Sewer Utility	160.32

04/23/2021	HSQ TECHNOLOGY INC	00491733	198852	3RD QTR PAYMENT-SCADA PHONE SU	Storm Drain	374.08
				Total for Payment No.:		1,336.00

Payment No: 650334

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STAR CONSTRUCTION, INC	00491542	65025-16 Utility Refund	UTILITY REFUND	General Fund	1,301.66
				Total for Payment No.:		1,301.66

Payment No: 019076

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	LINCOLN AQUATICS	00490845	36024140	LIQUID CHLORINE	General Fund	398.78
04/16/2021	LINCOLN AQUATICS	00490845	36024140	PESTICIDE ASSESSMENT	General Fund	44.28
04/16/2021	LINCOLN AQUATICS	00490846	36023834	LMI INJECTION CHECK VALVE	General Fund	748.46
04/16/2021	LINCOLN AQUATICS	00490848	36024253	SMOOTH SW DEPTH MARKER	General Fund	99.73
				Total for Payment No.:		1,291.25

Payment No: 019097

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VERDE DESIGN INC	00491304	2-2019200	100% CONSTRUCTION DRAWINGS	Parks And Recreation	1,265.00
				Total for Payment No.:		1,265.00

Payment No: 019075

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	JOINT VENTURE SILICON VALLEY	00490604	633CTIsc	MEETING SUPP EMF HEALTH 12/15/	Electric Utility	1,265.00
				Total for Payment No.:		1,265.00

Payment No: 019086

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PRAXAIR DISTRIBUTION INC	00490586	60711666	CUT OFF WHEEL	Water Utility	51.23
04/16/2021	PRAXAIR DISTRIBUTION INC	00490587	61107378	HELMET, CAP PIPELINER	Water Utility	54.83
04/16/2021	PRAXAIR DISTRIBUTION INC	00490588	61767766	TIG ALUMINUM ROD	Water Utility	28.05
04/16/2021	PRAXAIR DISTRIBUTION INC	00490589	62512613	HIGH PRESSURE ACETYLENE	Water Utility	944.83
04/16/2021	PRAXAIR DISTRIBUTION INC	00490878	62496968	CYLINDER RENT	General Fund	173.82
				Total for Payment No.:		1,252.76

Payment No: 650294

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	G. BORTOLOTTO & CO	00491590	82026-01 Utility Refund	UTILITY REFUND	General Fund	1,235.18
				Total for Payment No.:		1,235.18

Payment No: 650256

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	WASHINGTON TRUST BANK	00490833	210401-295300	MAR2021 VEBA CUSTODY FEE	General Fund	1,233.22
				Total for Payment No.:		1,233.22

Payment No: 650266

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JEFF LICHTENSTEIN	00491708	36380APR2021	REIMBURSEMENT FOR OVERPAYMENT	Cemetery	1,216.00
				Total for Payment No.:		1,216.00

Payment No: 650214

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	REBUILDING TOGETHER	00490983	1991-Bowers	INSTALL RAMP & CO2 DETECTOR	H.U.D Capital Projects	1,200.00
				Total for Payment No.:		1,200.00

Payment No: 650422

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PROJECT ENERGY SAVERS, LLC	00491098	21-130	POWER OUTAGE COLORING BOOKS	Electric Utility	828.80
04/23/2021	PROJECT ENERGY SAVERS, LLC	00491098	21-130	CUSTOMIZATION OF COLORING BOOK	Electric Utility	342.95
				Total for Payment No.:		1,171.75

Payment No: 019048

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CINTAS CORP #630	00490413	4077517776	UNIFORM SERVICES	General Fund	60.70
04/16/2021	CINTAS CORP #630	00490414	4078175011	UNIFORM SERVICES	General Fund	81.78
04/16/2021	CINTAS CORP #630	00490415	4078863988	UNIFORM SERVICES	General Fund	61.11
04/16/2021	CINTAS CORP #630	00490416	4079455597	UNIFORM SERVICES	General Fund	61.11
04/16/2021	CINTAS CORP #630	00490449	9124531938	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	-330.00
04/16/2021	CINTAS CORP #630	00491157	4079184407	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	330.00
04/16/2021	CINTAS CORP #630	00491158	4079602593	LAUNDRY SERVICE FY20/21 SVP FR	Electric Utility	897.33
				Total for Payment No.:		1,162.03

Payment No: 019101

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CARIE T ROSE	00491825	04/04/21-04/17/21DR	WAGE ATTACHMENT B2108	Payroll Liability&ClearingAcct	1,153.85
				Total for Payment No.:		1,153.85

Payment No: 650342

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	THOMAS MEIER	00491518	29495-03 Utility Refund	UTILITY REFUND	General Fund	1,137.26

				Total for Payment No.:		1,137.26

Payment No: 650408

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	LN CURTIS & SONS	00491069	INV474059	WILDLAND BOOTS - BAWDEN	Fire Department	326.88
04/23/2021	LN CURTIS & SONS	00491070	INV475104	BOOTS - MOSES	Fire Department	496.49
04/23/2021	LN CURTIS & SONS	00491072	INV476901	RED HOSE WITH COUPLINGS USAR	General Fund	90.49
04/23/2021	LN CURTIS & SONS	00491072	INV476901	YEL HOSE WITH COUPLINGS USAR	General Fund	90.47
04/23/2021	LN CURTIS & SONS	00491072	INV476901	BLA HOSE WITH COUPLINGS USAR	General Fund	90.47
				Total for Payment No.:		1,094.80

Payment No: 650200

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	NAPA AUTO PARTS	00490460	5983-643540	PARTS-V#3593	Fleet Operation Fund	13.07
04/16/2021	NAPA AUTO PARTS	00490461	5983-644106	PARTS-STOCK	Fleet Operation Fund	107.20
04/16/2021	NAPA AUTO PARTS	00490462	5983-644170	PARTS-V#3543 & 3544	Fleet Operation Fund	88.55
04/16/2021	NAPA AUTO PARTS	00490463	5983-644258	PARTS-V#3078	Fleet Operation Fund	20.43
04/16/2021	NAPA AUTO PARTS	00490464	5983-644372	PARTS-V#SVAC7	Fleet Operation Fund	12.71
04/16/2021	NAPA AUTO PARTS	00490465	5983-644262	PARTS-STOCK	Fleet Operation Fund	213.29
04/16/2021	NAPA AUTO PARTS	00490466	5983-644279	PARTS-STOCK	Fleet Operation Fund	112.59
04/16/2021	NAPA AUTO PARTS	00490467	5983-644436	PARTS-V#2989	Fleet Operation Fund	22.15
04/16/2021	NAPA AUTO PARTS	00490471	5983-644620	PARTS-V#D1321	Fleet Operation Fund	19.97
04/16/2021	NAPA AUTO PARTS	00490472	5983-644632	PARTS-STOCK	Fleet Operation Fund	117.91
04/16/2021	NAPA AUTO PARTS	00490473	5983-644644	PARTS-STOCK	Fleet Operation Fund	134.09
04/16/2021	NAPA AUTO PARTS	00490474	5983-644813	PARTS-STOCK	Fleet Operation Fund	108.60
04/16/2021	NAPA AUTO PARTS	00490475	5983-645646	PARTS-STOCK	Fleet Operation Fund	69.72
04/16/2021	NAPA AUTO PARTS	00490476	5983-645737	PARTS-V#3058	Fleet Operation Fund	27.18
04/16/2021	NAPA AUTO PARTS	00490477	5983-646045	PARTS-STOCK	Fleet Operation Fund	24.87
				Total for Payment No.:		1,092.33

Payment No: 650172

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	FAST UNDERCAR SANTA CLARA	00490445	232865	BATTERIES- STOCK	Fleet Operation Fund	791.84
04/16/2021	FAST UNDERCAR SANTA CLARA	00490445	232865	BATTERY-V#2052	Fleet Operation Fund	109.87
04/16/2021	FAST UNDERCAR SANTA CLARA	00490445	232865	CA BATTERY FEE- V#2052 NONTXB	Fleet Operation Fund	8.00
04/16/2021	FAST UNDERCAR SANTA CLARA	00490446	233084	PARTS-V#2964	Fleet Operation Fund	132.01
				Total for Payment No.:		1,041.72

Payment No: 650401

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JST COMMERCIAL PROPERTIES	00490014	R21-SLR-0115	LTG REBATE; 62623-03	Elec OperatingGrant Trust Fund	1,040.00
				Total for Payment No.:		1,040.00

Payment No: 019128

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GURUS EDUCATIONAL SERVICES INC	00491718	2021WSC5	Contractor Payment for classes	General Fund	1,013.36
				Total for Payment No.:		1,013.36

Payment No: W21305

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ICMA Retirement Corporation	00491821	04/04/21-04/17/21A	WT: B2108 457 PLN CONTRIBUTION	Fringe Benefits	1,000.00
				Total for Payment No.:		1,000.00

Payment No: 650199

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	MOCAVO INC	00490870	A06FTI000000284	1241 AD DB	General Fund	995.00
				Total for Payment No.:		995.00

Payment No: 019110

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	AIRGAS USA, LLC	00490986	9110914245	MEDICAL OXYGEN STATION 5	General Fund	114.86
04/23/2021	AIRGAS USA, LLC	00490987	9110914246	MEDICAL OXYGEN STATION 3	General Fund	73.92
04/23/2021	AIRGAS USA, LLC	00490990	9110914247	MEDICAL OXYGEN STATION 1	General Fund	168.25
04/23/2021	AIRGAS USA, LLC	00491404	9110665713	E03NI99E15A0260 NC/90PPM	Electric Utility	622.76
				Total for Payment No.:		979.79

Payment No: 650409

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	LOS ANGELES CO SHERIFF`S DEPT	00490358	211810SG	MCCOLLOCH/WILLIAMS SWAT SCHOOL	General Fund	970.00
				Total for Payment No.:		970.00

Payment No: 650130

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PGI VETERINARY INC	00461224	47728-03 Utility Refund	UTILITY REFUND	General Fund	958.87
				Total for Payment No.:		958.87

Payment No: 650364

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ENGINEERS -CITY OF SANTA CLARA	00491838	03/21/21-04/17/21	UNION DUES B2107 & B2108	Payroll Liability&ClearingAcct	942.60
				Total for Payment No.:		942.60

Payment No: 650439

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	WATERPROOFING ASSOC	00491011	7381	SENIOR CNT LABOR	General Fund	550.00
04/23/2021	WATERPROOFING ASSOC	00491011	7381	SENIOR CNT MATERIALS	General Fund	57.00
04/23/2021	WATERPROOFING ASSOC	00491011	7381	SENIOR CNT LIFT	General Fund	325.00

				Total for Payment No.:		932.00

Payment No: 650244

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	UNIVAR SOLUTIONS USA INC	00490774	49062945	DVR CHEM DEL SOD HYP APR2021	Electric Utility	894.96
04/16/2021	UNIVAR SOLUTIONS USA INC	00490774	49062945	CALIFORNIA MILL FEE	Electric Utility	19.47
				Total for Payment No.:		914.43

Payment No: 650186

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	INTELLIGENT TECHNOLOGIES & SVC	00490612	88039	PARTS - BT1270 12V PS 1270	Electric Utility	270.63
04/16/2021	INTELLIGENT TECHNOLOGIES & SVC	00490939	88040	PREV MTCE INSPECTION GIA	Electric Utility	636.00
				Total for Payment No.:		906.63

Payment No: 019136

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MIDWEST TAPE LLC	00491134	500241013	1241 AD ABKS	General Fund	135.07
04/23/2021	MIDWEST TAPE LLC	00491134	500241013	1241 AD CDS	General Fund	238.52
04/23/2021	MIDWEST TAPE LLC	00491134	500241013	1241 AD DVD	General Fund	22.05
04/23/2021	MIDWEST TAPE LLC	00491134	500241013	1231 Juv DVD'S	General Fund	143.69
04/23/2021	MIDWEST TAPE LLC	00491134	500241013	1233 AD DVD	General Fund	22.05
04/23/2021	MIDWEST TAPE LLC	00491134	500241013	1235 AD DVD'S	General Fund	326.69
04/23/2021	MIDWEST TAPE LLC	00491134	500241013	1235 Juv DVD	General Fund	11.42
				Total for Payment No.:		899.49

Payment No: 650148

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ANIMAL DAMAGE MANAGEMENT	00490639	3970C	PEST CONTROL- MARCH 2021	General Fund	895.00
				Total for Payment No.:		895.00

Payment No: 019092

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	UNITY COURIER SERVICES, INC	00491095	467726	LINK+ DELIVERY	General Fund	878.00
				Total for Payment No.:		878.00

Payment No: W21304

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ICMA Retirement Corporation	00491820	04/04/21-04/17/21	WT: B2108 401 (A) PLAN CONTRIB	Fringe Benefits	862.48
				Total for Payment No.:		862.48

Payment No: 650402

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	KAMBRIA EVANS PSYCHOTHERAPY,	00491065	5	BE7822HAVIORAL COUNSELING #111	General Fund	810.00
				Total for Payment No.:		810.00

Payment No: 019113

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	BAKER & TAYLOR BOOKS	00491135	2035846150	1233 AD BK	General Fund	80.06
04/23/2021	BAKER & TAYLOR BOOKS	00491136	2035846151	1235 AD BK	General Fund	98.07
04/23/2021	BAKER & TAYLOR BOOKS	00491137	2035777080	1235 AD BK	General Fund	284.71
04/23/2021	BAKER & TAYLOR BOOKS	00491249	CI239823	1241 AD BK	General Fund	322.79
				Total for Payment No.:		785.63

Payment No: 019045

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	BOATMAN-JACKLIN INC.	00490308	62112-02 CPV FEB-2021	PBI SOLAR PROD PYMT #48 FEB-20	Elec OperatingGrant Trust Fund	784.43
				Total for Payment No.:		784.43

Payment No: 650260

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	WITMER-TYSON IMPORTS INC	00489932	T13974	K9 ofc boarding & grooming J/F	General Fund	776.00
				Total for Payment No.:		776.00

Payment No: 019062

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GRAINGER	00490517	9844727298	BATTERIES, HOSE CLAMP, TISSUES	General Fund	416.48
04/16/2021	GRAINGER	00490518	9844727306	STAR EDGER BLADE	General Fund	250.04
04/16/2021	GRAINGER	00490903	9832362587	CORROSION INHIBITOR	General Fund	78.59
				Total for Payment No.:		745.11

Payment No: 650169

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	DOG WASTE DEPOT	00490817	398092	DOG WASTE ROLL BAGS	General Fund	685.75
04/16/2021	DOG WASTE DEPOT	00490817	398092	TARIFF MITIGATION ALLOWANCE	General Fund	56.51
				Total for Payment No.:		742.26

Payment No: 650128

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	MUNGARAY, ANGELA	00491144	36869-14 UTILITY REFUND	UTILITY REFUND	General Fund	714.07
				Total for Payment No.:		714.07

Payment No: 650440

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ZCOLO, LLC	00491254	2021040034793	MRC 5101 LAFAYETTE APR21	Electric Utility	711.41
				Total for Payment No.:		711.41

Payment No: 650390

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	FIRST ALARM SECURITY & PATROL,	00490997	11096901	TASMAN APRIL	General Fund	690.00
				Total for Payment No.:		690.00

Payment No: 650268

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JOHN STANTON	00491692	PRCK#89507	REPLACEMENT CK#89507	Payroll Liability&ClearingAcct	136.57
04/23/2021	JOHN STANTON	00491693	PRCK#89764	REPLACEMENT CK#89764	Payroll Liability&ClearingAcct	381.50
04/23/2021	JOHN STANTON	00491694	PRCK#89843	REPLACEMENT CK#89843	Payroll Liability&ClearingAcct	27.32
04/23/2021	JOHN STANTON	00491695	PRCK#90019	REPLACEMENT CK#90019	Payroll Liability&ClearingAcct	136.57
				Total for Payment No.:		681.96

Payment No: 650394

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GRAYBAR ELECTRIC	00491407	9320402754	EXPANDED RUNT CLOSURE	Electric Utility Construction	186.32
04/23/2021	GRAYBAR ELECTRIC	00491407	9320402754	LOW PROFILE SPLICE TRAYS	Electric Utility Construction	107.98
04/23/2021	GRAYBAR ELECTRIC	00491407	9320402754	COYOTE RUNT TRAY	Electric Utility Construction	24.63
04/23/2021	GRAYBAR ELECTRIC	00491407	9320402754	C-CEMENT 10OZ TUBE W/ DAUBER	Electric Utility Construction	5.54
04/23/2021	GRAYBAR ELECTRIC	00491407	9320402754	SPLICE TAPE	Electric Utility Construction	9.12
04/23/2021	GRAYBAR ELECTRIC	00491407	9320402754	UNIV MTG BRKT KIT/COY RUNT	Electric Utility Construction	24.21
04/23/2021	GRAYBAR ELECTRIC	00491408	9320581137	COYOTE EP PLUG KITS	Electric Utility Construction	14.16
04/23/2021	GRAYBAR ELECTRIC	00491408	9320581137	SHIELD CONN/3 # 4460-D/FO	Electric Utility Construction	9.01

04/23/2021	GRAYBAR ELECTRIC	00491408	9320581137	RUNT AERIAL HANGER	Electric Utility Construction	37.47
04/23/2021	GRAYBAR ELECTRIC	00491408	9320581137	INBOUND FREIGHT	Electric Utility Construction	12.01
04/23/2021	GRAYBAR ELECTRIC	00491409	9320692714	72 CNT RIBBON TRAY/CODOM	Electric Utility Construction	52.61
04/23/2021	GRAYBAR ELECTRIC	00491409	9320692714	INBOUND FREIGHT	Electric Utility Construction	20.56
04/23/2021	GRAYBAR ELECTRIC	00491410	9320712552	MOUNTING EARS	Electric Utility Construction	157.49
				Total for Payment No.:		661.11

Payment No: 650131

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PHIL ORR	00491145	9007APR2021	REIMB LIGHT BULBS FOR CHAPEL	Cemetery	654.00
				Total for Payment No.:		654.00

Payment No: 019126

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GRAINGER	00491449	9851650672	CLAMP METER, DIGITAL, LCD,32	Electric Utility	464.51
04/23/2021	GRAINGER	00491449	9851650672	AC FLEXIBLE CURRENT PROBE,	Electric Utility	186.25
				Total for Payment No.:		650.76

Payment No: 650427

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SPECTRUM CANINE LLC	00491197	234	March K-9 officer training	General Fund	650.00
				Total for Payment No.:		650.00

Payment No: 650249

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VERIZON WIRELESS	00490435	9876181764	FIRE PREVENTION WIRELESS	General Fund	638.68

				Total for Payment No.:		638.68

Payment No: 019166

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	UNIVERSAL SITE SERVICES	00491012	21017501	SCCC CLEAR DRAIN	Convention Cnt Maintenance Dis	622.50
				Total for Payment No.:		622.50

Payment No: 650380

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CORODATA RECORDS MANAGEMENT, INC	00491716	RS3265667	OFFSITE RECORDS MGMT STORAGE	General Fund	619.32
				Total for Payment No.:		619.32

Payment No: 650243

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	UNITED SITE SERVICES INC	00490185	114-11678213	RESTROOM RENT@FAIR 2/26-3/25	Electric Utility Construction	21.80
04/16/2021	UNITED SITE SERVICES INC	00490185	114-11678213	WKLY RSTRM SRV@FAIR 2/26-3/25	Electric Utility Construction	55.00
04/16/2021	UNITED SITE SERVICES INC	00490185	114-11678213	2WKLY RSTRM SRV@FAIR 2/26-3/25	Electric Utility Construction	55.00
04/16/2021	UNITED SITE SERVICES INC	00490185	114-11678213	2 SINK RENT@FAIR 2/26-3/25	Electric Utility Construction	21.80
04/16/2021	UNITED SITE SERVICES INC	00490185	114-11678213	WKLY SINK SRV@FAIR 2/26-3/25	Electric Utility Construction	85.00
04/16/2021	UNITED SITE SERVICES INC	00490185	114-11678213	x2WKLY SINK SRV@FAIR 2/26-3/25	Electric Utility Construction	85.00
04/16/2021	UNITED SITE SERVICES INC	00490185	114-11678213	ENVIRONMENTAL FEE	Electric Utility Construction	34.40
04/16/2021	UNITED SITE SERVICES INC	00490608	114-11522203	RSTRM RENT@AGNEW SUB 1/14-2/10	Electric Utility	10.91
04/16/2021	UNITED SITE SERVICES INC	00490608	114-11522203	WKLY SVC @AGNEW SUB 1/14-2/10	Electric Utility	55.00
04/16/2021	UNITED SITE SERVICES INC	00490608	114-11522203	DAMAGE WAIVER	Electric Utility	7.95

04/16/2021	UNITED SITE SERVICES INC	00490608	114-11522203	ENVIRONMENTAL FEE	Electric Utility	6.99
04/16/2021	UNITED SITE SERVICES INC	00490609	114-11491164	RESTROOM RENT@JUL 1/13-2/9	Electric Utility	10.90
04/16/2021	UNITED SITE SERVICES INC	00490609	114-11491164	WKLY RESTRM SRV@JUL 1/13-2/9	Electric Utility	55.00
04/16/2021	UNITED SITE SERVICES INC	00490609	114-11491164	2 SINK RENT@JUL 1/13-2/9	Electric Utility	10.90
04/16/2021	UNITED SITE SERVICES INC	00490609	114-11491164	WKLY SINK SRV@JUL 1/13-2/9	Electric Utility	85.00
04/16/2021	UNITED SITE SERVICES INC	00490609	114-11491164	ENVIRONMENTAL FEE	Electric Utility	17.21
				Total for Payment No.:		617.86

Payment No: 650236

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	THOMSON WEST GROUP	00490733	844086208	Mar 21 Monthly CLEAR	General Fund	307.80
04/16/2021	THOMSON WEST GROUP	00490733	844086208	Mar 21 Monthly CLEAR	General Fund	307.80
				Total for Payment No.:		615.60

Payment No: 650230

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SPECIAL SERVICES GROUP LLC	00490735	14283	Annual Tracker ..71117	General Fund	600.00
				Total for Payment No.:		600.00

Payment No: 650144

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ACE SEAL CO	00489738	112116	GASKETS	Water Utility	569.29
				Total for Payment No.:		569.29

Payment No: 650356

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ZHAOLUN SU	00491510	14387-28 Utility Refund	UTILITY REFUND	General Fund	566.18
				Total for Payment No.:		566.18

Payment No: 650406

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	LEXISNEXIS PO BOX 894166	00491263	3093178341	ONLINE SERVICE CHARGES MAR21	Electric Utility	560.00
				Total for Payment No.:		560.00

Payment No: 650158

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CODE PUBLISHING CO	00491154	69212	WEB UPDATES ORD 2023,25,26	General Fund	371.25
04/16/2021	CODE PUBLISHING CO	00491156	69213	WEB UPDATE ORD 2029	General Fund	163.50
				Total for Payment No.:		534.75

Payment No: 650430

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STERICYCLE INC	00490624	3005487782	PD	General Fund	451.58
04/23/2021	STERICYCLE INC	00490624	3005487782	Streets	Solid Waste Program	67.71
				Total for Payment No.:		519.29

Payment No: 650194

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	[redacted]	00491116	1516391	LEGAL SERVICES CHANGE ORDER #4: ADDITIONAL FU	General Fund	515.00
				Total for Payment No.:		515.00

Payment No: 019132

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	INGRAM LIBRARY SERVICES INC	00491253	52380710	1235 AD/JUV/YA BK	General Fund	508.35
				Total for Payment No.:		508.35

Payment No: 650366

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JACOB HEIL	00491164	36382APR2021	Building Permit BLD2021-60478	General Fund	502.40
				Total for Payment No.:		502.40

Payment No: 650378

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CENTRAL COLO, LLC	00491405	CB306 - CI2535	FIBER PATHWAY INNERDUCTS MAY21	Electric Utility	500.00
				Total for Payment No.:		500.00

Payment No: 650269

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JORDAN FACHKO	00491666	24595APR2021	REIMB. FOR SRT SUPPLIES	General Fund	485.99
				Total for Payment No.:		485.99

Payment No: 650222

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SANTA CLARA LIGHTING, INC.	00490522	20769	POLE CAP AND ACCESSORIES	General Fund	344.10
04/16/2021	SANTA CLARA LIGHTING, INC.	00490523	20904	MOGUL BASSE SOCKET	General Fund	134.62
				Total for Payment No.:		478.72

Payment No: 019157

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SCOTT'S PPE RECON INC	00491071	36904	TURNOUT REPAIRS 3/2021 NONTAX	Fire Department	461.00
				Total for Payment No.:		461.00

Payment No: 019066

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GREEN HALO SYSTEMS	00491110	3044	WASTETRACKING.COM MONTHLY FEES	Solid Waste Program	459.72
				Total for Payment No.:		459.72

Payment No: 650133

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	RODRIGO GALINDO	00491148	12729MAR2021	RIVER/FLOOD RESCUE TRAINING	General Fund	455.00
				Total for Payment No.:		455.00

Payment No: 650369

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ANDREW LOCICERO	00469052	25745FEB2020	REIMB-ARPOC CONFERENCE	General Fund	450.21
				Total for Payment No.:		450.21

Payment No: 019098

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	WESTERN RENEWABLE ENERGY	00491028	WR25552	CERTS RETIRED	Electric Utility	100.00
04/16/2021	WESTERN RENEWABLE ENERGY	00491028	WR25552	CERTS CREATED	Electric Utility	96.16
04/16/2021	WESTERN RENEWABLE ENERGY	00491028	WR25552	CERTS TRANSFERRED	Electric Utility	34.14
04/16/2021	WESTERN RENEWABLE ENERGY	00491028	WR25552	DELIVERABILITY-NERC TAG	Electric Utility	212.00
				Total for Payment No.:		442.30

Payment No: 019109

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	AIR FILTER SUPPLY INC	00490998	I466916	SUPPLIES	General Fund	317.10
04/23/2021	AIR FILTER SUPPLY INC	00490999	I468359	SUPPLIES	General Fund	119.54
				Total for Payment No.:		436.64

Payment No: 650370

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	APPLIED BUSINESS SOFTWARE	00490982	064833	2020 Mag FIling	Housing Successor	429.50
				Total for Payment No.:		429.50

Payment No: 650272

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ABC TREE FARMS LLC	00491544	65061-17 Utility Refund	UTILITY REFUND	General Fund	428.50
				Total for Payment No.:		428.50

Payment No: 650123

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	EDUARDO MAYA	00491150	29982APR2021	CO OFFICER 2D TRAINING	General Fund	425.00
				Total for Payment No.:		425.00

Payment No: 019125

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GARDENLAND POWER EQUIPMENT	00491058	841167	PARTS - V3248	Fleet Operation Fund	420.50
				Total for Payment No.:		420.50

Payment No: 650414

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MOOSE RAPIDS TECHNOLOGIES	00490292	210322003	WINPACS:Support Software	General Fund	412.50
				Total for Payment No.:		412.50

Payment No: 019133

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JOHANNA JEAN MARCHEL	00491266	224/10510375	JANITORIAL SUPPLIES 881 MARTIN	Electric Utility	121.40

04/23/2021	JOHANNA JEAN MARCHEL	00491266	224/10510375	JANITORIAL SUPPLIES 881 MARTIN	Elec OperatingGrant Trust Fund	7.74
04/23/2021	JOHANNA JEAN MARCHEL	00491266	224/10510375	DISCOUNT	Electric Utility	-29.56
04/23/2021	JOHANNA JEAN MARCHEL	00491266	224/10510375	DISCOUNT	Elec OperatingGrant Trust Fund	-1.89
04/23/2021	JOHANNA JEAN MARCHEL	00491267	255/4567411	JANITORIAL SUPPLIES 881 MARTIN	Electric Utility	135.61
04/23/2021	JOHANNA JEAN MARCHEL	00491267	255/4567411	JANITORIAL SUPPLIES 881 MARTIN	Elec OperatingGrant Trust Fund	8.65
04/23/2021	JOHANNA JEAN MARCHEL	00491268	226/0865063	JANITORIAL SUPPLIES 881 MARTIN	Electric Utility	8.27
04/23/2021	JOHANNA JEAN MARCHEL	00491268	226/0865063	JANITORIAL SUPPLIES 881 MARTIN	Elec OperatingGrant Trust Fund	0.52
04/23/2021	JOHANNA JEAN MARCHEL	00491269	227/4537035	JANITORIAL SUPPLIES 881 MARTIN	Electric Utility	12.92
04/23/2021	JOHANNA JEAN MARCHEL	00491269	227/4537035	JANITORIAL SUPPLIES 881 MARTIN	Elec OperatingGrant Trust Fund	0.82
04/23/2021	JOHANNA JEAN MARCHEL	00491270	228/3475415	JANITORIAL SUPPLIES 881 MARTIN	Electric Utility	59.55
04/23/2021	JOHANNA JEAN MARCHEL	00491270	228/3475415	JANITORIAL SUPPLIES 881 MARTIN	Elec OperatingGrant Trust Fund	3.80
04/23/2021	JOHANNA JEAN MARCHEL	00491271	229	JANITOR 881 MARTIN APR21 FRIG	Electric Utility	75.20
04/23/2021	JOHANNA JEAN MARCHEL	00491271	229	JANITOR 881 MARTIN APR21 FRIG	Elec OperatingGrant Trust Fund	4.80
				Total for Payment No.:		407.83

Payment No: 019169

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	VANTAGE DATA CENTERS 7, LLC	00490773	2205	CARRIER ACCESS APR21 737MATHEW	Electric Utility	400.00
				Total for Payment No.:		400.00

Payment No: 019168

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	VANTAGE DATA CENTERS 6, LLC	00490772	2193	CARRIER ACCESS APR21 2897 NORT	Electric Utility	400.00
				Total for Payment No.:		400.00

Payment No: 019096

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VANTAGE DATA CENTERS	00488213	2142	CARRIER ACCESS FEB21 737MATHEW	Electric Utility	400.00
				Total for Payment No.:		400.00

Payment No: 650391

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	FUGATE BUSINESS SOLUTIONS	00491663	4896	MARCH ACCOUNTING SERVICES	Deposit Funds.	399.00
				Total for Payment No.:		399.00

Payment No: 650134

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SANG WOO SEO	00469853	66673-05 Utility Refund	UTILITY REFUND	General Fund	366.65
				Total for Payment No.:		366.65

Payment No: 650280

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ART OF LIVING	00491511	17732-05 Utility Refund	UTILITY REFUND	General Fund	360.83
				Total for Payment No.:		360.83

Payment No: 019088

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SPORTS, FITNESS & KARATE INC	00491170	SCPRWinter 2020-2	CONTRACTOR PAYMENT FOR CLASSES	General Fund	358.40
				Total for Payment No.:		358.40

Payment No: 650426

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/23/2021	SMART CITY NETWORKS, L.P.	00491664	070-001-03-2021	MARCH SERVICES	Deposit Funds.	354.19
				Total for Payment No.:		354.19

Payment No: 650220

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	REGENTS OF THE UNIV OF CALIF	00491119	11004105	Legal References	General Fund	333.58
				Total for Payment No.:		333.58

Payment No: 019152

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PRAXAIR DISTRIBUTION INC	00491624	61351014	IND HIGH PRESSURE>100CF	Electric Utility	127.04
04/23/2021	PRAXAIR DISTRIBUTION INC	00491624	61351014	IND LIQUID 160-199LT HIGH PRES	Electric Utility	151.65
04/23/2021	PRAXAIR DISTRIBUTION INC	00491624	61351014	SAFETY AND ENVIRONMENT FEE	Electric Utility	25.95
04/23/2021	PRAXAIR DISTRIBUTION INC	00491624	61351014	CYL TRACKING SERVICE FEE	Electric Utility	27.87
				Total for Payment No.:		332.51

Payment No: 019120

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	COAST COUNTIES TRUCK	00491047	01125917P	PARTS - V3218	Fleet Operation Fund	50.70
04/23/2021	COAST COUNTIES TRUCK	00491048	01125414P	PARTS - STOCK	Fleet Operation Fund	274.40
				Total for Payment No.:		325.10

Payment No: 650247

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VERIZON WIRELESS	00490429	9874805374	WATER & SEWER WIRELESS	Water Utility	127.32
04/16/2021	VERIZON WIRELESS	00490429	9874805374	WATER & SEWER WIRELESS	Sewer Utility	127.32
04/16/2021	VERIZON WIRELESS	00490429	9874805374	WATER & SEWER WIRELESS	Water Recycling Program	63.66
				Total for Payment No.:		318.30

Payment No: 650355

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ZHANG, ZHENYU	00491569	76753-01 Utility Refund	UTILITY REFUND	General Fund	316.76
				Total for Payment No.:		316.76

Payment No: 019139

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	NALCO CO	00491412	6670052403	MO.SRV FEE COGEN APR21	Electric Utility	315.46
				Total for Payment No.:		315.46

Payment No: 650229

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SHREDLOGIX INC	00491305	0010335	SHREDDING SERVICES: 2/1/2021-1	General Fund	315.00
				Total for Payment No.:		315.00

Payment No: 650341

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	TERI HAMMOND	00491525	37018-09 Utility Refund	UTILITY REFUND	General Fund	312.33
				Total for Payment No.:		312.33

Payment No: 019078

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	MCCAMPBELL ANALYTICAL INC	00491123	2103C91	Laboratory Services with McCam	Water Utility	306.00
				Total for Payment No.:		306.00

Payment No: 650381

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	D & M POLYGRAPH	00490626	24084MAR2021	B Warren Polygraph	General Fund	300.00

				Total for Payment No.:		300.00

Payment No: 650251

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VERIZON WIRELESS	00490438	9876191038	METER READERS WIRELESS	General Fund	296.59
				Total for Payment No.:		296.59

Payment No: 019050

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	DANIEL RICE	00491152	29985APR2021	HAZMAT 1C TRAINING	General Fund	295.00
				Total for Payment No.:		295.00

Payment No: 650374

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	BENCHMARK	00491309	E20-1162A	Asbestos Clearance-1991 Bowers	H.U.D Capital Projects	288.75
				Total for Payment No.:		288.75

Payment No: 019099

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	WILLIAMS SCOTSMAN INC	00490420	8632368	40X8 CONTAINER RENT APR21	Street Lighting	241.32
04/16/2021	WILLIAMS SCOTSMAN INC	00490420	8632368	PROPERTY TAX RECOVERY ARP21	Street Lighting	9.65
04/16/2021	WILLIAMS SCOTSMAN INC	00490420	8632368	CONTAINER LOCK - RENTAL ARP21	Street Lighting	19.62
				Total for Payment No.:		270.59

Payment No: 650191

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	KELLY-MOORE PAINT CO	00490842	816-00000133770	PAINT	General Fund	118.38
04/16/2021	KELLY-MOORE PAINT CO	00490843	817-00000419792	PAINTING SUPPLIES	General Fund	95.10

04/16/2021	KELLY-MOORE PAINT CO	00490911	817-00000420074	PAINT	General Fund	56.73
				Total for Payment No.:		270.21

Payment No: 019145

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PG&E	00491258	5918427025-0 MAR2021A	ELEC SVC BLACK BUTTE HYD MAR21	Electric Utility	264.62
				Total for Payment No.:		264.62

Payment No: 019148

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PG&E	00491261	1543429391-4 MAR2021A	ELEC SVC STONY GORGE HYD MAR21	Electric Utility	263.40
				Total for Payment No.:		263.40

Payment No: 650154

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CA DEPT OF TOXIC SUBSTANCE CNTRL	00491023	#20SM3997	CHANGE ORDER #1 ADD FUNDS FOR	Parks And Recreation	258.82
				Total for Payment No.:		258.82

Payment No: 650139

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ZHENZI WU	00463107	43437-16 Utility Refund	UTILITY REFUND	General Fund	257.93
				Total for Payment No.:		257.93

Payment No: 650171

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	DUNN-EDWARDS CORP	00490901	2011170016	EVERSHIELD, PAINT	General Fund	253.83
				Total for Payment No.:		253.83

Payment No: 650149

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ASSOCIATION OF ENERGY SERVICES	00490783	300005629	INDIVIDUAL ONE YEAR MEMBERSHIP	Elec OperatingGrant Trust Fund	245.00
				Total for Payment No.:		245.00

Payment No: 019090

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	TECHNOLOGY, ENGINEERING & CONSTRUCTION	00491124	202345	TESTING, INSPECTION, MAINTENAN	Fleet Operation Fund	237.57
				Total for Payment No.:		237.57

Payment No: 650432

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STEVENS CREEK CHEVROLET	00491042	122096	Parts - V3511	Fleet Operation Fund	192.27
04/23/2021	STEVENS CREEK CHEVROLET	00491043	121704	PARTS - V3414	Fleet Operation Fund	29.62
04/23/2021	STEVENS CREEK CHEVROLET	00491046	121676	PARTS - V3414	Fleet Operation Fund	15.67
				Total for Payment No.:		237.56

Payment No: 650232

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SUNNYVALE FORD	00490480	F0CS827613	LABOR-V#3440 WO#130049	Fleet Operation Fund	237.45
				Total for Payment No.:		237.45

Payment No: 650284

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CARDON SLATER	00491549	69609-08 Utility Refund	UTILITY REFUND	General Fund	237.40
				Total for Payment No.:		237.40

Payment No: 650410

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MATTHEWS INTERNATIONAL CORP	00491041	94872347	BRONZE PLAQUE-SHIRLEY A. PLATT	Cemetery	230.02
				Total for Payment No.:		230.02

Payment No: 650319

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	NATIONAL CORPORATE HOUSING	00491560	73358-17 Utility Refund	UTILITY REFUND	General Fund	103.64
04/23/2021	NATIONAL CORPORATE HOUSING	00491561	73368-13 Utility Refund	UTILITY REFUND	General Fund	123.01
				Total for Payment No.:		226.65

Payment No: 650360

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CA FRANCHISE TAX BOARD	00491834	04/04/21-04/17/21NG	WAGE ATTACHMENT B2108	Payroll Liability&ClearingAcct	224.20
				Total for Payment No.:		224.20

Payment No: 650120

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	BRIAN CARLSON	00490965	12753APR2021	FY20-21 RAINGEAR REIMBURSEMNT	General Fund	217.95
				Total for Payment No.:		217.95

Payment No: 650362

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CA FRANCHISE TAX BOARD	00491836	04/04/21-04/17/21BT	WAGE ATTACHMENT B2108	Payroll Liability&ClearingAcct	217.15
				Total for Payment No.:		217.15

Payment No: 650265

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	DAVID TRAN	00491291	36384APR2021	ICC Certificaion Renewals 2021	General Fund	216.00
				Total for Payment No.:		216.00

Payment No: 650240

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	UNIQUE TOWING	00491022	00171432	Evidence Tow - Nissan Armada -	General Fund	215.00
				Total for Payment No.:		215.00

Payment No: 019147

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PG&E	00491260	2937321050-8 APR2021	COGEN GAS HEATERS MAR21	Electric Utility	211.37
				Total for Payment No.:		211.37

Payment No: 650411

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MEDWASTE MANAGEMENT, LLC	00490985	MW47183	BIO WASTE STATION 6	General Fund	202.98
				Total for Payment No.:		202.98

Payment No: 019039

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	AMERICAN BEVERAGE EQUIPMENT	00490607	52630	APR21 RENT FOR ICE MACHINE DVR	Electric Utility	200.00
				Total for Payment No.:		200.00

Payment No: 650121

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CHARLOTTE QUINN	00490952	36381APR2021	CEU's for LEED Credential Main	General Fund	199.00

				Total for Payment No.:		199.00

Payment No: 650253

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VERIZON WIRELESS	00490440	9876197780	Fire EMS wireless	General Fund	197.46
				Total for Payment No.:		197.46

Payment No: 650118

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ANDREW E NAGLE	00490800	31399APR2021	SAFTY BOOT/CLOTH REIMB FY 2021	Electric Utility	192.91
				Total for Payment No.:		192.91

Payment No: 650201

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	NOLIN, DOUGLAS J.	00479072	PRCK#88235	REPLACE OUTDATED PR CK	Payroll Liability&ClearingAcct	191.76
				Total for Payment No.:		191.76

Payment No: 019083

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PENINSULA BUILDING MATERIALS	00490859	72276	MESH SAND	General Fund	10.90
04/16/2021	PENINSULA BUILDING MATERIALS	00490914	73191	CONCRETE MIX	General Fund	12.97
04/16/2021	PENINSULA BUILDING MATERIALS	00490918	73312	CONCRETE MIX	General Fund	162.36
				Total for Payment No.:		186.23

Payment No: 650344

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	TOM BORIOLO	00491520	34204-01 Utility Refund	UTILITY REFUND	General Fund	184.22

				Total for Payment No.:		184.22

Payment No: 650348

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	VIJAYAKUMAR CHANDRASHEKAR	00491527	43460-24 Utility Refund	UTILITY REFUND	General Fund	181.35
				Total for Payment No.:		181.35

Payment No: 650379

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CONTRACTOR COMPLIANCE AND MONITORING	00491107	14113	LABOR COMPLIANCE SVC MAR21 SVP	Electric Utility	180.00
				Total for Payment No.:		180.00

Payment No: 650228

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SHRED-IT USA LLC	00490937	8181701508	1705 ELEC. SHRED MAR2021	Electric Utility	177.48
				Total for Payment No.:		177.48

Payment No: 650351

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	YOSHINO HARTE	00491554	70701-15 Utility Refund	UTILITY REFUND	General Fund	169.00
				Total for Payment No.:		169.00

Payment No: 650345

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	UMASHANKER NARAYANASWAMY	00491547	68426-03 Utility Refund	UTILITY REFUND	General Fund	164.41
				Total for Payment No.:		164.41

Payment No: 650210

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PINE CONE LUMBER CO	00490876	92440	RED DSV SCREW	General Fund	159.07
				Total for Payment No.:		159.07

Payment No: 650206

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PACIFIC TELEMANAGEMENT SVCS	00490426	2062406	PAY PHONE	Information Technology Service	78.00
04/16/2021	PACIFIC TELEMANAGEMENT SVCS	00490427	2064086	PAY PHONE	Information Technology Service	78.00
				Total for Payment No.:		156.00

Payment No: 650437

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	UNITED PARCEL SERVICE	00491616	00009882E5141A	DELIVERY CHARGES	Electric Utility	75.39
04/23/2021	UNITED PARCEL SERVICE	00491616	00009882E5141A	DELIVERY CHARGES	Fleet Operation Fund	16.58
04/23/2021	UNITED PARCEL SERVICE	00491616	00009882E5141A	DELIVERY CHARGES	General Fund	18.91
04/23/2021	UNITED PARCEL SERVICE	00491779	00009882E5520A	DELIVERY CHARGES--CREDIT ADJ	General Fund	-16.45
04/23/2021	UNITED PARCEL SERVICE	00491780	00009882E5101A	Water	Water Utility	17.68
04/23/2021	UNITED PARCEL SERVICE	00491780	00009882E5101A	Auto	Fleet Operation Fund	14.21
04/23/2021	UNITED PARCEL SERVICE	00491782	00009882E5151A	Auto	Fleet Operation Fund	9.67
04/23/2021	UNITED PARCEL SERVICE	00491782	00009882E5151A	Finance - Admin	General Fund	18.94
				Total for Payment No.:		154.93

Payment No: 650350

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	XUECHUN YUAN	00491502	13073-31 Utility Refund	UTILITY REFUND	General Fund	154.04
				Total for Payment No.:		154.04

Payment No: 650313

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MANOJ K JINDAL	00491528	44248-14 Utility Refund	UTILITY REFUND	General Fund	152.32
				Total for Payment No.:		152.32

Payment No: 650359

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CA FRANCHISE TAX BOARD	00491833	04/04/21-04/17/21CB	WAGE ATTACHMENT B2108	Payroll Liability&ClearingAcct	150.00
				Total for Payment No.:		150.00

Payment No: 650354

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	YUICHIRO MORIOKA	00491574	78018-09 Utility Refund	UTILITY REFUND	General Fund	148.72
				Total for Payment No.:		148.72

Payment No: 650198

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	METAL-WERX	00490577	0004766	ALUMINUM SHEETS AND ROUNDS	Sewer Utility	144.75
				Total for Payment No.:		144.75

Payment No: 650195

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	LOCAL GOVT PUBLICATIONS	00491117	21-500	Legal References	General Fund	143.56
				Total for Payment No.:		143.56

Payment No: 650424

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SANTA CLARA WINDUSTRIAL CO	00491008	016982 01	SUPPLIES	General Fund	142.93
				Total for Payment No.:		142.93

Payment No: 650420

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PACIFIC COAST FLAG	00491064	24340	4X6 US FLAG	General Fund	142.15
				Total for Payment No.:		142.15

Payment No: 650363

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CAL PERS LONG TERM CARE PROGRAM	00491832	13859006	BIWEEKLY PR CALPERS LT B2108	Payroll Liability&ClearingAcct	138.01
				Total for Payment No.:		138.01

Payment No: 650126

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	KATHY FLOOD	00491188	23703MAR2021	NOTARY EXAM & APPLICATION FEE	General Fund	40.00
04/16/2021	KATHY FLOOD	00491188	23703MAR2021	NOTARIZATION OF OATH OF OFFICE	General Fund	30.00
04/16/2021	KATHY FLOOD	00491188	23703MAR2021	RECORDING OF NOTARY OATH & BON	General Fund	68.00
				Total for Payment No.:		138.00

Payment No: 019127

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GRAINGER-SAN JOSE	00491005	9833403158	SUPPLIES	General Fund	37.16
04/23/2021	GRAINGER-SAN JOSE	00491060	9843170490	SUPPLIES-SHOP USE	Fleet Operation Fund	24.28
04/23/2021	GRAINGER-SAN JOSE	00491061	9842010622	PARTS - STOCK	Fleet Operation Fund	28.52
04/23/2021	GRAINGER-SAN JOSE	00491062	9846203652	PARTS - D1131	Fleet Operation Fund	36.30
04/23/2021	GRAINGER-SAN JOSE	00491063	9845679605	PARTS - V3325	Fleet Operation Fund	9.40
				Total for Payment No.:		135.66

Payment No: 650321

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PENINSULA INVESTMENTS	00491515	26137-06 Utility Refund	UTILITY REFUND	General Fund	134.45
				Total for Payment No.:		134.45

Payment No: 650137

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SUDHARSHAN BHARADHWAJ	00467624	45697-20 Utility Refund	UTILITY REFUND	General Fund	134.33
				Total for Payment No.:		134.33

Payment No: 650124

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	JEFF SHULTZ	00490976	25992APR2021	ICC Renewals 2021	General Fund	132.00
				Total for Payment No.:		132.00

Payment No: 019054

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ESOSOFT CORP	00490780	105627	ML CLASSICO (PQLEVEL1)	Electric Utility	32.72
04/16/2021	ESOSOFT CORP	00490780	105627	ML CLASSICO (PQLEVEL2)	Electric Utility	32.72
04/16/2021	ESOSOFT CORP	00490780	105627	ML CLASSICO (CONTROL)	Electric Utility	32.72
04/16/2021	ESOSOFT CORP	00490780	105627	ML CLASSICO (PQLEVEL5)	Electric Utility	32.72
				Total for Payment No.:		130.88

Payment No: 019111

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ALL GUARD ALARM SYSTEMS INC	00491000	S105831	STREET SIGN SHOP	General Fund	130.00
				Total for Payment No.:		130.00

Payment No: 650117

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	AJEESH CHANDRA RAMACHANDRAN	00467596	14216-28 Utility Refund	UTILITY REFUND	General Fund	125.88
				Total for Payment No.:		125.88

Payment No: 650340

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	TATSUYA KITAYAMA	00491563	75452-07 Utility Refund	UTILITY REFUND	General Fund	121.51
				Total for Payment No.:		121.51

Payment No: 650396

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	HOME DEPOT USA	00491451	610186413	NS FACILITIES SUPPLIES	General Fund	121.16
				Total for Payment No.:		121.16

Payment No: 650289

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	DEEPALI RAINA	00491509	14343-19 Utility Refund	UTILITY REFUND	General Fund	120.66
				Total for Payment No.:		120.66

Payment No: 650127

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	MICHAEL KEATE	00490618	20468APR2021	STATE WATER DIST OPER CERT	Electric Utility	120.00
				Total for Payment No.:		120.00

Payment No: 650305

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JIANAN ZHAN	00491535	56127-08 Utility Refund	UTILITY REFUND	General Fund	119.36
				Total for Payment No.:		119.36

Payment No: 650287

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CRISTINA JERONIMO	00491522	35092-01 Utility Refund	UTILITY REFUND	General Fund	118.43
				Total for Payment No.:		118.43

Payment No: 650250

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	VERIZON WIRELESS	00490437	9876181765	CMO WIRELESS	General Fund	76.02
04/16/2021	VERIZON WIRELESS	00490437	9876181765	DPW & PD STADIUM WIRELESS	Information Technology Service	3.74
04/16/2021	VERIZON WIRELESS	00490437	9876181765	CDD WIRELESS	General Government - Other	38.01
				Total for Payment No.:		117.77

Payment No: 650234

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	THE HOME DEPOT PRO	00490595	607561511	JANITORIAL SUPPLIES	General Fund	26.55
04/16/2021	THE HOME DEPOT PRO	00490596	607561503	JANITORIAL SUPPLIES	General Fund	53.10
04/16/2021	THE HOME DEPOT PRO	00490828	608065017	ADA RESTROOM SIGNS	General Fund	36.28
				Total for Payment No.:		115.93

Payment No: 650292

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	FERNANDO WU PADILLA	00491559	73114-13 Utility Refund	UTILITY REFUND	General Fund	114.66
				Total for Payment No.:		114.66

Payment No: 650302

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JACOB HERMAN	00491579	79528-02 Utility Refund	UTILITY REFUND	General Fund	112.13
				Total for Payment No.:		112.13

Payment No: 650310

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	KAIYU XU	00491557	70889-20 Utility Refund	UTILITY REFUND	General Fund	106.65
				Total for Payment No.:		106.65

Payment No: 650138

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	THOMAS MCCULLOUGH	00490619	27744APR2021	SAFETY BOOT/CLOTH REIM FY 2021	Electric Utility	105.61
				Total for Payment No.:		105.61

Payment No: 650285

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CECILIA MARTIN	00491526	39429-04 Utility Refund	UTILITY REFUND	General Fund	105.40
				Total for Payment No.:		105.40

Payment No: 650353

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	YUE FAN	00491568	76022-02 Utility Refund	UTILITY REFUND	General Fund	104.64
				Total for Payment No.:		104.64

Payment No: 650295

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GIDWANI, SHAAN	00491555	70759-23 Utility Refund	UTILITY REFUND	General Fund	104.59
				Total for Payment No.:		104.59

Payment No: 650283

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	BRADY ROBINSON	00491551	70130-08 Utility Refund	UTILITY REFUND	General Fund	102.76

				Total for Payment No.:		102.76

Payment No: 650315

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MARY CORREIA	00491523	35159-07 Utility Refund	UTILITY REFUND	General Fund	101.41
				Total for Payment No.:		101.41

Payment No: 650279

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ANTHONY BLOCK	00491513	20820-08 Utility Refund	UTILITY REFUND	General Fund	100.79
				Total for Payment No.:		100.79

Payment No: 650231

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	STANDARD PLUMBING SUPPLY CO	00490519	MJGH42	SPECIALTY BAND COUPLING	General Fund	99.96
				Total for Payment No.:		99.96

Payment No: 019149

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PG&E	00491262	1501762727-2 MAR2021A	ELEC SVC HIGH LINE CANAL MAR21	Electric Utility	99.41
				Total for Payment No.:		99.41

Payment No: 650185

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ICONIX WATERWORKS (US) INC	00490830	U2116012918	4 FLO-SPAN COUPLING	General Fund	98.09
				Total for Payment No.:		98.09

Payment No: 650361

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	CA FRANCHISE TAX BOARD	00491835	04/04/21-04/17/21DL	WAGE ATTACHMENT B2108	Payroll Liability&ClearingAcct	96.10
				Total for Payment No.:		96.10

Payment No: 650311

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	KEN MATSUMOTO	00491533	49319-12 Utility Refund	UTILITY REFUND	General Fund	96.07
				Total for Payment No.:		96.07

Payment No: 019044

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	BELL ELECTRICAL SUPPLY	00490816	5664316	ELECTRICAL WIRES & BOX	General Fund	95.64
				Total for Payment No.:		95.64

Payment No: 650324

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	RAJANIKAR KUMAR	00491507	13925-22 Utility Refund	UTILITY REFUND	General Fund	92.38
				Total for Payment No.:		92.38

Payment No: 650416

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	NEW ENTIRE PRINTING	00491413	2721	BUSINESS CARDS-POWER SYS	Electric Utility	41.51
04/23/2021	NEW ENTIRE PRINTING	00491413	2721	BUSINESS CARDS-METER SHOP	Electric Utility	41.52
				Total for Payment No.:		83.03

Payment No: 650433

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STORAGE EXPRESS INC	00491256	69462	20-FT STORAGE CONTAINER	Electric Utility	81.75

				RENTAL		
				Total for Payment No.:		81.75

Payment No: 650418

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	NI GOVERNMENT SERVICES	00491713	21032908551	MONTHLY FEES FOR SATTELITE RAD	General Fund	77.37
				Total for Payment No.:		77.37

Payment No: 650304

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JESSICA LAM	00491532	47096-29 Utility Refund	UTILITY REFUND	General Fund	76.98
				Total for Payment No.:		76.98

Payment No: 650197

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	MCKESSON MEDICAL	00490989	18086997	BANDAGES	General Fund	76.94
				Total for Payment No.:		76.94

Payment No: 650224

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SANTA CLARA WINDUSTRIAL CO	00490880	016938 01	BRASS ELL	General Fund	20.05
04/16/2021	SANTA CLARA WINDUSTRIAL CO	00490920	018534 01	HOSE CLAMP	General Fund	51.44
				Total for Payment No.:		71.49

Payment No: 650163

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CRIME SCENE CLEANERS INC	00491175	80602	CLEAN VEHICLE #3208	General Fund	70.00
				Total for Payment No.:		70.00

Payment No: 650277

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ANGESTI, MICHELLE	00491553	70620-11 Utility Refund	UTILITY REFUND	General Fund	69.20
				Total for Payment No.:		69.20

Payment No: 650347

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	VICTOR BRUNKO	00491505	13527-25 Utility Refund	UTILITY REFUND	General Fund	68.56
				Total for Payment No.:		68.56

Payment No: 650388

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	FEDERAL EXPRESS	00491406	7-327-32873	MISC. SHIPPING DVR	Electric Utility	66.50
				Total for Payment No.:		66.50

Payment No: 650241

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	UNITED PARCEL SERVICE	00491103	00009882E5131A	DELIVERY CHARGES	Electric Utility	14.85
04/16/2021	UNITED PARCEL SERVICE	00491103	00009882E5131A	DELIVERY CHARGES	Water Utility	17.87
04/16/2021	UNITED PARCEL SERVICE	00491103	00009882E5131A	DELIVERY CHARGES	General Fund	27.23
				Total for Payment No.:		59.95

Payment No: 650318

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MIRANDA SHAW	00491572	77559-04 Utility Refund	UTILITY REFUND	General Fund	59.25
				Total for Payment No.:		59.25

Payment No: 650278

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ANNA KINCH	00491566	75562-04 Utility Refund	UTILITY REFUND	General Fund	58.56
				Total for Payment No.:		58.56

Payment No: 650298

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	HAI MA	00491550	70005-08 Utility Refund	UTILITY REFUND	General Fund	57.75
				Total for Payment No.:		57.75

Payment No: 650141

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CA DEPT OF TOXIC SUBSTANCE CNTRL	00490611	20SM3840	SC GATEWAY OCT-DEC 2020	Public Buildings	56.47
				Total for Payment No.:		56.47

Payment No: 650262

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ZORO TOOLS INC.	00490599	INV9305485	NYLON TUBING	General Fund	56.43
				Total for Payment No.:		56.43

Payment No: 650336

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STEPHANIE HESTER	00491577	78752-04 Utility Refund	UTILITY REFUND	General Fund	56.06
				Total for Payment No.:		56.06

Payment No: 650119

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	ASMA SALTEEM	00469082	37878-11 Utility Refund	UTILITY REFUND	General Fund	55.71
				Total for Payment No.:		55.71

Payment No: 650299

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	HARISHA BHATTA PUROHIT HANUMANTHA	00491516	27526-27 Utility Refund	UTILITY REFUND	General Fund	55.26
				Total for Payment No.:		55.26

Payment No: 650329

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SAI YANG	00491582	79587-02 Utility Refund	UTILITY REFUND	General Fund	54.06
				Total for Payment No.:		54.06

Payment No: 650358

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ZIA MACWILLAM	00491521	35054-02 Utility Refund	UTILITY REFUND	General Fund	54.01
				Total for Payment No.:		54.01

Payment No: 019094

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	US DEPT OF ENERGY	00491035	998598	ADD'L REPAIR SG60KV TRANS LINE	Electric Utility	53.24
				Total for Payment No.:		53.24

Payment No: 650331

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SANG HAN	00491504	13400-25 Utility Refund	UTILITY REFUND	General Fund	52.59
				Total for Payment No.:		52.59

Payment No: 650275

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	AMY KNAPP	00491556	70766-20 Utility Refund	UTILITY REFUND	General Fund	52.45

				Total for Payment No.:		52.45

Payment No: 650365

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	US TREASURY	00491837	04/04/21-04/17/21JO	WAGE ATTACHMENT B2108	Payroll Liability&ClearingAcct	50.00
				Total for Payment No.:		50.00

Payment No: 650291

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	DUTT, SIMA	00491575	78699-01 Utility Refund	UTILITY REFUND	General Fund	49.54
				Total for Payment No.:		49.54

Payment No: 650338

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SUK KYONG KIM	00491570	76809-02 Utility Refund	UTILITY REFUND	General Fund	45.81
				Total for Payment No.:		45.81

Payment No: 650326

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	RICHARD KIM	00491580	79539-02 Utility Refund	UTILITY REFUND	General Fund	44.16
				Total for Payment No.:		44.16

Payment No: 650281

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ARUSHI ARORA	00491564	75469-06 Utility Refund	UTILITY REFUND	General Fund	43.94
				Total for Payment No.:		43.94

Payment No: 650307

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JIAWEI YANG	00491578	79526-02 Utility Refund	UTILITY REFUND	General Fund	43.56
				Total for Payment No.:		43.56

Payment No: 650303

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JENNIFER DURCHHOLZ	00491586	79636-02 Utility Refund	UTILITY REFUND	General Fund	43.21
				Total for Payment No.:		43.21

Payment No: 650322

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PRANIKA SETH	00491571	77511-03 Utility Refund	UTILITY REFUND	General Fund	41.61
				Total for Payment No.:		41.61

Payment No: 650132

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	RANDY KENT	00490981	35349APR2021	CAP REIMBURSE - APRIL 2021	General Fund	40.00
				Total for Payment No.:		40.00

Payment No: 650122

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CONRAD REYNOLDS	00490980	02299APR2021	CAP REIMBURSE APRIL 2021	General Fund	40.00
				Total for Payment No.:		40.00

Payment No: 650293

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	FRANK DE SANTIAGO	00491512	18800-03 Utility Refund	UTILITY REFUND	General Fund	39.33
				Total for Payment No.:		39.33

Payment No: 650140

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	CA DEPT OF TOXIC SUBSTANCE CNTRL	00490610	20SM3766	SC POLICE STN OCT-DEC 2020	Public Buildings	38.02
				Total for Payment No.:		38.02

Payment No: 650282

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ASHISH YADAV	00491534	51107-15 Utility Refund	UTILITY REFUND	General Fund	36.79
				Total for Payment No.:		36.79

Payment No: 650349

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	VIRGINIA WINOKAN	00491536	57529-05 Utility Refund	UTILITY REFUND	General Fund	35.80
				Total for Payment No.:		35.80

Payment No: 650297

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	HABITAT FOR HUMANITY EAST BAY SILICON VA	00491562	73741-02 Utility Refund	UTILITY REFUND	General Fund	32.30
				Total for Payment No.:		32.30

Payment No: 650328

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ROSA MORALES-HERNANDEZ	00491584	79607-02 Utility Refund	UTILITY REFUND	General Fund	32.13
				Total for Payment No.:		32.13

Payment No: 650301

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/23/2021	JACKSON, DAVID	00491517	27827-03 Utility Refund	UTILITY REFUND	General Fund	31.37
				Total for Payment No.:		31.37

Payment No: 019059

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	GALE/CENGAGE LEARNING	00490453	74022015	1241 AD BK	General Fund	31.05
				Total for Payment No.:		31.05

Payment No: 002352

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/20/2021	CAL PERS - PO BOX 1982	00491495	100000016360346	DD: 1959 SURV BENEFIT #07078	General Fund	30.69
				Total for Payment No.:		30.69

Payment No: 650271

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	2302 CALLE DE MUNDO LLC	00491501	10297-06 Utility Refund	UTILITY REFUND	General Fund	30.18
				Total for Payment No.:		30.18

Payment No: 650333

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SETH DANIELSON	00491583	79589-02 Utility Refund	UTILITY REFUND	General Fund	29.36
				Total for Payment No.:		29.36

Payment No: 650316

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MATT GARNER	00491537	58346-24 Utility Refund	UTILITY REFUND	General Fund	29.32
				Total for Payment No.:		29.32

Payment No: 650325

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	RAJARAM NARAYANAN	00491506	13676-11 Utility Refund	UTILITY REFUND	General Fund	28.86
				Total for Payment No.:		28.86

Payment No: 650357

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ZHIMIN CHEN	00491573	77955-01 Utility Refund	UTILITY REFUND	General Fund	28.67
				Total for Payment No.:		28.67

Payment No: 650314

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MARCELINE UTTARKAR	00491567	75824-01 Utility Refund	UTILITY REFUND	General Fund	27.78
				Total for Payment No.:		27.78

Payment No: 019049

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	COMCAST	00490789	3/27/21AC8155100091701 239	COMCAST LIB 2635 HOMESTEAD RD	General Fund	26.74
				Total for Payment No.:		26.74

Payment No: 650320

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	NICOLE COSTERE	00491524	36840-03 Utility Refund	UTILITY REFUND	General Fund	25.20
				Total for Payment No.:		25.20

Payment No: 650135

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	SANTA CLARA CO CLERK-RECORDER	00491142	2432APR2021	RECORDING FEES SFEIR #10528	H.U.D Capital Projects	25.00

				Total for Payment No.:		25.00

Payment No: 650276

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	AN ZHANG	00491581	79543-02 Utility Refund	UTILITY REFUND	General Fund	24.24
				Total for Payment No.:		24.24

Payment No: 650335

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STEFAN STADLER	00491548	68855-19 Utility Refund	UTILITY REFUND	General Fund	23.59
				Total for Payment No.:		23.59

Payment No: 650346

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	VASILII IAKOVLEV	00491531	46887-20 Utility Refund	UTILITY REFUND	General Fund	21.87
				Total for Payment No.:		21.87

Payment No: 650190

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	KALLCENTS	00490734	E42516033121	Monthly Q-Card	General Fund	21.31
				Total for Payment No.:		21.31

Payment No: 650327

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ROBERTO ORTEGA	00491503	13115-17 Utility Refund	UTILITY REFUND	General Fund	21.12
				Total for Payment No.:		21.12

Payment No: 650273

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	ALI TARIGHAT	00491514	25802-06 Utility Refund	UTILITY REFUND	General Fund	19.94
				Total for Payment No.:		19.94

Payment No: 650312

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	LEE, BRIAN	00491530	45799-26 Utility Refund	UTILITY REFUND	General Fund	18.41
				Total for Payment No.:		18.41

Payment No: 650306

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JIAWEI CHEN	00491589	80690-02 Utility Refund	UTILITY REFUND	General Fund	16.20
				Total for Payment No.:		16.20

Payment No: 650317

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	MICHELLE NGUYEN	00491576	78747-04 Utility Refund	UTILITY REFUND	General Fund	15.76
				Total for Payment No.:		15.76

Payment No: 650129

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PATTON, VISARN K	00453164	71520-02 Utility Refund	UTILITY REFUND	General Fund	15.41
				Total for Payment No.:		15.41

Payment No: 650212

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	PRAXAIR DISTRIBUTION INC	00491099	99025218	DEMURRAGE	Sewer Utility	1.43
04/16/2021	PRAXAIR DISTRIBUTION INC	00491099	99025218	DEMURRAGE	Water Utility Construction	6.72

04/16/2021	PRAXAIR DISTRIBUTION INC	00491099	99025218	DEMURRAGE	Electric Utility	1.43
04/16/2021	PRAXAIR DISTRIBUTION INC	00491099	99025218	DEMURRAGE	Electric Utility Construction	2.60
04/16/2021	PRAXAIR DISTRIBUTION INC	00491099	99025218	DEMURRAGE	Electric Utility	1.87
				Total for Payment No.:		14.05

Payment No: 650173

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/16/2021	FEDERAL EXPRESS	00490606	7-318-61835	MISC. SHIPPING SYSTEMS SUPPORT	Electric Utility	12.66
				Total for Payment No.:		12.66

Payment No: 650308

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JUNSOO CHOI	00491587	79641-02 Utility Refund	UTILITY REFUND	General Fund	11.95
				Total for Payment No.:		11.95

Payment No: 650352

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	YOSHINOBU HIGUCHI	00491508	13979-12 Utility Refund	UTILITY REFUND	General Fund	11.69
				Total for Payment No.:		11.69

Payment No: 650323

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	PRATIK BHATT	00491552	70487-08 Utility Refund	UTILITY REFUND	General Fund	10.91
				Total for Payment No.:		10.91

Payment No: 650252

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

04/16/2021	VERIZON WIRELESS	00490439	9876197779	FD - STADIUM WIRELESS	General Fund	10.02
				Total for Payment No.:		10.02

Payment No: 650339

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	TANYA FLINT	00491565	75527-07 Utility Refund	UTILITY REFUND	General Fund	9.27
				Total for Payment No.:		9.27

Payment No: 650309

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	JUSTIN KOCH	00491585	79623-02 Utility Refund	UTILITY REFUND	General Fund	8.50
				Total for Payment No.:		8.50

Payment No: 650337

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	STEPHEN GODFREY	00491519	29591-03 Utility Refund	UTILITY REFUND	General Fund	7.91
				Total for Payment No.:		7.91

Payment No: 650332

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SERGE VAKULENKO	00491529	44692-16 Utility Refund	UTILITY REFUND	General Fund	7.57
				Total for Payment No.:		7.57

Payment No: 650330

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	SALMA NIAMATHULLAH	00491545	65400-20 Utility Refund	UTILITY REFUND	General Fund	7.43
				Total for Payment No.:		7.43

Payment No: 650343

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	THU NHAN NGUYEN	00491558	71590-11 Utility Refund	UTILITY REFUND	General Fund	6.34
				Total for Payment No.:		6.34

Payment No: 650288

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	DARIUS IGRAS	00491588	80532-02 Utility Refund	UTILITY REFUND	General Fund	6.10
				Total for Payment No.:		6.10

Payment No: 650296

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	GOWDA, VIJAY KUMAR	00491538	59360-12 Utility Refund	UTILITY REFUND	General Fund	5.65
				Total for Payment No.:		5.65

Payment No: 650274

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
04/23/2021	AMANDA GOMES	00491546	66467-12 Utility Refund	UTILITY REFUND	General Fund	5.11
				Total for Payment No.:		5.11

Overall Total	35,535,081.83

21-427 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action on Agreements for Sales, Use, Tax Audit and Recovery Services; Property Tax Audit and Management Services; and Transient Occupancy Tax Audit Services

COUNCIL PILLAR
Manage Strategically Our Workforce Capacity and Resources

BACKGROUND
The City receives revenues from (a) sales, use, and transactions tax, (b) property tax, and (c) transient occupancy tax (TOT). The two largest revenue sources for the City's General Fund are property tax and sales tax with revenues expected to total approximately $67 million and $56 million in FY 2020/21, respectively. The City is projected to receive TOT revenues of approximately $3.6 million in FY 2020/21. This TOT amount, however, is well below the pre-COVID-19 levels of over $20 million, and this revenue source is expected to recover over the next few years.

To ensure that the City is receiving all the revenues from the County of Santa Clara and the State of California, the Finance Department uses third-party consultants to audit tax records and recover misallocated revenues. The current agreements for tax audit and recovery services are expiring on June 30, 2021.

DISCUSSION
In October 2020, the City released a Request for Proposals (RFP) seeking proposals from qualified firms to provide sales, use, and transactions, property, and transient occupancy tax audit and recovery services. Firms were allowed to submit a proposal on any or all of the service elements. The RFP was published on BidSync, the City's e-procurement system. A total of 54 firms viewed the RFP, and three proposals were received as follows:

1. HdL Companies - Submitted a proposal for both Sales, Use and Transactions Tax Audit and Recovery Services and Transient Occupancy Tax Audit Services

2. HdL Coren & Cone (HdLCC) - Submitted a proposal for Property Tax Audit and Management Services only

3. MuniServices, LLC, doing business as Avenu MuniServices LLC (MuniServices) - Submitted a proposal for all services but subsequently withdrew its proposal for Property Tax Audit and Management Services

Proposal Evaluation Process
The written proposals were evaluated independently by a three-member evaluation team consisting

of staff from the Finance Department against the criteria and weights published in the RFP. The proposals were evaluated on proposer qualifications, experience, technical approach, and cost. All proposers were invited to oral interviews to demonstrate their knowledge and understanding of the City's requirements and to introduce their key personnel who would be assigned to the City if awarded the contract.

Staff recommends three contract awards to proposers MuniServices and HdLCC as follows:

MuniServices for Sales, Use and Transactions Tax Audit and Recovery Services
Staff recommends award of contract to MuniServices for Sales, Use and Transactions Tax Audit Services as having submitted the best value proposal. MuniServices has a dedicated team of revenue consulting and tax audit services to over 350 public agencies in California, including the City of Santa Clara. Since 1995, MuniServices has recovered over $107,000,000 in sales, use and transaction tax revenue for the City.

The maximum compensation under the proposed five-year agreement is $1,500,000. MuniServices' fees are based on a percentage of revenue recovered from the California Department of Tax and Fee Administration for misallocated sales, use and transaction taxes. In addition, MuniServices has an annual fee of $2,000, subject to annual increases tied to the Consumer Price Index, for its online sales tax reporting software tool called "Clearview."

As a result of the competitive process, MuniServices reduced its contingency fee from the current rate of 15% to a tiered rate schedule as shown in the table below. The City will realize an estimated amount of $315,000 in savings, if recoveries are the same as they have been over the past five years.

Tier	Recovered Revenue	Contingency Fee
1	$1 - $1,000,000	13% Contingency Fee for Recovered Revenue
2	$1,000,001 - $2,500,000	12% Contingency Fee for Recovered Revenue
3	over $2,500,000	10% Contingency Fee for Recovered Revenue

HdLCC for Property Tax Audit and Management Services
After a thorough evaluation of the sole proposal from HdLCC for Property Tax Audit Services, staff determined that the proposal satisfied all the requirements set forth in the RFP. HdLCC is the incumbent vendor and staff has been satisfied with their services. In addition, HdLCC has been recovering property tax revenues and providing comprehensive reports to local governments since 1993 and currently serves over 250 public agencies in California, including eight cities in Santa Clara County.

The maximum compensation under the proposed five-year agreement is $100,000. HdLCC's standard fee for property tax services will remain at $19,025 per year plus 15% of net tax revenues recovered. The standard fee includes HdLCC auditing and monitoring property taxes, providing City access to its proprietary tax software tool, and preparing detailed analysis of the City's property taxes, including a summary of annual performance, description of performance by property type, identification of major increases or decreases in property values and largest property tax payers, comparison with prior year performance, identification of pending appeals, discussion of real estate

trends and property sales history (including price and number of transactions), and property tax revenue forecasting.

Historically, there have been little or no recoveries due to property tax misallocations because corrections for secured parcels continue to be coded correctly. While it does not happen often, property tax misallocations for unsecured parcels may occur in which case recovery amount could be significant for the City. Therefore, staff is also requesting authority from Council to execute future amendments during the term of the agreement to increase compensation in the event net tax revenues recovered for which the City pays 15% contingency exceeds estimates.

MuniServices for Transient Occupancy Tax Audit Services
Staff recommends award of contract to MuniServices for Transient Occupancy Tax Audit Services as having submitted the best value proposal. MuniServices presented a comprehensive two-phase approach to audit services. In phase one, MuniServices will conduct an initial inventory and audit of lodging properties and will identify those properties for a more comprehensive phase two audit. In phase two, the consultant will perform a detailed audit of the records for a selected number of lodging providers.

The maximum compensation under the proposed five-year agreement is $150,000. MuniServices will audit lodging properties each year on a fixed fee basis plus travel expenses billed at cost. Currently, there are 30 lodging properties in the City but this number may change over the term of the agreement. Therefore, staff is also requesting authority from Council to execute future amendments during the term of the agreement to increase compensation for additional audits as may be required.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of a California Environmental Quality Act (“CEQA”) pursuant to the CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Furthermore, the action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

The audit services agreements generate additional General Fund revenues for the City through the identification of misallocated taxes. The funding for these agreements is included in the General Fund Operating Budget for the Finance Department.

COORDINATION

This report has been coordinated with the City Attorney’s Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s

Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Authorize the City Manager to execute an agreement with MuniServices, LLC, doing business as Avenu MuniServices LLC, for Sales, Use and Transactions Tax Audit and Recovery Services for a five-year term starting July 1, 2021 and ending on June 30, 2026, with maximum compensation not to exceed $1,500,000, subject to the appropriation of funds;
2. Authorize the City Manager to execute an agreement with HdL Coren & Cone for Property Tax Audit and Management Services for a five-year term starting July 1, 2021 and ending on June 30, 2026, with maximum compensation not to exceed $100,000, subject to the appropriation of funds;
3. Authorize the City Manager to execute an agreement with MuniServices, LLC, doing business as Avenu MuniServices LLC, for Transient Occupancy Tax Audit Services for a five-year term starting July 1, 2021 and ending on June 30, 2026, with maximum compensation not to exceed $150,000, subject to the appropriation of funds; and
4. Authorize the City Manager to execute amendments to each of the agreements to add funds as required in the event revenues recovered exceed staff's estimates and/or additional related audit services are required, subject to the appropriation of funds.

Reviewed by: Kenn Lee, Director of Finance
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Agreement for Services with MuniServices, LLC for Sales, Use and Transactions Tax Audit and Recovery Services
2. Agreement for Services with HdL Coren & Cone for Property Tax Audit and Management Services
3. Agreement for Services with MuniServices, LLC for Transient Occupancy Tax Audit Services

EBIX Insurance No. S200003050

AGREEMENT FOR SERVICES BETWEEN THE CITY OF SANTA CLARA, CALIFORNIA, AND MUNISERVICES, LLC, DBA AVENU MUNISERVICES LLC

PREAMBLE

This Agreement is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and MuniServices, LLC, doing business as Avenu MuniServices LLC, a Delaware limited liability company (Consultant). City and Consultant may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

A. City desires to secure the services more fully described in this Agreement, at Exhibit A, entitled "Scope of Services";

B. Consultant represents that it, and its subcontractors, if any, have the professional qualifications, expertise, necessary licenses and desire to provide certain goods and/or required services of the quality and type which meet objectives and requirements of City; and,

C. The Parties have specified herein the terms and conditions under which such services will be provided and paid for.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AGREEMENT DOCUMENTS

The documents forming the entire Agreement between City and Consultant shall consist of these Terms and Conditions and the following Exhibits, which are hereby incorporated into this Agreement by this reference:

Exhibit A – Scope of Services

Exhibit B – Schedule of Fees

Exhibit C – Insurance Requirements

This Agreement, including the Exhibits set forth above, contains all the agreements, representations and understandings of the Parties, and supersedes

and replaces any previous agreements, representations and understandings, whether oral or written. In the event of any inconsistency between the provisions of any of the Exhibits and the Terms and Conditions, the Terms and Conditions shall govern and control.

2. TERM OF AGREEMENT

Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on July 1, 2021 and terminate on June 30, 2026.

3. SCOPE OF SERVICES & PERFORMANCE SCHEDULE

Consultant shall perform those Services specified in Exhibit A within the time stated in Exhibit A. Time is of the essence.

4. WARRANTY

Consultant expressly warrants that all materials and services covered by this Agreement shall be fit for the purpose intended, shall be free from defect and shall conform to the specifications, requirements and instructions upon which this Agreement is based. Consultant agrees to promptly replace or correct any incomplete, inaccurate or defective Services at no further cost to City when defects are due to the negligence, errors or omissions of Consultant. If Consultant fails to promptly correct or replace materials or services, City may make corrections or replace materials or services and charge Consultant for the cost incurred by City.

5. QUALIFICATIONS OF CONSULTANT - STANDARD OF CARE

Consultant represents and maintains that it has the expertise in the professional calling necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and City expressly relies upon Consultant's representations regarding its skills and knowledge. Consultant shall perform such Services and duties in conformance to and consistent with the professional standards of a specialist in the same discipline in the State of California.

6. CONFLICT OF INTEREST (FORM 700)

In accordance with the California Political Reform Act (Government Code section 81000 et seq.) and the City's Conflict of Interest Code, Consultant shall cause each person who will be principally responsible for providing the service and deliverables under this Agreement as having to file a Form 700 to do each of the following:

A. Complete and file the Form 700 no later than thirty (30) calendar days after the date the person begins performing services under the Agreement

and all subsequent Form 700s in conformance with the requirements specified in the California Political Reform Act; and

B. File the Form 700 with the City's Clerk Office.

7. COMPENSATION AND PAYMENT

In consideration for Consultant's complete performance of Services, City shall pay Consultant for all materials provided and Services rendered by Consultant in accordance with Exhibit B, entitled "SCHEDULE OF FEES." The maximum compensation of this Agreement is set forth in Exhibit B, subject to budget appropriations, which includes all payments that may be authorized for Services and for expenses, supplies, materials and equipment required to perform the Services. All work performed or materials provided in excess of the maximum compensation shall be at Consultant's expense. Consultant shall not be entitled to any payment above the maximum compensation under any circumstance.

8. TERMINATION

A. Termination for Convenience. City shall have the right to terminate this Agreement, without cause or penalty, by giving not less than Thirty (30) days' prior written notice to Consultant.

B. Termination for Default. If Consultant fails to perform any of its material obligations under this Agreement, in addition to all other remedies provided by law, City may terminate this Agreement immediately upon written notice to Consultant.

C. Upon termination, each Party shall assist the other in arranging an orderly transfer and close-out of services. As soon as possible following the notice of termination, but no later than ten (10) days after the notice of termination, Consultant will deliver to City all City information or material that Consultant has in its possession.

D. Notwithstanding any other provisions of this Agreement, because the services performed by Consultant result in corrections of misallocations and other revenue after cessation of services performed by Consultant for the City, the City agrees that with regards to misallocations identified to the California Department of Tax and Fee Administration (CDTFA) whose Date of Knowledge (as defined in Exhibit B) occurred during Consultant performance of services for the City or for other revenue resulting from Consultant actions taken during the term of the Agreement, that the City's obligation to pay Consultant in accordance with the compensation language of the Agreement will survive expiration or termination of the Agreement for any reason. Additionally, notwithstanding any other provisions of the Agreement, if the Agreement is terminated or expires, Consultant will continue to pursue corrections of accounts identified during the term of the Agreement that have not been corrected by the CDTFA as

of the effective date of termination or expiration. The period after termination during which Consultant is pursuing correction of accounts identified before termination is referred to as the “completion period.” The City will compensate Consultant in accordance with the compensation language contained in Exhibit B for corrected misallocations that result from Consultant efforts during the completion period. The City will also take all necessary steps to allow Consultant to continue to receive the required information from the CDTFA during this completion period.

9. ASSIGNMENT AND SUBCONTRACTING

City and Consultant bind themselves, their successors and assigns to all covenants of this Agreement. This Agreement shall not be assigned or transferred without the prior written approval of City. Consultant shall not hire subcontractors without express written permission from City.

Consultant shall be as fully responsible to City for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by them, as Consultant is for the acts and omissions of persons directly employed by it.

10. NO THIRD PARTY BENEFICIARY

This Agreement shall not be construed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

11. INDEPENDENT CONTRACTOR

Consultant and all person(s) employed by or contracted with Consultant to furnish labor and/or materials under this Agreement are independent contractors and do not act as agent(s) or employee(s) of City. Consultant has full rights to manage its employees in their performance of Services under this Agreement.

12. CONFIDENTIALITY OF MATERIAL

A. All ideas, memoranda, specifications, plans, manufacturing procedures, data, drawings, descriptions, documents, discussions or other information developed or received by or for Consultant and all other written information submitted to Consultant in connection with the performance of this Agreement shall be held confidential by Consultant and shall not, without the prior written consent of City, be used for any purposes other than the performance of the Services nor be disclosed to an entity not connected with performance of the Services. Nothing furnished to Consultant which is otherwise known to Consultant or becomes generally known to the related industry shall be deemed confidential.

B. Confidentiality Requirements Section 7056 of the State of California Revenue and Taxation code specifically limits the disclosure of

confidential taxpayer information contained in the records of the California Department of Tax and Fee Administration. This section specifies the conditions under which a City may authorize persons other than City officers and employees to examine State Sales, Use and Transactions Tax records. The following conditions specified in Section 7056 (b), (1) of the State of California Revenue and Taxation Code are hereby made part of this agreement: (i) Consultant is authorized by this Agreement to examine sales, use or transactions a retailer, as defined in California Revenue & Taxation Code Section 6015, during the and use tax records of the Department of Tax and Fee Administration provided to City pursuant to contract under the Bradley-Burns Uniform Sales and Use Tax Law; (ii) Consultant is required to disclose information contained in, or derived from, those sales, use or transactions and use tax records only to an officer or employee of the City who is authorized by resolution to examine the information; (iii) Consultant is prohibited from performing consulting services for a retailer during the term of this Agreement; (iv) Consultant is prohibited from retaining the information contained in, or derived from those sales or transactions and use tax records, after this Agreement has expired. Information obtained by examination of Department of Tax and Fee Administration records shall be used only for purposes related to collection of local sales and use tax or for other governmental functions of the City as set forth by resolution adopted pursuant to Section 7056 (b) of the Revenue and Taxation Code. The resolution shall designate the Consultant as a person, authorized to examine sales and use tax records and certify that this Agreement meets the requirements set forth above and in Section 7056 (b), (1) of the Revenue and Taxation Code.

13. OWNERSHIP OF MATERIAL

All material, which shall include, but not be limited to, data, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports, designs, technology, programming, works of authorship and other material developed, collected, prepared or caused to be prepared under this Agreement shall be the property of City but Consultant may retain and use copies thereof. City shall not be limited in any way or at any time in its use of said material. However, Consultant shall not be responsible for damages resulting from the use of said material for work other than Project, including, but not limited to, the release of this material to third parties.

14. RIGHT OF CITY TO INSPECT RECORDS OF CONSULTANT

City, through its authorized employees, representatives or agents shall have the right during the term of this Agreement and for four (4) years from the date of final payment for goods or services provided under this Agreement, to audit the books and records of Consultant for the purpose of verifying any and all charges

made by Consultant in connection with Consultant compensation under this Agreement, including termination of Consultant. Consultant agrees to maintain sufficient books and records in accordance with generally accepted accounting principles to establish the correctness of all charges submitted to City. Any expenses not so recorded shall be disallowed by City. Consultant shall bear the cost of the audit if the audit determines that there has been a substantial billing deviation in excess of five (5) percent adverse to the City.

Consultant shall submit to City any and all reports concerning its performance under this Agreement that may be requested by City in writing. Consultant agrees to assist City in meeting City's reporting requirements to the State and other agencies with respect to Consultant's Services hereunder.

15. HOLD HARMLESS/INDEMNIFICATION

A. To the extent permitted by law, Consultant agrees to protect, defend, hold harmless and indemnify City, its City Council, commissions, officers, employees, volunteers and agents from and against any claim, injury, liability, loss, cost, and/or expense or damage, including all costs and attorney's fees in providing a defense to any such claim or other action, and whether sounding in law, contract, tort, or equity, in any manner arising from, or alleged to arise in whole or in part from, or in any way connected with the Services performed by Consultant pursuant to this Agreement – including claims of any kind by Consultant's employees or persons contracting with Consultant to perform any portion of the Scope of Services – and shall expressly include passive or active negligence by City connected with the Services. However, the obligation to indemnify shall not apply if such liability is ultimately adjudicated to have arisen through the sole active negligence or sole willful misconduct of City; the obligation to defend is not similarly limited.

B. Consultant's obligation to protect, defend, indemnify, and hold harmless in full City and City's employees, shall specifically extend to any and all employment-related claims of any type brought by employees, contractors, subcontractors or other agents of Contractor, against City (either alone, or jointly with Contractor), regardless of venue/jurisdiction in which the claim is brought and the manner of relief sought.

C. To the extent Contractor is obligated to provide health insurance coverage to its employees pursuant to the Affordable Care Act ("Act") and/or any other similar federal or state law, Contractor warrants that it is meeting its obligations under the Act and will fully indemnify and hold harmless City for any penalties, fines, adverse rulings, or tax payments associated with Consultant's responsibilities under the Act.

16. INSURANCE REQUIREMENTS

During the term of this Agreement, and for any time period set forth in Exhibit C, Consultant shall provide and maintain in full force and effect, at no cost to City, insurance policies as set forth in Exhibit C.

17. WAIVER

Consultant agrees that waiver by City of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement. Neither City's review, acceptance nor payments for any of the Services required under this Agreement shall be constructed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

18. NOTICES

All notices to the Parties shall, unless otherwise requested in writing, be sent to City addressed as follows:

City of Santa Clara
Attention: Finance Department
1500 Warburton Avenue
Santa Clara, CA 95050
and by e-mail at MMcCahan@SantaClaraCA.gov, and
manager@santaclaraca.gov

And to Consultant addressed as follows:

MuniServices, LLC
7625 N. Palm Avenue
Suite 108
Fresno, CA 93711
Attention: Contracts Department
and by e-mail at contracts@avenuinsights.com and
Thomas.adams@avenuinsights.com

The workday the e-mail was sent shall control the date notice was deemed given. An e-mail transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following business day.

19. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable laws and regulations of the federal, state and local government, including but not limited to "The Code of the City of Santa Clara, California" ("SCCC"). In particular, Consultant's attention is called to the regulations regarding Campaign Contributions (SCCC Chapter 2.130), Lobbying (SCCC Chapter 2.155), Minimum Wage (SCCC Chapter 3.20),

Business Tax Certificate (SCCC section 3.40.060), and Food and Beverage Service Worker Retention (SCCC Chapter 9.60), as such Chapters or Sections may be amended from time to time or renumbered. Additionally Consultant has read and agrees to comply with City's Ethical Standards (http://santaclaraca.gov/home/showdocument?id=58299).

20. CONFLICTS OF INTEREST

Consultant certifies that to the best of its knowledge, no City officer, employee or authorized representative has any financial interest in the business of Consultant and that no person associated with Consultant has any interest, direct or indirect, which could conflict with the faithful performance of this Agreement. Consultant is familiar with the provisions of California Government Code section 87100 and following, and certifies that it does not know of any facts which would violate these code provisions. Consultant will advise City if a conflict arises.

21. FAIR EMPLOYMENT

Consultant shall not discriminate against any employee or applicant for employment because of race, sex, color, religion, religious creed, national origin, ancestry, age, gender, marital status, physical disability, mental disability, medical condition, genetic information, sexual orientation, gender expression, gender identity, military and veteran status, or ethnic background, in violation of federal, state or local law.

22. NO USE OF CITY NAME OR EMBLEM

Consultant shall not use City's name, insignia, or emblem, or distribute any information related to services under this Agreement in any magazine, trade paper, newspaper or other medium without express written consent of City.

23. GOVERNING LAW AND VENUE

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California. The venue of any suit filed by either Party shall be vested in the state courts of the County of Santa Clara, or if appropriate, in the United States District Court, Northern District of California, San Jose, California.

24. SEVERABILITY CLAUSE

In case any one or more of the provisions in this Agreement shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions, which shall remain in full force and effect.

25. AMENDMENTS

This Agreement may only be modified by a written amendment duly authorized and executed by the Parties to this Agreement.

26. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form: Dated: _____

BRIAN DOYLE
City Attorney

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

MUNISERVICES, LLC DBA AVENU MUNISERVICES LLC
a Delaware limited liability company

Dated: 4/29/2021

By (Signature): Mike Melka

Name: Mike Melka

Title: Chief Financial Officer

Principal Place of Business Address: 5860 Trinity Parkway, Ste 120, Centreville VA 20120

Email Address: Mike.melka@avenuinsights.com

Telephone: (571) 441-2793

Fax: ( )

"CONSULTANT"

EXHIBIT A
SCOPE OF SERVICES

1. GENERAL

1.1. Sales tax is the City's General Fund's second largest revenue source, and one of its most volatile. The City's current sales tax rate is 9%, of which the City of Santa Clara receives 1%. For every $100 dollars spent in Santa Clara on taxable purchases, $9.00 is collected in sales tax of which the City of Santa Clara receives $1.00.

1.2. To the extent not inconsistent with this Agreement between the City and Consultant including this Scope of Services, the City's RFP 20-21-32 (including subsequent updates), Consultant's proposal response dated November 17, 2020 and Consultant's oral demonstration materials dated February 2, 2021 are hereby incorporated by reference herein, and shall supplement this Scope of Services and be subject to the terms and conditions of the Agreement.

2. CONDUCT AUDITS

Consultant shall examine all sales and use tax records of the California Department of Tax and Fee Administration (CDTFA) pertaining to sales and use tax collected by the CDTFA on behalf of the City and perform ongoing sales tax audits in order to identify and correct "point of sale" and use tax distribution errors and thereby generate previously unrealized sales and use tax revenue for the City. Consultant's sales and use tax audit services shall, at minimum, include five distinct types of audits and services, as follows:

2.1. **Nexus Field Audits.** Consultant's initial and periodic taxable nexus field audits shall include a physical canvassing and evaluation of sales/use tax generating businesses located in the City to detect misallocations. Consultant's field audits shall focus on those businesses located in the City from which the City has not been receiving sales/use tax revenue.

2.2. **Tax Area Code (TAC)/Permit Audits.** Consultant's field audits shall facilitate the identification and correction of improperly registered permits and tax area code for companies including, but not limited to, wholesalers, contractors, processors, manufacturers and other non-retail businesses having potential point-of-sale / use tax operations in the City.

2.3. **Deficiency Assessment Audits.** Consultant shall detect and correct CDTFA deficiency assessment misallocations and shall maximize the benefits produced by Consultant's allocation audit service for City.

2.4. **Accounts Payable Audits.** Consultant's accounts payable audits shall include a review of the City's purchases to identify opportunities for the City to capture the current local allocation on purchases subject to use tax and the local district tax where applicable. In this regard, Consultant shall prepare the documentation to facilitate the City's election of such taxes, including assistance in preparing and filing the City's tax returns.

2.5. **Quarterly Distribution Report Audits.** Beginning July 1, 2021 and every three months thereafter, Consultant shall provide the City with a Quarterly Distribution

Report (QDR) with the local allocation amount reflected by sales tax permit number. Consultant's QDR audits shall detect and correct taxpayer reporting errors and thereby generate new, previously unrealized sales/use tax revenue for the City.

3. CORRECT REPORTING ERRORS

Consultant shall contact personnel in sales, operations and/or tax accounting at each target business to determine whether a point-of-sale/use reporting error exists. Consultant shall provide information requested by the taxpayers that may assist the taxpayer in completing and filing corrected tax returns.

4. PROVIDE DATA ON REPORTING ERRORS

Consultant shall provide the City and CDTFA with reports addressing each taxpayer reporting error. Consultant shall respond to negative findings by CDTFA with timely reconfirmation documentation in order to preserve the City's original Dates of Knowledge (defined as the quarters during which Consultant notifies the CDTFA of the existence of a misallocation). Consultant shall also coordinate corrective action with taxpayers and CDTFA and represent the City before state officials, boards, commissions and committees for the purpose of correcting sales tax distribution errors that have deprived the City of revenue to which it is entitled. This includes representing the City at hearings before the CDTFA related to incorrect allocations of tax.

5. TRACK AUDIT FINDING REVENUE ALLOCATION

Consultant shall provide quarterly invoices to the City which shall include the business name, audit period start date, permit number, cumulative local allocation amount received by City and the amount due to Consultant. Consultant shall also track all eligible quarters to be invoiced based on the actual tax return quarter (not payment distribution quarter, which can contain multiple quarters) and reconciled with the QDR from the CDTFA, which will be provided with Consultant's invoice.

6. PROVIDE SALES AND USE TAX TRAINING AND ASSISTANCE

6.1. Consultant shall provide City employees with training and assistance when requested by City on the fundamentals of sales and use tax and on programs to maximize these revenues through the encouragement of taxpayer options to take out direct payment permits, or self-accrue use tax to the City.

6.2. Consultant shall identify opportunities for the City to recover local allocation on purchase transactions subject to use tax. Consultant shall prepare the necessary documentation to facilitate recovery, including assistance in preparing and filing the returns. Consultant shall also assist the City in analyzing City vendors for potential use tax opportunities and shall identify purchases over $500,000 that qualify for use tax self-accrual.

7. PROVIDE SALES AND USE TAX DATA

7.1. Consultant shall provide current and historical sales tax data on sales tax remittances at the payor level and with the following data types: fiscal year and quarter of remittance (to understand trends in cash received); fiscal year and quarter

of revenue earned (to understand trends in economic activity); high level economic sector (e.g. general retail, business-to-business) and more detailed subsector identifier (e.g. apparel stores) and/or four-digit NAICS code and CDTFA category if possible to facilitate comparisons; address, organized into geocode or other neighborhood designation; and name of owner or permit holder. Consultant shall provide its proprietary Sales Tax Reporting software titled “Clearview”. Data shall be available in a format allowing the City to export data into a Microsoft Access and/or Excel-compatible format allowing for integration of various databases, such as business license and property tax. Consultant shall provide City staff with training on the use of any proprietary system. Consultant shall also provide comparable aggregate quarterly sales and use tax data by economic segment for the state as a whole and for as many California counties and Bay Area cities as possible.

7.2. Data shall be updated quarterly as soon as possible following receipt from the CDTFA while maintaining an option to retrieve historical sales tax remittances data for all payers regardless of their current tax payment status. Consultant shall either provide geographical data mapping capability in its proprietary system or provide City staff with address data in a format which would allow staff to export and map data.

8. PROVIDE SALES AND USE TAX ANALYSES AND REPORTS

8.1. Beginning July 1, 2021 and every three months thereafter, Consultant shall provide quarterly analyses and reports on the City's sales and use tax trends in relationship to the State and surrounding market region as well as by individual businesses, business type and geographic areas specified by the City. Consultant shall provide sales and use tax revenue forecasting as well as forecasts or data that would assist City staff in projecting Proposition 172 public safety sales tax. These data could include, but are not limited to, projected local and statewide sales tax receipts and Santa Clara’s Proposition 172 pro rata share of sales tax receipts.

8.2. Consultant shall provide the City with specialized charts and data tables, presentation data and presenters for public meetings and events, and provide the City with business specific revenue estimates, and economic development consulting. The Consultant shall provide a quarterly summary of economic news that is one quarter more current than the most current sales tax data availability for the City’s use in making projections.

9. PROVIDE SALES AND USE TAX PROJECTIONS AND LEGISLATIVE SUPPORT

9.1. Consultant shall serve as the City’s resource and provide assistance, resolution, and follow-up services on sales and use tax related questions including budget projections, legislative and regulation issues and economic development.

9.2. With regard to legislative and regulatory issues, Consultant shall, on behalf of the City:

9.2.1. Remain attentive in its action on any future proposed changes to regulatory language in CDTFA regulations related to the situs-based allocation of sales tax revenues and the formal practicing rules, which govern how Consultant pursues the collection of revenues.

9.2.2. Take action, subject to City review and approval, on measures that threaten and delay revenue cash flows to the City. This could include attending legislative hearings and explaining to the City the potential effect of proposed legislation on the City.

9.2.3. Advocate and provide problem-solving and resolution assistance to City on issues as needed and as requested by City. Consultant will work with City staff to develop language for review and approval by the City that would preserve, protect and enhance City revenues.

9.3. With regard to budget projections, Consultant shall provide the City with a forecast of the current year and the ten (10) upcoming fiscal years, including quarterly estimates. The forecast shall include the prior three fiscal years of actual sales tax receipts by quarter for reference. The forecast shall also include annual Prop. 172 Sales Tax estimates. The major forecast assumptions (e.g., assumed inflation, economic conditions, one-time adjustments) are to be identified.

10. ADDITIONAL CONSULTING SERVICES

In conjunction with Consultant's audit services, Consultant shall provide additional consulting services at any time during the term of the Agreement. Additional services shall be on time and materials basis or negotiated on a lump sum basis.

EXHIBIT B
SCHEDULE OF FEES

1. MAXIMUM COMPENSATION

The total maximum compensation the City will pay the Consultant under this Agreement shall not exceed **One Million Five Hundred Thousand Dollars ($1,500,000)** during the term of the Agreement. Any additional fees, costs and expenses requested by the City that would exceed the preceding maximum amount will be addressed in an Amendment to the Agreement.

All services or work under this Agreement shall be paid in accordance with the provisions of Sections 2 - 4.

2. CONTINGENCY FEE

Compensation for the Sales, Use and Transactions Tax auditing service is contingent on the amount of revenue recovered by Consultant, according to the following schedule:

Tier	Recovered Revenue[1]	Contingency Fee
1	$1 - $1,000,000	13% Contingency Fee for Recovered Revenue
2	$1,000,001 - $2,500,000	12% Contingency Fee for Recovered Revenue
3	over $2,500,000	10% Contingency Fee for Recovered Revenue

[1]Recovered Revenue shall be the cumulative amount during the full term of the Agreement (July 1, 2021 through June 30, 2026).

This contingency fee applies to revenue received for the three (3) quarters prior to the Date of Knowledge quarter, the Date of Knowledge quarter, and the five (5) quarters after the Date of Correction for a total of nine (9) quarters per misallocation petition filed under this contract on behalf of the City.

The Date of Knowledge is the quarter during which Consultant notifies the CDTFA of the existence of a misallocation. The Date of Correction refers to the quarter in which the taxpayer has correctly reported the local tax and the CDTFA distributes the local tax properly to City based on the taxpayer's reporting, together with any prior period reallocations. For QDR Misallocations detected and corrected, Consultant compensation will only include the quarters in which the misallocation actually occurred.

For clarification and to encourage communication and collaboration between Consultant and the City, Consultant shall be entitled to full payment of all compensation as provided herein even if any one or more of City, its personnel, agents, or representatives, or any third party or parties provide(s) information to Consultant that assists or is used by Consultant in the identification, detection, and correction of point-of-sale distribution errors or the reporting and/or misallocation of revenue.

Should the City identify, document, and notify the CDTFA in writing of a point-of-sale distribution error, reporting error or misallocation as those terms are used herein, the City agrees to notify Consultant of the City's discovery no later than ten (10) days after the Date of Knowledge as defined in Title 18 of the California Code of Regulations, Regulation 1807 ("Date of Knowledge If the City fails to so notify Consultant as provided above and Consultant later detects,

documents, and reports the misallocation or reporting error to the CDTFA, or if Consultant has established a Date of Knowledge with the CDTFA prior to notification to the Board by the City, then Consultant is entitled to full compensation for the affected account as provided herein.

Consultant shall not be reimbursed for any expenses incurred in the performance of this Agreement, unless previously approved in writing by the City.

3. CLEARVIEW REPORTING TOOL

Clearview is available for annual fixed fee of $2,000 paid $500 quarterly. The annual fee will be adjusted at the beginning of each calendar year by the percentage change in the Consumer Price Index that pertains to the City's particular geographic area as reported by the Bureau of Labor Statistics. The initial Consumer Price Index used for the first CPI adjustment will be the CPI for the month in which the agreement is fully signed with the first adjustment to occur at the beginning of the calendar year following the first full calendar year of service.

A new edition of the Clearview software will be available along with the option to purchase additional services (such as GIS based tools). New Clearview services which involve an additional fee (such as GIS) will be available at a mutually agreed upon additional price.

4. ADDITIONAL SERVICES

The following hourly rates will only be utilized to the extent the City requests Consultant to perform services outside the defined scope of services. These hourly rates are subject to change at the beginning of each calendar year by the percentage change in the Consumer Price Index that pertains to the City's particular geographic area as reported by the Bureau of Labor Statistics. The initial Consumer Price Index (CPI) used for the first CPI adjustment will be the CPI for the month in which the agreement is fully signed with the first adjustment to occur at the beginning of the calendar year following the first full calendar year of service. Any additional services shall require prior written approval by the City.

Position	Hourly Rate
Principal	$200
Project Manager	$175
Client Services Executive	$150
Senior Analyst	$125
Information Technology	$175
Analyst	$100
Administrative	$75

5. INVOICING

Consultant will bill City on a monthly basis for Services provided by Consultant during the preceding month on an invoice and in a format approved by City and subject to verification and approval by City. City will pay Consultant within thirty (30) days of City's receipt of an approved invoice.

EXHIBIT C
INSURANCE REQUIREMENTS

Without limiting the Consultant's indemnification of the City, and prior to commencing any of the Services required under this Agreement, the Consultant shall provide and maintain in full force and effect during the period of performance of the Agreement and for twenty-four (24) months following acceptance by the City, at its sole cost and expense, the following insurance policies from insurance companies authorized to do business in the State of California. These policies shall be primary insurance as to the City of Santa Clara so that any other coverage held by the City shall not contribute to any loss under Consultant's insurance. The minimum coverages, provisions and endorsements are as follows:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:

   $1,000,000 Each Occurrence
   $2,000,000 General Aggregate
   $2,000,000 Products/Completed Operations Aggregate
   $1,000,000 Personal Injury

2. Exact structure and layering of the coverage shall be left to the discretion of Consultant; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.

3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Consultant to comply with the insurance requirements of this Agreement:

   a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;

   b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and

   c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01 with policy limits a minimum limit of not less than one million dollars ($1,000,000) each accident using, or providing coverage at

least as broad as, Insurance Services Office form CA 00 01. Liability coverage shall apply to all owned (if any), non-owned and hired autos.

In the event that the Work being performed under this Agreement involves transporting of hazardous or regulated substances, hazardous or regulated wastes and/or hazardous or regulated materials, Consultant and/or its subcontractors involved in such activities shall provide coverage with a limit of one million dollars ($1,000,000) per accident covering transportation of such materials by the addition to the Business Auto Coverage Policy of Environmental Impairment Endorsement MCS90 or Insurance Services Office endorsement form CA 99 48, which amends the pollution exclusion in the standard Business Automobile Policy to cover pollutants that are in or upon, being transported or towed by, being loaded onto, or being unloaded from a covered auto.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars ($1,000,000) policy limit Bodily Injury by disease, one million dollars ($1,000,000) each accident/Bodily Injury and one million dollars ($1,000,000) each employee Bodily Injury by disease.

2. The indemnification and hold harmless obligations of Consultant included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Consultant or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).

3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

D. PROFESSIONAL LIABILITY

Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designed to protect against negligent acts, errors or omissions of the Consultant. Covered services as designated in the policy must specifically include work performed under this agreement. Coverage shall be in an amount of not less than one million dollars ($1,000,000) per claim or two million dollars ($2,000,000) aggregate. Any coverage containing a deductible or self-retention must first be approved in writing by the City Attorney's Office.

E. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents are hereby added as additional insureds in respect to liability arising out of Consultant's work for City, using Insurance Services Office (ISO) Endorsement CG 20 10 11 85, or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.

2. Primary and non-contributing. Each insurance policy provided by Consultant shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the indemnities may possess, including any self-insurance or self-insured retention they may have. Any other insurance indemnities may possess shall be considered excess insurance only and shall not be called upon to contribute with Consultant's insurance.

3. Cancellation.

   a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least ten (10) days prior to the effective date of non-renewal.

   b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.

4. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through E of this Exhibit C, above.

F. ADDITIONAL INSURANCE RELATED PROVISIONS

Consultant and City agree as follows:

1. Consultant agrees to ensure that subcontractors, and any other party involved with the Services, who is brought onto or involved in the performance of the Services by Consultant, provide the same minimum

insurance coverage required of Consultant, except as with respect to limits. Consultant agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Consultant agrees that upon request by City, all agreements with, and insurance compliance documents provided by, such subcontractors and others engaged in the project will be submitted to City for review.

2. Consultant agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Consultant for the cost of additional insurance coverage required by this Agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.

3. The City reserves the right to withhold payments from the Consultant in the event of material noncompliance with the insurance requirements set forth in this Agreement.

G. EVIDENCE OF COVERAGE

Prior to commencement of any Services under this Agreement, Consultant, and each and every subcontractor (of every tier) shall, at its sole cost and expense, provide and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Agreement. Such insurance coverage shall be maintained with insurers, and under forms of policies, satisfactory to City and as described in this Agreement. Consultant shall file with the City all certificates and endorsements for the required insurance policies for City's approval as to adequacy of the insurance protection.

H. EVIDENCE OF COMPLIANCE

Consultant or its insurance broker shall provide the required proof of insurance compliance, consisting of Insurance Services Office (ISO) endorsement forms or their equivalent and the ACORD form 25-S certificate of insurance (or its equivalent), evidencing all required coverage shall be delivered to City, or its representative as set forth below, at or prior to execution of this Agreement. Upon City's request, Consultant shall submit to City copies of the actual insurance policies or renewals or replacements. Unless otherwise required by the terms of this Agreement, all certificates, endorsements, coverage verifications and other items required to be delivered to City pursuant to this Agreement shall be e-mailed to ctsantaclara@ebix.com:

Or by mail to:
EBIX Inc.
City of Santa Clara – Finance Department

P.O. Box 100085 – S2
Duluth, GA 30096
Telephone number: 951-766-2280
Fax number: 770-325-0409

I. QUALIFYING INSURERS

All of the insurance companies providing insurance for Consultant shall have, and provide written proof of, an A. M. Best rating of at least A minus 6 (A- VI) or shall be an insurance company of equal financial stability that is approved by the City or its insurance compliance representative.

EBIX Insurance No. S200003738

AGREEMENT FOR SERVICES BETWEEN THE CITY OF SANTA CLARA, CALIFORNIA, AND HDL COREN & CONE

PREAMBLE

This Agreement is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and HdL Coren & Cone, a California corporation (Consultant). City and Consultant may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

A. City desires to secure the services more fully described in this Agreement, at Exhibit A, entitled "Scope of Services";

B. Consultant represents that it, and its subcontractors, if any, have the professional qualifications, expertise, necessary licenses and desire to provide certain goods and/or required services of the quality and type which meet objectives and requirements of City; and,

C. The Parties have specified herein the terms and conditions under which such services will be provided and paid for.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AGREEMENT DOCUMENTS

The documents forming the entire Agreement between City and Consultant shall consist of these Terms and Conditions and the following Exhibits, which are hereby incorporated into this Agreement by this reference:

Exhibit A – Scope of Services

Exhibit B – Schedule of Fees

Exhibit C – Insurance Requirements

This Agreement, including the Exhibits set forth above, contains all the agreements, representations and understandings of the Parties, and supersedes and replaces any previous agreements, representations and understandings,

whether oral or written. In the event of any inconsistency between the provisions of any of the Exhibits and the Terms and Conditions, the Terms and Conditions shall govern and control.

2. TERM OF AGREEMENT

Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on July 1, 2021 and terminate on June 30, 2026.

3. SCOPE OF SERVICES & PERFORMANCE SCHEDULE

Consultant shall perform those Services specified in Exhibit A within the time stated in Exhibit A. Time is of the essence.

4. WARRANTY

Consultant expressly warrants that all materials and services covered by this Agreement shall be fit for the purpose intended, shall be free from defect and shall conform to the specifications, requirements and instructions upon which this Agreement is based. Consultant agrees to promptly replace or correct any incomplete, inaccurate or defective Services at no further cost to City when defects are due to the negligence, errors or omissions of Consultant. If Consultant fails to promptly correct or replace materials or services, City may make corrections or replace materials or services and charge Consultant for the cost incurred by City.

5. QUALIFICATIONS OF CONSULTANT - STANDARD OF CARE

Consultant represents and maintains that it has the expertise in the professional calling necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and City expressly relies upon Consultant's representations regarding its skills and knowledge. Consultant shall perform such Services and duties in conformance to and consistent with the professional standards of a specialist in the same discipline in the State of California.

6. CONFLICT OF INTEREST (FORM 700)

In accordance with the California Political Reform Act (Government Code section 81000 et seq.) and the City's Conflict of Interest Code, Consultant shall cause each person who will be principally responsible for providing the service and deliverables under this Agreement as having to file a Form 700 to do each of the following:

A. Complete and file the Form 700 no later than thirty (30) calendar days after the date the person begins performing services under the Agreement

and all subsequent Form 700s in conformance with the requirements specified in the California Political Reform Act; and

B. File the Form 700 with the City's Clerk Office.

7. COMPENSATION AND PAYMENT

In consideration for Consultant's complete performance of Services, City shall pay Consultant for all materials provided and Services rendered by Consultant in accordance with Exhibit B, entitled "SCHEDULE OF FEES." The maximum compensation of this Agreement is set forth in Exhibit B, subject to budget appropriations, which includes all payments that may be authorized for Services and for expenses, supplies, materials and equipment required to perform the Services. All work performed or materials provided in excess of the maximum compensation shall be at Consultant's expense. Consultant shall not be entitled to any payment above the maximum compensation under any circumstance.

8. TERMINATION

A. Termination for Convenience. City shall have the right to terminate this Agreement, without cause or penalty, by giving not less than Thirty (30) days' prior written notice to Consultant.

B. Termination for Default. If Consultant fails to perform any of its material obligations under this Agreement, in addition to all other remedies provided by law, City may terminate this Agreement immediately upon written notice to Consultant.

C. Upon termination, each Party shall assist the other in arranging an orderly transfer and close-out of services. As soon as possible following the notice of termination, but no later than ten (10) days after the notice of termination, Consultant will deliver to City all City information or material that Consultant has in its possession.

9. ASSIGNMENT AND SUBCONTRACTING

City and Consultant bind themselves, their successors and assigns to all covenants of this Agreement. This Agreement shall not be assigned or transferred without the prior written approval of City. Consultant shall not hire subcontractors without express written permission from City.

Consultant shall be as fully responsible to City for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by them, as Consultant is for the acts and omissions of persons directly employed by it.

10. NO THIRD PARTY BENEFICIARY

This Agreement shall not be construed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

11. INDEPENDENT CONTRACTOR

Consultant and all person(s) employed by or contracted with Consultant to furnish labor and/or materials under this Agreement are independent contractors and do not act as agent(s) or employee(s) of City. Consultant has full rights to manage its employees in their performance of Services under this Agreement.

12. CONFIDENTIALITY OF MATERIAL

All ideas, memoranda, specifications, plans, manufacturing procedures, data, drawings, descriptions, documents, discussions or other information developed or received by or for Consultant and all other written information submitted to Consultant in connection with the performance of this Agreement shall be held confidential by Consultant and shall not, without the prior written consent of City, be used for any purposes other than the performance of the Services nor be disclosed to an entity not connected with performance of the Services. Nothing furnished to Consultant which is otherwise known to Consultant or becomes generally known to the related industry shall be deemed confidential.

Non-Disclosure of Proprietary Information

In performing its duties under this Agreement, Consultant will produce reports, technical information and other compilations of data to City. These reports, technical information and compilations of data are derived by Consultant using methodologies, formulae, programs, techniques and other processes designed and developed by Consultant at a substantial expense. Consultant's reports, technical information, compilations of data, methodologies, formulae, software, programs, techniques and other processes designed and developed by Consultant shall be referred to as Proprietary Information. Consultant's Proprietary Information is not generally known by the entities with which Consultant competes.

Consultant desires to protect its Proprietary Information. Accordingly, City agrees that neither it nor any of its employees, agents, independent contractors or other persons or organizations over which it has control, will at any time during or after the term of this Agreement, directly or indirectly use any of Consultant's Proprietary Information for any purpose not associated with Consultant's activities. Further, City agrees that it nor any of its employees, agents, independent contractors or other persons or organizations over which it has control, will disseminate or disclose any of Consultant's Proprietary Information to any person or organization not connected with Consultant, without the express

written consent of Consultant unless required to do so as a matter of law or in connection with a legal proceeding.

Any use of the Proprietary Information or any other reports, records, documents, or other materials prepared by Consultant hereunder and/or use of uncompleted documents without specific written authorization by Consultant for purpose entirely unrelated to the Services will be at the City's sole risk and without liability to Consultant.

Release of Documents Pursuant to Public Records Act

Notwithstanding any other provision in this Agreement, all obligations relating to disclosure of Proprietary Information remain subject to the Freedom of Information Act or California Public Records Act, Cal. Gov't Code §§ 6250 et seq. (collectively, the "PRA"). The Parties intend that if City is served with a request for disclosure under the PRA, or any similar statute, the City in good faith will make the determination as to whether the material is disclosable or exempt under the statute. City shall advise Consultant in writing five (5) days prior to the intended disclosure of any decision to disclose Proprietary Information, and the reasons therefore, and if Consultant then timely advises City in writing that it objects to the disclosure, City shall not disclose the information. In such case, Consultant shall then be solely liable for defending the non-disclosure and shall indemnify and hold City harmless for such nondisclosure.

13. OWNERSHIP OF MATERIAL

All material, which shall include, but not be limited to, data, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports, designs, technology, programming, works of authorship and other material developed, collected, prepared or caused to be prepared under this Agreement shall be the property of City but Consultant may retain and use copies thereof. City shall not be limited in any way or at any time in its use of said material. However, Consultant shall not be responsible for damages resulting from the use of said material for work other than Project, including, but not limited to, the release of this material to third parties.

14. RIGHT OF CITY TO INSPECT RECORDS OF CONSULTANT

City, through its authorized employees, representatives or agents shall have the right during the term of this Agreement and for four (4) years from the date of final payment for goods or services provided under this Agreement, to audit the books and records of Consultant for the purpose of verifying any and all charges made by Consultant in connection with Consultant compensation under this Agreement, including termination of Consultant. Consultant agrees to maintain sufficient books and records in accordance with generally accepted accounting principles to establish the correctness of all charges submitted to City. Any expenses not so recorded shall be disallowed by City. Consultant shall bear the

cost of the audit if the audit determines that there has been a substantial billing deviation in excess of five (5) percent adverse to the City.

Consultant shall submit to City any and all reports concerning its performance under this Agreement that may be requested by City in writing. Consultant agrees to assist City in meeting City's reporting requirements to the State and other agencies with respect to Consultant's Services hereunder.

15. HOLD HARMLESS/INDEMNIFICATION

A. To the extent permitted by law, Consultant agrees to protect, defend, hold harmless and indemnify City, its City Council, commissions, officers, employees, volunteers and agents from and against any claim, injury, liability, loss, cost, and/or expense or damage, including all costs and attorney's fees in providing a defense to any such claim or other action, and whether sounding in law, contract, tort, or equity, in any manner arising from, or alleged to arise in whole or in part from, or in any way connected with the Services performed by Consultant pursuant to this Agreement – including claims of any kind by Consultant's employees or persons contracting with Consultant to perform any portion of the Scope of Services – and shall expressly include passive or active negligence by City connected with the Services. However, the obligation to indemnify shall not apply if such liability is ultimately adjudicated to have arisen through the sole active negligence or sole willful misconduct of City; the obligation to defend is not similarly limited.

B. Consultant's obligation to protect, defend, indemnify, and hold harmless in full City and City's employees, shall specifically extend to any and all employment-related claims of any type brought by employees, contractors, subcontractors or other agents of Contractor, against City (either alone, or jointly with Contractor), regardless of venue/jurisdiction in which the claim is brought and the manner of relief sought.

C. To the extent Contractor is obligated to provide health insurance coverage to its employees pursuant to the Affordable Care Act ("Act") and/or any other similar federal or state law, Contractor warrants that it is meeting its obligations under the Act and will fully indemnify and hold harmless City for any penalties, fines, adverse rulings, or tax payments associated with Contractor's responsibilities under the Act.

16. INSURANCE REQUIREMENTS

During the term of this Agreement, and for any time period set forth in Exhibit C, Consultant shall provide and maintain in full force and effect, at no cost to City, insurance policies as set forth in Exhibit C.

17. WAIVER

Consultant agrees that waiver by City of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement. Neither City's review, acceptance nor payments for any of the Services required under this Agreement shall be constructed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

18. NOTICES

All notices to the Parties shall, unless otherwise requested in writing, be sent to City addressed as follows:

City of Santa Clara
Attention: Finance Department
1500 Warburton Avenue
Santa Clara, CA 95050
and by e-mail at MMcCahan@SantaClaraCA.gov, and
manager@santaclaraca.gov

And to Consultant addressed as follows:

HdL Coren & Cone
Attention: Paula Cone
120 S. State College Blvd, Suite 200
Brea, CA 92821
and by e-mail at pcone@hdlccpropertytax.com

The workday the e-mail was sent shall control the date notice was deemed given. An e-mail transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following business day.

19. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable laws and regulations of the federal, state and local government, including but not limited to "The Code of the City of Santa Clara, California" ("SCCC"). In particular, Consultant's attention is called to the regulations regarding Campaign Contributions (SCCC Chapter 2.130), Lobbying (SCCC Chapter 2.155), Minimum Wage (SCCC Chapter 3.20), Business Tax Certificate (SCCC section 3.40.060), and Food and Beverage Service Worker Retention (SCCC Chapter 9.60), as such Chapters or Sections may be amended from time to time or renumbered. Additionally Consultant has read and agrees to comply with City's Ethical Standards (http://santaclaraca.gov/home/showdocument?id=58299).

20. CONFLICTS OF INTEREST

Consultant certifies that to the best of its knowledge, no City officer, employee or authorized representative has any financial interest in the business of Consultant and that no person associated with Consultant has any interest, direct or indirect, which could conflict with the faithful performance of this Agreement. Consultant is familiar with the provisions of California Government Code section 87100 and following, and certifies that it does not know of any facts which would violate these code provisions. Consultant will advise City if a conflict arises.

21. FAIR EMPLOYMENT

Consultant shall not discriminate against any employee or applicant for employment because of race, sex, color, religion, religious creed, national origin, ancestry, age, gender, marital status, physical disability, mental disability, medical condition, genetic information, sexual orientation, gender expression, gender identity, military and veteran status, or ethnic background, in violation of federal, state or local law.

22. NO USE OF CITY NAME OR EMBLEM

Consultant shall not use City's name, insignia, or emblem, or distribute any information related to services under this Agreement in any magazine, trade paper, newspaper or other medium without express written consent of City.

23. GOVERNING LAW AND VENUE

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California. The venue of any suit filed by either Party shall be vested in the state courts of the County of Santa Clara, or if appropriate, in the United States District Court, Northern District of California, San Jose, California.

24. SEVERABILITY CLAUSE

In case any one or more of the provisions in this Agreement shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions, which shall remain in full force and effect.

25. AMENDMENTS

This Agreement may only be modified by a written amendment duly authorized and executed by the Parties to this Agreement.

26. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form: Dated: _____

BRIAN DOYLE
City Attorney

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

HDL COREN & CONE
a California corporation

Dated: 03/31/2021
By (Signature): Paula J Cone
Name: Paula Cone
Title: President
Principal Place of Business Address: 120 S. State College Blvd, Suite 200 Brea, CA 92821
Email Address: pcone@hdlccpropertytax.com
Telephone: (714) 879-5000
Fax: ( )

"CONSULTANT"

EXHIBIT A
SCOPE OF SERVICES

1. GENERAL

1.1. Property tax is the largest General Fund revenue source for the City, representing approximately 27% of revenues. Under Proposition 13, the assessed valuation of properties held by the same owner from year to year is adjusted each year by the lesser of 2.0% or the percent change in the October to October California Consumer Price Index (CCPI). For FY 2020/21, the adjustment factor based on CCPI is 2.0%. Beyond the 2% inflation adjustment, growth in property tax receipts is driven by reassessments upon the sale of properties and new construction projects being added to the tax rolls. The City receives $10.19 of every $100 collected.

1.2. To the extent not inconsistent with this Agreement between the City and Consultant including this Scope of Services, the City's RFP 20-21-32 (including subsequent updates), Consultant's proposal response dated November 17, 2020 and Consultant's oral demonstration materials dated February 1, 2021 are hereby incorporated by reference herein, and shall supplement this Scope of Services and be subject to the terms and conditions of the Agreement.

2. SCOPE OF SERVICES.

Consultant shall perform the following property tax management services:

2.1. Ensure complete and accurate receipt and recording of property tax revenues, maintaining and enhancing the City's property tax revenue base.

2.2. Analyze and identify misallocated property taxes.

2.3. Provide an online database to allow designated City personnel to query the database for both secured and unsecured data. Pre-defined and user-defined custom reports are exportable to various file formats.

2.4. Represent the City for purposes of examining records pertaining to property tax to identify and confirm any errors/omissions that are resulting in deficient payment of tax revenues to the City.

2.5. For each error/omission identified and confirmed, prepare documentation to substantiate and facilitate recovery of revenue due from prior periods plus applicable interest and penalties.

2.6. Meet with designated City official(s) as necessary to review findings and recommendations.

2.7. Provide detailed analysis of the City's property taxes, including a summary of annual performance, description of performance by property type, identification of major increases or decreases in property values and largest property tax payers, comparison with prior year performance, identification of pending appeals, discussion of real estate trends and property sales history (including price and

number of transactions), and property tax revenue forecasting for the current year and the upcoming ten years.

2.8. Provide additional assistance as necessary to support the City in recovering and preventing tax allocation errors/omissions and serve as resource for City staff to answer questions relating to property tax and estimate current year property tax revenues.

2.9. Prepare and forward to the appropriate parties' requests for corrective action and revenue recovery for misallocation.

2.10. Provide training annually on accessing/using the web-based software and provide phone assistance or troubleshoot issues that arise between scheduled training events at no additional cost.

2.11. Monitor and report on issue related to property tax legislation and coordinate with City's staff in connection with passed and potential property tax legislation and regulations and the impact the legislation may have on the City. Any coordination required with City's state and federal lobbyists in connection for legislation/regulation relating to City's property tax revenue sources will be considered.

3. ADDITIONAL CONSULTING SERVICES

In conjunction with Consultant's audit services, Consultant shall provide additional consulting services at any time during the term of the Agreement. Additional services shall be on time and materials basis or negotiated on a lump sum basis.

EXHIBIT B
SCHEDULE OF FEES

1. MAXIMUM COMPENSATION

The total maximum compensation the City will pay the Consultant under this Agreement shall not exceed **One Hundred Thousand Dollars ($100,000)** during the term of the Agreement. Any additional fees, costs and expenses requested by the City that would exceed the preceding maximum amount will be addressed in an Amendment to the Agreement.

All services or work under this Agreement shall be paid in accordance with the provisions of Sections 2 - 3.

2. STANDARD AND CONTINGENCY FEES

Based on the number of 29,908 parcels within the City, Consultant's fees shall be as set forth in the table below.

Description	Amount
Standard fee for property tax services	$4,756.25 per quarter (up to 40,000 parcels)
Contingency fee	15% of net tax revenues recovered for the City in the audits performed over the period allowable by State statute (current year and three (3) prior lien date years). Net tax revenues mean the taxes received by the City through Consultant's audit efforts.
Access to web-based software	No additional cost.

The fees set forth above shall be fixed for the term of the Agreement.

Consultant shall not be reimbursed for any expenses incurred in the performance of this Agreement, unless previously approved in writing by the City.

3. ADDITIONAL SERVICES

The following hourly rates will only be utilized to the extent the City requests Consultant to perform services outside the defined scope of services. Any additional services shall require prior written approval by the City.

Position	Hourly Rate
Partner	$225
Principal	$195
Programmer	$175
Associate	$150
Senior Analyst	$100
Analyst	$65
Administrative	$45

4. INVOICING

City will pay Consultant within thirty (30) days of City's receipt of an approved invoice.

EXHIBIT C
INSURANCE REQUIREMENTS

Without limiting the Consultant's indemnification of the City, and prior to commencing any of the Services required under this Agreement, the Consultant shall provide and maintain in full force and effect during the period of performance of the Agreement and for twenty-four (24) months following acceptance by the City, at its sole cost and expense, the following insurance policies from insurance companies authorized to do business in the State of California. These policies shall be primary insurance as to the City of Santa Clara so that any other coverage held by the City shall not contribute to any loss under Consultant's insurance. The minimum coverages, provisions and endorsements are as follows:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:

   $1,000,000 Each Occurrence
   $2,000,000 General Aggregate
   $2,000,000 Products/Completed Operations Aggregate
   $1,000,000 Personal Injury

2. Exact structure and layering of the coverage shall be left to the discretion of Consultant; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.

3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Consultant to comply with the insurance requirements of this Agreement:

   a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;

   b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and

   c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01 with policy limits a minimum limit of not less than one million dollars ($1,000,000) each accident using, or providing coverage at

least as broad as, Insurance Services Office form CA 00 01. Liability coverage shall apply to all owned (if any), non-owned and hired autos.

In the event that the Work being performed under this Agreement involves transporting of hazardous or regulated substances, hazardous or regulated wastes and/or hazardous or regulated materials, Consultant and/or its subcontractors involved in such activities shall provide coverage with a limit of one million dollars ($1,000,000) per accident covering transportation of such materials by the addition to the Business Auto Coverage Policy of Environmental Impairment Endorsement MCS90 or Insurance Services Office endorsement form CA 99 48, which amends the pollution exclusion in the standard Business Automobile Policy to cover pollutants that are in or upon, being transported or towed by, being loaded onto, or being unloaded from a covered auto.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars ($1,000,000) policy limit Bodily Injury by disease, one million dollars ($1,000,000) each accident/Bodily Injury and one million dollars ($1,000,000) each employee Bodily Injury by disease.

2. The indemnification and hold harmless obligations of Consultant included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Consultant or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).

3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

D. PROFESSIONAL LIABILITY

Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designed to protect against negligent acts, errors or omissions of the Consultant. Covered services as designated in the policy must specifically include work performed under this agreement. Coverage shall be in an amount of not less than one million dollars ($1,000,000) per claim or two million dollars ($2,000,000) aggregate. Any coverage containing a deductible or self-retention must first be approved in writing by the City Attorney's Office.

E. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents are hereby added as additional insureds in respect to liability arising out of Consultant's work for City, using Insurance Services Office (ISO) Endorsement CG 20 10 11 85, or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.

2. Primary and non-contributing. Each insurance policy provided by Consultant shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the indemnities may possess, including any self-insurance or self-insured retention they may have. Any other insurance indemnities may possess shall be considered excess insurance only and shall not be called upon to contribute with Consultant's insurance.

3. Cancellation.

   a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least ten (10) days prior to the effective date of non-renewal.

   b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.

4. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through E of this Exhibit C, above.

F. ADDITIONAL INSURANCE RELATED PROVISIONS

Consultant and City agree as follows:

1. Consultant agrees to ensure that subcontractors, and any other party involved with the Services, who is brought onto or involved in the performance of the Services by Consultant, provide the same minimum

insurance coverage required of Consultant, except as with respect to limits. Consultant agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Consultant agrees that upon request by City, all agreements with, and insurance compliance documents provided by, such subcontractors and others engaged in the project will be submitted to City for review.

2. Consultant agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Consultant for the cost of additional insurance coverage required by this Agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.

3. The City reserves the right to withhold payments from the Consultant in the event of material noncompliance with the insurance requirements set forth in this Agreement.

G. EVIDENCE OF COVERAGE

Prior to commencement of any Services under this Agreement, Consultant, and each and every subcontractor (of every tier) shall, at its sole cost and expense, provide and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Agreement. Such insurance coverage shall be maintained with insurers, and under forms of policies, satisfactory to City and as described in this Agreement. Consultant shall file with the City all certificates and endorsements for the required insurance policies for City's approval as to adequacy of the insurance protection.

H. EVIDENCE OF COMPLIANCE

Consultant or its insurance broker shall provide the required proof of insurance compliance, consisting of Insurance Services Office (ISO) endorsement forms or their equivalent and the ACORD form 25-S certificate of insurance (or its equivalent), evidencing all required coverage shall be delivered to City, or its representative as set forth below, at or prior to execution of this Agreement. Upon City's request, Consultant shall submit to City copies of the actual insurance policies or renewals or replacements. Unless otherwise required by the terms of this Agreement, all certificates, endorsements, coverage verifications and other items required to be delivered to City pursuant to this Agreement shall be e-mailed to ctsantaclara@ebix.com:

Or by mail to:
EBIX Inc.
City of Santa Clara – Finance Department

P.O. Box 100085 – S2
Duluth, GA 30096
Telephone number: 951-766-2280
Fax number: 770-325-0409

I. QUALIFYING INSURERS

All of the insurance companies providing insurance for Consultant shall have, and provide written proof of, an A. M. Best rating of at least A minus 6 (A- VI) or shall be an insurance company of equal financial stability that is approved by the City or its insurance compliance representative

EBIX Insurance No. S200003050

AGREEMENT FOR SERVICES BETWEEN THE CITY OF SANTA CLARA, CALIFORNIA, AND MUNISERVICES, LLC DBA AVENU MUNISERVICES LLC

PREAMBLE

This Agreement is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and MuniServices, LLC, doing business as Avenu MuniServices LLC, a Delaware limited liability company (Consultant). City and Consultant may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

A. City desires to secure the services more fully described in this Agreement, at Exhibit A, entitled "Scope of Services";

B. Consultant represents that it, and its subcontractors, if any, have the professional qualifications, expertise, necessary licenses and desire to provide certain goods and/or required services of the quality and type which meet objectives and requirements of City; and,

C. The Parties have specified herein the terms and conditions under which such services will be provided and paid for.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AGREEMENT DOCUMENTS

The documents forming the entire Agreement between City and Consultant shall consist of these Terms and Conditions and the following Exhibits, which are hereby incorporated into this Agreement by this reference:

Exhibit A – Scope of Services

Exhibit B – Schedule of Fees

Exhibit C – Insurance Requirements

This Agreement, including the Exhibits set forth above, contains all the agreements, representations and understandings of the Parties, and supersedes

and replaces any previous agreements, representations and understandings, whether oral or written. In the event of any inconsistency between the provisions of any of the Exhibits and the Terms and Conditions, the Terms and Conditions shall govern and control.

2. TERM OF AGREEMENT

Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on July 1, 2021 and terminate on June 30, 2026.

3. SCOPE OF SERVICES & PERFORMANCE SCHEDULE

Consultant shall perform those Services specified in Exhibit A within the time stated in Exhibit A. Time is of the essence.

4. WARRANTY

Consultant expressly warrants that all materials and services covered by this Agreement shall be fit for the purpose intended, shall be free from defect and shall conform to the specifications, requirements and instructions upon which this Agreement is based. Consultant agrees to promptly replace or correct any incomplete, inaccurate or defective Services at no further cost to City when defects are due to the negligence, errors or omissions of Consultant. If Consultant fails to promptly correct or replace materials or services, City may make corrections or replace materials or services and charge Consultant for the cost incurred by City.

5. QUALIFICATIONS OF CONSULTANT - STANDARD OF CARE

Consultant represents and maintains that it has the expertise in the professional calling necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and City expressly relies upon Consultant's representations regarding its skills and knowledge. Consultant shall perform such Services and duties in conformance to and consistent with the professional standards of a specialist in the same discipline in the State of California.

6. CONFLICT OF INTEREST (FORM 700)

In accordance with the California Political Reform Act (Government Code section 81000 et seq.) and the City's Conflict of Interest Code, Consultant shall cause each person who will be principally responsible for providing the service and deliverables under this Agreement as having to file a Form 700 to do each of the following:

A. Complete and file the Form 700 no later than thirty (30) calendar days after the date the person begins performing services under the Agreement

and all subsequent Form 700s in conformance with the requirements specified in the California Political Reform Act; and

B. File the Form 700 with the City's Clerk Office.

7. COMPENSATION AND PAYMENT

In consideration for Consultant's complete performance of Services, City shall pay Consultant for all materials provided and Services rendered by Consultant in accordance with Exhibit B, entitled "SCHEDULE OF FEES." The maximum compensation of this Agreement is set forth in Exhibit B, subject to budget appropriations, which includes all payments that may be authorized for Services and for expenses, supplies, materials and equipment required to perform the Services. All work performed or materials provided in excess of the maximum compensation shall be at Consultant's expense. Consultant shall not be entitled to any payment above the maximum compensation under any circumstance.

8. TERMINATION

A. Termination for Convenience. City shall have the right to terminate this Agreement, without cause or penalty, by giving not less than Thirty (30) days' prior written notice to Consultant.

B. Termination for Default. If Consultant fails to perform any of its material obligations under this Agreement, in addition to all other remedies provided by law, City may terminate this Agreement immediately upon written notice to Consultant.

C. Upon termination, each Party shall assist the other in arranging an orderly transfer and close-out of services. As soon as possible following the notice of termination, but no later than ten (10) days after the notice of termination, Consultant will deliver to City all City information or material that Consultant has in its possession.

9. ASSIGNMENT AND SUBCONTRACTING

City and Consultant bind themselves, their successors and assigns to all covenants of this Agreement. This Agreement shall not be assigned or transferred without the prior written approval of City. Consultant shall not hire subcontractors without express written permission from City.

Consultant shall be as fully responsible to City for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by them, as Consultant is for the acts and omissions of persons directly employed by it.

10. NO THIRD PARTY BENEFICIARY

This Agreement shall not be construed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

11. INDEPENDENT CONTRACTOR

Consultant and all person(s) employed by or contracted with Consultant to furnish labor and/or materials under this Agreement are independent contractors and do not act as agent(s) or employee(s) of City. Consultant has full rights to manage its employees in their performance of Services under this Agreement.

12. CONFIDENTIALITY OF MATERIAL

All ideas, memoranda, specifications, plans, manufacturing procedures, data, drawings, descriptions, documents, discussions or other information developed or received by or for Consultant and all other written information submitted to Consultant in connection with the performance of this Agreement shall be held confidential by Consultant and shall not, without the prior written consent of City, be used for any purposes other than the performance of the Services nor be disclosed to an entity not connected with performance of the Services. Nothing furnished to Consultant which is otherwise known to Consultant or becomes generally known to the related industry shall be deemed confidential.

13. OWNERSHIP OF MATERIAL

All material, which shall include, but not be limited to, data, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports, designs, technology, programming, works of authorship and other material developed, collected, prepared or caused to be prepared under this Agreement shall be the property of City but Consultant may retain and use copies thereof. City shall not be limited in any way or at any time in its use of said material. However, Consultant shall not be responsible for damages resulting from the use of said material for work other than Project, including, but not limited to, the release of this material to third parties.

14. RIGHT OF CITY TO INSPECT RECORDS OF CONSULTANT

City, through its authorized employees, representatives or agents shall have the right during the term of this Agreement and for four (4) years from the date of final payment for goods or services provided under this Agreement, to audit the books and records of Consultant for the purpose of verifying any and all charges made by Consultant in connection with Consultant compensation under this Agreement, including termination of Consultant. Consultant agrees to maintain sufficient books and records in accordance with generally accepted accounting principles to establish the correctness of all charges submitted to City. Any expenses not so recorded shall be disallowed by City. Consultant shall bear the

cost of the audit if the audit determines that there has been a substantial billing deviation in excess of five (5) percent adverse to the City.

Consultant shall submit to City any and all reports concerning its performance under this Agreement that may be requested by City in writing. Consultant agrees to assist City in meeting City's reporting requirements to the State and other agencies with respect to Consultant's Services hereunder.

15. HOLD HARMLESS/INDEMNIFICATION

A. To the extent permitted by law, Consultant agrees to protect, defend, hold harmless and indemnify City, its City Council, commissions, officers, employees, volunteers and agents from and against any claim, injury, liability, loss, cost, and/or expense or damage, including all costs and attorney's fees in providing a defense to any such claim or other action, and whether sounding in law, contract, tort, or equity, in any manner arising from, or alleged to arise in whole or in part from, or in any way connected with the Services performed by Consultant pursuant to this Agreement – including claims of any kind by Consultant's employees or persons contracting with Consultant to perform any portion of the Scope of Services – and shall expressly include passive or active negligence by City connected with the Services. However, the obligation to indemnify shall not apply if such liability is ultimately adjudicated to have arisen through the sole active negligence or sole willful misconduct of City; the obligation to defend is not similarly limited.

B. Consultant's obligation to protect, defend, indemnify, and hold harmless in full City and City's employees, shall specifically extend to any and all employment-related claims of any type brought by employees, contractors, subcontractors or other agents of Contractor, against City (either alone, or jointly with Contractor), regardless of venue/jurisdiction in which the claim is brought and the manner of relief sought.

C. To the extent Contractor is obligated to provide health insurance coverage to its employees pursuant to the Affordable Care Act ("Act") and/or any other similar federal or state law, Contractor warrants that it is meeting its obligations under the Act and will fully indemnify and hold harmless City for any penalties, fines, adverse rulings, or tax payments associated with Contractor's responsibilities under the Act.

16. INSURANCE REQUIREMENTS

During the term of this Agreement, and for any time period set forth in Exhibit C, Consultant shall provide and maintain in full force and effect, at no cost to City, insurance policies as set forth in Exhibit C.

17. WAIVER

Consultant agrees that waiver by City of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement. Neither City's review, acceptance nor payments for any of the Services required under this Agreement shall be constructed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

18. NOTICES

All notices to the Parties shall, unless otherwise requested in writing, be sent to City addressed as follows:

City of Santa Clara
Attention: Finance Department
1500 Warburton Avenue
Santa Clara, CA 95050
and by e-mail at MMcCahan@SantaClaraCA.gov

And to Consultant addressed as follows:

MuniServices, LLC
Attention: Contracts Department
7625 N. Palm Avenue, Suite 108
Fresno, CA 93711
and by e-mail at contracts@avenuinsights.com and
thomas.adams@avenuinsights.com

The workday the e-mail was sent shall control the date notice was deemed given. An e-mail transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following business day.

19. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable laws and regulations of the federal, state and local government, including but not limited to "The Code of the City of Santa Clara, California" ("SCCC"). In particular, Consultant's attention is called to the regulations regarding Campaign Contributions (SCCC Chapter 2.130), Lobbying (SCCC Chapter 2.155), Minimum Wage (SCCC Chapter 3.20), Business Tax Certificate (SCCC section 3.40.060), and Food and Beverage Service Worker Retention (SCCC Chapter 9.60), as such Chapters or Sections may be amended from time to time or renumbered. Additionally Consultant has read and agrees to comply with City's Ethical Standards (http://santaclaraca.gov/home/showdocument?id=58299).

20. CONFLICTS OF INTEREST

Consultant certifies that to the best of its knowledge, no City officer, employee or authorized representative has any financial interest in the business of Consultant and that no person associated with Consultant has any interest, direct or indirect, which could conflict with the faithful performance of this Agreement. Consultant is familiar with the provisions of California Government Code section 87100 and following, and certifies that it does not know of any facts which would violate these code provisions. Consultant will advise City if a conflict arises.

21. FAIR EMPLOYMENT

Consultant shall not discriminate against any employee or applicant for employment because of race, sex, color, religion, religious creed, national origin, ancestry, age, gender, marital status, physical disability, mental disability, medical condition, genetic information, sexual orientation, gender expression, gender identity, military and veteran status, or ethnic background, in violation of federal, state or local law.

22. NO USE OF CITY NAME OR EMBLEM

Consultant shall not use City's name, insignia, or emblem, or distribute any information related to services under this Agreement in any magazine, trade paper, newspaper or other medium without express written consent of City.

23. GOVERNING LAW AND VENUE

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California. The venue of any suit filed by either Party shall be vested in the state courts of the County of Santa Clara, or if appropriate, in the United States District Court, Northern District of California, San Jose, California.

24. SEVERABILITY CLAUSE

In case any one or more of the provisions in this Agreement shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions, which shall remain in full force and effect.

25. AMENDMENTS

This Agreement may only be modified by a written amendment duly authorized and executed by the Parties to this Agreement.

26. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form: Dated: _____

BRIAN DOYLE
City Attorney

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

MUNISERVICES, LLC DBA AVENU MUNISERVICES LLC
a Delaware limited liability company

Dated: 5/7/2021
By (Signature): Mike Melka
Name: Mike Melka
Title: Chief Financial Officer
Principal Place of Business Address: 5860 Trinity Parkway, Ste 120, Centreville VA 20120
Email Address: Mike.melka@avenuinsights.com
Telephone: (571) 441-2793
Fax: ( )

"CONSULTANT"

EXHIBIT A
SCOPE OF SERVICES

1. GENERAL

1.1. Consultant shall audit transient occupancy tax (TOT) revenues from hotels/motels properties (also referred to as "lodging properties") as set forth herein. As of Fiscal Year 2021/22, there are 30 hotels/motels properties located within the City. This number may increase or decrease during the term of the Agreement.

1.2. This agreement does not include the audit of short-term rental operators (such as Air BNB, VRBO, etc.). Should the City require administration and audit services for these short-term rental properties, the City will enter into a separate agreement with Consultant for such services.

1.3. To the extent not inconsistent with this Agreement between the City and Consultant including this Scope of Services, the City's RFP 20-21-32 (including subsequent updates), Consultant's proposal response dated November 17, 2020 and Consultant's oral demonstration materials dated February 2, 2021 are hereby incorporated by reference herein, and shall supplement this Scope of Services and be subject to the terms and conditions of the Agreement.

2. GENERAL REQUIREMENTS

2.1. Consultant shall review the City Municipal Code on Transient Occupancy Tax and Resolutions related to the Transient Occupancy Tax to obtain understanding of how the TOT is calculated and reported.

2.2. Consultant shall review the City Municipal Code on Community Facilities District Tax (CFDT) to obtain an understanding of how the CFDT is calculated and reported.

2.3. Consultant shall meet with designated official(s) as necessary to review findings and provide as-needed consultation on revenue-related issues.

2.4. Consultant shall recommend best practices to help ensure better collections.

3. AUDIT AND COMPLIANCE PROGRAM

Within ninety (90) calendar days of receipt of lodging provider "return information" from the City, Consultant will initiate the Audit and Compliance Program, which shall include:

3.1. Phase 1

3.1.1. Inventory. Establish a comprehensive inventory of all lodging properties subject to taxation by the City and the database elements (public and private databases) needed to facilitate further analysis to identify and locate lodging providers not properly registered with the City and not appearing on the City rolls as TOT remitters.

3.1.2. Data collection. Conduct unobtrusive collection of information on each property, including number of rooms, occupancy rate, transient and non-transient guests, exemptions, property's condition, business dynamics, etc.

3.1.3. Analysis. Analyze lodging provider "return information" to identify unusual or suspicious reporting and/or activities that warrant further review.

3.1.4. Reporting. Provide a detailed analysis report to the City identifying lodging providers who might require additional investigation or review to determine their compliance with the City's TOT ordinance and coordinate with the City to review the analysis report.

3.1.5. Identify Phase 2 reviews. Work with the City to develop a list of lodging providers subject to a compliance review of lodging and tax records.

3.2. Phase 2

3.2.1. Records. Provide the City with a detailed list of all records required from lodging providers, together with a draft engagement announcement letter to be sent to each lodging provider.

3.2.2. Examine & Verify. Review records pertaining to TOT for each lodging provider selected for a compliance review and verify the accuracy of filed TOT returns with daily and monthly activity summaries.

3.2.2.1. Review a random sample of the daily and monthly summaries to determine if the daily summaries reconcile to the monthly summaries.

3.2.2.2. If Consultant believes such a review is necessary, review secondary and tertiary documentation such as bank statements to verify that deposits reconcile with the reported revenue on the TOT returns or other tax filings.

3.2.2.3. Review exempted revenue for proper supporting documentation.

3.2.3. Compliance Report. Submit and review with the City a compliance review report that includes:

3.2.3.1. All review findings.

3.2.3.2. Documentation for each error/omission identified and confirmed by Consultant that is necessary to facilitate recovery of revenue due from lodging providers for prior periods.

3.2.3.3. Draft notices of deficiency determination, commendation and warning letters as applicable.

3.2.4. Findings. Assist the City in reviewing any matters submitted in extenuation and mitigation by lodging providers in contesting a deficiency determination. Prepare and document any changes to the compliance review findings and provide revised tax, interest or penalty amounts due the City.

3.3. Combined Phases 1 & 2

At the City's discretion, Phases 1 & 2 may be combined for a comprehensive audit of the lodging properties.

4. ADDITIONAL CONSULTING SERVICES

In conjunction with Consultant's audit services, Consultant shall provide additional consulting services at any time during the term of the Agreement. Additional services shall be on time and materials basis or negotiated on a lump sum basis.

EXHIBIT B
SCHEDULE OF FEES

1. MAXIMUM COMPENSATION

The total maximum compensation the City will pay the Consultant under this Agreement shall not exceed **($150,000)** during the term of the Agreement. Any additional fees, costs and expenses requested by the City that would exceed the preceding maximum amount will be addressed in an Amendment to the Agreement.

2. FEE SCHEDULE

Consultant shall perform the services as set forth in Exhibit A according to the following fee schedule:

Description	**Fee**
Audit fee per lodging property – Phase 1 only	$900
Audit fee per lodging property – Phase 2 only	$1300
Audit fee per lodging property – Combined Phases 1 & 2	$1900
Estimated not to exceed travel expenses per grouping of audits	$2500

The City estimates that Consultant will conduct a Phase 1 audit of all lodging properties in the first year and will subsequently audit ten (10) lodging properties per year. The actual number of audits per year may be higher or lower depending on the City's need.

The City will reimburse travel expenses at cost, not to exceed the amount stated above. If travel expenses will exceed the amount stated above, Consultant shall get prior approval from the City. Travel arrangements shall be reserved by the most logical and least expensive method and made as far in advance as possible to obtain the best possible fares and rates.

Fees and estimated travel expenses listed above are subject to an annual inflationary adjustment of 5% per annum.

3. ADDITIONAL SERVICES

The following hourly rates will only be utilized to the extent the City requests Consultant to perform services outside the defined scope of services. These hourly rates are subject to change at the beginning of each calendar year by the percentage change in the Consumer Price Index that pertains to the City's particular geographic area as reported by the Bureau of Labor Statistics. The initial Consumer Price Index used for the first CPI adjustment will be the CPI for the month in which the agreement is fully

signed with the first adjustment to occur at the beginning of the calendar year following the first full calendar year of service. Any additional services shall require prior written approval by the City.

Position	Hourly Rate
Principal	$200
Project Manager	$175
Client Services Executive	$150
Senior Analyst	$125
Information Technology	$175
Analyst	$100
Administrative	$75

4. INVOICING

Consultant will bill City on a monthly basis for Services provided by Consultant during the preceding month on an invoice and in a format approved by City and subject to verification and approval by City. City will pay Consultant within thirty (30) days of City's receipt of an approved invoice.

EXHIBIT C
INSURANCE REQUIREMENTS

Without limiting the Consultant's indemnification of the City, and prior to commencing any of the Services required under this Agreement, the Consultant shall provide and maintain in full force and effect during the period of performance of the Agreement and for twenty-four (24) months following acceptance by the City, at its sole cost and expense, the following insurance policies from insurance companies authorized to do business in the State of California. These policies shall be primary insurance as to the City of Santa Clara so that any other coverage held by the City shall not contribute to any loss under Consultant's insurance. The minimum coverages, provisions and endorsements are as follows:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:

   $1,000,000 Each Occurrence
   $2,000,000 General Aggregate
   $2,000,000 Products/Completed Operations Aggregate
   $1,000,000 Personal Injury

2. Exact structure and layering of the coverage shall be left to the discretion of Consultant; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.

3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Consultant to comply with the insurance requirements of this Agreement:

   a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;

   b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and

   c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01 with policy limits a minimum limit of not less than one million dollars ($1,000,000) each accident using, or providing coverage at

least as broad as, Insurance Services Office form CA 00 01. Liability coverage shall apply to all owned (if any), non-owned and hired autos.

In the event that the Work being performed under this Agreement involves transporting of hazardous or regulated substances, hazardous or regulated wastes and/or hazardous or regulated materials, Consultant and/or its subcontractors involved in such activities shall provide coverage with a limit of one million dollars ($1,000,000) per accident covering transportation of such materials by the addition to the Business Auto Coverage Policy of Environmental Impairment Endorsement MCS90 or Insurance Services Office endorsement form CA 99 48, which amends the pollution exclusion in the standard Business Automobile Policy to cover pollutants that are in or upon, being transported or towed by, being loaded onto, or being unloaded from a covered auto.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars ($1,000,000) policy limit Bodily Injury by disease, one million dollars ($1,000,000) each accident/Bodily Injury and one million dollars ($1,000,000) each employee Bodily Injury by disease.

2. The indemnification and hold harmless obligations of Consultant included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Consultant or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).

3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

D. PROFESSIONAL LIABILITY

Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designed to protect against negligent acts, errors or omissions of the Consultant. Covered services as designated in the policy must specifically include work performed under this agreement. Coverage shall be in an amount of not less than one million dollars ($1,000,000) per claim or two million dollars ($2,000,000) aggregate. Any coverage containing a deductible or self-retention must first be approved in writing by the City Attorney's Office.

E. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents are hereby added as additional insureds in respect to liability arising out of Consultant's work for City, using Insurance Services Office (ISO) Endorsement CG 20 10 11 85, or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.

2. Primary and non-contributing. Each insurance policy provided by Consultant shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the indemnities may possess, including any self-insurance or self-insured retention they may have. Any other insurance indemnities may possess shall be considered excess insurance only and shall not be called upon to contribute with Consultant's insurance.

3. Cancellation.

   a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least ten (10) days prior to the effective date of non-renewal.

   b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.

4. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through E of this Exhibit C, above.

F. ADDITIONAL INSURANCE RELATED PROVISIONS

Consultant and City agree as follows:

1. Consultant agrees to ensure that subcontractors, and any other party involved with the Services, who is brought onto or involved in the performance of the Services by Consultant, provide the same minimum

insurance coverage required of Consultant, except as with respect to limits. Consultant agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Consultant agrees that upon request by City, all agreements with, and insurance compliance documents provided by, such subcontractors and others engaged in the project will be submitted to City for review.

2. Consultant agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Consultant for the cost of additional insurance coverage required by this Agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.

3. The City reserves the right to withhold payments from the Consultant in the event of material noncompliance with the insurance requirements set forth in this Agreement.

G. EVIDENCE OF COVERAGE

Prior to commencement of any Services under this Agreement, Consultant, and each and every subcontractor (of every tier) shall, at its sole cost and expense, provide and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Agreement. Such insurance coverage shall be maintained with insurers, and under forms of policies, satisfactory to City and as described in this Agreement. Consultant shall file with the City all certificates and endorsements for the required insurance policies for City's approval as to adequacy of the insurance protection.

H. EVIDENCE OF COMPLIANCE

Consultant or its insurance broker shall provide the required proof of insurance compliance, consisting of Insurance Services Office (ISO) endorsement forms or their equivalent and the ACORD form 25-S certificate of insurance (or its equivalent), evidencing all required coverage shall be delivered to City, or its representative as set forth below, at or prior to execution of this Agreement. Upon City's request, Consultant shall submit to City copies of the actual insurance policies or renewals or replacements. Unless otherwise required by the terms of this Agreement, all certificates, endorsements, coverage verifications and other items required to be delivered to City pursuant to this Agreement shall be e-mailed to ctsantaclara@ebix.com:

Or by mail to:
EBIX Inc.
City of Santa Clara – Finance Department

P.O. Box 100085 – S2
Duluth, GA 30096
Telephone number: 951-766-2280
Fax number: 770-325-0409

I. QUALIFYING INSURERS

All of the insurance companies providing insurance for Consultant shall have, and provide written proof of, an A. M. Best rating of at least A minus 6 (A- VI) or shall be an insurance company of equal financial stability that is approved by the City or its insurance compliance representative

21-1078 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action on Agreement for Services with NAZ & CO., doing business as True Blue Automation Services, for Electrical Support Services for the City's Water, Sewer and Storm Assets

COUNCIL PILLAR
Deliver and Enhance High Quality and Efficient Services and Infrastructure

BACKGROUND
The Water & Sewer Utilities Department (Department) is responsible for maintaining 26 water well sites, four water storage tank sites, seven sewer pump stations, and 22 storm pump stations. The associated equipment supporting the operation of the utility sites includes control panels, generators, motors, pumps, communication equipment, breakers, relays, and various electrical components. The Department lacks expertise in the area of electrical service required to maintain the safe operation of the utility sites. A licensed electrical contractor would assist staff in troubleshooting, testing, calibrating, repairing, and installing site equipment and controls as required.

DISCUSSION
On February 9, 2021, staff published a Request for Proposal (RFP) for electrical support services using BidSync, the City's e-procurement tool, and reached out directly to known companies that provide electrical support services to encourage proposal submissions. A total of 43 companies viewed the RFP, and one proposal was received from NAZ & CO., doing business as True Blue Automation Services, by the proposal due date of March 16, 2021.

After a thorough review and evaluation of the sole proposal from True Blue Automation Services, staff determined that the proposal satisfied all the requirements set forth in the RFP and that the proposed rates are fair and reasonable based on the prevailing wage rates set by the Department of Industrial Relations for electricians. True Blue Automation Services has proven experience in providing as-needed electrical support services with similar scopes to the City and other private and public utility businesses.

The initial term of the proposed agreement is one year starting on or about July 1, 2021 and ending on June 30, 2022, with a maximum compensation of $300,000. The City has the option to exercise four one-year renewals to extend the term through June 30, 2026. Contractor may request adjustments to its hourly rates starting July 1, 2024. Any rate adjustments must be tied to the Consumer Price Index.

Contractor's compensation under the agreement is based on fixed hourly rates. Prior to commencement of any work, the contractor will be required to provide the City with a not-to-exceed estimate cost of the work. The contractor is required to receive pre-authorization from the City if they exceed their estimate. The City will be invoiced in arrears at the fixed hourly rates for the services. The hourly rates are fully loaded and include wages, overhead, general and administrative expenses, profit, tools, and most equipment required for the work. Any specialty equipment or materials will be invoiced at contractor's actual cost plus a 10% markup.

ENVIRONMENTAL REVIEW

The action being considered is exempt from formal environmental review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301(b) (Class 1 - "Existing Facilities") as the activity consists of the operation, repair, and maintenance of existing public structures, facilities, and mechanical equipment, including publicly-owned utilities, involving negligible or no expansion of the existing use.

FISCAL IMPACT

The cost of the proposed work shall not exceed $300,000 during the initial one-year term. The not to exceed amount was established based on budgeting projections developed from historical spend and future needs for work of similar nature. There is sufficient funding in the Water & Sewer Utilities adopted operating budget to cover $209,700 of the contract. This will be split with $66,000 funded by existing appropriations in the Sewer Utility Fund and $143,700 covered by the Water Utility Fund. The remaining $90,300 will be funded with the existing appropriations in the Storm Pump Motor and Control Maintenance, Repair and Replacement project in the Storm Drain Capital Fund. The allocations dedicated to each utility fund was coordinated between the Water and Sewer Utilities and Public Works Department.

COORDINATION

This report has been coordinated with the Finance Department, the Department of Public Works, and the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov><mailto:clerk@santaclaraca.gov> <mailto:clerk@santaclaraca.gov>or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Authorize the City Manager to execute an agreement with NAZ & CO., doing business as True Blue Automation Services, for electrical support services for the City's water, sewer, and storm assets, for an initial one-year term starting on or about July 1, 2021 and ending on June 30, 2022, with maximum compensation not-to-exceed $300,000 and to make minor adjustments to the agreement to facilitate execution; and
2. Authorize the City Manager to exercise up to four one-year options to extend the term of the

agreement after the initial one-year term through June 30, 2026, subject to the annual appropriation of funds.

Reviewed by: Gary Welling, Director, Water & Sewer Utilities Department
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Agreement for Services between the City of Santa Clara and NAZ & CO., dba True Blue Automation Services

EBIX Insurance No. S200004552

AGREEMENT FOR SERVICES BETWEEN THE CITY OF SANTA CLARA, CALIFORNIA, AND NAZ & CO. DBA TRUE BLUE AUTOMATION SERVICES

PREAMBLE

This Agreement is entered into as of the City's execution date (Effective Date) between the City of Santa Clara, California, a chartered California municipal corporation (City) and NAZ & CO., doing business as True Blue Automation Services, a California corporation (Contractor). City and Contractor may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

A. City desires to secure the services more fully described in this Agreement, at Exhibit A, entitled "Scope of Services";

B. Contractor represents that it, and its subcontractors, if any, have the professional qualifications, expertise, necessary licenses and desire to provide certain goods and/or required services of the quality and type which meet objectives and requirements of City; and,

C. The Parties have specified herein the terms and conditions under which such services will be provided and paid for.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AGREEMENT DOCUMENTS

The documents forming the entire Agreement between City and Contractor shall consist of these Terms and Conditions and the following Exhibits, which are hereby incorporated into this Agreement by this reference:

Exhibit A – Scope of Services

Exhibit B – Schedule of Fees

Exhibit C – Insurance Requirements

Exhibit D – Labor Compliance Addendum

Exhibit E – Notice of Exercise of Option to Extend Agreement Form

This Agreement, including the Exhibits set forth above, contains all the agreements, representations and understandings of the Parties, and supersedes and replaces any previous agreements, representations and understandings, whether oral or written. In the event of any inconsistency between the provisions of any of the Exhibits and the Terms and Conditions, the Terms and Conditions shall govern and control.

2. TERM OF AGREEMENT

A. **Initial Term.** Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on the Effective Date and extend through June 30, 2022 ("Initial Term").

B. **Options to Extend.** After the Initial Term, the City reserves the right, at its sole discretion, to extend the term of this Agreement for up to four (4) additional one-year terms through June 30, 2026 ("Option Periods"). See Exhibit E for Notice of Exercise of Option to Extend Agreement Form.

3. SCOPE OF SERVICES & PERFORMANCE SCHEDULE

Contractor shall perform those Services specified in Exhibit A within the time stated in Exhibit A. Time is of the essence.

4. WARRANTY

Contractor expressly warrants that all materials and services covered by this Agreement shall be fit for the purpose intended, shall be free from defect and shall conform to the specifications, requirements and instructions upon which this Agreement is based. Contractor agrees to promptly replace or correct any incomplete, inaccurate or defective Services at no further cost to City when defects are due to the negligence, errors or omissions of Contractor. If Contractor fails to promptly correct or replace materials or services, City may make corrections or replace materials or services and charge Contractor for the cost incurred by City.

5. QUALIFICATIONS OF CONTRACTOR - STANDARD OF CARE

Contractor represents and maintains that it has the expertise in the professional calling necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and City expressly relies upon Contractor's representations regarding its skills and knowledge. Contractor shall perform such Services and duties in conformance to and consistent with the professional standards of a specialist in the same discipline in the State of California.

6. COMPENSATION AND PAYMENT

In consideration for Contractor's complete performance of Services, City shall pay Contractor for all materials provided and Services rendered by Contractor in accordance with Exhibit B, entitled "SCHEDULE OF FEES." The maximum compensation of this Agreement is set forth in Exhibit B, which is subject to budget appropriations and includes all payments that may be authorized for Services and for expenses, supplies, materials and equipment required to perform the Services. All work performed or materials provided in excess of the maximum compensation shall be at Contractor's expense. Contractor shall not be entitled to any payment above the maximum compensation under any circumstance.

7. TERMINATION

A. Termination for Convenience. City shall have the right to terminate this Agreement, without cause or penalty, by giving not less than Thirty (30) days' prior written notice to Contractor.

B. Termination for Default. If Contractor fails to perform any of its material obligations under this Agreement, in addition to all other remedies provided by law, City may terminate this Agreement immediately upon written notice to Contractor.

C. Upon termination, each Party shall assist the other in arranging an orderly transfer and close-out of services. As soon as possible following the notice of termination, but no later than ten (10) days after the notice of termination, Contractor will deliver to City all City information or material that Contractor has in its possession.

8. ASSIGNMENT AND SUBCONTRACTING

City and Contractor bind themselves, their successors and assigns to all covenants of this Agreement. This Agreement shall not be assigned or transferred without the prior written approval of City. Contractor shall not hire subcontractors without express written permission from City.

Contractor shall be as fully responsible to City for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by them, as Contractor is for the acts and omissions of persons directly employed by it.

9. NO THIRD PARTY BENEFICIARY

This Agreement shall not be construed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

10. INDEPENDENT CONTRACTOR

Contractor and all person(s) employed by or contracted with Contractor to furnish labor and/or materials under this Agreement are independent contractors and do not act as agent(s) or employee(s) of City. Contractor has full rights to manage its employees in their performance of Services under this Agreement.

11. CONFIDENTIALITY OF MATERIAL

All ideas, memoranda, specifications, plans, manufacturing procedures, data, drawings, descriptions, documents, discussions or other information developed or received by or for Contractor and all other written information submitted to Contractor in connection with the performance of this Agreement shall be held confidential by Contractor and shall not, without the prior written consent of City, be used for any purposes other than the performance of the Services nor be disclosed to an entity not connected with performance of the Services. Nothing furnished to Contractor which is otherwise known to Contractor or becomes generally known to the related industry shall be deemed confidential.

12. OWNERSHIP OF MATERIAL

All material, which shall include, but not be limited to, data, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports, designs, technology, programming, works of authorship and other material developed, collected, prepared or caused to be prepared under this Agreement shall be the property of City but Contractor may retain and use copies thereof. City shall not be limited in any way or at any time in its use of said material. However, Contractor shall not be responsible for damages resulting from the use of said material for work other than Project, including, but not limited to, the release of this material to third parties.

13. RIGHT OF CITY TO INSPECT RECORDS OF CONTRACTOR

City, through its authorized employees, representatives or agents shall have the right during the term of this Agreement and for four (4) years from the date of final payment for goods or services provided under this Agreement, to audit the books and records of Contractor for the purpose of verifying any and all charges made by Contractor in connection with Contractor compensation under this Agreement, including termination of Contractor. Contractor agrees to maintain sufficient books and records in accordance with generally accepted accounting principles to establish the correctness of all charges submitted to City. Any expenses not so recorded shall be disallowed by City. Contractor shall bear the cost of the audit if the audit determines that there has been a substantial billing deviation in excess of five (5) percent adverse to the City.

Contractor shall submit to City any and all reports concerning its performance under this Agreement that may be requested by City in writing. Contractor agrees

to assist City in meeting City's reporting requirements to the State and other agencies with respect to Contractor's Services hereunder.

14. HOLD HARMLESS/INDEMNIFICATION

A. To the extent permitted by law, Contractor agrees to protect, defend, hold harmless and indemnify City, its City Council, commissions, officers, employees, volunteers and agents from and against any claim, injury, liability, loss, cost, and/or expense or damage, including all costs and attorney's fees in providing a defense to any such claim or other action, and whether sounding in law, contract, tort, or equity, in any manner arising from, or alleged to arise in whole or in part from, or in any way connected with the Services performed by Contractor pursuant to this Agreement – including claims of any kind by Contractor's employees or persons contracting with Contractor to perform any portion of the Scope of Services – and shall expressly include passive or active negligence by City connected with the Services. However, the obligation to indemnify shall not apply if such liability is ultimately adjudicated to have arisen through the sole active negligence or sole willful misconduct of City; the obligation to defend is not similarly limited.

B. Contractor's obligation to protect, defend, indemnify, and hold harmless in full City and City's employees, shall specifically extend to any and all employment-related claims of any type brought by employees, contractors, subcontractors or other agents of Contractor, against City (either alone, or jointly with Contractor), regardless of venue/jurisdiction in which the claim is brought and the manner of relief sought.

C. To the extent Contractor is obligated to provide health insurance coverage to its employees pursuant to the Affordable Care Act ("Act") and/or any other similar federal or state law, Contractor warrants that it is meeting its obligations under the Act and will fully indemnify and hold harmless City for any penalties, fines, adverse rulings, or tax payments associated with Contractor's responsibilities under the Act.

15. INSURANCE REQUIREMENTS

During the term of this Agreement, and for any time period set forth in Exhibit C, Contractor shall provide and maintain in full force and effect, at no cost to City, insurance policies as set forth in Exhibit C.

16. WAIVER

Contractor agrees that waiver by City of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement. Neither City's review, acceptance nor payments for any of the Services required under this Agreement

shall be constructed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

17. NOTICES

All notices to the Parties shall, unless otherwise requested in writing, be sent to City addressed as follows:

City of Santa Clara
Attention: Water & Sewer Utilities Department
1500 Warburton Avenue
Santa Clara, CA 95050
and by e-mail at NLui@santaclaraca.gov, and
Water@santaclaraca.gov

And to Contractor addressed as follows:

NAZ & CO. DBA True Blue Automation Services
Attention: Berk Gurkan
3987 First St., Suite L
Livermore, CA 94551
and by e-mail at sales@tbautomationservices.com

The workday the e-mail was sent shall control the date notice was deemed given. An e-mail transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following business day.

18. COMPLIANCE WITH LAWS

Contractor shall comply with all applicable laws and regulations of the federal, state and local government, including but not limited to "The Code of the City of Santa Clara, California" ("SCCC"). In particular, Contractor's attention is called to the regulations regarding Campaign Contributions (SCCC Chapter 2.130), Lobbying (SCCC Chapter 2.155), Minimum Wage (SCCC Chapter 3.20), Business Tax Certificate (SCCC section 3.40.060), and Food and Beverage Service Worker Retention (SCCC Chapter 9.60), as such Chapters or Sections may be amended from time to time or renumbered. Additionally Contractor has read and agrees to comply with City's Ethical Standards (http://santaclaraca.gov/home/showdocument?id=58299).

19. CONFLICTS OF INTEREST

Contractor certifies that to the best of its knowledge, no City officer, employee or authorized representative has any financial interest in the business of Contractor and that no person associated with Contractor has any interest, direct or indirect, which could conflict with the faithful performance of this Agreement. Contractor is familiar with the provisions of California Government Code section 87100 and

following, and certifies that it does not know of any facts which would violate these code provisions. Contractor will advise City if a conflict arises.

20. FAIR EMPLOYMENT

Contractor shall not discriminate against any employee or applicant for employment because of race, sex, color, religion, religious creed, national origin, ancestry, age, gender, marital status, physical disability, mental disability, medical condition, genetic information, sexual orientation, gender expression, gender identity, military and veteran status, or ethnic background, in violation of federal, state or local law.

21. NO USE OF CITY NAME OR EMBLEM

Contractor shall not use City's name, insignia, or emblem, or distribute any information related to services under this Agreement in any magazine, trade paper, newspaper or other medium without express written consent of City.

22. GOVERNING LAW AND VENUE

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California. The venue of any suit filed by either Party shall be vested in the state courts of the County of Santa Clara, or if appropriate, in the United States District Court, Northern District of California, San Jose, California.

23. SEVERABILITY CLAUSE

In case any one or more of the provisions in this Agreement shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions, which shall remain in full force and effect.

24. AMENDMENTS

This Agreement may only be modified by a written amendment duly authorized and executed by the Parties to this Agreement.

25. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form: Dated: _____

BRIAN DOYLE
City Attorney

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

NAZ & CO. DBA TRUE BLUE AUTOMATION SERVICES
a California corporation

Dated: 04/09/2021
By (Signature): BGurkan
Name: Berk Gurkan
Title: Chief Executive Officer
Principal Place of Business Address: 3987 First St., Suite L Livermore, CA 94551
Email Address: sales@tbautomationservices.com
Telephone: (925) 808-7331
Fax: (925) 808-7331

"CONTRACTOR"

EXHIBIT A
SCOPE OF SERVICES

1. INTRODUCTION

The City's Water & Sewer Utilities Department is responsible for maintaining 26 water well sites, four water storage tank sites, seven sewer pump station sites, and 22 storm pump station sites. Under this Agreement, Contractor shall provide all necessary equipment, tools, materials, labor, and supplies to assist the City on as-needed in troubleshooting, testing, calibrating, and repairing/replacing site equipment and controls to ensure proper operation.

2. GENERAL REQUIREMENTS

2.1. Contractor shall be solely and completely responsible for the conditions of the job site, including safety of its workers and all persons and property during performance of work. Any hazardous conditions noted by Contractor shall be reported immediately to the City.

2.2. Contractor shall effectively partner with other sub-contractors, vendors, or suppliers as required to complete projects and as directed by the City.

2.3. Contractor shall provide a Health and Safety and Injury and Illness Prevention Plan prior to commencing work.

2.4. Contractor (including subcontractors) shall be an individual or firm licensed to do business in California and shall obtain at Contractor's expense all license(s) and permit(s) required by law for accomplishing all work required herein.

3. WORKMANSHIP AND MATERIALS

3.1. All materials and work shall be in accordance with the rules and requirements of the National Electrical Code (NEC), Occupational Safety and Health Administration (OSHA), and any other applicable federal, state, and local laws and regulations. If Contractor experiences difficulty in achieving strict compliance with all such applicable laws and regulations, Contractor must contact the City and submit an acceptable alternative plan to achieve conformance.

3.2. Contractor must warranty all workmanship and materials for a period of one (1) year from the date of acceptance by the City.

3.3. Completed work shall be to the entire satisfaction of the City. The City shall be the sole judge as to whether the materials or workmanship is acceptable. Contractor shall immediately replace, at its own expense, all unacceptable materials and services. Contractor shall correct unacceptable materials and services within five (5) business days after notification by the City. The City will review and inspect all work completed by the Contractor which must be deemed as acceptable prior to payment.

4. PROJECT MANAGEMENT

4.1. Contractor shall work closely with City staff, including technicians, utility crew leaders, and supervisors, to determine work requirements.

4.2. Contractor shall designate an Account Manager/Representative as the point of contact for the City. In addition and to the extent possible, Contractor shall dedicate the same technicians and crew to service the needs of the City to allow for familiarity of the system and stations.

5. WORK ORDERS

5.1. When work under the contract is required, the City shall notify Contractor regarding the location and general nature of work, and will issue the proper work orders and instructions for the execution of work.

5.2. For non-emergency work, prior to the commencement of work, Contractor shall provide City with a not to exceed estimated cost of the work. Contractor shall notify City, with as much advanced notice as possible, if it is determined that the estimate will be exceeded.

5.3. Contractor must obtain written authorization from the City prior to commencement of work.

6. SCOPE OF SERVICES

The scope of services includes all work to perform electrical services related to the City's water, sewer, and storm assets. Work includes but are not limited to:

6.1. Generators

6.1.1. Perform minor electrical testing, wiring or gauge replacement.

6.1.2. Test, remove, and/or reinstall various styles of block-heaters or any components thereof.

6.1.3. Ground short trace downs.

6.1.4. Obtain voltage, amperage, hertz or other needed quantitative electrical measurements.

6.1.5. Diagnose and troubleshoot electrical problems or failures relating to electric generation on large diesel generators and manual/automatic transfer switches.

6.2. Control Panels: Electric and Motor Controls

6.2.1. Install, maintain, and repair new and existing equipment.

6.2.2. Install, maintain, troubleshoot, and repair electrical and electronic control systems.

6.2.3. Test voltage, amps, ohms, hertz, and other quantitative measurements on power sources from 12VDC up to 600VAC (for up to three phases).

6.2.4. Test and troubleshoot switches, contactors, relays, motor control units, hour meters, panel lighting, gauges, instrumentation, panel indicator lights, and related panel features.

6.2.5. Wire new switches, contactors, breakers, relays, soft starters, Variable Frequency Drives (VFD), plugs, meters, Programmable Logic Controllers (PLC), and other control related features.

6.3. Pumps

6.3.1. Check rotation, phase change, phase loss, insulation testing, and overloads.

6.3.2. Measure amps, volts, hertz, and other quantitative measurements relating to proper pump operations.

6.3.3. Inspect, remove, and reinstall power cables, cannon plug heads, sensors and other pump related electrical issues.

6.4. Site

6.4.1. Install, program, troubleshoot, and maintain existing electrical infrastructure at utility stations. The electrical infrastructure includes conduit and wiring, monitor and control of instrumentation, pumps and motors, panelboards, generators and the like.

6.4.2. Install and maintain new or existing electrical fixtures (such as lights, receptacles, conduit (EMT and Rigid)), pulling wire into new or existing conduits, service panel repair or installation, floats, transducers, sonic level equipment and all related site equipment needed for proper station operation in an indoor or outdoor application.

6.5. Valves

6.5.1. Adjust, maintain, troubleshoot, and repair automatic hydraulic control valves.

6.6. Special Projects/Other

6.6.1. Repair low voltage control circuits of all types, including motors and motor controls, SCADA equipment, communication equipment, and pump station equipment.

6.6.2. Install electrical circuit conduit and wiring in accordance with the National Electric Code (NEC).

6.6.3. Repair, and troubleshoot PLCs, and VFDs, soft starts, and solenoid control valves.

6.6.4. Repair, and troubleshoot instrumentation such as pressure sensors, tank level sensors, flow meters, and tank mixers.

6.6.5. Install conduit and wiring. Land wiring to various different electrical components connecting to input, outputs, relays, contacts and terminations.

6.6.6. Install and program Human Machine Interface (HMI) for various types of instrumentation displays.

6.6.7. Report work order assignment results, including project blue-print and schematic discrepancies.

6.6.8. Conduct Meggering test to various different types of electrical and mechanical equipment.

6.6.9. Conduct other electrical work, tasks or projects as requested by the City.

6.6.10. Provide annual electrical preventative maintenance which includes general cleaning, inspection, thermal imagining, connection re-torque, etc.

6.6.11. Test and replace station main service disconnects for up to 900 Amps main breakers.

6.6.12. Provide support services related to start up and inspection services.

7. SERVICE CALL AND RESPONSE TIMES

7.1. Contractor shall be available at any time, twenty-four (24) hours per day, seven (7) days per week, three hundred sixty-five (365) days per year.

7.2. Regular scheduled work assignments shall be executed during normal business hours from 7:00 AM to 5:00 PM Pacific Standard Time. Response time for regularly

scheduled work assignments or tasks shall be within three (3) working days after notification by the City.

7.3. In the event of an emergency, Contractor shall respond and commence work within four (4) hours from receipt of the call. After hour emergencies that may occur at night, weekends, and holidays shall also be addressed with a response time within four (4) hours after notification by the City.

7.4. It is intended that the vast majority of this work will be routine in nature and scheduled during regular business hours. However, emergency situations can occur. Failure to initiate service within the allocated response times will be grounds for cancellation of the contract, at the sole discretion of the City.

7.5. Contractor agrees to provide the City with telephone numbers and addresses for key personnel, so that seven (7) day per week, twenty-four (24) hour per day contact can be made in the event of an emergency situation.

EXHIBIT B
SCHEDULE OF FEES

1. MAXIMUM COMPENSATION

The maximum amount payable for all materials and services provided under this Agreement shall not exceed **Three Hundred Thousand Dollars ($300,000)** during the Initial Term of the Agreement, subject to the annual appropriation of funds. Any additional services or materials requested by the City that would exceed the preceding maximum amount will be addressed in an Amendment to the Agreement.

2. RATES

Compensation shall be paid to Contractor on a time and material basis in accordance with the rates listed below.

Description	Regular Hours Monday – Friday 7:00 a.m. - 5:00 p.m.	Overtime Hours Monday – Friday after 5 p.m.	Saturday/Sunday/ Holiday
Electrician	$145	$160	$189
Electrical Engineer/Foreman	$200	$210	$225
Material Handler	$55	$80	$90

2.1. Prior to the commencement of work, Contractor shall provide City with a not to exceed estimated cost. Contractor shall notify City, with as much advanced notice as possible, if it is determined that the estimate will be exceeded.

2.2. Contractor-purchased parts or materials will be based on the Contractor's price from a wholesale supply house plus a mark-up of no more than 10%. Contractor's invoices will clearly show the manufacturer's part number, description, supply house cost and percent mark-up cost. A copy of the supply house invoice shall be submitted with Contractor's invoice.

2.3. Upon prior approval by the City, Contractor may rent specialty equipment for specific projects authorized under the contract. Payment shall be in accordance with the actual invoice for the rental plus the approved markup of a maximum of 10%.

2.4. Hourly rates are fully loaded and include wages, overhead costs, general and administrative costs, travel, and profit. Overhead costs shall include all tools, equipment, and related items (excludes specialty equipment) that may be required to perform the work.

3. RENEWAL PERIOD COMPENSATION

After the Initial Term, the City reserves the right, at its own sole discretion, to extend the term of this Agreement for up to four (4) additional one-year terms (“Option Periods”) pursuant to Section 2.B of the Agreement.

The rates set forth above in Section 2 are fixed for three years through June 30, 2024. For rates effective July 1, 2024, Contractor may request adjustments 60 days prior to the date and on each anniversary thereafter. Price adjustments will be made in accordance with the percentage change in the Consumer Price Index (CPI-U) for All Urban Consumers for the San Francisco-

Oakland-Hayward area, published by the U.S. Bureau of Labor Statistics. The price adjustment will be determined using the 12-Month Percent Change with a base period of 1982-1984=100.

4. INVOICING

4.1. At the conclusion of each work, the City shall pay Contractor in arrears within thirty (30) days of a properly completed invoice in a form acceptable to the City.

4.2. The invoice shall itemize the number of employees assigned to the work, the actual hours worked for each employee, the hourly rates in accordance with the rates set forth herein, and the extended cost which is the hourly labor rate times the total hours worked. Actual hours worked shall only include electrical services, and shall not include time for travel to the job-site, or any incidental time that is not directly related to the work. If any additional tools, equipment, and/or third-party services were required for the work, then supporting documentation must be provided with the invoice to document the cost to the Contractor.

EXHIBIT C
INSURANCE REQUIREMENTS

Without limiting the Contractor's indemnification of the City, and prior to commencing any of the Services required under this Agreement, the Contractor shall provide and maintain in full force and effect, at its sole cost and expense, the following insurance policies with at least the indicated coverages, provisions and endorsements:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:

   $2,000,000 Each occurrence
   $2,000,000 General aggregate
   $2,000,000 Products/Completed Operations aggregate
   $2,000,000 Personal Injury

2. Exact structure and layering of the coverage shall be left to the discretion of Contractor; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.

3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Contractor to comply with the insurance requirements of this Agreement:

   a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;

   b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and

   c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01 with policy limits a minimum limit of not less than one million dollars ($1,000,000) each accident using, or providing coverage at least as broad as, Insurance Services Office form CA 00 01. Liability coverage shall apply to all owned, non-owned and hired autos.

In the event that the Work being performed under this Agreement involves transporting of hazardous or regulated substances, hazardous or regulated wastes and/or hazardous or regulated materials, Contractor and/or its subcontractors involved in such activities shall provide coverage with a limit of two million dollars ($2,000,000) per accident covering transportation of such materials by the addition to the Business Auto Coverage Policy of Environmental Impairment Endorsement MCS90 or Insurance Services Office

endorsement form CA 99 48, which amends the pollution exclusion in the standard Business Automobile Policy to cover pollutants that are in or upon, being transported or towed by, being loaded onto, or being unloaded from a covered auto.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars ($1,000,000) policy limit Bodily Injury by disease, one million dollars ($1,000,000) each accident/Bodily Injury and one million dollars ($1,000,000) each employee Bodily Injury by disease.

2. The indemnification and hold harmless obligations of Contractor included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Contractor or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).

3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

D. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents are hereby added as additional insureds in respect to liability arising out of Contractor's work for City, using Insurance Services Office (ISO) Endorsement CG 20 10 11 85 or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.

2. Primary and non-contributing. Each insurance policy provided by Contractor shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the Indemnities may possess, including any self-insurance or self-insured retention they may have. Any other insurance Indemnities may possess shall be considered excess insurance only and shall not be called upon to contribute with Contractor's insurance.

3. General Aggregate. The general aggregate limits shall apply separately to Contractor's work under this Agreement providing coverage at least as broad as Insurance Services Office (ISO) Endorsement CG 2503, 1985 Edition, or insurer's equivalent (CGL);

4. Cancellation.

   a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice

shall be given at least ten (10) days prior to the effective date of non-renewal.

b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.

5. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through D of this Exhibit C, above.

E. ADDITIONAL INSURANCE RELATED PROVISIONS

Contractor and City agree as follows:

1. Contractor agrees to ensure that subcontractors, and any other party involved with the Services who is brought onto or involved in the performance of the Services by Contractor, provide the same minimum insurance coverage required of Contractor, except as with respect to limits. Contractor agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Contractor agrees that upon request by City, all agreements with, and insurance compliance documents provided by, such subcontractors and others engaged in the project will be submitted to City for review.

2. Contractor agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Contractor for the cost of additional insurance coverage required by this Agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.

3. The City reserves the right to withhold payments from the Contractor in the event of material noncompliance with the insurance requirements set forth in this Agreement.

F. EVIDENCE OF COVERAGE

Prior to commencement of any Services under this Agreement, Contractor, and each and every subcontractor (of every tier) shall, at its sole cost and expense, provide and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Agreement. Such insurance coverage shall be maintained with insurers, and under forms of policies, satisfactory to City and as described in this Agreement. Contractor shall file with the City all certificates and endorsements for the required insurance policies for City's approval as to adequacy of the insurance protection.

G. EVIDENCE OF COMPLIANCE

Contractor or its insurance broker shall provide the required proof of insurance compliance, consisting of Insurance Services Office (ISO) endorsement forms or their equivalent and the ACORD form 25-S certificate of insurance (or its equivalent), evidencing all required coverage shall be delivered to City, or its representative as set forth below, at or prior to execution of this Agreement. Upon City's request, Contractor shall submit to City copies of the actual insurance policies or renewals or replacements. Unless otherwise required by the terms of this Agreement, all certificates, endorsements, coverage verifications and other items required to be delivered to City pursuant to this Agreement shall be e-mailed to: ctsantaclara@ebix.com

Or by mail to:

EBIX Inc.
City of Santa Clara - Water & Sewer Utilities Department
P.O. Box 100085 – S2
Duluth, GA 30096
Telephone number: 951-766-2280
Fax number: 770-325-0409

H. QUALIFYING INSURERS

All of the insurance companies providing insurance for Contractor shall have, and provide written proof of, an A. M. Best rating of at least A minus 6 (A- VI) or shall be an insurance company of equal financial stability that is approved by the City or its insurance compliance representatives.

EXHIBIT D
LABOR COMPLIANCE ADDENDUM

This Agreement is subject to the requirements of California Labor Code section 1720 et seq. requiring the payment of prevailing wages, the training of apprentices, and compliance with other applicable requirements.

A. **Prevailing Wage Requirements**

1. Contractor shall be obligated to pay not less than the General Prevailing Wage Rate, which can be found at www.dir.ca.gov and are on file with the City Clerk's office, which shall be available to any interested party upon request. Contractor is also required to have a copy of the applicable wage determination posted and/or available at each job site.

2. Specifically, contractors are reminded of the need for compliance with Labor Code Section 1774-1775 (the payment of prevailing wages and documentation of such), Section 1776 (the keeping and submission of accurate certified payrolls) and 1777.5 in the employment of apprentices on public works projects. Further, overtime must be paid for work in excess of 8 hours per day or 40 hours per week pursuant to Labor Code Section 1811-1813.

3. Special prevailing wage rates generally apply to work performed on weekends, holidays and for certain shift work. Depending on the location of the project and the amount of travel incurred by workers on the project, certain travel and subsistence payments may also be required. Contractors and subcontractors are on notice that information about such special rates, holidays, premium pay, shift work and travel and subsistence requirements can be found at www.dir.ca.gov .

4. Only bona fide apprentices actively enrolled in a California Division of Apprenticeship Standards approved program may be employed on the project as an apprentice and receive the applicable apprenticeship prevailing wage rates. Apprentices who are not properly supervised and employed in the appropriate ratio shall be paid the full journeyman wages for the classification of work performed.

5. As a condition to receiving progress payments, final payment and payment of retention on any and all projects on which the payment of prevailing wages is required, Contractor agrees to present to City, along with its request for payment, all applicable and necessary certified payrolls (for itself and all applicable subcontractors) for the time period covering such payment request. The term "certified payroll" shall include all required documentation to comply with the mandates set forth in Labor Code Section 1720 *et seq*, as well as any additional documentation requested by the City or its designee including, but not limited to: certified payroll, fringe benefit statements and backup documentation such as monthly benefit statements, employee timecards, copies of wage statements and cancelled checks, proof of training contributions (CAC2 if applicable), and apprenticeship forms such as DAS-140 and DAS-142.

6. In addition to submitting the certified payrolls and related documentation to City, Contractor and all subcontractors shall be required to submit certified payroll and related documents electronically to the California Department of Industrial Relations. Failure to submit payrolls to the DIR when mandated by the project parameters shall also result in the withholding of progress, retention and/or final payment.

7. No contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

8. No contractor or subcontractor may be awarded a contract for public work on a public works project, unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5. Contractors MUST be a registered "public works contractor" with the DIR AT THE TIME OF BID. Where the prime contract is less than $15,000 for maintenance work or less than $25,000 for construction alternation, demolition or repair work, registration is not required.

9. All contractors/subcontractors and related construction services subject to prevailing wage, including but not limited to: trucking, surveying and inspection work must be registered with the Department of Industrial Relations as a "public works contractor". Those you fail to register and maintain their status as a public works contractor shall not be permitted to perform work on the project.

10. Should any contractor or subcontractors not be a registered public works contractor and perform work on the project, Contractor agrees to fully indemnify the City for any fines assessed by the California Department of Industrial Relations against the City for such violation, including all staff costs and attorney's fee relating to such fine.

11. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

B. Audit Rights

All records or documents required to be kept pursuant to this Agreement to verify compliance with this Addendum shall be made available for audit at no cost to City, at any time during regular business hours, upon written request by the City Attorney, City Auditor, City Manager, or a designated representative of any of these officers. Copies of such records or documents shall be provided to City for audit at City Hall when it is practical to do so. Otherwise, unless an alternative is mutually agreed upon, the records or documents shall be made available at Contractor's address indicated for receipt of notices in this Agreement.

C. Enforcement

1. City shall withhold any portion of a payment; including the entire payment amount, until certified payroll forms and related documentation are properly submitted, reviewed and found to be in full compliance. In the event that certified payroll forms do not comply with the requirements of Labor Code Section 1720 et

seq., City may continue to hold sufficient funds to cover estimated wages and penalties under the Agreement.

2. Based on State funding sources, this project may be subject to special labor compliance requirements of Proposition 84.

3. The City is not obligated to make any payment due to Contractor until Contractor has performed all of its obligations under these provisions. This provision means that City can withhold all or part of a payment to Contractor until all required documentation is submitted. Any payment by the City despite Contractor's failure to fully perform its obligations under these provisions shall not be deemed to be a waiver of any other term or condition contained in this Agreement or a waiver of the right to withhold payment for any subsequent breach of this Addendum.

City or the California Department of Industrial Relations may impose penalties upon contractors and subcontractors for failure to comply with prevailing wage requirements. These penalties are up to $200 per day per worker for each wage violation identified; $100 per day per worker for failure to provide the required paperwork and documentation requested within a 10-day window; and $25 per day per worker for any overtime violation.

EXHIBIT E
NOTICE OF EXERCISE OF OPTION TO EXTEND AGREEMENT

AGREEMENT TITLE:	
CONTRACTOR:	
DATE:	

Pursuant to Section __ of the Agreement referenced above, the City of Santa Clara hereby exercises its option to extend the term under the following provisions:

OPTION NO.	# of #

NEW OPTION TERM

Begin date:	
End date:	

CHANGES IN RATE OF COMPENSATION

Percentage change in CPI upon which adjustment is based:	

Pursuant to Section ___ of the Agreement the rates of compensation are hereby adjusted as follows:
(use attachment if necessary)

MAXIMUM COMPENSATION for New Option Term:	

For the option term exercised by this Notice, City shall pay Contractor an amount not to exceed the amount set forth above for Contractor's services and reimbursable expenses, if any. The undersigned signing on behalf of the City of Santa Clara hereby certifies that an unexpended appropriation is available for the term exercised by this Notice, and that funds are available as of the date of this signature.

Dated: _____

Approved as to Form:

BRIAN DOYLE
City Attorney

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

21-508 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action on an Agreement and Covenant Running with the Land to Allow Private Improvements within the Public Right-of-Way at 801 Martin Avenue

COUNCIL PILLAR
Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND
On January 3, 2019, the Gahrahmat Family Limited Partnership II (Owner) submitted for a building permit for tenant improvements (Project) located at 801 Martin Avenue (Property). The Project is required to install public improvements along the frontage of the Property including sidewalk, driveways and pedestrian ramps for ADA compliance. The existing condition of the Property frontage required that a private keystone retaining wall (Private Improvements) be installed in the Public Right-of-Way to protect existing redwood trees.

DISCUSSION
The Private Improvements were reviewed, permitted and constructed as a part of the encroachment permit issued for the Project and the attached Agreement and Covenant Running with the Land (Attachment 1) is required for the property owner to maintain the Private Improvements. In the event the Private Improvements are ever required to be removed in the future, per the Agreement, the property owner must remove them (or portions thereof) at their sole cost within 60 days after written notification from the City. The Private Improvements support the preservation of existing redwood trees on the Property at no cost to the City for maintenance.

ENVIRONMENTAL REVIEW
Council action on this item is exempt from CEQA review under Section 15303 of the CEQA Guidelines, construction of small structures.

FISCAL IMPACT
There is no additional cost to the City other than staff time and expense. The Owner is responsible for all installation and maintenance costs.

COORDINATION
This report has been coordinated with the City Attorney’s Office and the Finance Department.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a

Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Approve and authorize the City Manager to execute the Agreement and Covenant Running with the Land allowing the installation and maintenance of private improvements within the public right-of-way at 801 Martin Avenue [APN 224-04-090 SC 19,351];
2. Authorize the City Manager to make minor, non-substantive modifications to the Agreement, if necessary; and
3. Authorize the recordation thereof.

Reviewed by: Craig Mobeck, Director of Public Works
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Agreement and Covenant Running with the Land

RECORD WITHOUT FEE
PURSUANT TO GOV'T CODE § 6103

Recording Requested by:
Office of the City Attorney
City of Santa Clara, California

When Recorded, Mail to:
Office of the City Clerk
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Form per Gov't Code § 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

AGREEMENT AND COVENANT RUNNING WITH THE LAND TO INSTALL AND MAINTAIN A RETAINING WALL WITHIN THE PUBLIC RIGHT-OF-WAY

[Restriction on 801 Martin Avenue, Santa Clara, CA]

This Agreement and Covenant Running with the Land ("Covenant") is made and entered into on this ____ day of _____, 20 ("Effective Date"), by Gahrahmat Family Limited Partnership II, a California Limited Partnership ("Owner"), and the City of Santa Clara, California, a chartered California municipal corporation ("City").

RECITALS

a. WHEREAS, Owner is the sole and exclusive owner of real property commonly known as 801 Martin Avenue in the City of Santa Clara, California, and is shown on the 2020-21 Santa Clara County Property Tax Roll as Assessor's Parcel Nos. 224-04-090 ("Property"). Property is also known as Parcel 2 as shown on that Parcel Map filed for record in Book 599 of Maps, at Page 50, Santa Clara County Records.

b. WHEREAS, City is the owner of Martin Avenue, a public right-of-way.

c. WHEREAS, Owner wishes to install and maintain two keystone retaining walls within said public right-of-way.

d. WHEREFORE, the Parties enter into the following Covenant:

COVENANT

1. Owner proposes to install and maintain and City agrees to permit certain existing private improvements ("Improvements") in the street right-of-way described and limited to the following:

Two 1.5-foot high keystone retaining walls. The locations of the walls are

shown on Exhibit "A", attached hereto and incorporated herein by this reference.

2. Owner shall maintain, at Owner's expense, Improvements in a safe condition in compliance with City ordinances, rules, regulations, and such terms and conditions as all of the aforesaid are required by City from time to time. City approval of Improvements does not constitute approval on behalf of public utility companies. Approval of public utility companies shall be obtained separately by Owner. If, in the future, Improvements are removed, the area they are removed from shall be left in a safe condition. Removal shall be at Owner's expense and performed under an Encroachment Permit issued by City. Upon removal of Improvements, confirmation by City that the site has been returned to its original or better condition, and payment of applicable processing fee, City shall release Owner's obligations under this agreement by recording a Release of Interest at the County of Santa Clara Recorder's Office.

3. Owner shall permit public utility companies, the City, and their respective officers, employees, and agents to enter upon Property so that there is access to the street right-of-way for the purpose of installation, modification, repair, maintenance, removal or replacement of utility companies and City owned public improvements, facilities or properties situated in the street right-of-way. Owner waives any and all claims for damages or liabilities in connection therewith for property damages incurred as a result of City operations.

4. Owner shall pay City for any damages to City owned facilities caused by the construction or maintenance done by Owner in the street right-of-way. Payment to City shall be made within sixty (60) calendar days of said demand.

5. Owner shall modify, maintain, repair, or remove within sixty (60) days of a written demand of the City Engineer (or designee) at no cost to the City, Improvements (or portion thereof) which prohibits or interferes with the City's ability to maintain, repair, or replace its public facilities located in the street right-of-way. If owner fails to modify, maintain, repair, or remove Improvements (or portion thereof) within the time frame stated in the written demand of City, City shall cause the work to be done and bill Owner for any and all costs, fees, and expenses related to said work. Payment to City shall be made within sixty (60) calendar days of said demand for payment.

6. If Owner fails to pay City for damage to City facilities or for City caused work the Owner failed to perform upon City demand, City may enforce this Covenant in any manner allowed by law including a levy against the Property.

7. Owner shall defend, indemnify and hold harmless the City, its council, officers, employees, agents, successors and assign from any claims, demands, loss, liability, injury, damage, expense or cost (including reasonable attorney's fees) however same may be caused, which may be sustained, incurred, or asserted against City because of and/or arising from this Agreement, including but not limited to claims for design defect and/or dangerous condition of public property. Provided, however, that in no event shall Owner's obligations in this Section apply to any such claims, demands, losses, liabilities, injuries, damages, expenses, or costs to the extent arising out of City's sole negligence or willful misconduct.

8. As used herein, street right-of-way includes not only the roadway traveled by vehicles but the curb and gutter, sidewalk and area between and beyond the sidewalk, if any, to the private property lines or exterior line of right-of-way easements.

9. Each and every covenant made by Owner and/or City in this Covenant is made for the direct benefit of the respective lands described above or the interests in such lands held by the Parties, their heirs, assigns and/or successors in interest, and shall run with said respective lands or interest in lands, and if applicable, the responsibilities and burdens thereof are imposed on and shall run with said respective lands or interest in lands held by the Parties, their heirs, assigns and successors in interest.

10. The land of Owner which is burdened by this covenant and which will have the responsibility and burden for the modification, maintenance, repair, or removal of the Improvements is the above mentioned Property.

11. The land of City which is benefited by the covenants included in this Agreement is Martin Avenue, a public street owned by City.

12. Enforcement, either to restrain violation or to recover damages, shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant created through this Agreement.

13. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

14. Owner represents and warrants to City that they are the owner(s) of Property at the time of their signature hereto, and have the authority to enter into this Covenant and the covenants contained herein, and grant such interests as are necessary to effectuate this Covenant.

15. Wherever the term "Owner" is used, it shall refer collectively to the Owner(s) signing this Covenant, and/or Owner's assigns and successors in interest. City and Owner may be referred to herein collectively as the "Parties" or individually as a "Party". It is the express intent of the Parties hereto to have the benefits and burdens of this covenant run with the land.

[The last paragraph, Paragraph 16, concerning recordation of this Covenant, and the signature blocks are on page 4]

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16. This Covenant shall be recorded by City in the Office of the County Recorder of Santa Clara County.

The Parties acknowledge and accept the terms and conditions of this Covenant as evidenced by the following signatures of their duly authorized representatives. It is the intent of the Parties that this Covenant shall become operative on the Effective Date first set forth above.

CITY OF SANTA CLARA, CALIFORNIA
a chartered municipal corporation

DEANNA J. SANTANA
City Manager

1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: 408/615-2210
Fax Number: 408/241-6771

APPROVED AS TO FORM:

BRIAN DOYLE
City Attorney

"CITY"

Gahrahmat Family Limited Partnership II,
a California Limited Partnership

By: Gahrahmat Properties II, LLC
a California Limited Liability Company
its General Partner

By: _____

Name: MAHMOUD GAHRAHMAT

Title: PARTNER / OWNER

Mailing Address: 3476 EDWARD AVE
SANTA CLARA, CA 95054

Phone #: 408.986.0451 Fax #: _____

"OWNER" [APN 224-04-090 (2020-21)]

ALL LEGAL OWNER(S) OF PROPERTY MUST SIGN THIS DOCUMENT. IF OWNER(S) IS A CORPORATION, THE COMPLETE LEGAL NAME AND CORPORATE SEAL OF THE CORPORATION AND CORPORATE TITLES OF THE PERSONS SIGNING FOR THE CORPORATION SHALL APPEAR ABOVE. WRITTEN EVIDENCE OF AUTHORITY OF PERSON OR PERSONS EXECUTING THIS DOCUMENT ON BEHALF OF CORPORATION, PARTNERSHIP, OR JOINT VENTURE, OR ANY OTHER ORGANIZATION OTHER THAN A SOLE PROPRIETORSHIP SHALL BE ATTACHED.

ATTACH THE ALL-PURPOSE NOTARY ACKNOWLEDGMENT FORM FOR THE PERSON OR PERSONS EXECUTING THIS DOCUMENT ON BEHALF OF THE OWNER(S).

California All-Purpose Acknowledgment CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
} ss
COUNTY OF SANTA CLARA

On MARCH 17, 2021, before me, DARYL ROBIN WENRICH, a Notary Public, personally appeared MAHMOUD GAHRAHMAT, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

DARYL ROBIN WENRICH
Notary Public - California
Santa Clara County
Commission # 2317140
My Comm. Expires Jan 21, 2024

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW:

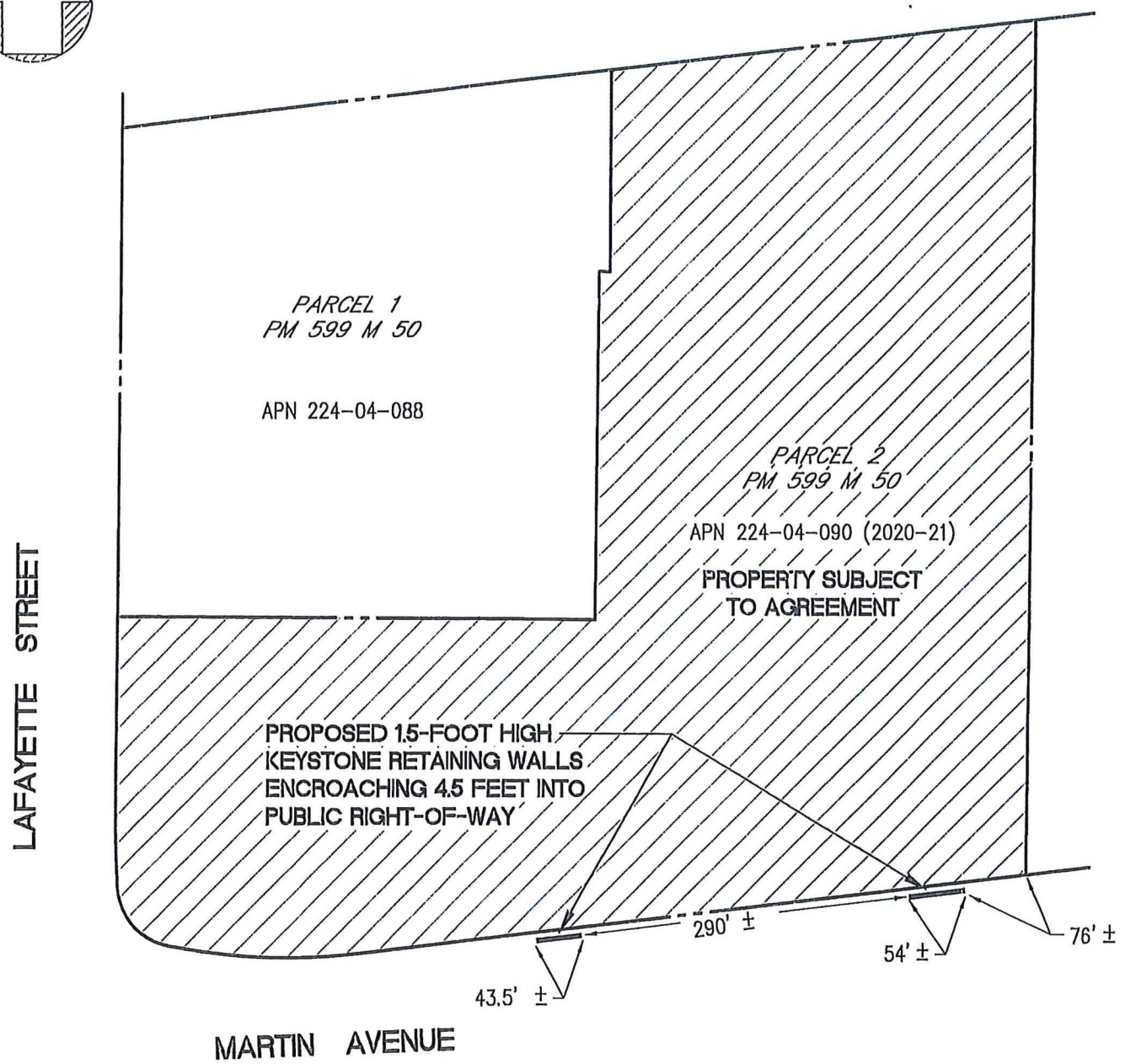


EXHIBIT "A"

K:\...\DRAFT\CAD\LPD\HUNG\SC19351 ROW ENC BY WALL1.DWG		
Revised		
Drawn By	HL	11-30-2020
Checked By	JD	12-09-2020
Approved By	AS	12-07-2020
MICHAEL JACK LIW ASSISTANT DIRECTOR OF PUBLIC WORKS/CITY ENGINEER		

CITY OF SANTA CLARA

AGREEMENT AND COVENANT RUNNING WITH THE LAND
(PRIVATE IMPROVEMENT WITHIN THE PUBLIC RIGHT-OF-WAY)
801 MARTIN AVENUE

Scale	1" = 150'
Ref.	SC 19,351
Tracing No.	12,364-A

12,364-A

21-519 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action on an Agreement with Business Recovery Services, Inc., dba Bank Up Corporation, for Remittance Lockbox Processing Services for Utility Payments

COUNCIL PILLAR
Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND
The Finance Department (Department) is responsible for collecting and processing all utility bill payments. While the majority of the City's utility customers receive and pay their bills online through the City's e-Bill Program, the City still receives approximately 10,000 utility remittance payments per month by mail. As an alternative to manual check processing performed by staff, the Department uses a third-party service to receive and process payments received by mail.

On January 10, 2017, City Council approved the award of contract to Business Recovery Services, Inc., dba Bank Up Corporation, following a competitive process. This agreement expires on June 30, 2021.

DISCUSSION
In January 2021, staff issued a competitive Request for Proposals (RFP) for Remittance Lockbox Processing Services utilizing the City's e-procurement system. A total of 33 companies viewed the RFP, and two proposals were received from the following firms:

- Business Recovery Services, Inc., dba Bank Up Corporation (Alameda, CA)
- JPMorgan Chase Bank, N.A. (San Francisco, CA)

A three-member evaluation team with representation from the Finance Department and Information Technology Departments evaluated and scored the written proposals against the criteria and weights published in the RFP. The proposals were evaluated on experience, technical capability, and fee schedule.

Staff recommends award of contract to Business Recovery Services, Inc., dba Bank Up Corporation (Bank Up) as the most advantageous and best value proposal based upon the final evaluation ranking. Bank Up understands and is able to meet the City's lockbox process, work types, and payment processing requirements. The Department is confident that Bank Up will continue to deliver quality lockbox services and provide excellent customer service.

Bank Up's cost proposal is approximately 30% lower than the cost proposal submitted by JPMorgan Chase Bank, demonstrating the values of the competitive process. Bank Up maintained its current

fees through June 30, 2024, which represents an average savings of 3% per year when compared to Consumer Price Index (CPI) adjustments over the past three years.

Bank Up's compensation under the agreement includes fixed monthly fees for lockbox maintenance, electronic file transmission, and online portal access, and per item fees for check scanning and processing. The fee schedule also includes daily courier pick-up, check intercept services, and professional services as may be required. The initial term of the proposed agreement is three years with the option to extend the agreement for up to two additional one-year terms. Subject to the City's approval, Bank Up may request adjustments to its fees after the initial term.

Based on past usage, the estimated cost for lockbox services is $40,000 per year. This amount may fluctuate depending on the number of payments processed.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

Staff is proposing a three-year agreement at a total not-to-exceed cost of $120,000 or approximately $40,000 annually. This funding is expected to address existing service needs. In addition, staff is requesting City Manager authorization to execute amendments to the agreement in an amount not-to-exceed $20,000 over the three-year period as contingency to cover any unanticipated service requirements including additional checks for processing. Annual funding for this contract is included in the General Fund Operating Budget for the Finance Department, however, the majority of these costs are recovered from utility funds through the City's Cost Allocation Plan.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Authorize the City Manager to execute an agreement with Business Recovery Services, Inc., dba Bank Up Corporation, for Remittance Lockbox Processing Services with an initial term starting on July 1, 2021 and ending on June 30, 2024 for a total maximum not-to-exceed amount of $120,000, subject to the appropriation of funds;
2. Authorize the City Manager to execute amendments over the initial term of the agreement, not-to-exceed $20,000 as contingency to cover any unanticipated service requirements including additional checks for processing, subject to the appropriation of funds; and
3. Authorize the City Manager to execute up to two (2) additional one-year options to extend the term

through June 30, 2026, subject to the appropriation of funds.

Reviewed by: Kenn Lee, Director of Finance
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS
1. Agreement for Services with Business Recovery Services, Inc., dba Bank Up Corporation

EBIX Insurance No. S200002532

AGREEMENT FOR SERVICES BETWEEN THE CITY OF SANTA CLARA, CALIFORNIA, AND BUSINESS RECOVERY SERVICES, INC., DBA BANK UP CORPORATION

This Agreement is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and Business Recovery Services, Inc., doing business as Bank Up Corporation, a California corporation (Contractor). City and Contractor may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

A. City desires to secure the services more fully described in this Agreement, at Exhibit A, entitled "Scope of Services";

B. Contractor represents that it, and its subcontractors, if any, have the professional qualifications, expertise, necessary licenses and desire to provide certain goods and/or required services of the quality and type which meet objectives and requirements of City; and,

C. The Parties have specified herein the terms and conditions under which such services will be provided and paid for.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AGREEMENT DOCUMENTS

The documents forming the entire Agreement between City and Contractor shall consist of these Terms and Conditions and the following Exhibits, which are hereby incorporated into this Agreement by this reference:

Exhibit A – Scope of Services

Exhibit B – Schedule of Fees

Exhibit C – Insurance Requirements

Exhibit D – Notice of Exercise of Option to Extend Agreement Form

This Agreement, including the Exhibits set forth above, contains all the agreements, representations and understandings of the Parties, and supersedes and replaces any previous agreements, representations and understandings,

whether oral or written. In the event of any inconsistency between the provisions of any of the Exhibits and the Terms and Conditions, the Terms and Conditions shall govern and control.

2. TERM OF AGREEMENT

A. **Initial Term.** Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on July 1, 2021 and terminate on June 30, 2024 ("Initial Term").

B. **Options to Extend.** After the Initial Term, the City reserves the right, at its sole discretion, to extend the term of this Agreement for up to two (2) additional one-year terms through June 30, 2026 ("Option Periods"). See Exhibit D for Notice of Exercise of Option to Extend Agreement Form.

3. SCOPE OF SERVICES & PERFORMANCE SCHEDULE

Contractor shall perform those Services specified in Exhibit A within the time stated in Exhibit A. Time is of the essence.

4. WARRANTY

Contractor expressly warrants that all materials and services covered by this Agreement shall be fit for the purpose intended, shall be free from defect and shall conform to the specifications, requirements and instructions upon which this Agreement is based. Contractor agrees to promptly replace or correct any incomplete, inaccurate or defective Services at no further cost to City when defects are due to the negligence, errors or omissions of Contractor. If Contractor fails to promptly correct or replace materials or services, City may make corrections or replace materials or services and charge Contractor for the cost incurred by City.

5. QUALIFICATIONS OF CONTRACTOR - STANDARD OF CARE

Contractor represents and maintains that it has the expertise in the professional calling necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and City expressly relies upon Contractor's representations regarding its skills and knowledge. Contractor shall perform such Services and duties in conformance to and consistent with the professional standards of a specialist in the same discipline in the State of California.

6. COMPENSATION AND PAYMENT

In consideration for Contractor's complete performance of Services, City shall pay Contractor for all materials provided and Services rendered by Contractor in accordance with Exhibit B, entitled "SCHEDULE OF FEES." The maximum

compensation of this Agreement is set forth in Exhibit B, which is subject to budget appropriations and includes all payments that may be authorized for Services and for expenses, supplies, materials and equipment required to perform the Services. All work performed or materials provided in excess of the maximum compensation shall be at Contractor's expense. Contractor shall not be entitled to any payment above the maximum compensation under any circumstance.

7. TERMINATION

A. Termination for Convenience. City shall have the right to terminate this Agreement, without cause or penalty, by giving not less than Thirty (30) days' prior written notice to Contractor.

B. Termination for Default. If Contractor fails to perform any of its material obligations under this Agreement, in addition to all other remedies provided by law, City may terminate this Agreement immediately upon written notice to Contractor.

C. Upon termination, each Party shall assist the other in arranging an orderly transfer and close-out of services. As soon as possible following the notice of termination, but no later than ten (10) days after the notice of termination, Contractor will deliver to City all City information or material that Contractor has in its possession.

8. ASSIGNMENT AND SUBCONTRACTING

City and Contractor bind themselves, their successors and assigns to all covenants of this Agreement. This Agreement shall not be assigned or transferred without the prior written approval of City. Contractor shall not hire subcontractors without express written permission from City.

Contractor shall be as fully responsible to City for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by them, as Contractor is for the acts and omissions of persons directly employed by it.

9. NO THIRD PARTY BENEFICIARY

This Agreement shall not be construed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

10. INDEPENDENT CONTRACTOR

Contractor and all person(s) employed by or contracted with Contractor to furnish labor and/or materials under this Agreement are independent contractors and do not act as agent(s) or employee(s) of City. Contractor has full rights to manage its employees in their performance of Services under this Agreement.

11. CONFIDENTIALITY OF MATERIAL

All ideas, memoranda, specifications, plans, manufacturing procedures, data, drawings, descriptions, documents, discussions or other information developed or received by or for Contractor and all other written information submitted to Contractor in connection with the performance of this Agreement shall be held confidential by Contractor and shall not, without the prior written consent of City, be used for any purposes other than the performance of the Services nor be disclosed to an entity not connected with performance of the Services. Nothing furnished to Contractor which is otherwise known to Contractor or becomes generally known to the related industry shall be deemed confidential.

12. OWNERSHIP OF MATERIAL

All material, which shall include, but not be limited to, data, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports, designs, technology, programming, works of authorship and other material developed, collected, prepared or caused to be prepared under this Agreement shall be the property of City but Contractor may retain and use copies thereof. City shall not be limited in any way or at any time in its use of said material. However, Contractor shall not be responsible for damages resulting from the use of said material for work other than Project, including, but not limited to, the release of this material to third parties.

13. RIGHT OF CITY TO INSPECT RECORDS OF CONTRACTOR

City, through its authorized employees, representatives or agents shall have the right during the term of this Agreement and for four (4) years from the date of final payment for goods or services provided under this Agreement, to audit the books and records of Contractor for the purpose of verifying any and all charges made by Contractor in connection with Contractor compensation under this Agreement, including termination of Contractor. Contractor agrees to maintain sufficient books and records in accordance with generally accepted accounting principles to establish the correctness of all charges submitted to City. Any expenses not so recorded shall be disallowed by City. Contractor shall bear the cost of the audit if the audit determines that there has been a substantial billing deviation in excess of five (5) percent adverse to the City.

Contractor shall submit to City any and all reports concerning its performance under this Agreement that may be requested by City in writing. Contractor agrees to assist City in meeting City's reporting requirements to the State and other agencies with respect to Contractor's Services hereunder.

14. HOLD HARMLESS/INDEMNIFICATION

A. To the extent permitted by law, Contractor agrees to protect, defend, hold harmless and indemnify City, its City Council, commissions, officers, employees, volunteers and agents from and against any claim, injury,

liability, loss, cost, and/or expense or damage, including all costs and attorney's fees in providing a defense to any such claim or other action, and whether sounding in law, contract, tort, or equity, in any manner arising from, or alleged to arise in whole or in part from, or in any way connected with the Services performed by Contractor pursuant to this Agreement – including claims of any kind by Contractor's employees or persons contracting with Contractor to perform any portion of the Scope of Services – and shall expressly include passive or active negligence by City connected with the Services. However, the obligation to indemnify shall not apply if such liability is ultimately adjudicated to have arisen through the sole active negligence or sole willful misconduct of City; the obligation to defend is not similarly limited.

B. Contractor's obligation to protect, defend, indemnify, and hold harmless in full City and City's employees, shall specifically extend to any and all employment-related claims of any type brought by employees, contractors, subcontractors or other agents of Contractor, against City (either alone, or jointly with Contractor), regardless of venue/jurisdiction in which the claim is brought and the manner of relief sought.

C. To the extent Contractor is obligated to provide health insurance coverage to its employees pursuant to the Affordable Care Act ("Act") and/or any other similar federal or state law, Contractor warrants that it is meeting its obligations under the Act and will fully indemnify and hold harmless City for any penalties, fines, adverse rulings, or tax payments associated with Contractor's responsibilities under the Act.

15. INSURANCE REQUIREMENTS

During the term of this Agreement, and for any time period set forth in Exhibit C, Contractor shall provide and maintain in full force and effect, at no cost to City, insurance policies as set forth in Exhibit C.

16. WAIVER

Contractor agrees that waiver by City of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement. Neither City's review, acceptance nor payments for any of the Services required under this Agreement shall be constructed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

17. NOTICES

All notices to the Parties shall, unless otherwise requested in writing, be sent to City addressed as follows:

City of Santa Clara
Attention: Finance Department
1500 Warburton Avenue
Santa Clara, CA 95050
and by e-mail at meglesia@santaclaraca.gov

And to Contractor addressed as follows:

Business Recovery Services, Inc., DBA Bank Up Corporation
Attention: Michael Santimauro
1301 Marina Village Parkway, Suite 250
Alameda, CA 94501
and by e-mail at msantimauro@bank-up.com

The workday the e-mail was sent shall control the date notice was deemed given. An e-mail transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following business day.

18. COMPLIANCE WITH LAWS

Contractor shall comply with all applicable laws and regulations of the federal, state and local government, including but not limited to "The Code of the City of Santa Clara, California" ("SCCC"). In particular, Contractor's attention is called to the regulations regarding Campaign Contributions (SCCC Chapter 2.130), Lobbying (SCCC Chapter 2.155), Minimum Wage (SCCC Chapter 3.20), Business Tax Certificate (SCCC section 3.40.060), and Food and Beverage Service Worker Retention (SCCC Chapter 9.60), as such Chapters or Sections may be amended from time to time or renumbered. Additionally Contractor has read and agrees to comply with City's Ethical Standards (http://santaclaraca.gov/home/showdocument?id=58299).

19. CONFLICTS OF INTEREST

Contractor certifies that to the best of its knowledge, no City officer, employee or authorized representative has any financial interest in the business of Contractor and that no person associated with Contractor has any interest, direct or indirect, which could conflict with the faithful performance of this Agreement. Contractor is familiar with the provisions of California Government Code section 87100 and

following, and certifies that it does not know of any facts which would violate these code provisions. Contractor will advise City if a conflict arises.

20. FAIR EMPLOYMENT

Contractor shall not discriminate against any employee or applicant for employment because of race, sex, color, religion, religious creed, national origin, ancestry, age, gender, marital status, physical disability, mental disability, medical condition, genetic information, sexual orientation, gender expression, gender identity, military and veteran status, or ethnic background, in violation of federal, state or local law.

21. NO USE OF CITY NAME OR EMBLEM

Contractor shall not use City's name, insignia, or emblem, or distribute any information related to services under this Agreement in any magazine, trade paper, newspaper or other medium without express written consent of City.

22. GOVERNING LAW AND VENUE

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California. The venue of any suit filed by either Party shall be vested in the state courts of the County of Santa Clara, or if appropriate, in the United States District Court, Northern District of California, San Jose, California.

23. SEVERABILITY CLAUSE

In case any one or more of the provisions in this Agreement shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions, which shall remain in full force and effect.

24. AMENDMENTS

This Agreement may only be modified by a written amendment duly authorized and executed by the Parties to this Agreement.

See next page.

25. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form: Dated: _____

BRIAN DOYLE
City Attorney

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

BUSINESS RECOVERY SERVICES, INC., DBA BANK UP CORPORATION
a California corporation

Dated: 5/12/2021
By (Signature): _____
Name: Michael V. Santimauro
Title: Chief Executive Officer
Principal Place of Business Address: 1301 Marina Village Parkway, Suite 150 Alameda, CA 94501
Email Address: msantimauro@bank-up.com
Telephone: (510) 522-9711
Fax: (510) 522-9720

"CONTRACTOR"

EXHIBIT A
SCOPE OF SERVICES

1. INTRODUCTION

1.1. Contractor shall provide a comprehensive Remittance Lockbox Processing Services solution to the City as described herein. Contractor will act as a non-depository agent for the City for the purpose of acceptance and processing of utility remittance payments.

1.2. To the extent not inconsistent with this Agreement between the City and Contractor including this Scope of Services, the City's RFP# 20-21-43 (including subsequent updates) and Contractor's proposal response dated February 19, 2021 are hereby incorporated by reference herein, and shall supplement this Scope of Services and be subject to the terms and conditions of the Agreement.

2. SCOPE OF SERVICES

2.1. Contractor shall provide a full lockbox processing solution wherein the City will direct payments to a pre-assigned lockbox at the Lundy Avenue Post Office in San Jose, CA contracted to the City (current PO Box # for the City's payments: 49067). All mail delivered to San Jose will be picked up by authorized and insured, TSA-approved courier every day, M-F, excluding Federal holidays, and delivered each day for processing to Contractor's HQ and California Lockbox Processing Center at: 1301 Marina Village Parkway, Suite 250 in Alameda, CA 94501.

2.2. Contractor shall extract, scan and process all coupons/checks and electronically process each payment according to the parameters assigned by the City. Contractor shall utilize its proprietary payment processing solution, FLEXRPS, a proven, comprehensive remittance processing platform. Contractor shall prepare and deliver a daily electronic cash letter (ECL) deposit to the City's depository bank no later than 3:00 p.m. (Pacific time zone). Deposits are guaranteed to be made the same day that the work is processed by Contractor. An image of each check and coupon associated with each remittance will be captured by Contractor before it is deposited.

2.3. Contractor shall provide a daily Batch Summary Report and ECL Export Report to the City upon completion of each day's processing. The exception file along with images of checks/stubs of the exception file will be sent to the City no later than 3:00 p.m. (Pacific Time zone). At that time, the City will make necessary corrections/additions to exception file for processing in next day's remittance processing. Banking for the exception file will be done with the next day's processing. Other reports available from the Contractor's system will also be made available to the City.

2.4. Contractor shall provide file transmissions of required information in order to create an X9.37 Image Cash Letter in a format required by the City's depository bank.

2.5. Contractor shall also prepare a daily output posting file and transmit that file in the required format to the City in order to update the City's Utility Billing System. The daily output posting file will be delivered to a secure FTP site or made available from Contractor's secure FTP immediately upon completion of each day's processing by 3:00 p.m. (Pacific time zone).

2.6. Contractor shall accept payments for the City and review and perform required reject/reentry to the MICR information as required by the processing standards associated with the Check Clearing for 21st Century Act (Check 21). Contractor shall resolve exception items through its online Exception Decisioning module and process the corrected exception items next business day. The resolved exception item payments will be deposited on the same day that Contractor receives the corrected information from the City. Contractor will present for deposit exception items listed on the appropriate reports or files, in accordance with instructions, either in writing or orally, by the City. All rejected items will be returned as directed by the City or handled through an alternative method established by the City for such rejected items.

2.7. Contractor shall provide the image archive file thru the internet to the City in order for the file to be merged with their current image archive file stored in-house, on the same day that work is processed by Contractor. Contractor shall email a daily confirmation to the City of the daily deposit, which will include date, dollar amount and number of items processed.

2.8. Contractor can also provide the eLockbox solution to the City. This solution will aggregate automated bill pay remittances from the City's customers' home banking systems. The solution will consolidate electronic bill payment checks by combining thousands of electronic sources into a single posting file that will be uploaded daily by the Contractor's lockbox platform into the City's Financial Management System. The City will receive deposits of home banking payments directly from the RPPS (MasterCard) network of financial institutions via ACH and receive a daily report of all payments received through this channel.

2.9. Contractor shall provide Tier 1 toll-free support for the City. Level 1 support includes assisting the City with all reasonable problem determination and troubleshooting over the phone, as well as engineering support for changes to the processing services or resolution of technical problems. Contractor will provide a dedicated support individual and customer support to Client weekdays from 8AM until 6PM Pacific Time, excluding Federal holidays. Customer support at other times will be based on the severity of the problem. Contractor maintains support after regular business hours as needed via its

24x7 toll free support number in the event the City needs to invoke incident management resources.

2.10. Contractor shall assign a Senior Technical Support Manager to the City. This individual will provide ongoing technical support as required. Contractor will also provide any training and installation support for City staff as required.

2.11. Contractor shall provide the City with a Monthly Client Management Report to include items and dollars processed by Contractor.

2.12. Contractor shall invoice the City monthly in arrears for all monthly processing fees. Payment will be due within thirty days of the City's receipt of an undisputed invoice.

2.13. Service levels will be evaluated periodically throughout the term of the agreement to ensure that Contractor and City have developed measurement standards acceptable to both parties.

EXHIBIT B
SCHEDULE OF FEES

1. MAXIMUM COMPENSATION

The maximum amount payable for all services provided under this Agreement shall not exceed **One Hundred Twenty Thousand Dollars ($120,000)** during the Initial Term of the Agreement, subject to the annual appropriation of funds. Any additional services requested by the City that would exceed the preceding maximum amount will be addressed in an Amendment to the Agreement. All services under this Agreement shall be paid in accordance with the fees set forth in Section 2 below.

2. SERVICE FEES

City shall compensate Contractor for remittance processing and lockbox services according to the following fee schedule.

DESCRIPTION	BASIS	SERVICE FEES EFFECTIVE FROM JULY 1, 2021 THROUGH JUNE 30, 2024
Lockbox Maintenance Fee	Monthly	$51.0000
Transaction Fee – automated with OCR scan line	Per transaction	$0.2346
Check Only	Per check	$0.2346
Check & List	Per check	$0.2346
Exception Items – non-automated without OCR scan line	Plus transaction fee	$0.0000
Electronic Check Deposit	Per check	$0.0204
Safekeeping & Secure Destruction	Per item	$0.0031
Fax/Copy/Email	Per page	$1.0200
Electronic File Transmission	Monthly	$76.5000
Archive Access (3 users)	Monthly	$153.0000
Courier/mail	At Cost	At Cost
Additional Courier for Santa Clara Pick-up	Daily	$7.1400
Implementation Fee	One-time	$510.0000
Check Intercept	Per check	$0.1020

DESCRIPTION	BASIS	SERVICE FEES EFFECTIVE FROM JULY 1, 2021 THROUGH JUNE 30, 2024
Optional Services		
Professional Services (for outside the scope of the initial implementation and for any custom implementation and programming)	Per hour	$200.0000
Implementation Fee for Optional E-Lockbox Services	One-time	$510.0000

3. RENEWAL PERIOD COMPENSATION

After the Initial Term, the City reserves the right, at its own sole discretion, to extend the term of this Agreement for up to two (2) additional one-year terms ("Option Periods") pursuant to Section 2.B of the Agreement.

Contractor may request adjustments to its service fees 60 days prior to an option term. Contractor must demonstrate to the satisfaction of the City that a price increase is justified.

4. INVOICING

Contractor must submit monthly invoices and account analysis statements to the City no later than thirty-days (30 days) after the close of the reporting month. Service charge items should be clearly and uniquely identified and should conform to the pricing set forth in this Exhibit B.

EXHIBIT C
INSURANCE REQUIREMENTS

Without limiting the Contractor's indemnification of the City, and prior to commencing any of the Services required under this Agreement, the Contractor shall provide and maintain in full force and effect, at its sole cost and expense, the following insurance policies with at least the indicated coverages, provisions and endorsements:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:

   $1,000,000 Each Occurrence
   $2,000,000 General Aggregate
   $2,000,000 Products/Completed Operations Aggregate
   $1,000,000 Personal Injury

2. Exact structure and layering of the coverage shall be left to the discretion of Contractor; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.

3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Contractor to comply with the insurance requirements of this Agreement:

   a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;

   b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and

   c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01 with policy limits a minimum limit of not less than one million dollars ($1,000,000) each accident using, or providing coverage at least as broad as, Insurance Services Office form CA 00 01. Liability coverage shall apply to all owned, non-owned and hired autos.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars ($1,000,000) policy limit Bodily Injury by disease, one million dollars ($1,000,000) each accident/Bodily Injury and one million dollars ($1,000,000) each employee Bodily Injury by disease.

2. The indemnification and hold harmless obligations of Contractor included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Contractor or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).

3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

D. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents are hereby added as additional insureds in respect to liability arising out of Contractor's work for City, using Insurance Services Office (ISO) Endorsement CG 20 10 11 85 or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.

2. Primary and non-contributing. Each insurance policy provided by Contractor shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the Indemnities may possess, including any self-insurance or self-insured retention they may have. Any other insurance Indemnities may possess shall be considered excess insurance only and shall not be called upon to contribute with Contractor's insurance.

3. Cancellation.

   a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least ten (10) days prior to the effective date of non-renewal.

b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.

4. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through D of this Exhibit C, above.

E. ADDITIONAL INSURANCE RELATED PROVISIONS

Contractor and City agree as follows:

1. Contractor agrees to ensure that subcontractors, and any other party involved with the Services who is brought onto or involved in the performance of the Services by Contractor, provide the same minimum insurance coverage required of Contractor, except as with respect to limits. Contractor agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Contractor agrees that upon request by City, all agreements with, and insurance compliance documents provided by, such subcontractors and others engaged in the project will be submitted to City for review.

2. Contractor agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Contractor for the cost of additional insurance coverage required by this Agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.

3. The City reserves the right to withhold payments from the Contractor in the event of material noncompliance with the insurance requirements set forth in this Agreement.

F. EVIDENCE OF COVERAGE

Prior to commencement of any Services under this Agreement, Contractor, and each and every subcontractor (of every tier) shall, at its sole cost and expense, provide and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Agreement. Such insurance coverage shall be maintained with insurers, and under forms of policies,

satisfactory to City and as described in this Agreement. Contractor shall file with the City all certificates and endorsements for the required insurance policies for City's approval as to adequacy of the insurance protection.

G. EVIDENCE OF COMPLIANCE

Contractor or its insurance broker shall provide the required proof of insurance compliance, consisting of Insurance Services Office (ISO) endorsement forms or their equivalent and the ACORD form 25-S certificate of insurance (or its equivalent), evidencing all required coverage shall be delivered to City, or its representative as set forth below, at or prior to execution of this Agreement. Upon City's request, Contractor shall submit to City copies of the actual insurance policies or renewals or replacements. Unless otherwise required by the terms of this Agreement, all certificates, endorsements, coverage verifications and other items required to be delivered to City pursuant to this Agreement shall be e-mailed to: ctsantaclara@ebix.com

Or by mail to:

EBIX Inc.
City of Santa Clara – Finance Department
P.O. Box 100085 – S2
Duluth, GA 30096
Telephone number: 951-766-2280
Fax number: 770-325-0409

H. QUALIFYING INSURERS

All of the insurance companies providing insurance for Contractor shall have, and provide written proof of, an A. M. Best rating of at least A minus 6 (A- VI) or shall be an insurance company of equal financial stability that is approved by the City or its insurance compliance representatives.

EXHIBIT D
NOTICE OF EXERCISE OF OPTION TO EXTEND AGREEMENT

AGREEMENT TITLE:	
CONTRACTOR:	
DATE:	

Pursuant to Section __ of the Agreement referenced above, the City of Santa Clara hereby exercises its option to extend the term under the following provisions:

OPTION NO.	# of #

NEW OPTION TERM

Begin date:	
End date:	

☐ **CHANGES IN RATE OF COMPENSATION**

Percentage change in CPI upon which adjustment is based:	

Pursuant to Section ___ of the Agreement the rates of compensation are hereby adjusted as follows:
(use attachment if necessary)

MAXIMUM COMPENSATION for New Option Term:	

For the option term exercised by this Notice, City shall pay Contractor an amount not to exceed the amount set forth above for Contractor's services and reimbursable expenses, if any. The undersigned signing on behalf of the City of Santa Clara hereby certifies that an unexpended appropriation is available for the term exercised by this Notice, and that funds are available as of the date of this signature.

Dated: _____

Approved as to Form:

_____
BRIAN DOYLE
City Attorney

_____
DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

21-528 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action on Agreements with the County of Santa Clara for the Countywide AB 939 Implementation Fee and Countywide Household Hazardous Waste Collection Program

COUNCIL PILLAR
Deliver and Enhance High Quality Efficient Services and Infrastructure; Sustainability

BACKGROUND
In 1989, Assembly Bill (AB) 939 was passed, which required jurisdictions to develop plans to implement source reduction, recycling, composting, public education, and household hazardous waste (HHW) programs to achieve 50 percent waste diversion by the year 2000. Known as the California Integrated Solid Waste Management Act of 1989, AB 939 provided local fee authority to cities and counties to impose fees to fund the development and implementation of waste diversion activities. The jurisdictions in Santa Clara County developed and approved the Countywide AB 939 Implementation Fee in 1992 to help fund waste reduction efforts.

The Countywide AB 939 Implementation Fee agreement imposes a $4.10 per ton fee on each ton of waste generated within the County that is destined for disposal in a landfill. Landfills are required by the state to allocate all disposal tonnage to specific jurisdictions. All disposal facilities located within the County and solid waste haulers that transport waste outside of the County for landfill disposal are required to pay the AB 939 Implementation Fee on each ton of waste.

The $4.10 per ton AB 939 Implementation Fee is composed of a Program Fee of $1.50 per ton and a HHW Fee of $2.60 per ton. The County of Santa Clara collects and distributes the AB 939 Implementation Fee on behalf of all jurisdictions. The Program Fee revenues are distributed to the City on a quarterly basis and reduce the City programs cost element of the residential recycling rate charged to all residential customers. This agreement has been renewed upon each successive expiration. The current agreement, effective July 1, 2018 through June 30, 2021, was approved by Council on May 22, 2018.

The County of Santa Clara retains the revenue generated by the HHW Fee to fund the City's participation in the Countywide Household Hazardous Waste Program (CoHHWP). The CoHHWP provides HHW drop-off services and collects abandoned hazardous waste during the annual Cleanup Campaign under the agreement for the Countywide Household Hazardous Waste Collection Program. City Council originally authorized this agreement in 2002 and has renewed it upon each successive expiration. The current agreement approved by Council on May 22, 2018 is effective July 1, 2018 through June 30, 2021.

DISCUSSION

Countywide AB 939 Implementation Fee Agreement

The Santa Clara County Board of Supervisors approved reimposing the AB 939 Implementation Fee at $4.10 per ton of waste disposed, effective July 1, 2021 through June 30, 2024. The successor AB 939 Implementation Fee agreement (Attachment 1) authorizes the County of Santa Clara to continue to collect and distribute a landfill disposal fee that is imposed on each ton of waste generated in the County on behalf of the City. The AB 939 Implementation Fee will remain flat, with the Program Fee and HHW Fee components remaining at $1.50 and $2.60 per ton, respectively.

The $1.50 per ton Program Fee component of the AB 939 Implementation Fee is distributed by the County to the City on a quarterly basis to help fund the weekly curbside residential recycling program, which qualifies as an AB 939 landfill diversion program. The Program Fee revenues are projected to generate approximately $240,000 in FY 2021/22. This revenue is applied to the City programs cost element of the residential recycling rate charged to all residential customers. In order to continue to receive the AB 939 Implementation Fee revenues the City must approve the agreement.

Countywide Household Hazardous Waste Collection Program Agreement

Under the Countywide Household Hazardous Waste Collection Program Agreement, the CoHHWP provides residents several opportunities throughout the year to properly dispose of hazardous waste. Multiple convenient disposal opportunities reduce the potential for improper disposal and illegal dumping of hazardous waste. Santa Clara residents can use any of the CoHHWP scheduled drop-off events to dispose of their hazardous waste at no charge. Each year the CoHHWP typically schedules two temporary collection events at the City's Public Works Corporation Yard (April and September); however, due to COVID-19 restrictions, all temporary collection events have been cancelled since March of 2020. The permanent collection sites in San Jose and San Martin continue to schedule drop-off appointments and have added additional days of operation to accommodate appointment requests.

Participation in the CoHHWP is funded by the $2.60 per ton HHW Fee component of the AB 939 Implementation Fee, which is projected to generate $417,000. All participating public agencies must agree to provide service for a minimum of 4 percent of their respective households in the baseline agreement. The baseline 4 percent participation for the City of Santa Clara is 1,959 households. The City must agree to augment funding for additional households to continue to use the program at the variable cost per household, which is projected to be $58.20 per participant.

The successor three-year term Countywide Household Hazardous Waste agreement provides for the augmentation of $107,157 in fiscal year 2021/22 to enable approximately 3,672 households to utilize the HHW services, if needed. Amendments to the agreement will need to be processed for each of the subsequent fiscal years to augment funds beyond the baseline 4 percent participation.

The County will retain all revenues generated by the HHW component of the AB 939 Implementation Fee. At the end of each fiscal year, the County prepares a final report that details the City's disposal tonnage, HHW fees collected, participation, revised variable cost per car that reflects actual expenditures, and calculation of the cost to provide services. If the cost to provide service is greater than the revenues generated by the HHW fees collected, the County will invoice the City for the balance. If the cost to provide service is less than the revenues generated by the HHW fees

powered by Legistar™

collected, the County forwards the City the difference.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

The AB 939 Implementation Fee is projected to generate approximately $657,000 of revenue in fiscal year 2021/22. The $1.50 per ton Program Fee component is projected to generate $240,000 and the $2.60 per ton HHW Fee component is projected to generate $417,000. AB 939 Implementation Fee revenue collected and distributed by the County will be allocated to the City's Solid Waste Fund and would contribute additional funding that is needed beyond the HHW Fee component revenue.

COORDINATION

This report has been coordinated with the Finance Department and City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Approve and Authorize the City Manager to execute the Agreement for Countywide AB 939 Implementation Fee to collect and distribute the AB 939 Implementation Fee over the three-year term of the agreement;
2. Approve and authorize the City Manager to execute the Agreement for Countywide Household Hazardous Waste Collection Program with the County of Santa Clara to enable residents to participate in the Countywide Household Hazardous Waste Collection Program for a three-year term;
3. Authorize the City Manager to execute future amendments to the Agreement for Countywide Household Hazardous Collection Program with the County of Santa Clara to adjust the annual augmentation over the baseline 4 percent participation level; and
4. Authorize the City Manager to execute future license agreements with the County of Santa Clara that enable drop-off events to be conducted on the Public Works Corporation Yard premises.

Reviewed by: Craig Mobeck, Director of Public Works
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Agreement for the Countywide AB 939 Implementation Fee
2. Agreement for the Countywide Household Hazardous Waste Collection Program

AGREEMENT FOR COUNTYWIDE
AB939 IMPLEMENTATION FEE

This Agreement is made by and among the Cities and Towns of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Morgan Hill, Monte Sereno, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga, and Sunnyvale (CITIES) and the County of Santa Clara (COUNTY) on the _____ day of _____ 2021. The term CITIES may refer to CITIES collectively or individually.

RECITALS

WHEREAS, pursuant to Public Resources Code Section 41901, a city, county, or city and county may impose fees in amounts sufficient to pay the costs of preparing, adopting, and implementing a countywide integrated waste management plan;

WHEREAS, State law, Public Resource Code Section 41750, requires that the countywide integrated waste management plans contain a household hazardous waste ("HHW") element for each city within the county as well as for the unincorporated area of the county;

WHEREAS, the County of Santa Clara Board of Supervisors ("Board") has imposed a Countywide AB939 Implementation Fee ("Fee") since July 1, 1992 to pay for the costs of preparing, adopting, and implementing integrated waste management plans and programs, including HHW program elements;

WHEREAS, the Board has approved reimposing the Fee for Fiscal Years 2022, 2023, and 2024 (July 1, 2021 through June 30, 2024) at $4.10 per ton of waste landfilled or incinerated in the County; received at any nondisposal or collection facility located within the County and subsequently transported for disposal or incineration outside of the County; collected from any location within the County by a solid waste hauler operating pursuant to a franchise, contract, license, or permit issued by any local jurisdiction and subsequently transported for disposal or incineration outside of the County; and removed from any location in the County by any person or business for disposal or incineration outside the County;

WHEREAS, HHW programs provide household hazardous waste management services to residents of Santa Clara County and are necessary to meet HHW planning and management requirements under State law;

WHEREAS, jurisdictions in Santa Clara County desire to provide safe, convenient, and economical means for residents to properly dispose of household hazardous wastes in an environmentally safe manner in order to avoid unauthorized or improper disposal in the garbage, sanitary sewer, storm drain system, or on the ground or in any other manner which creates a health or environmental hazard. These wastes include, but are not limited to, common household products such as household cleaning products, spot remover, furniture polish, solvents, oven cleaner, pesticides, oil based paints, motor oil, antifreeze, fluorescent lamps, and batteries; and

WHEREAS, the County will collect the Fee on behalf of the fifteen cities and for the unincorporated area of the County and will apportion the Fee according to the terms of this Agreement.

NOW THEREFORE, CITIES and COUNTY AGREE AS FOLLOWS:

1. PURPOSE

The purpose of this Agreement is to state the terms and conditions under which the COUNTY will collect and distribute the Fee of $4.10 per ton of waste to be disposed in Fiscal Years 2022, 2023 and 2024. The Fee is divided into two parts: 1) a Program Fee of $1.50 per ton to assist in funding the costs of preparing, adopting, and implementing the integrated waste management plan in the fifteen cities and the unincorporated area of the County; and 2) a Household Hazardous Waste Fee of $2.60 per ton to provide funding to implement the Countywide HHW Program. The Program Fee will be allocated among the CITIES and COUNTY as described in Exhibit B, attached hereto and incorporated herein. The HHW Fee will be allocated to the COUNTY, CITIES, and Countywide HHW Program as described in Exhibit C, attached hereto and incorporated herein. The Fee shall be imposed on each ton of waste landfilled or incinerated within the County; received at any non-disposal or collection facility located within the County and subsequently transported for disposal or incineration outside of the County; collected from any location within the County by a solid waste hauler operating pursuant to a franchise, contract, license, or permit issued by any local jurisdiction and subsequently transported for disposal or incineration outside of the County; or removed from any location in the County by any person or business for disposal or incineration outside the County. Non-Disposal Facilities are defined as those facilities included in the County of Santa Clara Non-Disposal Facility Element (and subsequent amendments to that Element) and are listed in Exhibit A, attached hereto and incorporated herein.

2. SERVICES PROVIDED BY COUNTY

COUNTY will collect and distribute the Fee. COUNTY will collect the Fee from landfills and non-disposal facilities listed in Exhibit A, and any landfill or non-disposal facility subsequently permitted, on a quarterly basis using data from tonnage reports filed by landfill and non-disposal facility operators with the County Recycling and Waste Reduction Division. COUNTY shall require each landfill and non-disposal facility to submit required payment, documentation of tonnages disposed, and state-mandated Disposal Reporting System Reports on a quarterly basis, within 45 days of the end of each calendar quarter. Late submissions and/or payments shall be subject to a late filing penalty and delinquent penalties. COUNTY will research Santa Clara County tonnage reported to COUNTY by landfills outside the COUNTY in significant amounts to determine the identity of the hauler. That hauler will subsequently be billed in the same fashion subject to the same penalties as mentioned above. Collected funds and any late filing payments and delinquency penalties shall be distributed to CITIES and Countywide HHW Program based on the formula set forth in Exhibits B and C. COUNTY shall not be obligated to distribute funds that COUNTY has been unable to collect from landfill or non-disposal facility operators.

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3. ROLE OF CITIES

CITIES shall review the Disposal Reporting System Reports as prepared and submitted by the COUNTY and within 30 days of receipt shall report to COUNTY, with appropriate documentation, errors in waste allocations among jurisdictions.

4. COLLECTION AND USE OF FEE

Each ton of waste will be subject to the fee if it is landfilled or incinerated in the County; received at any non-disposal facility or collection facility in the County and subsequently transported for disposal or incineration outside the County; collected from any location within the County by a solid waste hauler operating under franchise, contract, license, or permit issued by a local jurisdiction and subsequently transported for disposal or incineration outside the County; or removed from any location in the County by any person or business for disposal or incineration outside the County. Best efforts will be made to prevent tonnage from being assessed a double fee (for instance, once at a non-disposal facility and again at a landfill within Santa Clara County). The Program Fee funding share paid to CITIES shall be used to assist in funding the CITIES' costs of preparing, adopting, and implementing the integrated waste management plan of each of the CITIES and the unincorporated area of the COUNTY. The HHW Fee portion shall be applied to fund the costs of CITIES' share of Countywide Household Hazardous Waste services; any HHW fees directly disbursed to CITIES as provided in this Agreement shall be used to fund the costs of preparing, adopting, and implementing the jurisdiction's HHW element of the Countywide integrated waste management plan, including providing HHW services to residents.

5. INSURANCE

Each party shall maintain its own insurance coverage, through third party insurance, self-insurance or a combination thereof, against any claim, expense, cost, damage or liability arising out of the performance of its responsibilities pursuant to this Agreement. CITIES agree to provide evidence of such insurance to COUNTY via Certificate of Insurance or other documentation acceptable to the COUNTY upon request.

6. INDEMNIFICATION

In lieu of and not withstanding the pro rata risk allocation which might otherwise be imposed between CITIES and COUNTY pursuant to Government Code Section 895.6, the parties agree that all losses or liabilities incurred by a party shall not be shared pro rata but instead the parties agree that each of the parties hereto shall fully indemnify and hold each of the other parties harmless from any claim, expense or cost, damage or liability arising out of, or in connection with, performance of its responsibilities pursuant to this Agreement and as described in Exhibit D.

Additionally, CITIES shall indemnify, hold harmless, and defend COUNTY, its officers, agents, and employees with respect to any loss, damage, liability, cost or expenses, including attorney fees and court costs, arising from any misuse of the Fee distributed to CITIES. COUNTY shall indemnify, hold harmless, and defend CITIES, its officers, agents, and

employees with respect to any loss, damage, liability, cost or expenses, including attorney fees and court costs, brought by third parties based on COUNTY's sole negligence in the collection or distribution of said Fees.

7. DISTRIBUTION OF FEE

COUNTY shall distribute the AB939 Program Fee to CITIES and the HHW Program Fee to the Countywide HHW Program pursuant to the formulas described in Exhibits B and C within 45 days of receipt of landfill and non-disposal facility payments and disposal documentation required for calculation of Fee distribution amounts. Distributions shall begin December 15, 2021, and continue quarterly through October 15, 2024.

8. PARTICIPATION IN THE COUNTYWIDE HHW PROGRAM

CITIES, at their option, may individually participate in the Countywide HHW Program by entering into the AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM.

9. LATE PAYMENTS

If Fee payments and disposal documentation are not received from landfill or non-disposal facility operators prior to scheduled distribution of payments to CITIES and the Countywide HHW Program, payment distribution shall be calculated on a pro rata share of monies received. Upon collection, late payments and accrued delinquent penalties, if any, shall be distributed among CITIES and the Countywide HHW Program according to the formula in Exhibits B and C.

10. ACCOUNTING

COUNTY shall maintain records of all transactions related to collection, use and distribution of the Fee for at least five (5) years after the termination date of this Agreement, unless otherwise required by law to retain such records for a longer period. Such records will be available for inspection upon written request by CITIES, and will include but not be limited to tonnage reports submitted by landfills and non-disposal facilities, waste stream documentation provided by cities, payments made by the landfills and non-disposal facilities to the COUNTY and by the COUNTY to CITIES, and expenditures for programmatic and overhead costs.

11. REQUEST FOR REVIEW

In the event CITIES have a dispute regarding the calculation of its share of the Fee or the distribution or use of the Fee, CITIES may request in writing a review by COUNTY within 10 days of receipt of their Fee allocation. The review shall be performed within 30 days of request and results shall be reported to CITIES in writing.

12. EFFECTIVE DATE OF AGREEMENT

This agreement is effective upon approval by all fifteen CITIES and the COUNTY.

13. AMENDMENT

This Agreement may be amended only by an instrument signed by all fifteen CITIES and the COUNTY.

14. INDEPENDENT CONTRACTOR

Each party shall perform responsibilities and activities described herein as an independent contractor and not as an officer, agent, servant or employee of any of the parties hereto. Each party shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors, if any. Nothing herein shall be considered as creating a partnership or joint venture between the parties.

15. TERM OF AGREEMENT

The term of this Agreement shall be from July 1, 2021 to June 30, 2024, or until all funds from the last quarter's Fee payments have been distributed, whichever is later. COUNTY shall bill the operators of the landfills and non-disposal facilities listed in Exhibit A for the Fee commencing with the Quarter ending September 30, 2021. Said landfills and non-disposal facilities will be billed for the Fee through June 30, 2024.

16. NOTICES

All notices required by this Agreement will be deemed given when in writing and delivered personally or deposited in the United States mail, postage prepaid, return receipt requested, addressed to the other party at the address set forth below or at such address as the party may designate in writing in accordance with this section.

City of Santa Clara
Contact: Dave Staub
Title: Deputy Director of Public Works
Address: 1700 Walsh Avenue, Santa Clara, CA 95050

County of Santa Clara
Contact: Recycling and Waste Reduction Program Manager
Recycling and Waste Reduction Division
Address: 1555 Berger Drive, Suite 300
San Jose, CA 95112

17. CONTROLLING LAW

This Agreement shall be governed and construed in accordance with the laws of the State of California.

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18. ENTIRE AGREEMENT

This document embodies the entire Agreement between the parties with respect to the subject matter hereof. No modification of this Agreement shall be effective unless and until modification is evidenced by writing signed by all parties or their assigned designees.

19. COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

20. CONTRACT EXECUTION

Unless otherwise prohibited by law or County policy, the parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term "electronically signed contract" means a contract that is executed by applying an electronic signature using technology approved by the County.

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IN WITNESS WHEREOF, the parties have executed this AGENCY AGREEMENT FOR COUNTYWIDE AB939 IMPLEMENTATION FEE on the dates as stated below:

Date: _____

COUNTY OF SANTA CLARA

_____
MIKE WASSERMAN, President
Board of Supervisors

Date: _____

"CITY"

_____
CITY/TOWN OF SANTA CLARA
Title City Manager
A municipal corporation

Signed and certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors
ATTEST:

_____
MEGAN DOYLE
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:

_____
STEPHANIE SAFDI
Deputy County Counsel

EXHIBIT A

LANDFILLS LOCATED IN SANTA CLARA COUNTY

Guadalupe Rubbish Disposal Site
Kirby Canyon Sanitary Landfill
Newby Island Sanitary Landfill
Zanker Materials Processing Facility
Zanker Road Landfill

NON-DISPOSAL FACILTIES AND TRANSFER STATIONS LOCATED IN SANTA CLARA COUNTY

California Waste Solutions Recycling & Transfer Station
City of Palo Alto Green Composting Facility
Environmental Resource Recovery, Inc. (Valley Recycling)
Green Earth Management LLC Kings Row Recycling Facility
Green Waste Materials Facility and Transfer Station
Green Waste Recovery Facility
GreenTeam of San Jose Material Recovery Facility and Transfer Station
Guadalupe Landfill
Lam Hauling Inc. Chipping and Grinding
Lam Hauling Inc. Inert Debris Type A
Leo Recycle
Material Recovery Systems Facility
Mission Trail Waste Systems, Inc.
Newby Island Compost Facility
Pacheco Pass Transfer Station
Pacific Coast Recycling, Inc.
Premier Recycle Facility
Recology Silicon Valley Processing and Transfer Facility
The Recyclery at Newby Island
San Martin Transfer Station
Smurfit-Stone Recycling San Jose Facility
South Valley Organics
Stanford Recycling Center and Direct Transfer Facility
Sunnyvale Materials Recovery and Transfer Station (SMaRT Station)
Valley Recycling San Jose CDI Processing/Transfer Facility
Wood Processing Facility at Recology Pacheco Pass
Z-Best Composting Facility
Zanker Materials Processing Facility
Zanker Road Class III Landfill
Zero Waste Energy Development Company Anaerobic Digestion Facility

EXHIBIT B

FORMULA FOR DISTRIBUTION OF AB939 PROGRAM FEE

Each of the CITIES, and the COUNTY for its unincoporated area, will receive $1.50 per ton of solid waste disposed of in landfills or taken to non-disposal facilities located in Santa Clara County that originates from that jurisdiction, as documented in quarterly reports submitted by the County to the State Disposal Reporting System.

Fees collected from undocumented disposed tonnage, or tonnage originating outside of Santa Clara County, will be distributed according to each jurisdiction's percent of countywide population, according to the latest available population report issued by the California Department of Finance.

EXHIBIT C

COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE PROGRAM FEE (HHW Fee)

1. PROGRAM FUNDING SOURCE

HHW Program services are mandated by State law, Public Resources Code Section 41500 et seq. Public Resources Code Section 41901 authorizes imposition of a fee to support planning and implementation of integrated waste management programs, including their HHW elements. The HHW Fee, of $2.60 per ton, collected as part of the AB939 Implementation Fee, will be the primary source of funding for Countywide Household Hazardous Waste Collection Program (CoHHW Program) services.

Funds derived from the HHW Fee will be allocated among five types of CoHHW Program service costs as follows:

A. Fixed Program Costs will be apportioned based on the number of households in each participating jurisdiction. The number of households will be determined at the beginning of each Fiscal Year by statistics compiled by the California Department of Finance, Demographic Research Unit from their most recent Report, "Population Estimates for California Cities and Counties."

B. San Jose Facility Use Surcharge will be apportioned based on CITIES' anticipated participation at the County Household Hazardous Waste Collection Facility located at 1608 Las Plumas Avenue, San Jose.

C. Variable Cost Per Car is the cost associated with labor, waste disposal, transportation, and other services provided to residents at the County HHW Collection Facilities and at temporary HHW collection events. The Variable Cost Per Car is based on the estimated cost of providing a base level service to 4% of households in all participating jurisdictions. The number of households will be determined at the beginning of each Fiscal Year by statistics compiled by the California Department of Finance, Demographic Research Unit from their most recent Report, "Population Estimates for California Cities and Counties."

D. Available Discretionary Funding is allocated based on tonnage generated per participating jurisdiction, and after allocation of Fixed Program Costs, San Jose Facility Use Surcharge, and Variable Cost Per Car allocation.

E. Abandoned Waste Disposal Costs will fund disposal of HHW illegally abandoned at Nonprofit Charitable Reuser organizations as defined in Public Resources Code Section 41904.

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2. FIXED PROGRAM COST

Funds shall be allocated on a per household basis for Fixed Program Costs at the conclusion of each Fiscal Year. This portion of the funds shall be distributed directly to the Countywide HHW Program to pay for HHW Program costs. Fixed Program Costs funding shall be calculated shall not exceed $3.75 per household in Fiscal Years 2022, 2023, and 2024. Fixed Program Costs may include, but are not limited to eleven (11) CoHHW Program staff members, facility leasing costs, vehicle lease costs, office rent, office supplies, county administrative overhead, county legal counsel, training costs, equipment and facility maintenance, and union negotiated salary and benefit changes.

3. ABANDONED WASTE DISPOSAL COST

The Abandoned Waste Disposal Cost will fund disposal of HHW illegally abandoned at Nonprofit Charitable Reuser organizations. The Abandoned Waste Disposal Cost is based on the cost to the County to dispose of abandoned waste allocated among participating jurisdictions based on their proportional share of the County population and shall not exceed $0.05 per household. Projected Abandoned Waste Disposal Costs to the CITY based on a charge of $.05 per household are set forth in Attachment A, attached hereto and incorporated herein.
Any existing unexpended non-profit abandoned waste fund balance may be allocated toward funding of disposal of HHW illegally abandoned at nonprofit charitable reuser organizations as defined in Public Resources Code Section 41904.

For the purposes of this agreement, a nonprofit charitable reuse organization has the definition provided in Public Resources Code Section 41904 as follows: "Nonprofit charitable reuser" means a charitable organization, as defined in Section 501(c)(3) of the federal Internal Revenue Code, or a distinct operating unit or division of the charitable organization, that reuses and recycles donated goods or materials and receives more than 50 percent of its revenues from the handling and sale of those donated goods or materials.

4. SAN JOSE FACILITY USE SURCHARGE

The total San José Facility Use Surcharge for CITY will be based on CITY residents' proportional participation at the County Household Hazardous Waste Collection Facility located at 1608 Las Plumas Avenue, San José. The San José Facility Use Surcharge will vary depending on facility usage but will not exceed $8.29 per car for Fiscal Years 2022, 2023, and 2024. The total San Jose Facility Use Surcharge for CITY will be based on CITY's participation at the County Household Hazardous Waste Collection Facility located at 1608 Las Plumas Avenue, San Jose.

5. VARIABLE COST PER CAR

The Variable Cost Per Car is the cost associated with actual labor, waste disposal, transportation and other services provided to the residents at the County HHW Collection Facilities and Temporary Events. This portion of the funds shall be distributed directly to the Countywide HHW Program. The Variable Cost Per Car is estimated to be $58.20 per car for

Fiscal Years 2022, 2023, and 2024. The estimated cost per car will be adjusted annually to reflect actual service costs. After fixed costs and San Jose Facility Use Surcharge are allocated on a per household basis, the variable cost per car will be used to calculate the costs to service 4% of households across all participating jurisdictions. If the level of 4% of households is not reached, the Countywide HHW Program will use the remaining balance of funds, in cooperation with the CITIES, to increase public outreach and/or provide additional services in that jurisdiction where the level of 4% is not reached the following year.

6. AVAILABLE DISCRETIONARY FUNDING

The Available Discretionary Funding portion will be allocated based on the tons of waste generated within each jurisdiction and after allocation of Fixed Program Cost, San Jose Facility Use Surcharge, and Variable Per Car Cost. Available Discretionary Funds must be used for HHW purposes. Options for how to spend these funds include, but are not limited to, increasing the number of residents served in the jurisdiction by the Countywide HHW Program, universal waste collection, emergency HHW services, funding HHW public education, the support of capital infrastructure projects to accommodate HHW drop-off and collection events, or providing special programs such as retail collection of certain waste and/or door-to-door collection of HHW for the elderly and/or persons with disabilities and neighborhood clean-up events. CITIES authorize the COUNTY to determine appropriate uses of available discretionary funding and to use CITIES' Available Discretionary Funding portion of the AB939 HHW Fee to provide for additional HHW services requested by the CITIES.

7. PROGRAM FUNDING PASS-THROUGH

Annual funding calculations include HHW Fees collected on behalf of all jurisdictions in the County. CITIES, at their option, may participate in the Countywide HHW Program by entering into the AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM. If CITIES elect to participate in the Countywide HHW Program, their pro-rata share of the HHW Fee shall be retained by the County to utilize for HHW Program costs, as provided in this Agreement and the Agreement for Countywide Household Hazardous Waste Collection Program. The COUNTY will distribute to CITIES not participating in the Countywide Household Hazardous Waste Collection Program their pro-rata share of funding received by the COUNTY from the HHW Fee, except that the COUNTY may retain and expend that portion of the non-participating CITIES' fee attributable to Abandoned Waste Disposal Costs.

If CITIES not participating in the AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM desire to allow residents to participate in HHW Program services on an emergency basis, then services to these residents will be provided on a cost recovery basis. A charge equal to the established rates charged by the Countywide HHW Program to Conditionally Exempt Small Quantity Generators will be billed to the CITIES. A CITIES' representative must call the Countywide HHW Program appointment line to schedule an appointment for the resident. Liability shall be apportioned as provided in Exhibit D to this Agreement.

EXHIBIT D

SECTION 28 OF AGENCY AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

HOLD HARMLESS AND INDEMNIFICATION

In lieu of and not withstanding the pro rata risk allocation which might otherwise be imposed between CITY and COUNTY pursuant to Government Code Section 895.6, the parties agree that all losses or liabilities incurred by a party shall not be shared pro rata but instead COUNTY and CITY agree that pursuant to Government Code Section 895.4, each of the parties hereto shall fully indemnify and hold each of the other parties, their officers, board members, employees and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, its officers, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No party, nor any officer, board member, employee or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other parties hereto, their officers, board members, employees or agents, under or in connection with or arising out of any work authority or jurisdiction delegated to such other parties under this Agreement.

Additionally, CITY shall indemnify COUNTY for CITY's apportioned share of any liability incurred and attributed to the Countywide HHW Program for the transportation, treatment, or disposal of the household hazardous waste, once the waste has been accepted by a licensed hazardous waste hauler. Apportionment for disposal liability shall be determined by each participating jurisdiction's pro rata proportion of household participation in the Program. Apportionment for transportation and treatment liability shall be determined by each participating jurisdiction's pro rata household participation at the event where the waste was generated. COUNTY will use reasonable efforts to obtain recovery from all available resources, including insurance, of any liable hauler or liable disposal facility operator. No liability shall be apportioned to CITY for transportation, treatment or disposal in any case where COUNTY has contracted for such services and has failed to require the contractor to maintain the insurance requirements set forth in Section 23 of the AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM.

CITY shall further indemnify COUNTY for CITY's apportioned share of liability incurred and attributed to the Countywide HHW Program for the transportation, treatment or disposal of household hazardous waste at corporate sponsored events where non-county resident employees of the corporate sponsor are authorized to participate in the event. Liability for the nonresident portion of the disposal of waste shall be shared by the cities and the county as described above. The nonresident portion shall be determined by calculating the percentage of nonresidents participating in the event. This percentage will then be subtracted from the total liability for the household hazardous waste prior to assessing CITY's apportioned share of any liability for the household hazardous waste.

COUNTY shall require Conditionally Exempt Small Quantity Generators ("CESQG") and Nonprofit Charitable Reusers to indemnify COUNTY for, at minimum, their apportioned share of any liability incurred and attributed to the Countywide HHW Program for the transportation, treatment, or disposal of their hazardous waste, once the waste has been accepted by a licensed hazardous waste hauler. The CESQG and Nonprofit Charitable Reuser portion of the waste shall be determined by calculating the percentage, by weight, of the total household hazardous waste accepted by the CoHHW Program. This percentage will be used to calculate the portion of liability attributed to CESQGs and Nonprofit Charitable Reusers and will be subtracted from the total liability prior to assessing CITY's apportioned share of any liability for household hazardous waste.

AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

This Agreement is made by and between the City of Santa Clara (CITY) and the County of Santa Clara (COUNTY) on the _____ day of _____ 2021.

RECITALS

WHEREAS, the County Board of Supervisors has approved a Countywide Household Hazardous Waste Collection Program whereby residents of the County and cities and towns participating in the Countywide program will have an opportunity to safely dispose of household hazardous wastes (HHW), regardless of the specific location at which the collection has been scheduled; and

WHEREAS, CITY desires to provide residents with convenient opportunities to safely dispose of their HHW in order to encourage the proper disposal of toxic products, and avoid unauthorized or improper disposal in the garbage, sanitary sewer, storm drain system, or on the ground, in a manner which creates a health or environmental hazard; and

WHEREAS, CITY desires to provide a safe, convenient, and economical means for residents to dispose of HHW. These wastes include, but are not limited to, common household products such as household cleaning products, furniture polish, solvents, oven cleaner, pesticides, oil based paints, motor oil, antifreeze, car batteries, mercury thermostats, fluorescent lamps, household batteries, and electronic waste; and

WHEREAS, CITY desires to schedule Household Hazardous Waste Collection Events (Events) for residents for FY 2022 through FY 2024 (July 1, 2021 – June 30, 2024); and

WHEREAS, CITY desires to provide household hazardous waste collection services to a minimum of 4% of the households per fiscal year in its jurisdiction; and

WHEREAS, CITY desires to participate in the Countywide Household Hazardous Waste Collection Program to meet these objectives; and

WHEREAS, pursuant to Public Resources Code Section 41901, the County Board of Supervisors has approved the collection of a $4.10 per ton Countywide AB939 Implementation fee, including a $2.60 per ton Household Hazardous Waste Fee (AB939 HHW Fee), for FY 2022 through FY 2024 (July 1, 2021 – June 30, 2024) on all wastes landfilled or incinerated within the County, received at any non-disposal or collection facility located within the County and subsequently transported for disposal or incineration outside of the County, collected from any location within the County by a solid waste hauler operating pursuant to a franchise, contract, license, or permit issued by any local jurisdiction and subsequently transported for disposal or incineration outside of the County, or removed from any location in the county by any person or business for disposal or incineration outside the County; and

WHEREAS, the AB939 HHW Fee is allocated to the Countywide Household Hazardous Waste Program and participating jurisdictions to fund HHW program costs in accordance with the terms of the Countywide AB939 Implementation Fee Agreement; and

WHEREAS, CITY desires for COUNTY to utilize CITY's share of the AB939 HHW Fee to provide HHW services for CITY residents.

NOW THEREFORE, CITY and COUNTY AGREE AS FOLLOWS:

1. PURPOSE

The purpose of this Agreement is to state the terms and conditions under which CITY will participate in the Countywide Household Hazardous Waste Collection Program (CoHHW Program) available to its residents. Participating jurisdictions are those jurisdictions that enter into an AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM with the County.

2. PROGRAM FUNDING SOURCE

HHW Program services are mandated by State law, Public Resources Code Section 41500 et seq. State law authorizes cities and counties to impose fees in amounts sufficient to support planning and implementation of integrated waste management programs, including HHW elements. The AB939 HHW Fee, of $2.60 per ton, imposed by the County as part of the AB939 Implementation Fee and collected and distributed in accordance with the AGREEMENT FOR COUNTYWIDE AB939 IMPLEMENTATION FEE will be the primary source of funding for CoHHW Program services. CITY agrees that COUNTY may utilize CITY's share of the AB939 HHW fee to provide HHW Program services in accordance with the terms and conditions of this Agreement.

Funds derived from the AB939 HHW Fee will be allocated among five types of CoHHW Program service costs as follows:

A. Fixed Program Costs will be apportioned based on the number of households in each participating jurisdiction. The number of households will be determined at the beginning of each Fiscal Year by statistics compiled by the California Department of Finance, Demographic Research Unit from their most recent Report, "Population Estimates for California Cities and Counties."

B. San José Facility Use Surcharge will be apportioned based on CITY residents' participation at the County Household Hazardous Waste Collection Facility located at 1608 Las Plumas Avenue, San José, CA 95133.

C. Variable Cost Per Car is the cost associated with labor, waste disposal, transportation, and other services provided to residents at the County HHW Collection Facilities and at temporary HHW collection events. The Variable Cost Per Car is based on the estimated cost of providing a base level service to 4% of

households in all participating jurisdictions. The number of households will be determined at the beginning of each Fiscal Year by statistics compiled by the California Department of Finance, Demographic Research Unit from their most recent Report, "Population Estimates for California Cities and Counties."

D. Available Discretionary Funding is allocated based on tonnage generated per participating jurisdiction, and after allocation of Fixed Program Costs, San Jose Facility Use Surcharge, and Variable Cost Per Car allocation.

E. Abandoned Waste Disposal Costs will fund disposal of HHW illegally abandoned at Nonprofit Charitable Reuser organizations as defined in Public Resources Code Section 41904.

The projected AB939 HHW Fee Allocation by jurisdiction is set out in Attachment A, attached hereto and incorporated herein.

3. FIXED PROGRAM COST

Estimated HHW Fixed Program Costs are projected in Attachment B, attached hereto and incorporated herein. Fixed Program Costs are allocated to CITY at the conclusion of each fiscal year based on CITY's proportional share of the County population and will not exceed $3.75 per household for Fiscal Years 2022, 2023, and 2024. Fixed Program Costs may include, but are not limited to, up to eleven (11) County HHW Program staff members, facility lease costs, vehicle lease costs, office rent, office supplies, county administrative overhead, county legal counsel, training costs, equipment and facility maintenance and union negotiated salary and benefit changes.

4. ABANDONED WASTE DISPOSAL COST

The Abandoned Waste Disposal Cost will fund disposal of HHW illegally abandoned at Nonprofit Charitable Reuser organizations. The Abandoned Waste Disposal Cost is based on the cost to the County to dispose of abandoned waste allocated among participating jurisdictions based on their proportional share of the County population and shall not exceed $0.05 per household. Projected Abandoned Waste Disposal Costs to the CITY based on a charge of $.05 per household are set forth in Attachment A, attached hereto and incorporated herein.

For the purposes of this Agreement, "Nonprofit Charitable Reuser Organization" is defined in accordance with Public Resources Code Section 41904 as follows: a charitable organization, as defined in Section 501(c)(3) of the federal Internal Revenue Code, or a distinct operating unit or division of the charitable organization, that reuses and recycles donated goods or materials and receives more than 50 percent of its revenues from the handling and sale of those donated goods or materials.

5. SAN JOSÉ FACILITY USE SURCHARGE

The total San José Facility Use Surcharge for CITY will be based on CITY residents' proportional participation at the County Household Hazardous Waste Collection Facility located

at 1608 Las Plumas Avenue, San José. Estimated San José Facility Use Surcharges are projected in Attachment A, attached hereto and incorporated herein. The San José Facility Use Surcharge will vary depending on facility usage but will not exceed $8.29 per car for Fiscal Years 2022, 2023, and 2024.

6. VARIABLE COST PER CAR

The Variable Cost Per Car is the cost associated with actual labor, waste disposal, transportation and other services provided to the residents at the County Household Hazardous Waste Collection Facilities (CoHHWCF) and at Temporary Events. The Variable Cost Per Car is estimated to be approximately $58.20 per participating resident car for Fiscal Years 2022, 2023 and 2024. The estimated cost per car will be adjusted to reflect actual service costs. After Fixed Program Costs and San José Facility Use Surcharge are allocated on a per household basis, the Variable Cost Per Car will be used to calculate the costs to service 4% of households across all participating jurisdictions. If the level of 4% of households is not reached in the CITY, the CoHHW Program may use the remaining balance of funds, in cooperation with the CITY, to increase public outreach and/or provide additional services in that jurisdiction the following year.

7. AVAILABLE DISCRETIONARY FUNDING

The Available Discretionary Funding portion of the AB939 HHW Fee will be allocated based on the tons of waste generated within each jurisdiction, and after allocation of Fixed Program Costs, San José Facility Use Surcharge, and Variable Cost Per Car allocation. Available Discretionary Funds must be used for HHW purposes. Options for how to spend these funds include, but are not limited to, increasing the number of residents served in that jurisdiction by the CoHHW Program, subsidizing curbside used motor oil collection, electronic waste (e-waste) collection, universal waste collection, emergency HHW services, funding HHW public education, the support of capital infrastructure projects to accommodate HHW drop-off and collection events, or providing special programs such as retail collection of certain waste and/or door-to-door collection of HHW for the elderly and/or persons with disabilities and neighborhood clean-up events. COUNTY has discretion to determine appropriate uses of Available Discretionary Funding in accordance with the terms and conditions in this Agreement, and to apply the funding toward those uses.

8. ADMINISTRATION AND PAYMENT OF THE AB939 HHW FEE

The County of Santa Clara Recycling and Waste Reduction Division will administer the AB939 HHW Fee, as part of the existing online disposal reporting and payment system. Administration and payment will be made in accordance with the AGREEMENT FOR COUNTYWIDE AB939 IMPLEMENTATION FEE and this Agreement. Notwithstanding the foregoing, the COUNTY shall maintain records of the amount, use, and distribution of Fixed Program Cost expenditures for at least five (5) years after the termination date of this Agreement, unless otherwise required by law to retain such records for a longer period. CITY may request in writing a review by COUNTY of the Fixed Program Cost records. The review shall be performed within 30 days of request and results shall be reported to participating cities in writing.

9. PROGRAM PUBLICITY

The CoHHW Program shall produce and make available to the public an HHW brochure for distribution. The brochure will be made available at various events, including but not limited to, environmental events and community fairs. The brochure may also be distributed, upon request, to cities within the County and to County residents and businesses. The CITY shall be responsible for developing and coordinating citywide awareness of the HHW Program. The CoHHW Program shall be responsible for Countywide public education for used oil recycling. CoHHW Program public awareness responsibilities shall include, but not be limited to, the following activities:

- Serving as the formal contact to the local media such as local newspapers and television news stations;
- Providing participating jurisdictions with educational materials developed for the CoHHW Program;
- Promoting oil and oil filter recycling by developing, purchasing, and distributing educational materials, media relations materials, basic art work and camera ready advertising materials for distribution countywide and for use by jurisdictions;
- Representing the program through educational presentations at schools and businesses and attendance at community events such as local fairs and festivals; and
- Providing participating jurisdictions opportunities to review and comment on the development of countywide outreach materials.

CITY's public awareness responsibilities, at the sole discretion of the CITY, shall include, but not be limited to, the following activities:

- Providing a copy of HHW promotional materials to the CoHHW Program for review for accuracy and completeness, prior to publication;
- Developing and distributing HHW promotion communications to residents for local and CITY newsletters, newspapers and to the electronic media;
- Providing the CoHHW Program with a copy of HHW promotion materials produced by the CITY; and,
- Conducting and supporting outreach and publicity to attain the goal of 4% of households in the CITY participating in the CoHHW Program.

10. TEMPORARY HHW EVENTS

COUNTY shall conduct Temporary HHW Events at various sites located in Santa Clara County. COUNTY shall obtain all necessary permits and licenses required for the Temporary HHW Events and shall provide or contract for the services of properly trained, qualified personnel and hazardous waste haulers, and shall provide or secure suitable equipment and supplies to properly receive, package, label, haul, recycle and dispose of the household hazardous wastes collected at the Temporary HHW Events.

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11. HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITIES

COUNTY shall conduct collection operations at two County Household Hazardous Waste Collection Facilities (CoHHWCF).

The CoHHWCF are located at:

- ***San Martin, 13055 Murphy Avenue, San Martin, CA 95046***
- ***San José, 1608 Las Plumas, San José, CA 95133***

The COUNTY shall obtain all necessary permits and licenses required for the CoHHWCF and shall provide or contract for services, equipment, and supplies to properly receive, package, label, haul, recycle and dispose of wastes collected.

12. SMALL BUSINESS RECYCLING AND DISPOSAL PROGRAM

COUNTY will provide services to accept hazardous waste from Conditionally Exempt Small Quantity Generators (CESQG) in accordance with California Health and Safety Code Section 25218.3, as amended from time to time. Eligible businesses within the County will be allowed to bring their hazardous waste to CoHHWCF. These services to businesses located within the CITY will be provided on a cost recovery basis, which will include program administration, on-site collection, transportation, and disposal costs. COUNTY will assume responsibility for fee collection from participating businesses. The CITY may choose to pay for services for CESQG's within the City of San José and will notify the COUNTY in writing with 30-day advance notice in order to exercise this option. If the CITY exercises this option, the COUNTY will invoice the CITY for all costs associated with CSQG's within the CITY. If CITY has available Discretionary Funding, COUNTY may use this funding to pay for CESQG costs. For purposes of this Agreement, CESQG has the meaning provided by Health and Safety Code Section 25218.1.

13. ABANDONED HOUSEHOLD HAZARDOUS WASTE

The CoHHW Program will allow for the disposal of abandoned HHW by government agencies and qualified nonprofit charitable reusers. Abandoned HHW means HHW left at a property by an unknown party. Abandoned household hazardous waste does not include waste generated by a known organization or agency in the course of normal business operations such as, but not limited to, the assembly or manufacture of products from new or used materials or the provision of charitable services such as classroom education, meal preparation, and shelter, or the provision of services for a fee.

A) **GOVERNMENT AGENCIES**
Government agencies shall be charged for disposal of abandoned HHW according to the CoHHW Program's published rates for CESQGs.

/ /

B) **NONPROFIT CHARITABLE REUSER**

In order to qualify as a Nonprofit Charitable Reuser, the business must submit to the County Executive a request to be so designated. The County Executive shall review the request and supporting documentation and shall make a final decision on the designation. COUNTY will accept abandoned HHW from Nonprofit Charitable Reusers and will waive disposal fees on the cost of disposal of the abandoned HHW in an annual amount not to exceed funds available from the existing unexpended abandoned waste fund. Funding for disposal available to Nonprofit Charitable Reuser shall be on a first come first serve basis. Once the cost for disposal of the abandoned HHW from Nonprofit Charitable Reusers is equal to the available funds, disposal fees shall no longer be waived, and Nonprofit Charitable Reusers shall be charged for disposal of abandoned HHW according to the CoHHW Program's published rates for CESQGs. No additional costs shall be applied to the budget of the CITY or any other participating jurisdiction.

14. HOUSEHOLD HAZARDOUS WASTES ACCEPTED

HHW accepted by the CoHHW Program shall be limited to those materials that qualify as Hazardous Waste under Health and Safety Code Section 25218.1, as amended from time to time. These materials include, but are not limited to, automotive fluids, automotive and other types of batteries, latex and oil paint, oil filters, garden chemicals, household cleaners, pool chemicals, mercury thermostats, fluorescent lamps containing mercury, household batteries, e-waste and other common hazardous consumer products.

15. WASTES NOT ACCEPTED

Certain hazardous wastes shall not be accepted for collection and disposal. These include, but are not limited to, compressed gas cylinders larger than 5 gallons, radioactive materials, and explosives. Other wastes not accepted by the CoHHW Program are wastes generated as part of operating a business, including a home operated business, except that waste from CESQGs as provided for in Section 12 of this Agreement shall be accepted.

16. ADDITIONAL SERVICES UNDER THIS AGREEMENT

CITY must augment funding provided under this Agreement to cover the cost of a minimum participation level of 4% of CITY households; CITY may also elect to augment funding to provide additional services to increase CITY participation beyond the 4% minimum participation level. Additional services shall be made available upon written agreement between the CITY's authorized representative and the County Executive Officer or designee. Additional services may include, but are not limited to, additional appointments (charged at the Variable Cost Per Car rate), door-to-door HHW collection, used oil filter collection, universal waste collection, electronic waste collection, and abandoned waste collection.

CITY agrees to augment up to an additional $ $107,157 to the Countywide HHW Program during Fiscal Year 2022 for the purpose of attaining or increasing CITY household participation above the 4% minimum participation level at the scheduled collection dates listed in Attachment C, attached hereto and incorporated herein. Augmentation will be calculated, where applicable, at the Variable Cost Per Car rate. Other services will be charged based on a cost recovery basis. CITY authorizes the COUNTY to use CITY'S Available Discretionary Funding portion of the AB939 HHW Fee, if available, to offset the above agreed additional augmentation amount.

At the end of each fiscal year, a final annual cost statement shall be prepared by COUNTY and issued to CITY by November 30th. The annual cost statement will take into consideration costs incurred on behalf of CITY for additional services and all payments made by CITY to COUNTY. If any balance is owed to COUNTY, it will be due within 30 days following receipt of the annual cost statement. If any credit is owed to CITY, COUNTY will refund that amount to CITY within 30 days following delivery of the annual cost statement.

17. INFORMATION AND APPOINTMENT LINE

COUNTY will operate a telephone information and appointment desk Monday through Friday, from the hours of 9:00 a.m. to 5:00 p.m. The information service will register residents for the Temporary HHW Events and the collections at CoHHWCF. The information service will provide information about hazardous household materials. CITY will be notified immediately if resident participation approaches a level of service that may not be supported by available funding.

18. SCHEDULING AND SITE SELECTION

COUNTY shall work with CITY to determine the date(s) of Temporary Events and collections at the CoHHWCF. CITY shall coordinate with COUNTY in locating and securing sites for Temporary HHW Events. It is recognized that some of the jurisdictions participating in the CoHHW Program may not have appropriate sites available. A proposed HHW schedule for Fiscal Year 2022 of Temporary Events and collections at CoHHWCF is included as Attachment C. COUNTY will schedule an adequate number of collection days to serve the 4% level of service. The COUNTY determines the adequate number of collection days by tracking attendance at each event.

19. OUTSIDE FUNDING

During the term of this Agreement, COUNTY may seek outside funding sources for services that would supplement existing HHW services such as permanent collection sites, equipment, retail take-back collection and operational funding. If outside funding is obtained, the CoHHW Program will, at COUNTY's discretion, proceed with development of additional programs using that outside funding without drawing on CITY's funding provided under this Agreement.

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20. REGIONAL GRANT AND OIL PAYMENT PROGRAM PARTICIPATION

The CITY authorizes the CoHHW Program to apply for lead agency grants, including but not limited to Used Oil Payment Program grants, from the California Department of Resources Recycling and Recovery (CalRecycle), on behalf of participating jurisdictions. The CoHHW Program will act on behalf of all participating jurisdictions, as the lead applicant and administrator. The CoHHW Program will oversee how the moneys are used and work in cooperation with CITY as to how the funds will be spent. Nothing in this section shall preclude the COUNTY or a participating jurisdiction from applying for grant funds in any case where the CoHHW Program does not apply for the grant opportunity.

21. EMERGENCY SERVICES

Participating jurisdictions, at their option, may desire to provide residents with convenient emergency opportunities to safely dispose of their HHW in the event of a disaster. The purpose of this emergency planning for HHW is to minimize potential public health and safety impacts, as well as to minimize costs and confusion. Attachment D sets out CITY and COUNTY responsibilities for the collection of household hazardous wastes in response to an emergency. CITY shall make good faith efforts to provide the public with information related to the problems associated with HHW. Upon the decision to hold an emergency collection event, it is CITY's responsibility to make a good faith effort to prepare and disseminate the necessary outreach to notify the public of an emergency collection event. An emergency collection event shall be initiated by a written request from CITY to COUNTY. Emergency collection events can be scheduled in as little as ten (10) working days of CITY's written request or at an agreed upon date thereafter. The emergency collection plan is set out in Attachment D, Household Hazardous Waste Emergency Collection Plan.

COUNTY agrees to conduct the Emergency Collection Event at a mutually agreeable site and time. The COUNTY will obtain the necessary permit from the State Department of Toxic Substances Control and will handle wastes in accordance with State law. COUNTY will bill CITY for all Emergency Collection Events on a cost recovery basis and all payments shall be due COUNTY within thirty days following the receipt of the invoice.

22. PRIVATE SPONSORED EVENTS

COUNTY may also secure funding from corporations or agencies to conduct HHW Collection Events for corporate employees and residents of participating jurisdictions and to pay for special programs such as Universal Waste collection at retail locations. The transportation, treatment and disposal liability for nonresident employee participation in these events shall be shared by all participating jurisdictions, including the CITY, and the COUNTY, as described in Section 26 of this Agreement. Summary information concerning these corporate sponsored events, if any, will be included in the CoHHW Program's annual report to the participating jurisdictions.

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23. INSURANCE REQUIREMENTS

Contractors who provide hazardous waste transportation, treatment, or disposal services shall have the required insurance as outlined in Attachment E, Exhibit B-2D (revised) Insurance Requirements for Environmental Services Contract. Other contractors shall have insurance in amounts to be determined by COUNTY Insurance Manager, after consultation with CITY. COUNTY shall obtain insurance certificates from each of the contractors prior to the contractor providing service to the program naming the COUNTY as an additional insured.

24. WASTE TRACKING AND REPORTING

COUNTY will provide a mid-year report to CITY regarding participation rates from each participating jurisdiction by March 15 of each year. Mid-year and year end reports will outline the types and quantities of waste collected, the amount of waste diverted for reuse or recycling and the waste management method for each waste stream and associated costs for services. COUNTY will prepare a report summarizing program activities which will be delivered to the participating jurisdictions no later than six months after the end of COUNTY's fiscal year.

It will be assumed for cost and reporting purposes that each participating jurisdiction is contributing to the waste stream in proportion to the number of its residents who directly participate.

COUNTY shall take steps to assure that the bi-annual statements to jurisdictions reflect the funds necessary to cover costs for CITY participation in services scheduled during the next quarter.

25. PARTICIPATION REPORTING

COUNTY shall employ means necessary to verify the place of residence of all participants in the CoHHW Program.

26. HOLD HARMLESS AND INDEMNIFICATION

In lieu of and not withstanding the pro rata risk allocation which might otherwise be imposed between CITY and COUNTY pursuant to Government Code Section 895.6, the parties agree that all losses or liabilities incurred by a party shall not be shared pro rata but instead COUNTY and CITY agree that pursuant to Government Code Section 895.4, each of the parties hereto shall fully indemnify and hold each of the other parties, their officers, board members, employees and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, its officers, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No party, nor any officer, board member, employee or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other parties hereto, their officers, board members, employees or agents, under or in connection with or arising out of any work authority or jurisdiction delegated to such other parties under this Agreement.

Additionally, CITY shall indemnify COUNTY for CITY's apportioned share of any liability incurred and attributed to the Countywide HHW Program for the transportation, treatment, or disposal of the household hazardous waste, once the waste has been accepted by a licensed hazardous waste hauler. Apportionment for disposal liability shall be determined by each participating jurisdiction's pro rata proportion of household participation in the Program. Apportionment for transportation and treatment liability shall be determined by each participating jurisdiction's pro rata household participation at the event where the waste was generated. COUNTY will use reasonable efforts to obtain recovery from all available resources, including insurance, of any liable hauler or liable disposal facility operator. No liability shall be apportioned to CITY for transportation, treatment or disposal in any case where COUNTY has contracted for such services and has failed to require the contractor to maintain the insurance requirements set forth in Section 23 above.

CITY shall further indemnify COUNTY for CITY's apportioned share of liability incurred and attributed to the Countywide HHW Program for the transportation, treatment or disposal of household hazardous waste at corporate sponsored events where non-county resident employees of the corporate sponsor are authorized to participate in the event. Liability for the nonresident portion of the disposal of waste shall be shared by the cities and the COUNTY as described above. The nonresident portion shall be determined by calculating the percentage of nonresidents participating in the event. This percentage will then be subtracted from the total liability for the household hazardous waste prior to assessing CITY's apportioned share of any liability for the household hazardous waste.

COUNTY shall require CESQGs and Nonprofit Charitable Reusers to indemnify COUNTY, at minimum, for their apportioned share of any liability incurred and attributed to the Countywide HHW Program for the transportation, treatment, or disposal of their hazardous waste, once the waste has been accepted by a licensed hazardous waste hauler. The CESQG and Nonprofit Charitable Reuser portion of the waste shall be determined by calculating the percentage, by weight, of the total household hazardous waste accepted by the CoHHW Program. This percentage will be used to calculate the portion of liability attributed to CESQGs and Nonprofit Charitable Reusers and will be subtracted from the total liability prior to assessing CITY's apportioned share of any liability for household hazardous waste.

27. TERMINATION

This Agreement may be terminated by either the COUNTY or CITY upon thirty (30) days written notice given by the terminating party.

28. TERM OF AGREEMENT

The term of this Agreement shall be from July 1, 2021 to June 30, 2024, or until all revenue from the last quarter's AB939 fee payments have expended and/or distributed, whichever is later.

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29. INDEPENDENT CONTRACTOR

Each party shall perform responsibilities and activities described herein as an independent contractor and not as an officer, agent, servant or employee of any of the parties hereto. Each party shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors and subcontractors, if any. Nothing herein shall be considered as creating a partnership or joint venture between the parties.

30. EXECUTION BY COUNTERPART

This Agreement may be executed in any number of counterparts, each of which shall for all purposes be deemed an original and all of which shall together constitute one and the same instrument.

31. CONTROLLING LAW

This Agreement shall be governed and construed in accordance with the laws of the State of California.

32. ENTIRE AGREEMENT

This document embodies the entire Agreement between the parties with respect to the subject matter hereof. No modification of this Agreement shall be effective unless and until modification is evidenced by writing signed by all parties or their assigned designates.

33. NOTICES

All notices and communications herein required shall be in writing to the other party as follows, unless expressly changed in writing:

CITY of Santa Clara

City Representative Dave Staub
Representative's Title Deputy Director of Public Works
City Address 1700 Walsh Avenue
Santa Clara, CA 95050

Santa Clara County

Director
Consumer and Environmental Protection Agency
1553 Berger Drive
San José, California 95112

34. CONTRACT EXECUTION

Unless otherwise prohibited by law or County policy, the parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect

as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term "electronically signed contract" means a contract that is executed by applying an electronic signature using technology approved by the County.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM on the dates as stated below:

Date: _____

COUNTY OF SANTA CLARA

_____
JEFFREY V. SMITH
County Executive

Date: _____

"CITY"

_____
CITY/TOWN OF SANTA CLARA
Title City Manager
A municipal corporation

APPROVED AS TO FORM AND LEGALITY:

_____
STEPHANIE SAFDI
Deputy County Counsel

Attachments:

A Projected Fiscal Years 2022, 2023, and 2024 AB939 HHW Fee Funding Allocation by Jurisdiction
B Estimated HHW Program Fixed Costs for Fiscal Years 2022, 2023, and 2024
C HHW Schedule of Collection Events for Fiscal Year 2022
D Household Hazardous Waste Emergency Collection Plan
E Exhibit B-2D (revised) Insurance Requirements for Environmental Services Contracts

ATTACHMENT A: PROJECTED FISCAL YEARS 2022-2024 ANNUAL HHW FEE FUNDING ALLOCATION BY JURISDICTION

Cities	No of Households	4% of Households	Disposal Tonnage	AB939 HHW Fee $2.60 per Ton	Fixed Cost $3.75 per HH	SJ Facility $8.29 Surcharge	Variable Cost $58.20 per Car	Abandoned Waste Disposal Cost $.05 per Household	Discretionary Fund	**Estimated Augmentation**	Anticipated Participation	Anticipated Particiation at SJ Facility
Campbell	18,158	726	40,970	$ 106,521	$ 68,093	$ 7,162	$ 42,272	$ 908	$ (11,913)	**$ 45,525**	1,268	1,221
Cupertino	21,050	842	41,603	$ 108,168	$ 78,938	$ 4,242	$ 49,004	$ 1,053	$ (25,068)	**$ 36,963**	1,034	723
Gilroy	16,676	667	53,681	$ 139,571	$ 62,535	$ 1,086	$ 38,822	$ 834	$ 36,295	**$ 23,027**	1,038	185
Los Altos	11,677	467	17,678	$ 45,963	$ 43,789	$ 4,188	$ 27,184	$ 584	$ (29,781)	**$ 90,803**	1,451	714
Los Altos Hills	3,180	127	9,303	$ 24,188	$ 11,925	$ 958	$ 7,403	$ 159	$ 3,743	**$ 4,413**	259	163
Los Gatos	13,637	545	25,338	$ 65,878	$ 51,139	$ 6,784	$ 31,747	$ 682	$ (24,474)	**$ 66,018**	1,216	1,157
Milpitas	22,553	902	100,225	$ 260,586	$ 84,574	$ 5,247	$ 52,503	$ 1,128	$ 117,135	**$ 24,851**	1,303	895
Monte Sereno	1,383	55	1,278	$ 3,323	$ 5,186	$ 789	$ 3,220	$ 69	$ (5,941)	**$ 11,138**	139	135
Morgan Hill	15,350	614	43,759	$ 113,774	$ 57,563	$ 2,252	$ 35,735	$ 768	$ 17,456	**$ 78,579**	1,881	384
Mountain View	36,727	1,469	77,033	$ 200,285	$ 137,726	$ 4,700	$ 85,500	$ 1,836	$ (29,478)	**$ 39,356**	1,628	802
Palo Alto	29,298	0	63,437	$ 164,936		$ -	$ -	$ 1,465	$ 163,471			
San Jose	336,507	13,460	810,331	$ 2,106,860	$ 1,261,901	$ 114,172	$ 783,388	$ 16,825	$ (69,427)	**$ 476,507**	20,026	19,470
Santa Clara	48,975	1,959	160,175	$ 416,455	$ 183,656	$ 9,178	$ 114,014	$ 2,449	$ 107,157	**$ 121,604**	3,920	1,565
Saratoga	11,301	452	19,996	$ 51,990	$ 42,379	$ 4,458	$ 26,309	$ 565	$ (21,720)	**$ 45,244**	831	760
Sunnyvale	60,273	2,411	116,128	$ 301,932	$ 226,024	$ 6,717	$ 140,316	$ 3,014	$ (74,138)	**$ 152,321**	3,672	1,145
Unincorporated	18,558	742	38,112	$ 99,092	$ 69,593	$ 4,640	$ 43,203	$ 928	$ (19,271)	**$ 57,932**	1,677	791
Total	665,303	25,440	1,619,047	$ 4,209,522	$ 2,385,019	$ 176,572	$ 1,480,620	$ 33,265	$ 134,047	**$ 1,274,282**	41,345	30,110

Notes: Number of HH and Disposal tonnage are based on FY2019-2020 actuals. Anticipated participation and anticipated participation at SJ facility are based on 15% increase from FY2018-2019 actual participation.

ATTACHMENT B: ESTIMATED ANNUAL HHW PROGRAM FIXED COSTS FOR FISCAL YEARS 2022, 2023, AND 2024

FIXED COST		
Staff Salary and Benefits		$1,568,216
County Admin Overhead		$421,899
County Counsel		$13,650
Phones and Communications		$10,605
Facilities Lease Costs	San Jose	$176,572
Vehicle Costs		$34,125
Office Supplies and postage		$1,916
Maintenance, Software		$115,500
HHW Hotline		$50,000
Garbage & Utilities		$36,488
Membership & Dues		$15,750
Training & Conference		$5,250
Safety Wear		$21,840
Printing		$13,583
Other Services & Supplies		$56,175
ESTIMATED ANNUAL TOTAL		**$2,541,568**

ATTACHMENT C: HHW SCHEDULE OF PERMANENT & TEMPORARY COLLECTION EVENTS FOR FISCAL YEAR 2021-2022*

2021/Month	Day	Date	Location	Type of Event	County Holidays/ Notes
July	Thurs,Fri	1,2	San Jose	Permanent	
	Saturday	3	No Event	No Event	4th OF JULY WEEK
	Wed,Thurs,Fri,Sat	7,8,9,10	San Jose	Permanent	
	Fri,Sat	9,10	San Martin	Permanent	
	Thurs,Fri,Sat	15,16,17	San Jose	Permanent	
	Saturday	17	Sunnyvale	Temporary	TBD
	Wed,Thurs,Fri,Sat	21,22,23,24	San Jose	Permanent	
	Thurs,Fri,Sat	29,30,31	San Jose	Permanent	
August	Wed,Thurs,Fri,Sat	4,5,6,7	San Jose	Permanent	
	Fri,Sat	6,7	San Martin	Permanent	
	Thurs,Fri,Sat	12,13,14	San Jose	Permanent	
	Saturday	14	Mountain View	Temporary	TBD
	Wed,Thurs,Fri,Sat	18,19,20,21	San Jose	Permanent	
	Thurs,Fri,Sat	26,27,28	San Jose	Permanent	
September	Wed,Thurs,Fri	1,2,3	San Jose	Permanent	
	Saturday	4	No Event	No Event	LABOR DAY WEEKEND
	Thurs,Fri,Sat	9,10,11	San Jose	Permanent	
	Fri,Sat	10,11	San Martin	Permanent	
	Wed,Thurs,Fri,Sat	15,16,17,18	San Jose	Permanent	
	Saturday	18	Santa Clara	Temporary	TBD
	Wed,Thurs,Fri,Sat	22,23,24,25	San Jose	Permanent	
	Thursday	30	San Jose	Permanent	
October	Fri,Sat	1,2	San Jose	Permanent	
	Fri, Sat	1,2	San Martin	Permanent	
	Wed,Thurs,Fri,Sat	6,7,8,9	San Jose	Permanent	
	Thurs,Fri,Sat	14,15,16	San Jose	Permanent	
	Saturday	16	Sunnyvale	Temporary	TBD
	Wed,Thurs,Fri,Sat	20,21,22,23	San Jose	Permanent	
	Thurs,Fri,Sat	28,29,30	San Jose	Permanent	
November	Wed,Thurs,Fri,Sat	3,4,5,6	San Jose	Permanent	
	Fri, Sat	5,6	San Martin	Permanent	
	Fri,Sat	12,13	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	17,18,19,20	San Jose	Permanent	
	Tuesday	23	San Jose	Permanent	
	Thurs,Fri,Sat	25,26,27	No Event	No Event	THANKSGIVING
December	Wed,Thurs,Fri,Sat	1,2,3,4	San Jose	Permanent	
	Fri, Sat	3,4	San Martin	Permanent	
	Wed,Thurs,Fri,Sat	8,9,10,11	San Jose	Permanent	
	Thurs,Fri,Sat	16,17,18	San Jose	Permanent	
	Tues,Wed,Thurs	21,22,23	San Jose	Permanent	
	Fri,Sat	24,25	No Event	No Event	CHRISTMAS
	Tues,Wed,Thurs	28,29,30	San Jose	Permanent	
	Friday	31	No Event	No Event	NEW YEAR's DAY

ATTACHMENT C: HHW SCHEDULE OF PERMANENT & TEMPORARY COLLECTION EVENTS FOR FISCAL YEAR 2021-2022* (Continued)

2022/Month	Day	Date	Location	Type of Event	County Holidays/ Notes
2022/Jan	Saturday	1	No Event	No Event	NEW YEAR's DAY
	Thurs,Fri,Sat	6,7,8	San Jose	Permanent	
	Fri, Sat	7,8	San Martin	Permanent	
	Wed,Thurs,Fri,Sat	12,13,14,15	San Jose	Permanent	
	Saturday	15	Sunnyvale	Temporary	TBD
	Wed,Thurs,Fri,Sat	19,20,21,22	San Jose	Permanent	
	Thurs,Fri,Sat	27,28,29	San Jose	Permanent	
	Saturday	29	Santa Clara	Temporary	TBD
February	Wed,Thurs,Fri,Sat	2,3,4,5	San Jose	Permanent	
	Fri, Sat	4,5	San Martin	Permanent	
	Thurs,Fri,Sat	10,11,12	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	16,17,18,19	San Jose	Permanent	
	Thurs,Fri,Sat	24,25,26	San Jose	Permanent	
March	Wed,Thurs,Fri,Sat	2,3,4,5	San Jose	Permanent	
	Fri, Sat	4,5	San Martin	Permanent	
	Thurs,Fri,Sat	10,11,12	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	16,17,18,19	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	23,24,25,26	San Jose	Permanent	
April	Fri,Sat	1,2	San Jose	Permanent	
	Fri, Sat	1,2	San Martin	Permanent	
	Wed,Thurs,Fri,Sat	6,7,8,9	San Jose	Permanent	
	Saturday	9	Los Altos	Temporary	TBD
	Thurs,Fri,Sat	14,15,16	San Jose	Permanent	
	Saturday	16	Sunnyvale	Temporary	TBD
	Wed,Thurs,Fri,Sat	20,21,22,23	San Jose	Permanent	
	Thurs,Fri,Sat	28,29,30	San Jose	Permanent	
	Saturday	30	Santa Clara	Temporary	TBD
May	Wed,Thurs,Fri,Sat	4,5,6,7	San Jose	Permanent	
	Fri, Sat	6,7	San Martin	Permanent	
	Thurs,Fri,Sat	12,13,14	San Jose	Permanent	
	Wed,Thurs,Fri,Sat	18,19,20,21	San Jose	Permanent	
	Thurs,Fri	26,27	San Jose	Permanent	
	Saturday	28	No Event	No Event	MEMORIAL DAY WEEKEND
June	Wed,Thurs,Fri,Sat	1,2,3,4	San Jose	Permanent	
	Fri, Sat	3,4	San Martin	Permanent	
	Thurs,Fri,Sat	9,10,11	San Jose	Permanent	
	Wed,Thurs	15,16	San Jose	Permanent	
	Friday	17	No Event	No Event	JUNETEENTH DAY
	Saturday	18	San Jose	Permanent	
	Saturday	25	Milpitas	Temporary	TBD
	Thurs,Fri,Sat	23,24,25	San Jose	Permanent	
	Wed,Thurs	29,30	San Jose	Permanent	
*SUBJECT TO CHANGE					

ATTACHMENT D:

COUNTY HOUSEHOLD HAZARDOUS WASTE EMERGENCY COLLECTION PLAN

1. PURPOSE

The purpose of the Household Hazardous Waste Emergency Collection Plan is to minimize potential public health and safety impacts, as well as to minimize costs and confusion during an emergency or disaster. This Attachment describes the services the County can provide and the responsibilities of each party for the collection of household hazardous wastes (HHW) in response to an emergency as defined by the local jurisdiction.

Jurisdictions should contact local emergency agencies, the Governor's Office of Emergency Services (OES), and the Department of Toxic Substances Control (DTSC) for more specific information on hazardous materials emergency response.

2. Timing of HHW

While it is important to have special collection opportunities for disaster-related HHW as soon as possible to avoid illegal disposal or harm to people and/or the environment, having an event or service too soon after a disaster may result in low participation. Sufficient public notification, assessment and monitoring of the disaster and cleanup process by the designated City HHW Coordinator(s) is essential.

3. Public Information/Notification:

Cities should be prepared to provide the public with information related to the problems associated with HHW along with information about special collection events and services. Upon the decision to hold an emergency collection event, it is the City's responsibility to prepare and deliver the necessary public outreach to notify the public of an upcoming event. A City's public outreach program should evaluate all forms of media including: newspaper ads, posters, flyers, press releases, banners, door-to-door notices, roadside signs, signs on dumpsters, radio public service announcements, social media outlets and television public access stations. Be aware of communities where multiple language outreach efforts will be necessary.

4. State HHW Collection Permits

The State Department of Toxic Substances Control (DTSC) is responsible for issuing the necessary state permits for HHW collection facilities. During an emergency, the County will obtain the necessary emergency permit for special collection of household hazardous waste from DTSC through their expedited approval process.

5. Collection Events

Temporary collection events can be set-up at various sites including parking lots, city maintenance yards, within neighborhoods needing service, and at landfills or a centralized location to service larger segments of the population. Waste collected will be transported with a transportation vehicle provided by the HHW Program. In addition, events can be scheduled at the two existing Countywide Household Hazardous Waste Collection Facilities (CoHHWCF). The following options are available to each participating City.

- Neighborhood Drop-off Events: The County is able to provide localized service to specific areas in need of household hazardous waste collection services. The County will work with City Solid Waste Coordinators to conduct coordinated efforts to residents in the affected area. After a specific event, waste will be transported by County staff or a hazardous waste contractor to an appropriate facility.

- Mobile HHW Event: The County conducts Household Hazardous Waste Collection Event (Events) at various sites located in Santa Clara County throughout the year. Events will be expanded to give priority to disaster victims when requested by the City. The County shall obtain all necessary permits and licenses required for the events and shall provide and/or contract for the services of properly trained personnel and hazardous waste haulers. The County shall also provide or secure suitable equipment and supplies to properly receive, package, label, haul, recycle and dispose of the household hazardous wastes collected at events.

- CoHHWCF: The County operates two permitted HHW collection facilities for the collection and storage of HHW. The County shall provide or contract for services, equipment, and supplies to properly receive, package, label, haul, recycle and dispose of wastes collected at the CoHHWCF.

  The CoHHWCF are located at:
  - ***San Martin, 13055 Murphy Ave, San Martin***
  - ***San Jose, 1608 Las Plumas, San Jose***

6. Costs, Documentation, and Reimbursements

Cities will be billed on a cost recovery basis. Costs of emergency events will be tracked and billed separately. Emergency funding applications pending from the State or Federal government for reimbursements in no way relieves the City of responsibility to make timely payment to the County in accordance with the terms of the AGENCY AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM.

The County agrees to provide the City with a detailed accounting of services provided for an emergency collection. Documentation will track the time and materials of staff, outside contractor expenses, and quantities and types of waste collected to demonstrate that the wastes were generated above and beyond existing collection programs.

Services to businesses will be provided on a cost recovery basis and according to Section 12 of the AGENCY AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM, which includes program administration, on-site collection,

transportation, and disposal costs. The County will assume responsibility for collecting fees from participating businesses.

7. State and Federal Assistance and Funds

It is the City responsibility to pursue reimbursement from State or Federal agencies.

State Office of Emergency Services (OES)

The OES is responsible for requesting assistance on behalf of local jurisdictions for resources beyond the capability of the jurisdiction. State assistance may include assistance available from State, Federal, or private sources. If a local jurisdiction is declared a state disaster area, and the local jurisdiction deems that the needs of the disaster response are beyond its capabilities, then the local jurisdiction can request assistance and reimbursement of costs from OES.

Follow Standardized Emergency Management System (SEMS)

All requests and emergency responses must be in accordance with the SEMS. The State Department of Toxic Substances Control may have funding available for hazardous waste response and collection.

Federal Assistance

If a state disaster area is declared a federal disaster, then federal funding assistance may be available through the State OES. Funding and assistance may be available from Federal agencies such as FEMA and the U.S. EPA.

Damage estimates: The city should provide to the State OES estimates of damages and a "scope of work requested." It is recommended that the local HHW coordinator meet ahead of time with local emergency agencies or State OES contacts regarding the proper procedures and wording of requests for assistance.

Funding Process: The funding process may vary depending on the unique circumstances of the disaster. The process can either be the traditional FEMA reimbursement process, or by direct assistance from EPA.

REFERENCES

California Integrated Waste Management Board, Integrated Waste Management Disaster Plan: Guidance for local government on disaster debris management, January 1997.

Emergency Planning Contacts and Personnel

Primary County Contact: County of Santa Clara
Consumer and Environmental Protection Agency
Recycling and Waste Reduction Division
Household Hazardous Waste Program
ATTN: Hazardous Materials Program Manager
(408)-918-1967
For Non-Emergency after-hours, contact County Communications at: (408) 977-3220

Responsibility: Coordinate and establish proper collection and disposal methods for household hazardous waste. Assess the need for HHW and CESQG services in consultation with the City and other operations.

Cal OES Public Safety Communications Main Office
601 & 630 Sequoia Pacific Boulevard
Sacramento, CA 95811
(916) 657-9494

Cal OES
3650 Schriever Avenue
Mather, CA 95655-4203
(916) 845-8510

CHEMTREC Emergency number, (800) 424-9300
Non-emergency (800) 262-8200

Chemtrec is a public service established by the Chemical Manufacturers Association. The Center was developed as a resource for obtaining immediate emergency response information to mitigate accidental chemical releases, and as a means for emergency responders to obtain technical assistance from chemical industry product safety specialists, emergency response coordinators, toxicologists, physicians, and other industry experts to safely mitigate incidents involving chemicals.

EXHIBIT B-2D (revised)

INSURANCE REQUIREMENTS FOR
ENVIRONMENTAL SERVICES CONTRACTS
(Hazardous Waste Disposal, Remediation Services, Environmental Consulting, etc.)

Indemnity

The Contractor shall indemnify, defend, and hold harmless the County of Santa Clara (hereinafter "County"), its officers, agents and employees from any claim, liability, loss, injury or damage arising out of, or in connection with, performance of this Agreement by Contractor and/or its agents, employees or sub-contractors, excepting only loss, injury or damage caused by the sole negligence or willful misconduct of personnel employed by the County. It is the intent of the parties to this Agreement to provide the broadest possible coverage for the County. The Contractor shall reimburse the County for all costs, attorneys' fees, expenses and liabilities incurred with respect to any litigation in which the Contractor contests its obligation to indemnify, defend and/or hold harmless the County under this Agreement and does not prevail in that contest.

Insurance

Without limiting the Contractor's indemnification of the County, the Contractor shall provide and maintain at its own expense, during the term of this Agreement, or as may be further required herein, the following insurance coverages and provisions:

A. Evidence of Coverage

Prior to commencement of this Agreement, the Contractor shall provide a Certificate of Insurance certifying that coverage as required herein has been obtained. Individual endorsements executed by the insurance carrier shall accompany the certificate. In addition, a certified copy of the policy or policies shall be provided by the Contractor upon request.

This verification of coverage shall be sent to the requesting County department, unless otherwise directed. The Contractor shall not receive a Notice to Proceed with the work under the Agreement until it has obtained all insurance required and such insurance has been approved by the County. This approval of insurance shall neither relieve nor decrease the liability of the Contractor.

B. Qualifying Insurers

All coverages, except surety, shall be issued by companies which hold a current policy holder's alphabetic and financial size category rating of not less than A- V, according to the current Best's Key Rating Guide or a company of equal financial stability that is approved by the County's Insurance Manager.

C. Notice of Cancellation

All coverage as required herein shall not be canceled or changed so as to no longer meet the specified County insurance requirements without 30 days' prior written notice of such cancellation or change being delivered to the County of Santa Clara or their designated agent.

D. Insurance Required

1. Commercial General Liability Insurance - for bodily injury (including death) and property damage which provides limits as follows:

   a. Each occurrence - $1,000,000

   b. General aggregate - $2,000,000

   c. Products/Completed Operations aggregate - $2,000,000

   d. Personal Injury - $1,000,000

2. General liability coverage shall include:

   a. Premises and Operations

   b. Products/Completed

   c. Personal Injury liability

   d. Severability of interest

3. General liability coverage shall include the following endorsement, a copy of which shall be provided to the County:

   Additional Insured Endorsement, which shall read:

   > "County of Santa Clara, and members of the Board of Supervisors of the County of Santa Clara, and the officers, agents, and employees of the County of Santa Clara, individually and collectively, as additional insureds."

   Insurance afforded by the additional insured endorsement shall apply as primary insurance, and other insurance maintained by the County of Santa Clara, its officers, agents, and employees shall be excess only and not contributing with insurance provided under this policy. Public Entities may also be added to the

additional insured endorsement as applicable and the contractor shall be notified by the contracting department of these requirements.

4. Automobile Liability Insurance

For bodily injury (including death) and property damage which provides total limits of not less than one million dollars ($1,000,000) combined single limit per occurrence applicable to all owned, non-owned and hired vehicles. Coverage shall include Environmental Impairment Liability Endorsement MCS90 for contracts requiring the transportation of hazardous materials/wastes.

4a. Aircraft/Watercraft Liability Insurance (Required if Contractor or any of its agents or subcontractors will operate aircraft or watercraft in the scope of the Agreement)

For bodily injury (including death) and property damage which provides total limits of not less than one million dollars ($1,000,000) combined single limit per occurrence applicable to all owned, non-owned and hired aircraft/watercraft.

5. Workers' Compensation and Employer's Liability Insurance

a. Statutory California Workers' Compensation coverage including broad form all-states coverage.

b. Employer's Liability coverage for not less than one million dollars ($1,000,000) per occurrence.

6. Contractors Pollution Liability Insurance

Coverage shall provide a minimum of not less than five million dollars ($5,000,000) per occurrence and aggregate for bodily injury, personal injury, property damage and cleanup costs both on and offsite.

7. Professional Errors and Omissions Liability Insurance (required for contractors providing professional services, such as through a professional engineer, registered geologist, etc.)

a. Coverage shall be in an amount of not less than one million dollars ($1,000,000) per occurrence/aggregate.

b. If coverage contains a deductible or self-retention, it shall not be greater than fifty thousand dollars ($50,000) per occurrence/event.

c. Coverage as required herein shall be maintained for a minimum of two years following termination or completion of this Agreement.

8. Claims Made Coverage

If coverage is written on a claims made basis, the Certificate of Insurance shall clearly state so. In addition to coverage requirements above, such policy shall provide that:

a. Policy retroactive date coincides with or precedes the Consultant's start of work (including subsequent policies purchased as renewals or replacements).

b. Policy allows for reporting of circumstances or incidents that might give rise to future claims.

E. Special Provisions

The following provisions shall apply to this Agreement:

1. The foregoing requirements as to the types and limits of insurance coverage to be maintained by the Contractor and any approval of said insurance by the County or its insurance consultant(s) are not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Contractor pursuant to this Agreement, including but not limited to the provisions concerning indemnification.

2. The County acknowledges that some insurance requirements contained in this Agreement may be fulfilled by self-insurance on the part of the Contractor. However, this shall not in any way limit liabilities assumed by the Contractor under this Agreement. Any self-insurance shall be approved in writing by the County upon satisfactory evidence of financial capacity. Contractors obligation hereunder may be satisfied in whole or in part by adequately funded self-insurance programs or self-insurance retentions.

3. Should any of the work under this Agreement be sublet, the Contractor shall require each of its subcontractors of any tier to carry the aforementioned coverages, or Contractor may insure subcontractors under its own policies.

4. The County reserves the right to withhold payments to the Contractor in the event of material noncompliance with the insurance requirements outlined above.

F. Fidelity Bonds (Required only if contractor will be receiving advanced funds or payments)

Before receiving compensation under this Agreement, Contractor will furnish County with evidence that all officials, employees, and agents handling or having access to funds received or disbursed under this Agreement, or authorized to sign or

countersign checks, are covered by a BLANKET FIDELITY BOND in an amount of AT LEAST fifteen percent (15%) of the maximum financial obligation of the County cited herein. If such bond is canceled or reduced, Contractor will notify County immediately, and County may withhold further payment to Contractor until proper coverage has been obtained. Failure to give such notice may be cause for termination of this Agreement, at the option of County.

21-667 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT

Authorize the City Manager to execute an Amendment to the Agreement with Wallace Roberts & Todd, LLC for Downtown Precise Plan Consultant Services pending funding proposed as part of the FY 2021/22 and FY 2022/23 Proposed Operating Budget

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND

The City of Santa Clara's 2010-2035 General Plan identifies focus areas throughout the City, including the Downtown area, to promote the City's diverse economic base and meet the demand for housing that addresses job growth in the City and region.

In response to the Community's goal of revitalizing the City's historic Downtown area, the City Council approved $400,000 in the FY 2018/19 and FY 2019/20 Adopted Biennial Capital Improvement Program Budget to support the preparation of a Precise Plan. From this budget, $90,000 was spent on a non-refundable deposit for an option on the acquisition of the Franklin Street Right-of-Way easement. Working closely with a community Task Force, including organizations such as Reclaiming Our Downtown and the Old Quad Resident's Association, the City commenced preparation of the Precise Plan that will provide guidance for new development within the Downtown area through policies, guidelines, and illustrations that implement the community vision and objectives for a vibrant, pedestrian-oriented destination. As part of this effort, the City engaged a consultant to assist in the preparation of the Precise Plan.

In February 2019, the City issued a Request for Qualifications (RFQ) for Downtown Precise Plan Consultant Services, using the City's e-procurement system. On October 8, 2019, the City Council authorized the City Manager to execute an agreement with Wallace Roberts & Todd, LLC (WRT) to provide Downtown Precise Plan Consultant Services for an initial three-year term ending September 30, 2022 (with an option to extend the Agreement for an additional three-year term through September 30, 2025), for a maximum compensation not to exceed $578,346, subject to the annual appropriation of funds. As part of Council action, additional funding of $268,346 was also approved to fully fund the agreement.

The agreement is fixed price with payments tied to the successful completion of the milestones listed in the table below. The cost elements include the tasks from the scope of work that were identified in the RFQ, as well as the optional tasks identified by the Consultant in their RFQ response.

COST ELEMENTS:	
Project Initiation	$67,025
Issue Identification and Vision	$58,270
Financial Analysis	$31,260
Development Scenarios/Conceptual Plans	$74,740
Workshops	$22,121
Draft Precise Plan Chapter Development	$68,380
Public Services and Implementation	$10,520
Draft Precise Plan Refinement	$12,880
CEQA Clearance	$72,880
Planning Commission & City Council Public Hearings	$20,000
Reimbursable Expenses	$14,295
Services Subtotal	***$452,371***
Optional Services *(Consultant Team Charette; Phase 1 Environmental Assessment; Environmental Impact Report; Stakeholder, Developer, and DCTF Added Meetings; Financial Feasibility of Land Use Options; Context Study; Financial Memo Addendum to Existing Conditions Report)*	***$125,975***
GRAND TOTAL	**$578,346**

Work to date has focused on preparation of the Precise Plan's preferred land use plan placemaking and urban design. Upcoming key tasks in the Precise Plan process include developing the draft chapters of the Precise Plan and preparation of the environmental clearance for the Precise Plan.

DISCUSSION

The Downtown Community Task Force (DCTF) was approved by the City Council, and is an advisory, non-voting body that meets over the course of the Downtown Precise Plan planning process to provide input on the vision, land use, circulation, and urban design aspects of the Plan, as well as key policy issues. The DCTF has met 17 times since the start of the planning process in December 2018.

At the April 6, 2021 City Council meeting, the Chair and Vice Chair of the DCTF provided an update on the progress of the Precise Plan Work to date and requested that Council seek an amendment to the Consultant scope of work for the Precise Plan to add services. The DCTF has been pro-actively contemplating the next steps towards implementation of the Precise Plan with the goal of making sure that those steps lead to the best possible outcomes for a successful downtown. As the DCTF looks towards implementation, they requested the following services be added to the scope of work for the Precise Plan. The Consultant has provided a description and scope for each of these tasks in the attached "DCTF-Requested Additional Services Memorandum".

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- Form-Based Zoning Code - prepare a form-based zoning code for the Plan area to be adopted as a part of the City's Municipal Code.

- Downtown Sign Ordinance - prepare a sign ordinance to be adopted as a part of the City's Municipal Code to establish the criteria for future developers and tenants to develop and implement exterior building signage.

- Development Impact Fee - prepare the technical documentation necessary for approval of an area development impact fee to cover the "fair share" cost of new infrastructure and public improvements serving the Precise Plan area.

- Downtown Management Entity - Define the role of a Downtown management entity including its role, among other things, programming/curating uses.

- Additional Downtown Community Task Force (DCTF) meetings with the Consultant Team -Facilitate two additional meetings of the Task Force, helping to retain a strong link between Task Force discussion and Plan outcomes. The consultant would also support the review of any current development projects within the Plan Area to evaluate design consistency with the Plan vision and to make recommendations.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

Funding for the existing agreement with Wallace Roberts & Todd, LLC for Downtown Precise Plan in the amount of $578,346 was previously budgeted in the Downtown Master Plan project (#6559) in the General Government Capital Fund. These funds have been spent or encumbered for this project.

An amendment to the agreement is requested to provide additional services as discussed above. Funding of $300,000 is requested to cover the additional services estimated at $251,600 as well as contingency funds that would cover any unforeseen added DCTF meetings, community outreach, or additional analysis. The FY 2021/22 and FY 2022/23 Proposed Operating Budget includes a FY 2021/22 capital project amendment to add funding of $300,000 for this additional work from the General Fund Capital Projects Reserve to cover the total cost of the amendment to the Agreement. The Proposed Budget scheduled for adoption on June 22, 2021.

COORDINATION

This report has been coordinated with the Finance Department and the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a

Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>

RECOMMENDATION

1. Authorize the City Manager to execute and amend the agreement with Wallace Roberts & Todd, LLC to provide added Downtown Precise Plan Consultant Services, subject to modifications as agreed to by the City Manager in coordination with the City Attorney; increase the maximum compensation not to exceed amount by $300,000 (from $578,346 to $878,346), subject to the annual appropriation of funds; and
2. Authorize the City Manager to execute an amendment to increase maximum compensation in the event that additional services are required, subject to the annual appropriation of funds.

Reviewed by: Andrew Crabtree, Director of Community Development
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. DCTF-Requested Additional Services Memorandum

MEMORANDUM

To: Lesley Xavier
Principal Planner, City of Santa Clara
Via email

Date: May 10, 2021

From: Peter Winch
Project Manager, WRT

Ref. No.: 08334.01

Project: Santa Clara Downtown Precise Plan

Re: DCTF-Requested Additional Services

CC: Jim Stickley
Principal, WRT

Dear Lesley,

The Downtown planning process has reached an exciting stage where the shape of the future downtown is coming into focus and excitement is building to create something that is a true reflection of this unique community. The Task Force and City are showing leadership in starting to think pro-actively about the next steps towards implementation and making sure that those steps lead to the best possible outcomes for a successful downtown.

At DCTF direction, the Consultant team described ten potential tasks that could augment and strengthen the Precise Plan. The Task Force considered these options, and decided to recommend five of these for additional City funding. On April 6, City Council asked for the Task Force and Staff to return with more a more detailed proposal for these scope items:

- Form-based Code
- Sign Ordinance for Downtown
- Area Development Impact Fee Program
- Project Design Review (1-2)
- Additional DCTF Meeting (1-2)

Subsequently, DCTF also requested that an additional task, "Downtown Management Entity," be included.

These additional services are presented here; the form-based code and sign ordinance are presented as one combined effort. The total Consultant fee for these proposed tasks is $251,600, including labor and reimbursable costs. The tasks are expected to be completed within a 7-month

WRT

MEMORANDUM

timeframe. We recommend these scope items can proceed as soon as funding is available, and all will benefit from occurring in tandem with the Precise Plan itself. It is not essential for outcomes of these tasks to be included in the Precise Plan. However, we do recommend that the Task Force make themselves comfortable with the level of oversight needed for tasks running concurrently, to allow the Task Force to be fully involved in each part of the process. A project schedule showing the potential alignment between existing and proposed scope items is included as an attachment.

Summary of Proposed Additional Services

Task		*Fee*	*Timing*
1	Form-based Zoning Code	$118,600	7 months
2	Precise Plan Financing Analysis	$103,700	4 to 6 months
3	Downtown Management Entity	$21,000	2 months
4	Project Design Review	$3,900	Ongoing
5	Additional DCTF Meetings	$4,400	Ongoing
Total		$251,600	7 months

WRT

MEMORANDUM

Santa Clara Downtown Precise Plan
Potential Additional Services, May 10, 2021

1. FORM-BASED ZONING CODE

David Sargent Town Planning (DSTP) and WRT will collaborate with the Downtown Community Task Force (DCTF) and the City in preparing a form-based development code for the Plan area. Such a code could be adopted as part of the Precise Plan document, or could be adopted as new form-based zones that are integrated into the City's municipal code.

One advantage of adopting the standards as new form-based zones is that if one or more of the zones proved useful in other parts of town – for instance in some segments of El Camino Real – that zone could simply be applied to that area with a zoning map amendment.

We attach for reference the most recent Code we have prepared, for a plan in Claremont that has many characteristics in common with the SCDPP area. The area is around 20 acres and the Plan seeks to make "more downtown" on a more or less vacant site that is adjacent to low-density residential neighborhoods. The Code we propose to make for Santa Clara would be similar to this code in many ways, but of course customized as necessary to implement the intentions of the SCDPP, and integrated with Santa Clara's policy and regulatory framework.

The document will be prepared using Adobe InDesign and delivered in PDF format. We strongly recommend that the Code be published online as a PDF and not disassembled to be hosted on an online publishing platform (like Municode or Code Publishing). We have a lot of experience with this, and unless these services have made significant advancements in their technology in the past year, the way they organize codes as running text and occasional pictures renders a form-based code nearly unusable. The state of the art is still simply having a link wherever the municipal code is hosted that connects to a web server (likely the City's website) where the PDF is viewable and downloadable as a competently formatted document.

The DSTP/WRT Team ("the Team") proposes to organize this work into the following tasks:

Task 1.1: Project Initiation and Scope Confirmation

WRT

MEMORANDUM

1.1a - Kick-off Meeting: To initiate this phase of work, the Team will meet with City staff to confirm major tasks and deliverables, discuss overall schedule, establish communication protocols between DSTP, WRT, City Staff and the DCTF, and discuss/confirm any other relevant administrative protocols needed to progress this work efficiently.

1.1b - Vision Confirmation: The Team will work collaboratively with the DCTF and City staff to refine and confirm the vision for the SCDPP Area (Plan Area); as it relates to street types, public space types, building massing schemes, frontage types, and parking configurations. We are confident that this effort can be integrated seamlessly into the ongoing Precise Plan work. We believe that the rigor and organized decision making required to build the framework for such a Code will be very helpful clarifying the range of possibilities for each block, street, and open space in terms of the height, use, massing, and frontage character of new development.

As shown in the proposed budget (attached), the Team anticipates that Task 1 would occur in three iterations, including calls with City staff and then meetings with the DCTF at the end of each iteration. It will be very important to reach consensus with the DCTF at this stage, confirming the vision and agreeing upon regulatory parameters and typologies. We also suggest that the Committee's role in subsequent tasks/stages of Code preparation be diminishing from task to task, as the work from here forward shifts from the general vision to the making of a rather technical document to communicate that vision and those intentions to design professionals and ensure its realization.

We strongly recommend that this task commence as soon as practical, and run concurrently with the confirmation of the Vision and Plan in the Precise Plan.

1.1c - Code Format/Technique Confirmation: Concurrently with Task 1.2, and based on our other recent code work, DSTP will prepare style sheets and a Code outline for review by WRT and City staff. DSTP will conduct meetings with WRT and City staff. Topics addressed will include the structure, content and format of the Code, the schedule for coordination with the Plan and EIR, and the method by which it would be adopted.

DSTP often also prepares Design Guidelines that are coordinated and integrated with but distinct from the Code, addressing topics that are better addressed with parameters and clear intentions rather than hard numerical standards. Decisions regarding which topics would be so addressed, and

WRT

MEMORANDUM

in what degree of detail will be important in this task. This should be presented to the DCTF only at a high level, not in detail for their input. Keeping the standard/guideline distinction clear is also helpful in meeting new State requirements for Objective Design Standards.

As the DCTF has shown interest in a Sign Ordinance for Downtown, we propose that such standards and guidelines be included in the Code, as is our standard practice (see the attached Claremont Code). Rather than incorporating sign standards and guidelines for Downtown into the City's existing sign ordinance, we recommend that succinct language be added to the existing ordinance which states that the Downtown Code supersedes any City-wide standards for properties within the Downtown Plan Area.

We strongly recommend that Task 1.1 – and also Task 1.2 if possible – be completed prior to, or concurrently with, the finalization of the Project Description for the EIR, for reasons described in the Rationale for Concurrent Plan and Code Preparation section below.

1.1d - Scope Confirmation / Adjustments: Based on direction confirmed in Tasks 1.1b and 1.1c, DSTP, WRT and City Staff would agree upon any necessary adjustments to the overall scope, schedule, and budget, which would be finalized (as/if needed) by an amendment to this proposed scope and fee.

Task 1.2: Code Preparation & Adoption

1.2a - Administrative Draft Code Preparation: Based on the confirmed vision and form parameters from Task 1, and decisions regarding code structure and format and method of adoption in Task 1.1, DSTP will prepare a first administrative Draft Code. DSTP will be in close touch with WRT and City staff as we prepare and calibrate the Draft Code, and will submit it to WRT and City staff concurrently. DSTP will make revisions as requested by WRT and the City based on their review. The Draft Code can also be presented to the DCTF, but we recommend they not be asked to provide detailed comments on the techniques of the Code.

After City staff have had the chance to review the Draft Code in detail, we recommend a working session of 2 or 3 hours in which we can engage a number of staff to review the process by which projects will be evaluated in relation to the Code.

WRT

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At a time agreed upon with City staff, WRT and the DCTF, STP will prepare for and help to lead a community workshop in which the intent, structure and standards of the Draft Code will be presented for questions and comments and community input. The PowerPoint presentation prepared for this workshop will weave together the community vision and preferred alternative as documented in the ongoing Precise Plan process, and focus on how the Code will help to ensure that new private development and public realm improvements are well-coordinated, designed and calibrated to deliver that vision, one project at a time.

We suggest that this Workshop might also be, perhaps, a Planning Commission Study Session, perhaps jointly with the DCTF and/or City Council rather that simply a community workshop. Such sessions can be more effective if chaired by the Mayor or Planning Commission Chair rather than led only by City staff and consultants. STP attendance at the workshop is expected to be virtual rather than in-person.

1.2b - Public Review Draft Code Preparation: Based on the comments received from WRT and City staff, DSTP will refine and complete the Draft Code, so that it may be available for public review concurrently with the Precise Plan and EIR. We will deliver a "Screencheck Draft" to WRT and City staff and make minor refinements or corrections prior to its release for public review.

If requested, the Team will participate in a Planning Commission workshop or joint Commission/Council study session to present the Code and answer questions. DSTP will then make a final round of refinements to the Code based on public and decision-maker input and City staff direction.

At a time agreed upon with City staff, WRT and the DCTF, STP will prepare for and help to lead a community workshop in which the Public Review Draft Code will be presented for questions and comments and community input. We suggest that a joint study session of the City Council and Planning Commission could be a good format for this Workshop. STP attendance at the workshop is expected to be virtual rather than in-person.

1.2c - Code Adoption: The Team will participate in one Planning Commission and one City Council hearing to assist City staff in presenting the Plan and Code. DSTP will make final minor revisions to the Code in response to comments and deliver the final document in PDF format – a high-resolution file for double-sided color printing and a hyperlinked web-ready file of the spreads.

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If the City determines to adopt the new zones (we anticipate one to three zones, depending on decisions reached in Task 2) within the Santa Clara Municipal Code (SCMC) it is likely that some City staff time will be required to complete the integration of procedures and general standards with other section of the SCMC.

Potential Reimbursable Expenses

Due to the uncertainty of travel during this time, we assume that attendance at meetings and workshops will be virtual rather than in-person. As/if travel protocols change during the course of this work, and physical attendance is requested, we provide an estimated cost-per-trip (for travel and lodging) which are not included in the base budget.

Proposed Professional Fees

We propose to provide the services outlined above on a time and materials basis, per the estimates shown on the attached spreadsheet. We will not exceed those fees without providing the City with advance notice in writing of the potential for additional time and fees, and an explanation of the reasons such appear likely. The time required for preparation of the Code is quite predictable based on our extensive experience, but the time required for meetings with City staff, the DCTF and others is much less predictable. And it has been our observation to date that the ratio of meeting time to plan preparation in this situation is quite high. Our fee proposal is intended as a "realistic/efficient" process projection, not a "worst case" estimate.

More could be provided if necessary and public health conditions permitting, at an additional cost. We will bill such expenses at our actual cost with no administrative markup.

Rationale for Concurrent Plan and Code Preparation

DSTP strongly recommends that the Code be prepared concurrently with the completion of the Plan. To do otherwise, based on many years of experience in this area, would be at the least to miss an opportunity, and could also add significantly to the time and cost while significantly reducing the quality of the documents and confusing City staff, DCTF, and the public.

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Listed below are the top few advantages of preparing the Plan and Code concurrently, iteratively, and collaboratively.

Support the Precise Plan Completion: The process of breaking down the "vision" that we have been sneaking up on for so long into a system (a.k.a., Plan and Code) could be greatly helped by helping the City and DCTF in thinking of the Plan as a "kit of parts" from which the once and future downtown should be made. And those "parts" are of course typological – building/massing types, street types, frontage types, use types, parking configurations, etc. – not "predesigned buildings." That is what making a code is all about. We always describe the process as "reverse engineering the vision into a kit of parts, and a process for assembling them into a place." That is what needs to be done, now, even just to finish clarifying the vision for the Plan, and might as well also be used to establish the Code also.

Support Predictability and Cohesion: The process of making a code compels all parties to consider the options, and to make choices that rule certain things in, rule certain things out, and clarify the range of potential outcomes within which they'd be happy, and outside of which they would not be. Most general and many specific plans in California have for far too long stopped at the fuzzy "vision" level, which then leaves it up to each person's own imagination what those nice words might mean – "neighborhood scale", "sustainable", "high quality design", etc. (Except for the things that can be easily quantified, like building height, setbacks, FAR, DUA, see below.) So then in some later discretionary review process, whoever happens to be the director or on the Planning Commission or City Council makes decisions based on what those words mean to them at that time in that context. The result is a very unpredictable process that discourages highly qualified developers, adds time and cost to the process, and yields inconsistent results, such that two buildings which were each deemed "ok, let's approve it" next door to one another just look odd next to one another.

Avoid "Planning Fatigue": The precise plan process has been underway for a long time already. If it were brought to a conclusion without the Code, the process of gaining consensus on the Code would seem to most like déjà vu all over again. All the same topics would be re-covered, bringing up all the same concerns, requiring all the same decisions to be made, and leading to a lot more DCTF meetings rehashing the same things and perhaps second-guessing some, leading to amendments to the new Plan.

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Avoid Conflicting Metrics/Environmental Analyses: As I mentioned to Jim – and to Manuel and Andrew as well when they wanted to speak with me – regulation by building form is not the same thing as regulating by FAR and DUA. And as is so clear from all the DCTF discussions to date, what the committee is most concerned about – and appropriately so – is the form and character of the blocks, buildings, and streets. The form-based code is a tool that operates directly on what they care about the most. FAR and DUA are very useful metrics at the general plan level, or even at a large specific plan level for CEQA analysis. But at the scale of the building and the block they are worse than useless. For instance:

- A 4 and 5-story mixed-use project on a 2-acre site (a 300 x 300 foot block) might yield 150,000 gross square feet of habitable building area. That would be an FAR of about 1.7.
- If the ground floor (which would be smaller in usable area than upper floors due to parking) were 15,000. S.f., the non-residential FAR would be 0.10. And if the remaining 135,000 s.f. were housing, and the average gross square feet per dwelling were 1,000 s.f. parked at 1.75 spaces per unit that would be 135 units with 236 parking spaces and 67.5 DUA.
- If the exact same building and parking were organized with smaller units at 700 g.s.f. per unit, that would be 193 units parked at a ratio of 1.22 spaces per unit, and 96.5 DUA.
- It would be reasonable to anticipate that the number of residents in the smaller unit scenario would be about the same in both cases, with the same number of cars. And very likely LESS traffic generated, as the smaller units with less parking per unit would tend to attract a demographic more interested in using transit and active transportation and enjoying a pedestrian-oriented urban lifestyle.
- In our plans and codes we do NOT regulate by DUA. The EIR project descriptions are based on well-reasoned assumptions regarding average DUA and numbers of units. The Plans sometimes stipulate a cap on total units in the district – which if exceeded at some point might require further CEQA review – but the standards do not regulate by DUA per building or per block. They regulate by building size, scale, massing, form, use, and frontage, which is what we've been discussing with the DCTF for so long.
- The specific intention of a Plan for a downtown is to "pack as much development as possible into a compact area without making a mess." Whereas all the plans they have made for decades intend to spread development out to avoid localized "congestion", under the suburban/CEQA assumption that "the solution to pollution is dilution".

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> Regulation by DUA is very good at that, and that is what has sprawled cities out over the region and is killing the planet.

Of course, we know that you understand these metrics and principles as well as or better than we do, and we're focusing here on the linkage between these metrics as they may be present in the Plan and the EIR, and the development standards. Our concern is that if the Precise Plan and EIR were completed ahead of the Code work – regulating "density" by DUA as most suburban cities do – and then we came in suggesting that it be regulated by building mass and volume, it could cause great concern and consume large amounts of time and political capital. And might very well require amending the EIR or arbitrarily limiting DUA, as many people would assume such a change was to let developers "get away with something." If fact, if you limit DUA, what you get is large units, which may or may not foster the housing catering to urbanites who want to use transit and local businesses more and drive less.

Meetings

- Kick-off meeting
- Meetings with DCTF (up to 3)
- Staff working session on Admin Draft Form-based Code
- Planning Commission workshop or joint Planning Commission/City Council study session
- Check-in calls with Staff as needed

All meetings are assumed to take place remotely.

Deliverables:

- Admin Draft Form-based Code
- Screencheck Draft
- Public Review Draft
- Final Form-based Code

Cost: $118,600

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Timeframe: Approximately 7 months

2. PRECISE PLAN FINANCING ANALYSIS

This task will provide the analytic basis for identifying the appropriate financing strategy and implementation tools for the Precise Plan. The key subtasks are described below.

Task 2.1 Infrastructure Needs Analysis

The WRT team will identify the backbone utility and transportation infrastructure plan to accommodate buildout of the Plan Area and associated costs. The analysis will also determine the nexus between infrastructure improvements and planned development in the event that infrastructure improvements address an existing deficiency or new demand from growth outside the plan area. The work will build off the infrastructure program developed in the Precise Plan and will introduce new, more detailed infrastructure needs and cost analysis. The WRT team will interview Public Works and Utility Agency representatives as needed to verify planned capital improvement projects that will be necessary to support development in the plan area.[1]

The first step in this task, to be led by **WRT**, will be to refine the development plan to establish land use mix and density for each block in the Precise Plan area. This may require setting a low and high range by use type to account for land use flexibility. This will serve as the basis for establishing transportation and utility demands. WRT will also refine the conceptual design of planned streets to a level that will allow reasonable cost estimation.

To establish transportation needs, **Kimley-Horn** will:

(1) Identify roadway and traffic improvements necessary for the site based on the recommendations of the Precise Plan
(2) Prepare a cost estimate for each roadway improvement. This will include:

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1 The budget estimate assumes regional utility studies and modeling, utility design, surveying, and plan production are not included in this scope.

WRT

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- Estimating the number of AM peak hour, PM peak hour, and daily trips to be generated by the proposed project. A trip distribution and trip assignment for the use will be estimated based on information provided by the City, historical traffic counts in the area.
- Determining the background volume at intersections and for roadway segments being improved.

(3) Develop Fair Share calculations for each improvement project identified. This will include:
- Calculating the fair share proportion for the project based on the number of daily vehicle trips that utilize the future intersection. This will be calculated based on the approach specified by the City in their Impact Fee Nexus Study – Fair share % = project trips/(background + project trips).
- Determining the fair share cost estimate using the fair share percentage by the total project cost.

(4) Prepare a technical memorandum for preliminary review. The draft memorandum will include text, charts, and figures describing our process, assumptions, and results. The memorandum will specifically detail impacts directly connected with project traffic and recommended improvements, if needed. Based on comments received on the draft memorandum, the memorandum will be revised and a final traffic memorandum will be prepared and submitted.

To establish utility infrastructure needs, CSW/ST2 will:

(1) Re-engage the City staff to confirm the infrastructure needs beyond the development area. This could require running of computer models related to water and sewer service, which are often managed by third parties.
(2) Support WRT in developing 10% plans for the public streets which will reflect above and below-ground infrastructure necessary to support the development.
(3) Based on the plans and improvements required outside the plan area, update the cost analysis.

The task will result in a memo defining projected development by land use type and by block and establishing transportation and infrastructure needs.

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Task 2.2: Analysis of Financing Options and Strategy

EPS will identify and evaluate a variety of funding and financing mechanisms that would be appropriate to fund the required improvement costs and/or defray up-front or advance-funding costs associated with these facilities. EPS will consider currently available sources of funding for capital improvements, though these existing mechanisms are not expected to cover the unique costs of planned downtown improvements. Accordingly, EPS will consider a variety of other Project-specific financing mechanisms that may include the following options:

- Area-specific development impact fees (and related reimbursement agreements).
- Special assessments and taxes (e.g., Mello-Roos Community Facilities Districts).
- Private contributions and exactions.
- Tax increment financing mechanisms (e.g., Enhanced Infrastructure Finance District or Community Revitalization and Investment Authority).

EPS, with the assistance of the WRT team and the City, will select financing mechanisms and strategies for the Precise Plan that are based on financing principles; statutory and legal considerations; and industry standards regarding who typically pays for what, the timing of public improvements relative to private development, commitments regarding the availability of public-sector funding, and other relevant factors.

EPS will prepare a financing strategy that describes the implementation steps required to use existing and to create new proposed financing mechanisms. The financing strategy will specify the financial responsibilities of the public and private participants in implementation of the Plan. The financing strategy will be circulated to City staff and Project participants to ensure their understanding and to obtain their comments and suggestions. EPS will also prepare a Financing Strategy memorandum incorporating one round of consolidated City comments.

This task will culminate in a financing plan that describes the various financial resources and tools needed to pay for infrastructure and amenities. Note that the specific elements of the Financing Plan cannot be known with certainty at this time, but this proposal anticipates that an Area Development Impact Fee is a likely outcome.

Task 2.3: Area Impact Fee Program (Optional, included as Contigency)

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EPS will prepare the technical documentation necessary for approval of an area development impact fee to cover the "fair share" cost of new infrastructure and public improvements serving the Specific Plan. The "Nexus Report" will be prepared consistent with AB 1600 and related requirements.

EPS will develop a preliminary fee schedule based on the total costs attributable to the Downtown Precise Plan program, based on the cost estimates and cost allocations described above. EPS will net out other likely potential funding sources and include a fee program administrative charges, as appropriate. The fees will be derived by dividing the capital facility costs by the projected development in each land use category. EPS will summarize the fees by improvement type and land use for the City's review. Based on comments received and EPS will finalize the fee schedule for inclusion in the Nexus Report.

EPS will take primary responsibility for preparing the Development Impact Fee Nexus Report that will document the study assumptions and methodology and establish the required nexus findings consistent with AB 1600 and reporting requirements of Government Code 66000 et. seq. EPS will first provide an administrative draft for review by City staff. Based on one round of comments, EPS will then prepare a Public Review Draft for broader release. Again, based on one round of consolidated public comments and direction from City staff, EPS will prepare a Final Report for presentation to the City Council for approval.

The budget includes representation and participation, as needed, from appropriate EPS team members at two public meetings or presentations, including at City Council approval. Additional meetings and/or report iterations beyond those described herein may require a budget amendment. The proposed budget does not include multiple iterations of the fee analysis or EPS participation in any landowner meetings or negotiation sessions that may be required.

Meetings:

- Up to two meetings with key project stakeholders, including property owners and/or City staff. The goal of these meetings will be to vet the financing strategy and assumptions.

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Deliverables:

- Development Program and Infrastructure Needs Memorandum
- Financing Plan (Draft)
- Financing Plan (Final)

The specific elements of the Financing Plan cannot be known with certainty at this time, but this proposal anticipates that an Area Development Impact Fee is a likely outcome.

Optional Deliverables:

- Development Impact Fee Nexus Report (Admin Draft, Public Review Draft, Final)

Cost: $103,700, including $33,600 contingency for Area Development Impact Fee Nexus Study

Timeframe: 4-6 months.

3. DOWNTOWN MANAGEMENT ENTITY

WRT, with support from MJB Consulting and Greensfelder Real Estate Consulting (GRES), will define the role of a management entity to help achieve success for Downtown. The entity's roles may include curating retail, programming public spaces, and marketing. Defining the right approach will include the following subtasks.

Task 3.1 Stakeholder Interviews and DCTF Meeting

The Team will interview key stakeholders to better understand the capacities, resources, mandates and political dynamics of each, to determine how the new entity would best fit. We will draw on existing findings about market and real estate dynamics.

Task 3.2 Analysis and Recommendations

The Team will craft the foundation for a regulatory rubric with the goal of seeing a diverse array of desired uses (by NAICS code) and desired mix of independent, regional, and national occupiers. The

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MEMORANDUM

foundation will outline plusses and minuses of suggested approaches, define the Downtown Management Entity and its roles, and discuss implementation process and procedures. Recommendations will also include identification of partners and best practices in event management and marketing.

Task 3.3 Incorporation into Precise Plan

The analysis and recommendations will be incorporated into the Implementation chapter of the Santa Clara Downtown Precise Plan.

Meetings:

- The Team will present findings at one meeting of the DCTF.

Deliverables:

- Stakeholder interviews (remote)
- Presentation to DCTF (remote)
- Memo: Defining the role of a Downtown management entity

Cost: $21,000

Timeframe: Approximately 2 months

4. PROJECT DESIGN REVIEW

DSTP, supported by WRT, can review current development projects within the Plan Area to help Staff evaluate design consistency with the Plan vision and to make recommendations.

Meetings:

- One meeting with Staff

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Deliverables:

- Design review memo

Cost: $3,900 per project submittal

Timeframe: Ongoing

5. ADDITIONAL DCTF MEETINGS

The Santa Clara Downtown Precise Plan schedule currently has five remaining Task Force meetings, of which the WRT Team is scoped to attend and present at one. WRT and DSTP could be available to facilitate additional meetings of the Task Force, helping to retain a strong link between Task Force discussion and Plan outcomes.

Note: where Task Force meetings are anticipated as part of additional scope items above, they are covered within that task.

Meetings:

- Meeting presentation and attendance (WRT, DSTP)

Deliverables:

- Presentation materials

Cost: $4,400 per meeting, assuming meeting is virtual and does not require travel or production.

Timeframe: Ongoing

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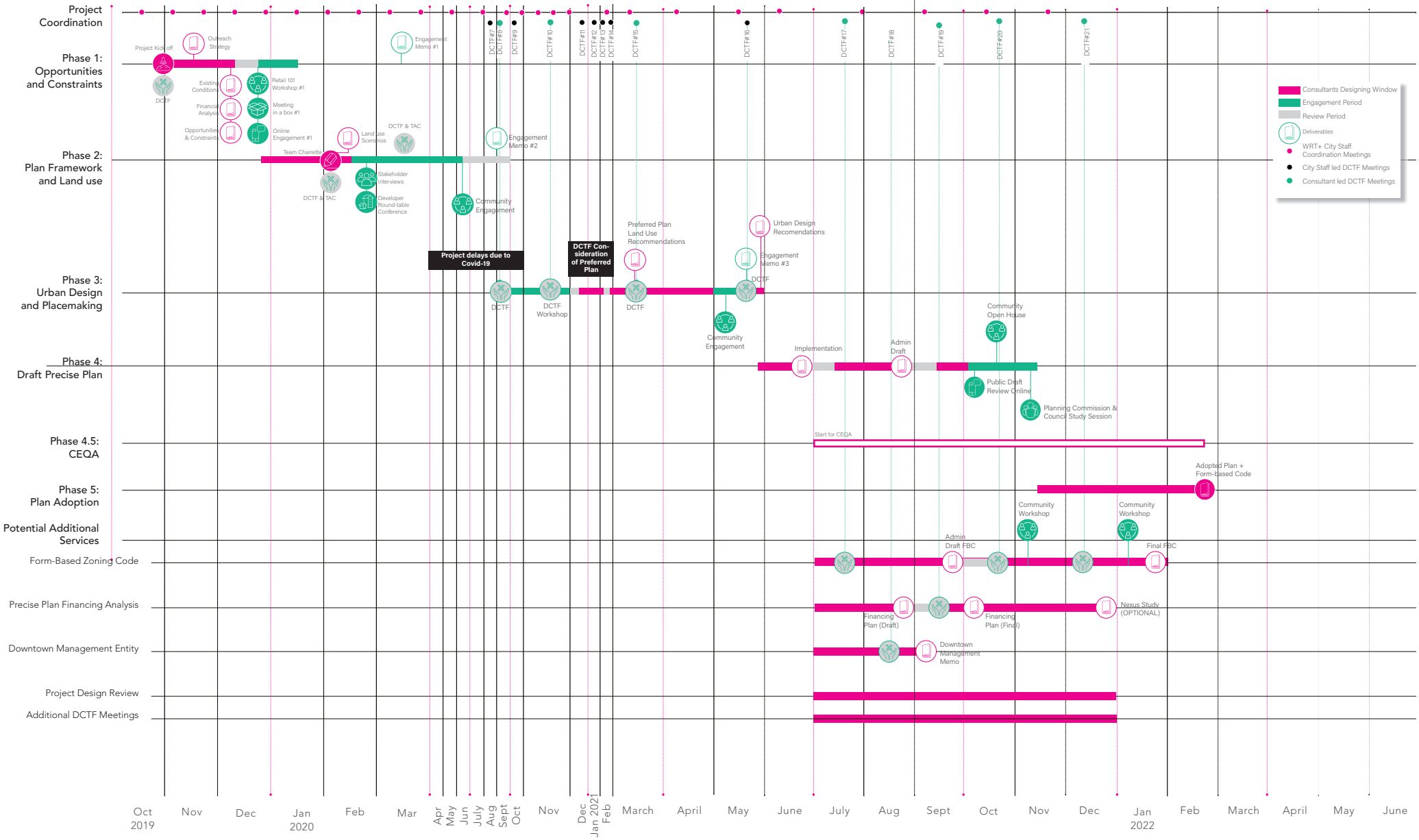
ATTACHMENTS

- Budget Spreadsheet
- Project Schedule (Conceptual)

Santa Clara Downtown Precise Plan
Additional Services, May 10, 2021

		WRT, LLC Planning and Urban Design, Public Outreach						Sargent Town Planning Planning and Urban Design (Architectural Focus)						Kimley Horn Transportation						CSWST2 Civil Engineering						EPS Economics						Greenfielder Real Estate Strategy Retail Real Estate				Hill Consulting Retail Real Estate				TOTAL	
	All Classification	Emma Dilley Principal	Peter Winch Project Planner	Urban Landscape Designer Level B / Designer Level C	Administrative Support	Hours by Task	Cost by Task	David Sargent, AIA, Principal	Jeff Parrish, AICP Principal	Planner / Designer	Senior Urban Designer/ Project Mgr	Associate Planner / Designer	Hours by Task	Cost by Task	Principal	Project Manager	Staff	Staff	Hours by Task	Cost by Task	Richard Stevens Principal	Engineer	Hours by Task	Cost by Task	Ben Sigman Principal	Jay Paxton Associate	Advisor	Production	Hours by Task	Cost by Task	David Greenfielder Principal	Hours by Task	Cost by Task	Michael Berne Principal	Hours by Task	Cost by Task	Hours by Task	Cost by Task
	Hourly Rate	$ 207.00	$ 170.00	$ 120.00	$ 95.00			$ 220.00	$ 200.00	$ 175.00	$ 145.00			$ 250.00	$ 220.00	$ 150.00	$ 110.00			$ 200.00	$ 160.00			$ 275.00	$ 175.00	$ 300.00	$ 150.00			$ 350.00			$ 250.00				
Task 1	**Form-Based Zoning Code (including Signs)**																																				
1.1	Project Initiation and Scope Confirmation	8	8	8		**24**	$ 4,408.00	22	12	24	6	**64**	$ 12,310.00					**0**	$ -			**0**	$ -					**0**	$ -		**0**	$ -		**0**	$ -	**88**	$ 16,700.00
1.2	Code Preparation and Adoption	18	22	22		**62**	$ 11,094.00	63	56	147	272	**538**	$ 90,225.00					**0**	$ -			**0**	$ -					**0**	$ -		**0**	$ -		**0**	$ -	**600**	$ 101,300.00
	Reimbursables (not including travel)					**0**	$ 100.00						$ 500.00					**0**	$ -			**0**	$ -					**0**	$ -		**0**	$ -		**0**	$ -	**0**	$ 600.00
	Sub-Total -	**26**	**30**	**30**	**0**			**85**	**68**	**171**	**278**			**0**	**0**	**0**	**0**			**0**	**0**			**0**	**0**			**0**		**0**				**0**				**688**	$ 118,600.00
		Sub-Total -	Sub-Total -	Sub-Total -		**86**	$ 15,602.00				Sub-Total -	**602**	$ 103,025.00				Sub-Total -	**0**	$ -		Sub-Total -	**0**	$ -				Sub-Total -	**0**	$ -	Sub-Total -	**0**	$ -		**0**	$ -		
Task 2	**Precise Plan Financing Analysis**																																				
2.1	Infrastructure Needs Analysis	16	12	80		**108**	$ 15,868.00					**0**	$ -		12	16		**28**	$ 5,040.00	20	40	**60**	$ 10,500.00	8	4	2		**14**	$ 3,500.00		**0**	$ -		**0**	$ -	**210**	$ 34,900.00
2.2	Analysis of Financing Options and Strategy	8	12			**20**	$ 4,132.00					**0**	$ -					**0**	$ -			**0**	$ -	24	44	16	4	**88**	$ 19,500.00		**0**	$ -		**0**	$ -	**108**	$ 23,600.00
2.3	Area Impact Fee Program (OPTIONAL)	8	12			**20**	$ 4,132.00					**0**	$ -					**0**	$ -			**0**	$ -	48	52	22	6	**128**	$ 29,500.00		**0**	$ -		**0**	$ -	**148**	$ 33,600.00
	Reimbursables																						$ 10,000.00						$ 1,500.00		**0**	$ -		**0**	$ -	**0**	$ 11,500.00
	Sub-Total -	**32**	**36**	**80**	**0**			**0**	**0**	**0**	**0**			**0**	**12**	**16**	**0**			**20**	**40**			**80**	**100**		**10**			**0**				**0**				**466**	$ 163,700.00
		Sub-Total -	Sub-Total -	Sub-Total -		**148**	$ 24,132.00				Sub-Total -	**0**	$ -				Sub-Total -	**28**	$ 5,040.00		Sub-Total -	**60**	$ 20,500.00				Sub-Total -	**230**	$ 54,000.00	Sub-Total -	**0**	$ -		**0**	$ -		
Task 3	**Downtown Management Entity**																																				
3.1	Stakeholder Interviews and DCTF Meeting (1)	6	6	2		**14**	$ 2,822.00					**0**	$ -					**0**	$ -			**0**	$ -					**0**	$ -	6	**6**	$ 1,890.00	10	**10**	$ 2,500.00	**30**	$ 7,200.00
3.2	Analysis and Recommendations	4	8			**12**	$ 2,412.00					**0**	$ -					**0**	$ -			**0**	$ -					**0**	$ -	6	**6**	$ 1,890.00	34	**34**	$ 8,500.00	**52**	$ 12,800.00
3.3	Incorporation into Precise Plan			8		**8**	$ 968.00					**0**	$ -					**0**	$ -			**0**	$ -					**0**	$ -		**0**	$ -		**0**	$ -	**8**	$ 1,000.00
	Sub-Total -	**10**	**14**	**10**	**0**			**0**	**0**	**0**	**0**			**0**	**0**	**0**	**0**			**0**	**0**			**0**	**0**		**0**			**12**				**44**				
		Sub-Total -	Sub-Total -	Sub-Total -		**34**	$ 6,202.00				Sub-Total -	**0**	$ -				Sub-Total -	**0**	$ -		Sub-Total -	**0**	$ -				Sub-Total -	**0**	$ -	Sub-Total -	**12**	$ 3,780.00		**44**	$ 11,000.00	**90**	$ 21,000.00
Task 4	**Project Design Review (1)**																																				
4.1	Project Design Review	2	2	2		**6**	$ 1,102.00	4		6	6	**16**	$ 2,800.00					**0**	$ -			**0**	$ -					**0**	$ -		**0**	$ -		**0**	$ -	**22**	$ 3,900.00
	Sub-Total -	**2**	**2**	**2**	**0**			**4**	**0**	**6**	**6**			**0**	**0**	**0**	**0**			**0**	**0**			**0**	**0**		**0**			**0**				**0**				
		Sub-Total -	Sub-Total -	Sub-Total -		**6**	$ 1,102.00				Sub-Total -	**16**	$ 2,800.00				Sub-Total -	**0**	$ -		Sub-Total -	**0**	$ -				Sub-Total -	**0**	$ -	Sub-Total -	**0**	$ -		**0**	$ -	**22**	$ 3,900.00
Task 5	**Additional DCTF Meeting (1)**																																				
5.1	Additional DCTF Meeting (1)	4	6	8		**18**	$ 3,034.00	2		3	3	**8**	$ 1,400.00					**0**	$ -			**0**	$ -					**0**	$ -		**0**	$ -		**0**	$ -	**26**	$ 4,400.00
	Sub-Total -	**4**	**6**	**8**	**0**			**2**	**0**	**3**	**3**			**0**	**0**	**0**	**0**			**0**	**0**			**0**	**0**		**0**			**0**				**0**				
		Sub-Total -	Sub-Total -	Sub-Total -		**18**	$ 3,034.00				Sub-Total -	**8**	$ 1,400.00				Sub-Total -	**0**	$ -		Sub-Total -	**0**	$ -				Sub-Total -	**0**	$ -	Sub-Total -	**0**	$ -		**0**	$ -	**26**	$ 4,400.00
	Total					**292**	$ 50,072.00					**626**	$ 107,225.00					**28**	$ 5,040.00			**60**	$ 20,500.00					**230**	$ 54,000.00		**12**	$ 3,780.00		**44**	$ 11,000.00	**1292**	$ 251,600.00

WORK PLAN AND ENGAGEMENT STRATEGY (AMENDED MAY 2021 WITH ADDITIONAL SERVICES)



21-545 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action to Amend the Agreement Between TruePoint Solutions, LLC, and the City of Santa Clara

COUNCIL PILLAR
Deliver and Enhance High Quality Efficient Services

BACKGROUND
The City's permit system allows permit, plan review and inspection activities to be managed by staff and provides accessibility to information for the general public. A permit information system is necessary as it facilitates the careful review and approval process for land development projects which can span across numerous City departments. Various City departments rely on the usage of the permit system software to support citywide economic development and the collection of fee generating revenue.

The City has been using the "Tidemark" permit system since the 1990's. The software was last updated in 2000. In September 2017, the Community Development Department's Building Division (Division) procured the Accela permit software system. In August 2018, the implementation process of integrating the software to align with the Department's business practices began. As part of this effort, the City conducted a Request for Proposals (RFP) process. The City selected and executed an Agreement with TruePoint Solutions (TPS), LLC (Agreement) to provide consultant services to assist with the implementation of the new Accela permit software system.

DISCUSSION
Transitioning away from a system the City has used for over twenty years with hundreds of thousands of cases and migrating to an entirely new software platform makes for a very sizable and timely project. Implementation of the new software system involves numerous deliverables and various scopes of work for all participating departments. Furthermore, because the Accela system will be used by numerous departments, TPS' consultation, testing, training and configuration time has been devoted to providing services to more than just the Community Development Department (Planning and Building Divisions); specifically, Finance, Water and Sewer, Police, Fire, IT's GIS team, Public Works, Parks and Recreation and the Electric departments have also been using TPS' implementation services.

Through the multi-department implementation process, the City has identified and implemented expansions to the Accela implementation. The implementation process has also been extended in part as the City has adapted work procedures in response to COVID-19. The City is nearing the end of the implementation process with a scheduled "go live" date in late June. The current Agreement with TPS is nearing the end of its allotted budget. Staff is proposing to amend the Agreement via 'Amendment No. 1, Agreement for Design Professional Services Between the City of Santa Clara,

California and TruePoint Solutions, LLC' to allow for continued use of TPS services during the crucial "go live" process and over the course of the next year as the City fully implements the Accela system. TPS has become very familiar with the City's various departments and work activities so that the continued use of their services will support an efficient, cost-effective and successful roll-out of the new software system.

Staff is seeking approval for the following:

1) Extension of the Agreement terms making the new expiration date June 30, 2022;
2) Additional services for data conversion, continued system configuration, project management consultation hours; and
3) An increase to the overall not to exceed amount.

Staff anticipates conducting a new RFP for consultant services in the future to provide continuing consultant support following the initial Accela implementation.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

Based upon the estimate for the proposed additional services between the City and TPS, an increase to the maximum compensation of $215,436 is requested. Of this amount, funding of $105,500 is available in the Building Division's General Fund operating budget and $53,820 is available in the Permit Information System capital project (#6075) budgeted in the General Government Capital Fund to cover the majority of the increased cost. The remaining funding of $56,116 is recommended to be added in the Proposed Budget as part of the new Fire Department Accela Implementation project in the Fire Department Capital Fund. This new capital project is included in the proposed amendments to the FY 2021/22 Capital Budget that are described in an appendix to the Proposed FY 2021/22 and FY 2022/23 Biennial Operating Budget.

With the increase in the maximum compensation, the overall not to exceed amount of $885,082 will increase to $1,100,518 for the current TPS Agreement.

COORDINATION

This report has been coordinated with the Information Technology Department, Finance Department, Fire Department, and the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement between TruePoint Solutions, LLC, and the City of Santa Clara to extend the term of the agreement ending on June 30, 2022, and increase the maximum compensation amount by $215,436 for a total maximum compensation of $1,100,518 to provide additional services for data conversion, continued system configuration, and project management consultation hours, subject to the appropriation of funds; and
2. Authorize the City Manager to exercise the option to extend the term of the Agreement between TruePoint Solutions, LLC, and the City of Santa Clara for one year after June 30, 2022; and increase the not to exceed amount by $50,000, if necessary, subject to the appropriation of funds.

Reviewed by: Andrew Crabtree, Director, Community Development Department
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Amendment No. 1 to the TruePoint Solutions, LLC Agreement

Ebix Insurance No. S200003778

AMENDMENT NO. 1
TO THE AGREEMENT FOR DESIGN PROFESSIONAL SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
TRUEPOINT SOLUTIONS, LLC

PREAMBLE

This agreement ("Amendment No. 1") is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and TruePoint Solutions, LLC, a California limited liability company ("Contractor"). City and Contractor may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

A. The Parties previously entered into an agreement entitled "Agreement for the Performance of Services by and Between the City of Santa Clara, California, and TruePoint Solutions, LLC" with an effective date of August 26, 2018 (Agreement); and

B. The Parties entered into the Agreement for the purpose of having Contractor provide implementation and technical support for Accela Permit and Land Development software system, and the Parties now wish to amend the Agreement to extend the termination date, include an additional task in the scope of services, and increase the maximum compensation.

NOW, THEREFORE, the Parties agree as follows:

AMENDMENT TERMS AND CONDITIONS

1. Section 2 of the Agreement, entitled "Term of Agreement," is hereby amended to delete the existing termination date of December 31, 2020 and replace it with the following:

   "June 30, 2022."

2. Exhibit A of the Agreement, entitled "Scope of Services," is hereby amended to add the following text after the first sentence of the Exhibit:

   "The Services to be performed for the City by the Contractor under this Agreement shall also include additional Data Conversion(s) and System Configurations for the City's Tidemark database, as well as Hdl and CUPA for the

Santa Clara Fire Department. Project Management Hours by a TruePoint Consultant for 'post Go-Live' support shall continue until the amended term expiration date of June 30, 2022. Additional details are provided below"

3. Exhibit A of the Agreement, entitled "Scope of Services," is hereby amended to delete the following text from the top of page 4:

   "PROJECT TIMELINE
   The estimated term of this project is 13 to 14 months for the initial deployment with the estimated start date in August 2018 and an estimated completion date in November 2019."

   and replacing it with the following:

   "PROJECT TIMELINE
   The estimated term of this project is 13 to 14 months for the initial deployment with the estimated start date in August 2018 and an estimated completion date in November 2019 for Deliverables 1 through 17. Deliverables 18 through 20 shall commence in May 2021 and be completed in June 2022."

4. Appendix C ("Detailed Scope") of Exhibit A ("Scope of Services") of the Agreement is hereby amended to add Deliverables 18 – 20 after existing Deliverable 17:

   "DELIVERABLE 18: ADDITIONAL DATA CONVERSIONS

   Due to the unavailability of certain information during the prior data conversions (including, but not limited to, address parcels, GIS data, and fee information), it is necessary to repeat the previously completed data conversions.

   DELIVERABLE 19: FIRE DEPARTMENT HDL AND CUPA CONVERSION & CONFIGURATION.

   Deliverable 8A covered the conversion of Hdl Fire Occupancy data; this deliverable 19 will provide configuration of the Hdl data for Fire Department usage. In addition, TruePoint will provide integration to CUPA.

   <u>TruePoint Responsibilities:</u>

   - Project Management for the duration of the project
   - Fire Occupancy Record Annual Inspections and Operational Permits
   - EnvHealth CUPA configuration
   - Occupancy Data and Inspections from Hdl. (Funds included in Phase 1.)
   - Live and post go-live support

Agency Responsibilities:

- City will need to provide data to TruePoint

DELIVERABLE 20: ADDITIONAL PROJECT MANAGEMENT

Consultant Michele Niccore will provide additional project management hours as requested by City through June 30, 2022 at the rate of $157.00/hour, approximately 20 hours per week for 12 months."

5. Exhibit B of the Agreement, entitled "Fee Schedule," is hereby amended by deleting the first sentence of the Exhibit:

   "In no event shall the amount billed to City by Contractor for services under this Agreement exceed eight hundred eighty-five thousand eighty-two dollars ($885,082), which reflects the proposed cost plus a ten percent (10%) contingency, subject to budget appropriations."

   and replacing it with the following:

   "In no event shall the amount billed to City by Contractor for services under this Agreement exceed one million, one hundred thousand, five hundred eighteen dollars ($1,100,518.00), subject to budget appropriations."

6. Exhibit B of the Agreement, entitled "Fee Schedule," is hereby amended by adding the following eight lines to the bottom of the table on Page 2:

Deliverables 18, 19 & 20		
Additional Data Conversions	60	Repeat of previously completed conversions with additional data
Fire Dept HDL & CUPA – Project Management	80	Project management for the duration of the project
Fire Dept System Configuration – Occupancy Record	0	Fire Occupancy Record Annual Inspections & Occupancy Permits
Fire Dept System Configuration – CUPA	260	EnvHealth CUPA configuration
Fire Dept data conversion	0	Occupancy data & inspections from Hdl
Fire Dept – move configuration to PROD	16	Go Live and post go-live support
Additional project management hours	960	June 2021 – June 2022

7. Exhibit B of the Agreement, entitled "Fee Schedule," is hereby amended by adding Deliverables 18, 19, and 20 to the table on Page 3 after Deliverable 17 to read as follows:

18	Additional Data Conversions	$8,000
19	Fire Dept Hdl and CUPA Conversion & Configuration	$56,116
20	Additional Project Management	$151,320

8. Exhibit B of the Agreement, entitled "Fee Schedule," is hereby amended by replacing the final three lines of the table on Page 3 with the following five lines:

	Total, Tasks 1 – 17	$768,620
	Travel Expense Estimate, Tasks 1 – 17	$36,000
	10% Contingency on Tasks 1 – 17	$80,462
	Total, Tasks 18 - 20	$215,436
	Total Travel & Service	**$1,100,518**

9. Exhibit B of the Agreement, entitled "Fee Schedule," is hereby amended by deleting the following text from page 4:

   "CUPA: The pricing above does not include integration to CUPA. Accela is creating a generic CUPA import/export routine that has not been fully released. As an estimate integration to CUPA could add as much as $20,000 to $50,000 in services to the SOW. It is recommended that any further discussion on CUPA is put on hold until we can determine if a standard integration from Accela can be used."

10. Exhibit B of the Agreement, entitled "Fee Schedule," is hereby amended by deleting the following text from page 4:

    "CONTRACT SUM:
    The total amount payable under this Agreement is therefore $804,620 including travel expenses and travel time."

    and replacing it with the following:

    "CONTRACT SUM:
    The total amount payable under this Agreement is therefore $1,100,518 including travel expenses and travel time."

11. Contractor further acknowledges that there are no minimum usage requirements and no commitment for a minimum number of hours.

12. Except as set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect. In case of a conflict in the terms of the Agreement and this Amendment No. 1, the provisions of this Amendment No. 1 shall control.

The Parties acknowledge and accept the terms and conditions of this Amendment No. 1 as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form: Dated: _____

BRIAN DOYLE
City Attorney

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

TRUEPOINT SOLUTIONS, LLC
a California Limited Liability Company

Dated: 4-26-2021
By (Signature): Kent Johnson
Name: Kent Johnson
Title: Chief Executive Officer
Principal Place of Business Address: 3262 Penryn Road, Suite 100-B, Loomis, CA 95650
Email Address: kjohnson@truepointsolutions.com
Telephone: (916) 259-1293
Fax: (916) 256-1975

"CONTRACTOR"

21-561 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action on 2021 Q1 Legislative Update and Proposed Amendments to the 2021 Energy Legislation, Regulations, and Issues and Public Safety Legislative Advocacy Positions

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
On October 9, 2018, the City Council adopted Resolution No. 18-8611 to approve a Legislative Advocacy Position (LAP) Policy (Attachment 1). The purpose of the LAP Policy is to establish clear guidelines for advancing City goals and positions through legislative review and advocacy at the regional, State, and federal levels of government and to provide guidance for City officials who serve on regional, State, and national boards, committees, and commissions when they are asked to review public policy matters and issues. The LAP Policy requires Council to adopt or update the LAPs at the beginning of the calendar year to identify specific legislative priorities outside of the legislative guiding principles listed below:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara
- Protect local revenue sources and prevent unfunded mandates
- Protect and/or increase funding for specific programs and services
- Protect and/or increase local government discretion
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan

On February 9, 2021, the City Council adopted twelve (12) 2021 LAPs (Attachment 2) on the following key issues:

- COVID-19 Legislation
- Energy Legislation, Regulations, and Issues
- Engagement with Federal Aviation Administration Regarding Airplane Noise
- Housing
- Human Resources and Public Sector Employment
- Local Authority over Wireless Telecommunications Facilities and Cable Services
- Public Safety
- Regional and State-wide Water Supply and Conservation
- Regional Issues and Collaboration

- Regional Transportation Issues
- School Mitigation Fees
- Sustainability and Environmental Legislation, Regulations and Issues

In addition to requiring the City Council to adopt or update LAPs annually to identify specific legislative priorities, the LAP Policy also requires staff to provide quarterly legislative updates on public policy items of interest to the Council and provide Council copies of letters or summaries of actions on legislative items.

The City has an existing agreement with Townsend Public Affairs for legislative advocacy services, which includes tracking and monitoring legislation and advocating the City's position on various legislation at the State and federal levels of government.

DISCUSSION

As part of the February 9, 2021 2021 LAP agenda item, Councilmember Jain requested to add additional position statements to several LAPs (Energy Legislation, Regulations and Issues LAP, Public Safety, Regional and State-wide Water Supply and Conservation, Regional Transportation Issues, and Sustainability and Environmental Legislation, Regulations and Issues). While staff was able to review and recommend adoption for most of the proposed position statements, there were several that required more review and analysis for their potential impacts to the City.

Based on additional research and discussion with Councilmember Jain on energy-related items, staff recommends Council approval to add the following position statements to their corresponding LAPs so staff and Townsend can advocate for the City in these key policy areas:

Energy Legislation, Regulations and Issues LAP

- Monitor and support transmission related activities focusing on enhancing the reliability and deliverability of clean energy resources and advocating for greater transparency and assurance that transmission access charges are allocated equitably between the various beneficiaries

Public Safety LAP

- Support background checks and training requirements for gun sales

A copy of the red-lined proposed amendments to the 2021 Energy Legislation, Regulations and Issues and Public Safety LAPs is attached for reference (Attachment 3).

Since the adoption of the 2021 LAPs, staff and Townsend Public Affairs has been tracking and monitoring various legislative items, which are highlighted and summarized in the 2021 Q1 State Legislation document (Attachment 4). The legislative items are grouped by their aligned LAP, guiding principle for legislative advocacy, or approved City policy (e.g. City Council Goals and Priorities). Each bill contains a summary and its status in the legislative process.

The City has acted on some of the bills that are included in the 2021 Q1 Legislation document (e.g. submitted a letter of support or opposition). Those actions are documented in the 2021 Q1 Summary of Legislative Actions attachment (Attachment 5).

State Legislative Update

Over the course of the last two months, the Legislature has been focused on conducting policy committee hearings, so that bills can advance ahead of the policy committee deadline. Assembly and Senate policy committees are required to consider bills with a fiscal impact to the State and advance them to the Appropriations Committees prior to April 30th. The policy committees have an additional week to consider bills without a fiscal impact to the State. Any bill that fails to meet the policy committee deadline will become a two-year bill and cannot be considered again until January. Typically, the first policy committee deadline results in one-third of introduced bills becoming two-year bills.

After the policy committee deadlines pass, the Legislature will turn its focus to moving bills through the Appropriations Committees prior to the fiscal committee deadline on May 21st. Many of the bills that will go before the Appropriations Committee will be referred to the Suspense File, which indicates that the bill is likely to have a fiscal impact to the State greater than $50,000. The Assembly and Senate Appropriations Committees will each consider all bills on the Suspense File at a single hearing just before the committee deadline. At that hearing, the committee will announce which bills are advancing out of committee and which are being held. Those bills that are held in committee will become two-year bills.

Assembly and Senate Budget Priorities

In anticipation of the Governor's May Revise, both the Assembly and Senate Leaders announced their budget priorities for the FY 2021-22 budget. Both sets of priorities leverage significant funding from the anticipated State budget surplus, federal COVID-19 pandemic response funding, cap and trade auction revenues, and other sources to invest in the State's economy. The plans outlined by both Houses touch on a number of economic sectors, as well as local governments, businesses, and individuals.

The Senate prioritizes items such as:

- Providing debt free college
- Expanding universal access to early education
- Investing in homelessness, housing affordability, and homeownership
- Protecting against wildfires and droughts
- Improving healthcare access and affordability

The Assembly prioritizes items such as:

- Preserving state services while preparing for future economic downturns
- Responding to essential services needs
- Protecting Californians most impacted by the pandemic
- Recover the economy through stimulus funding

Both the Assembly and Senate will need to work together, with the Governor's Office, to develop the FY 2021-22 State Budget. The Governor is scheduled to release his May Revise in early-mid May which will include the Administration's priorities for the upcoming fiscal year and how the Governor proposes to administer state resources. Once the May Revise is released, the Legislature will have until June 15th to approve the budget and send it to the Governor for his consideration.

Additionally, many of the proposals found in the Senate and Assembly budget priorities would require implementing legislation, if they are included in the final state budget. To that end, many of the proposals listed above may require additional legislation that would be considered through the traditional legislative path and not on the accelerated budget timeline.

Recall Election

While the Legislature has focused on moving bills through the committee process, many were focused on the political dynamics in Sacramento. On April 26th, Secretary of State Shirley Weber announced that the threshold of verified signatures has been met to trigger a recall election of Governor Newsom. Once the threshold of signatures was met, it triggered a 30-business-day period in which voters may submit written requests to their County Registrar of Voters to remove their names from the petition. Assuming that there are not enough signatories who elect to remove their names from the petition, the Department of Finance and Legislature are then required to assess the potential costs of a recall election. Once that step has been completed, the Lieutenant Governor will announce the date for the recall election, which will likely be in late-October or November.

To date several Republicans have indicated that they intend to run in the recall election. The most high-profile individuals that have expressed their intent to challenge Governor Newsom are former Republican gubernatorial candidate John Cox, former San Diego Mayor Kevin Falconer, former Congressman Doug Ose, and former Olympian and reality TV star Caitlyn Jenner. As of yet, no Democrats have indicated that they intend to run in the recall election. Those that wish to run as a candidate to replace Governor Newsom will have until 59 days before the election to pay the filing fee, around $4,000, or submit signatures from 7,000 voters.

New California Attorney General and Secretary of State

In April, Governor Newsom announced that he was submitting to the State Legislature the nomination of Assembly Member Rob Bonta as the next California Attorney General. On April 23rd, Governor Newsom swore Rob Bonta into office as the California State Attorney General, after being confirmed to the position by the State Legislature. Bonta was selected to fill the position vacated by Xavier Becerra, who was recently sworn in as Secretary of the US Department of Health and Human Services. Prior to becoming the Attorney General, Bonta served nine years as a Deputy City Attorney in the San Francisco City Attorney's Office, before running for local office in Alameda County and eventually being elected to the State Assembly in 2012. Bonta becomes the first Filipino American in the State's history to serve as Attorney General.

Attorney General Bonta was the second constitutional officer that has been appointed by Governor Newsom this year. Earlier in the year, the Governor nominated, and the Legislature confirmed, Dr. Shirley Weber as the new Secretary of State. Weber filled the vacancy that was created when former Secretary of State Alex Padilla was appointed to California's vacancy in the US Senate. Prior to being appointed as Secretary of State, Dr. Weber served in the State Assembly for eight years and had previously served as President of the San Diego Board of Education and as a professor at San Diego State University.

State Coronavirus Response

Over the last several months, Governor Newsom and his Administration have continued to provide regular updates on the State's progress in dealing with the coronavirus pandemic. Most recently, the has Governor traveled throughout the State to promote COVID-19 vaccines while also focusing the

Administration on safely re-opening the state's economy. The Governor announced June 15th as the projected reopening date of the State's economy while still requiring masks and encouraging Californians to receive the vaccination. Additionally, the Governor has worked closely with the Legislature to approve legislation to provide resources to businesses and individuals impacted by the pandemic.

Federal Legislative Update

During the first months of the Biden Administration, the President has been focused on increasing the number of Americans receiving the COVID-19 vaccine and putting the nation's economy on the path to recovery.

Coronavirus Aid Package

In March, Congress passed, and the President signed into law, the "American Rescue Plan Act" (H.R. 1319), a $1.9 trillion coronavirus relief and stimulus bill. This bill contained funding aimed at increasing public health and assisting those that have been financially impacted by the pandemic. Provisions of note, include:

- State and Local Funding: $360 billion for state and local government funding, including a $10 billion infrastructure fund to be controlled by the state. Eligible uses of funds include COVID-19 response, revenue loss, premium pay to essential employees, and broadband, water, or sewer projects. Language was also included in this funding that specifically allows state and local governments to grant a portion of these funds to special districts. Additional clarification and guidance will be issued from the Department of Treasury prior to the distribution of the funding.
- Homeless Grants
    - Cities are slated to get $5 billion in homelessness grants. Permitted expenditures would include acquiring non-congregate shelter units, such as hotel rooms, that could be converted to permanent housing.
    - The bill also has an additional $5 billion for emergency Section 8 Housing Choice Vouchers. The Housing and Urban Development Department would have to provide the vouchers through public housing agencies to individuals and families who are currently or recently homeless, and to those who are fleeing domestic violence, sexual assault, or human trafficking. Public housing agencies can't reissue the vouchers after Sept. 30, 2023.
- Restaurant Support
    - $29.6 billion for a Restaurant Revitalization Fund to be administered by the SBA.
    - Eligible recipients would include restaurants, bars, food trucks, and caterers, including businesses in airport terminals and tribally owned entities.
- Homeowner Assistance
    - $9.96 billion to establish a Homeowner Assistance Fund at the Treasury Department.
- Airport Support
    - $8 billion for public agencies and private owners of public-use airports.
- Employee Retention
    - The measure would extend an employee retention credit established by the CARES Act through the end of the year.
- Child Care
    - $24 billion for grants to childcare providers to use for payroll, rent, personal protective

equipment, mental health support, and other needs
    - $15 billion to the Child Care and Development Block Grant
    - $600 million increase to the Child Care Entitlement to States
    - An additional $1 billion to Head Start
- Broadband
    - Creates an "Emergency Connectivity Fund" in the U.S. Treasury and appropriate $7.17 billion into it to cover the purchase of broadband service and devices by schools and libraries for use by students, staff, and patrons at other locations.
- Child Tax Credit
    - Expands the Child Tax Credit from $2000 per child to $3,600 for each child younger than 6 and $3,000 for other children.
    - Makes the CTC fully refundable
    - Allows the CTC to be received on a periodic basis
- Shuttered Venues: Congress eliminated the provision that forced eligible venue operators and museums to choose between the PPP and the Shuttered Venue Operators Grant (SVOG). They could now apply for both and just have their PPP deducted from the larger SVOG.
- Firefighter Grants: $300 million in grants to assist firefighters.
- Disaster Relief
    - The measure would provide $50 billion for the Federal Emergency Management Agency's Disaster Relief Fund to respond to Covid-19 and other major disasters and emergencies declared by the president. Funding would remain available through September 30, 2025.
    - The funding could also be used to provide financial assistance for pandemic-related funeral expenses with a 100% federal cost share.
- Health Insurance: The bill would allow individuals who receive unemployment compensation in 2021 to qualify for reduced cost-sharing under the ACA, and would subsidize 100% of premiums for individuals eligible for COBRA continuation coverage if they lose their job.

After the passage of the American Rescue Plan, the Biden Administration unveiled two forward looking proposals that would invest an additional $4 trillion into the economy.

American Jobs Plan

In late March, President Joe Biden introduced a $2 trillion jobs and infrastructure plan referred to as the American Jobs Plan. The Plan seeks to address some of the country's most pressing problems including overhauling the nation's infrastructure and bolstering economic recovery efforts in the face of the COVID-19 pandemic.

Key elements included in the American Jobs Plan proposal are:

- Transportation Infrastructure: President Biden has long been a proponent of increased spending on transportation, especially public transportation and passenger rail, and this Plan brings to fruition part of that vision. It includes $621 billion aimed at upgrading, improving, repairing the nation's infrastructure such as:
    - $115 billion for the construction and repair of highways, bridges, and roads
    - $85 billion for public transit
    - $80 billion for passenger and freight rail modernization

  - $174 billion to support research, development, and deployment of electric vehicles
  - $42 billion aimed at building and improving airports, water transit, and ports
  - $45 billion to rectify transportation inequities
  - $50 billion to fortify infrastructure and make it resilient to climate change and wear and tear
  - $30 billion for other transportation-related initiatives
- Infrastructure at Home: The Plan sets aside $650 billion for non-transportation infrastructure, also known as home-based infrastructure, including:
  - $111 billion for clean drinking water
  - $100 billion for high-speed broadband support and expansion
  - $100 billion for electrical infrastructure
  - $213 billion for affordable and sustainable housing
  - $137 billion for public schools, early-learning centers, and community colleges
  - $28 billion for other various projects
- R&D, Workforce Development, and Manufacturing: The Plan includes $580 billion for workforce development and manufacturing:
  - $180 billion for research and development
  - $300 billion for manufacturing and small businesses
  - $100 billion to develop a next generation workforce
- Caretaking Economy: The Plan is also set to include $400 billion for home and community-based care for the elderly and individuals with disabilities.
- How will it be paid for: President Biden plans to fund the proposal through an increase in the corporate tax rate to 28% and as well as other measures designed to prevent offshoring profits by corporations to avoid paying taxes.

American Families Plan

In April, the Biden Administration unveiled another ambitious spending package aimed at expanding access to education and childcare, referred to as the American Families Plan. Altogether, this $1.8 trillion collection of spending increases and tax cuts along with the previously mentioned infrastructure package comes with a price tag of just over $4 trillion. President Biden spoke at length about the Plan during his speech at a joint session of Congress on April 28th.

Some of the key provisions of the American Families Plan include:

- The primary goal of the Plan is to expand access to preschool, community colleges, childcare, and other healthcare benefits. “Part two” of President Biden’s two-part spending package seeks to overhaul the nation’s social infrastructure.
- The proposal includes $1 trillion in new spending:
  - Free Pre-K and Community College: The Plan promises universal Pre-K for all three- and four- year-olds and two years of free community college. Included in the Plan are $200 billion to build up the infrastructure to support universal Pre-K and another $109 billion over 10 years for community college enrollment.
    - $85 billion is also set aside to increase Pell Grant award amounts
  - Funding for Minority-Serving Institutions: President Biden’s Plan calls for $39 billion over the next decade to fund two years of subsidized tuition at HBCUs for families making less than $125,000.

  - Affordable Child Care: $225 billion is set aside to make childcare more affordable.
    - Under the Pan, families earning 1.5 times their state median income would pay no more than 7% of their income on childcare.
    - The Plan would also give childcare providers funding to maintain small class sizes and classrooms to help children with disabilities.
  - Paid Family and Medical Leave: The Plan includes $225 billion invested over 10 years to create and maintain a nationally mandated parental, family, and personal illness leave program.
    - It seeks to provide up to $4,000 a month for workers on leave
  - Unemployment Insurance Reform: In his proposal, President Biden announced his intention to introduce legislation to reform unemployment insurance so that it would automatically adjust the length, and amount, of benefits unemployed workers receive based on the condition of the economy
- $800 billion in new tax credits:
  - Child Tax Credit Extension: With a cost of up to $400 billion, the proposal seeks to extend the Child Tax Credit and make it permanently fully refundable. This was expanded in ARPA.
  - The Child and Dependent Care Tax Credit expanded from ARPA would be made permanent.
  - Earned Income Tax Credit Expansion for childless workers would also be made permanent.
  - ACA Premium Tax Credits: Expanded Affordable Care Act premium tax credits passed under ARPA would be expanded, as well.
- While the American Jobs Plan would be paid for through a corporate tax increase, the American Families Plan would roll back the 2017 Trump tax cuts and increase the top individual tax rate from 37% to 39.6% for those in the top 1% of income.
  - Also included is an increase in the capital gains tax for households making more than $1 million

Both spending packages proposed by the Biden Administration are ambitious and will face tough roads to passage with slim Democratic majorities in the House and Senate. The President has indicated that he is willing to work with Republicans and Democrats to develop a proposal that can receive bipartisan support. At the same time, the President has indicated that if Republicans are not willing to work to address issues related to infrastructure and economic recovery, he will work with congressional Democrats to find a path forward that does not require bipartisan support.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

The City has an existing agreement with Townsend for a not-to-exceed amount of $252,000. There is no additional cost to have Townsend provide these quarterly legislative updates as they are included as part of the monthly scope of work that the City is billed for.

COORDINATION

This report has been coordinated with Townsend Public Affairs and the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

RECOMMENDATION

1. Note and file the 2021 Q1 Legislative Update; and
2 Approve the amended 2021 Energy Legislation, Regulations, and Issues and Public Safety Legislative Advocacy Positions.

Prepared by: Christine Jung, Assistant to the City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Legislative Advocacy Position Policy
2. 2021 Legislative Advocacy Positions
3. Amended 2021 Energy Legislation, Regulations, and Issues and Public Safety LAPs
4. 2021 Q1 State Legislation
5. 2021 Q1 Summary of Legislative Action

LEGISLATIVE ADVOCACY POSITION POLICY

PURPOSE

To establish clear guidelines for advancing City goals and positions through legislative review and advocacy at the regional, state, and federal levels of government and to provide guidance for City officials who serve on regional, state, and national boards, committees, and commissions when they are asked to review public policy matters and issues.

POLICY

To attain a comprehensive review of legislation affecting cities, to obtain the Council position on proposed legislation, to make the City's position known, and to maintain a record of pertinent information, the following guidelines shall be followed.

All legislative reviews are to be made on the basis of the effect on the City and citizens as a whole, and taking into account existing City positions, policies, or goals, rather than on the individual's personal feelings.

The guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Annually, Legislative Advocacy Positions (LAP) shall be adopted or updated by the City Council at the beginning of the calendar year to identify specific legislative priorities outside of the legislative guiding principles listed above and posted on the City's website.

PROCEDURE FOR EVALUATING AND SUPPORTING LEGISLATIVE ADVOCACY

Legislation and issues of interest are brought to the City's attention through several means: the League of California Cities, the National League of Cities, the Cities Association of Santa Clara County, Council Members, city staff, citizens, and professional or governmental organizations and legislators. All legislation or issues of interest are to be referred to the City Manager's Office.

1. City Manager's Office (CMO) reviews the proposed legislation and, if warrants, requests assistance from one or more departments.

2. CMO/Department evaluates the bill for its impact upon Santa Clara, recommends a position and potential action, and drafts a position statement or support/opposition letter.

3. If Council has previously adopted a policy directly relevant to the legislation or the proposed legislation is generally consistent with the City's overall guiding principles for legislative advocacy or LAP, the Mayor or City Manager may sign a letter supporting or opposing legislation on behalf of the city as further detailed below.

4. If a Council policy relative to the legislation does not exist, the issue is politically controversial, or there is significant local interest in the issue, the proposed legislation including a recommendation to support, remain neutral, or not support the legislation is brought to Council for consideration.

5. Letters and other communications expressing the City's position on legislation will customarily bear the signature of the Mayor in accordance with City Charter Section 704.2 – 704.3. If the legislation's principal impact affects the City's operation, the communication may be signed by the City Manager.

6. In order to keep the Council informed of all City communications on legislation, copies of the letter or summary of actions will be distributed to the City Council as information items in the Council Meeting Agendas.

7. Staff will provide and/or coordinate quarterly legislative updates on public policy items of interest to Council and departments.

City of Santa Clara
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Legislative Advocacy Position

COVID-19 LEGISLATION

Overview

The outbreak of a respiratory illness caused by a novel coronavirus was first identified in Wuhan, Hubei Province, China in 2019. The disease, now commonly known as COVID-19, has since spread globally, resulting in the 2019–2020 coronavirus pandemic. The first case in the United States was announced on January 21, 2020. Since then, there has been much effort at the local, state and federal levels of government to stop the spread of the disease. Additionally, the state and federal governments have been working to provide economic relief to individuals, businesses, and local and state governments that have been impacted by COVID-19-related disruptions.

The City of Santa Clara proclaimed a local state of emergency on March 11, 2020 and continues to closely monitor county, state and federal orders, guidance and legislation to see how they apply to Santa Clara. City resources and personnel are working to continue to provide essential governmental functions to residents and businesses, while navigating the response necessary to contain the COVID-19 outbreak, providing assistance to individuals and businesses that have been negatively impacted by the pandemic, and complying with the requirements for social distancing and self-quarantining/isolating.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities' and National League of Cities' positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

In order to adequately protect the public health and safety of the COVID-19 outbreak, the City of Santa Clara:

- Supports efforts to provide direct relief funding to local jurisdictions, especially small and medium-sized cities, which can be utilized in response to the COVID-19 pandemic, including to offset lost revenue.
- Supports the temporary suspension of certain time-specific statutory requirements.
- Supports federal and state efforts to help mitigate the economic impacts from the coronavirus on the City's businesses and residents,
- Supports public health efforts to help mitigate the spread of COVID-19, including providing access to personal protective equipment.
- Opposes efforts to shift responsibility, to the City, of programs that have traditionally been carried out, or funded, by federal, state, or county governments.

Approved by Council on February 9, 2021

- Supports efforts to assist small businesses, tenants, and landlords through eviction moratoriums, and other assistance programs, during the pandemic. These efforts should consider the needs of all stakeholders, including tenants, landlords, and those with unstable housing situations.
- Supports efforts to establish protocols, and provide funding, that will allow schools to resume in-person instruction in a safe manner.

Approved by Council on February 9, 2021

City of Santa Clara
The Center of What's Possible

Legislative Advocacy Position

ENERGY LEGISLATION, REGULATIONS AND ISSUES

Overview

The City's electric utility, Silicon Valley Power (SVP) has a mission to be a progressive, service-oriented utility, offering reliable, competitively priced services for the benefit of Santa Clara and its customers. Additionally, SVP has an adopted Strategic Plan that is intended to address the challenges facing the utility over a ten-year period. The Strategic Plan contains over thirty strategic initiatives in four distinct areas: Utility Performance Excellence; Customer Engagement and Satisfaction; Progress and Innovation Focus; and Community and Environmental Stewardship. The Legislative Advocacy Position works to further the objectives outlined in the Strategic Plan, and complements the other Legislative Advocacy Positions adopted by the City.

Guiding Principles

The City follows the below guiding principles for all areas of legislative advocacy:

- Support the positions of the League of California Cities, and National League of Cities, on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services that benefit the City of Santa Clara and its residents.
- Protect and/or increase local government discretion.
- Advance approved policies, such as the City's Statement of Values, the General Plan, and the Climate Action Plan.

Legislative Advocacy Position

In order to ensure the City can provide safe, reliable, and affordable energy to ratepayers, while operating in an environmentally and fiscally conscious manner, the City will:

- Monitor PG&E's rate-making and regulatory activities to ensure it meets its obligations and agreements and advocate for changes that would mitigate adverse impacts to SVP and other publicly owned utilities (POUs).
- Support policies that will help ensure that transmission level Public Safety Power Shut-offs (PSPS) events do not unnecessarily burden local communities that are dependent on investor owned utility (IOU) transmission infrastructure.
- Support legislation that would provide local public agencies with financial resources to prepare for, and mitigate the impacts from, planned power outage events.
- Support efforts to align wildfire-related liability with fault, safeguarding public utility customers against exorbitant rate increases when their utility acts prudently.
- Monitor the development of new market initiatives from state and regional grid operators which may result in new energy-related products and changes to electric grid operations. Staff will advocate for changes that would benefit or protect SVP ratepayers.
- Monitor and participate with federal, state and local governments and stakeholders in the development of new regulations and advocate for changes that enhance system reliability and mitigate operational and ratepayer impacts.

Approved by Council on February 9, 2021

- Support transitioning from diesel backup generators to battery-based backup generators.

City of Santa Clara
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Legislative Advocacy Position

ENGAGEMENT WITH THE FEDERAL AVIATION ADMINISTRATION REGARDING AIRPLANE NOISE

Overview

In Santa Clara, the source of air noise comes from various activities from regional international airports, general aviation airports, and Moffett Federal Airfield. Ultimately, the Federal Aviation Administration (FAA) is primarily responsible for air traffic control, and our region continues to advocate for air noise mitigation.

In June 2017, the Cities Association of Santa Clara County (CASCC) received a Congressional request from Representatives Eshoo, Khanna and Panetta asking the CASCC to take a leadership role in forming a regional aircraft noise roundtable. The CASCC formed an Ad Hoc Committee to build the framework of forming a roundtable that works for the region. Since 2018, the Santa Clara/ Santa Cruz Roundtable, which includes local jurisdictions of Santa Clara and Santa Cruz Counties, has been working together with San Francisco Airport, Minéta San José Airport, and the FAA to address the growing concern of aircraft noise.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

In order to mitigate the impacts of air noise on the residents and businesses of the community, the City:

- Continue to support regional efforts to work with local agencies and federal representatives to mitigate the effects of aircraft noise.
- Support efforts to engage local public agencies, and members of the community, prior to any changes in flight paths, or airport operations, that may impact surrounding areas.
- Support legislation that provides funding to assist with the mitigation of impacts from aircraft noise.

Approved by Council on February 9, 2021

City of Santa Clara
The Center of What's Possible

Legislative Advocacy Position

HOUSING

Overview

The lack of affordable housing in the State and region continues to have an increasingly profound impact on the City of Santa Clara. In January 2019, Santa Clara County conducted its biennial Point-in-Time Count and found that there were over 9,700 individuals were living on the streets, in shelters, or in transitional housing across the county, reflecting a more than 200% increase in the homeless population over a two year period. As cities across the state struggle to address the growing affordable housing and homelessness crisis as housing prices continue to soar, housing continues to be a key legislative priority for the State Legislature and regional agencies.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

The City of Santa Clara is committed to being a leader at the local level in providing affordable housing, as well as making a fair share contribution to the overall need for housing production within Silicon Valley, and will continue to proactively take concrete steps to realize new housing production within the City. Santa Clara is also prepared to participate in broader regional efforts that are collaborative, recognize the unique characteristics of local jurisdictions, and provide opportunities for local representation.

The City is concerned about potential measures imposed at the State or regional level that reduce local control, recognizing that in some instances such measures can be necessary or helpful to advance common goals across multiple jurisdictions, but is also aware that such efforts may have unintended consequences, limited effectiveness, or create inequities due to a lack of accountability to localized circumstances.

In an effort to achieve these goals, the City will:

- Support legislation and efforts that provide resources to address the needs of the most vulnerable residents through shelter, supportive housing, and homelessness prevention services.

- Support efforts to collaborate with the County, local jurisdictions, the business sector, and non-profit and philanthropic partners to leverage available resources and bring in new funding streams to expand the reach of the supportive housing system.
- Oppose efforts to reduce federal funding for federal entitlement programs that are used to promote affordable housing, rehabilitate substandard housing, build new park facilities, provide neighborhood improvements, and fund public services.
- Advocate for more state and federal resources (e.g., funding, legal authority, technical support, streamlining administrative processes) to address local housing needs.
- Support federal efforts to preserve and strengthen the low-income housing tax credit program and federal tax exemptions for private activity bonds.
- Support legislation preserving and expanding, federal tax exemptions for state and local taxes, including state and local property, sales, and income taxes, and maintaining federal tax exemptions for mortgage interest payments on primary residences.
- Support legislation that provides local jurisdictions with authority over land use decisions and fully incorporates the involvement of local community members and an understanding of the conditions unique to the community.
- Oppose measures that reduce local control and are punitive in nature.
- Support efforts to streamline California Environmental Quality Act provisions to facilitate the production of affordable housing and reduce delays due to unmerited litigation.

Approved by Council on February 9, 2021

City of Santa Clara
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Legislative Advocacy Position

HUMAN RESOURCES AND PUBLIC SECTOR EMPLOYMENT

Overview

The City of Santa Clara provides a myriad of services to the community, including Police, Fire, Public Works, Electric Utility, Planning, Parks and Recreation, and Library Services. The City employs over 1,100 part-time/seasonal and full-time employees that provide these and other services to the community. These services provide opportunities and careers for all types of interests, and the City should endeavor to leverage the rewards and benefits that come with working for the City.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

In order to ensure that the City can compete with other local municipalities, and the private sector, to attract, hire and retain a talented workforce, the City:

- Supports efforts to preserve local government's ability to manage its own employment issues, including, but not limited to, hiring, evaluating, disciplining, and negotiating collective bargaining agreements.
- Supports working with City bargaining units in finding solutions to address the service delivery needs of the community while being mindful of the City's revenue and expenditures, and recruitment and retention of the City's workforce.
- Supports efforts to increase the long-term financial stability of CalPERS.
- Opposes new federal or state unfunded mandates that would increase the City's post-employment obligations.
- Supports federal and state efforts to create a more informed, engaged, and welcoming experience for immigrants.
- Supports comprehensive immigration reform which provides opportunities to achieve economic and educational success and contribute to our community.
- Supports and increase in work visas allowing employers to hire foreign workers that require advanced technical skills, as well as support programs that stimulate the economy through job creation and capital investment by foreign investors.

Approved by Council on February 9, 2021

- Supports efforts that protect children, including undocumented children, with the continuation of the Deferred Action for Childhood Arrivals (DACA) Program and the Dream Act.

City of Santa Clara
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Legislative Advocacy Position

LOCAL AUTHORITY OVER WIRELESS TELECOMMUNICATIONS FACILITIES AND CABLE SERVICES

Overview

The wireless telecommunications industry has made efforts to limit or preempt local control over placement of wireless facilities and supporting structures in and outside the rights of way. Over the past several years, actions by federal and state lawmakers have resulted in the adoption of regulations and orders controlling local authority over placement of wireless facilities, including the adoption of "shot clocks" requiring local agencies to complete review of projects within a specified time period.

Additionally, through the Federal Communications Commission's proposed rulemaking, there have been efforts in recent years to address whether local franchising authorities (LFAs) can regulate incumbent cable operators and cable television services. The City has its own government access channel (Santa Clara City Television on Comcast cable channel 15 and AT&T U-verse 99), which may be negatively impacted by such rulings and similar legislation and activities. Santa Clara City Television is used to provide important information to the public, such as live and recorded airings of Council meetings, City special events, programs, and public service announcements.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

The City believes that it should maintain local authority over the placement of wireless telecommunications facilities, in order to ensure that a balance is reached between the infrastructure needs and the needs of the community. As such, the City:

- Opposes federal or state efforts to preempt local authority of the placement of wireless telecommunication facilities.
- Supports efforts to provide for local control of permitting wireless telecommunications and non-cable services facilities in the public-right-of-way.
- Supports legislation that provides opportunity for public input on the placement of wireless telecommunications facilities.
- Opposes efforts to limit the amount of time, or scope, of local review of the placement of wireless facilities.

Approved by Council on February 9, 2021

- Monitors legislation related to distributed energy generation via back-up power at wireless telecommunications facilities.
- Supports efforts to increase access to broadband, while ensuring the placement and installation of needed equipment does not undermine local permitting authority and does not pose an undue nuisance for residents.

Approved by Council on February 9, 2021

City of Santa Clara
The Center of What's Possible

Legislative Advocacy Position

PUBLIC SAFETY

Overview

As a city that is consistently named one of the safest cities in the country, Santa Clara is committed to promoting a living and working environment that allows for the best quality of life. The City believes that crime prevention and enforcement efforts are integral to creating and maintaining a safe environment for residents and visitors. At the same time, the City recognizes that crime prevention and enforcement efforts alone cannot foster community safety and wellness; education, intervention and prevention efforts on various public safety topics, such as gun violence, gang activity, alcohol and tobacco use, pedestrian, driver and bicycle safety, and driving under the influence, are equally important.

As the State and region continues to experience civil unrest and an unprecedented number of natural and man-made disasters, the City recognizes the importance of a comprehensive risk management approach to emergency preparedness.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

In order to maintain public health and safety, and promote the best quality of life, the City will:

- Support legislation that seeks to impose stricter gun violence laws and/or requires the safe storage of unattended firearms.
- Support legislation that toughens penalties for chronic criminals.
- Support efforts to reduce the list of who can seek early parole and re-classify some theft crimes from misdemeanors to felonies by reforming Assembly Bill 109 (approved by the Legislature in 2011), Proposition 47 (approved by voters in 2014) and Proposition 57 (approved by voters in 2016).
- Support the expansion of the number of crimes where DNA is collected, a list that was limited when some crimes were reclassified from felonies to misdemeanors.
- Support legislation that preserves, or expands, funding levels for public safety programs, services, and equipment, such as the Edward Byrne Memorial Justice Assistance Grants.
- Support legislation that addresses crime trends and attempts to curb illegal activity, including but not limited to, illegal street racing and sideshow activity and thefts from automobile burglaries, all of which are growing trends in our region.

- Support efforts to test speed enforcement cameras and corresponding legislation to mitigate traffic-related injuries and deaths.
- Oppose public safety legislation that imposes unfunded mandates on local agencies for new programs or increased service levels.
- Support legislation that identifies new funding sources for fire and law enforcement agencies to promote public safety, wellness and employee training.
- Support legislation that recognizes the importance of a comprehensive risk management approach to emergency preparedness, fire prevention, fire suppression, and emergency medical services.
- Support legislation that provides funding for emergency preparedness, including community risk reduction strategies like community education programs (e.g., CERT, CPA), staff training, interagency cooperation, and enhanced equipment and technology.
- Support legislation that expands the implementation and testing of emergency alert systems.
- Support legislation that enhances public safety professionals' ability to respond to all types of emergencies and communicate within, and across, jurisdictions.
- Support measures that aim to return revenue generated from the enforcement of crimes back to the originating agency to sustain their efforts.
- Support the local regulation of Unmanned Aircraft Systems (UAVs), including the right to authorize use of UAVs by public safety agencies and the right to restrict or prohibit UAV use that interferes with, or poses a threat to, emergency operations or public safety.
- Support legislation that aims to assist individuals in crisis, including those who may be homeless, be the victim of human trafficking, domestic violence victims and survivors, and other vulnerable populations.
- Support legislation and efforts that recognizes the importance of developing a comprehensive preparedness strategy (e.g. mutual aid, unified command, interoperability, cyber disobedience, critical infrastructure, social media, etc.) to respond to civil unrest with input from emergency responders and allied stakeholders for local response.
- Support more funding for mental health and substance abuse.
- Support training of public safety to handle mental health issues.
- Support background checks for gun sales.

City of Santa Clara
The Center of What's Possible

Legislative Advocacy Position

REGIONAL AND STATE-WIDE WATER SUPPLY AND CONSERVATION

Overview

The City of Santa Clara operates 26 wells that tap the underground aquifers and make up about 62% of the City's potable water supply. The underground aquifers are replenished from local reservoirs by the Santa Clara Valley Water District (SCVWD) water recharge program. The remaining water is supplied by water imported from the SCVWD and the San Francisco Public Utilities Commission (SFPUC) through the Hetch-Hetchy Reservoir.

For certain approved non-potable uses, recycled water from the San Jose/Santa Clara Regional Wastewater Facility's South Bay Recycled Water (SBWR) facility is used. This highly treated water delivered through separate pipelines makes up about 19% of the water sales in the City. Recycled water offsets the use of potable sources in drought-prone California and is a reliable source for conservation of potable sources. The City continues to work closely with SBWR in order to increase recycled water supplies in order to meet existing demands within the City. Currently, SBWR is updating the Recycled Water Master Plan.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

In order to ensure that the City is able to maintain an affordable and reliable supply of quality water, the City maintains the following advocacy positions:

- Support and implement water conservation measures for businesses and residents including state regulatory efforts which build on ongoing efforts to "make water conservation a California way of life."
- Support regional water conservation including potable and recycled water supply efforts in cooperation with agencies such as Santa Clara Valley Water District, City of San Jose, San Francisco Public Utilities Commission (SFPUC), and the Bay Area Water Supply and Conservation Agency.
- Monitor federal, state, and regional activity related to the Bay-Delta Plan Phase 1 & 2. Support a comprehensive Bay-Delta watershed voluntary settlement agreement between stakeholders that includes SFPUC.
- Oppose legislative efforts to impose new taxes or fees on drinking water.
- Support efforts to establish alternative funding sources for water infrastructure and improved water quality projects.

Approved by Council on February 9, 2021

- Support state and regional efforts to delivery water to Santa Clara customers using clean energy and other environmentally sustainable practices.
- Support legislation and funding to protect the health of children who might be exposed to lead in drinking water at school facilities.
- Support legislation with regional partners that allows purified recycled water to be added to the potable water supply through indirect and direct applications that improve local water resiliency for residents and businesses.

City of Santa Clara
The Center of What's Possible

Legislative Advocacy Position

REGIONAL ISSUES AND COLLABORATION

Overview

While the City of Santa Clara is unique in many ways, it experiences many of the same issues that other cities in the region experience. The City works closely with other jurisdictions to address a variety of issues that impact residents in the San Francisco Bay Area, such as affordable housing, transportation, and water conservation.

Guiding Principles

The City follows the below guiding principles for all areas of legislative advocacy:

- Support the positions of the League of California Cities, and National League of Cities, on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services that benefit the City of Santa Clara and its residents.
- Protect and/or increase local government discretion.
- Advance approved policies, such as the City's Statement of Values, the General Plan, and the Climate Action Plan.

Legislative Advocacy Position

The City recognizes the importance of regional collaboration and, as such, the City:

- Contribute to, and support the efforts of, regional organizations such as Santa Clara County Cities Association, Silicon Valley Economic Development Alliance, and the Santa Clara/Santa Cruz Airport Community Roundtable to advance the regional goals.
- Monitor regional issues, and new legislation, to ensure that they benefit the region and its residents.
- Support federal and state legislation to provide funding for regional solutions to problems, such as housing, homelessness, emergency response, and transportation.

Approved by Council on February 9, 2021

City of Santa Clara
The Center of What's Possible

Legislative Advocacy Position

REGIONAL TRANSPORTATION ISSUES

Overview

The City of Santa Clara believes that a robust transportation network, and related infrastructure, is a critical element to a successful and thriving community. The City works with the federal government, state government, and regional stakeholders to ensure that residents and businesses have access to traditional modes of transportation and promote alternative modes to alleviate traffic congestion and pollution. Additionally, it is important for the City's transportation network to continue to evolve to best serve the future needs of the community. To that end, local efforts are underway to promote and provide funding for alternative modes of transportation, such as updates to the City's Traffic Impact Fee program, the City's Multimodal Improvement Plan, Bicycle Master Plan Update 2018, Pedestrian Master Plan, and Creek Trail Network Expansion Master Plan. Additionally, City staff is working with other transportation agencies to support their significant regional projects, including BART Phase II (VTA), Caltrain Electrification and Caltrain Business Plan, and the High Speed Rail.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

To ensure that the City, and greater region, are able to meet the current transportation needs of the community, as well as plan for future needs, the City is advocating for the following positions:

- Support legislative, regulatory, and regional efforts to reduce the amount of traffic congestion on area freeways and County expressways.
- Support legislation that provides regional and local funding for diverse transportation projects, such as local streets and roads improvements, public transit, bicycle and pedestrian projects, intelligent transportation system improvements, corridor capacity improvements, and highway interchange improvements.
- Oppose efforts to reduce local government access to SB 1 local streets and roads funding.
- Support efforts to ensure accountability and fairness during the implementation of regional transportation ballot measures such as the VTA's 2016 Measure B program.
- Support regional efforts that will alleviate traffic congestion and promote alternative modes of transportation that benefit Santa Clara residents and businesses and that support the City's commitment to environmental sustainability.
- Monitor efforts to place regional transportation funding measures on the ballot for consideration by voters.

Approved by Council on February 9, 2021

- Promote incentives to work from home.

City of Santa Clara
The Center of What's Possible

Legislative Advocacy Position

SCHOOL MITIGATION FEES

Overview

State law authorizes school districts to levy development fees to pay for new school facilities and establishes the maximum fees that can be charged to developers that are building new residential and non-residential projects. This fee is updated every two years, as adjusted for inflation. Once the maximum rate is set by the State, it is the responsibility for each school district to establish its own rate.

The school fees are earmarked for improving and expanding school facilities to serve the school-age population that would be generated from new development. Land values and construction costs have dramatically increased since 1986 and the current adjusted maximum rate does not adequately mitigate the school impacts from new development.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

Santa Clara is committed to the ongoing production of needed housing within the City and ensuring the ability of school districts to meet the facility needs for a growing school-age population. As such, the City:

- Supports flexibility to consider increasing the allowable school mitigation fee level.
- Supports efforts by the State Legislature, and/or the State Allocation Board, to increase the rates to more realistically reflect current school facility costs.
- Supports efforts to index school mitigation fees, to ensure that the funding remains at a stable level.
- Supports other provisions to allow school districts to effectively mitigate the impacts of new development.

Approved by Council on February 9, 2021

City of Santa Clara
The Center of What's Possible

Legislative Advocacy Position

SUSTAINABILITY AND ENVIRONMENTAL LEGISLATION, REGULATIONS AND ISSUES

Overview

The City of Santa Clara is committed to creating a sustainable city for residents and businesses. The City strives to conduct its operations in a way that is environmentally conscious and promotes sustainability. The City is dedicated to collaborating with regional stakeholders to improve the air quality, water quality, and overall environmental quality of life for the residents and businesses of the City.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

Interest in sustainability and environmental issues, at both the state and federal levels, will likely result in new legislation and regulation changes that could significantly impact the City. Monitoring and advocacy efforts will be geared towards ensuring that emerging legislation and regulations align with the City's interests in providing sustainable services to its residents and businesses through the following:

- Support opportunities to further reform the California Environmental Quality Act process that support greater efficiency and transparency and alignment with objective environmental goals while protecting local land use authority.
- Monitor legislation related to vehicle miles traveled, in lieu of level of service, in relation to transportation impacts of projects.
- Monitor legislation related to energy related issues including renewable energy, energy efficiency and conservation, resiliency, smart grid solutions, energy storage, distributed energy and transportation electrification, among other things.
- Advocate for goals and policies that remain technology agnostic and commercially available, and avoid policies that choose specific technologies or energy procurement mandates that can lead to increased customer costs while discouraging innovation.
- Support legislation that removes barriers to the electrification of buildings and transportation and legislation that provides regulatory streamlining of reporting and other actions that also preserves local decision-making authority.

- Monitor legislation that may have a regional and local impact on greenhouse gas (GHG) emissions and advocate for effective and equitable approaches to emissions reduction.
- Support a comprehensive approach to climate policy that optimizes GHG reductions across multiple sectors (transportation, electricity, buildings, etc.)
- Advocate for the flexibility to optimize the portfolio of GHG emissions reduction opportunities identified in the City's Climate Action Plan and includes but not limited to new renewable energy and storage procurement, water conservation and energy efficiency, smart grid solutions, increase waste diversion, sustainable land use, increase tree canopy, building decarbonization, transportation electrification among other actions in the portfolio.
- Monitor legislation and water quality regulations related to contaminants of emerging concern.
- Monitor research and regulations on Per-and Poly-fluoroalkyl Substances (PFASs) and their impacts on the environment, drinking water, and firefighting foam.
- Oppose federal or state efforts to permit additional oil drilling off the California coast.
- Monitor legislation and regulatory efforts related to recycling and solid waste and advocate for legislation and regulations that enable mixed waste processing and composting to remain viable pathways for waste compliance.
- Support legislation and regulatory efforts that aid the City's Pretreatment Program, Fats, Oils & Grease (FOG) Inspection Program, and Operations and Maintenance of the sanitary sewer collections system.
- Support urban runoff pollution regulations, water conservation and recycling, and pollution controls that benefit the City.
- Monitor legislation and regulations related to the National Pollutant Discharge Elimination System and support efforts that are attainable and reflect local conditions and circumstances.
- Track the progress of the South Bay Salt Ponds Restoration Project and its proximity and potential impacts to the Regional Wastewater Facility, which Santa Clara jointly owns with the City of San Jose.
- Track the progress of the South San Francisco Bay Shoreline Study and support associated regional resiliency planning efforts to ensure that Santa Clara's infrastructure and community assets are considered and protected as the Bay Area plans and constructs resiliency projects.
- Support legislation, regulations, and funding to strengthen forest management and fire prevention activities and improve emergency preparedness and response. These include, but are not limited to, the modernization of vegetation and forest management practices for wildfire prevention and carbon sequestration and biomass production for energy, forest thinning, and other activities to improve the health of forests damaged by infestation of bark beetles, plant pathogens, drought, or other hazards that exponentially increase wildfire dangers.
- Work with regional partners to maintain the reliability of the water supply and water sustainability to support current customers and to allow for expected growth in the near future and beyond.
- Monitor legislation and regulations related to the San Jose/Santa Clara Regional Wastewater Facility (RWF) being the largest discharger to the San Francisco Bay. The RWF is regulated by the National Pollutant Discharge Elimination System permit under the Clean Water Act administered by San Francisco Bay Regional Water Quality Control

Board. New regulations are focused on Contaminants of Emerging Concern, Toxicity, and Nutrient Reduction.

- Support California Energy Commission (CEC) and California Public Utilities Commission (CPUC) to accelerate building and transportation decarbonization in the 2022 Title 24 part 6 (CalGreen) code.
- Support Work from Home Policies.
- Increase support for forest management to reduce wildfires which are increasing in numbers and destruction due to climate change.

City of Santa Clara
The Center of What's Possible

Legislative Advocacy Position

ENERGY LEGISLATION, REGULATIONS AND ISSUES

Overview

The City's electric utility, Silicon Valley Power (SVP) has a mission to be a progressive, service-oriented utility, offering reliable, competitively priced services for the benefit of Santa Clara and its customers. Additionally, SVP has an adopted Strategic Plan that is intended to address the challenges facing the utility over a ten-year period. The Strategic Plan contains over thirty strategic initiatives in four distinct areas: Utility Performance Excellence; Customer Engagement and Satisfaction; Progress and Innovation Focus; and Community and Environmental Stewardship. The Legislative Advocacy Position works to further the objectives outlined in the Strategic Plan, and complements the other Legislative Advocacy Positions adopted by the City.

Guiding Principles

The City follows the below guiding principles for all areas of legislative advocacy:

- Support the positions of the League of California Cities, and National League of Cities, on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services that benefit the City of Santa Clara and its residents.
- Protect and/or increase local government discretion.
- Advance approved policies, such as the City's Statement of Values, the General Plan, and the Climate Action Plan.

Legislative Advocacy Position

In order to ensure the City can provide safe, reliable, and affordable energy to ratepayers, while operating in an environmentally and fiscally conscious manner, the City will:

- Monitor PG&E's rate-making and regulatory activities to ensure it meets its obligations and agreements and advocate for changes that would mitigate adverse impacts to SVP and other publicly owned utilities (POUs).
- Support policies that will help ensure that transmission level Public Safety Power Shut-offs (PSPS) events do not unnecessarily burden local communities that are dependent on investor owned utility (IOU) transmission infrastructure.
- Support legislation that would provide local public agencies with financial resources to prepare for, and mitigate the impacts from, planned power outage events.
- Support efforts to align wildfire-related liability with fault, safeguarding public utility customers against exorbitant rate increases when their utility acts prudently.
- Monitor the development of new market initiatives from state and regional grid operators which may result in new energy-related products and changes to electric grid operations. Staff will advocate for changes that would benefit or protect SVP ratepayers.
- Monitor and participate with federal, state and local governments and stakeholders in the development of new regulations and advocate for changes that enhance system reliability and mitigate operational and ratepayer impacts.

- Support transitioning from diesel backup generators to battery-based backup generators.
- Monitor and support transmission related activities focusing on enhancing the reliability and deliverability of clean energy resources and advocating for greater transparency and assurance that transmission access charges are allocated equitably between the various beneficiaries.

City of Santa Clara
The Center of What's Possible

Legislative Advocacy Position

PUBLIC SAFETY

Overview

As a city that is consistently named one of the safest cities in the country, Santa Clara is committed to promoting a living and working environment that allows for the best quality of life. The City believes that crime prevention and enforcement efforts are integral to creating and maintaining a safe environment for residents and visitors. At the same time, the City recognizes that crime prevention and enforcement efforts alone cannot foster community safety and wellness; education, intervention and prevention efforts on various public safety topics, such as gun violence, gang activity, alcohol and tobacco use, pedestrian, driver and bicycle safety, and driving under the influence, are equally important.

As the State and region continues to experience civil unrest and an unprecedented number of natural and man-made disasters, the City recognizes the importance of a comprehensive risk management approach to emergency preparedness.

Guiding Principles

The City of Santa Clara's guiding principles for legislative advocacy include and are not limited to:

- Support the League of California Cities and National League of Cities positions on priority bills that benefit Santa Clara.
- Protect local revenue sources and prevent unfunded mandates.
- Protect and/or increase funding for specific programs and services.
- Protect and/or increase local government discretion.
- Advance approved policies such as the City's Statement of Values, the General Plan, or the Climate Action Plan.

Legislative Advocacy Position

In order to maintain public health and safety, and promote the best quality of life, the City will:

- Support legislation that seeks to impose stricter gun violence laws and/or requires the safe storage of unattended firearms.
- Support legislation that toughens penalties for chronic criminals.
- Support efforts to reduce the list of who can seek early parole and re-classify some theft crimes from misdemeanors to felonies by reforming Assembly Bill 109 (approved by the Legislature in 2011), Proposition 47 (approved by voters in 2014) and Proposition 57 (approved by voters in 2016).
- Support the expansion of the number of crimes where DNA is collected, a list that was limited when some crimes were reclassified from felonies to misdemeanors.
- Support legislation that preserves, or expands, funding levels for public safety programs, services, and equipment, such as the Edward Byrne Memorial Justice Assistance Grants.
- Support legislation that addresses crime trends and attempts to curb illegal activity, including but not limited to, illegal street racing and sideshow activity and thefts from automobile burglaries, all of which are growing trends in our region.

- Support efforts to test speed enforcement cameras and corresponding legislation to mitigate traffic-related injuries and deaths.
- Oppose public safety legislation that imposes unfunded mandates on local agencies for new programs or increased service levels.
- Support legislation that identifies new funding sources for fire and law enforcement agencies to promote public safety, wellness and employee training.
- Support legislation that recognizes the importance of a comprehensive risk management approach to emergency preparedness, fire prevention, fire suppression, and emergency medical services.
- Support legislation that provides funding for emergency preparedness, including community risk reduction strategies like community education programs (e.g., CERT, CPA), staff training, interagency cooperation, and enhanced equipment and technology.
- Support legislation that expands the implementation and testing of emergency alert systems.
- Support legislation that enhances public safety professionals' ability to respond to all types of emergencies and communicate within, and across, jurisdictions.
- Support measures that aim to return revenue generated from the enforcement of crimes back to the originating agency to sustain their efforts.
- Support the local regulation of Unmanned Aircraft Systems (UAVs), including the right to authorize use of UAVs by public safety agencies and the right to restrict or prohibit UAV use that interferes with, or poses a threat to, emergency operations or public safety.
- Support legislation that aims to assist individuals in crisis, including those who may be homeless, be the victim of human trafficking, domestic violence victims and survivors, and other vulnerable populations.
- Support legislation and efforts that recognizes the importance of developing a comprehensive preparedness strategy (e.g. mutual aid, unified command, interoperability, cyber disobedience, critical infrastructure, social media, etc.) to respond to civil unrest with input from emergency responders and allied stakeholders for local response.
- Support more funding for mental health and substance abuse.
- Support training of public safety to handle mental health issues.
- Support background checks and training requirements for gun sales.

City of Santa Clara
2021 Q1 Legislative Update

AB 14 **(Aguiar-Curry D) Communications: broadband services: California Advanced Services Fund.**

Current Text: Introduced: 12/7/2020 html pdf

Introduced: 12/7/2020

Status: 4/29/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (April 28). Re-referred to Com. on APPR.

Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes the State Department of Education in state government, and vests the department with specified powers and duties relating to the state's public school system. This bill would authorize local educational agencies to report to the department their pupils' estimated needs for computing devices and internet connectivity adequate for at-home learning. The bill would require the department, in consultation with the Public Utilities Commission, to compile that information and to annually post that compiled information on the department's internet website.

Position

AB 15 **(Chiu D) COVID-19 relief: tenancy: Tenant Stabilization Act of 2021.**

Current Text: Introduced: 12/7/2020 html pdf

Introduced: 12/7/2020

Status: 1/11/2021-Referred to Com. on H. & C.D.

Location: 1/11/2021-A. H. & C.D.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would extend the definition of "COVID-19 rental debt" as unpaid rent or any other unpaid financial obligation of a tenant that came due between March 1, 2020, and December 31, 2021. The bill would also extend the repeal date of the act to January 1, 2026. The bill would make other conforming changes to align with these extended dates. By extending the repeal date of the act, the bill would expand the crime of perjury and create a state-mandated local program.

Position

AB 16 **(Chiu D) Tenancies: COVID-19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Act of 2021.**

Current Text: Amended: 1/12/2021 html pdf

Introduced: 12/7/2020

Last Amend: 1/12/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 1/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would establish the Tenant, Small Landlord, and Affordable Housing Provider Stabilization Program. The bill would authorize the Director of Housing and Community Development to direct an existing office or program within the Department of Housing and Community Development to implement the program. The bill would establish in the State Treasury the COVID-19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Fund, and, upon appropriation by the Legislature, distribute all moneys in the fund to the department to carry out the purposes of the program.

Position

AB 17 **(Cooper D) Peace officers: disqualification from employment.**

Current Text: Amended: 1/12/2021 html pdf

Introduced: 12/7/2020

Last Amend: 1/12/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was PUB. S. on 1/11/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would disqualify a person from being a peace officer if the person has been discharged from the military for committing an offense that would have been a felony if committed in California or if the person has been certified as a peace officer and has had that certification revoked by the Commission on Peace Officer Standards and Training.

Position

AB 21 **(Bauer-Kahan D) Forestry: electrical transmission and distribution lines: clearance: penalties.**
Current Text: Amended: 4/5/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/5/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 3/24/2021) (May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires a person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land or forest-covered land, brush-covered land, or grass-covered land to maintain around and adjacent to any pole or tower that supports a switch, fuse, transformer, lightning arrester, line junction, or dead-end or corner pole a firebreak, as specified. Current law requires a person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land or in forest-covered land, brush-covered land, or grass-covered land to maintain a clearance between all vegetation and all conductors that are carrying electric current, as specified. This bill would impose a civil penalty of up to $100,000 for each violation of the above-described provisions after the person that owns, controls, operates, or maintains any electrical transmission or distribution line is offered a reasonable opportunity to cure.

Position

AB 26 **(Holden D) Peace officers: use of force.**
Current Text: Amended: 3/25/2021 html pdf
Introduced: 12/7/2020
Last Amend: 3/25/2021
Status: 4/14/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 4/14/2021-A. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require those law enforcement policies to require those officers to immediately report potential excessive force, and to intercede when present and observing an officer using excessive force, as defined. The bill would additionally require those policies to, among other things, prohibit retaliation against officers that report violations of law or regulation of another officer to a supervisor, as specified, and to require that an officer who fails to intercede be disciplined in the same manner as the officer who used excessive force. By imposing additional duties on local agencies, this bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Position

AB 34 **(Muratsuchi D) Broadband for All Act of 2022.**
Current Text: Amended: 4/6/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/6/2021
Status: 5/5/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 5/5/2021-A. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would enact the Broadband for All Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of $10,000,000,000 pursuant to the State General Obligation Bond Law to support the 2022 Broadband for All Program that would be administered by the department for purposes of providing financial assistance for projects to deploy broadband infrastructure and broadband internet access services.

Position

AB 41 **(Wood D) Broadband infrastructure deployment.**

Current Text: Amended: 4/21/2021 html pdf

Introduced: 12/7/2020

Last Amend: 4/21/2021

Status: 4/27/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 2.) (April 26). Re-referred to Com. on APPR.

Location: 4/27/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law prohibits each fixed internet service provider from engaging in specified activities relating to the provision of fixed broadband internet access service. This bill would require each fixed internet service provider, upon entering into an agreement with an individual or entity to deploy broadband infrastructure, to notify individuals and entities within that same census block of the agreement and of means to connect to, or benefit from, the broadband infrastructure or to join the agreement. The bill would require each fixed internet service provider to maintain a publicly accessible map on its internet website showing the broadband infrastructure that the provider has deployed and a publicly accessible database of binding quotes that it has provided to individuals and entities that request the deployment of broadband infrastructure.

Position

AB 43 **(Friedman D) Traffic safety.**

Current Text: Amended: 3/22/2021 html pdf

Introduced: 12/7/2020

Last Amend: 3/22/2021

Status: 5/5/2021-From committee: Do pass. (Ayes 14. Noes 1.) (May 5).

Location: 4/19/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law establishes various default speed limits for vehicles upon highways, as specified. Current law authorizes state and local authorities to adjust these default speed limits, as specified, based upon certain findings determined by an engineering and traffic survey. Current law defines an engineering and traffic survey and prescribes specified factors that must be included in the survey, including prevailing speeds and road conditions. This bill would require local authorities to consider other factors, including pedestrian and bicycle safety, that are allowed but not required to be considered under existing law. The bill would also allow local authorities to consider additional factors, including the current or immediately prior speed limit, as specified.

Position

AB 48 **(Gonzalez, Lorena D) Law enforcement: kinetic energy projectiles and chemical agents.**

Current Text: Amended: 3/16/2021 html pdf

Introduced: 12/7/2020

Last Amend: 3/16/2021

Status: 4/21/2021-In committee: Set, first hearing. Referred to APPR. suspense file.

Location: 4/21/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would prohibit the use of kinetic energy projectiles or chemical agents by any law enforcement agency to disperse any assembly, protest, or demonstration, except in compliance with specified standards set by the bill, and would prohibit their use solely due to a violation of an imposed curfew, verbal threat, or noncompliance with a law enforcement directive. The bill would include in the standards for the use of kinetic energy projectiles and chemical agents to disperse gatherings the requirement that, among other things, those weapons only be used to defend against a threat to life or serious bodily injury to any individual, including a peace officer.

Position

AB 49 **(Petrie-Norris D) California Debt Limit Allocation Committee: elimination and allocation of duties.**

Current Text: Amended: 3/18/2021 html pdf

Introduced: 12/7/2020

Last Amend: 3/18/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was B. & F. on 4/22/2021) (May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would abolish the California Debt Limit Allocation Committee and transfer its powers, duties, and functions to the California Tax Credit Allocation Committee. The bill would provide for the transfer of civil service employees, funds, property, and liabilities of the California Debt Limit Allocation Committee to the California Tax Credit Allocation Committee. The bill would require that regulations of the California Debt Limit Allocation Committee remain in effect until the California Tax Credit Allocation Committee amends or repeals those regulations, or adopts successor regulations. The bill would make conforming changes to properly identify the California Tax Credit Allocation Committee and to repeal obsolete references.

Position

AB 50 **(Boerner Horvath D) Climate change: Climate Adaptation Center and Regional Support Network: sea level rise.**
Current Text: Introduced: 12/7/2020 html pdf
Introduced: 12/7/2020
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the Natural Resources Agency, in collaboration with the Ocean Protection Council, to create, and update biannually, a Planning for Sea Level Rise Database describing steps being taken throughout the state to prepare for, and adapt to, sea level rise.This bill would establish the Climate Adaptation Center and Regional Support Network in the Ocean Protection Council to provide local governments facing sea level rise challenges with information and scientific expertise necessary to proceed with sea level rise mitigation.

Position

AB 51 **(Quirk D) Climate change: adaptation: regional climate adaptation planning groups: regional climate adaptation plans.**
Current Text: Introduced: 12/7/2020 html pdf
Introduced: 12/7/2020
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Strategic Growth Council, by July 1, 2022, to establish guidelines for the formation of regional climate adaptation planning groups. The bill would require the council, by July 1, 2023, and in consultation with certain state entities, to develop criteria for the development of regional climate adaptation plans.

Position

AB 59 **(Gabriel D) Mitigation Fee Act: fees: notice and timelines.**
Current Text: Introduced: 12/7/2020 html pdf
Introduced: 12/7/2020
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 1/11/2021) (May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes any party to protest the imposition of a fee, dedication, reservation, or other exactions imposed on a development project within 90 or 120 days of the imposition of the fee, as applicable, and specifies procedures for those protests and actions. The Mitigation Fee Act imposes the same requirements on a local agency for a new or increased fee for public facilities. Current law, for specified fees, requires any judicial action or proceeding to attack, review, set aside,

void, or annul an ordinance, resolution, or motion adopting a new fee or service charge or modifying an existing fee or service charge to be commenced within 120 days of the effective date of the ordinance, resolution, or motion. Current law also provides that, if an ordinance, resolution, or motion provides for an automatic adjustment in a fee or service charge and the adjustment results in an increase in the fee or service charge, that any action to attack, review, set aside, void, or annul the increase to be commenced within 120 days of the increase. This bill would increase, for fees and service charges and for fees for specified public facilities, the time for mailing the notice of the time and place of the meeting to at least 45 days before the meeting.

Position

AB 60 **(Salas D) Law enforcement.**

Current Text: Amended: 3/16/2021 html pdf

Introduced: 12/7/2020

Last Amend: 3/16/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was PUB. S. on 1/11/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would disqualify a person from being employed as a peace officer if that person has been convicted of, or has been adjudicated by a military tribunal as having committed an offense that would have been a felony if committed in this state. The bill would also disqualify any person who has been certified as a peace officer by the Commission on Peace Officer Standards and Training and has had that certification revoked by the commission.

Position

AB 61 **(Gabriel D) Business pandemic relief.**

Current Text: Amended: 5/3/2021 html pdf

Introduced: 12/7/2020

Last Amend: 5/3/2021

Status: 5/4/2021-Re-referred to Com. on APPR. Coauthors revised.

Location: 4/27/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would authorize the Department of Alcoholic Beverage Control to issue a third-party delivery license to a third-party delivery service for delivery to a consumer of alcoholic beverages from a restaurant licensed under the Alcoholic Beverage Control Act. The bill would require delivery by a third-party delivery licensee to be consistent with deliveries by licensees who are permitted by license privileges or by regulatory relief adopted by the department to sell off sale and deliver those alcoholic beverages to consumers. Because the violation of a provision of a license is punishable as a misdemeanor and the bill would create a new category of license, the bill would expand the definition of a crime, thereby imposing a state-mandated local program.

Position

AB 68 **(Salas D) Department of Housing and Community Development: California Statewide Housing Plan: annual reports.**

Current Text: Amended: 4/20/2021 html pdf

Introduced: 12/7/2020

Last Amend: 4/20/2021

Status: 5/5/2021-In committee: Set, first hearing. Referred to APPR. suspense file.

Location: 5/5/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law establishes the California Statewide Housing Plan, which serves as a state housing plan for all relevant purposes, that incorporates a statement of housing goals, policies, and objectives, as well as specified segments. Current law requires the Department of Housing and Community Development to update and provide a revision of the plan to the Legislature every 4 years, as provided. This bill would revise and recast those provisions related to the California Statewide Housing Plan. The bill would, starting with any update or revision to the plan on or after January 1, 2023, require the plan to include specified information, including, among other things, an inventory number of affordable units needed to meet the state's affordable housing needs and an identification of strategies to help individuals experiencing homelessness.

Position

AB 71 **(Rivas, Luz D) Homelessness funding: Bring California Home Act.**
Current Text: Amended: 5/4/2021 html pdf
Introduced: 12/7/2020
Last Amend: 5/4/2021
Status: 5/5/2021-Re-referred to Com. on APPR.
Location: 4/29/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Personal Income Tax Law, in conformity with federal income tax law, generally defines gross income as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Current federal law, for purposes of determining a taxpayer's gross income for federal income taxation, requires that a person who is a United States shareholder of any controlled foreign corporation to include in their gross income the global intangible low-taxed income for that taxable year, as provided. This bill, for taxable years beginning on or after January 1, 2022, would include a taxpayer's global intangible low-taxed income in their gross income for purposes of the Personal Income Tax Law, in modified conformity with the above-described federal provisions.

Position

AB 89 **(Jones-Sawyer D) Peace officers: minimum qualifications.**
Current Text: Amended: 2/17/2021 html pdf
Introduced: 12/7/2020
Last Amend: 2/17/2021
Status: 4/29/2021-Read second time. Ordered to third reading.
Location: 4/29/2021-A. THIRD READING

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires peace officers in this state to meet specified minimum standards, including age and education requirements. This bill would increase the minimum qualifying age from 18 to 25 years of age. This bill would permit an individual under 25 years of age to qualify for employment as a peace officer if the individual has a bachelor's or advanced degree from an accredited college or university. The bill would specify that these requirements do not apply to individuals 18 to 24 years of age who are already employed as a peace officer as of the effective date of this act. The bill would provide legislative findings in support of the measure.

Position

AB 95 **(Low D) Employees: bereavement leave.**
Current Text: Amended: 3/22/2021 html pdf
Introduced: 12/7/2020
Last Amend: 3/22/2021
Status: 4/21/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 4/21/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would enact the Bereavement Leave Act of 2021. The bill would require an employer with 25 or more employees to grant a request made by any employee to take up to 10 business days of unpaid bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner, in accordance with certain procedures, and subject to certain exclusions. The bill would require an employer with fewer than 25 employees to grant a request by any employee to take up to 3 business days of leave, in accordance with these provisions. The bill would prohibit an employer from interfering with or restraining the exercise or attempt to exercise the employee's right to take this leave.

Position

AB 100 **(Holden D) Drinking water: pipes and fittings: lead content.**
Current Text: Amended: 4/5/2021 html pdf
Introduced: 12/11/2020
Last Amend: 4/5/2021

Status: 4/14/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 4/14/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Safe Drinking Water Act prohibits, with certain exceptions, the use of any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption. The act defines "lead free" for purposes of conveying or dispensing water for human consumption to mean not more than 0.2% lead when used with respect to solder and flux and not more than a weighted average of 0.25% lead when used with respect to the wetted surfaces of pipes and pipe fittings, plumbing fittings, and fixtures. This bill would additionally define "lead free," with respect to endpoint devices, as defined, to mean that the devices do not leach more than one microgram of lead under certain tests and meeting a specified certification.

Position

AB 115 **(Bloom D) Planning and zoning: commercial zoning: housing development.**
Current Text: Amended: 4/20/2021 html pdf
Introduced: 12/18/2020
Last Amend: 4/20/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 4/15/2021) (May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, notwithstanding any inconsistent provision of a city's or county's general plan, specific plan, zoning ordinance, or regulation, would require that a housing development be an authorized use on a site designated in any local agency's zoning code or maps for commercial uses if certain conditions apply. Among these conditions, the bill would require that the housing development be subject to a recorded deed restriction requiring that at least 20% of the units have an affordable housing cost or affordable rent for lower income households, as those terms are defined, and located on a site that satisfies specified criteria.

Position

AB 123 **(Gonzalez, Lorena D) Paid family leave: weekly benefit amount.**
Current Text: Introduced: 12/18/2020 html pdf
Introduced: 12/18/2020
Status: 5/5/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 5/5/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes, within the Unemployment Compensation Disability Fund program, a family temporary disability insurance program, also known as the paid family leave program, for the provision of wage replacement benefits for up to 8 weeks to workers who take time off work to care for a seriously ill family member or to bond with a minor child within one year of birth or placement, as specified. Current law defines "weekly benefit amount" for purposes of both employee contributions and benefits under this program to mean the amount of weekly benefits available to qualifying disabled individuals pursuant to unemployment compensation disability law, calculated pursuant to specified formulas partly based on the applicable percentage of the wages paid to an individual for employment by employers during the quarter of the individual's disability base period in which these wages were highest, but not to exceed the maximum workers' compensation temporary disability indemnity weekly benefit amount established by the Department of Industrial Relations. This bill would revise the formula for determining benefits available pursuant to the family temporary disability insurance program, for periods of disability commencing after January 1, 2022, by redefining the weekly benefit amount to be equal to 90% of the wages paid to an individual for employment by employers during the quarter of the individual's disability base period in which these wages were highest, divided by 13, but not exceeding the maximum workers' compensation temporary disability indemnity weekly benefit amount established by the Department of Industrial Relations.

Position

AB 215 **(Chiu D) Housing element: regional housing need: relative progress determination.**
Current Text: Amended: 4/5/2021 html pdf
Introduced: 1/11/2021

Last Amend: 4/5/2021
Status: 4/29/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 28). Re-referred to Com. on APPR.
Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the Department of Housing and Community Development to determine whether the housing element is in substantial compliance with specified provisions of that law.This bill, starting with the 6th housing element revision, would require the department to determine the relative progress toward meeting regional housing needs of each jurisdiction, council of governments, and subregion, as specified. The bill would require the department to make this determination based on the information contained in the annual reports submitted by each jurisdiction, as specified.

Position

AB 244 **(Rubio, Blanca D) Affordable housing cost study: housing plan addendum.**
Current Text: Introduced: 1/13/2021 html pdf
Introduced: 1/13/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 1/28/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the California Tax Credit Allocation Committee, the Department of Housing and Community Development, the California Housing Finance Agency, and the California Debt Limit Allocation Committee to conduct an affordable housing cost study that measures the factors that influence the cost of building affordable housing, breaks down total development costs for affordable housing, and enables the state to maximize resources allocated for affordable housing.

Position

AB 255 **(Muratsuchi D) COVID-19 Emergency Small Business Eviction Relief Act.**
Current Text: Amended: 5/5/2021 html pdf
Introduced: 1/14/2021
Last Amend: 5/5/2021
Status: 5/5/2021-Read second time and amended. Ordered returned to second reading.
Location: 5/5/2021-A. SECOND READING

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law provides that a tenant is guilty of unlawful detainer if the tenant continues to possess the property without permission of the landlord in specified circumstances, including when the tenant has violated the lease or rental agreement by defaulting on rent, and requires the tenant be served a 3 days' notice in writing to cure the default, as specified. Current law provides that an unlawful detainer action is subject to the COVID-19 Tenant Relief Act of 2020, which provides tenants with specified temporary protections from eviction, if the default in the payment of rent is based upon COVID-19 rental debt, as defined. This bill, the COVID-19 Emergency Small Business Eviction Relief Act, would, until July 1, 2025, require a landlord, who receives a statement signed by a commercial tenant, as defined, and supported by documentary evidence that evidences that the tenant requests emergency rent relief because the business of the commercial tenant has experienced a decrease in average monthly gross revenue of at least 50%, which is reasonably attributable to public health regulations adopted to address the COVID-19 pandemic, during the qualifying time period, as defined, as compared with the 12 months immediately preceding the qualifying time period, to conduct a good faith negotiation to form a plan to allow the commercial tenant a reasonable opportunity to repay COVID-19 lease debt while minimizing the hardship to the landlord.

Position

AB 271 **(Rivas, Robert D) Santa Clara Valley Water District: contracts: best value procurement.**
Current Text: Amended: 4/5/2021 html pdf
Introduced: 1/19/2021
Last Amend: 4/5/2021
Status: 4/19/2021-Read third time. Passed. Ordered to the Senate. (Ayes 76. Noes 1.) In Senate. Read first time. To Com. on RLS. for assignment.

Location: 4/19/2021-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	**Policy**	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes certain local entities to select a bidder for a contract on the basis of "best value," as defined. Existing law governs various types of contract procedures applicable to the Santa Clara Valley Water District and prescribes competitive bidding procedures for any improvement or unit of work over $50,000. This bill would authorize the district, upon approval by the board of directors of the district, to award contracts on a best value basis for any work of the Anderson Dam project, defined to include prescribed activities and works of construction with regard to the Leroy Anderson Dam and Reservoir and certain fish and aquatic habitat measures described in a federal-state settlement agreement.

Position

AB 332 **(Committee on Environmental Safety and Toxic Materials) Hazardous waste: treated wood waste: management standards.**

Current Text: Amended: 3/26/2021 html pdf

Introduced: 1/27/2021

Last Amend: 3/26/2021

Status: 4/22/2021-From Consent Calendar. Ordered to third reading.

Location: 4/22/2021-A. THIRD READING

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require a person managing treated wood waste to comply with the hazardous waste control laws or the management standards established in the bill, including standards for the reuse, storage, treatment, transportation, tracking, identification, and disposal of treated wood waste, as provided. The bill would limit those standards to treated wood waste that is hazardous only because of a preservative present in or on the wood, and that is not subject to the existing exemption for certain wood waste or to regulation as a hazardous waste under federal law.

Position
Support

AB 339 **(Lee D) Local government: open and public meetings.**

Current Text: Amended: 5/4/2021 html pdf

Introduced: 1/28/2021

Last Amend: 5/4/2021

Status: 5/5/2021-Re-referred to Com. on APPR.

Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, until December 31, 2023, require all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing least 250,000 people to include an opportunity for members of the public to attend via a telephonic option or an internet-based service option. The bill would require all open and public meetings to include an in-person public comment opportunity, except in specified circumstances during a declared state or local emergency. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation in person and remotely via a telephonic or an internet-based service option, as provided.

Position

AB 343 **(Fong R) California Public Records Act Ombudsperson.**

Current Text: Amended: 4/21/2021 html pdf

Introduced: 1/28/2021

Last Amend: 4/21/2021

Status: 5/5/2021-In committee: Set, first hearing. Referred to APPR. suspense file.

Location: 5/5/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would establish, within the California State Auditor's Office, the California Public Records Act Ombudsperson. The bill would require the California State Auditor to appoint the ombudsperson subject to certain requirements. The bill would require the ombudsperson to receive and investigate requests for review, as defined, determine whether the denials of original requests, as defined, complied with the California Public Records Act, and issue written opinions of its determination, as provided. The bill would require the ombudsperson to create a process to that effect, and would

authorize a member of the public to submit a request for review to the ombudsperson consistent with that process. The bill would require the ombudsperson, within 30 days from receipt of a request for review, to make a determination, as provided, and would require the ombudsperson to require the state agency to provide the public record if the ombudsperson determines that it was improperly denied.

Position

AB 345 **(Quirk-Silva D) Accessory dwelling units: separate conveyance.**

Current Text: Amended: 3/9/2021 html pdf

Introduced: 1/28/2021

Last Amend: 3/9/2021

Status: 4/14/2021-In committee: Set, first hearing. Referred to APPR. suspense file.

Location: 4/14/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law authorizes a local agency to provide, by ordinance, for the creation of accessory dwelling units in single-family and multifamily residential zones and requires a local agency that has not adopted an ordinance to ministerially approve an application for an accessory dwelling unit, and sets forth required ordinance standards, including that the ordinance prohibit the sale or conveyance of the accessory dwelling unit separately from the primary residence. Current law, notwithstanding the prohibition described above, authorizes a local agency to, by ordinance, allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met.This bill would require each local agency to allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if the above-described conditions are met.

Position

AB 348 **(Villapudua D) Affordable housing: annual expenditure report.**

Current Text: Introduced: 1/28/2021 html pdf

Introduced: 1/28/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 1/28/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Department of Housing and Community Development, by March 1 of each year, to develop an annual summary report that discloses the amount of state, federal, and private funding spent on the development of affordable housing within the state, each city, and each county in the preceding calendar year. The bill would require the department to post the annual summary report on its internet website and make the report available to the public by March 15 of each year.

Position

AB 361 **(Rivas, Robert D) Open meetings: local agencies: teleconferences.**

Current Text: Amended: 4/6/2021 html pdf

Introduced: 2/1/2021

Last Amend: 4/6/2021

Status: 5/5/2021-VOTE: Do pass as amended. (PASS)

Location: 2/12/2021-A. L. GOV.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state of emergency or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote. The bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment.

Position

AB 371 **(Jones-Sawyer D) Shared mobility devices: insurance and tracking.**
Current Text: Amended: 4/29/2021 html pdf
Introduced: 2/1/2021
Last Amend: 4/29/2021
Status: 4/29/2021-Read third time and amended. Ordered to third reading.
Location: 4/15/2021-A. THIRD READING

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law defines shared mobility device to mean an electrically motorized board, motorized scooter, electric bicycle, bicycle, or other similar personal transportation device, except as provided. Current law requires a city or county that authorizes a shared mobility device provider to operate within its jurisdiction to adopt operation, parking, and maintenance rules, as provided, regarding the use of the shared mobility devices in its jurisdiction before the provider may offer shared mobility devices for rent or use. This bill would require a shared mobility service provider to affix to each shared mobility device a tactile sign containing raised characters and accompanying Braille, as specified, to identify the device for the purpose of reporting illegal or negligent activity.

Position

AB 377 **(Rivas, Robert D) Water quality: impaired waters.**
Current Text: Amended: 4/13/2021 html pdf
Introduced: 2/1/2021
Last Amend: 4/13/2021
Status: 4/21/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 3.) (April 21). Re-referred to Com. on APPR.
Location: 4/21/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require, by January 1, 2023, the State Water Resources Control Board and regional boards to prioritize enforcement of all water quality standard violations that are causing or contributing to an exceedance of a water quality standard in a surface water of the state. The bill would require the state board and regional boards, by January 1, 2025, to evaluate impaired state surface waters and report to the Legislature a plan to bring all water segments into attainment by January 1, 2050. The bill would require the state board and regional boards to update the report with a progress summary to the Legislature every 5 years. The bill would create the Waterway Recovery Account in the Waste Discharge Permit Fund and would make moneys in the Waterway Recovery Account available for the state board to expend, upon appropriation by the Legislature, to bring impaired water segments into attainment in accordance with the plan.

Position

AB 387 **(Lee D) Social Housing Act of 2021.**
Current Text: Amended: 3/25/2021 html pdf
Introduced: 2/2/2021
Last Amend: 3/25/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 3/25/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Housing Authorities Law authorizes the establishment of a functioning housing authority within a city or county by enactment of a resolution by the city or county declaring that there is need of a functioning housing authority in the city or county. Current law authorizes a housing authority of a city or county to, among other things, prepare, carry out, acquire, lease, and operate housing projects and housing developments for persons of low income, as provided. This bill, the Social Housing Act of 2021, would establish, in the Business, Consumer Services, and Housing Agency, the California Social Housing Council to develop policy proposals that would promote the development of social housing, as defined, to hold public meetings throughout the state to educate participants on the history and purposes of social housing, and to solicit input on the policy proposals from stakeholders.

Position

AB 415 **(Rivas, Robert D) Employment: workers' compensation.**

Current Text: Amended: 2/12/2021 html pdf
Introduced: 2/3/2021
Last Amend: 2/12/2021
Status: 2/16/2021-Re-referred to Com. on INS.
Location: 2/12/2021-A. INS.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of the employee's employment. This bill would define "injury," for certain employees of a city, county, city and county, district, or other municipal corporation or political subdivision regularly exposed to active fires or health hazards directly resulting from firefighting operations, to include cancer that develops or manifests during a period in which the individual demonstrates that they were exposed to a known carcinogen while in the employment of the city, county, city and county, district, or other municipal corporation or political subdivision. The bill would establish a presumption that the cancer in those cases arose out of, and in the course of, employment, unless the presumption is controverted by evidence that the primary site of the cancer has been established and that the carcinogen to which the person has demonstrated exposure is not reasonably linked to the disabling cancer.

Position

AB 418 **(Valladares R) Emergency services: grant program.**
Current Text: Amended: 4/19/2021 html pdf
Introduced: 2/4/2021
Last Amend: 4/19/2021
Status: 5/5/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 5/5/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would establish the Community Power Resiliency Program (program), to be administered by the Office of Emergency Services, to support local governments' efforts to improve resiliency in response to power outage events, as provided. The bill would authorize the office to allocate specified sums, pursuant to an appropriation by the Legislature, to local governments, special districts, and tribes for various purposes relating to power resiliency, and would require certain entities, in order to be eligible for funding, to either describe the portion of their emergency plan that includes power outages or confirm that power outages will be included when the entity revises any portion of their emergency plan.

Position

AB 420 **(Quirk-Silva D) Public health: amusement parks and COVID-19.**
Current Text: Amended: 2/25/2021 html pdf
Introduced: 2/4/2021
Last Amend: 2/25/2021
Status: 3/1/2021-Re-referred to Com. on A.,E.,S.,T., & I.M.
Location: 2/25/2021-A. A.,E.,S.,T., & I.M.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: On August 28, 2020, the executive branch implemented a 4-tier "Blueprint for a Safer Economy," which identifies a county's COVID-19 risk level for business operations on a scale from widespread risk to minimal risk. On October 20, 2020, the State Department of Public Health and the Division of Occupational Safety and Health issued a guidance document, "COVID-19 INDUSTRY GUIDANCE: Amusement Parks and Theme Parks," which authorizes a small amusement park to operate at limited capacity when its county is in the moderate tier, and authorizes any other amusement park to operate at 25% capacity when its county is in the minimal tier. This bill would express the intent of the Legislature that the executive branch adjust the "COVID-19 INDUSTRY GUIDANCE: Amusement Parks and Theme Parks" document and place all amusement parks, regardless of size, within the moderate risk tier, rather than the minimal risk tier.

Position

AB 473 **(Chau D) California Public Records Act.**
Current Text: Introduced: 2/8/2021 html pdf

Introduced: 2/8/2021
Status: 4/21/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 4/21/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

Position

AB 474 **(Chau D) California Public Records Act: conforming revisions.**
Current Text: Introduced: 2/8/2021 html pdf
Introduced: 2/8/2021
Status: 4/21/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 4/21/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would enact various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

Position

AB 478 **(Ting D) Solid waste: thermoform plastic containers: postconsumer recycled plastic.**
Current Text: Amended: 4/21/2021 html pdf
Introduced: 2/8/2021
Last Amend: 4/21/2021
Status: 4/22/2021-Re-referred to Com. on APPR.
Location: 4/20/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, on and after January 1, 2024, require the total thermoform plastic containers, as defined, sold by a producer, as defined, in the state to contain, on average, specified amounts of postconsumer recycled plastic, as defined, per year pursuant to a tiered plan that would require the total thermoform plastic containers to contain, on average, no less than 30% postconsumer recycled plastic per year on and after January 1, 2030.

Position
Spot

AB 491 **(Gonzalez, Lorena D) Housing: affordable and market rate units.**
Current Text: Amended: 5/4/2021 html pdf
Introduced: 2/8/2021
Last Amend: 5/4/2021
Status: 5/5/2021-Re-referred to Com. on APPR.
Location: 4/29/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: would require that a mixed-income multifamily structure provide the same access to the common entrances, common areas, and amenities of the structure to occupants of the affordable housing units in the structure as is provided to occupants of the market-rate housing units. The bill would also prohibit a mixed-income multifamily structure from isolating the affordable housing units within the structure to a specific floor or an area on a specific floor. The bill would define various terms for these purposes.

Position

AB 550 **(Chiu D) Vehicles: Speed Safety System Pilot Program.**

Current Text: Amended: 4/29/2021 html pdf

Introduced: 2/10/2021

Last Amend: 4/29/2021

Status: 5/3/2021-Re-referred to Com. on APPR. Measure version as amended on April 29 corrected.

Location: 4/26/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would authorize, until January 1, 2027, the Cities of Los Angeles, Oakland, San Jose, one city in southern California, and the City and County of San Francisco to establish the Speed Safety System Pilot Program for speed limit enforcement in certain areas, if the system meets specified requirements, including that the presence of a fixed or mobile system is clearly identified. The bill would require the participating cities or city and county to adopt a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program, and would require the city or city and county to engage in a public information campaign at least 30 days before implementation of the program, including information relating to when the systems would begin detecting violations and where the systems would be utilized.

Position

AB 561 **(Ting D) Help Homeowners Add New Housing Program: accessory dwelling unit financing.**

Current Text: Amended: 4/6/2021 html pdf

Introduced: 2/11/2021

Last Amend: 4/6/2021

Status: 5/3/2021-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (April 29). Re-referred to Com. on APPR. Received by the Desk April 30 pursuant to Joint Rule 61(a)(2).

Location: 4/29/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law provides for the creation by local ordinance, or by ministerial approval if a local agency has not adopted an ordinance, of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use in accordance with specified standards and conditions. This bill would authorize the Treasurer, within 6 months of the effective date of these provisions, to develop the Help Homeowners Add New Housing Program with the purpose of assisting homeowners, as defined, in qualifying for loans to construct additional housing units on their property, including accessory dwelling units and junior accessory dwelling units. The bill would, with regard to the development of the program, authorize the Treasurer to consult with the California Housing Financing Agency, the Department of Housing and Community Development, and various other entities, including private lenders, community development financial institutions, community-based organizations, and local housing trust funds.

Position

AB 571 **(Mayes I) Planning and zoning: density bonuses: affordable housing.**

Current Text: Amended: 5/3/2021 html pdf

Introduced: 2/11/2021

Last Amend: 5/3/2021

Status: 5/4/2021-Re-referred to Com. on APPR.

Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Density Bonus Law requires a city or county to provide a developer that proposes a housing development in the city or county with a density bonus and other incentives or concessions for the production of lower income housing units, or for the donation of land within the development, if the developer agrees to, among other things, construct a specified percentage of units for very low income, low-income, or moderate-income households or qualifying residents, including lower income students. Current law requires the amount of a density bonus and the number of incentives or concessions a qualifying developer receives to be pursuant to a certain formula based on the total number of units in the housing development, as specified. This bill would prohibit affordable housing impact fees, including inclusionary zoning fees and in-lieu fees, from being imposed on a housing development's affordable units.

Position

AB 585 **(Rivas, Luz D) Climate change: Extreme Heat and Community Resilience Program.**

Current Text: Amended: 3/17/2021 html pdf

Introduced: 2/11/2021

Last Amend: 3/17/2021

Status: 4/14/2021-In committee: Set, first hearing. Referred to APPR. suspense file.

Location: 4/14/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would establish the Extreme Heat and Community Resilience Program and would require the Office of Planning and Research to administer the program. Under the program, the bill would require the Office of Planning and Research to coordinate the state's efforts to address extreme heat and to facilitate the implementation of local, regional, and state climate change planning into effective projects through the awarding of competitive grants to eligible entities for implementation of those projects. The bill would establish the Extreme Heat and Community Resilience Fund in the State Treasury and would require the office, upon appropriation by the Legislature, to expend moneys in the fund for the implementation of the program.

Position

AB 594 **(McCarty D) Law enforcement policies.**

Current Text: Amended: 3/16/2021 html pdf

Introduced: 2/11/2021

Last Amend: 3/16/2021

Status: 4/14/2021-In committee: Set, first hearing. Referred to APPR. suspense file.

Location: 4/14/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires each law enforcement agency to maintain a policy that provides guidelines on the use of force, and to annually furnish specified information to the Department of Justice regarding the use of force by peace officers employed by that agency. Current law requires the Attorney General to investigate incidents of an officer-involved shooting resulting in the death of an unarmed civilian, as specified. deadly use of force incidents other than those required to be investigated by the Attorney General, require an agency to cause a criminal investigation of these incidents to be conducted, and would prohibit a law enforcement agency from having primary responsibility for conducting the criminal investigation into those incidents involving an officer employed by that agency. This bill would instead provide alternative protocols for investigations of those incidents, including investigation by the district attorney's office, another law enforcement agency, or a multidisciplinary and multiagency task force. The bill would specify that these requirements apply only to a criminal investigation and not to any administrative or disciplinary investigation.

Position

AB 602 **(Grayson D) Development fees: impact fee nexus study.**

Current Text: Amended: 5/4/2021 html pdf

Introduced: 2/11/2021

Last Amend: 5/4/2021

Status: 5/5/2021-Re-referred to Com. on APPR.

Location: 4/29/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires a city, county, or special district that has an internet website to make available on its internet website certain information, as applicable, including its current schedule of fees and exactions.This bill, among other things, would require, on and after January 1, 2022, a city, county, or special district that conducts an impact fee nexus study to follow specific standards and practices, including, but not limited to, (1) that prior to the adoption of an associated development fee, an impact fee nexus study be adopted, (2) that the study identify the existing level of service for each public facility, identify the proposed new level of service, and include an explanation of why the new level of service is necessary, and (3) if the study is adopted after July 1, 2022, either calculate a fee levied or imposed on a housing development project proportionately to the square footage of the proposed units, or make specified findings explaining why square footage is not an appropriate metric to calculate the fees.

Position

AB 603 **(McCarty D) Law enforcement settlements and judgments: reporting.**

Current Text: Introduced: 2/11/2021 html pdf

Introduced: 2/11/2021

Status: 4/29/2021-Read second time. Ordered to Consent Calendar.

Location: 4/28/2021-A. CONSENT CALENDAR

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require municipalities, as defined, to annually post on their internet websites specified information relating to settlements and judgments resulting from allegations of improper police conduct, including, among other information, amounts paid, broken down by individual settlement and judgment, information on bonds used to finance use of force settlement and judgment payments, and premiums paid for insurance against settlements or judgments resulting from allegations of improper police conduct. The bill would require the Transportation Agency to annually post the same information on its internet website regarding settlements and judgments against the Department of the California Highway Patrol.

Position

AB 617 **(Davies R) Planning and zoning: regional housing needs: exchange of allocation.**

Current Text: Introduced: 2/12/2021 html pdf

Introduced: 2/12/2021

Status: 2/25/2021-Referred to Coms. on H. & C.D. and L. GOV.

Location: 2/25/2021-A. H. & C.D.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize a city or county, by agreement, to transfer all or a portion of its allocation of regional housing need to another city or county. The bill would allow the transferring city to pay the transferee city or county an amount determined by that agreement, as well as a surcharge to offset the impacts and associated costs of the additional housing on the transferee city. The bill would also require the transferring city or county and the transferee city or county to report to the council of governments and the department specified information about the transfer, as provided.

Position

AB 661 **(Bennett D) Recycling: materials.**

Current Text: Amended: 3/11/2021 html pdf

Introduced: 2/12/2021

Last Amend: 3/11/2021

Status: 4/29/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (April 28). Re-referred to Com. on APPR.

Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes minimum content requirements for recycled products. Current law requires a state agency to report annually to the Department of Resources Recycling and Recovery its progress in meeting the recycled product purchasing requirements using a SABRC report format. Existing law requires the Department of General Services (DGS), if a requirement has not been met, in consultation with the Department of Resources Recycling and Recovery, to review purchasing policies and make recommendations for immediate revisions to ensure that the recycled product purchasing requirements are met. This bill would require a state agency, if fitness and quality are equal, to purchase recycled products instead of nonrecycled products, without regard to cost. The bill would substantially revise product categories.

Position

Spot

AB 672 **(Garcia, Cristina D) Planning and zoning law: rezoning authorization: golf courses.**

Current Text: Amended: 4/6/2021 html pdf

Introduced: 2/12/2021

Last Amend: 4/6/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 3/18/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require a city, county, or city and county to rezone, by the date the 6th regional housing needs assessment cycle applicable to the city, county, or city and county ends, certain sites used as a golf course to also allow for residential and open-space use in accordance with specified requirements. The bill would exempt any ordinance, resolution, general or specific plan amendment, or other action necessary of the city, county, or city and county to rezone a site pursuant to the bill's provisions from CEQA. The bill would require a development on a site that is rezoned for residential and open-space use pursuant to the bill's provisions to comply with specified requirements, including that 25 percent of all units developed on the site be available for persons and families of low income for a period of at least 45 years for owner-occupied units and at least 55 years for rental units, and that a certain unit per acre density be met.

Position

AB 678 **(Grayson D) Housing development projects: fees and exactions cap.**

Current Text: Amended: 3/25/2021 html pdf

Introduced: 2/12/2021

Last Amend: 3/25/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 3/25/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would prohibit a city or county from imposing a specified fee or exaction if the total dollar amount of the fees and exactions that a city or county would impose on a proposed housing development is greater than 12% of the city's or county's median home price unless approved by the Department of Housing and Community Development. The bill would authorize a city or county to seek approval from the department to impose a fee or an exaction that would result in the total dollar amount of fees and exactions exceeding that limitation by making a specified finding and submitting a completed application for a waiver. The bill would require the department to develop a standard form application for a waiver in conjunction with the Governor's Office of Planning and Research.

Position

AB 682 **(Bloom D) Planning and zoning: cohousing buildings.**

Current Text: Introduced: 2/12/2021 html pdf

Introduced: 2/12/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 2/25/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require a city or county with a population of more than 400,000 people to permit the building of cohousing buildings, as defined, in any zone where multifamily residential buildings are permitted. The bill would require that cohousing buildings be permitted on the same basis as multifamily dwelling units. The bill would set minimum standards for the construction of cohousing buildings, including floor-space ratios and setback requirements. The bill would require that specified percentages of cohousing buildings be set aside for affordable housing, as specified.

Position

AB 684 **(Fong R) Hazardous waste: treated wood waste.**

Current Text: Introduced: 2/16/2021 html pdf

Introduced: 2/16/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.S. & T.M. on 2/25/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law regulates the control of hazardous waste, but exempts from the hazardous waste control laws, wood waste that is exempt from regulation under the federal Resource Conservation and Recovery Act of 1976, as amended, if the wood waste is disposed of in a municipal landfill that meets certain requirements imposed pursuant to the Porter-Cologne Water Quality Control Act for the classification of disposal sites, and the landfill meets other specified requirements. A violation of the state's hazardous waste control laws, including a regulation adopted pursuant to those laws, is a crime. This bill would define the term "treated wood" and would require treated wood

waste, as defined, to be disposed of in either a class I hazardous waste landfill or in a composite-lined portion of a solid waste landfill unit that meets specified requirements.

Position

AB 703 **(Rubio, Blanca D) Open meetings: local agencies: teleconferences.**

Current Text: Amended: 4/29/2021 html pdf
Introduced: 2/16/2021
Last Amend: 4/29/2021
Status: 5/3/2021-Re-referred to Com. on L. GOV.
Location: 2/25/2021-A. L. GOV.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction.

Position

AB 718 **(Cunningham R) Peace officers: investigations of misconduct.**

Current Text: Introduced: 2/16/2021 html pdf
Introduced: 2/16/2021
Status: 4/29/2021-Read second time. Ordered to Consent Calendar.
Location: 4/28/2021-A. CONSENT CALENDAR

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require a law enforcement agency or oversight agency to complete its investigation into an allegation of the use of force resulting in death or great bodily injury, sexual assault, discharge of a firearm, or dishonesty relating to the reporting, investigation, or prosecution of a crime or misconduct by another peace officer or custodial officer, despite the peace officer's or custodial officer's voluntary separation from the employing agency. The bill would require the investigation to result in a finding that the allegation is either sustained, not sustained, unfounded, or exonerated, as defined. The bill would also require an agency other than an officer's employing agency that conducts an investigation of these allegations to disclose its findings with the employing agency no later than the conclusion of the investigation.

Position

AB 721 **(Bloom D) Covenants and restrictions: affordable housing.**

Current Text: Amended: 4/28/2021 html pdf
Introduced: 2/16/2021
Last Amend: 4/28/2021
Status: 4/29/2021-Re-referred to Com. on APPR.
Location: 4/27/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would make any recorded covenants, conditions, restrictions, or limits on the use of private or publicly owned land contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale that restricts the number, size, or location of the residences that may be built on the property, or that restricts the number of persons or families who may reside on the property, unenforceable against the owner of an affordable housing development, as defined.

Position

AB 773 **(Nazarian D) Street closures and designations.**

Current Text: Introduced: 2/16/2021 html pdf

Introduced: 2/16/2021
Status: 5/5/2021-VOTE: Do pass. (PASS)
Location: 2/25/2021-A. L. GOV.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize a local authority to adopt a rule or regulation to close a portion of a street under its jurisdiction to through vehicular traffic if it determines closure is necessary for the safety and protection of persons who are to use that portion of the street during the closure. The bill would also authorize a local authority to adopt a rule or regulation to designate a local street within its jurisdiction as a slow street.

Position

AB 785 **(Rivas, Robert D) Mental health.**
Current Text: Introduced: 2/16/2021 html pdf
Introduced: 2/16/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was PUB. S. on 2/25/2021) (May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, upon appropriation, establish the Mental Health Response and Treatment Challenge Grant Pilot Program. The bill would provide that the purpose of the pilot program is to provide a statewide investment program to provide funds and flexibility to cities, counties, cities and counties, or other local governmental agencies that interact with the criminal justice system to develop programs that seek to improve services in 3 areas, as specified. The bill would require the Board of State and Community Corrections to administer the pilot program and award grants on a competitive basis.

Position

AB 787 **(Gabriel D) Planning and zoning: housing element: converted affordable housing units.**
Current Text: Amended: 5/3/2021 html pdf
Introduced: 2/16/2021
Last Amend: 5/3/2021
Status: 5/4/2021-Re-referred to Com. on APPR.
Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the planning agency of a city or county to provide an annual report that includes specified information by April 1 of each year to specified entities, including the Department of Housing and Community Development. Among other things, existing law requires that this report include the progress in meeting the city's or county's share of regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing, as specified. This bill would authorize a planning agency to include in its annual report the number of units in an existing multifamily building that were converted to deed-restricted rental housing for very low, low-, or moderate-income households by the imposition of affordability covenants and restrictions for the unit.

Position

AB 816 **(Chiu D) State and local agencies: homelessness plan.**
Current Text: Amended: 5/4/2021 html pdf
Introduced: 2/16/2021
Last Amend: 5/4/2021
Status: 5/5/2021-Re-referred to Com. on APPR.
Location: 4/29/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the Governor to create the Homeless Coordinating and Financing Council and to appoint up to 19 members of that council, as provided. Current law specifies the duties of the coordinating council, including creating partnerships among state agencies and departments, local government agencies, and specified federal agencies and private entities, for the purpose of arriving at specific strategies to end homelessness. This bill, upon appropriation by the Legislature or upon receiving technical assistance offered by the federal Department of Housing and Urban

Development (HUD), if available, would require the coordinating council to conduct, or contract with an entity to conduct, a statewide needs and gaps analysis to, among other things, identify state programs that provide housing or services to persons experiencing homelessness and create a financial model that will assess certain investment needs for the purpose of moving persons experiencing homelessness into permanent housing.

Position

AB 818 **(Bloom D) Solid waste: premoistened nonwoven disposable wipes.**

Current Text: Introduced: 2/16/2021 html pdf

Introduced: 2/16/2021

Status: 5/5/2021-Coauthors revised. From committee: Do pass. To Consent Calendar. (Ayes 16. Noes 0.) (May 5).

Location: 5/5/2021-A. CONSENT CALENDAR

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require, except as provided, certain premoistened nonwoven disposable wipes manufactured on or after July 1, 2022, to be labeled clearly and conspicuously with the phrase "Do Not Flush" and a related symbol, as specified. The bill would prohibit a covered entity, as defined, from making a representation about the flushable attributes, benefits, performance, or efficacy of those premoistened nonwoven disposable wipes, as provided. The bill would establish enforcement provisions, including authorizing a civil penalty not to exceed $2,500 per day, up to a maximum of $100,000 per violation, to be imposed on a covered entity who violates those provisions.

Position

AB 833 **(Quirk-Silva D) State government: grants: administrative costs.**

Current Text: Introduced: 2/17/2021 html pdf

Introduced: 2/17/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was A. & A.R. on 2/25/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require any state grants to a local government to include a maximum allocation of funds that may be expended for administrative costs, as defined, and would prohibit a local government, as defined, from expending more than 5% of grant funds for administrative costs, except as provided. The bill would specify that it is not intended to affect federal funding.

Position

AB 838 **(Friedman D) State Housing Law: enforcement response to complaints.**

Current Text: Amended: 4/5/2021 html pdf

Introduced: 2/17/2021

Last Amend: 4/5/2021

Status: 4/29/2021-Read second time. Ordered to third reading.

Location: 4/15/2021-A. THIRD READING

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would, beginning July 1, 2022, require a city or county that receives a complaint of a substandard building or a lead hazard violation, as specified, from a tenant, resident, or occupant, or an agent of a tenant, resident, or occupant, except as specified, to inspect the building, portion of the building intended for human occupancy, or premises of the building, document the lead hazard violations that would be discovered based upon a reasonably competent and diligent visual inspection of the property and identify any building, portion of a building intended for human occupancy, or premises on which such a building is located that is determined to be substandard, as applicable. The bill would require the city or county, as applicable, to advise the owner or operator of each violation and of each action that is required to be taken to remedy the violation and to schedule a reinspection to verify correction of the violations.

Position

AB 842 **(Garcia, Cristina D) California Circular Economy and Plastic Pollution Reduction Act.**

Current Text: Amended: 3/22/2021 html pdf

Introduced: 2/17/2021
Last Amend: 3/22/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/18/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would enact the California Circular Economy and Plastic Pollution Reduction Act, which would establish a comprehensive regulatory scheme for producers, retailers, and wholesalers of single-use packaging, as defined, and single-use products, as defined, made partially or entirely of plastic, to be administered by the Department of Resources Recycling and Recovery. The bill would require producers, within 6 months of the department's adoption of regulations to implement the act, to individually, or to collectively form or join a stewardship organization that will, develop, finance, and implement a convenient and cost-effective program to source reduce, recover, and recycle single-use packaging and single-use products discarded in the state, and develop and submit to the department a stewardship plan, annual report, and budget, as prescribed.

Position

AB 845 **(Rodriguez D) Disability retirement: COVID-19: presumption.**
Current Text: Amended: 3/30/2021 html pdf
Introduced: 2/17/2021
Last Amend: 3/30/2021
Status: 4/29/2021-Read second time. Ordered to third reading.
Location: 4/15/2021-A. THIRD READING

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law prescribes various requirements for the organization and administration of public retirement systems, which typically provide pension, disability, and death benefits to their members. Current law provides that participants in certain membership categories may be entitled to special benefits if death or disability arises in the course of employment. The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a public retirement system, as defined, to modify its plan or plans to comply with that act and establishes, among other things, limits on defined benefit formulas and caps on pensionable compensation. This bill, until January 1, 2023, would create a presumption, applicable to the retirement systems that PEPRA regulates and to specified members in those systems, that would be applied to disability retirements on the basis, in whole or in part, of a COVID-19-related illness. In this circumstance, the bill would require that it be presumed the disability arose out of, or in the course of, the member's employment. The bill would authorize the presumption to be rebutted by evidence to the contrary, but unless controverted, the applicable governing board of a public retirement system would be required to find in accordance with the presumption.

Position

AB 859 **(Irwin D) Mobility devices: personal information.**
Current Text: Introduced: 2/17/2021 html pdf
Introduced: 2/17/2021
Status: 4/21/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 4/21/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize a public agency, defined as a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator, to require an operator to periodically submit to the public agency anonymized trip data and the operator's mobility devices operating in the geographic area under the public agency's jurisdiction and provide specified notice of that requirement to the operator. The bill would authorize a public agency to share anonymized trip data with a contractor, agent, or other public agency only if specified conditions are met, including that the purpose of the sharing is to assist the public agency in the promotion and protection of transportation planning, integration of mobility options, and road safety.

Position

AB 881 **(Gonzalez, Lorena D) Plastic waste: diversion: recycling: export.**
Current Text: Amended: 4/12/2021 html pdf
Introduced: 2/17/2021

Last Amend: 4/12/2021
Status: 4/13/2021-Re-referred to Com. on APPR.
Location: 3/24/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, requires each city, county, and joint powers authority formed under the act, referred to as a regional agency, to develop a source reduction and recycling element of an integrated waste management plan. The act requires the source reduction and recycling element to divert from disposal 50% of all solid waste subject to the element through source reduction, recycling, and composting activities, with specified exceptions. This bill would make the export out of the country of a mixture of plastic wastes "disposal" for purposes of the act, unless the mixture includes only certain plastics destined for separate recycling and satisfies other specified requirements, in which case that export would constitute diversion through recycling.

Position

AB 885 **(Quirk D) Bagley-Keene Open Meeting Act: teleconferencing.**
Current Text: Amended: 3/24/2021 html pdf
Introduced: 2/17/2021
Last Amend: 3/24/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was G.O. on 2/25/2021) (May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require a state body that elects to conduct a meeting or proceeding by teleconference to make the portion that is required to be open to the public both audibly and visually observable. The bill would require a state body that elects to conduct a meeting or proceeding by teleconference to post an agenda at the designated primary physical meeting location in the notice of the meeting where members of the public may physically attend the meeting and participate. The bill would extend the above requirements of meetings of multimember advisory bodies that are held by teleconference to meetings of all multimember state bodies. The bill would require a multimember state body to provide a means by which the public may both audibly and visually remotely observe a meeting if a member of that body participates remotely.

Position

AB 886 **(Chiu D) Victims.**
Current Text: Amended: 4/29/2021 html pdf
Introduced: 2/17/2021
Last Amend: 4/29/2021
Status: 5/3/2021-Re-referred to Com. on APPR.
Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law defines a "hate crime" as a criminal act committed, in whole or in part, because of actual or perceived characteristics of the victim, including, among other things, race, religion, disability, and sexual orientation. Current law creates various preconviction diversion programs for persons charged with crimes. Current law states that restorative justice is a principal policy goal of the state in sentencing for hate crimes. This bill would, subject to an appropriation of funds by the Legislature, create a grant program within the Department of Justice to provide grants to community-based organizations, as defined, for the implementation and operation of restorative justice programs, as defined, that are focused on hate violence, as defined.

Position

AB 916 **(Salas D) Zoning: accessory dwelling units: bedroom addition.**
Current Text: Amended: 4/6/2021 html pdf
Introduced: 2/17/2021
Last Amend: 4/6/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 2/25/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would prohibit a city or county legislative body from adopting or enforcing an ordinance requiring a public hearing as a condition of adding space for additional bedrooms or reconfiguring existing space to increase the bedroom count within an existing house, condominium, apartment, or dwelling. The bill would include findings that ensuring adequate housing is a matter of statewide concern and is not a municipal affair, and that the provision applies to all cities, including charter cities.

Position

AB 950 **(Ward D) Department of Transportation: sales of excess real property: affordable housing, emergency shelters, and feeding programs.**

Current Text: Amended: 4/19/2021 html pdf
Introduced: 2/17/2021
Last Amend: 4/19/2021
Status: 5/3/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 29). Re-referred to Com. on APPR. Received by the Desk April 30 pursuant to Joint Rule 61(a)(2).
Location: 4/29/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize the Department of Transportation to sell its excess real property to the city, county, or city and county where the real property is located if the city, county, or city and county agrees to use the real property for the sole purpose of implementing affordable housing, emergency shelters, or feeding programs, as specified. The bill would exempt these sales from the California Environmental Quality Act.

Position

AB 970 **(McCarty D) Planning and zoning: electric vehicle charging stations: permit application: approval.**

Current Text: Amended: 4/27/2021 html pdf
Introduced: 2/18/2021
Last Amend: 4/27/2021
Status: 5/5/2021-VOTE: Do pass as amended. (PASS)
Location: 3/4/2021-A. L. GOV.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require an application to install an electric vehicle charging station to be deemed complete if, 5 business days after the application was submitted, the city, county, or city and county has not deemed the application to be incomplete or issued a written correction notice detailing all deficiencies in the application, as specified. The bill would require an application to install an electric vehicle charging station to be deemed approved if 20 business days after the application was deemed complete, (1) the city, county, or city and county has not approved the application, (2) the building official has not made a finding that the proposed installation could have an adverse impact upon the public health or safety or required the applicant to apply for a use permit, (3) the building official has not denied the permit, and (4) an appeal has not been made to the planning commission of the city, county, or city and county, as specified.

Position

AB 977 **(Gabriel D) Homelessness prevention programs: Homeless Management Information System.**

Current Text: Amended: 4/19/2021 html pdf
Introduced: 2/18/2021
Last Amend: 4/19/2021
Status: 5/5/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 5/5/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require, on or before July 1, 2022, that a grantee or entity operating specified state homelessness programs, including the No Place Like Home Program, as a condition of receiving state funds, to enter the collected data elements on the individuals and families it serves into its local Homeless Management Information System, unless otherwise exempted by state or federal law. The bill would require the Homeless Coordinating and Financing Council to specify the form and substance of the required data elements.The bill would apply the data entry requirements to all new state

homelessness programs that commence on or after July 1, 2022.

Position

AB 987 **(Low D) Public utilities: civil penalties: unplanned electrical outages and deenergization events.**

Current Text: Amended: 3/25/2021 html pdf
Introduced: 2/18/2021
Last Amend: 3/25/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was U. & E. on 3/25/2021) (May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Current law authorizes the commission to establish rules for all public utilities, subject to control by the Legislature. The Public Utilities Act provides for civil penalties for any violation of the act or for or a failure to comply with any part of any order, decision, rule, direction, demand, or requirement of the commission. This bill would require the commission to require any penalty imposed on a public utility, person, or corporation for a violation of the act, or for a violation of any order, decision, decree, rule, direction, demand, or requirement of the commission, to be paid no later than 2 years from the date the penalty was imposed, as provided.

Position

AB 989 **(Gabriel D) Housing Accountability Act: appeals: Housing Accountability Committee.**
Current Text: Amended: 5/3/2021 html pdf
Introduced: 2/18/2021
Last Amend: 5/3/2021
Status: 5/4/2021-Re-referred to Com. on APPR.
Location: 4/28/2021-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Housing Accountability Act prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, specified housing development projects, including projects for very low, low-, or moderate-income households and projects for emergency shelters that comply with applicable, objective general plan, zoning, and subdivision standards and criteria in effect at the time the application for the project is deemed complete, unless the local agency makes specified written findings based on a preponderance of the evidence in the record. This bill would establish a Housing Accountability Committee, and would prescribe its membership.

Position

AB 995 **(Gonzalez, Lorena D) Paid sick days: accrual and use.**
Current Text: Introduced: 2/18/2021 html pdf
Introduced: 2/18/2021
Status: 4/26/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (April 22). Re-referred to Com. on APPR.
Location: 4/22/2021-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes an employer to use a different accrual method as long as an employee has no less than 24 hours of accrued sick leave or paid time off by the 120th calendar day of employment or each calendar year, or in each 12-month period. Current law also provides that an employer may satisfy the accrual requirements by providing not less than 24 hours or 3 days of paid sick leave that is available to the employee to use by the completion of the employee's 120th calendar day of employment. This bill would modify the employer's alternate sick leave accrual method to require that an employee have no less than 40 hours of accrued sick leave or paid time off by the 200th calendar day of employment or each calendar year, or in each 12-month period.

Position

AB 1017 **(Quirk-Silva D) Public restrooms: Right to Restrooms Act of 2021.**
Current Text: Introduced: 2/18/2021 html pdf

Introduced: 2/18/2021
Status: 4/29/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (April 28). Re-referred to Com. on APPR.
Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require local governments, as defined, to do an inventory of public restrooms that are available to the homeless population to use during the COVID-19 state of emergency, as defined. The bill would require local governments to report their findings to the Office of Emergency Services, which would be required to compile the information in a report to the Legislature, as provided. This bill would be repealed by its own provisions on January 1, 2024.

Position

AB 1027 **(Seyarto R) Solid and organic waste.**
Current Text: Introduced: 2/18/2021 html pdf
Introduced: 2/18/2021
Status: 2/19/2021-From printer. May be heard in committee March 21.
Location: 2/18/2021-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law declares the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by the year 2020, and annually thereafter. Existing law requires each jurisdiction to implement a solid waste recycling program appropriate for that jurisdiction designed to divert commercial solid waste from businesses subject to specified commercial solid waste recycling requirements. Current law also requires each jurisdiction to implement an organic waste recycling program appropriate for the jurisdiction and designed to specifically divert organic waste generated by businesses subject to specified organic waste recycling requirements. This bill would express the intent of the Legislature to enact subsequent legislation to provide relief from those solid waste recycling, composting, and source reduction requirements and organic waste recycling requirements, for no more than one year, to cities and municipalities struggling due to the impacts of COVID-19.

Position

AB 1029 **(Mullin D) Housing elements: prohousing local policies.**
Current Text: Introduced: 2/18/2021 html pdf
Introduced: 2/18/2021
Status: 4/29/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (April 28). Re-referred to Com. on APPR.
Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would add the preservation of affordable housing units through the extension of existing project-based rental assistance covenants to avoid the displacement of affected tenants and a reduction in available affordable housing units to the list of specified prohousing local policies.

Position

AB 1068 **(Santiago D) Affordable housing: alternative forms of development: model plan.**
Current Text: Introduced: 2/18/2021 html pdf
Introduced: 2/18/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 3/4/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require the Department of Housing and Community Development to create a model plan for the use of alternative forms, as defined, of developing affordable housing for the purpose of substantially reducing the cost of a unit of affordable housing. The bill would require the model plan to be used in state agency decisions in all state-subsidized housing loan and grant programs. The bill would also require a local agency, nonprofit affordable housing sponsor, private entity, or individual that receives surplus state real property from the state to use the model plan to guide any housing development on that property. The bill would make findings and declarations in this regard.

Position

AB 1086 **(Aguiar-Curry D) Organic waste: implementation strategy.**
Current Text: Amended: 4/5/2021 html pdf
Introduced: 2/18/2021
Last Amend: 4/5/2021
Status: 4/14/2021-In committee: Set, first hearing. Referred to APPR. suspense file.
Location: 4/14/2021-A. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Natural Resources Agency, in coordination with specified state agencies, and in consultation with stakeholders and relevant permitting agencies, to prepare and submit to the Legislature, by January 1, 2023, a report that provides an implementation strategy to achieve the state's organic waste, and related climate change and air quality, mandates, goals, and targets. The bill would authorize the Natural Resources Agency to, by July 1, 2022, contract with outside entities, including the California Council on Science and Technology and the University of California, to prepare the report. The bill would require the implementation strategy to include, among other things, recommendations on policy and funding support for the beneficial reuse of organic waste.

Position

AB 1091 **(Berman D) Santa Clara Valley Transportation Authority: board of directors.**
Current Text: Introduced: 2/18/2021 html pdf
Introduced: 2/18/2021
Status: 5/5/2021-VOTE: Do pass. (PASS)
Location: 3/4/2021-A. L. GOV.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law creates the Santa Clara Valley Transportation Authority (VTA) with various powers and duties relative to transportation projects and services and the operation of public transit in the County of Santa Clara. Current law vests the government of the VTA in a 12-member board of directors whose terms of office are two years. Under existing law, only members of the county board of supervisors and city council members and mayors of cities in the county are authorized to serve on the board. Current law provides for the appointment of the board members by those local governments, as specified. This bill, on and after July 1, 2022, would reduce the size of the board to 9 members, increase their terms of office to 4 years, and provide for residents living in the county, rather than local officials, to serve on the board, as specified.

Position

AB 1143 **(Berman D) Civil procedure: restraining orders.**
Current Text: Amended: 3/24/2021 html pdf
Introduced: 2/18/2021
Last Amend: 3/24/2021
Status: 4/19/2021-Read third time. Passed. Ordered to the Senate. (Ayes 77. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.
Location: 4/19/2021-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	**Policy**	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law permits a person who has suffered harassment, as defined, to file a petition for a temporary restraining order and a restraining order after hearing prohibiting the harassment. Current law requires the petitioner to personally serve the respondent with the petition for the temporary restraining order and restraining order, as applicable, and notice of the hearing.This bill would provide that if the respondent's address is unknown, the court may specify another method of service that is reasonably calculated to give actual notice to the respondent and may prescribe the manner in which proof of service shall be made.

Position

AB 1163 **(Nazarian D) Local government: taxation: prohibition: groceries.**
Current Text: Introduced: 2/18/2021 html pdf
Introduced: 2/18/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was REV. & TAX on

2/18/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law, until January 1, 2031, prohibits the imposition, increase, levy and collection, or enforcement by a local agency of any tax, fee, or other assessment on groceries, except as provided, and allows a local agency to continue to levy and collect, enforce, or reauthorize any tax, fee, or other assessment on groceries imposed, extended, or increased on or before January 1, 2018. Current law also requires the California Department of Tax and Fee Administration to cease administering the Bradley-Burns local sales and use tax of a local agency that is found by a court, as provided, to have violated the grocery tax prohibition. This bill would repeal the prohibition on the imposition, increase, levy and collection, or enforcement by a local agency of any tax, fee, or other assessment on groceries, including the requirement that the department cease administering a local sales and use tax.

Position

AB 1181 **(Nguyen R) Fees: business licenses: alcoholic beverages: health permits.**
Current Text: Introduced: 2/18/2021 html pdf
Introduced: 2/18/2021
Status: 3/4/2021-Referred to Coms. on G.O. and HEALTH.
Location: 3/4/2021-A. G.O.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would prohibit cities and counties, including charter cities and counties, from imposing or collecting license fees from restaurants from January 1, 2020, to December 31, 2021, as provided, and would require the city or county to refund to a restaurant any license fees collected during that period. By imposing new duties on cities and counties with respect to imposing or collecting specified license fees, and by requiring that the fees be refunded, this bill would impose a state-mandated local program.

Position

AB 1188 **(Wicks D) State rental assistance program: data.**
Current Text: Amended: 5/4/2021 html pdf
Introduced: 2/18/2021
Last Amend: 5/4/2021
Status: 5/5/2021-Re-referred to Com. on APPR.
Location: 4/29/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes a program for providing rental assistance, using funding made available pursuant to existing federal law to provide financial assistance and housing stability services to eligible households, as provided, administered by HCD. This bill, in order to ensure that data is available for research and analysis to inform future state policy and programs, would require HCD to retain data from designated sources for at least 10 years, including data on the state rental assistance program, information submitted by eligible grantees that received the federal funding, and data on rental registries operated by local governments, as specified.

Position

AB 1258 **(Nguyen R) Housing element: regional housing need plan: judicial review.**
Current Text: Amended: 3/22/2021 html pdf
Introduced: 2/19/2021
Last Amend: 3/22/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 3/4/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Under current law the Department of Housing and Community Development, in consultation with each council of governments, determines each region's existing and projected housing needs. Under existing law, upon making that determination, the council of governments may object to the determination, and the department is required to respond to an objection by making a final written determination. Current law requires that, based on the determination of the department, a council of

governments, or for cities and counties without a council of governments, the department, adopts a final regional housing need plan that allocates a share of the regional housing need to each locality in the region. This bill would subject the department's final written determination of a region's housing needs to judicial review in an action brought by the council of governments. The bill would also subject the final regional housing need plan adopted by the council of governments or the department, as the case may be, to judicial review.

Position

AB 1276 **(Carrillo D) Single-use food accessories and serviceware.**

Current Text: Amended: 4/29/2021 html pdf

Introduced: 2/19/2021

Last Amend: 4/29/2021

Status: 5/3/2021-Re-referred to Com. on APPR.

Location: 3/24/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would prohibit a food facility or a third-party food delivery platform, as defined, from providing any single-use food accessories, as defined, to consumers unless requested by the consumer. The bill would require a third-party food delivery platform to provide each of its ready-to-eat food vendors with the option to customize the vendor's menu, on the online food-ordering platform, regarding the availability of single-use food accessories, as provided. The bill would, commencing on January 1, 2023, prohibit a full-service restaurant that has adequate dishwashing capacity to sanitize reusable serviceware from providing single-use serviceware to consumers except under specified conditions. The bill would exclude certain facilities from these requirements.

Position

AB 1277 **(Rubio, Blanca D) California Environmental Quality Act: student housing development projects: expedited judicial review.**

Current Text: Amended: 4/19/2021 html pdf

Introduced: 2/19/2021

Last Amend: 4/19/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/4/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA and a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA. This bill would authorize a public university, as defined, carrying out a project to certify the project as a student housing development project if the project meets certain requirements.

Position

AB 1304 **(Santiago D) Affirmatively further fair housing: housing element: inventory of land.**

Current Text: Amended: 4/5/2021 html pdf

Introduced: 2/19/2021

Last Amend: 4/5/2021

Status: 5/5/2021-From committee: Do pass. (Ayes 12. Noes 3.) (May 5).

Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires a public agency, as defined, to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing, and to not take any action that is materially inconsistent with this obligation. This bill would clarify that a local agency has a mandatory duty to comply with the obligation described above. The bill would specify that this provision is a clarification of current law and not to be deemed a change in previous law.

Position

AB 1322 **(Rivas, Robert D) Land use: local measures: conflicts.**
Current Text: Amended: 5/4/2021 html pdf
Introduced: 2/19/2021
Last Amend: 5/4/2021
Status: 5/5/2021-Read second time. Ordered to third reading.
Location: 5/5/2021-A. THIRD READING

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes the legislative body of any county or city to adopt ordinances that do certain things related to land use, including, but not limited to, regulating the use of buildings, structures, and land as between industry, business, residences, open space, including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes, regulating the size and use of lots, yards, courts, and other open spaces, and the intensity of land use. This bill, among other things, would authorize a governing body, defined as a city council or board of supervisors, to commence proceedings pursuant to specified provisions, to determine whether a local measure, defined as any provision of the charter, general plan, or ordinances of the city, county, or city and county that has been approved by the electorate, is in conflict with any of the specified state laws regarding housing. The bill would provide that the governing body cannot be compelled to undertake those proceedings.

Position

AB 1325 **(Burke D) Microgrids: Clean Community Microgrid Incentive Program.**
Current Text: Introduced: 2/19/2021 html pdf
Introduced: 2/19/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was U. & E. on 3/4/2021) (May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the PUC to develop and implement a Clean Community Microgrid Incentive Program by 2022 to fund community microgrids that support the critical needs of vulnerable communities that utilize distributed energy resources for the generation of electricity. The bill would establish the budget for the program in an unspecified amount to be dispersed in successive phases to local public agencies for community microgrid development and would require that expenses incurred by a large electrical corporation to fund the program be allocated to all distribution customers of the large electrical corporation on a nonbypassable basis. The bill would require that a third-party administrator that is not a public utility administer the program.

Position

AB 1372 **(Muratsuchi D) Right to temporary shelter.**
Current Text: Introduced: 2/19/2021 html pdf
Introduced: 2/19/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 3/4/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require every city, or every county in the case of unincorporated areas, to provide everyperson who is homeless, as defined, with temporary shelter, mental health treatment, resources for job placement, and job training until the person obtains permanent housing if the person has actively sought temporary shelter in the jurisdiction for at least 3 consecutive days and has been unable to gain entry into all temporary shelters they sought for specified reasons. The bill would require the city or county, as applicable, to provide a rent subsidy, as specified, if it is unable to provide temporary shelter. The bill would authorize a person who is homeless to enforce the bill's provisions by bringing a civil action.

Position

AB 1398 **(Bloom D) Planning and zoning: housing element: rezoning of sites: prohousing local policies.**
Current Text: Amended: 5/3/2021 html pdf

Introduced: 2/19/2021
Last Amend: 5/3/2021
Status: 5/4/2021-Re-referred to Com. on APPR.
Location: 4/28/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law, requires a county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and specified land outside its boundaries, that includes, among other things, a housing element. Current law requires that the housing element include, among other things, an inventory of land suitable and available for residential development. If the inventory of sites does not identify adequate sites to accommodate the need for groups of all household income levels, as provided, current law requires that the local government rezone sites within specified time periods. If the local government fails to adopt a housing element within 120 days of the applicable statutory deadline, existing law requires that the local government (A) complete this rezoning no later than 3 years and 120 days from the statutory deadline for the adoption of the housing element and (B) revise its housing element every 4 years until the local government has adopted at least 2 consecutive revisions by the statutory deadline. This bill would require that a local government that fails to adopt a housing element that the Department of Housing and Community Development has found to be in substantial compliance with state law within 120 days of the statutory deadline to complete this rezoning no later than one year from the statutory deadline for the adoption of the housing element.

Position

AB 1401 **(Friedman D) Residential and commercial development: parking requirements.**
Current Text: Amended: 4/19/2021 html pdf
Introduced: 2/19/2021
Last Amend: 4/19/2021
Status: 5/3/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (April 29). Re-referred to Com. on APPR. Received by the Desk April 30 pursuant to Joint Rule 61(a)(2).
Location: 4/29/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would prohibit a local government from imposing a minimum automobile parking requirement, or enforcing a minimum automobile parking requirement, on residential, commercial, or other development if the development is located on a parcel that is within one-half mile walking distance of public transit, as defined. The bill would not preclude a local government from imposing requirements when a project provides parking voluntarily to require spaces for car share vehicles. The bill would prohibit these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a new multifamily or nonresidential development to provide electric vehicle parking spaces or parking spaces that are accessible to persons with disabilities, as specified.

Position

AB 1403 **(Levine D) Emergency services.**
Current Text: Amended: 4/8/2021 html pdf
Introduced: 2/19/2021
Last Amend: 4/8/2021
Status: 5/4/2021-In Senate. Read first time. To Com. on RLS. for assignment.
Location: 5/4/2021-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	**Policy**	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Emergency Services Act, authorizes the Governor to proclaim a state of emergency, and local officials and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. Existing law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would additionally include a "deenergization event," defined as a planned power outage, as specified, within those conditions constituting a state of emergency and a local emergency.

Position

AB 1445 **(Levine D) Planning and zoning: regional housing need allocation: climate change impacts.**

Current Text: Introduced: 2/19/2021 html pdf
Introduced: 2/19/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 3/11/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-A. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and specified land outside its boundaries, that includes, among other mandatory elements, a housing element. For the 4th and subsequent revisions of the housing element, current law requires the Department of Housing and Community Development to determine the existing and projected need for housing for each region. Current law requires the appropriate council of governments, or the department for cities and counties without a council of governments, to adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county, as provided. Current law requires that the final regional housing plan adopted by a council of governments, or a delegate subregion, as applicable, be based on a methodology that includes specified factors, and similarly requires that the department take into consideration specified factors in distributing regional housing need, as provided. This bill would require that a council of governments, a delegate subregion, or the department, as applicable, additionally consider among these factors emergency evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change.

Position

AB 1492 **(Bloom D) Department of Housing and Community Development: high-opportunity areas and sensitive communities.**
Current Text: Amended: 4/21/2021 html pdf
Introduced: 2/19/2021
Last Amend: 4/21/2021
Status: 5/3/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (April 29). Re-referred to Com. on APPR. Received by the Desk April 30 pursuant to Joint Rule 61(a)(2).
Location: 4/29/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes the Department of Housing and Community Development within the Business, Consumer Services, and Housing Agency and sets forth its powers and duties, including, among other things, responsibility for coordinating federal-state relationships in housing and community development and assisting communities and persons to avail themselves of state housing programs. This bill would require the department to designate areas in this state as high-opportunity areas and sensitive communities, as provided, by January 1, 2023, in accordance with specified requirements. The bill would require the department to update those designations every 5 years, or more frequently at the discretion of the department..

Position

AB 1500 **(Garcia, Eduardo D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.**
Current Text: Amended: 4/14/2021 html pdf
Introduced: 2/19/2021
Last Amend: 4/14/2021
Status: 5/5/2021-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)
Location: 5/5/2021-A. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of $6,955,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.

Position

ACA 1 **(Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.**

Current Text: Introduced: 12/7/2020 html pdf
Introduced: 12/7/2020
Status: 4/22/2021-Referred to Coms. on L. GOV. and APPR.
Location: 4/22/2021-A. L. GOV.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

Position

ACA 7 **(Muratsuchi D) Local government: police power: municipal affairs: land use and zoning.**
Current Text: Introduced: 3/16/2021 html pdf
Introduced: 3/16/2021
Status: 3/17/2021-From printer. May be heard in committee April 16.
Location: 3/16/2021-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would provide that a county or city ordinance or regulation enacted under the police power that regulates the zoning or use of land within the boundaries of the county or city would prevail over conflicting general laws, with specified exceptions. The measure, in the event of the conflict with a state statute, would also specify that a city charter provision, or an ordinance or regulation adopted pursuant to a city charter, that regulates the zoning or use of land within the boundaries of the city is deemed to address a municipal affair and prevails over a conflicting state statute, except that the measure would provide that a court may determine that a city charter provision, ordinance, or regulation addresses either a matter of statewide concern or a municipal affair if it conflicts with specified state statutes. The measure would make findings in this regard and provide that its provisions are severable.

Position

SB 1 **(Atkins D) Coastal resources: sea level rise.**
Current Text: Amended: 3/23/2021 html pdf
Introduced: 12/7/2020
Last Amend: 3/23/2021
Status: 4/20/2021-April 19 hearing: Placed on APPR suspense file.
Location: 4/20/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Thee California Coastal Act of 1976 establishes the California Coastal Commission and provides for planning and regulation of development in the coastal zone, as defined. The act requires the commission, within 90 days after January 1, 1977, to adopt, after public hearing, procedures for the preparation, submission, approval, appeal, certification, and amendment of a local coastal program, including a common methodology for the preparation of, and the determination of the scope of, the local coastal programs, as provided. This bill would also include, as part of the procedures the commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program, as provided. The bill would delete the timeframe specified above by which the commission is required to adopt these procedures.

Position

SB 2 **(Bradford D) Peace officers: certification: civil rights.**
Current Text: Amended: 4/29/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/29/2021
Status: 5/4/2021-Set for hearing May 10.
Location: 4/28/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would provide that a threat, intimidation, or coercion under the Tom Bane Civil Rights Act may be inherent in any interference with a civil right and would describe intentional acts for these purposes as an act in which the person acted with general intent or a conscious objective to engage in particular conduct.The bill would eliminate certain immunity provisions for peace officers and custodial officers, or public entities employing peace officers or custodial officers sued under the act.

Position

SB 3 **(Caballero D) Education finance: local control and accountability plan portal.**

Current Text: Amended: 4/27/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/27/2021
Status: 5/5/2021-Re-referred to Com. on ED.
Location: 5/5/2021-S. ED.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require the State Department of Education to develop, on or before January 1, 2022, a local control and accountability plan portal that will allow comprehensive analysis by policymakers of actions, expenditures, and progress on metrics included within local control and accountability plans adopted by local educational agencies. The bill would require the portal to include a tracking mechanism for school districts, county offices of education, and charter schools to use to report the types of services on which they spend their supplemental and concentration grant funds. Commencing July 1, 2022, the bill would require each local educational agency, as a condition of receiving supplemental and concentration grant funds, to annually report to the department the types of services on which it spends its supplemental and concentration grant funds using the portal developed by the department.

Position

SB 4 **(Gonzalez D) Communications: California Advanced Services Fund: deaf and disabled telecommunications program: surcharges.**

Current Text: Amended: 4/19/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/19/2021
Status: 5/4/2021-May 3 hearing: Placed on APPR suspense file.
Location: 5/3/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require the Governor's Office of Business and Economic Development to coordinate with other relevant state and local agencies and national organizations to explore ways to facilitate streamlining of local land use approvals and construction permit processes for projects related to broadband infrastructure deployment and connectivity.

Position

SB 5 **(Atkins D) Affordable Housing Bond Act of 2022.**

Current Text: Amended: 3/10/2021 html pdf
Introduced: 12/7/2020
Last Amend: 3/10/2021
Status: 3/18/2021-Re-referred to Coms. on HOUSING and GOV. & F.
Location: 3/18/2021-S. HOUSING

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would enact the Affordable Housing Bond Act of 2022, which, if adopted, would authorize the issuance of bonds in the amount of $6,500,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds would be used to fund affordable rental housing and homeownership programs. The bill would state the intent of the Legislature to determine the allocation of those funds to specific programs.This bill would provide for submission of the bond act to the voters at the November 8, 2022, statewide general election in accordance with specified law.

Position

SB 6 **(Caballero D) Local planning: housing: commercial zones.**

Current Text: Amended: 4/12/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/12/2021
Status: 5/4/2021-Set for hearing May 10.
Location: 4/29/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an allowable use on a neighborhood lot, which is defined as a parcel within an office or retail commercial zone that is not adjacent to an industrial use. The bill would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction.

Position

SB 7 **(Atkins D) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021.**

Current Text: Amended: 2/18/2021 html pdf
Introduced: 12/7/2020
Last Amend: 2/18/2021
Status: 5/5/2021-From committee: Do pass. (Ayes 16. Noes 0.) (May 5).
Location: 4/28/2021-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	**Fiscal**	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would enact the Jobs and Economic Improvement Through Environmental Leadership Act of 2021, which would reenact the former leadership act, with certain changes, and would authorize the Governor, until January 1, 2024, to certify projects that meet specified requirements for streamlining benefits related to CEQA. The bill would additionally include housing development projects, as defined, meeting certain conditions as projects eligible for certification. The bill would, except for those housing development projects, require the quantification and mitigation of the impacts of a project from the emissions of greenhouse gases, as provided. The bill would revise and recast the labor-related requirements for projects undertaken by both public agencies and private entities. The bill would provide that the Governor is authorized to certify a project before the lead agency certifies the final EIR for the project.

Position

SB 8 **(Skinner D) Housing Crisis Act of 2019.**

Current Text: Amended: 5/3/2021 html pdf
Introduced: 12/7/2020
Last Amend: 5/3/2021
Status: 5/3/2021-Read second time and amended. Re-referred to Com. on APPR.
Location: 4/29/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would clarify, for various purposes of the Housing Crisis Act of 2019, that "housing development project" includes projects that involve no discretionary approvals, projects that involve both discretionary and nondiscretionary approvals, and projects that include a proposal to construct a single dwelling unit. The bill would specify that this clarification is declaratory of existing law.

Position

SB 9 **(Atkins D) Housing development: approvals.**

Current Text: Amended: 4/27/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/27/2021
Status: 4/30/2021-Set for hearing May 10.
Location: 4/22/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions.This bill, among other things, would require a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

Position
Oppose

SB 10 **(Wiener D) Planning and zoning: housing development: density.**
Current Text: Amended: 4/27/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/27/2021
Status: 4/30/2021-Set for hearing May 10.
Location: 4/22/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act.

Position

SB 11 **(Rubio D) The California FAIR Plan Association: basic property insurance: exclusions.**
Current Text: Amended: 4/12/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/12/2021
Status: 4/22/2021-Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
Location: 4/22/2021-A. DESK

Desk	Policy	Fiscal	Floor	**Desk**	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California FAIR Plan Association is a joint reinsurance association in which all insurers licensed to write basic property insurance participate in administering a program for the equitable apportionment of basic property insurance for persons who are unable to obtain that coverage through normal channels. Current law defines "basic property insurance" for these purposes, and excludes from that definition insurance on automobile or farm risks. Current law authorizes the governing committee of the association to establish separate classifications of written premiums for the purpose of equitable distribution of basic property insurance, but prohibits those classifications from including premiums from automobile or farm risks. For purposes of the above-described provisions, this bill would exclude from "farm risks" a farm's equipment or permanent structures, other than a private garage, used primarily for the production of commercial agricultural commodities or livestock.

Position

SB 12 **(McGuire D) Local government: planning and zoning: wildfires.**
Current Text: Amended: 5/4/2021 html pdf
Introduced: 12/7/2020

Last Amend: 5/4/2021
Status: 5/4/2021-Read second time and amended. Re-referred to Com. on APPR.
Location: 4/29/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

Position

SB 15 **(Portantino D) Housing development: incentives: rezoning of idle retail sites.**
Current Text: Amended: 3/8/2021 html pdf
Introduced: 12/7/2020
Last Amend: 3/8/2021
Status: 4/5/2021-April 5 hearing: Placed on APPR suspense file.
Location: 4/5/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes, among other housing programs, the Workforce Housing Reward Program, which requires the Department of Housing and Community Development to make local assistance grants to cities, counties, and cities and counties that provide land use approval to housing developments that are affordable to very low and low-income households. This bill, upon appropriation by the Legislature in the annual Budget Act or other statute, would require the department to administer a program to provide incentives in the form of grants allocated as provided to local governments that rezone idle sites used for a big box retailer or a commercial shopping center to instead allow the development of housing, as defined.

Position

SB 16 **(Skinner D) Peace officers: release of records.**
Current Text: Amended: 4/15/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/15/2021
Status: 5/4/2021-May 3 hearing: Placed on APPR suspense file.
Location: 5/3/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, commencing July 1, 2022, make every incident involving use of force to make a member of the public comply with an officer, force that is unreasonable, or excessive force subject to disclosure. The bill would, commencing July 1, 2022, require records relating to sustained findings of unlawful arrests and unlawful searches to be subject to disclosure. The bill would, commencing July 1, 2022, also require the disclosure of records relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in conduct involving prejudice or discrimination on the basis of specified protected classes. The bill would require the retention of all complaints and related reports or findings currently in the possession of a department or agency. The bill would require that records relating to an incident in which an officer resigned before an investigation is completed to also be subject to release.

Position

SB 34 **(Umberg D) Libraries: student success cards.**
Current Text: Amended: 4/15/2021 html pdf
Introduced: 12/7/2020
Last Amend: 4/15/2021
Status: 5/4/2021-May 3 hearing: Placed on APPR suspense file.
Location: 5/3/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require the State Department of Education to develop and implement a competitive grant program to award one-time funding to local educational agencies, as defined, library districts, and public libraries for the purpose of providing every public school pupil enrolled in the local educational agency with a student success card. The bill would require a local educational agency, library district, or public library that applies for grant funding to enter into a memorandum of agreement or memorandum of understanding, as specified, with the appropriate local educational agency, library district, or public library.

Position

SB 45 **(Portantino D) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.**

Current Text: Amended: 4/8/2021 html pdf

Introduced: 12/7/2020

Last Amend: 4/8/2021

Status: 5/4/2021-May 3 hearing: Placed on APPR suspense file.

Location: 5/3/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of $5,595,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.

Position

SB 46 **(Stern D) American Rescue Plan Act funds: federal recovery funds: funded projects.**

Current Text: Amended: 3/10/2021 html pdf

Introduced: 12/7/2020

Last Amend: 3/10/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was G.O. on 3/18/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require, to the extent authorized by federal law, a state agency that receives and disburses ARP funds or other federal recovery funds to consider projects' potential impact on specified goals, including, among other things, restoring frontline communities and rapidly accelerating achievement of environmental justice and climate goals, including, but not limited to, climate, environmental, and biodiversity protection and stimulating growth. The bill would require state agencies to document how proposed projects meet or align with the goals and require the Labor and Workforce Development Agency to establish an internet website where the public can track the expenditure of federal ARP funds by the state and how funded projects meet the goals.

Position

SB 49 **(Umberg D) Income taxes: credits: California Fair Fees Tax Credit.**

Current Text: Amended: 4/29/2021 html pdf

Introduced: 12/7/2020

Last Amend: 4/29/2021

Status: 4/29/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Location: 3/22/2021-S. GOV. & F.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2022, and before January 1, 2027, to a taxpayer that meets certain criteria, including that the taxpayer temporarily ceased business operations for at least 30 consecutive days during the taxable year in response to an emergency order, as defined. The amount of credit would vary based on the number of consecutive days the qualified taxpayer has ceased

business operations during the taxable year, with a maximum amount of $6,000 if the qualified taxpayer has temporarily ceased business operations for at least 180 consecutive days, as provided. The bill would designate the credit allowed under its provisions as the California Fair Fees Tax Credit.

Position

SB 51 **(Durazo D) Surplus residential property.**

Current Text: Amended: 3/8/2021 html pdf

Introduced: 12/7/2020

Last Amend: 3/8/2021

Status: 3/22/2021-Read second time. Ordered to third reading.

Location: 3/22/2021-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	**Floor**	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law prescribes requirements for the disposal of surplus land by a local agency, as defined. This bill, except in the case of specified property, would additionally provide that the surplus land disposal procedures as they existed on December 31, 2019, apply if a local agency, as of September 30, 2019, has issued a competitive request for proposals that seeks development proposals seeking development proposals for the property that includes a residential component of at least 100 residential units and 25% of the total units developed comply with specified affordability criteria, provided that a disposition and development agreement, as defined, is entered into not later than December 31, 2024. If the property is not disposed of pursuant to a qualifying disposition and development agreement before March 31, 2026, or if no disposition and development agreement is entered into before December 31, 2024, the bill would require that future negotiations for and disposition of the property comply with the surplus land disposal procedures then in effect.

Position

SB 52 **(Dodd D) State of emergency: local emergency: planned power outage.**

Current Text: Amended: 4/12/2021 html pdf

Introduced: 12/7/2020

Last Amend: 4/12/2021

Status: 4/29/2021-Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 4/29/2021-A. DESK

Desk	Policy	Fiscal	Floor	**Desk**	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would define a 'deenergization event' as a planned power outage, as specified, and would make a deenergization event one of those conditions constituting a local emergency, with prescribed limitations.

Position

SB 54 **(Allen D) Plastic Pollution Producer Responsibility Act.**

Current Text: Amended: 2/25/2021 html pdf

Introduced: 12/7/2020

Last Amend: 2/25/2021

Status: 4/30/2021-Set for hearing May 10.

Location: 4/26/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would establish the Plastic Pollution Producer Responsibility Act, which would prohibit producers of single-use, disposable packaging or single-use, disposable food service ware products from offering for sale, selling, distributing, or importing in or into the state such packaging or products that are manufactured on or after January 1, 2032, unless they are recyclable or compostable.

Position

SB 55 **(Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses.**

Current Text: Amended: 4/5/2021 html pdf

Introduced: 12/7/2020

Last Amend: 4/5/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/3/2021) (May be acted upon Jan 2022)
Location: 4/30/2021-S. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, in furtherance of specified state housing production, sustainability communities strategies, greenhouse gas reduction, and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks of loss, injury, or death, as specified. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

Position

SB 60 **(Glazer D) Residential short-term rental ordinances: health or safety infractions: maximum fines.**

Current Text: Amended: 3/4/2021 html pdf
Introduced: 12/7/2020
Last Amend: 3/4/2021
Status: 3/18/2021-Read third time. Passed. (Ayes 32. Noes 5.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
Location: 3/18/2021-A. DESK

Desk	Policy	Fiscal	Floor	**Desk**	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law sets specific monetary limits on the fines that may be imposed by city or county authorities for any violation of local building and safety codes that is an infraction, as prescribed. Current law requires a city or county levying fines pursuant to these provisions to establish a process for granting a hardship waiver in certain cases. This bill would, notwithstanding those provisions and with certain exceptions, raise the maximum fines for violation of an ordinance relating to a residential short-term rental, as defined, that is an infraction and poses a threat to health or safety, to $1,500 for a first violation, $3,000 for a 2nd violation of the same ordinance within one year, and $5,000 for each additional violation of the same ordinance within one year of the first violation. The bill would make these violations subject to the process for granting a hardship waiver.

Position

SB 64 **(Leyva D) Mobilehome parks: emergency relief: coronavirus (COVID-19).**
Current Text: Amended: 3/11/2021 html pdf
Introduced: 12/7/2020
Last Amend: 3/11/2021
Status: 3/22/2021-March 22 hearing: Placed on APPR suspense file.
Location: 3/22/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would prohibit the management from terminating or attempting to terminate the tenancy of a homeowner or resident who is impacted by the coronavirus (COVID-19) pandemic, as specified, on the grounds of failure of the homeowner or resident to comply with a reasonable rule or regulation of the park that is part of the rental agreement during a declared state of emergency or local emergency related to the coronavirus (COVID-19) pandemic, and during a 120-day time period after the state of emergency or local emergency is terminated, unless necessary to protect the public health or safety.

Position

SB 83 **(Allen D) Sea Level Rise Revolving Loan Program.**
Current Text: Amended: 4/29/2021 html pdf
Introduced: 12/15/2020
Last Amend: 4/29/2021
Status: 5/3/2021-Withdrawn from committee. Re-referred to Com. on APPR.
Location: 5/3/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes in state government the Ocean Protection Council. Current law

requires the council to, among other things, establish policies to coordinate the collection, evaluation, and sharing of scientific data related to coastal and ocean resources among agencies. Current law establishes the State Coastal Conservancy with prescribed powers and responsibilities for implementing and administering various programs intended to preserve, protect, and restore the state's coastal areas. This bill would require the council, in consultation with the conservancy, to develop the Sea Level Rise Revolving Loan Program for purposes of providing low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property, as provided.

Position

SB 93 **(Committee on Budget and Fiscal Review) Employment: rehiring and retention: displaced workers: COVID-19 pandemic.**

Current Text: Chaptered: 4/16/2021 html pdf

Introduced: 12/16/2020

Last Amend: 4/12/2021

Status: 4/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 16, Statutes of 2021.

Location: 4/15/2021-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	**Chaptered**
1st House				2nd House				Conc.			

Summary: Would, until December 31, 2024, require an employer, as defined, to offer its laid-off employees specified information about job positions that become available for which the laid-off employees are qualified, and to offer positions to those laid-off employees based on a preference system, in accordance with specified timelines and procedures. The bill would define the term "laid-off employee" to mean any employee who was employed by the employer for 6 months or more in the 12 months preceding January 1, 2020, and whose most recent separation from active service was due to a reason related to the COVID-19 pandemic, including a public health directive, government shutdown order, lack of business, a reduction in force, or other economic, nondisciplinary reason related to the COVID-19 pandemic. The bill would require an employer to keep records for 3 years, including records of communications regarding the offers.

Position

SB 99 **(Dodd D) Community Energy Resilience Act of 2021.**

Current Text: Amended: 4/12/2021 html pdf

Introduced: 12/28/2020

Last Amend: 4/12/2021

Status: 5/4/2021-May 3 hearing: Placed on APPR suspense file.

Location: 5/3/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: This bill, the Community Energy Resilience Act of 2021, would require the commission to develop and implement a grant program for local governments to develop community energy resilience plans and expedite permit review of distributed energy resources. The bill would authorize a community choice aggregator or other regional energy collaborative to apply for funding and prepare a community energy resilience plan on behalf of one or more of the local governments it serves upon request of that local government. The bill would set forth guiding principles for plan development, including equitable access to reliable energy, as provided. The bill would require plans to be consistent with the city, county, or city and county general plan and other local government planning documents.

Position

SB 102 **(Melendez R) COVID-19 emergency order violation: license revocation.**

Current Text: Amended: 3/17/2021 html pdf

Introduced: 12/30/2020

Last Amend: 3/17/2021

Status: 4/5/2021-April 5 set for final hearing. Failed passage in committee. (Ayes 6. Noes 7.) Reconsideration granted.

Location: 1/28/2021-S. B., P. & E.D.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would prohibit the Department of Consumer Affairs, a board within the Departmentof Consumer Affairs that does not regulate healing arts licensees, and the Department of Alcoholic Beverage Control from revoking a license or imposing a fine or penalty for failure to comply with any

COVID-19 state of emergency orders or COVID-19 stay-at-home orders, unless the board or department can prove that lack of compliance resulted in transmission of COVID-19. The bill would specify that the provisions do not preclude issuance of fines, penalties, or revoking a license for any action that is not related to the issuance of any COVID-19 state of emergency orders or COVID-19 stay-at-home order.

Position

SB 109 **(Dodd D) Office of Emergency Services: Office of Wildfire Technology Research and Development.**

Current Text: Introduced: 1/6/2021 html pdf

Introduced: 1/6/2021

Status: 3/22/2021-March 22 hearing: Placed on APPR suspense file.

Location: 3/22/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would establish the Office of Wildfire Technology Research and Development within the Office of Emergency Services under the direct control of the Director of the Office of Emergency Services. The bill would make the office responsible for studying, testing, and advising regarding procurement of emerging technologies and tools in order to more effectively prevent and suppress wildfires, and serving as the central organizing hub for the state government's identification of emerging wildfire technologies, as provided.

Position

SB 222 **(Dodd D) Water Rate Assistance Program.**

Current Text: Amended: 5/3/2021 html pdf

Introduced: 1/14/2021

Last Amend: 5/3/2021

Status: 5/3/2021-Read second time and amended. Re-referred to Com. on APPR.

Location: 4/29/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: This bill would establish the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income ratepayers and ratepayers experiencing economic hardship in California. The bill would require the Department of Community Services and Development to develop and administer the Water Rate Assistance Program established by the bill.

Position

SB 223 **(Dodd D) Discontinuation of residential water service.**

Current Text: Amended: 5/3/2021 html pdf

Introduced: 1/14/2021

Last Amend: 5/3/2021

Status: 5/3/2021-Read second time and amended. Re-referred to Com. on APPR.

Location: 4/29/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires an urban and community water system to have a written policy on discontinuation of residential service for nonpayment, including, among other things, specified options for addressing the nonpayment. Current law requires an urban and community water system to provide notice of that policy to customers, as provided. This bill would apply those provisions, on and after July 1, 2022, to a very small community water system, defined as a public water system that supplies water to 200 or fewer service connections used by year long residents.

Position

SB 230 **(Portantino D) State Water Resources Control Board: Constituents of Emerging Concern Program.**

Current Text: Introduced: 1/19/2021 html pdf

Introduced: 1/19/2021

Status: 3/22/2021-March 22 set for first hearing canceled at the request of author.

Location: 3/15/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require the State Water Resources Control Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene, by an unspecified date, the Science Advisory Panel to review and provide recommendations to the state board on CEC for further action, among other duties. The bill would require the state board to provide an annual report to the Legislature on the ongoing work conducted by the panel.

Position

SB 259 **(Wilk R) Public Utilities Commission: oversight of electrical corporations.**

Current Text: Introduced: 1/26/2021 html pdf

Introduced: 1/26/2021

Status: 2/22/2021-Art. IV. Sec. 8(a) of the Constitution dispensed with. (Ayes 32. Noes 4.) Joint Rule 55 suspended. (Ayes 32. Noes 4.)

Location: 1/26/2021-S. RLS.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would state the intent of the Legislature to enact legislation to strengthen the Public Utilities Commission's oversight of electrical corporations' efforts to reduce their fire risk and use of deenergization events.

Position

Spot

SB 261 **(Allen D) Regional transportation plans: sustainable communities strategies.**

Current Text: Introduced: 1/27/2021 html pdf

Introduced: 1/27/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/15/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

Position

SB 273 **(Hertzberg D) Water quality: municipal wastewater agencies.**

Current Text: Introduced: 1/29/2021 html pdf

Introduced: 1/29/2021

Status: 4/22/2021-Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 4/22/2021-A. DESK

Desk	Policy	Fiscal	Floor	**Desk**	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. To

the extent this requirement would impose new duties on local agency formation commissions, the bill would impose a state-mandated local program.

Position

SB 274 **(Wieckowski D) Local government meetings: agenda and documents.**

Current Text: Amended: 4/5/2021 html pdf
Introduced: 1/29/2021
Last Amend: 4/5/2021
Status: 4/22/2021-Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
Location: 4/22/2021-A. DESK

Desk	Policy	Fiscal	Floor	**Desk**	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by email or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.

Position

SB 278 **(Leyva D) Public Employees' Retirement System: disallowed compensation: benefit adjustments.**

Current Text: Amended: 3/23/2021 html pdf
Introduced: 1/29/2021
Last Amend: 3/23/2021
Status: 4/20/2021-April 19 hearing: Placed on APPR suspense file.
Location: 4/20/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a public retirement system, as defined, to modify its plan or plans to comply with the act. PEPRA, among other things, establishes new defined benefit formulas and caps on pensionable compensation. This bill would establish new procedures under PERL for cases in which PERS determines that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with PEPRA and other specified laws and thus impermissible under PERL. The bill would also apply these procedures retroactively to determinations made on or after January 1, 2017, if an appeal has been filed and the employee member, survivor, or beneficiary has not exhausted their administrative or legal remedies. At the threshold, after determining that compensation for an employee member reported by the state, school employer, or a contracting agency is disallowed, the bill would require the applicable employer to discontinue the reporting of the disallowed compensation.

Position

SB 290 **(Skinner D) Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints.**

Current Text: Introduced: 2/1/2021 html pdf
Introduced: 2/1/2021
Status: 5/4/2021-May 3 hearing: Placed on APPR suspense file.
Location: 5/3/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires the amount of a density bonus and the number of incentives or concessions a qualifying developer receives to be pursuant to a certain formula based on the total number of units in the housing development, as specified. This bill would require a unit designated to satisfy the inclusionary zoning requirements of a city or county to be included in the total number of units on which a density bonus and the number of incentives or concessions are based. The bill would

require a city or county to grant one incentive or concession for a student housing development project that will include at least 20% of the total units for lower income students.

Position

SB 314 **(Wiener D) Alcoholic beverages.**

Current Text: Amended: 4/13/2021 html pdf

Introduced: 2/4/2021

Last Amend: 4/13/2021

Status: 5/4/2021-May 3 hearing: Placed on APPR suspense file.

Location: 5/3/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would prohibit the authorization of a catering permit for use at any one premises for more than 52 events in one calendar year, except as specified. The bill would, until July 1, 2023, authorize the Department of Alcoholic Beverage Control to, for 365 days from the date the COVID-19 state of emergency order is lifted, or longer if the licensee has a pending application for permanent expansion of their premises, allow licensees to continue to exercise license privileges in an expanded licensed area authorized pursuant to a COVID-19 temporary catering permit, as provided.

Position

SB 318 **(Melendez R) Land use: development fee or charge: audit: auditor standards.**

Current Text: Introduced: 2/4/2021 html pdf

Introduced: 2/4/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 2/17/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Mitigation Fee Act authorizes a local agency to retain an independent auditor if requested to conduct an audit to determine whether a fee or charge is reasonable, provided, among other conditions, that the person who requests the audit deposits with the local agency the amount of the local agency's reasonable estimate of the cost of that audit, except as provided. This bill would require that the independent auditor be a certified public accountant, as defined, or a firm, as defined, of certified public accountants. The bill would prohibit the local agency from retaining an independent auditor that the local agency contracted with for any reason during the preceding 10 years, as provided. The bill would also prohibit an independent auditor that is retained by a local agency to conduct the audit from soliciting or accepting employment from the local agency for 5 years following the completion of the audit and all subsequent challenges related to the audit.

Position

SB 323 **(Caballero D) Local government: water or sewer service: legal actions.**

Current Text: Amended: 3/17/2021 html pdf

Introduced: 2/5/2021

Last Amend: 3/17/2021

Status: 4/22/2021-Read second time. Ordered to third reading.

Location: 4/22/2021-S. THIRD READING

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law prohibits a local agency from imposing fees for specified purposes, including fees for water or sewer connections, as defined, that exceed the estimated reasonable cost of providing the service for which the fee is charged, unless voter approval is obtained. Current law provides that a local agency levying a new a water or sewer connection fee or increasing a fee must do so by ordinance or resolution. Current law requires, for specified fees, including water or sewer connection fees, any judicial action or proceeding to attack, review, set aside, void, or annul an ordinance, resolution, or motion adopting a new fee or service charge or modifying an existing fee or service charge to be commenced within 120 days of the effective date of the ordinance, resolution, or motion according to specified procedures for validation proceedings. This bill would apply the same judicial action procedure and timelines, as stated above, to ordinances, resolutions, or motions adopting, modifying, or amending water or sewer service fees or charges adopted after January 1, 2022, except as provided.

Position

SB 336 **(Ochoa Bogh R) Public health: COVID-19.**
Current Text: Amended: 5/3/2021 html pdf
Introduced: 2/8/2021
Last Amend: 5/3/2021
Status: 5/3/2021-Read second time and amended. Re-referred to Com. on APPR.
Location: 4/28/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require that before the State Department of Public Health or a local health official takes measures to prevent the spread of COVID-19, as defined, or takes measures to reopen the state, they publish the measures and the date that a change or closure would take effect on their internet website, unless there is an immediate danger or an imminent threat to the public requiring immediate action. The bill would also require the department or local health officials to create an opportunity for organizations, communities, nonprofits, and individuals to sign up for an email distribution list relative to changes in related public health orders. By imposing these duties on local officials, the bill would create a state-mandated local program.

Position

SB 364 **(Skinner D) Pupil meals: Free School Meals For All Act of 2021.**
Current Text: Amended: 4/14/2021 html pdf
Introduced: 2/10/2021
Last Amend: 4/14/2021
Status: 4/30/2021-Set for hearing May 10.
Location: 4/20/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would enact the Free School Meals For All Act of 2021. The bill would express the finding and declaration of the Legislature that no child in California should experience hunger and that every public school pupil should benefit from access to a healthy, locally procured and freshly prepared meal during the schoolday.

Position

SB 378 **(Gonzalez D) Local government: broadband infrastructure development project permit processing: microtrenching permit processing ordinance.**
Current Text: Amended: 5/4/2021 html pdf
Introduced: 2/10/2021
Last Amend: 5/4/2021
Status: 5/4/2021-Read second time and amended. Re-referred to Com. on APPR.
Location: 4/26/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require a local agency to allow, except as provided, microtrenching for the installation of underground fiber if the installation in the microtrench is limited to fiber. The bill would also require, to the extent necessary, a local agency with jurisdiction to approve excavations to adopt or amend existing ordinances, codes, or construction rules to allow for microtrenching. The bill would provide that these provisions do not supersede, nullify, or otherwise alter the requirements to comply with specified safety standards.

Position

SB 389 **(Dodd D) Alcoholic beverages: retail on-sale license: off-sale privileges.**
Current Text: Amended: 4/21/2021 html pdf
Introduced: 2/11/2021
Last Amend: 4/21/2021
Status: 5/5/2021-Read second time. Ordered to third reading.
Location: 5/5/2021-S. THIRD READING

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes the Department of Alcoholic Beverage Control to issue various types

of licenses and prohibits a person from exercising the privilege which a licensee may exercise or performing under the authority of a license unless the person is authorized to do so by a license. TThis bill would authorize the holder of a retail on-sale license or a licensed beer manufacturer that operates a bona fide eating place to exercise additional off-sale rights and privileges, subject to specified requirements. In this regard, the bill would authorize the licensee to sell alcoholic beverages for off-sale consumption for which their license permits on-sale consumption if the beverages are in manufacturer prepackaged containers.

Position

SB 397 **(Jones R) Emergency powers: essential services: religious services.**

Current Text: Amended: 3/15/2021 html pdf

Introduced: 2/11/2021

Last Amend: 3/15/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 3/15/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Emergency Services Act authorizes the Governor to proclaim a state of emergency, and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the local government to exercise certain powers in response to that emergency. Current law grants immunity to the state and its political subdivisions for any claim based upon the exercise or performance, or the failure to exercise or perform, a discretionary function or duty on the part of a state or local agency or any employee of the state or its political subdivisions in carrying out the California Emergency Services Act. This bill, the Religion is Essential Act, would, during a state of emergency or local emergency, require the Governor or the local government to deem religious services to be an essential service and to be necessary and vital to the health and welfare of the public.

Position

SB 418 **(Laird D) Sea level rise planning: database.**

Current Text: Amended: 3/17/2021 html pdf

Introduced: 2/12/2021

Last Amend: 3/17/2021

Status: 4/30/2021-Set for hearing May 10.

Location: 4/27/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires the Natural Resources Agency, in collaboration with the Ocean Protection Council, to create, update biannually, and post on an internet website a Planning for Sea Level Rise Database describing steps being taken throughout the state to prepare for, and adapt to, sea level rise. Current law further requires that various public agencies and private entities provide to the agency, on a biannual basis, sea level rise planning information, as defined, that is under the control or jurisdiction of the public agencies or private entities, and requires the agency to determine the information necessary for inclusion in the database, as prescribed. Current law repeals these provisions on January 1, 2023.This bill would extend the sunset date for the above provisions until January 1, 2028.

Position

SB 426 **(Rubio D) Municipal separate storm sewer systems: financial capability analysis.**

Current Text: Amended: 3/1/2021 html pdf

Introduced: 2/12/2021

Last Amend: 3/1/2021

Status: 3/22/2021-March 22 hearing: Placed on APPR suspense file.

Location: 3/22/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require the State Water Resources Control Board, by July 1, 2022, to establish financial capability assessment guidelines for municipal separate storm sewer system permittees that are adequate and consistent when considering the costs to local jurisdictions. The bill would require the state board and the regional boards to continue using available regulatory tools and other approaches to foster collaboration with permittees to implement permit requirements in light of the

costs of implementation.

Position

SB 452 **(Gonzalez D) State government: Immigrant and Refugee Affairs Agency: Office of Immigrant and Refugee Affairs.**

Current Text: Amended: 4/19/2021 html pdf
Introduced: 2/16/2021
Last Amend: 4/19/2021
Status: 4/30/2021-Set for hearing May 10.
Location: 4/28/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law designates 8 agencies in state government and requires the secretary of an agency to be generally responsible for the sound fiscal management of each department, office, or other unit within the agency. Current law further requires the secretary of an agency to, among other duties, continually seek to improve the organization structure, the operating policies, and the management information systems of each department, office, or other unit. This bill would, until January 1, 2029, establish the Immigrant and Refugee Affairs Agency as an agency within state government, to be headed by a secretary who is appointed by the Governor and subject to Senate confirmation. The bill would specify that the purpose of the agency is to reduce obstacles and enhance immigrant integration, as defined, into the social, cultural, economic, and civic life of the state.

Position

SB 477 **(Wiener D) General plan: annual report.**

Current Text: Introduced: 2/17/2021 html pdf
Introduced: 2/17/2021
Status: 4/5/2021-April 5 hearing: Placed on APPR suspense file.
Location: 4/5/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the planning agency of a city or county to provide, by April 1 of each year, an annual report to, among other entities, the Department of Housing and Community Development that includes, among other specified information, the number of applications submitted, the location and total number of developments approved, the number of building permits issued, and the number of units constructed pursuant to a specific streamlined, ministerial approval process. This bill would, commencing January 1, 2023, require a planning agency to include in that annual report specified information on costs, standards, and applications for proposed housing development projects and specified information on housing development projects within the jurisdiction.

Position

SB 478 **(Wiener D) Planning and Zoning Law: housing development projects.**

Current Text: Amended: 4/12/2021 html pdf
Introduced: 2/17/2021
Last Amend: 4/12/2021
Status: 5/4/2021-Set for hearing May 10.
Location: 4/29/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Planning and Zoning Law requires the Department of Housing and Community Development to notify the city, county, or city and county, and authorizes the department to notify the Attorney General, that the city, county, or city and county is in violation of state law if the department finds that the housing element or an amendment to that element, or any specified action or failure to act, does not substantially comply with the law as it pertains to housing elements or that any local government has taken an action in violation of certain housing laws. Would prohibit a local agency, as defined, from imposing a floor-to-area ratio standard that is less than 1.0 on a housing development project that consists of 3 to 7 units, or less than 1.25 on a housing development project that consists of 8 to 10 units. The bill would prohibit a local agency from imposing a lot coverage requirement that would preclude a housing development project from achieving the floor-to-area ratios described above.

Position

SB 490 **(Caballero D) Housing acquisition and rehabilitation: technical assistance.**
Current Text: Amended: 4/22/2021 html pdf
Introduced: 2/17/2021
Last Amend: 4/22/2021
Status: 5/4/2021-May 3 hearing: Placed on APPR suspense file.
Location: 5/3/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would, upon appropriation by the Legislature, establish the Housing Acquisition and Rehabilitation Technical Assistance Program, with the purpose of providing technical assistance to qualified entities engaged in acquisition-rehabilitation projects. The bill would defined "acquisition-rehabilitation project" as a project to acquire and preserve unsubsidized housing units and attaching long-term affordability restrictions on the housing units. The bill would define "qualified entity" to include an eligible nonprofit corporation, community land trust, public housing authority, a nonprofit, limited-equity, or workforce housing cooperative, a resident association or organization, and a local or regional government agency administering an acquisition-rehabilitation project funding program.

Position

SB 499 **(Leyva D) General plan: land use element: uses adversely impacting health outcomes.**
Current Text: Introduced: 2/17/2021 html pdf
Introduced: 2/17/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 2/25/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-S. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

Position

SB 526 **(Min D) Community water systems: lead user service lines.**
Current Text: Introduced: 2/17/2021 html pdf
Introduced: 2/17/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 2/25/2021) (May be acted upon Jan 2022)
Location: 4/30/2021-S. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires, by July 1, 2020, a community water system with known lead user service lines in use in its distribution system to provide a timeline for replacement of those lines to the State Water Resources Control Board. Current law requires the state board to review and approve an established timeline, and requires, if the state board fails to act within 30 days of the submission of the timeline, the timeline to be deemed approved. Current law authorizes the state board to enforce these requirements, as specified, and a violation is considered a violation of the California Safe Drinking Water Act, subjecting the violator to specified civil and criminal penalties. This bill would, until January 1, 2025, require a community water system to remove or replace the full lead user service line, if the community water system disturbs, removes, or replaces a portion thereof. The bill would apply the above-described enforcement provisions to a violation of the requirements of the bill, thereby creating a state-mandated local program by expanding the scope of crimes under the California Safe Drinking Water Act.

Position

SB 533 **(Stern D) Electrical corporations: wildfire mitigation plans: deenergization events: microgrids.**
Current Text: Amended: 4/29/2021 html pdf

Introduced: 2/17/2021
Last Amend: 4/29/2021
Status: 4/29/2021-Read second time and amended. Re-referred to Com. on APPR.
Location: 4/28/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require that an electrical corporation's wildfire mitigation plan identify circuits that have frequently been deenergized to mitigate the risk of wildfire and the measures taken, or planned to be taken, by the electrical corporation to reduce the need for future deenergization of those circuits, including replacing, hardening, or undergrounding any portion of the circuit or of upstream transmission or distribution lines, or the installation of microgrids.

Position

SB 555 **(McGuire D) Local agencies: transient occupancy taxes: short-term rental facilitator: collection.**

Current Text: Amended: 4/12/2021 html pdf
Introduced: 2/18/2021
Last Amend: 4/12/2021
Status: 5/4/2021-May 3 hearing: Placed on APPR suspense file.
Location: 5/3/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would authorize a local agency, defined to mean a city, county, or city and county, including a charter city, county, or city and county, to enact an ordinance exclusively delegating its authority to collect any transient occupancy tax imposed by that local agency on short-term rentals to the California Department of Tax and Fee Administration and to enter into a contract with the department for purposes of registration, rate posting, collection, and transmission of revenues necessary to collect and administer any transient occupancy tax imposed on a short-term rental as specified in this bill.

Position

SB 556 **(Dodd D) Street light poles, traffic signal poles: small wireless facilities attachments.**
Current Text: Amended: 5/4/2021 html pdf
Introduced: 2/18/2021
Last Amend: 5/4/2021
Status: 5/4/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.
Location: 4/22/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would prohibit a local government or local publicly owned electric utility from unreasonably denying the leasing or licensing of its street light poles or traffic signal poles to communications service providers for the purpose of placing small wireless facilities on those poles. The bill would require that street light poles and traffic signal poles be made available for the placement of small wireless facilities under fair, reasonable, and nondiscriminatory fees, as provided. The bill would authorize a local government or local publicly owned electric utility to condition access to its street light poles or traffic signal poles on reasonable terms and conditions, including reasonable aesthetic and safety standards. The bill would specify time periods for various actions relative to requests for placement of a small wireless facility by a communications service provider on a street light pole or traffic signal pole.

Position

SB 557 **(Wieckowski D) Hazardous waste: treated wood waste.**
Current Text: Introduced: 2/18/2021 html pdf
Introduced: 2/18/2021
Status: 4/20/2021-April 19 hearing: Placed on APPR suspense file.
Location: 4/20/2021-S. APPR. SUSPENSE FILE

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law regulates the control of hazardous waste, but exempts from the hazardous waste control laws, wood waste that is exempt from regulation under the federal Resource Conservation and Recovery Act of 1976, as amended, if the wood waste is disposed of in a municipal landfill that meets certain requirements imposed pursuant to the Porter-Cologne Water Quality Control

Act for the classification of disposal sites, and the landfill meets other specified requirements. A violation of the state's hazardous waste control laws, including a regulation adopted pursuant to those laws, is a crime. This bill would define the term "treated wood" and would require treated wood waste, as defined, to be disposed of in either a class I hazardous waste landfill or in a composite-lined portion of a solid waste landfill unit that meets specified requirements.

Position

SB 581 **(Atkins D) General plan.**

Current Text: Introduced: 2/18/2021 html pdf

Introduced: 2/18/2021

Status: 5/5/2021-Read second time. Ordered to consent calendar.

Location: 5/4/2021-S. CONSENT CALENDAR

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Planning and Zoning Law, requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires the planning agency of a city or county to provide by April 1 of each year an annual report to, among other entities, the Department of Housing and Community Development. The law requires that the annual report include, among other specified information, the number of housing development applications received and the number of units approved and disapproved in the prior year. This bill would additionally require the planning agency include in the annual report whether the city or county is a party to a court action related to a violation of state housing law, and the disposition of that action.

Position

SB 612 **(Portantino D) Electrical corporations and other load-serving entities: allocation of legacy resources.**

Current Text: Amended: 5/4/2021 html pdf

Introduced: 2/18/2021

Last Amend: 5/4/2021

Status: 5/4/2021-Read second time and amended. Re-referred to Com. on APPR.

Location: 4/26/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require an electrical corporation, by July 1, 2022, and not less than once every 3 years thereafter, to offer an allocation of certain electrical resources to its bundled customers and to other load-serving entities, including electric service providers and community choice aggregators, that serve departing load customers who bear cost responsibility for those resources. The bill would authorize a load-serving entity within the service territory of the electrical corporation to elect to receive all or a portion of the vintaged proportional share of those legacy resources allocated to its end-use customers and, if it so elects, would require it to pay to the electrical corporation the commission-established market price benchmark for the vintage proportional share of the resources received.

Position

SB 619 **(Laird D) Organic waste: reduction regulations.**

Current Text: Amended: 4/13/2021 html pdf

Introduced: 2/18/2021

Last Amend: 4/13/2021

Status: 4/29/2021-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 29). Re-referred to Com. on APPR.

Location: 4/29/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Curent law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve those targets for reducing organic waste in landfills, and authorizes those regulations to require local jurisdictions to impose requirements on generators or other relevant entities within their jurisdiction, to authorize local jurisdictions to impose penalties on generators for noncompliance, and to include penalties to be imposed by the department for noncompliance. Current law provides that those regulations shall take effect on or after January 1, 2022, except that the imposition of penalties by local jurisdictions pursuant to the regulations shall not take effect until 2 years after the effective date of the regulations. This bill, until January 1, 2023,

would require the department to only impose a penalty on a local jurisdiction, and would require a penalty to only accrue, for a violation of the regulations if the local jurisdiction did not make a reasonable effort, as determined by the department, to comply with the regulations.

Position
Support

SB 621 **(Eggman D) Conversion of motels and hotels: streamlining.**
Current Text: Amended: 4/5/2021 html pdf
Introduced: 2/18/2021
Last Amend: 4/5/2021
Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 4/15/2021)(May be acted upon Jan 2022)
Location: 4/30/2021-S. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would authorize a development proponent to submit an application for a development for the complete conversion, as defined, of a structure with a certificate of occupancy as a motel or hotel into multifamily housing units to be subject to a streamlined, ministerial approval process, provided that development proponent reserves 10% of the proposed housing units for lower income households, unless a local government has affordability requirements that exceed these requirements. The bill would require the structure proposed to be converted be vacant for at least 6 months prior to the submission of the application, except as provided. The bill would require the development proponent to comply with specified requirements regarding the payment of prevailing rate or per diem wages for construction work related to the part of the development that is a public work and the use of a skilled and trained workforce on the development, except as provided.

Position

SB 649 **(Cortese D) Local governments: affordable housing: local tenant preference.**
Current Text: Amended: 4/19/2021 html pdf
Introduced: 2/19/2021
Last Amend: 4/19/2021
Status: 5/5/2021-Read second time. Ordered to third reading.
Location: 5/5/2021-S. THIRD READING

Desk	Policy	Fiscal	**Floor**	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would establish a state policy supporting local tenant preferences for lower income households, as defined, that are subject to displacement risk, and, further, permit local governments and developers in receipt of local or state funds, federal or state tax credits, or an allocation of tax-exempt private activity bonds designated for affordable rental housing to restrict occupancy by creating a local housing preference for lower income households subject to displacement risk. The bill, subject to certain requirements and limitations, would authorize a local government to allow a local tenant preference in an affordable housing rental development to reduce displacement of lower income households with displacement risk beyond local government boundaries by adopting a program that allows preferences in affordable rental housing acquired, constructed, preserved or funded with state or local funds or tax programs.

Position

SB 728 **(Hertzberg D) Density Bonus Law: purchase of density bonus units by nonprofit housing organizations.**
Current Text: Amended: 4/15/2021 html pdf
Introduced: 2/19/2021
Last Amend: 4/15/2021
Status: 5/4/2021-Set for hearing May 10.
Location: 4/29/2021-S. APPR.

Desk	Policy	**Fiscal**	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law, commonly referred to as the Density Bonus Law, requires a city or county to provide a developer that proposes a housing development within the city or county with a density bonus and other incentives or concessions, as specified, if the developer agrees to construct, among other options, specified percentages of units for moderate-income or, lower, or very low income households and meets other requirements. Current law requires the developer and the city or county to ensure that the initial occupant of a for-sale unit that qualified the developer for the award of the density bonus is a person or family of very low, low, or moderate income. This bill, as an alternative to

ensuring that the initial occupant of a for-sale unit is a person or family of the required income, would authorize the developer and the city or county to ensure that a qualified nonprofit housing organization that is receiving the above-described welfare exemption purchases the unit pursuant to a specified recorded contract that includes an affordability restriction, an equity sharing agreement, and a repurchase option that requires a subsequent purchaser that desires to sell or convey the property to first offer the nonprofit corporation the opportunity to repurchase the property.

Position

SB 735 **(Rubio D) Vehicles: speed safety cameras.**

Current Text: Amended: 3/10/2021 html pdf

Introduced: 2/19/2021

Last Amend: 3/10/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/18/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would authorize a local authority to use a traffic speed safety system, as defined, to enforce speed limits in a school zone. The bill would prescribe requirements for the operation of a traffic speed safety system, including, among other things, notice to the public, issuance of citations, and confidentiality of data. The bill would create an administrative proceeding for persons to pay or contest a citation captured by a traffic speed safety system and a procedure to appeal an adverse decision. The bill would impose a civil penalty for a violation. The bill would require the use of the online adjudicatory tool to determine a person's ability to pay that penalty and require that fees be collected pursuant to the process created in the pilot program described above.

Position

SB 765 **(Stern D) Accessory dwelling units: setbacks.**

Current Text: Introduced: 2/19/2021 html pdf

Introduced: 2/19/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HOUSING on 3/3/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

Desk	**2 year**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Planning and Zoning Law, among other things, provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law prohibits a local agency's accessory dwelling unit ordinance from imposing a setback requirement of more than 4 feet from the side and rear lot lines for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure. This bill would remove the above-described prohibition on a local agency's accessory dwelling unit ordinance, and would instead provide that the rear and side yard setback requirements for accessory dwelling units may be set by the local agency. The bill would authorize an accessory dwelling unit applicant to submit a request to the local agency for an alternative rear and side yard setback requirement if the local agency's setback requirements make the building of the accessory dwelling unit infeasible.

Position

SCA 2 **(Allen D) Public housing projects.**

Current Text: Introduced: 12/7/2020 html pdf

Introduced: 12/7/2020

Status: 4/29/2021-From committee: Be adopted and re-refer to Com. on E. & C.A. with recommendation: To consent calendar. (Ayes 9. Noes 0.) (April 29). Re-referred to Com. on E. & C.A.

Location: 4/29/2021-S. E. & C.A.

Desk	**Policy**	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Constitution prohibits the development, construction, or acquisition of a low-rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified. This measure would repeal these provisions.

Position

Total Measures: 171
Total Tracking Forms: 171

City of Santa Clara
The Center of What's Possible

City Manager's Office

2021 Q1 Legislative Action

Below is a summary of the actions that were taken during 2021 Q1 as they align to the City of Santa Clara's 2021 Legislative Advocacy Positions (LAPs), guiding principles for legislative advocacy, or approved City policies (e.g. City Council Goals and Priorities). The letters are attached to this document.

COVID-19 Legislation LAP

- February 3, 2021 Letter to Congressman Ro Khanna regarding COVID-19 relief funding for libraries (Support)
- March 3, 2021 Letter to Governor Gavin Newsom, Senator Nancy Skinner, and Assemblymember Phil Ting regarding COVID-19 relief funding to maintain affordable energy costs to customers (Support)

Promote and Enhance Economic, Housing and Transportation Development City Council Goal

- April 5, 2021 Letter to Assemblymembers Anthony Rendon, Phil Ting and Wendy Carrillo regarding investment for worker ownership transitions to protect small businesses (Support)
- April 5, 2021 Letter to Senators Toni Atkins, Nancy Skinner, Anna Caballero regarding investment for worker ownership transitions to protect small businesses (Support)

Protect and/or Increase Local Government Discretion Guiding Legislative Principle

- March 18, 2021 Letter to President Pro Tempore Toni Atkins regarding SB 9 (Oppose)

Public Safety LAP

- May 19, 2021 Letter to Santa County Board of Supervisors regarding not opting out of Laura's Law and providing Assisted Outpatient Treatment

Regional Transportation Issues LAP

- April 20, 2021 Letter to Senators Dianne Feinstein, Alex Padilla, and Congressman Ro Khanna regarding support for Santa Clara transportation projects and consideration of infrastructure funding
- April 28, 2021 Letter to Senators Dianne Feinstein, Alex Padilla, and Congressman Ro Khanna regarding eligibility of Santa Clara transportation projects for infrastructure funding

Sustainability and Environmental Legislation, Regulations, and Issues LAP

- February 16, 2021 Letter to Assembly Member Quirk regarding AB 332 (Support)
- April 22, 2021 Letter to Senator Ben Allen regarding SB 619 (Support)
- Not dated Letter to President Biden and Members of Congress regarding investment in sustainable infrastructure (Support)

Task Force on Diversity, Equity, and Inclusion Mission Statement

- Mayors United Against Antisemitism Petition

City of Santa Clara
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Mayor

Lisa M. Gillmor

Councilmembers
Anthony J. Becker
Raj Chahal
Karen Hardy
Suds Jain
Kevin Park
Kathy Watanabe

February 3, 2021

The Honorable Ro Khanna
U.S. House of Representatives
306 Cannon House Office Building
Washington, DC 20515

Dear Representative Khanna:

I am writing to request that you advocate and vote for critical funding for libraries in the upcoming COVID-19 emergency relief bill. Every day, there are many who are unable to work, learn, and access critical resources because they lack broadband connectivity, digital resources and related services. In Santa Clara, our libraries have continued providing services to our patrons in adherence to the State and County's Stay at Home Orders, while enhancing our online resources and serving as a COVID-19 testing site during the pandemic.

As such, we recognize that libraries are a critical partner in keeping our citizens safe and our economy thriving. America's libraries must be included in the next COVID-19 relief bill. Specifically, the City of Santa Clara is asking for the following:

- Please include $200 million for the Library Services and Technology Act (LSTA) to be distributed through the Institute of Museum and Library Services.
- Please provide every state library a minimum of $2 million in base funding to ensure access to broadband connectivity, digital resources and related services to support distance learners and job seekers.

Communities in California are relying heavily on libraries for a wide range of services to survive the pandemic, especially in hard-hit rural and under-served communities. Library staff have mobilized their resources to keep students learning and workers earning throughout the pandemic, and we need this crucial relief funding to keep going. Our communities are depending on us in this turbulent time.

Thank you for your efforts on this issue.

Sincerely,



Lisa M. Gillmor
Mayor
City of Santa Clara

Cc: Senator Dianne Feinstein
Senator Alex Padilla

City of Santa Clara
The Center of What's Possible

Mayor
Lisa M. Gillmor

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March 3, 2021

The Honorable Gavin Newsom
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

The Honorable Nancy Skinner
Chair, Senate Budget and Fiscal Review Committee
State Capitol, Room 5019
Sacramento, CA 95814

The Honorable Phil Ting
Chair, Assembly Budget Committee
State Capitol, Room 6026
Sacramento, CA 95814

Re: Request for COVID-19 Assistance to Maintain Affordable Energy Costs for Customer

Dear Governor Newsom, Chair Skinner, and Chair Ting:

On behalf of City of Santa Clara, we would like to express our appreciation for the quick and decisive leadership and action in providing relief for Californians who are struggling the most during this COVID-19 pandemic. However, additional support is needed to ensure that residents and businesses in Santa Clara are not faced with rising utility costs as a result of the pandemic. The City of Santa Clara supports the request submitted by the California Municipal Utilities Association (CMUA), which seeks at least $1 billion in assistance for publicly-owned water, wastewater and electric utilities.

The City of Santa Clara provides water, wastewater, electricity, and waste collection services at cost and has implemented initiatives that complement the important work of the state and federal governments. Since March 2020, Santa Clara has adopted a wide array of customer assistance measures. These include, but are not limited to, voluntarily suspending residential customer disconnections due to non-payment, waiving late fees on past due bills, working with customers to establish payment arrangements, offered $30 bill credit towards energy efficiency, expanding program offerings to support low-income residential customers through rate assistance programs for customers impacted by COVID-19, launched an energy efficiency grant program for small businesses impacted by COVID-19 up to $10,000 and re-establishing the "Help Your Neighbor" program that allows residents to contribute to a fund that assists customers that are having trouble paying their utility bills due to COVID-19 or other

economic hardships. As a City, we take great pride in our responsibility to provide safe, reliable, and affordable services to our residents and businesses during this difficult time.

Unfortunately, Santa Clara is experiencing a mounting debt of over $12M from customer non-payment or payment deferrals. If the debt exceeds our reserves, we will be forced to increase all customers' electricity rates during these already very challenging times, an outcome we are working hard to prevent.

There have been several efforts to date to provide utility bill relief to customers, but unfortunately those efforts have fallen far short of overall need. For instance, while utility payments are an eligible category in the distribution of funds through the SB 91 Rental Assistance Program, the core focus is rightfully on ensuring Californians can stay in their homes without the fear of eviction. Additionally, California's portion of specific federal funding for water and wastewater utility bills is expected to cover only a very small portion of the entire amount of unpaid bills. And the federal government has only been able to provide an additional $49 million in LIHEAP funding, a federal program aimed to assist low-income households meet their energy needs. This means that further assistance is needed to help customers with their past-due water, wastewater and electric utility bills. As such, we strongly urge the Legislature to allocate at least $1 billion in additional and dedicated funding for publicly owned utilities and water/wastewater agencies to work with their customers on arrearages, preferably as an early budget action so assistance can be provided as soon as possible.

Thank you for your consideration and continued leadership. We welcome a discussion on this topic along with our fellow publicly owned utilities on this topic and the opportunity to provide more information on how funds can best be targeted to address POU customer challenges. If you would like more information about our Santa Clara's electric or water utility, or to discuss this further, please contact Basil Wong at (510) 566-3500 or email bwong@santaclaraca.gov.

Sincerely,

Lisa Gillmor
Mayor

Cc: The Honorable Toni Atkins, Senate President pro Tempore
The Honorable Anthony Rendon, Speaker of the Assembly
The Honorable Scott Wilk, Senate Republican Leader
The Honorable Marie Waldron, Assembly Republican Leader
The Honorable Ben Hueso, Senate Energy, Utilities and Communication Committee Chair
The Honorable Chris Holden, Assembly Utilities and Energy Committee Chair
The Honorable Bob Wieckowski, Senate
The Honorable Alex Lee, Assembly

City of Santa Clara
The Center of What's Possible

Mayor

Lisa M. Gillmor

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Kathy Watanabe

April 5, 2021

The Honorable Anthony Rendon
Speaker, California Assembly
State Capitol, Room 219
Sacramento, CA 95814

The Honorable Phil Ting
Chair, Assembly Budget Committee
State Capitol, Room 6026
Sacramento, CA 95814

The Honorable Wendy Carrillo
Chair, Assembly Subcommittee No. 4
State Capitol, Room 4167
Sacramento, CA 95814

RE: Request for $36.5 Million in a One-Time Investment for Worker Ownership Transitions to Protect Small Businesses - SUPPORT

Dear Legislative and Budget Leadership:

The undersigned organizations listed below write in support of Assemblymember Kalra's request for a one-time investment of $36.5M to fund outreach, education, technical assistance, and forgivable loans or other forms of favorable financing to small businesses undergoing worker ownership transitions. This budget request was co-signed by Assemblymembers Bonta, Chiu, Gonzalez, Villapudua, and Wicks.

The City of Santa Clara takes very seriously the need to support our small business community; we are a community built on the successes of small businesses. We see worker ownership as a way of providing additional options for business owners thinking about their future, and in 2019 we took deliberate action to advance this cause. Through unanimous action by the City Council, we created the Worker Cooperative Initiative focused on bringing these ownership models to our city and funded the program with $100,000. We have since passed a formal and unanimous Resolution (#20-8823) entitled, "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA SUPPORTING THE DEVELOPMENT AND GROWTH OF WORKER COOPERATIVES IN THE CITY" and have engaged the leading experts in this field to educate our business community about worker ownership and help the City build a sustainable worker cooperative program.

Building on provisions in the 2020 Budget Act, and recent recommendations from The Little Hoover Commission and Public Policy Institute of California, we urge you to continue your integral leadership in protecting small businesses and their workers so we can rebuild the economy with inclusion and equity at the forefront.

Recommendation #1: Employee Ownership Outreach Campaigns through State Agencies
Working with an advisory group from the worker ownership field, launch a three-year, $1.5M worker ownership awareness campaign through GO-Biz, IBank, and LWDA targeting California's small business owners, workers, lenders, economic development stakeholders, and consumers. These campaigns would educate California's small business owners about worker ownership as a succession plan and exit option; workers about the job-saving and wealth-building potential of worker buyouts; lenders and economic development stakeholders about the viability and mechanics of these business transitions; and consumers about the community-level benefits of shopping worker-owned.

Recommendation #2: Expand Capital for Worker Ownership Transitions through IBank Loan Guarantees, Incentives, and Other Financial Supports
Allocate $35M to support IBank guarantees to facilitate worker ownership transitions across rural and urban communities statewide, in alignment with LWDA-initiatives like Social Entrepreneurs for Economic Development (SEED), and IBank's CA Rebuilding Fund. Recommended components include 95% IBank guarantees on loans for worker buyouts, favorable terms such as below-market interest rates, extended maturities, and other financial supports such as provisions for full or partial forgiveness of loan principal or interest under specified, equity-driven conditions. This could also be implemented through grant funding or a special trust that would pay off loans when specified conditions are met, including generally removing regulatory barriers (e.g. unnecessary personal guarantees), and raising awareness among IBank's participating lenders regarding worker ownership.

Recommendation #3: Feasibility Study Subsidies
Provide direct funding to subsidize feasibility studies for worker ownership transitions to worker cooperatives and 100% Employee Stock Ownership Plans (ESOPs). Existing funding streams may be available for this purpose (e.g. WIOA Rapid Response dollars for layoff aversion and High Road Training Partnerships) but require administrative clarity from the State.

Making owners out of employees will create opportunities for wealth-building and community stability and help California to not just survive COVID-19, but to create a more inclusive, equitable, and stable economy fit for the 21st century.

Sincerely,



Mayor Lisa Gillmor
City of Santa Clara

City of Santa Clara
The Center of What's Possible

Mayor

Lisa M. Gillmor

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Anthony J. Becker
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Karen Hardy
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Kathy Watanabe

April 5, 2021

The Honorable Toni Atkins
President pro Tempore, California Senate
State Capitol, Room 205
Sacramento, CA 95814

The Honorable Anna Caballero
Chair, Senate Subcommittee No. 4
State Capitol, Room 5052
Sacramento, CA 95814

The Honorable Nancy Skinner
Chair, Senate Budget Committee
State Capitol, Room 5019
Sacramento, CA 95814

RE: Request for $36.5 Million in a One-Time Investment for Worker Ownership Transitions to Protect Small Businesses - SUPPORT

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Making owners out of employees will create opportunities for wealth-building and community stability and help California to not just survive COVID-19, but to create a more inclusive, equitable, and stable economy fit for the 21st century.

Sincerely,



Mayor Lisa Gillmor
City of Santa Clara

City of Santa Clara
The Center of What's Possible

Mayor

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Kevin Park
Kathy Watanabe

March 18, 2021

The Honorable Toni Atkins
State President Pro Tempore
State Capitol, Room 205
Sacramento, CA 95814

RE: SB 9 (Atkins) – OPPOSE

Dear Pro Tem Atkins,

On behalf of the City of Santa Clara, I am writing to express our opposition to SB 9, which would require cities and counties to permit ministerially either a housing development of up to two units, or the subdivision of a parcel into two equal parcels, as long as they meet specified conditions.

The City of Santa Clara is a leader in providing much needed housing for the region. We have thousands of new housing units in the entitlement process and under construction and are planning for thousands more through new Specific Plans. We strongly advocate that local cities be given the opportunity to responsibly plan for new housing growth in a manner that allows for the development of new neighborhoods that are both attractive and provide a full range of amenities to their residents, rather than the unplanned insertion of units where they can disrupt the established neighborhood character. Accordingly, we assert that the approach taken by SB 9 is counter-productive to the goal of providing a quality living environment for future residents and will ultimately result in increased community opposition to new housing production.

Specifically, SB 9 requires a housing development on an eligible single-family zoned parcel containing two units to be considered ministerially. SB 9 also requires a city or county to ministerially approve or deny a parcel map for an urban lot split that meets specified requirements.
While SB 9 does allow a local government to adopt an ordinance to implement its duplex and lot split provisions, the bill otherwise eliminates public review and input on these projects and undermines comprehensive land use planning documents, such as the City's General Plan. Because SB 9 would override local land use plans and regulations, it ignores the careful planning that has been undertaken at the local level. Local planning efforts encourage public engagement and provide a collaborative process by which a local agency can determine what housing solutions are most appropriate for communities and how to appropriately plan for future growth.

SB 9 and similar legislation to streamline permit review processes reduce public engagement and eliminate the opportunity for input on pending developments. Public comments by local residents often bring to light a potential adverse impact of a proposed development, or elements that the community would like to see incorporated into the project. Consideration of such public input during the permit review process leads to higher quality development and should not be eliminated.

It is for these reasons that the City of Santa Clara has taken an oppose position on SB 9.

Sincerely,

Lisa Gillmor
Mayor, City of Santa Clara

City of Santa Clara
The Center of What's Possible

Mayor

Lisa M. Gillmor

Councilmembers
Anthony J. Becker
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Kathy Watanabe

May 19, 2021

Santa Clara County Board of Supervisors
70 West Hedding Street
East Wing, 10th Floor
San Jose, CA 95110

RE: Laura's Law in Santa Clara County

Dear Santa Clara County Board of Supervisors,

On behalf of the City of Santa Clara, I am writing to encourage the County not to opt out of offering Assisted Outpatient Treatment (AOT), as required under Assembly Bill (AB) 1976. Signed into law last year, AB 1976 removes the sunset date of AOT, commonly known as Laura's Law, and provides a tool for treating the mentally ill through court-ordered assisted outpatient treatment. In approving AB 1976, the State Legislature broadly recognized the need for solutions that help individuals receive the care they need to live safely in their communities.

Mental illness and substance use are prolific problems nationally, throughout the state, and in our local communities. In 2018, the California Health Care Foundation reported that 62.8% of California adults with mental illness did not receive mental health services. The California Department of Health Care Services (DHCS) reports that the majority of individuals in AOT have co-occurring diagnoses, meaning that they have both a mental health and substance use disorder. Locally, the 2019 North County Homeless Census and Survey found that 38% of respondents reported psychiatric or emotional conditions and 26% of respondents reported that mental health services might have prevented them from becoming homelessness.

A 2020 DHCS report on Laura's Law implementation in 19 counties showed a reduction in violent behavior by 64%, homelessness by 30%, hospitalization by 33%, and contact with law enforcement by 46%. In addition, a 2020 California State Auditor Report found that AOT is an effective community-based approach to mental health treatment to help prevent future involuntary holds and conservatorships. This data reflects the importance of having AOT available and its impact to individuals with mental illnesses and their communities.

As we work to address these important issues within our community, the City of Santa Clara recognizes the need for a diverse set of options for residents in dire need of community-based outpatient care and supports efforts to assist individuals in crisis. For these reasons, we urge you to adopt Laura's Law as a tool that will help close gaps in behavioral health care. Thank you for your consideration.

Sincerely,



Lisa M. Gillmor
Mayor, City of Santa Clara

City of Santa Clara
The Center of What's Possible

Mayor

Lisa M. Gillmor

Councilmembers
Anthony J. Becker
Raj Chahal
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Suds Jain
Kevin Park
Kathy Watanabe

April 20, 2021

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

The Honorable Alex Padilla
United States Senate
B03 Russell Senate Office Building
Washington, DC 20510

The Honorable Ro Khanna
United States House of Representatives
306 Cannon House Office Building
Washington, DC 20515

Dear Senator Feinstein, Senator Padilla, and Congressman Khanna,

On behalf of the City of Santa Clara, I write to express my strong support for the City of Santa Clara's Great America Parkway Traffic Improvement and Traveler Information Project, El Camino Real Class IV Bikeway & Pedestrian Improvements, and De La Cruz Blvd, Lick Mill Blvd, and Scott Blvd Bicycle Projects.

The City requests funding for these three projects as they will enhance safety, improve mobility, and reduce air pollution, greenhouse gases, and vehicle miles traveled. The Great America Parkway Traffic Improvement and Traveler Information Project will install buffered bicycle lanes, widen roadways, install additional travel lanes, modify traffic signals, reconstruct pavement, and construct seven (7) permanent changeable message signs in North Santa Clara. The project improves Great America Parkway, a major arterial that connects the US-101 freeway to regional land uses such as Levi's Stadium, the Santa Clara Convention Center, Great America Theme Park, and Mission College. The El Camino Real Class IV Bikeway & Pedestrian Improvements is a high priority project in the Santa Clara Bicycle Plan Update 2018 and Santa Clara Pedestrian Master Plan 2019. The project will provide protected bicycle lanes and pedestrian improvements to enhance safety at three priority locations along El Camino Real which is State Highway 82 and a regional thoroughfare that connects San Jose and San Francisco through the City of Santa Clara. The De La Cruz Blvd, Lick Mill Blvd, and Scott Blvd Bicycle Projects are three high priority bicycle projects also identified in the Santa Clara Bicycle

Plan Update 2018. This project will provide dedicated bicycle facilities to many school and parks within the City. Both projects will greatly benefit residents and businesses in the region.

The City of Santa Clara is home to nearly 130,000 residents. Without the implementation of these projects, the community will continue to face existing challenges to walk, bike, and drive safely throughout the City. These requested funds will ensure that the Santa Clara residents and businesses have access to transportation facilities that enhance safety and reduce traffic congestion for the region.

For these reasons, I ask that you give the City's request for funding full and fair consideration. These funds would transform the City of Santa Clara and have long term impacts on the Silicon Valley region.

Sincerely,



Lisa M. Gillmor
Mayor, City of Santa Clara

City of Santa Clara
The Center of What's Possible

Mayor

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Councilmembers
Anthony J. Becker
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Kathy Watanabe

April 28, 2021

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

The Honorable Ro Khanna
United States House of Representatives
306 Cannon House Office Building
Washington, DC 20515

The Honorable Alex Padilla
United States Senate
B03 Russell Senate Office Building
Washington, DC 20510

Dear Senator Feinstein, Senator Padilla, and Congressman Khanna,

The California Transportation Commission (CTC) 2020 STIP Guidelines and Metropolitan Transportation Commission (MTC) state that any capital project, including a new bike path as well as improved bicycle and pedestrian accessibility and safety, may be programmed in the STIP to receive federal funding. The City of Santa Clara Great America Parkway Traffic Improvement and Traveler Information Project, El Camino Real Class IV Bikeway & Pedestrian Improvements Project and De La Cruz Blvd, Lick Mill Blvd, and Scott Blvd Bicycle Project all meet these criteria and are eligible to be included on the STIP.

As the local government agency that would be responsible for implementing the project, the City will be working with the CTC and MTC, as well as other local stakeholders such as the Valley Transportation Authority (VTA), as the process for developing the 2022 STIP begins later this year.

These projects will enhance safety, improve mobility, and reduce vehicle emissions while connecting local residential communities, schools, libraries, and major employers within the Silicon Valley. The requested funds will ensure that Santa Clara residents and businesses have access to safer bicycle facilities that provide alternative modes of transportation to reduce traffic congestion as well as increase bicycle and pedestrian safety for the region.

These projects are all identified in the Santa Clara Bicycle Plan Update 2018. The El Camino Real Class IV Bikeway and Pedestrian Improvement project is also included in the Santa Clara Pedestrian Master Plan 2019. Each of these projects meet the criteria of the STIP.

Please let me know if you have any questions.

Sincerely,

Lisa M. Gillmor
Mayor
City of Santa Clara

City of Santa Clara
The Center of What's Possible

Mayor

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February 16, 2021

The Honorable Bill Quirk
Chair, Assembly Environmental Safety and Toxic Materials Committee
State Capitol, Room 2163
Sacramento, CA 95814

RE: AB 332 (Committee on Environmental Safety and Toxic Materials) – SUPPORT

Dear Assembly Member Quirk:

On behalf of the City of Santa Clara, I am writing to inform you of our support of AB 332, your committee's measure related to treaded wood waste. This bill would ensure that your constituents are protected from toxic treated wood waste, and that businesses have sufficient guidelines and resources to properly dispose of the waste they produce.

The statute and regulations that authorized treated wood waste to be handled with alternative management standards expired on December 31, 2020. As a result, treated wood waste that exhibits the hazardous waste characteristics of toxicity will be fully regulated hazardous waste and will no longer be eligible for disposal in Class II or Class III landfills. The sunset of this statute and regulations means that hazardous treated wood waste must now be transported to a Class I hazardous waste landfill, or to an authorized out of state landfill, for disposal.

AB 332 will reinstate the provisions that were allowed to sunset at the end of 2020, empowering the Department of Toxic Substances Control to adopt and revise, as necessary, management standards for treated wood waste, ensuring businesses have clear direction for safely disposing of their waste. AB 332 further states these protections will remain in place unless actively appealed, rather than putting in place a sunset clause similar to that which characterized past legislation. As an urgency statute, AB 332 will lead to the expedient implementation of the necessary guidelines.

Preserving the safety and well-being of the people of Santa Clara requires proper disposal of treated wood waste. It is for these reasons that the City of Santa Clara is glad to support AB 332.

Sincerely,

Lisa M. Gillmor
Mayor, City of Santa Clara

City of Santa Clara
The Center of What's Possible

Mayor

Lisa M. Gillmor

Councilmembers
Anthony J. Becker
Raj Chahal
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Kathy Watanabe

April 22, 2021

The Honorable Ben Allen
Chair, Senate Environmental Quality Committee
State Capitol Building, Room 2205
Sacramento, CA 95814

RE: SB 619 (Laird) – SUPPORT

Dear Senator Allen,

On behalf of the City of Santa Clara, I would like to express our support for SB 619 (Laird), which would help local governments implement SB 1383 (Lara, 2016) and the subsequent CalRecycle regulations. Specifically, SB 619 would allow, until January 1, 2023, for CalRecycle to only impose a penalty for non-compliance with the SB 1383 regulations if it finds that the jurisdiction did not make a reasonable effort to comply with the regulations.

Over the past several years, CalRecycle has been developing sweeping regulations to implement statewide organic waste diversion goals set forth in SB 1383 by Senator Lara in 2016. SB 619 seeks to help local governments implement SB 1383 by allowing for additional time and flexibility to comply with the regulations.

Currently, local governments have until January 1, 2022, to implement the sweeping requirements outlined in the Regulations. Additional time and flexibility to comply with the Regulations is needed to take into account when the Regulations were finalized, the outbreak of COVID-19, and the effects these Regulations will have on city residents and businesses. Although the Regulations had been in development for several years, they were not finalized until November 2020, only giving local governments thirteen months to fully implement various facets of the Regulations.

The timelines contemplated in SB 1383 and the Regulations also do not take into account the COVID-19 pandemic and the associated shifting of city staff and resources to protect public health and safety. Cities have been on the front lines helping ensure that our residents are safe and critical city operations remain operational.

Lastly, given that the Regulations do not have a source of state funding to implement, the burden of paying for the costs associated with implementing the program will fall to our residents and our businesses. With all of the economic hardships facing cities, residents, and businesses, more time and flexibly implementing the Regulations will be needed to soften the blow of increased solid waste rates.

Cities are working diligently to implement SB 1383 and are committed to fully implementing the program. However, given the reasons outlined above, additional time and flexibility is needed in order to avoid our serious challenges. SB 619 will ensure that cities are not penalized for non-compliance as we work to implement programs pursuant to the recently enacted regulations.

For these reasons, the City of Santa Clara supports SB 619.

Sincerely,



Lisa M. Gillmor
Mayor, City of Santa Clara

cc: Senator John Laird
Members, Senate Environmental Quality Committee



U.S. PIRG
Standing Up To
Powerful Interests

Dear President Biden and Members of Congress:

We, the undersigned local elected officials, urge you to boldly invest in the kinds of infrastructure that will help put our nation's communities on a visionary and sustainable path. For far too long, our nation has allowed infrastructure to deteriorate - from crumbling roadways to broken sewage systems. Some infrastructure - including unnecessary highway expansions, lead service lines, combined sewers, giant landfills, power plants and pipelines - created new problems. As a result, our communities face far more pollution than we should tolerate while their core needs are often unmet.

The COVID-19 pandemic brought several of these problems into stark relief. Safe drinking water is essential to handwashing and staying hydrated while at home. Air pollution has worsened COVID outcomes. Our natural yearning for open space is intensified when indoor gatherings are limited. And yet, COVID-19 has also battered the finances of state and local governments, making it even harder for us to repair and invest in infrastructure on our own.

To address these challenges, we need a transformative national infrastructure plan that addresses communities' 21st century priorities. We must invest in infrastructure that makes us healthier and safer, and prioritizes "fix it first" over flashy new structures. By focusing on projects that are truly shovel-worthy (not just shovel-ready), we can meet our communities' key needs efficiently and use taxpayer dollars wisely.

We ask that the following be included in your infrastructure plans to help the country get back on its feet in the wake of a challenging year and build a better future:

- Clean Water: Invest an additional $11.5 billion per year in water infrastructure that prevents runoff pollution and sewage overflows; and keeps our drinking water safe from lead, PFAS, and other contaminants.

- Clean Transportation: Expand and electrify public transportation by increasing funding for Capital Investment Grants, and support community deployment of electric buses with new funding for the Low or No Emissions Vehicle program.

- Clean Energy: Invest in renewable energy infrastructure by expanding and modernizing tax credits for wind, solar, and energy storage projects, and by providing grants to help communities reduce energy use and deploy clean energy projects.

- Natural Infrastructure: Invest in protecting and restoring America's wetlands, forests, rivers, and coastlines with the goal of protecting 30 percent of our lands and oceans by 2030.

- Reducing waste: Support efforts to reduce waste generation, and promote composting and recycling (excepting any chemical waste conversion) and move towards "zero waste."

- Healthy schools: Provide funding to transition to zero-emission electric school buses and to ensure safe drinking water by replacing fountains and other lead-bearing parts and installing filters.

- Accessible broadband: Expand broadband internet access to support distance learning and remote working during COVID-19 and beyond.

While our nation remains divided on many issues, public support for infrastructure investment is overwhelming and transpartisan. As just one example, 84 percent of Americans support increased federal spending on infrastructure to ensure clean water.

Thus, creating and supporting a bold vision to address our infrastructure provides a rare opportunity to bring our nation together to address real and significant challenges facing our communities and our nation as a whole. Please use this opportunity to make bold investments in projects and approaches that deliver lasting benefits for our communities and for future generations.

Sincerely,

California
Adele Andrade Stadler, City Councilmember, Alhambra
Emmanuel J. Estrada, Mayor, Baldwin Park
Jesse Arreguin, Mayor, Berkeley
Kate Harrison, City Councilmember, Berkeley
Rigel Robinson, City Councilmember, Berkeley
Adelene Jones, Mayor, Blue Lake
Karen Cunningham, Mayor, Brisbane
Nick Schultz, City Councilmember, Burbank
Lula Davis-Holmes, Mayor, Carson
Jim Dear, Mayor Pro-Tem, Carson
Nancy L. Ross, City Councilmember, Cathedral City
Jill Galvez, City Councilmember, Chula Vista
Porsche Middleton, Vice Mayor, Citrus Heights
Aja L. Brown, Mayor, Compton

Arlis Reynolds, City Councilmember, Costa Mesa
Eli Beckman, Mayor, Corte Madera
Elizabeth Alcantar, Vice Mayor, Cudahy
Hung Wei, City Councilmember, Cupertino
Lucas Frerichs, Vice Mayor, Davis
Maria Morales, City Councilmember, El Monte
Victoria Martinez Muela, City Councilmember, El Monte
Catherine Blakespear, Mayor, Encinitas
Susan Seaman, Mayor, Eureka
Lily Mei, Mayor, Fremont
Ardy Kassakhian, City Councilmember, Glendale
Daniel Brotman, City Councilmember, Glendale
Paula Perotte, Mayor, Goleta
Aisha Wahab, Mayor Pro Tempore & City Councilmember, Hayward
Evelyn L Mitchell, Mayor, Healdsburg
Bob Whalen, Mayor, Laguna Beach
Rita Soto, City Councilmember, Lynwood
Karina R. Dominguez, City Councilmember, Milpitas
Alison Hicks, City Councilmember, Mountain View
Sally Lieber, City Councilmember, Mountain View
Dan Kalb, City Councilmember, Oakland
Dennis Pocekay, MD, MPH, City Councilmember, Petaluma
Dave King, City Councilmember, Petaluma
Valerie Arkin, City Councilmember, Pleasanton
Eduardo Martinez, City Councilmember, Richmond
Gayle McLaughlin, City Councilmember, Richmond
Ronaldo Fierro, City Councilmember, Riverside
Chris Dunca, City Councilmember, San Clemente
Victor Aguilar, Jr., Vice Mayor, San Leandro
Rick Bonilla, Deputy Mayor, San Mateo
Lisa M. Gilmore, Mayor, Santa Clara
Gloria Soto, City Councilmember, Santa Maria
Lesa Heebner, Mayor, Solana Beach
James Coleman, City Councilmember, South San Francisco
Jason Roberts, City Councilmember, Vacaville
Blanca Gomez, City Councilmember, Victorville
Kevin Wilk, Mayor, Walnut Creek
Rebecca J. Garcia, City Councilmember, Watsonville
Brian Tabatabai, City Councilmember, West Covina
Lindsey P. Horvath, Mayor, West Hollywood

Monica Rodriguez, City Councilmember, Los Angeles

Colorado
Sam Weaver, Mayor, Boulder
Marcia Martin, City Council Member, Longmont

Connecticut
Brenda Kupchick, First Selectwoman, Fairfield
Rosa Ferraro-Santana, Alder, New Haven
Steven Winter, Alder, New Haven

Delaware
Larry Lambert, State Representative, House District 7 (Brandywine Hundred)
David Sokola, State Senator, House District 8 (Newark-Hockessin)
Marie Pinkney, State Senator, House District 13 (South Eastern New Castle County)
Kenneth R Woods, County Councilor, New Castle County

Florida
Steven B. Grant, Mayor, Boynton Beach
Kathleen Beckman, City Councilmember, Clearwater
Ben Malik, Mayor, Cocoa Beach
Lauren Poe, Mayor, Gainesville
Anna V. Eskamani, State Representative, House District 47 (Orange County)
Fentrice Driskell, State Representative, House District 63 (Tampa)
Ben Diamond, State Representative, House District 68 (St. Petersburg, Pinellas County)
Evan Jenne, State Representative, House District 99 (Hollywood, S. Broward Counties)
Teri Johnston, Mayor, Key West
Daniella Levine Cava, Mayor, Miami-Dade County
Chris Davis, City Commissioner, Opalocka
Buddy Dyer, Mayor, Orlando
Jennifer Brahier, City Councilmember, Pensacola
Liz Alpert, City Commissioner, Sarasota
Linda Stewart, State Senator, State Senate District 13 (Orlando)
Janet Cruz, State Senator, Senate District 18 (Hillsborough County, Tampa)
Lori Berman, State Senator, Senate District 31 (Central Palm Beach County)
Shevrin D. Jones, State Senator, Senate District 35 (South Eastern Broward County)
Gina L. Driscoll, City Vice Chair, St. Petersburg
Brandi Gabbard, City Councilmember, St. Petersburg
John Dailey, Mayor, Tallahassee
Jeremy Matlow, City Commissioner, Tallahassee

Jacqueline Porter, City Commissioner, Tallahassee

Georgia
Carol Myers, City Commissioner, Athens
Amir Farokhi, City Councilmember, Atlanta
Brian K. Jones, City Councilmember, Union City
Nick Palumbo, Alderman, Savannah
Anthony S. Ford, Mayor, Stockbridge
Shayla J. Nealy, City Councilmember, Union City

Hawai'i
Della Au Belatti, State Representative, House District 24 (Makiki and Tantalus)
Scot Matayoshi, State Representative, House District 49 (Kaneohe and Kailua)
Lisa Marten, State Representative, House District 51 (Honolulu County, Waimanalo)
Gilbert S.C. Keith-Agaran, State Senator, Senate District 5 (Central Maui)
Bennette E. Misalucha, State Senator, Senate District 16 (Western Kauai)
Mike Gabbard, State Senator, Senate District 20 (Kapolai)
Chris Lee, State Senator, Senate District 25 (Honolulu County, Waimanalo)

Iowa
Art Staed, State Representative, House District 66 (Cedar Rapids)
Michael Halley, City Councilmember, Fairfield
William Dotzler, State Senator, Senate District 31 (Black Hawk County)
Joe Bolkcom, State Senator, Senate District 43 (Johnson County)

Idaho
Muffy Davis, State Representative, House District 26 (Lincoln, Gooding, Camas, Blaine Counties)

Illinois
Michael D. Rodriguez, Alderperson, Chicago
Maria E. Hadden, Alderperson, Chicago
Nancy Rotering, Mayor, Highland Park
Lindsey LaPointe, State Representative, House District 19 (Chicagoland)
Edgar Gonzalez, Jr., State Representative, House District 21 (Chicago)
Will Guzzardi, State Representative, House District 29 (Chicago)
Jonathan Carroll, State Representative, House District 57 (Chicago)
Barbara Hernandez, State Representative, House District 83 (Aurora)
Bob Hausler, Mayor, Plano
Rick Reinbold, Mayor, Richton Park

Raymond P. Rogina, Mayor, St. Charles
William D. McLeod, Mayor, Village of Hoffman Estates
Frank Podbielniak, Mayor, Village of Posen
Chris Rintz, Village President, Village of Winnetka

Indiana
James Brainard, Mayor, Carmel

Kansas
Logan Heley, City Councilmember, Overland Park
Jori Nelson, City Councilmember, Prairie Village

Louisiana
Cyndi Ngyuen, City Councilmember, New Orleans

Massachusetts
Patricia De Angelis, Town Councilor, Amherst
Darcy DuMont, Town Councilor, Amherst
Mandi Jo Hanneke, Town Councilor, Amherst
Andrew Steinberg, Town Councilor, Amherst
Paul Heroux, Mayor, Attleboro
Dennis J. Carlone, City Councilor, Cambridge
Patricia Nolan, City Councilor, Cambridge
Daniel C. Bennett, Select Board Chair, Danvers
Cesar Stewart-Morales, City Councilor, Framingham
Robert Case, City Councilor, Framingham
Alex Morse, Mayor, Holyoke
Zac Bears, City Councilor, Medford
Emily Norton, City Councilor, Newton
Richard J. Toole, Climate Action Committee Member, Martha's Vineyard and Oak Bluffs
Steven Morabito, City Councilor, Revere
Jonathan Chines, Town Councilor, Wakefield

Maine
Alan Casavant, Mayor, Biddeford
Ryan M. Fecteau, Speaker of the House, House District 11 (Biddeford)
Sophia Warren, State Representative, House District 29 (Scarborough)
Rebecca Millet, State Representative, House District 30 (Scarborough)
Lois Galgay Reckitt, State Representative, House District 31 (South Portland)
Sam Zager, M.D., State Representative, House District 41 (Portland)

Seth Berry, State Representative, House District 55 (Bowdoinham)
Margaret M Craven, State Representative, House District 59 (Lewiston)
Tavis Rock Hasenfus, State Representative, House District 81 (Monmouth, Readfield)
Victoria Doudera, State Representative, House District 94 (Camden)
William Pluecker, State Representative, House District 95 (Warren)
Bruce White, State Representative, House District 109 (Waterville)
Laurie Osher, State Representative, House District 123 (Orono)
Lynne Williams, State Representative, House District 135 (Bar Harbor)
Andrew J. Zarro, City Councilor, Portland
Spencer Thibodeau, City Councilor, Portland
William Doyle, Mayor, Saco
Joseph M. Baldacci, State Senator, Senate District 9 (Bangor)
Nate Libby, State Senator, Senate District 21 (Lewiston)
Ben Chipman, State Senator, Senate District 27 (Portland)

Michigan
Gabe Leland, City Councilmember, Detroit
Raquel Castañeda-López, City Councilmember, Detroit

Minnesota
Peter Fischer, State Representative, House District 43A (Minneapolis-St. Paul Metro Area)
Fue Lee, State Representative, House District 59A (Minneapolis)
Jamie Long, State Representative, House District 61B (Minneapolis-St. Paul Metro Area)
Aisha Gomez, State Representative, House District 62B (Minneapolis-St. Paul Metro Area)
Dave Pinto, State Representative, House District 64B (St. Paul)
Alice Hausman, State Representative, House District 66A (St. Paul, Ramsey County)
Cam Gordon, City Councilmemer, Minneapolis
Lindsey Port, State Senator, Senate District 56 (Southern Twin Cities Metro Area)
Jennifer McEwen, State Senator, Senate District 7 (Duluth)

Missouri
Kevin B. O'Neill, City Councilmember, Kansas City
Adam C. Morton, Mayor, Knob Noster
Ian Thomas, City Councilmember, Columbia

Montana
Andrea Olsen, State Representative, House District 100 (Missoula)

Nebraska
Sändra J. Washington, City Councilmember, Lincoln

Nevada
Daniel Corona, Mayor, West Wendover
Hillary Schieve, Mayor, Reno

New Jersey
Santiago Rodriguez, City Councilmember, Trenton
Troy Singleton, State Senator, Senate District 7 (Moorestown)

New Mexico
Gabe Vasquez, City Councilmember, Las Cruces
Gill Michael Sorg, City Councilmember, Las Cruces
Alan Webber, Mayor, Sante Fe

New York
James R Dean, Village Trustee, Cooperstown
Tim Rogers, Mayor, New Paltz

North Carolina
Pam Hemminger, Mayor, Chapel Hill
Rosa Gill, State Representative, House District 33 (Wake County)
Julie von Haefen, State Representative, House District 36 (Wake County)
Gale Adcock, State Representative, House District 41 (Raleigh)
Graig Meyer, State Representative, House District 50 (Caswell and Orange Counties)
Pricey Harrison, State Representative, House District 57 (Guilford County)
Evelyn Abrams Terry, State Representative, House District 71 (Forsyth County)
John Autry, State Representative, House District 100 (Charlotte)
Kelly M. Alexander, Jr., State Representative, House District 107 (Croft)
Susan C. Fisher, State Representative, House District 114 (Asheville)
Brian H. Jackson, City Councilmember, Jacksonville
Jay Chaudhuri, State Senator, Senate District 15 (Raleigh, Cary, Garner)
Sarah Crawford, State Senator, Senate District 18 (Franklin and Wake Counties)
Natasha Marcus, State Senator, Senate District 41 (Mecklenburg County)
Julie Mayfield, State Senator, Senate District 49 (Asheville and Buncombe County)

Ohio
Phyllis E Cleveland, City Councilmember, Cleveland
Melanie Houston, City Councilmember, Grandview Heights
Tom Bullock, City Councilmember, Lakewood
Pete Bucher, City Councilmember, Worthington

Jim O'Reilly, City Councilmember, Wyoming

Oregon
Arlene Burns, Mayor, Mosier

Pennsylvania
Samuel J Steff, Borough Councilmember, Albion
Anita Prizio, County Councilmember, Allegheny
Mark Pinsley, County Controller, Allentown
Mary Aversa, Borough Manager, Ambler
Emily Marburger, Mayor, Bellevue
Jillian S. Edmondson, Borough Councilmember, Bellevue
Kara Roggenkamp, Borough Councilmember, Ben Avon
Edward M. Silvetti, Township Supervisor, Blair
James Huber, Town Councilmember, Bloomsburg
Terry Paul Heller, Council President, Brookhaven
Bob Harvie, County Commissioner, Bucks County
Alissa Packer, Borough Councilmember, Camp Hill
Sean M. Schultz, Deputy Mayor, Carlisle
Sean Crampsie, Borough Councilmember, Carlisle
Joel Hicks, Borough Councilmember, Carlisle
Brian Wallace, Mayor, Chalfont
John Engel, Borough Councilmember, Chalfont
Ann Rappoport, Township Commissioner, Cheltenham
Elizabeth Williams, City Councilmember, Chester
Marian Moskowitz, County Commissioner, Chester County
Josh Maxwell, County Commissioner, Chester County
Jacqueline Stevenson, Borough Council Vice President, Colwyn
Anita L. Barton, Borough Councilmember, Conshohocken
Dick Poot, Borough Councilmember, Coopersburg
Kevin M Madden, County Councilmember, Delaware County
Christine Reuther, County Councilmember, Delaware County
Ron Strouse, Mayor, Doylestown
Nickole Nesby, Mayor, Duquesne
Robert B McKinstry Jr., Board of Supervisors Chair, East Marlborough
Markus E. Adams, Mayor, East Pittsburgh
Mary Carol Kennedy, Council President, East Pittsburgh
Sal Panto, Mayor, Easton
Sandra P. Vulcano, City Councilmember, Easton
Joseph Schember, Mayor, Erie

Jessica Semler, Corough Councilmember, Etna
Kimberly Doss, Mayor, Farrell
Cliff Gregory, City Councilmember, Farrell
Dane A. Mincer, Town Councilmember, Greenville
Mary Jo Daley, State Representative, House District 18 (Narberth)
Sara Innamorato, State Representative, House District 21 (Pittsburgh)
Dan Frankel, State Representative, House District 23 (Pittsburgh)
Dan Deasy, State Representative, House District 27 (Pittsburgh)
Austin Davis, State Representative, House District 35 (Allegheny County)
Jessica Benham, State Representative, House District 36 (Pittsburgh)
Matthew Bradford, State Representative, House District 70 (Montgomery County)
H. Scott Conklin, State Representative, House District 77 (Centre County)
Kyle J. Mullins, State Representative, House District 112 (Lackawanna County)
Michael Schlossberg, State Representative, House District 132 (Allentown)
Steve Samuelson, State Representative, House District 135 (Lehigh Valley)
Robert L. Freeman, State Representative, House District 136 (Northampton County)
Tim Briggs, State Representative, House District 149 (King of Prussia)
Joe Webster, State Representative, House District 150 (Collegeville)
Ben Sanchez, State Representative, House District 153 (Montgomery County)
Dianne Herrin, State Representative, House District 156 (West Chester/Chester County)
Greg Vitali, State Representative, House District 166, (Delaware and Montgomery Counties)
Rick Krajewski, State Representative, House District 188 (Philadelphia)
Jared Solomon, State Representative, House District 202 (Philadelphia)
Arlene Wanatosky, Mayor, Homer City
Hannah Christopher, Treasurer, Kennett Square
Danene Sorace, Mayor, Lancaster
Janet Diaz, City Councilmember, Lancaster
Kathleen E Horwatt, Borough Councilmember, Langhorne
Benjamin Hover, Borough Council President, Lansdowne
Bob Elbich, County Commissioner, Lehigh County
Anthony C. Stevenson, Township Commissioner, Lower Merion
Anna Durbin, Township Commissioner, Lower Merion
Richard Churchill, Township Commissioner, Lower Merion
Mike Detweiler, Mayor, Mansfield
Matthew T Shorraw, Mayor, Monessen
Michael Penn, Mayor, Mount Pocono
Leeann Foster, Township Commissioner, Mt. Lebanon
Mark Fallon, Borough Councilmember, Munhall
Bob Weisbord, Borough Councilmember, Narbeth
Frederic Bush, Borough Councilmember, Narbeth

Lance E. Colondo, Mayor, Nazareth
Tara Zrinski, County Councilwoman, Northampton County
Derek S. Green, City Councilmember, Philadelphia
Helen Gym, City Councilmember, Philadelphia
Kendra Brooks, City Councilmember, Philadelphia
Isaiah Thomas, City Councilmember, Philadelphia
Jamie Gauthier, City Councilmember, Philadelphia
Mark. F. Squilla, City Councilmember, Philadelphia
Katherine Gilmore Richardson, City Councilmember, Philadelphia
Theresa Kail Smith, Council President, Pittsburgh
Erika Srtassburger, City Councilmember, Pittsburgh
Christopher G. Manero, Council Chair, Plymouth Township
Katherine Bandish, Township Councilmember, Plymouth Township
Stephanie A. Henrick, Mayor, Pottstown
Sean Farhy, Township Commissioner, Radnor
Eddie Moran, Mayor, Reading
Jody A. Roberts, Borough Council Vice President, Rutledge
Mark Donovan, Supervisor, Schuylkill Township
Paige Gebhardt Cognetti, Mayor, Scranton
Bobbie J. Owens, Borough Councilmember, Selinsgrove
Nikil Saval, State Senator, Senate District 1 (Philadelphia)
John Kane, State Senator, Senate District 9 (Chester and Delaware Counties)
Christine Allen, Borough Council Representative, Sewickley Borough
Matthew Rudzki, Mayor, Sharpsburg
Bruce Hockersmith, Council President, Shippensburg
Jesse Barlow, Council President, State College
Erica Bradley McCabe, Borough Councilmember, Stroudsburg
Matt Silva, Township Councilmember, Upper Darby
Beth Gilbert McBride, City Councilmember, Wilkes-Barre
Marita Garrett, Mayor, Wilkinsburg
Troy Clawson, Borough Councilmember, Youngsville

Texas
Steve Adler, Mayor, Austin
Alison Alter, City Councilmember, Austin
Gregorio “Greg” Casar, City Councilmember, Austin
Paige J. Ellis, City Councilmember, Austin
Ron Reynolds, State Representative, House District 27 (Missouri City)
Vikki Goodwin, State Representative, House District 47 (Travis County)
Michelle Beckley, State Representative, House District 65 (Denton County)

Ann Johnson, State Representative, House District 134 (Harris County)
Jada L. Andrews-Sullivan, City Councilmember, San Antonio
Andy Brown, County Judge, Travis County

Utah
Dan Dugan, City Councilmember, Salt Lake City

Vermont
Jim McCollough, State Representative, House District Chittenden 2
Michael Yantachka, State Representative, House District Chittenden 4-1
Barbara Rachelson, State Representative, House District Chittenden 6-6
Avram Patt, State Representative, House District Lamoille-Washington

Virginia
David F. Snyder, City Councilmember, Falls Church
Mark Keam, State Delegate, District 35 (Fairfax County)
Kaye Kory, State Delegate, District 38 (Fairfax County)
Kathy KL Tran, State Delegate, District 42 (Fairfax County)

Washington
Victoria R. Woodards, Mayor, Tacoma

Wisconsin
Jill Christopherson, City Councilmember, Eau Claire
Kate Beaton, City Councilmember, Eau Claire
Andrew Werthmann, City Councilmember, Eau Claire
Jeremy Gragert, City Councilmember, Eau Claire
Emily Anderson, City Councilmember, Eau Claire
Susan Johnson, City Councilmember, Janesville
Roger Christians, City Councilmember, LaCrosse
Patrick Heck, Alder, Madison
Tag Evers, Alder, Madison
Keith Furman, Alder, Madison
Samba Baldeh, Alder, Madison
Max Prestigiacomo, Alder, Madison
Luke Fuszard, Alder, Middleton
Nikiya Dodd, Alder, Milwaukee
Trevor Jung, Alder, Racine
David Shorr, Alder, Stevens Point
Tanja L Birke, Alder, Viroqua

Michael Koppa, Alder, Viroqua

MAYORS UNITED AGAINST ANTISEMITISM

AN INITIATIVE OF AMERICAN JEWISH COMMITTEE AND THE U.S. CONFERENCE OF MAYORS

MAYORS UNITED AGAINST ANTISEMITISM

Five years ago, U.S. mayors from all fifty states issued a call to action to combat antisemitism in Europe. Not alone in their concern, mayors from across Europe joined in the fight and signed onto the pledge.

Since then, vicious attacks on American soil have demonstrated that antisemitism must be confronted with the same urgency in the United States. In October 2018, eleven Jews were killed in the deadliest attack against the Jewish community in U.S. history at the Tree of Life Synagogue in Pittsburgh, Pennsylvania. Jews have also been murdered in Poway, California; Jersey City, New Jersey; and Monsey, New York simply for being Jews. We witnessed chants of "Jews will not replace us" in Charlottesville and "Camp Auschwitz" and other antisemitic messages displayed during the assault on the U.S. Capitol.

According to the FBI 2019 Hate Crimes Statistics, American Jews—who make up less than 2% of the American population—were the victims of 60.2% of anti-religious hate crimes.

And so we gather again, as leaders of our cities and communities, to jointly say:

"Enough."

We, the undersigned Mayors, express our deep conviction that antisemitism is not only an attack on Jews but an assault on the core values of any democratic and pluralistic society.

In a world of global communications, where antisemitic ideas spread rapidly, a concerted and principled response is required to raise awareness, to educate, and to ensure decency prevails. As Mayors and municipal leaders, we have a unique responsibility to speak out against the growing menace of antisemitism by affirming the following:

We, the undersigned,

- Condemn antisemitism in all its forms, including hatred and prejudice directed toward Jews, stereotypes or conspiracy theories about Jews, Holocaust denial or distortion, and denying the Jewish people's right to self-determination and/or the Jewish state's right to exist;



- Support national, state, and local government efforts directed at eradicating antisemitism and preventing extremist indoctrination and recruitment; and support expanded education programs, including Holocaust programs, to counter intolerance and discrimination;
- Reject the notion that opinions about the policies, actions, or existence of the State of Israel can ever justify or excuse antisemitic acts;
- Recognize the ever-present need to be vigilant about efforts to prevent and report acts of antisemitism and other hate crimes; and
- Affirm that a climate of mutual understanding and respect among all citizens is the bedrock of pluralistic communities.

We therefore commit to working within and across our communities to advance the values of respectful coexistence. We call upon mayors, municipal leaders, and other elected officials in the United States and around the world—and all people of good faith—to join us in declaring unequivocally that antisemitism is incompatible with fundamental democratic values.

THIS IS AN INITIATIVE OF AMERICAN JEWISH COMMITTEE (AJC) AND THE U.S. CONFERENCE OF MAYORS (USCM).



250+ Mayors Have Spoken Out Against Growing Antisemitism

American Jewish Committee (AJC) and The U.S. Conference of Mayors call on mayors and municipal leaders in the United States and around the world—and all people of good faith—to join us in declaring unequivocally that antisemitism is incompatible with the democratic values that are at the very bedrock of our society.

The joint initiative calls on mayors across the country to **sign a statement** about the need to combat antisemitism.

For more information, please contact **mayors@ajc.org**.

SEE THE SIGNATORIES

URGE MAYORS TO COMBAT ANTISEMITISM

Show your support for the Mayors United Against Antisemitism Initiative.

ADD YOUR NAME ▸



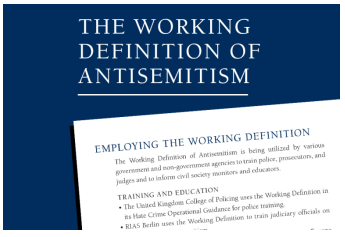
COMBATING ANTISEMITISM RESOURCES



AJC's Translate Hate Glossary

AJC's Translate Hate resource guide empowers you to identify, expose, and report antisemitism.

Download the PDF ▸



The Working Definition of Antisemitism

We need to define it to fight it. Here's why a standard understanding of antisemitism is critical.

Visit the Webpage ▸



The State of Antisemitism in America

AJC's landmark report revealed an alarming gap in sentiment between U.S. Jews and the general public.

Visit the Webpage ▸



AJC's 2015 Mayors United Against Antisemitism Campaign

See who signed one of the world's largest denunciations of antisemitism.

Visit the Webpage ▸

Signatories

Alabama | **Arizona** | **Arkansas** | **California** | **Colorado** | **Connecticut** | **District of Columbia** | **Florida** | **Georgia** | **Idaho** | **Illinois** | **Indiana** | **Iowa** | **Kansas** | **Kentucky** | **Maine** | **Maryland** | **Massachusetts** | **Michigan** | **Minnesota** | **Missouri** | **Montana** | **Nebraska** | **Nevada** | **New Hampshire** | **New Jersey** | **New Mexico** | **New York** | **North Carolina** | **Ohio** | **Oklahoma** | **Oregon** | **Pennsylvania** | **Rhode Island** | **South Carolina** | **South Dakota** | **Tennessee** | **Texas** | **Utah** | **Virginia** | **Washington** | **West Virginia** | **Wisconsin**

Alabama

Mayor Randall Woodfin
Birmingham, AL
Mayor Tab Bowling
Decatur, AL
Mayor Steven Reed
Montgomery, AL
Mayor Walter Maddox
Tuscaloosa, AL

Arizona

Mayor Kevin Hartke
Chandler, AZ
Mayor Jerry Weiers
Glendale, AZ
Mayor John Giles
Mesa, AZ

Idaho

Mayor Lauren McLean
Boise, ID
Mayor Brian Blad
Pocatello, ID

Illinois

Mayor Tari Renner
Bloomington, IL
Mayor Deborah Frank Feinen
Champaign, IL
Mayor Lori E. Lightfoot
Chicago, IL
Mayor Jerry Smith
DeKalb, IL
Mayor Rory Hoskins
Forest Park, IL

New Mexico

Mayor Tim Keller
Albuquerque, NM
Mayor Kenneth D. Miyagishima
Las Cruces, NM
Mayor Alan Webber
Santa Fe, NM

New York

Mayor Kathy M. Sheehan
Albany, NY
Mayor Richard C. David
Binghamton, NY
Mayor Don Ryan
Hempstead, NY
Mayor Brian Smith
Irvington, NY

Mayor Kate Gallego
Phoenix, AZ
Mayor David D. Ortega
Scottsdale, AZ
Mayor Regina Romero
Tucson, AZ

Arkansas

Mayor Lioneld Jordan
Fayetteville, AR
Mayor Frank D. Scott, Jr.
Little Rock, AR

California

Mayor Marilyn Ezzy Ashcraft
Alameda, CA
Mayor Harry Sidhu
Anaheim, CA
Mayor Jesse Arreguin
Berkeley, CA
Mayor Lester Friedman
Beverly Hills, CA
Mayor Elizabeth Gibbons
Campbell, CA
Mayor Brian Johsz
Chino Hills, CA
Mayor Mary Casillas Salas
Chula Vista, CA
Mayor Tim McGallian
Concord, CA
Mayor Juslyn Manalo
Daly City, CA
Mayor Gloria Partida
Davis, CA
Mayor Jessica Ancona
El Monte, CA
Mayor Bobbie Singh-Allen
Elk Grove, CA
Mayor Harry T. Price
Fairfield, CA
Mayor Acquanetta Warren
Fontana, CA
Mayor Lily Mei
Fremont, CA
Mayor Jerry Dyer
Fresno, CA
Mayor Barbara Halliday
Hayward, CA
Mayor Justin Massey
Hermosa Beach, CA
Mayor Mark Arapostahis
La Mesa, CA
Mayor Jenelle Osborne

Mayor Lawrence R. Levin
Glencoe, IL
Mayor Rodney S. Craig
Hanover Park, IL
Mayor Nancy Rodkin Rotering
Highland Park, IL
Mayor William D. McLeod
Hoffman Estates, IL
Mayor Barry Bass
Lincolnwood, IL
Mayor Stephanie Acri
Moline, IL
Mayor Steve Lentz
Mundelein, IL
Mayor Sandra E. Frum
Northbrook, IL
Mayor Kyle A. Moore
Quincy, IL
Mayor Cathy Adduci
River Forest, IL
Mayor Mike Thoms
Rock Island, IL
Mayor Joe Gallo
Rolling Meadows, IL
Mayor John D. Noak
Romeoville, IL
Mayor Jason Ashmore
Sesser, IL
Mayor James O. Langfelder
Springfield, IL

Indiana

Mayor John Hamilton
Bloomington, IN
Mayor James Brainard
Carmel, IN
Mayor Tom Henry
Fort Wayne, IN
Mayor Joseph H. Hogsett
Indianapolis, IN
Mayor Tyler Moore
Kokomo, IN

Iowa

Mayor Robert Gallagher, Jr.
Bettendorf, IA
Mayor Brad Hart
Cedar Rapids, IA
Mayor John A. Lundell
Coralville, IA
Mayor Mike Matson
Davenport, IA
Mayor Frank Cownie

Mayor Svante L. Myrick
Ithaca, NY
Mayor Gina Picinich
Mount Kisco, NY
Mayor Noam Bramson
New Rochelle, NY
Mayor Bill de Blasio
New York, NY
Mayor Robert Restaino
Niagara Falls, NY
Mayor Lovely A. Warren
Rochester, NY
Mayor Francis X. Murray
Rockville Centre, NY
Mayor Gary R. McCarthy
Schenectady, NY
Mayor Alan M. Simon
Spring Valley, NY
Mayor Ben Walsh
Syracuse, NY
Mayor Thomas M. Roach
White Plains, NY

North Carolina

Mayor Lydia Lavelle
Carrboro, NC
Mayor Pam Hemminger
Chapel Hill, NC
Mayor Vi Alexander Lyles
Charlotte, NC
Mayor Steve Schewel
Durham, NC
Mayor Nancy Vaughan
Greensboro, NC
Mayor Jay W. Wagner
High Point, NC
Mayor Mary-Ann Baldwin
Raleigh, NC
Mayor Karen K. Alexander
Salisbury, NC

Ohio

Mayor Dan Horrigan
Akron, OH
Mayor Thomas M. Bernabei
Canton, OH
Mayor John Cranley
Cincinnati, OH
Mayor Andrew J. Ginther
Columbus, OH
Mayor Frank G. Jackson
Cleveland, OH
Mayor Don Walters

Lompoc, CA
Mayor Robert Garcia
Long Beach, CA
Mayor Eric Garcetti
Los Angeles, CA
Mayor Marico Sayoc
Los Gatos, CA
Mayor Drew Combs
Menlo Park, CA
Mayor Rich Tran
Milpitas, CA
Mayor Alan L. Nagy
Newark, CA
Mayor Libby Schaaf
Oakland, CA
Mayor Sue Beckmeyer
Pacifica, CA
Mayor Christy Holstege
Palm Springs, CA
Mayor Karla Brown
Pleasanton, CA
Mayor Diane Howard
Redwood City, CA
Mayor Gerard Guidice
Rohnert Park, CA
Mayor Krista Bernasconi
Roseville, CA
Mayor Darrell Steinberg
Sacramento, CA
Mayor Thomas K. Butt
Richmond, CA
Mayor Todd Gloria
San Diego, CA
Mayor Sam Liccardo
San Jose, CA
Mayor Pauline Russo Cutter
San Leandro, CA
Mayor Heidi Harmon
San Luis Obispo, CA
Mayor Lisa M Gillmor
Santa Clara, CA
Mayor Donna Meyers
Santa Cruz, CA
Mayor London N. Breed
San Francisco, CA
Mayor Kate Colin
San Rafael, CA
Mayor Kevin J. Lincoln II
Stockton, CA
Mayor Larry Klein
Sunnyvale, CA
Mayor Carol Dutra-Vernaci
Union City, CA

Des Moines, IA
Mayor Roy D. Buol
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21-568 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Informational Report on COVID-19 Legislative Updates from Townsend Public Affairs for April 5 - May 9, 2021

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
The City of Santa Clara engages in a variety of legislative efforts, including developing an annual legislative platform through its Legislative Advocacy Positions (LAPs), advancing the City's goals and policy positions with regional, state, and federal elected officials and agencies, participating in regional and state committees, boards, and commissions, responding to requests for legislative support or comments for bills, ballot measures, and initiatives, identifying budget opportunities and applying for grant funding to support City programs and infrastructure.

The City has an existing agreement with Townsend Public Affairs, LLC (Townsend) for state and federal legislative advocacy services, which includes tracking legislation and providing progress reports as part of the firm's scope of work.

DISCUSSION
Townsend has been keeping staff apprised of state and federal COVID-19-related legislative activity since the beginning of the pandemic. These pertinent updates have helped guide the implementation of City COVID-19 programs, including meal distribution and small business assistance, and were previously included as part of the City Manager's verbal COVID-19 updates to the Council.

Attached is a summary of Townsend's updates for the period between April 5 - May 9, 2021. Staff shares these updates on a monthly basis.

ENVIRONMENTAL REVIEW
The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT
The City has an existing agreement with Townsend for a not-to-exceed amount of $252,000. There is no additional cost to have Townsend provide these COVID-19 legislative updates as they are included as part of the monthly scope of work that the City is billed for.

COORDINATION
This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

RECOMMENDATION
Note and file the Informational Report on COVID-19 Legislative Updates from Townsend Public Affairs for April 5 - May 9, 2021.

Prepared by: Christine Jung, Assistant to the City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS
1. COVID-19 Legislative Updates from Townsend for April 5 - May 9, 2021

TOWNSEND
PUBLIC AFFAIRS
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COVID-19 LEGISLATIVE UPDATE FOR APRIL 5 – MAY 9, 2021

April 6, 2021 Update

- **California to Move Past the County Tier System:** Earlier today, Governor Newsom announced that the State's next step in the COVID-19 pandemic recovery includes moving beyond the Blueprint for a Safer Economy, which is the system that places counties into colored tiers. This move is based on that fact that California has administered 20 million vaccines, including 4 million to the hardest-hit communities.
    - **The State aims to fully reopen on June 15**, and will continue to require wearing masks and encourage all Californians to get vaccinated. Two criteria must be met in order to fully reopen the economy, which the entire state would do as a whole:
        - Vaccine supply must be sufficient for Californians 16 years and older who wish to be inoculated; and
        - Hospitalization rates must be stable and low
    - There are still Cal/OSHA standards and requirements that exist. The Governor's administration has stated they will coordinate with Cal/OSHA to try and have regulations as aligned as possible.
    - The state is still considering whether high risk activities/venues will need to require vaccination for attendees if they increase to full capacity. However, there will be a pathway for non-vaccinated people to attend high risk activities/venues via testing.
    - The 2 exceptions to full re-opening will be:
        - Conventions, which will be held to 5,000 people, unless there is a system to testing attendees.
        - Large outdoor events (that do not have fixed seating) such as music festivals. Guidance is still being formed on this and similar events.
    - Additional information and updated guidance/FAQs will be put out in the coming days.
    - For more information on the state's move beyond the Blueprint, click HERE.

- **Federal Infrastructure and Stimulus Plan:** This week, the **Senate parliamentarian ruled** that the annual budget resolution can be revised to include new reconciliation instructions, which frees up Democrats to pass more than one bill under reconciliation rules each year.
    - As a reminder, these bills can't be filibustered but they are guided by a set of restrictions, most notably the Byrd Rule, which prohibits non-budgetary policies from being included.
    - This was used to pass the first stimulus bill under the Biden Administration, the American Rescue Plan Act (ARPA)
    - **If the annual budget resolution can be revised once, it can be revised again.** So theoretically, Democrats may choose to use the tool as often as they

want, which allows them to not need Republican votes as long as the party all votes in favor.

- **FEMA COVID-19 Funeral Costs:** FEMA announced it will provide financial support to offset the cost of funeral services for COVID-19 victims.
    - The financial support is available for individuals who died in the US from COVID-19 (documented on the death certificate) after January 20, 2020, and while applicants must be US citizens or residents, there is no citizenship or residency requirement for the deceased individuals.
    - FEMA is offering up to $9,000 per funeral, and applicants can submit requests for multiple COVID-19 victims, up to $35,500 per application.
    - Some of the funding for this program was allocated in the December 2020 federal COVID-19 relief package, which provided $2 billion to FEMA to cover funeral costs for COVID-19 victims in 2020.

April 9, 2021 Update[1]

- **ARPA State and Local Funding:** TPA participated in a call with the White House and the Department of Treasury this week to discuss the state and local funding contained within the American Rescue Plan Act (ARPA). Treasury indicated that they are working to publish final funding allocations, as well as the implementation guidance, by the end of April.

- **American Families Plan:** The White House said that Biden will propose an American Families Plan as soon as this month. This Plan would be in addition to the infrastructure proposal, the American Jobs Plan, released by the Biden Administration last week.
    - Among other provisions, the American Families Plan will include expanded benefits for child care, as well as health-related measures.
    - Some Democrats have called for both proposals to be wrapped into one large package, as there is a concern that there will not be enough time, and political capital, to pass two multitrillion-dollar pieces of legislation so recently after the passage of the $1.9 trillion ARPA.

- **HOME Supplemental Funds:** Yesterday, HUD announced the allocation of $5 billion in American Rescue Plan funds to help communities across the country create affordable housing and services for people experiencing or at risk of experiencing homelessness.
    - The City of Santa Clara will receive $1,604,104
    - The supplemental funding is allocated through the HOME Investment Partnerships Program to 651 grantees, including states, insular areas, and local governments. A full list is attached, including allocations to the state and counties[2].
    - Funding can be used for development of affordable housing, tenant-based rental assistance, supportive services, and acquisition and development of non-congregate shelter units.
    - Funds must be spent by 2030.
    - HOME-ARP funding is the first of two homelessness-related funding opportunities from the American Rescue Plan that HUD will release.

[1] Townsend's Weekly Update can be found after the legislative updates.

[2] American Rescue Plan HOME Supplemental Allocations can be found after the legislative updates.

- In the coming weeks, HUD will announce the allocation of funding for emergency vouchers for people experiencing and at-risk of homelessness.

- **Governor Newsom and Legislative Leaders Announce Early Budget Action for Wildfire Prevention:** Yesterday, Governor Gavin Newsom, Senate President pro Tempore Toni G. Atkins (D-San Diego) and Assembly Speaker Anthony Rendon (D-Lakewood) announced a $536 million funding plan to help improve California's resilience to wildfires.
  - The $536 million funding packaging includes $125 million from Greenhouse Gas Reduction Funds and $411 million from the General Fund. The Administration and Legislature also hope to draw federal disaster prevention grants to match money spent on home hardening.
  - Key parts of the Administration's initial proposal have been supplemented by legislative ideas that will pay dividends over the years, such as greater investments in forest health projects, improvements on defensible space, home hardening against fires, fire prevention grants, and prevention workforce training.
    - The plan includes public and private lands vegetation management, community-focused efforts for prevention and resilience and economic stimulus for the forestry economy.
  - The funding package's fiscal and programmatic details are outlined in Senate Bill 85 and Assembly Bill 79, respectively.

April 13, 2021 Update

- **Governor Newsom Signs Early Budget Action Package on Wildfires:** Today, the Governor signed a $536 million wildfire package enabling the state to take urgent action on projects that support wildfire suppression, improve forest health, and build resilience in communities to help protect residents and property from catastrophic wildfires in diverse landscapes across the state.
  - Today's package, which was signed into law via Senate Bill 85, invests in wildfire resilience projects including forest management, fuel breaks, and hardening infrastructure in high-risk communities, amongst other critical areas.
  - This package builds on the Governor's announcement last week of an expanded state task force to deliver on key commitments of the Wildfire and Forest Resilience Action Plan. Additionally, the package builds upon the $80.74 million in emergency funds for 1,399 additional firefighters with CAL FIRE to bolster fuels management and wildfire response efforts which Governor Newsom authorized in March.

- **State Lifts Capacity Limits on Places of Worship:** In response to recent judicial rulings, the California Department of Public Health has revised the state's restrictions on church worship during the coronavirus pandemic, changing the capacity limits from mandates to recommendations.
  - Under the revisions, the State recommends that counties in the purple tier should strongly discourage indoor activities and should be limited to 25%; in the Red Tier indoor activities should be limited to 25% capacity; in the Orange and Yellow Tiers indoor activities should be limited to 50%.

- **Child Tax Credit Portal**: The IRS is on track to open an online portal to manage recent changes to the Child Tax Credit by July 1

- The latest pandemic relief package (Public Law 117-2) temporarily expanded the Child Tax Credit and directed the IRS to deliver advanced payments of the 2021 credit beginning July 1, instead of having individuals claim a lump sum on their tax return next filing season.
- It also tasked the agency with developing an online portal that would allow people to opt out of the advanced payments and update information that can affect credit eligibility and amount.

- **Meals for the Homeless:** This week, the USDA announced that young adults under the age of 25 experiencing homelessness will now be able to receive meals at emergency shelters participating in the Child and Adult Care Food Program (CACFP).
  - CACFP is a federal program that provides child care centers, day care homes, and adult day care centers reimbursements for nutritious meals and snacks they serve to eligible children and adults enrolled at their facilities. CACFP also provides reimbursements for meals served to children and youth participating in afterschool care programs, children living in emergency shelters, and adults over the age of 60 or living with a disability and enrolled in day care facilities.
  - Under normal circumstances, USDA only reimburses shelters for meals served to children, through age 18, but the American Rescue Plan (ARP) Act expanded several nutrition assistance programs to reach the most vulnerable populations experiencing food hardship due to the pandemic, including homeless young adults.

April 23, 2021 Update

- **California Law Passed to Rehire Workers Laid Off During COVID-19:** Last Friday, Governor Newsom signed Senate Bill 93, which will require certain employers including hotels, large event centers and airports, as well as janitorial, security and maintenance workers at commercial buildings, to offer jobs first to the former workers they laid off during the coronavirus pandemic when rehiring.
  - In order to qualify, one would have to have been employed by their employer for at least six months in 2019. If multiple workers qualify for one position, the bill would require companies to rehire based on seniority.
  - Companies would have to offer jobs within five business days of establishing a position. Once offered, workers would then have five business days to decide whether they want to accept it.

- **CDC Advisory Committee Recommends Resuming use of J&J Vaccine:** Earlier today, a federal advisory panel of health experts voted to recommend the CDC resume use of the Johnson & Johnson single use vaccine, 10 days after federal health officials recommended the pause.
  - The CDC and FDA must still issue their own decision on whether to life or continue the pause. That guidance could come at any time, and several experts have recommended that the CDC and FDA act quickly now that a thorough review has shown that clotting complications are exceedingly rare.
  - Governor Newsom did not immediately respond to the advisory panel recommendation; however, his Administration has been quick to follow the guidance of the CDC and FDA. Should those bodies permit for the resumption of use of the Johnson & Johnson vaccine, it is likely that California would act in a similar fashion.

- California currently has approximately 1.2 million doses of the J&J vaccine in inventory that could be immediately administered if the pause is lifted.

- **GOP Infrastructure Plan:** This week senior Senate Republicans proposed a $568 billion infrastructure plan to counter President Biden's $2.25 trillion jobs package.
  - The overall plan is significantly narrower than the President's plan, focusing mostly on transportation infrastructure, broadband, and water projects.
  - Their plan includes:
    - $299 billion for roads and bridges
    - $61 billion for public transit
    - $20 billion for rail
    - $44 billion for airports
    - $7 billion for water ports
    - $65 billion for broadband
    - $13 billion for safety agencies like NHTSA, FMCSA, and PHMSA
  - The plan describes the principles about how the bill should be paid for but is sparse on specifics.
    - It calls for repurposing unused federal funding from previous Covid relief bills, using "financing tools" and spending from the private sector, and unspecified user fees.
    - It specifically opposes rolling back 2017 GOP tax cuts and/or adding to the national debt.

- **School Lunches:** USDA announced this week that it would extend pandemic flexibilities for schools and daycare facility lunches, making all K-12 lunches free through spring 2022.
  - The effort attempts to reach more than 12 million youths experiencing food insecurity.
  - Child nutrition program waivers were implemented at the beginning of the pandemic and have allowed schools to adapt programs to better meet the children's needs.

- **Summer School:** Educators nationwide are planning for huge boosts in summer school enrollment this year. ARPA set aside $1.2 billion that states, districts, and schools must use to facilitate summer programming for students.
  - This comes after more than a full school year of pandemic learning that saw students uprooted from the classroom and onto computer screens.
  - Attracting qualified teachers remains as perhaps the most challenging hurdle in getting these programs up and running. Some states and school districts have proposed increasing hourly pay by significant amounts.

- **Rural Broadband:** Earlier this week, House Agriculture Committee Chairman David Scott (D-GA) has called for comprehensive rural broadband legislation to come to fruition by the end of 2021.
  - Rural expansion could cost anywhere from $60 billion to $150 billion. President Biden proposed $100 billion for rural broadband in his infrastructure plan.

April 28, 2021 Update

- **American Families Plan:** Today, the Biden administration announced the details of the $1.8 trillion America Families Plan. President Biden will address a joint session of Congress tonight and is expected to speak about the plan at length.
    - Its primary goal is to expand access to preschool, community colleges, childcare, and other healthcare benefits
    - Here some of the key provisions:
        - $225 billion for the creation of a national paid family and medical leave program
        - $225 billion for investments into childcare
        - $200 billion for universal pre-k
        - $109 billion for tuition-free community college to all Americans, including Dreamers
        - $85 billion to increase maximum Pell Grant awards by $1,400
        - $62 billion to support evidence-based completion and retention strategies at community colleges
        - Child tax credit and earned income tax credited expanded during the pandemic will be made permanent
    - The White House indicated that such a proposal will be paid by increasing the capital gains tax, implementing a higher top income tax rate, and increased IRS auditing enforcement on high-income businesses/individuals

- **CDC Eases Outdoor Mask Guidance for Vaccinated:** The Center for Disease Control announced on Tuesday that it would be easing its guidelines on the wearing of masks outdoors.
    - Fully vaccinated Americans do not need to cover their faces unless they are in a big crowd of strangers, according to the CDC
    - More than half of all US adults have received at least one does of coronavirus vaccine
        - CDC Director Rochelle Walensky pointed to the decline in COVID-19 cases, hospitalizations, and deaths and research showing that less than 10% of transmission happened outdoors
    - President Joe Biden and other experts have used the relaxing of restrictions as a reward and motivator for more individuals to receive vaccinations

- **Federal Reserve Holds Rates Near Zero:** In a statement released after its two-day policy meeting, the Fed identified vaccination progress and “strong policy support” as key factors in improving economic activity and employment.
    - While they expressed optimism about future economic recovery, they said they were not yet ready to scale back pandemic support.
    - Federal Reserve Chair Jerome Powell held a press conference today to discuss the decision with the media.

- **Senate Budget Plan on Water:** Earlier today, the Senate released their Budget Plan on Drought, Safe Drinking Water, Water Supply Reliability and Ratepayer Assistance. This proposal includes $3.41 billion in one-time state and federal funds for a number of water, drinking water, and water supply programs.
    - Included in the Senate Plan is a proposal to appropriate $1 billion in American Recovery Act funds to the Department of Community Services and Development

to help utility customers and utilities address backlogged bills and arrearages associated with COVID economic impacts. This action will include trailer bill language (not yet released) that designates the agency and process for disbursement of ratepayer relief funds.
    - The Senate Budget Committee will consider the proposal, not yet contained in a bill, at a hearing tomorrow morning.
    - Neither the Governor's Office, nor the Assembly, have yet weighed in on the Senate proposal.

- **Assembly Budget Priorities:** Earlier today, Assembly Budget Committee Chair, Phil Ting, provided an update on the Assembly Democrats' budget priorities as the June 15th constitutional deadline to approve next year's budget approaches. As expected, recovery from the coronavirus pandemic continues to be a key priority moving into next year. Specifically, the Assembly Democrats' Budget Priorities call for the following COVID-19 recovery items:
    - Funding to vaccinate Californians and prepare for new variants
    - Re-opening schools for the fall
    - Provide transitional resources to families and businesses to help with the State's re-opening
        - Early care and education: 1 million slots by 2025, and universal TK starting in 2021
        - $20 billion over five years for homelessness prevention
        - Expand the Golden State Stimulus, which was approved earlier this year, and increase grant levels
        - Expand job training opportunities to help re-engage the workforce in high paying jobs
        - Increase the production of affordable housing

- **California Alignment on CDC Outdoor Mask Guidance:** Yesterday, Governor Newsom and the California Department of Public Health (CDPH) highlighted their alignment and support of the CDC's new recommendation that those fully vaccinated are not required to wear masks in certain outdoor settings.
    - The decision to align with CDC guidance on relaxing masking requirements is further reinforced by the fact that California has administered more than 28 million vaccine doses, including almost 6 million to those who live in our hardest-hit communities.
    - CDPH is working to align California regulations and sectoral guidance to reflect this.

- **California Small Business Relief Grant Round 6:** Today marks the opening of Round 6 of the California Small Business Relief grant, which provides funding to eligible small businesses and non-profits. The program will be accepting applications until May 4th at 5:00pm.
    - Round 6 represents the final round of funding, unless the Legislature and Administration allocate additional funding to the program through the State Budget.
    - Eligible applicants that were waitlisted in a previous round do no need to reapply, as their applications will automatically roll-over and be eligible for funding.

- **California Business Tax Breaks on Forgiven PPP Loans:** On Monday, the State Legislature approved another piece of the COVID-19 economic recovery package, which will provide up to $6.8 billion in state tax breaks for California businesses.
    - Assembly Bill 80, which was negotiated between the Legislature and the Governor's administration, will allow businesses to avoid paying state taxes on forgiven loans from the federal Paycheck Protection Program and to deduct expenses paid for using the loan funds.
    - Tax breaks will apply to up to 85% of the more than 1 million California businesses that received a combined $97 billion in federal loans, averaging about $96,700 each.
    - The bill is currently awaiting the Governor's consideration. He is expected to sign AB 80 into law.

May 5, 2021 Update

- **Paycheck Protection Program (PPP) Funds Exhausted:** The federal PPP, run by the Small Business Administration, has run out of money for most borrowers before its planned May 31 end.
    - Going forward, the program will only accept new applications from Community Financial Institutions.
        - Roughly $8 billion in funding was set aside for such businesses.
    - The SBA will continue to fund outstanding approved PPP applications from other lenders but will not accept any new applicants.
    - There are other relief programs available through the SBA, including some that also give grants to businesses, including:
        - The SBA's Restaurant Revitalization Fund, which began accepting applications on Monday.
        - The program was established in March and was allocated $28.6 billion in funding. In the first 21 days, the SBA will only approve applications from small businesses owned by women, veterans or socially and economically disadvantaged people. Subsequently, it will open up to all eligible applicants.

- **California Courts Uphold Governor's Emergency Powers:** A California appeals court today affirmed Governor Newsom's use of emergency powers when he issued an Executive Order laying forth the procedures for conducting an all-mail election. The decision by the 3rd Court of Appeals overturned an earlier ruling by the Sutter County Superior Court.
    - The Court of Appeals found that the Governor's Executive Order complied with the state's Emergency Services Act, which gives the Governor expanded powers in extreme circumstances.
    - The original case against the Governor was brought by Republican Assembly Members Kevin Kiley and James Gallagher who claimed that the Governor had unconstitutionally used executive action when determining how the state would conduct elections. The Assembly Members contended that a Governor, even in times of emergency, is not allowed to create legislation.

- **Judge Rules Against National Eviction Moratorium:** Earlier today, a judge at the US District Court for the District of Columbia ruled that the Centers for Disease Control and Prevention's national eviction moratorium, aimed at helping those impacted by the

coronavirus pandemic stay in their homes, exceeds the agency's authority and should be vacated.

- It is unclear what the impact of today's ruling will be. The current national eviction moratorium is scheduled to remain in place until June 30th.
- The Justice Department has already issued a statement indicating that they disagree with the judge's opinion. Additionally, the Justice Department has already filed a notice of appeal of the decision and has indicated they intend to seek an emergency stay of the order pending the appeal.
- The national eviction moratorium was first put into place in the CARES Act, signed by President Trump last March. The moratorium then expired in July and was put back into place by an order from the CDC in September. The order has been further extended by the CDC to its current June 30th date.

- **CDPH Updates Mask Guidance:** On Monday, the California Department of Public Health (CDPH) updated its November 16, 2020 face coverings guidance to align with the latest CDC guidance.
  - Face coverings are not required outdoors except when attending crowded outdoor events when physical distancing is not possible.
  - For small outdoor gatherings, fully vaccinated persons are not required to wear face coverings while unvaccinated persons do.
  - Regardless of vaccination status, face coverings are required indoors with a few exceptions.

- **Updated Guidance for Fully Vaccinated Persons:** CDPH also updated the April 15, 2021 guidance for fully vaccinated persons.
  - The new guidance clarifies that Cal/OSHA COVID-19 Prevention Emergency Temporary Standards related to the quarantine of fully vaccinated individuals applies to workplaces that are not healthcare settings.
  - Fully vaccinated people can spend time with other fully vaccinated persons from a single household who are at low-risk for severe COVID-19 disease, including indoors, without wearing a face covering or physically distancing.

TOWNSEND
PUBLIC AFFAIRS
EST TPA 1998

COVID-19 WEEKLY UPDATE: FRIDAY, APRIL 9

During these uncertain times, Townsend Public Affairs is committed to keeping you informed of the unprecedented activity coming out of Sacramento and Washington, DC. The information below is intended to summarize the current actions that have been taken during this state of emergency.

STATE

APRIL 8

Early Budget Action for Wildfire Prevention: Governor Gavin Newsom, Senate President pro Tempore Toni G. Atkins (D-San Diego) and Assembly Speaker Anthony Rendon (D-Lakewood) announced a $536 million funding plan to help improve California's resilience to wildfires. The $536 million funding packaging includes $125 million from Greenhouse Gas Reduction Funds and $411 million from the General Fund. The State also hopes to draw federal disaster prevention grants to match money spent on home hardening.

APRIL 7

Outdoor and Indoor Youth and Recreational Adult Sports Guidance Update: The California Department of Public Health updated their Outdoor Seated Live Events and Performances guidance for youth and recreational adult sports to reflect that spectators and observers are now permitted. Additionally, inter-team competitions, meets, races, or similar events are permitted to occur, but only with other teams within the state.

APRIL 6

California's Next Step in the COVID-19 Pandemic Recovery: Governor Newsom outlined the state's next step in the COVID-19 pandemic recovery, which includes moving beyond the Blueprint for a Safer Economy. This, following California's administration of more than 20 million vaccine doses, including 4 million in the state's hardest-hit communities, and a continuing steady decline in hospitalizations throughout the state. The Governor indicated that California will fully open its economy on June 15th if two criteria are met: 1. Vaccine supply is sufficient for Californians 16 years and older who wish to be inoculated and 2. Hospitalization rates are stable and low.

FEDERAL

APRIL 8

President Biden to Announce Second Stimulus Plan: The White House said that President Biden will propose an American Families Plan as soon as this month, in addition to the American Jobs Plan unveiled last week. The second bill will include expanded benefits for childcare, as well as health-related measures. Some Democrats have called for both proposals to be wrapped into one large package, as there is a concern that there will not be enough time, and political capital, to pass two multi-trillion-dollar pieces of legislation after the passage of the $1.9 trillion American Rescue Plan Act.

APRIL 6

Pathway for Federal Infrastructure and Stimulus Plan: The Senate parliamentarian ruled that the annual budget resolution can be revised to include new reconciliation instructions, which will allow Democrats to pass more than one bill under reconciliation rules each year. Reconciliation bills cannot be filibustered, but they are guided by a set of restrictions, most notably the Byrd Rule, which prohibits non-budgetary policies from being included. This was used to pass the first stimulus bill, the American Rescue Plan Act.

FEMA Announced Financial Support for COVID-19 Funeral Costs: FEMA announced it will provide financial support to offset the cost of funeral services for COVID-19 victims. The financial support is available for individuals who died in the US from COVID-19 (documented on the death certificate) after January 20, 2020, and while applicants must be US citizens or residents, there is no citizenship or residency requirement for the deceased individuals. FEMA is offering up to $9,000 per funeral, and applicants can submit requests for multiple COVID-19 victims, up to $35,500 per application.

UNDERSTANDING CRITERIA FOR RE-OPENING

Each county's current tiered status can be **found here**, and an outline of each industry and their operating status under the Blueprint to a Safer Economy tiered system can be **found here**.

31,006,952
Confirmed Cases in the United States

3,588,152
Confirmed Cases in California

32 of 58
Counties with Moderate Risk

LOOKING AHEAD: TPA is continually updating a comprehensive funding matrix that identifies all available local, state, federal, and private COVID-19 related funding opportunities. We are prepared to work with you immediately to submit applications to access that funding and establish a program to provide support services to the small businesses in your community.

Updated: Friday, April 9 at 2:00 PM PST

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
010228	Birmingham	AL	$5,074,139
011218	Huntsville	AL	$2,706,325
011542	Mobile	AL	$3,083,624
011560	Montgomery	AL	$3,288,603
012268	Tuscaloosa	AL	$1,719,375
019073	Jefferson County	AL	$3,597,411
019097	Mobile County	AL	$2,190,303
019999	AL Non Entitlement	AL	$41,632,082
01C983	CNSRT-Anniston	AL	$1,454,489
020078	Anchorage	AK	$2,713,359
029999	AK Non Entitlement	AK	$4,983,462
040270	Mesa	AZ	$5,605,694
040330	Phoenix	AZ	$21,354,777
049021	Pinal County	AZ	$2,221,167
049999	AZ Non Entitlement	AZ	$21,818,662
04C039	CNSRT-Maricopa County	AZ	$16,756,617
04C040	CNSRT-Tucson	AZ	$12,770,187
04C997	CNSRT-Yuma	AZ	$2,730,716
050930	Fort Smith	AR	$1,501,450
051560	Little Rock	AR	$2,675,234
051938	North Little Rock	AR	$1,200,771
052130	Pine Bluff	AR	$820,261
059999	AR Non Entitlement	AR	$37,547,010
060030	Alhambra	CA	$2,063,172
060078	Anaheim	CA	$5,476,903
060228	Bakersfield	CA	$5,458,039
060234	Baldwin Park	CA	$1,128,365
060288	Bellflower	CA	$1,301,749
060324	Berkeley	CA	$2,735,696
060456	Burbank	CA	$1,896,632
060684	Chico	CA	$1,931,186
060720	Chula Vista	CA	$3,139,777
060804	Compton	CA	$1,988,847
060828	Corona	CA	$1,799,854
060846	Costa Mesa	CA	$1,816,742
060930	Daly City	CA	$1,411,179
060942	Davis	CA	$1,371,392
061032	Downey	CA	$1,593,133
061116	El Cajon	CA	$2,189,272
061152	El Monte	CA	$2,413,008
061230	Escondido	CA	$2,262,839
061332	Fontana	CA	$2,633,658
061410	Fresno	CA	$11,922,873
061416	Fullerton	CA	$1,954,345

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
061428	Gardena	CA	$1,040,280
061440	Garden Grove	CA	$3,037,211
061464	Glendale	CA	$5,109,346
061596	Hawthorne	CA	$2,166,698
061692	Huntington Beach	CA	$2,240,675
061698	Huntington Park	CA	$2,180,103
061740	Inglewood	CA	$3,108,579
061750	Irvine	CA	$3,524,291
061914	Lancaster	CA	$2,450,524
062088	Long Beach	CA	$10,240,858
062118	Los Angeles	CA	$99,891,031
062148	Lynwood	CA	$1,967,319
062250	Merced	CA	$1,988,778
062292	Modesto	CA	$3,409,774
062328	Montebello	CA	$1,088,774
062340	Monterey Park	CA	$1,175,039
062367	Moreno Valley	CA	$2,427,401
062382	Mountain View	CA	$982,560
062412	National City	CA	$1,188,797
062490	Norwalk	CA	$1,231,940
062508	Oakland	CA	$11,325,941
062532	Oceanside	CA	$2,248,491
062556	Ontario	CA	$2,713,297
062568	Orange	CA	$1,655,186
062622	Oxnard	CA	$2,772,021
062658	Palmdale	CA	$2,093,968
062706	Paramount City	CA	$1,087,336
062724	Pasadena	CA	$3,042,435
062850	Pomona	CA	$3,190,091
062958	Redding	CA	$1,597,470
062976	Redwood City	CA	$1,194,369
063048	Riverside	CA	$4,335,583
063102	Rosemead	CA	$1,222,084
063144	Sacramento	CA	$9,125,315
063162	Salinas	CA	$2,918,774
063180	San Bernardino	CA	$5,058,437
063210	San Diego	CA	$20,956,979
063228	San Francisco	CA	$18,707,742
063258	San Jose	CA	$11,676,334
063342	Santa Ana	CA	$6,183,914
063348	Santa Barbara	CA	$1,862,192
063354	Santa Clara	CA	$1,604,104
063356	Santa Clarita	CA	$1,913,298
063360	Santa Cruz	CA	$1,434,354

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
063384	Santa Monica	CA	$2,220,124
063396	Santa Rosa	CA	$2,737,433
063528	South Gate	CA	$2,584,579
063624	Stockton	CA	$6,380,677
063660	Sunnyvale	CA	$1,503,133
063744	Torrance	CA	$1,710,939
063876	Vallejo	CA	$2,213,960
063888	San Buenaventura	CA	$1,611,191
063918	Visalia	CA	$1,840,059
064014	Westminster	CA	$1,613,107
064074	Whittier	CA	$1,265,320
069019	Fresno County	CA	$4,953,304
069029	Kern County	CA	$6,910,840
069037	Los Angeles County	CA	$32,614,780
069041	Marin County	CA	$2,902,549
069059	Orange County	CA	$5,017,613
069065	Riverside County	CA	$8,823,099
069077	San Joaquin County	CA	$4,196,057
069079	San Luis Obispo County	CA	$3,294,619
069097	Sonoma County	CA	$2,991,512
069999	CA Non Entitlement	CA	$155,003,054
06C035	CNSRT-San Mateo County	CA	$5,180,249
06C037	CNSRT-Alameda County	CA	$11,016,270
06C061	CNSRT-Ventura County	CA	$4,589,552
06C116	CNSRT-San Bernardino Co.	CA	$12,717,363
06C209	CNSRT-San Diego County	CA	$11,891,028
06C210	CNSRT-Contra Costa Co.	CA	$12,090,215
06C226	CNSRT-Apple Valley	CA	$2,913,966
06C308	CNSRT-Santa Barbara Co.	CA	$4,647,509
06C801	CNSRT-Turlock City	CA	$5,323,420
06C901	CNSRT-Sacramento County	CA	$11,947,371
06C999	CNSRT-Santa Clara County	CA	$3,599,966
080072	Aurora	CO	$4,149,712
080288	Colorado Springs	CO	$5,741,978
080390	Denver	CO	$10,820,331
080552	Fort Collins	CO	$2,628,410
080690	Greeley	CO	$1,481,453
089999	CO Non Entitlement	CO	$24,729,198
08C016	CNSRT-Pueblo	CO	$3,090,925
08C050	CNSRT-Adams County	CO	$3,848,071
08C151	CNSRT-Jefferson County	CO	$3,584,662
08C229	CNSRT-Arapahoe County	CO	$2,691,031
08C977	CNSRT-Boulder City	CO	$4,256,840
090102	Bridgeport	CT	$4,671,199

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
090492	Hartford	CT	$5,242,613
090696	New Britain	CT	$2,221,432
090726	New Haven	CT	$4,852,875
091074	Stamford	CT	$1,591,663
091194	Waterbury	CT	$3,248,404
099999	CT Non Entitlement	CT	$35,939,963
100336	Wilmington	DE	$2,100,727
109003	New Castle County	DE	$3,672,176
109999	DE Non Entitlement	DE	$5,322,495
119999	DC Non Entitlement	DC	$19,315,064
120492	Clearwater	FL	$1,637,567
120690	Daytona Beach	FL	$1,405,829
120954	Ft Lauderdale	FL	$2,589,019
121038	Gainesville	FL	$1,968,639
121236	Hialeah	FL	$5,388,586
121320	Hollywood	FL	$1,915,134
121662	Lakeland	FL	$1,401,459
121968	Miami	FL	$12,720,427
121974	Miami Beach	FL	$2,245,387
122142	North Miami	FL	$1,088,181
122292	Orlando	FL	$4,787,204
122538	Pompano Beach	FL	$1,639,319
122724	St Petersburg	FL	$3,036,659
123000	Tallahassee	FL	$3,412,463
123012	Tampa	FL	$6,335,438
123252	West Palm Beach	FL	$1,734,257
129021	Collier County	FL	$2,729,078
129031	Jacksonville-Duval County	FL	$12,060,074
129057	Hillsborough County	FL	$10,374,531
129069	Lake County	FL	$2,060,197
129071	Lee County	FL	$3,802,106
129081	Manatee County	FL	$2,362,768
129086	Miami-Dade County	FL	$17,686,235
129095	Orange County	FL	$10,554,916
129099	Palm Beach County	FL	$8,768,012
129105	Polk County	FL	$5,105,519
129117	Seminole County	FL	$3,046,438
129127	Volusia County	FL	$2,665,311
129999	FL Non Entitlement	FL	$71,903,340
12C018	CNSRT-Pinellas County	FL	$4,794,571
12C020	CNSRT-Brevard County	FL	$4,524,586
12C021	CNSRT-Sarasota City	FL	$3,170,598
12C114	CNSRT-Escambia County	FL	$4,135,750
12C140	CNSRT-Broward County	FL	$13,987,207

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
12C228	CNSRT-Marion County	FL	$3,217,585
12C972	CNSRT-St. Lucie County	FL	$3,480,403
12C985	CNSRT-Pasco County	FL	$4,455,673
12C996	CNSRT-Osceola County	FL	$3,478,510
130054	Albany	GA	$1,798,393
130168	Athens-Clarke County	GA	$2,506,309
130174	Atlanta	GA	$7,991,553
130192	Augusta-Richmond County	GA	$3,483,201
130750	Columbus-Muscogee County	GA	$3,574,055
131968	Macon-Bibb County	GA	$2,987,467
132916	Savannah	GA	$3,100,743
139063	Clayton County	GA	$3,929,129
139089	De Kalb County	GA	$7,800,770
139121	Fulton County	GA	$2,428,588
139135	Gwinnett County	GA	$7,593,563
139999	GA Non Entitlement	GA	$87,655,165
13C807	CNSRT-Cobb County	GA	$5,551,090
150144	Honolulu	HI	$11,120,347
159999	HI Non Entitlement	HI	$6,413,733
160102	Boise	ID	$2,932,499
169999	ID Non Entitlement	ID	$19,464,492
170342	Aurora	IL	$2,726,703
171296	Chicago	IL	$71,170,234
171716	Decatur	IL	$1,497,384
172238	Evanston	IL	$1,298,584
175526	Peoria	IL	$2,405,902
176000	Rockford	IL	$3,579,012
176648	Springfield	IL	$2,380,397
179111	Mchenry County	IL	$2,225,083
179999	IL Non Entitlement	IL	$62,083,824
17C010	CNSRT-Lake County	IL	$6,025,377
17C011	CNSRT-Will County	IL	$4,581,154
17C104	CNSRT-Cook County	IL	$23,837,306
17C105	CNSRT-Dupage County	IL	$6,505,249
17C206	CNSRT-St. Clair County	IL	$3,762,217
17C236	CNSRT-Kane County	IL	$3,399,022
17C305	CNSRT-Urbana	IL	$2,970,773
17C986	CNSRT-Madison County	IL	$3,529,710
180084	Anderson	IN	$1,372,583
180246	Bloomington	IN	$2,045,237
180846	East Chicago	IN	$1,023,095
180954	Evansville	IN	$2,739,593
181014	Fort Wayne	IN	$4,029,194
181104	Gary	IN	$2,490,094

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
181272	Hammond	IN	$1,765,004
181404	Indianapolis	IN	$14,948,601
182100	Muncie	IN	$1,858,590
183042	Terre Haute	IN	$1,537,055
189089	Lake County	IN	$2,197,879
189999	IN Non Entitlement	IN	$54,528,535
18C017	CNSRT-South Bend	IN	$3,489,734
18C207	CNSRT-Lafayette	IN	$2,967,029
190138	Ames	IA	$1,269,248
190804	Cedar Rapids	IA	$1,388,646
191254	Davenport	IA	$1,533,897
191362	Des Moines	IA	$3,556,317
192466	Iowa City	IA	$1,789,981
199999	IA Non Entitlement	IA	$29,474,196
19C2M8	CNSRT-Sioux City	IA	$1,745,357
19C701	CNSRT-Waterloo	IA	$1,780,793
201776	Kansas City	KS	$3,197,903
201902	Lawrence	KS	$1,641,383
203408	Topeka	KS	$2,064,660
203696	Wichita	KS	$5,508,372
209999	KS Non Entitlement	KS	$22,929,650
20C307	CNSRT-Johnson County	KS	$3,977,106
211314	Lexington-Fayette	KY	$4,865,246
211374	Louisville-Home	KY	$11,417,313
211680	Owensboro	KY	$1,007,867
219999	KY Non Entitlement	KY	$51,725,043
21C980	CNSRT-Covington	KY	$2,044,421
220030	Alexandria	LA	$937,270
220126	Baton Rouge	LA	$5,104,454
220828	Houma-Terrebonne	LA	$1,235,848
220954	Lafayette	LA	$2,251,381
220978	Lake Charles	LA	$1,416,211
221206	Monroe	LA	$1,167,981
221296	New Orleans	LA	$9,474,585
221650	Shreveport	LA	$3,584,981
229999	LA Non Entitlement	LA	$39,286,662
22C122	CNSRT-Jefferson Parish	LA	$5,664,957
239999	ME Non Entitlement	ME	$15,685,918
23C052	CNSRT-Auburn	ME	$1,700,829
23C982	CNSRT-Portland	ME	$3,594,143
240066	Baltimore	MD	$15,456,082
249003	Anne Arundel County	MD	$2,800,473
249005	Baltimore County	MD	$7,471,986
249025	Harford County	MD	$1,821,904

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
249027	Howard County	MD	$1,757,012
249031	Montgomery County	MD	$7,310,978
249033	Prince Georges County	MD	$7,592,085
249999	MD Non Entitlement	MD	$23,971,559
250282	Boston	MA	$21,597,797
250354	Brockton	MA	$2,096,451
250396	Cambridge	MA	$2,325,483
250744	Fall River	MA	$3,813,993
251194	Lawrence	MA	$3,174,052
251284	Lowell	MA	$3,107,198
251302	Lynn	MA	$3,347,845
251614	New Bedford	MA	$3,175,399
252250	Somerville	MA	$1,626,742
252340	Springfield	MA	$6,066,102
252880	Worcester	MA	$5,969,718
259999	MA Non Entitlement	MA	$36,453,826
25C002	CNSRT-Holyoke	MA	$3,329,224
25C003	CNSRT-Newton	MA	$5,406,962
25C004	CNSRT-Malden	MA	$7,275,299
25C005	CNSRT-Quincy	MA	$2,918,165
25C101	CNSRT-Fitchburg	MA	$1,738,722
25C102	CNSRT-Peabody	MA	$7,358,237
25C201	CNSRT-Barnstable County	MA	$1,556,508
25C227	CNSRT-Taunton	MA	$2,611,979
260432	Battle Creek	MI	$1,094,358
260444	Bay City	MI	$761,876
261698	Detroit	MI	$26,583,684
262172	Flint	MI	$3,244,570
262544	Grand Rapids	MI	$4,630,669
263174	Jackson	MI	$1,137,398
263222	Kalamazoo	MI	$1,881,648
263456	Lansing	MI	$2,784,822
264296	Muskegon	MI	$1,218,250
265010	Port Huron	MI	$937,946
265340	Saginaw	MI	$1,627,488
266252	Warren	MI	$2,048,247
266378	Westland	MI	$1,168,976
269049	Genesee County	MI	$3,044,050
269161	Washtenaw County	MI	$4,562,230
269999	MI Non Entitlement	MI	$63,793,681
26C152	CNSRT-Oakland County	MI	$10,396,043
26C962	CNSRT-Macomb County	MI	$6,086,008
26C978	CNSRT-Wayne County	MI	$10,288,375
26C991	CNSRT-Kent County	MI	$3,352,764

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
271266	Duluth	MN	$1,986,658
273120	Minneapolis	MN	$9,626,335
274164	St Paul	MN	$6,789,929
279999	MN Non Entitlement	MN	$31,137,836
27C022	CNSRT-St Louis County	MN	$2,042,540
27C023	CNSRT-Hennepin County	MN	$6,415,971
27C024	CNSRT-Dakota County	MN	$8,762,441
280630	Hattiesburg	MS	$1,075,484
280726	Jackson	MS	$3,195,726
289999	MS Non Entitlement	MS	$38,094,321
28C903	CNSRT-Gulfport	MS	$1,764,175
291152	Columbia	MO	$2,161,654
292562	Independence	MO	$1,684,853
292670	Kansas City	MO	$8,397,188
294614	St Joseph	MO	$1,337,926
294626	St Louis	MO	$10,635,523
294884	Springfield	MO	$3,805,703
299999	MO Non Entitlement	MO	$45,382,334
29C141	CNSRT-St Louis County	MO	$13,279,298
29C976	CNSRT-Joplin City	MO	$1,736,017
300066	Billings	MT	$1,211,321
300342	Great Falls	MT	$1,026,477
300540	Missoula	MT	$1,323,209
309999	MT Non Entitlement	MT	$11,459,768
311710	Lincoln	NE	$4,108,801
319999	NE Non Entitlement	NE	$15,080,477
31C7M1	CNSRT-Omaha	NE	$8,186,068
320096	Henderson	NV	$2,523,480
320108	Las Vegas	NV	$8,289,072
329999	NV Non Entitlement	NV	$6,444,739
32C038	CNSRT-Clark County	NV	$14,773,850
32C309	CNSRT-Reno	NV	$5,066,913
330930	Manchester	NH	$2,538,601
331026	Nashua	NH	$1,618,618
339999	NH Non Entitlement	NH	$13,875,514
340078	Atlantic City	NJ	$1,739,690
340414	Camden	NJ	$3,150,462
340732	East Orange	NJ	$1,859,520
340798	Elizabeth	NJ	$3,358,343
341434	Irvington	NJ	$1,738,627
341464	Jersey City	NJ	$7,703,151
342190	Newark	NJ	$9,928,468
342196	New Brunswick	NJ	$1,902,967
342454	Passaic	NJ	$3,154,749

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
342466	Paterson	NJ	$5,301,454
342532	Perth Amboy	NJ	$1,476,500
343216	Trenton	NJ	$3,228,324
349003	Bergen County	NJ	$10,376,279
349999	NJ Non Entitlement	NJ	$19,495,890
34C025	CNSRT-Ocean County	NJ	$4,865,698
34C026	CNSRT-Hudson County	NJ	$9,754,242
34C027	CNSRT-Union County	NJ	$4,456,332
34C053	CNSRT-Somerset County	NJ	$2,027,018
34C119	CNSRT-Mercer County	NJ	$2,369,704
34C120	CNSRT-Camden County	NJ	$4,108,852
34C121	CNSRT-Vineland	NJ	$2,258,331
34C142	CNSRT-Essex County	NJ	$4,527,082
34C303	CNSRT-Morris County	NJ	$3,075,544
34C401	CNSRT-Middlesex County	NJ	$5,844,246
34C502	CNSRT-Atlantic County	NJ	$2,434,422
34C904	CNSRT-Monmouth County	NJ	$5,523,901
34C951	CNSRT-Gloucester County	NJ	$2,153,826
34C963	CNSRT-Burlington County	NJ	$3,061,241
350012	Albuquerque	NM	$7,412,150
350336	Las Cruces	NM	$1,778,071
359999	NM Non Entitlement	NM	$19,577,257
360040	Albany	NY	$3,339,954
360352	Babylon Town	NY	$1,561,413
360556	Binghamton	NY	$1,936,143
360744	Brookhaven Town	NY	$3,388,984
360784	Buffalo	NY	$12,280,862
362000	Elmira	NY	$1,118,725
363160	Islip Town	NY	$2,375,228
363168	Ithaca	NY	$1,211,929
363180	Jamestown	NY	$1,227,096
364212	Mount Vernon	NY	$1,855,473
364408	New Rochelle	NY	$1,490,848
364436	New York	NY	$269,831,517
364448	Niagara Falls	NY	$1,624,703
365544	Rochester	NY	$8,982,027
366376	Syracuse	NY	$5,132,982
366612	Utica	NY	$2,428,816
367260	Yonkers	NY	$4,687,217
369059	Nassau County	NY	$8,835,994
369087	Rockland County	NY	$3,359,161
369119	Westchester County	NY	$4,005,057
369999	NY Non Entitlement	NY	$93,489,813
36C006	CNSRT-Erie County	NY	$3,442,399

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
36C007	CNSRT-Monroe County	NY	$4,290,012
36C008	CNSRT-Onondaga County	NY	$2,389,171
36C009	CNSRT-Schenectady	NY	$3,832,771
36C103	CNSRT-Amherst	NY	$3,413,700
36C144	CNSRT-Suffolk County	NY	$2,436,367
36C202	CNSRT-Jefferson County	NY	$2,988,032
36C301	CNSRT-Dutchess County	NY	$3,478,489
36C302	CNSRT-Orange County	NY	$4,247,538
371002	Fayetteville	NC	$3,397,564
371158	Goldsboro	NC	$907,913
371194	Greenville	NC	$1,988,461
371356	High Point	NC	$1,988,359
372304	Raleigh	NC	$5,248,796
373144	Wilmington	NC	$2,513,506
379051	Cumberland County	NC	$1,435,021
379999	NC Non Entitlement	NC	$65,590,727
37C109	CNSRT-Winston-Salem	NC	$4,887,567
37C110	CNSRT-Gastonia	NC	$2,850,611
37C111	CNSRT-Asheville	NC	$4,699,862
37C112	CNSRT-Surry County	NC	$2,110,180
37C113	CNSRT-Lenoir	NC	$4,182,773
37C172	CNSRT-Haywood County	NC	$1,965,737
37C204	CNSRT-Orange County	NC	$1,371,401
37C205	CNSRT-Durham	NC	$4,346,151
37C304	CNSRT-Greensboro	NC	$6,601,747
37C503	CNSRT-Concord	NC	$4,772,338
37C504	CNSRT-Rocky Mount	NC	$1,476,477
37C905	CNSRT-Charlotte	NC	$11,566,783
37C950	CNSRT-Wake County	NC	$3,511,550
380636	Fargo	ND	$1,697,107
389999	ND Non Entitlement	ND	$7,768,864
390042	Akron	OH	$5,335,558
390858	Canton	OH	$2,573,468
391062	Cincinnati	OH	$9,923,076
391104	Cleveland	OH	$17,735,408
391176	Columbus	OH	$16,433,138
391362	Dayton	OH	$5,091,209
391500	East Cleveland	OH	$911,984
392118	Hamilton City	OH	$1,400,858
392730	Lima	OH	$1,122,406
392820	Lorain	OH	$1,729,944
393012	Mansfield	OH	$1,061,958
394998	Springfield	OH	$1,880,905
395214	Toledo	OH	$7,900,932

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
395874	Youngstown	OH	$2,516,342
399049	Franklin County	OH	$3,158,302
399061	Hamilton County	OH	$5,464,367
399085	Lake County	OH	$1,631,860
399113	Montgomery County	OH	$3,868,913
399153	Summit County	OH	$1,535,739
399999	OH Non Entitlement	OH	$90,557,128
39C012	CNSRT-Warren	OH	$2,674,823
39C106	CNSRT-Stark County	OH	$3,228,483
39C107	CNSRT-Cuyahoga County	OH	$9,879,339
39C805	CNSRT-Butler County	OH	$3,105,309
401734	Lawton	OK	$1,327,045
402190	Norman	OK	$1,560,908
402268	Oklahoma City	OK	$8,443,107
403036	Tulsa	OK	$6,477,826
409999	OK Non Entitlement	OK	$32,093,285
40C306	CNSRT-Tulsa County	OK	$4,094,107
410288	Corvallis	OR	$1,164,563
411200	Salem	OR	$2,349,371
419005	Clackamas County	OR	$3,649,508
419047	Marion County	OR	$2,251,172
419999	OR Non Entitlement	OR	$32,894,168
41C032	CNSRT-Portland	OR	$13,567,782
41C033	CNSRT-Eugene	OR	$4,728,637
41C213	CNSRT-Washington County	OR	$6,101,728
420096	Allentown	PA	$3,496,826
420114	Altoona	PA	$1,192,765
420504	Bethlehem	PA	$1,404,987
421116	Chester	PA	$1,318,782
422178	Erie	PA	$2,932,681
422898	Harrisburg	PA	$1,752,227
423411	Johnstown	PA	$881,979
425451	Philadelphia	PA	$42,007,561
425529	Pittsburgh	PA	$8,342,028
425793	Reading	PA	$3,580,856
426201	Scranton	PA	$2,440,076
426711	State College	PA	$1,109,162
427227	Upper Darby	PA	$1,561,080
427947	Wilkes-Barre	PA	$1,235,638
427962	Williamsport	PA	$888,134
428136	York	PA	$1,980,626
429007	Beaver County	PA	$2,091,861
429011	Berks County	PA	$2,296,766
429029	Chester County	PA	$3,984,864

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
429041	Cumberland County	PA	$1,903,664
429043	Dauphin County	PA	$2,348,835
429045	Delaware County	PA	$3,732,740
429079	Luzerne County	PA	$2,530,085
429091	Montgomery County	PA	$5,080,650
429095	Northampton County	PA	$2,338,781
429125	Washington County	PA	$2,104,738
429133	York County	PA	$3,070,455
429999	PA Non Entitlement	PA	$73,094,403
42C028	CNSRT-Bucks County	PA	$4,484,799
42C125	CNSRT-Westmoreland Co	PA	$3,684,314
42C403	CNSRT-Allegheny County	PA	$10,799,656
42C987	CNSRT-Lancaster County	PA	$6,789,732
440210	Pawtucket	RI	$2,076,595
440222	Providence	RI	$5,930,420
440306	Woonsocket	RI	$1,634,946
449999	RI Non Entitlement	RI	$13,486,659
450300	Charleston	SC	$1,977,676
450372	Columbia	SC	$2,500,820
450648	Greenville	SC	$1,068,364
451554	Spartanburg	SC	$773,630
459019	Charleston County	SC	$2,940,411
459045	Greenville County	SC	$4,151,357
459063	Lexington County	SC	$2,619,353
459079	Richland County	SC	$2,696,855
459083	Spartanburg County	SC	$2,122,446
459999	SC Non Entitlement	SC	$26,687,296
45C108	CNSRT-Sumter County	SC	$2,785,118
45C808	CNSRT-Horry County	SC	$3,823,021
45C967	CNSRT-Beaufort County	SC	$2,321,952
45C973	CNSRT-Anderson County	SC	$2,142,273
45C990	CNSRT-Orangeburg County	SC	$3,855,545
461518	Sioux Falls	SD	$1,842,463
469999	SD Non Entitlement	SD	$9,290,628
470336	Chattanooga	TN	$2,966,210
470354	Clarksville	TN	$1,882,125
470924	Jackson	TN	$1,232,967
471014	Knoxville	TN	$4,076,859
471242	Memphis	TN	$13,545,982
471368	Nashville-Davidson	TN	$9,315,028
479093	Knox County	TN	$1,555,950
479157	Shelby County	TN	$1,557,263
479999	TN Non Entitlement	TN	$53,276,184
47C1M3	CNSRT-Bristol	TN	$4,014,832

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
480018	Abilene	TX	$1,595,072
480132	Amarillo	TX	$2,560,840
480222	Arlington	TX	$4,583,064
480264	Austin	TX	$11,441,252
480402	Beaumont	TX	$1,865,394
480726	Brownsville	TX	$3,324,820
480738	Bryan	TX	$1,384,509
481104	College Station	TX	$1,740,263
481206	Corpus Christi	TX	$4,213,937
481338	Dallas	TX	$21,376,123
481416	Denton	TX	$1,763,622
481680	El Paso	TX	$9,535,888
481896	Fort Worth	TX	$10,537,030
481986	Galveston	TX	$893,274
481998	Garland	TX	$2,541,737
482142	Grand Prairie	TX	$1,907,879
482304	Harlingen	TX	$1,210,837
482514	Houston	TX	$37,352,805
482628	Irving	TX	$2,931,949
482820	Killeen	TX	$1,778,641
483042	Laredo	TX	$4,199,095
483246	Longview	TX	$1,077,488
483288	Lubbock	TX	$3,615,530
483330	McAllen	TX	$2,126,569
483924	Odessa	TX	$996,215
484068	Pasadena	TX	$1,930,689
484206	Plano	TX	$1,988,051
484248	Port Arthur	TX	$1,000,453
484752	San Angelo	TX	$1,110,165
484758	San Antonio	TX	$20,042,085
485496	Tyler	TX	$1,312,072
485592	Waco	TX	$2,539,867
485826	Wichita Falls	TX	$1,572,080
489029	Bexar County	TX	$2,544,520
489039	Brazoria County	TX	$1,874,707
489113	Dallas County	TX	$2,738,369
489157	Fort Bend County	TX	$3,322,057
489201	Harris County	TX	$16,747,366
489215	Hidalgo County	TX	$7,461,494
489339	Montgomery County	TX	$2,548,899
489999	TX Non Entitlement	TX	$132,969,147
48C970	CNSRT-Tarrant County	TX	$5,281,656
490888	Ogden	UT	$1,652,923
491092	Salt Lake City	UT	$3,533,195

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
499999	UT Non Entitlement	UT	$12,978,715
49C014	CNSRT-Salt Lake County	UT	$6,213,428
49C015	CNSRT-Provo	UT	$5,144,957
500288	Burlington	VT	$1,500,494
509999	VT Non Entitlement	VT	$9,564,691
510024	Alexandria	VA	$2,243,216
510288	Chesapeake	VA	$2,004,685
510450	Danville	VA	$990,667
510720	Hampton	VA	$1,954,965
510960	Lynchburg	VA	$1,498,471
511098	Newport News	VA	$2,795,087
511116	Norfolk	VA	$4,517,686
511236	Portsmouth	VA	$1,540,476
511308	Richmond	VA	$5,840,854
511320	Roanoke	VA	$2,449,336
511590	Virginia Beach	VA	$3,840,395
519013	Arlington County	VA	$2,628,564
519041	Chesterfield County	VA	$2,124,036
519059	Fairfax County	VA	$7,884,566
519087	Henrico County	VA	$3,216,865
519153	Prince William County	VA	$3,350,574
519999	VA Non Entitlement	VA	$39,724,473
51C126	CNSRT-Charlottesville	VA	$2,452,270
51C406	CNSRT-Suffolk	VA	$1,451,291
51C975	CNSRT-Blacksburg	VA	$2,161,332
51C979	CNSRT-Winchester	VA	$2,312,718
530090	Bellingham	WA	$2,184,701
531392	Seattle	WA	$12,220,684
531488	Spokane	WA	$4,628,671
531668	Vancouver	WA	$2,496,110
531830	Yakima	WA	$1,822,807
539011	Clark County	WA	$2,006,728
539053	Pierce County	WA	$5,263,105
539063	Spokane County	WA	$3,005,209
539999	WA Non Entitlement	WA	$23,443,764
53C127	CNSRT-King County	WA	$13,801,695
53C128	CNSRT-Snohomish County	WA	$7,295,083
53C143	CNSRT-Thurston County	WA	$3,053,476
53C402	CNSRT-Richland	WA	$2,394,949
53C505	CNSRT-Kitsap County	WA	$2,653,349
53C506	CNSRT-Longview	WA	$1,326,277
53C806	CNSRT-Tacoma	WA	$5,110,825
53C989	CNSRT-Yakima County	WA	$1,814,137
53C998	CNSRT-Skagit County	WA	$3,591,066

American Rescue Plan Act HOME Supplemental Allocations			
KEY	NAME	STA	AMOUNT
549999	WV Non Entitlement	WV	$19,106,500
54C203	CNSRT-Huntington	WV	$2,437,837
54C404	CNSRT-Wheeling	WV	$1,105,104
54C405	CNSRT-Parkersburg	WV	$1,243,320
54C507	CNSRT-Charleston	WV	$2,554,912
54C974	CNSRT-Martinsburg	WV	$1,843,081
551920	Eau Claire	WI	$1,140,076
552664	Green Bay	WI	$1,948,216
553316	Kenosha	WI	$1,963,911
553428	La Crosse	WI	$1,097,432
553944	Madison	WI	$5,076,197
554340	Milwaukee	WI	$20,309,464
555424	Racine	WI	$2,080,178
559025	Dane County	WI	$2,255,364
559999	WI Non Entitlement	WI	$41,859,563
55C118	CNSRT-Milwaukee County	WI	$4,499,862
55C602	CNSRT-Waukesha County	WI	$5,293,334
55C702	CNSRT-Janesville	WI	$2,442,156
569999	WY Non Entitlement	WY	$7,390,819
600001	American Samoa	AS	$950,062
660001	Guam	GU	$3,881,538
690001	Northern Marianas	MP	$1,692,522
729005	Aguadilla Municipio	PR	$1,702,648
729013	Arecibo Municipio	PR	$2,009,585
729021	Bayamon Municipio	PR	$3,738,677
729025	Caguas Municipio	PR	$2,645,438
729031	Carolina Municipio	PR	$2,789,593
729061	Guaynabo Municipio	PR	$1,068,704
729097	Mayaguez Municipio	PR	$2,386,099
729113	Ponce Municipio	PR	$3,624,819
729127	San Juan Municipio	PR	$9,559,224
729137	Toa Baja Municipio	PR	$1,424,983
729139	Trujillo Alto Municipio	PR	$1,088,831
729999	PR Non Entitlement	PR	$49,584,423
780001	Virgin Islands	VI	$3,325,878

21-673 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT

Written Petition submitted by Amrit S. Kulkarni requesting the City Council hear appeals regarding permit and environmental process determinations regarding three Use Permit Applications for Bloom Fuel Cell Power System projects filed for 2960 Corvin Drive, 2970/3000 Corvin Drive, and 2200 Mission College Boulevard

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

Council Policy 030 - *Adding an Item on the Agenda* (Attachment 1) sets forth the procedure for written petitions. Any member of the public may submit a written request raising any issue or item within the subject matter jurisdiction of the Council. Per the policy, the written request will be submitted on the agenda, in the form substantially provided by the requestor, without any staff analysis, including fiscal review, legal review and policy review. If a majority of the City Council supports further study of the request, then a full staff analysis shall be prepared within thirty (30) days, unless otherwise directed by the City Council.

The City Clerk's Office received three Written Petitions for Council consideration from legal counsel for Bloom Energy, Mr. Amrit S. Kulkarni, each dated April 27, 2021 (Attachments 2-4) requesting the City Council hear appeals of "the City's April 1, 2021 letter" regarding Bloom's three Use Permit applications filed for 2960 Corvin Drive, 2970/3000 Corvin Drive, and 2200 Mission College Boulevard.

DISCUSSION

The appeals concern three use permit applications filed by Bloom Energy to install natural gas fuel cells at 2960 Corvin Drive, 2970/3000 Corvin Drive, and 2200 Mission College Boulevard. On April 25, 2019 and October 17, 2019, Bloom Energy applied for building permits to install fuel cells at two of the three locations listed above. On several occasions between February 2020 and May 2020, the City informed Bloom that it would be unable to grant the requested building permits, because conditional use permits are required by the City Code. The proposed natural gas fuel cells meet the definition of electric power plants in the City Code, and the relevant zoning districts of each site require use permits for electric power plants.

Bloom has repeatedly objected to the City's determination that a use permit is necessary for the fuel cell installations, beginning with a letter dated February 18, 2020 and again in a letter dated September 24, 2020. In response, the City Attorney's Office provided a letter dated November 18, 2020 (Attachment 5), which shared the specifics of the permit process determination with Bloom's

legal representation.

Bloom submitted applications for the required conditional use permits on February 23, 2021; however, the requisite processing fees were not received until March 17, 2021. Upon receipt of the processing fees, the City commenced review of the materials provided by Bloom and determined that Initial Studies were required to be prepared for the Use Permits in accordance with the California Environmental Quality Act (CEQA). On March 19, 2021, the City's Outside Counsel, Thomas Law Group, provided a letter (Attachment 6) informing Bloom that the projects were not categorically exempt from review under CEQA, and that the City would need to prepare Initial Studies and potentially Mitigated Negative Declarations to process the applications.

Pursuant to the City's standard processing procedures, the Project Clearance Committee reviewed the applications for completeness, and on April 1, 2021, in three separate letters (one for each project site), City staff informed Bloom that the applications were incomplete (Attachment 7). (This is the "April 1, 2021 letter" to which Mr. Kulkarni's written petitions respond.)

The written petitions are accompanied by two separate letters from Mr. Kulkarni, dated April 27, 2021. The first, addressed to Planning Manager Reena Brilliot, largely makes the same assertions that Bloom's legal counsel made on September 24, 2020: that Bloom should not have to obtain a use permit, and that no CEQA review should be required. The second, addressed to City Clerk Hosam Haggag, states that the written petitions are being filed pursuant to CEQA, pursuant to California Building Code Section 1.8.8.3, and pursuant to City Code section 15.15.010.

Scattered across these various documents, Bloom Energy raises four grounds for their petitions:

1. **Appeal of the April 1, 2021 incompleteness determination**: The written petition states, "we submit this written petition and the supporting April 23, 2021 letter (with attachments) to the City in response to the City's April 1, 2021 letter." The April 1 letters, again, were a determination that each of the use permit applications were incomplete; those letters were accompanied by an exhaustive list of the missing details. The Permit Streamlining Act (PSA), Government Code § 65943, authorizes appeals of such incompleteness determinations, but only after the developer responds to the incompleteness letter and the City again finds it complete. Here, Bloom has not done so. Moreover, neither the petitions, nor the letter to City Clerk Hosam Haggag, nor the letter to Planning Manager Reena Brilliot, make any claims that the incompleteness determination was in error. Because Bloom has not complied with PSA procedures and has not provided any evidence or even a claim that the incompleteness determination was erroneous, the appeal should be denied.
2. **Appeal pursuant to California Building Code section 1.8.8.3 and City Code section 15.15.010**: these provisions authorize appeals by anyone adversely affected by a City decision, order, or determination relating to the application of Building Code requirements. Here, the only action has taken under the Building Code was the denial of the building permits in February, April, and May, 2020, when the City informed Bloom that a CUP would first be required. Under City Code § 2.115.050, the time to challenge the denial of a permit is 30 days, and that period expired more than a year ago.
3. **The February 11, 2020 determination that a use permit would be required:** City Code interpretations are administrative determinations, not subject to appeal. The relevant city review process determined for the work proposed by Bloom, the Use Permit, has an appeal

process as specified in Sections 18.110.060 & 18.110.070 of the Santa Clara City Code. Use Permits are decided upon by the Planning Commission and the Planning Commission decision is appealable to the City Council.

4. **The March 19, 2021 determination that an Initial Study would be required**: City staff have determined than an initial study (IS) and an anticipated mitigated negative declaration (MND) are required for the projects. Neither CEQA nor the Santa Clara City Code permit City staff's determination regarding the appropriate level of CEQA review for a project to be appealed separately from applicable decisionmakers' decision on a proposed project. Where a project is subject to approval by a nonelected decisionmaker (here the projects are subject to Planning Commission approval), the Planning Commission's decision on the project, including the CEQA action, will be appealable to the City Council pursuant to Section 18.110.070 and Public Resources Code section 21155(c).

The subject Written Petitions for Council requesting the City Council agendize hearings for the appeal of the City review and environmental review process determinations are an improper attempt to advance appeals to City Council. Due process requires potential appellants to follow the administrative procedures in place for the sequencing and hearing of appeals. Therefore, invocation of Council Policy 030 is improper, and staff advises Council to not agendize these requests for appeal for discussion at a future City Council meeting.

ENVIRONMENTAL REVIEW

The action being considered, whether to agendize Bloom's appeal on a future agenda, does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational policy making or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no fiscal impact associated with considering the request to be placed on a future agenda except for staff time.

COORDINATION

This report was prepared in coordination with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

RECOMMENDATION

Staff recommends that no action be taken.

Reviewed by: Andrew Crabtree, Director, Community Development Department
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Policy and Procedure 030 - Adding an Item on the Agenda
2. Written Petition regarding Use Permit Application filed for 2960 Corvin Drive
3. Written Petition regarding Use Permit Application filed for 2970/3000 Corvin Drive
4. Written Petition regarding Use Permit Application filed for 2200 Mission College Blvd
5. City Attorney's Office letter, dated Nov 18, 2020 regarding Use Permit determination
6. Thomas Law Group letter, dated March 19, 2021, regarding Initial Study determination
7. April 1, 2021 Letters to Bloom Energy re Incomplete Applications

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ADDING AN ITEM ON THE AGENDA

PURPOSE

To establish a clear, effective, and easily understood process for members of the City Council and the public to have items, within the jurisdiction of the City Council, placed on the City Council agenda for consideration.

POLICY

Members of the City Council:

The Mayor or any individual Councilmember may submit a written request by using the Council Item Request Form to the City Manager's Office for inclusion of an item on a City Council agenda, provided the request is received two (2) days prior to the public release of the agenda packet. At the meeting where the request is heard, discussion should be limited to whether the item should be added to an agenda and a date, not the merit of the item.

Referral from a Council Committee:

Council Committees may submit a written request to the City Manager's Office for inclusion of an item on a City Council agenda, provided the request is received two (2) days prior to the public release of the agenda packet.

Council Committees may bring forward a recommendation to the full City Council by way of the Committee minutes, which are typically prepared within three weeks following the Committee meeting.

Items Referred During a Council Meeting:

By Council action, an item may be referred to the City Manager for inclusion on a City Council agenda. If the request requires further study of the item from staff, a full analysis shall be prepared at the direction of the City Manager with at least thirty (30) calendar days prior to the meeting, unless otherwise directed by the City Council. If the request requires more than thirty (30) calendar days to prepare, status updates will be provided to the City Council every sixty (60) days as an informational memo.

ADDING AN ITEM ON THE AGENDA

Written Petitions and Public Presentations:

Any member of the public may submit a written request raising any issue or item within the subject matter jurisdiction of the City Council to be heard under the **"Written Petition"** section of the City Council's regular agenda within two (2) Council meetings after received. After the initial Written Petition is placed on the agenda, a majority vote of the City Council may add the item to a future Council meeting for action. Any member of the public may address the City Council under the **"Public Presentations"** section of the agenda. If the presentation includes a request of the Council, a majority vote of the City Council may refer the item to the City Manager to be properly added to a future meeting, in compliance with the Brown Act.

PROCEDURE FOR WRITTEN PETITIONS

1. All requests to address the City Council shall be submitted in writing. Written Petition forms are available for the petitioner's convenience on the City's website and in the City Manager's Office, City Clerk's Office, and the Mayor and Council Offices. Alternatively, an email may be submitted to clerk@santaclaraca.gov.
2. Once the Written Petition is received by the City Clerk's Office, it should immediately be forwarded to the City Manager for placement on an agenda within two (2) Council meetings after receipt of the original request from the City Clerk's Office. All written material (request and any support material) will be submitted on the agenda in the form substantially provided by the requester without any staff analysis, including fiscal review, legal review and policy review, until the City Council has had the opportunity to provide direction to the City Manager.
3. At the meeting where the item is first considered, if a majority of the City Council supports further study of the item, then a full staff analysis shall be prepared within thirty (30) days, unless otherwise directed by the City Council. Discussion should be limited to whether an item should be added to an agenda and a date, not the merit of the item.

ADDING AN ITEM ON THE AGENDA

PROCEDURE FOR WRITTEN REQUESTS FROM CITY COUNCIL

1. Members of the City Council shall use the Council Item Request Form to submit a written request for inclusion of an item on a future City Council agenda.
2. Once the Council Item Request Form is received by the City Clerk's Office, it should immediately be forwarded to the City Manager for placement on an agenda within two (2) Council meetings after receipt of the original request from the City Clerk's Office. All written material (Council Item Request Form and any support material) will be submitted on the agenda in the form substantially provided by the requester without any staff analysis, including fiscal review, legal review and policy review, until the City Council has had the opportunity to provide direction to the City Manager.
3. At the meeting where the item is first considered, if a majority of the City Council supports further study of the item, then a full staff analysis shall be prepared within thirty (30) days, unless otherwise directed by the City Council. Discussion should be limited to whether an item should be added to an agenda and a date, not the merit of the item.

Attachments: Council Item Request Form

City of Santa Clara
The Center of What's Possible

COUNCIL ITEM REQUEST FORM

The Council Item Request Form is for members of the City Council to submit written requests to the City Manager's Office for inclusion of an item on a future City Council meeting agenda. At the meeting where the initial written request is heard, discussion should be limited to whether the item should be added to an agenda and a date, not the merit of the item. A majority vote of the City Council is required for the item to be added to future Council meeting agenda for action.

CONTACT INFORMATION

Requesting Member of City Council _____

Contact E-mail _____

Contact Phone _____

Today's Date _____

WRITTEN REQUEST

I, _____, hereby request that the following item be placed on the City of Santa Clara Council and Authorities Concurrent meeting agenda:

_____

_____

_____

Reference: Council Policy 030 – Adding an Item on the Agenda
Resolution No. 20-8895

CITY OF SANTA CLARA
CITY CLERK
2021 APR 27 PM 2:56

City of Santa Clara
The Center of What's Possible

CITY COUNCIL WRITTEN PETITION

Please provide the information requested below. When complete, please submit to the City Clerk's Office, 1500 Warburton Avenue, Santa Clara, CA 95050.

Date: April 27, 2021

I, Amrit S. Kulkarni, am hereby requesting to be placed on the Santa Clara City Council Agenda for the following purpose: On behalf of Bloom Energy, we submit this written petition and the supporting April 23, 2021 letter (with attachments) to the City in response to the City's April 1, 2021 letter regarding permit application (PLN2021-14845) for the Bloom Fuel Cell Power System project at 2960 Corvin Drive. Pursuant to the California Environmental Quality Act (CEQA), 2019 California Building Code, sec. 1.8.8.3, and Municipal Code sec. 15.15.010, we request the City Council hear Bloom's appeal regarding that application at its meeting scheduled for May 25, 2021.

I understand that it is important that I attend the meeting in the event there are any questions the Council wishes to ask me.

Signed: [signature]

NAME: Amrit S. Kulkarni

ADDRESS: Meyers Nave, 1999 Harrison Street, 9th Floor
Street

Oakland, CA 94612
City Zip Code

TELEPHONE:* 510-808-2000
Optional

DATE: April 27, 2021

*NOTE: This is a public document. If your telephone number is unlisted or if you do not want it to be public, please provide an alternate number where you can be reached.

2021 APR 27 PM 2:56

City of Santa Clara
The Center of What's Possible

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I understand that it is important that I attend the meeting in the event there are any questions the Council wishes to ask me.

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City of Santa Clara
The Center of What's Possible

City Attorney's Office

November 18, 2020

Howard "Chip" Wilkins, Esq.
Remy Moose Manley LLP
555 Capitol Mall, Suite 800
Sacramento, CA 95814

via email only cwilkins@rmmenvirolaw.com

Subject: Proposed Bloom Fuel Cell Power System Projects at the Intel, Inc., and Equinix, Inc., Facilities in the City of Santa Clara

Dear Mr. Wilkins:

This letter is in response to your letter addressed to me dated September 24, 2020 (Bloom's Letter), which included two CEQA Class 29 Categorical Exemption Memoranda (Bloom's Exemption Memos) dated the same. Bloom's Letter asserts that the 2.5 megawatt (MW) fuel cell power system (Equinix Project) that Bloom proposes to install at 2960 and 2970/3000 Corvin Drive (Equinix Facility) and the 10.5 MW system (Intel Project) that Bloom proposes to install at 2200 Mission College Boulevard (Intel Facility) (collectively, the "proposed Projects") do not require use permits. Bloom's Exemption Memos further assert that the proposed Projects are exempt from California Environmental Quality Act (CEQA) review.

As explained further below, the proposed Equinix and Intel Projects require use permits pursuant to the Santa Clara City Code (City Code). The City informed Bloom of this fact over six months ago. Nevertheless, to date, a use permit application has not been submitted for either the proposed Equinix or Intel Projects.

With respect to CEQA, City staff will not make a final recommendation regarding the proper scope of CEQA review for these Projects until after complete use permit applications have been submitted to the City for review. However, as discussed below, based on City staff's review of Bloom's Letter and attachments, City staff does not anticipate that the proposed Projects will qualify for the CEQA exemptions identified in Bloom's Exemption Memos.

DISCUSSION

1. The proposed Projects constitute Electric Power Plants pursuant to the City Code.

In Bloom's Letter, Bloom states that City Code section 18.06.010(e)(1), which defines "electrical power plants", is clear and unambiguous. (Bloom's Letter, pp. 3-4.) The City agrees with Bloom that the plain language of City Code section 18.06.010(e)(1) is clear and unambiguous. However, Bloom continues to misinterpret this clear and unambiguous language.

Bloom acknowledges that Bloom Fuel Cells use both thermal heat and steam energy in the process of producing electricity. (Bloom's Letter, p. 4.) Bloom argues that, while Bloom Fuel Cells use thermal heat and steam energy, only the "chemical reaction" step[1] produces the electricity within a Bloom Fuel Cell and, therefore, the use of thermal heat and steam energy in other steps is irrelevant.[2] Based on the plain language of City Code section 18.06.010(e)(1), the City disagrees that this distinction matters.

The City's definition does not require, or permit, the City to isolate the various elements of the equipment, fixtures, and personal property used to produce electricity in determining whether the equipment, fixtures, and personal property meet the definition of an electrical power plant. As the Equinix and Intel Projects will be operated or maintained in connection with the production of electricity and use a source of thermal, steam, wind, or solar energy, Bloom Fuel Cells meet the City's definition of an "electric power plant." (City Code, § 18.06.010(e)(1).)

The City's interpretation of its definition is fully supported, indeed compelled, by the plain language of the City Code. For this reason, extrinsic aids are not required to determine the meaning of section 18.06.010(e)(1). However, as City staff previously explained to Bloom, City staff's interpretation of section 18.06.010(e)(1) is fully supported by the 2019 California Electrical Code definition of a "fuel cell system" which includes "[t]he complete aggregate of equipment used to convert chemical fuel into usable electricity and typically consisting of a reformer, stack, power inverter, and auxiliary equipment." (2019 California Electrical Code, § 692.2, incorporated by City Code, § 15.15.010.)

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[1] / To date, Bloom has not provided the City with sufficient information regarding the internal operations of the proposed Projects to confirm Bloom's claim that the "chemical reaction" step does not use thermal heat or steam energy. However, as provided herein, given that the proposed Projects use thermal heat and steam energy in the process of producing electricity, the validity of Bloom's claim does not impact City staff's determination that the proposed Projects meet the City's definition of an electric power plant.

[2] / It should be noted that, in arguing that the proposed Projects are "cogeneration facilities," Bloom suggests the City should consider the complete aggregate of equipment. City staff believes the inconsistency between how Bloom claims its equipment should be viewed for the purposes of the definitions of an "electric power plant" and a "cogeneration facility" illustrates the disingenuous nature of Bloom's argument that the proposed Projects are not electric power plants pursuant to the City Code.

Additionally, Bloom's own description of its Fuel Cell systems supports City staff's conclusion that the proposed Projects meet the City's definition of an electric power plant. Specifically, as explained by Bloom, "[a]bsent this beneficial use of heat and steam for the industrial process of producing hydrogen, *SOFC's cannot generate electricity* directly from natural gas." (Bloom's 2020 FERC Petition, p. 8 (emphasis added).) In other words, Bloom admits that use of heat and steam is necessary for the proposed Projects to produce electricity. For this reason, it is indisputable that the proposed Projects are "operated or maintained in connection with production of electricity using any source of thermal, steam, wind, or solar energy...." (City Code, § 18.06.010(e)(1).)

Because the proposed Projects meet the City's definition of an "electric power plant", City staff informed Bloom in February of 2020 that use permit applications would need to be submitted in order for the City to proceed with its review of the proposed Projects. If Bloom would like City staff to proceed with its review of the proposed Projects, City staff again requests that Bloom submit use permit applications for the proposed Equinix and Intel Projects.

2. The proposed Projects are not allowed by right.

a. The Equinix Project

The Equinix Facility is located in the Lawrence Station Area Plan (LSAP) area. Regulations for the LSAP are set forth in Chapter 18.23 of the City Code and not Chapter 18.54 as suggested in Bloom's Letter. Pursuant to sections 18.23.030 and 18.23.040 of the City Code, neither electric power plants nor fuel cells are permitted or conditionally permitted in the LSAP. However, the LSAP allows the continuation of existing non-conforming industrial uses. (City Code, § 18.23.050.) Specifically, "[f]or parcels with legal uses of buildings existing prior to the adoption of ... [the LSAP], conditional uses of the ML light manufacturing district are conditionally permitted...." (City Code, § 18.23.050(c).) Within the ML light manufacturing district, electric power plants are conditionally permitted subject to issuance of a use permit. (City Code, § 18.60.050.) Therefore, pursuant to the City Code, the Equinix Project is permitted subject to issuance of a use permit approval.

b. The Intel Project

The Intel Project is located in the PD-Planned Development district. In Bloom's Letter, Bloom argues that, in the PD district, "any and all uses" are allowed except those "limited to [heavy industrial] (MH) zoning districts or involving outdoor storage on more than ten percent of the lot area." (Bloom's Letter, p. 2 citing City Code, §§ 18.54.030, 18.54.040.) This is incorrect. As explained in City Code section 18.54.030, for a use to be allowed in the PD district, "such use or uses and their location shall be shown in the development plan of the applicant for the particular planned development zoning district as approved." Where a use is not shown in the approved development plan, the use is not allowed without a rezone. (City Code, § 18.54.030; see also City Code, § 18.54.060(a).)

The PD district applicable to the Intel Project does not identify electric power plants generally, or fuel cells specifically, as a permitted use. Instead, the PD zoning for the site authorizes only "the construction of a 6-story 550,000 square foot office building and 2 parking structures on property located at 2250 Mission College Boulevard currently developed with research and development facilities."[3] As electric power plants are authorized in the MP, ML, MH, or B zoning districts with issuance of a use permit and the applicable PD district permits some uses included in these districts, and the subject property was zoned ML prior to being rezoned to PD, City staff has concluded that the proposed Intel Project does not require a rezone and, pursuant to City Code section 18.60.050, is permitted subject to issuance of a use permit.

As an alternative to obtaining a use permit for the proposed Intel Project, Intel could submit an application to amend the PD district pursuant to Chapter 18.112 of the City Code in order to propose that fuel cells be permitted as a matter of right within the PD district. If Bloom and Intel were interested in pursuing such an amendment to the PD district, City staff recommends that Bloom and Intel set a pre-application meeting with City staff to discuss this proposal further.

3. The City must review complete permit applications to determine the necessary level of CEQA review.

As Bloom has not yet submitted a use permit application for either the Equinix or Intel Projects, City staff has not yet made a final determination regarding the appropriate level of CEQA review. Once Bloom submits use permit applications, City staff will review the applications for completeness and will inform Bloom if additional information is needed in order to determine the appropriate level of CEQA review. However, as discussed further below, based on City staff's current understanding the proposed Projects, City staff does not anticipate that it could reasonably conclude that the proposed Projects qualify for the exemptions identified in Bloom's Exemption Memos.

a. Categorical Exemptions

i. The Class 29 exemption does not appear to apply to the proposed Projects.

It does not appear the proposed Projects fit within the Class 29 exemption. The Class 29 exemption does not exempt entire cogeneration facilities, but rather the installation of cogeneration equipment at existing facilities. As discussed in greater detail below, the proposed Projects do not appear to fit within this exemption for two reasons. First, the proposed Projects are not limited to the installation of additional *equipment* to an existing facility but consist of standalone fuel cell facilities. Second, even if the exemption were interpreted to allow construction of a cogeneration *facility*, rather than simply the installation of cogeneration equipment, the proposed Projects do not meet the City's definition of cogeneration and, thus, do not appear to fit within the exemption.

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[3] / City Council Minutes, September 11, 1990.

1. **The proposed Projects do not appear to meet the plain language or intent of the Class 29 exemption.**

The CEQA Guidelines specify that "Class 29 consists of the *installation of cogeneration equipment* with a capacity of 50 megawatts or less *at existing facilities* ...." (Guidelines, § 15329, emphasis added.) Per its plain language, this exemption does not exempt the development of an entire cogeneration facility, but merely exempts the installation of the *equipment* necessary to allow cogeneration at an already existing facility. (*Ibid.*)

In addition to the plain language of the exemption, this interpretation is supported by the rulemaking history. (See *Butts v. Board of Trustees of California State University* (2014) 225 Cal.App.4th 825, 839 ["When interpreting statutes, courts may turn to the legislative history for enlightenment and the same applies to regulations promulgated by administrative agencies."]; see also *People v. Cruz* (1996) 13 Cal.4th 764, 775 ["The words of a statute [or regulation] are to be interpreted in the sense in which they would have been understood *at the time of the enactment*."] (emphasis added).) The Summary of Comments and Responses to Comments regarding the adoption of the Class 29 exemption clarifies that: "[c]ogeneration involves the addition of a steam-powered electric generating turbine to an *existing* boiler which is producing steam for another purpose or the replacement of an existing boiler by a new boiler with a steam-powered turbine generator." (California EIR Monitor (Jan. 8, 1982) vol. 9, no. 2, p. 19 (emphasis added).) Additionally, the Adopted Amendments to the State CEQA Guidelines with Updated Statement of Reasons explains:

> This section [section 15329] responds to the increased interest in installing cogeneration equipment at *existing* facilities where large boilers are producing steam for other purposes. The installation normally involves retrofitting an existing boiler to use the steam to generate electricity before the steam is used for its originally intended purpose or constructing a new, replacement boiler better adapted to powering a steam turbine for generating electricity before the steam is used for the original purpose.

(Adopted Amendments to the State CEQA Guidelines with Updated Statement of Reasons, Resources Agency of California (Jan. 27, 1982), p. 21 (emphasis added); see also California EIR Monitor (Jan. 8, 1982) vol. 9, no. 1, p. 31.)

Thus, the rulemaking history demonstrates that the intent of the Class 29 exemption is to allow existing facilities to install the equipment needed to create cogeneration capacity in order to increase the energy efficiency of the existing facilities. The exemption does not exempt the construction of entirely new cogeneration facilities.

Here, Bloom does not propose to increase the efficiency of an existing facility by installing cogeneration equipment. Instead, it seeks to install standalone fuel cell systems, which exceed the scope of the exemption (and, as discussed below, also do not meet the definition of a cogeneration facility themselves). Additionally, the proposed Projects will result in a significant

overall increase in natural gas use at the Equinix and Intel Facilities[4] and will do nothing to improve the efficiency of the existing fuel cell systems. Accordingly, it does not appear that the proposed Projects qualify for the exemption.

2. The Class 29 exemption does not appear to apply to the proposed Projects because the proposed Projects are not cogeneration facilities.

Bloom alleges that the proposed Projects consist of cogeneration equipment. However, as noted above, the proposed Projects do not involve the mere addition of equipment to existing facilities but consist of standalone fuel cell systems and, thus, appear ineligible for the exemption on that basis. Moreover, even if the exemption were interpreted to encompass new cogeneration facilities as a whole, it appears the exemption would not apply to the proposed Projects because they do not meet the City's definition of cogeneration as explained below.

Cogeneration "produces both electricity and thermal energy on-site, replacing or supplementing electricity provided from a local utility and fuel burned in an on-site boiler or furnace."[5] "Every CHP application involves the recovery of thermal energy that would otherwise be wasted."[6] A key characteristic of cogeneration facilities is the production a thermal output for use in heating or cooling applications in addition to the production of electricity.[7] In other words, cogeneration facilities produce electricity and thermal energy for independent and unrelated applications.[8]

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[4] / For instance, SVP has calculated that the Intel Project would result in an increase of 65,946.12 cubic feet of natural gas per hour flowing through the site.

[5] / See, e.g., U.S. Dept. of Energy, Combined Heat and Power Technology Fact Sheet Series: Overview of CHP Technologies (2017), p. 1, available at https://www.energy.gov/sites/prod/files/2017/12/f46/CHP%20Overview-120817_compliant_0.pdf (DOE CHP Overview).

[6] / *Ibid.*

[7] / See *id.*, p. 1 fig. 2, p. 2 fig. 3, p. 3 table 1; Dept. of Energy, Combined Heat and Power Technology Fact Sheet Series: Fuel Cells (2016), p. 1 & table 1, available at https://www.energy.gov/sites/prod/files/2016/09/f33/CHP-Fuel%20Cell.pdf (DOE Fuel Cells) [explaining thermal output is used "to produce hot water, low pressure (<30 psig) steam, and chilled water" and distinguishing between "fuel cells used for distributed generation (electricity only)" and those "configured for combined heat and power"]; see also EPA Combined Heat and Power Partnership, Catalog of CHP Technologies, Section 6, Technology Characterization – Fuel Cells (2015), p. 6-3, available at https://www.epa.gov/sites/production/files/2015-07/documents/catalog_of_chp_technologies_section_6._technology_characterization_-_fuel_cells.pdf (EPA CHP Technologies) [distinguishing between Bloom Fuel Cells used for "pure electrical generation" and fuel cells used in CHP applications]; *id.* at p. 6-13 table 6-3 [depicting fuel cell net electrical efficiency separately from net efficiency as part of a CHP application].

[8] / See DOE CHP Overview, *supra*, at p. 1 fig. 2, p. 2 fig. 3, p. 3 table 1; DOE Fuel Cells, *supra*, at p. 1 & table 1; e.g., 40 CFR, § 60.5580 [defining "useful thermal output" as "the thermal energy made available for use in any heating application (*e.g.,* steam delivered to an industrial process

Heat and/or steam are commonly released during the production of electricity by an electric power plant. Many electric power plants, such as combined cycle gas turbine generating facilities, are designed to capitalize on this thermal energy in some manner. Recycling such thermal energy back into an electric power plant can improve efficiency, but doing so does not reclassify the power plant as a cogeneration facility. To meet the City's definition of a cogeneration facility, as stated above, the facility must produce both electricity and a thermal output for a beneficial purpose independent from the production of electricity. If an electric power plant is recycling thermal energy within the plant and the only output is electricity, the electric power plant does not meet the definition of cogeneration.

For example, the production of electricity at the Donald Von Raesfeld Power Plant (DVR) generates steam. DVR takes full advantage of this thermal energy by using the steam to run a secondary turbine, thereby creating more electricity. However, DVR is not a cogeneration facility. There is no thermal output that is used in an application or process independent of the production of electricity.

Much like DVR, the proposed Projects solely function to produce electricity. There is no thermal output providing thermal energy to an independent process or application. Instead, as proposed, Bloom's Fuel Cells rely on the heat and steam *in order to* produce electricity. Specifically, Bloom documents explain that in producing electricity, heat and steam are also generated, which are used, within Bloom's Fuel Cell system, to reform natural gas into hydrogen fuel stock; Bloom further admits that the generation of electricity from natural gas is *dependent* on the heat/steam feedback loop. (Bloom's 2020 FERC Petition, p. 8 ["Absent this beneficial use of heat and steam for the industrial purpose of producing hydrogen, SOFCs cannot generate electricity directly from natural gas."].) Thus, the proposed Bloom Fuel Cells need the thermal energy produced, meaning they are not taking advantage of heat that would otherwise be wasted. Because the thermal energy produced by the proposed Projects is exclusively relegated to the production of electricity and would not "otherwise be wasted," they do not satisfy the City's definition of cogeneration. For these reasons, City staff disagrees that the proposed Projects qualify as cogeneration facilities.

Furthermore, pursuant to the canons of statutory and regulatory construction, "[t]he words of a statute [or regulation] are to be interpreted in the sense in which they would have been understood *at the time of the enactment*." (See, e.g., *People v. Cruz*, *supra*, 13 Cal.4th at p. 775 (emphasis added).) As shown above, at the time the California Natural Resources Agency adopted CEQA Guidelines section 15329, it viewed cogeneration as "the addition of a steam-powered electric generating turbine to an existing boiler which is producing steam *for another purpose* or the replacement of an existing boiler by a new boiler with a steam-powered turbine generator." (California EIR Monitor, *supra*, vol. 9, no. 2, p. 19 (emphasis added).) Thus, consistent with the City's definition, the California Natural Resources Agency understood that

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for a heating application, including thermal cooling applications) *that is not used for electric generation*"] (emphasis added).

cogeneration involved producing thermal energy and electricity for separate and independent processes.

The Federal Energy Regulatory Commission's (FERC's) definition of cogeneration in place at the time that the exemption was adopted is also consistent with the City's definition of cogeneration and illustrates that Bloom's Fuel Cells do not qualify as cogeneration facilities because the thermal energy produced does not, and cannot, support an independent process or application. For example, as explained by FERC in 2005, to meet the definition of cogeneration: "the thermal output of a facility must be used in a process that *is independent of the power production process; the ultimate use of the thermal output cannot be power production.*" (See 111 F.E.R.C. P61,174, 61848, 2005 FERC LEXIS 1188, *15-16 (F.E.R.C. May 6, 2005) (emphasis added); see also 1981 FERC LEXIS 1931, *6, 16 F.E.R.C. P61,060 (F.E.R.C. July 23, 1981 [concluding "in a *bona fide* cogeneration system, the use of thermal energy must be completely independent of the power production process"].) As shown above, Bloom's Fuel Cell power systems cannot meet this requirement because the thermal energy is used exclusively for electricity production, not an independent process.

In addition, in 2017, in response to Bloom's petition for FERC to revise its regulations to allow Bloom Fuel Cells to meet the definition of cogeneration, the California Public Utility Commission (CPUC) expressly rejected Bloom's argument that Bloom Fuel Cells serve a cogeneration function. (CPUC Protest, p. 3.) The CPUC further explained Bloom's Fuel Cell power systems are more comparable to combined cycle gas turbine generating facilities (like DVR), which recapture steam exhaust from the electric generation process for reuse in self-contained electrical generation but lack a bone fide associated industrial or commercial process. (*Id.* at p. 4.)

In a separate protest to Bloom's FERC petition, the Combined Heat & Power Industry Association (CHPA) more bluntly explained that:

> Bloom's efforts to conflate the internal steam-methane reformation process with the cogeneration function defined by the Commission's regulations is mere subterfuge, which is made clear not only by Bloom's own contradictory assertions but also by the physical reality that Bloom's Energy Servers are designed and operated exclusively to produce electricity. Moreover, the fact that there is an international market for the sale of hydrogen gas and that, completely internal to the Energy Servers, thermal energy is used to produce hydrogen and is then promptly consumed as a necessary step in the generation of electricity, in no way supports a conclusion that the thermal energy is "useful", as contemplated by the Commission. Bloom neither makes use of, intends to make use of <u>*nor could it make use of*</u> the hydrogen or thermal output for any business purpose independent of the electric production process. Thus, despite Bloom's assertions to the contrary, its Energy Servers do not produce "useful thermal output" within the meaning of 18 C.F.R. § 292.202(h) or for purposes of complying with 18 C.F.R. § 292.205(a).

(CHPA Protest, pp. 3-4 (emphasis original).)

Additionally, the City's definition accords with CEQA's intent to promote energy efficiency, renewable resources, and decreased greenhouse gas (GHG) emissions. When cogeneration equipment is added to a facility that is already producing electricity, the energy efficiency of the facility increases (and net GHG emissions decrease) because the heat or steam that would otherwise be wasted is channeled into a useful application such as space or water heating. Accordingly, such a class of projects warrants a categorical exemption because it *improves* baseline conditions. (See, e.g., California EIR Monitor, *supra*, vol. 9, no. 2, p. 19 [adjustments to enable cogeneration require "only minor increases in fuel consumption"].) In contrast, where a stand-alone natural gas-based electric power plant is proposed, it does nothing to increase the efficiency of existing facilities, but rather creates a new and increased demand for natural gas over baseline conditions.

It is this demand for new and increased quantities of natural gas that distinguish projects, such as Bloom's proposed Projects, from the types of equipment exempt under the Class 29 exemption. This additional natural gas demand must be evaluated pursuant to CEQA in the context of energy impacts, use of nonrenewable resources, and GHG emissions. (See CEQA Guidelines, §§ 15064.4, 15126.2 & Appendix F.) If the Class 29 exemption was interpreted to exempt fossil fuel energy production from CEQA by virtue of an electric power plant recycling thermal energy to boost electricity production, then the exemption would allow many fossil fuel power plants to avoid CEQA review, in direct conflict with CEQA's goals as set forth in Appendix F and CEQA Guidelines sections 15064.4 and 15126.2.

Last, while not controlling for CEQA purposes, materials by the Environmental Protection Agency (EPA) and Department of Energy (DOE) further clarify that fuel cells which only serve to produce electricity do not constitute cogeneration. While both agencies recognize that fuel cells may be used for cogeneration applications, they clearly distinguish between fuel cells used for the production of electricity alone and those "configured for combined heat and power," i.e., cogeneration.[9] Their documents show that configuring fuel cells for cogeneration increases the efficiency of fuel cells over their baseline condition, just as with other electric power plants.[10] They additionally show that configuring fuel cells for cogeneration reduces carbon dioxide emissions significantly.[11] Further, the EPA specifies that Bloom produces "a pure electric fuel cell (i.e. no waste heat is captured)" as distinguishable from fuel cells in CHP applications.[12] Thus, the EPA and DOE documents illustrate that fuel cells, in of themselves, do not constitute cogeneration facilities, and the EPA explicitly distinguishes Bloom's proposed "pure electric fuel cells" from those capable of being configured for cogeneration.

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[9] / See EPA CHP Technologies, *supra*, at p. 6-3; DOE Fuel Cells, *supra*, at p. 1.

[10] / See DOE Fuel Cells, *supra*, at p. 2 table 2 [compare electric efficiency to overall efficiency for fuel cells configured for CHP]. Also compare EPA CHP Technologies, *supra*, at p. 6-11 table 6-2 [showing pure electric fuel cell efficiency] with p. 6-13 table 6-3 [depicting efficiencies of fuel cells configured for CHP].

[11] / EPA CHP Technologies, *supra*, at p. 6-19 table 6-5; DOE Fuel Cells, *supra*, at p. 4 table 4.

[12] / EPA CHP Technologies, *supra*, at pp. 6-3 & fn. 91, 6-12.

Thus, City staff concludes that Bloom's interpretation of CEQA Guidelines section 15329 is inconsistent both with the City's definition of cogeneration as well as the commonly understood definition of cogeneration at the time the California Natural Resources Agency adopted the exemption because Bloom's Fuel Cells do not, and cannot, use thermal energy for a beneficial purpose independent from the production of electricity. This conclusion is further supported by CEQA's intent as well as EPA and DOE materials that address cogeneration applications with respect to fuel cells specifically. Accordingly, the proposed Equinix and Intel Projects do not appear to constitute cogeneration facilities for the purposes of CEQA Guidelines section 15329. Therefore, while City staff will consider this issue further once Bloom has submitted complete use permit applications for the proposed Equinix and Intel Projects, City staff anticipates that it will conclude that the proposed Projects are not subject to the Categorical "Class 29" CEQA Exemption.

ii. The Class 1 exemption does not appear to apply to the proposed Projects.

The CEQA Guidelines exempt minor projects related to existing facilities. Guidelines section 15301 provides: "Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use." It further specifies that "**[t]he key consideration is whether the project involves negligible or no expansion of use**." (CEQA Guidelines, § 15301 (emphasis added).)

The proposed Projects do not appear to fall within this exemption because, as quoted above, the exemption requires the Project to, *at most*, be a negligible expansion of use. As proposed, the Projects would develop Bloom Fuel Cell systems at the Equinix and Intel Facilities with 2.5 MW and 10.5 MW capacities respectively. The City Code provides a clear demarcation as to what constitutes a negligible expansion in electricity production in the City. Specifically, where an electric power plant will generate over 0.5 MW of electricity, the City has determined that the power plant is of a sufficient size to require a use permit. (City Code, §§ 18.06.010(e)(1), 18.60.050.) The Equinix and Intel Projects will generate 5 and 21 times this amount respectively. Given that both of the proposed Projects will generate substantially more electricity than required to meet the City's definition of an electric power plant that requires a use permit, City staff does not believe the proposed Projects, as currently proposed, constitute a negligible expansions of a use.

World Business Academy v. State Lands Com. (2018) 24 Cal.App.5th 476 provides a helpful counterpoint to projects, such as Bloom's proposed Projects, which propose to expand existing uses. In that case, the existing facilities exemption was applied to a replacement lease extension for the Diablo Canyon nuclear powerplant. The court found the project fit squarely within the exemption because it was "undisputed that PG&E has leased the same land from the Commission for nearly 50 years, and that *the lease replacement maintains rather than expands the plant's current operational capacity*." (*Id.* at p. 497 (emphasis added).) Similarly, in *Bloom v. McGurk* (1994) 26 Cal.App.4th 1307, the court emphasized the undisputed fact that there would

be no change in operations at a medical waste treatment facility in finding that the project "falls squarely within the [] language of the class 1 categorical exemption." (*Id.* at p. 1312; see also *North Coast Rivers Alliance v. Westlands Water Dist.* (2014) 227 Cal.App.4th 832, 868 [interim water supply renewal contracts, which did not result in an any changes to the use and operation of existing CVP water facilities, clearly "came within the scope of the categorical exemption for existing facilities"].)

The court's analysis in *Erven v. Board of Supervisors* (1975) 53 Cal.App.3d 1004 further illustrates the distinction between maintaining an existing use and expanding that use for purposes of the existing facilities exemption. There, the county adopted a resolution regarding intent to provide improvements and maintenance to existing county roads. The court found the project fell within the existing facilities exemption because "the only activity contemplated by the Board was the maintenance and repair of public roads already existing in the area." (*Id.* at p. 1013.) However, the court specifically stated that a decision to widen the roads or acquire additional roads for improvement purposes "would not qualify for exemption and compliance with the CEQA would be required either by the preparation and consideration of an environmental impact report or by a negative declaration." (*Id.* at p. 1014.) Thus, as shown by case law, the exemption is inapplicable when there is more than a negligible expansion of an existing use.

Bloom also argues that the proposed Projects will not change existing commercial uses at the Equinix and Intel Facilities. However, the critical question is whether anything more than a negligible expansion is proposed, and not whether the expansion is proposed at an existing commercial or industrial facility. (See *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 966-967 (*County of Amador*) [rejecting the framing of a project as the mere acquisition of an existing hydroelectric facility where the project would also add substantial consumptive use and finding the change in use "removes the project from the scope of the existing facilities exemption"].) It is clear that the proposed Projects at issue here are not the ongoing commercial use of the sites but rather the installation of new fuel cell power systems producing either 2.5 MW or 10.5 MW of electricity. Therefore, while City staff will consider this issue further once Bloom has submitted complete use permit applications for the proposed Equinix and Intel Projects, based on the materials provided by Bloom to date, City staff does not anticipate that it could reasonably conclude that the proposed Projects constitute a negligible expansion of an existing use.

iii. The Class 3 exemption does not appear to apply to the Equinix Project.

The Class 3 exemption exempts "construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure." (Guidelines, § 15303.)

Bloom specifically relies on the following subdivisions in claiming that the Equinix Project is eligible under the Class 3 exemption:

> (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.
>
> (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

With some exceptions, subdivision (d) applies to specified "utility extensions" serving up to three-single family residences, apartments or duplexes with up to six dwelling units, or up to four store, motel, office, restaurant or similar commercial buildings not exceeding 10,000 square feet. (CEQA Guidelines, § 15303, subds. (a)-(d); see also *Voices for Rural Living v. El Dorado Irrigation Dist.* (2012) 209 Cal.App.4th 1096, 1109 (*Voices for Rural Living*) ["This categorical exemption thus applies when the project consists of a small construction project *and the utility and electrical work necessary to service that project.*"] (emphasis added).) The proposed Projects are not proposed to serve up to three-single family residences, apartments or duplexes with up to six dwelling units, or up to four store, motel, office, restaurant or similar commercial buildings not exceeding 10,000 square feet. Furthermore, the proposed Projects propose the construction of electrical power plants and not "utility extensions." For both of these reasons, the proposed Projects do not appear to qualify for the Class 3 categorical exemption pursuant to subdivision (d).

Subdivision (e) appears equally inapplicable. It exempts common accessory structures — "garages, carports, patios, swimming pools, and fences" — none of which have any similarity to fuel cells. While City staff will consider this issue further once Bloom has submitted complete use permit applications for the proposed Equinix and Intel Projects, based on the materials provided by Bloom to date, City staff does not believe it would be reasonable to conclude subdivision (e) covers a 4,900 square foot electrical power plant that would generate electricity sufficient to power the equivalent of 3,231 homes. (*Voices for Rural Living*, *supra*, 209 Cal.App.4th at pp. 1109-1110 [explaining the fact that the project would provide 216 equivalent dwelling units worth of water "is a fact that distinguishes the project from the type of projects contemplated by the class 3 categorical exemption"].)

Furthermore, while Bloom's Exemption Memo for the Equinix Project[13] does not assert that the Equinix Project is a structure similar to a store, motel, office, or restaurant under subdivision (c), as a general matter, City staff does not believe fuel cells are similar to a store, motel, office, or restaurant use. However, City staff will consider this issue further after Bloom has submitted complete use permit applications for the proposed Equinix and Intel Projects. In undertaking this evaluation, City staff will require detailed information on the types, and quantities, of hazardous substances used and/or produced by the proposed Projects to determine if the proposed Projects "involv[e] the use of significant amounts of hazardous substances...." (CEQA Guidelines, § 15303, subd. (c).)

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[13] / Bloom's Exemption Memo for the Intel Project does not address the Class 3 exemption.

While City staff will consider this issue further once Bloom has submitted complete use permit applications for the proposed Equinix and Intel Projects, based on the materials provided by Bloom to date, City staff does not anticipate that it could reasonably conclude that the proposed Projects qualify for the "Class 3" categorical exemption.

iv. While the City has not identified any categorical exemption that may be applicable, if a categorical exemption was applicable, the City would also need to evaluate whether any exceptions to the categorical exemptions prevent the City from relying on the categorical exemption.

An agency may not apply a categorical exemption without considering whether an exception to the exemption applies. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1103.) Once Bloom has submitted complete use permit applications for the proposed Equinix and Intel Projects, City staff will evaluate whether any of the exceptions to the categorical exemptions are applicable.

Among the issues that will need to be considered by City staff is whether the proposed Projects have the potential to result in cumulatively considerable energy impacts. Specifically, Appendix F to the CEQA Guidelines demonstrates that a lead agency should consider whether a proposed project will: (1) decrease overall per capita energy consumption, (2) decrease reliance on fossil fuels such as coal, natural gas and oil, and (3) increase reliance on renewable energy sources. It does not appear that the proposed Projects are consistent with any of these energy conservation goals. However, City staff will consider this and other issues relevant to CEQA's exceptions to the categorical exemptions further once Bloom has submitted complete use permit applications for the proposed Equinix and Intel Projects.

b. The common sense exemption does not appear to apply to the proposed Projects.

The common sense exemption requires certainty that that there is no possibility that the activity may have a significant effect on the environment. (Guidelines, §15061(b)(3); *Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 117 ["If legitimate questions can be raised about whether the project might have a significant impact and there is any dispute about the possibility of such an impact, the agency cannot find with certainty that a project is exempt [pursuant to the common sense exemption]."].)

As Bloom is aware, the superior court previously held that substantial evidence demonstrates that Bloom's Fuel Cells emit approximately twice the CO_2e as Silicon Valley Power's (SVP's) grid. (Case No. 19CV348838, Judgement, p. 14.) SVP has aggressively procured substantial renewable and carbon-free energy sources to reduce its portfolio's GHG emissions. And SVP's GHG emissions will continually decrease in the future pursuant to its 2018 Integrated Resource Plan and to meet state mandates such as Senate Bill 100 (2018). In stark contrast, Bloom's Fuel Cell power systems lock in reliance on natural gas for a period of 15-20 years and, as a

result, will cause significant GHG emissions as compared to SVP's grid.[14] Therefore, while City staff will consider this issue further once Bloom has submitted complete use permit applications for the proposed Equinix and Intel Projects, the GHG emission impacts of the proposed Projects alone likely preclude the City from relying on the common sense exemption.

4. City staff recommendations regarding information to include with the use permit applications for the proposed Projects.

The information listed below will assist City staff in reaching a determination regarding the appropriate level of CEQA review for the proposed Projects. While City staff typically makes requests for additional information after a developer has submitted a complete land use application, City staff understands that Bloom would like the use permit application process to proceed as quickly as reasonably possible. To help facilitate that goal, City staff requests that Bloom provide the following information to the City when it submits its use permit applications for the proposed Projects:

- Documentation from the Bay Area Air Quality Management District (BAAQMD) confirming that the Equinix and Intel Projects are exempt from new source review regulations;
- BAAQMD certified source test data for criteria pollutants for Bloom Fuel Cell systems;
- Health and safety plans and/or emergency preparedness plans or studies related to Bloom Fuel Cell systems;
- Information related to whether any natural gas pipelines will need to be replaced, upsized, or newly installed on- or off-site in order to accommodate the additional natural gas demand created by the proposed Projects;
- All information related to any safety rating provided to Bloom Fuel Cell systems;
- All information related to the disposal of Bloom Fuel Cell batteries and filters; and
- All information regarding the quantity of the following substances created (both per megawatt hour of energy production and parts per million):
    - Arsenic;
    - Benzene;
    - Chromium VI;
    - Hydrogen;
    - Hydrogen sulfide;
    - Lead;
    - Toluene;
    - Volatile organic compounds; and
    - Xylene.

CONCLUSION

As discussed in this letter, the Equinix and Intel Projects each require a use permit. In Bloom's Letter, Bloom suggests that "[t]here has been nearly a year's delay in the installation of the

[14] / Bloom has repeatedly asserted that the use of biogas is not possible.

Bloom Energy Servers...." (Bloom's Letter, p. 2.) As early as February of this year, City staff informed Bloom that use permit applications would need to be submitted and stated that Reena Brilliot, Planning Manager, could assist in the application process. To date, Bloom has not filed a planning application to apply for the required use permits or contacted Ms. Brilliot for assistance in preparing the applications. Therefore, the City is not the cause of any perceived delay in the processing of necessary permits for the Equinix and Intel Projects.

As City staff did in February, the City again recommends that Bloom submit planning applications should Bloom want to pursue use permits for the proposed Projects. Planning applications are complete once all required documentation has been received and approved by Planning staff and payment of all applicable planning fees has been made. (City Code, § 18.110.020.) Should Bloom have any questions regarding the application process or the fees required, please contact Ms. Brilliot, Planning Manager (RBrilliot@santaclaraca.gov).

Once Bloom has completed planning applications, City staff will proceed with its review of the proposed Projects including a determination regarding the appropriate level of CEQA review. As discussed in this letter, based on City staff's initial review of Bloom's Letter and attachments, City staff does not anticipate that the proposed Projects will qualify for a CEQA exemption. However, City staff will make its official recommendation regarding the appropriate level of CEQA review after it has received and reviewed the complete project applications. Thereafter, the final determination regarding CEQA compliance will be made by the City's decisionmaker as part of its consideration of the proposed Projects.

If you have any further questions, please let me know.

Sincerely,



Alexander Abbe
Assistant City Attorney

cc: Kevin Kolnowski, Chief Operating Officer, Silicon Valley Power
Ann Hatcher, Assistant Director of Electric Utility, Silicon Valley Power
Manuel Pineda, Assistant City Manager
Brian Doyle, City Attorney
Anne Baptiste, Esq.

T|L|G Thomas Law Group

TINA A. THOMAS
AMY R. HIGUERA
CHRISTOPHER J. BUTCHER
Senior Counsel
ANNE L. BAPTISTE
JOHANNAH E. KRAMER
SAMUEL D. BACAL-GRAVES

455 CAPITOL MALL, SUITE 801
SACRAMENTO, CA 95814

ONE KAISER PLAZA, SUITE 875
OAKLAND, CA 94612

Telephone: (916) 287-9292 Facsimile: (916) 737-5858
www.thomaslaw.com

NICHOLAS S. AVDIS
ERIC E. REYNOLDS
Of Counsel

March 19, 2021

Howard "Chip" Wilkins
Remy Moose Manley
555 Capitol Mall, Suite 800
Sacramento, CA 95814
cwilkins@rmmenvirolaw.com

Re: Environmental Review for Proposed Bloom Fuel Cell Power System Projects at the Intel, Inc., and Equinix, Inc., Facilities in the City of Santa Clara

Dear Mr. Wilkins:

I am writing on behalf of the City of Santa Clara (City) in response to your letter, dated February 16, 2021 (Bloom's February Letter), regarding the proposed Bloom Fuel Cell Power System at 2960 and 2970/3000 Corvin Drive (Equinix Facility) and 2200 Mission College Boulevard (Intel Facility) (the proposed installations at the Equinix Facility and Intel Facility are referred to individually as the "Equinix Project" and the "Intel Project" and collectively as the "Projects").

The City has concluded that an initial study must be completed for the Intel Project and for the Equinix Project. For the reasons discussed in the City's November 18, 2020 letter, the Projects do not fall within the scope of an exemption to CEQA. Additionally, even if an exemption were applicable—which the City finds is not the case—the City is unable to conclude that no exception applies, as explained below. Accordingly, an initial study must be prepared for each Project.

ANALYSIS

I. CEQA requires preparation of initial studies.

The City has determined that the Projects are not eligible to proceed under any CEQA exemption. Further, even assuming *arguendo* that an exemption applied, the City is obligated to consider whether an exception precludes reliance on the exemption. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1103 ["[A]n agency may not apply a categorical exemption without considering evidence in its files of potentially significant effects, regardless of whether that evidence comes from its own investigation, the proponent's

submissions, a project opponent, or some other source."]; *Committee to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, 1187.)

As discussed below, based on a review of the currently available evidence, the City finds that the Projects will have cumulatively considerable impacts related to GHG emissions and energy. Additionally, based on the evidence, the City cannot conclude that the Projects will not contribute to significant cumulative impacts related to air quality emissions or transportation of hazardous waste. Similarly, it cannot conclude that the Projects' release and emission of hexavalent chromium (CR+6) will not result in a significant impact, triggering the unusual circumstances exception. Therefore, even if the Projects qualified for a categorical exemption, the City is unable to find that the evidence supports a determination that no exception would apply. As a result, initial studies are required to provide the City with information to use as the basis for deciding whether to prepare a Negative Declaration or an EIR for the Projects. (CEQA Guidelines, § 15063(c)(1).) As required by the Supreme Court in *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, the initial studies will need to include sufficient detail regarding project-specific and cumulative emissions associated with the Projects to connect any identified air quality effects to human health consequences.

A. Cumulative Impacts

The cumulative impacts exemption states: "All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant." (Guidelines, § 15300.2(b).) "A 'cumulative impact from several projects' is defined in the Guidelines as 'the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.'" (*North Coast Rivers Alliance v. Westlands Water Dist.* (2014) 227 Cal.App.4th 832, 874, citing CEQA Guidelines, § 15355(b) and Pub. Resources Code, § 21083(b)(2).) "'[T]he purpose of the requirement that cumulative impacts be considered … is to ensure review of the effects of the project in context with other projects of the same type. Thus the Guidelines expressly provide that "[c]umulative impacts can result from individually minor but collectively significant projects taking place over a period of time."'" (*Robinson v. City and County of San Francisco* (2012) 208 Cal.App.4th 950, 956-957, citing *Save Our Carmel River v. Monterey Peninsula Water Management Dist.* (2006) 141 Cal.App.4th 677, 703-704.)

Thus, the City must evaluate the cumulative impacts of Bloom's Fuel Cell Power Systems. Currently, there are approximately 14.9 MW of Bloom Fuel Cell Power Systems installed in the City, and the Projects would add another 13 MW. As discussed below, the City has determined that the cumulative impacts of Bloom's Fuel Cell Power Systems within the City demonstrate that the cumulative impacts exception applies.

1. Air Quality

The City is concerned that the methodologies used to quantify emissions from Bloom Fuel Cell Power Systems do not properly capture and account for all emissions. Thus, the City is unable to rely on Bloom's reported emission rates because they may underrepresent the quantity of air pollutants released by the fuel cells. Additionally, the Projects may emit significant quantities of benzene. Accordingly, initial studies are needed to further evaluate these issues.

a. It is not clear the methodologies capture all emissions.

It is not clear that Bloom's testing methodologies account for the entire system of operations within its energy servers or capture all fugitive emissions. For instance, the methodology for measuring particulates emissions specifies how it factors emissions from several key system components—it specifically includes six power modules, one fuel module, and one electrical module per energy server. In contrast, the methodologies for NOx, CO, and VOCs fail to account for these key components. Further, it is not clear whether any of the testing methodologies fully capture fugitive emissions. Any system operating at high temperatures will have evaporative emissions; testing must be performed in a sealed environment to capture these fugitive emissions. The methodology states that an artificial stack was created in which a probe measured emissions. Bloom's documentation does not explain if and how this methodology accounts for fugitive emissions. If the methodologies do not account for emissions from each component of the system or capture all fugitive emissions, the results may be misleading.

Bloom's SEC Annual Report underscores the City's concerns that Bloom has selected methodologies that fail to properly capture emissions. For example, in discussing CR+6 emissions—which Bloom's February Letter failed to disclose—the SEC filing admits that had Bloom used a traditional testing methodology "similar to what the air districts have used in other large scale industrial products, it would show that we would need to reduce the emissions of CR+6 from our Energy Servers to meet the most stringent [California] requirements."[1] However, Bloom developed a modified test, and based on its modeling, results, and analysis, Bloom has concluded that it believes that it is in compliance with California air regulations. Bloom's SEC Annual Report additionally states that "our technology is moving faster than the regulatory process in many instances."[2] This indicates that Bloom's alleged regulatory compliance with respect to emissions may be more attributable to the absence of federal, state, and local permitting and/or oversight than to the level of its emissions. Based on these disclosures, the City finds that air quality emissions must be evaluated in initial studies.

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[1] Boom Energy Corporation, *Annual Report Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 for the fiscal year ended December 31, 2020* (Feb. 26, 2021), p. 30, available at http://d18rn0p25nwr6d.cloudfront.net/CIK-0001664703/76f03605-a1e3-4fce-9a24-556d291a923b.pdf

[2] *Ibid*.

b. Any error due to faulty methodology would be significant when scaled up.

Bloom's emissions data is based off of tests on a single power module of approximately 50 kW in size. The Equinix Project would install 50 times that much power, and the Intel Project would be 210 times larger. On a City-wide basis, 27.9 MW would be 550 times the size of the test module. Thus, even errors that may be small at the 50 kW scale could be substantial, and collectively amount to a significant impact, when considered at Project-level and City-level scale. Thus, initial studies are needed to further evaluate appropriate methodology for calculating the Projects' project-specific and cumulative air quality impacts.

c. Bloom's data fails to account for the increase in emissions due to the steady and significant loss in efficiency.

Bloom Fuel Cell Power Systems decrease in efficiency over time. Publicly available data show that the amount of fuel used per MWh steadily grows as the system efficiency declines. Bloom's advertising materials state that GHG emissions may get as high as 833 lbs/MWh and that the fuel input (heat rate) may range up to 7,127 Btu/kWh. Actual data from the State of New York for Bloom's installations at Queens Mall show that efficiency decayed below the advertised levels and that after only one year of operations, emissions exceeded 950 lbs/MWh on numerous occasions.[3] Additionally, data from the U.S. EPA eGrid database for 2019 show Bloom operating 43 plants nationwide, and 35 of these plants operated at a nominal heat rate greater than 7,127 Btu/kWh. This data indicate a significant decrease in efficiency beyond Bloom's advertised upper limit. Presumably, this decreased efficiency would also result in a corresponding increase in emission levels for other air pollutants along with GHG emissions. Bloom fails to address this issue, which requires further evaluation in initial studies.

d. Benzene

Based on the information provided, the Projects may contribute to significant benzene emissions. Benzene is carcinogenic and can cause birth defects. Initial studies are needed to analyze this issue.

2. Greenhouse Gases

The Projects will emit significant GHG emissions, contributing to a cumulative impact. Even using the lower range emission factor for Bloom Fuel Cell Power Systems, the Intel Project alone will generate over 28,000 $MTCO_2e$ per year. This exceeds the BAAQMD's threshold of significance for GHG emissions. The Projects, taken together, will generate over 35,000 $MTCO_2e$ per year. With the Projects, Bloom's cumulative GHG emissions across the City would

[3] New York State, *Distributed Energy Resources: Queens Mall* (2021), available at https://der.nyserda.ny.gov/reports/view/performance/?project=738.

be at least 75,000 $MTCO_2e$ per year.[4] These significant GHG emission levels need to be evaluated further in the initial studies.

3. Energy

CEQA recognizes that wasteful, inefficient, and unnecessary consumption of energy may result in environmental impacts. Appendix F of the CEQA Guidelines illustrates that such impacts may be avoided or reduced by decreasing per capita consumption; decreasing reliance on fossil fuels, including natural gas; and increasing reliance on renewable energy resources. Appendix F suggests consideration of the degree to which a project complies with existing energy standards, its effect on energy resources, and its projected transportation energy use requirements. It further recommends consideration of how a project preempts future energy conservation and how short-term gains compare to long-term impacts.

The Projects would not further the goals promoted by CEQA or Appendix F with respect to preventing or minimizing energy related impacts. Bloom's Fuel Cell Power Systems are entirely reliant on natural gas, a fossil fuel. Further, they run on natural gas 24 hours a day, seven days a week, in contrast to other energy suppliers, such as SVP,[5] which can reduce natural gas consumption when excess renewables are available on the grid. Currently, the existing Bloom Fuel Cell Power Systems in the City consume at least 734,956 mcf of natural gas annually. The Equinix and Intel Projects would respectively consume at least 123,312 mcf and 517,912 mcf of natural gas annually, bringing the total to, at minimum, 1.37 million mcf. This is equivalent to the annual natural gas demand of over 36,000 City residents, and the Projects' share would be equivalent to that of over 17,000 City residents. The Projects are projected to last 15-20 years. Thus, they will induce long term, constant dependence on fossil fuels at the Intel and Equinix Facilities. Because Bloom's Fuel Cell Power Systems will not achieve reductions in fossil fuel dependence, but will lock in dependence on natural gas, the currently available evidence supports the conclusion that the Projects will have cumulatively considerable impacts related to wasteful, inefficient, and unnecessary consumption of energy.

Further, the Projects do not comport with current energy policies which emphasize the need to decarbonize the grid. SB 32 mandates that California reduce GHG emissions to 40 percent below 1990 levels by 2030. SB 100 includes requirements and targets related to increased renewable

[4] These figures are based on an emission factor of 0.308. A more conservative analysis would use an emission factor of 0.378, which would indicate that the Projects plus existing Bloom Fuel Cell Power Systems in the City would emit over 92,000 $MTCO_2e$ per year. And as discussed in section A.1.c, this may not account for Bloom's Fuel Cell Power Systems' true degradation in efficiency. The City will determine the appropriate emission factor to use in preparing the initial studies.

[5] In compliance with SB 100 and other California plans and policies, the City's grid will continuously reduce reliance on fossil fuels until it is 100 percent carbon-free (meaning no fossil fuel-sourced energy) by 2045.

energy procurement and achieving 100 percent carbon free energy. BAAQMD's 2017 Clean Air Plan likewise focuses on reducing Bay Area GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. It further explains that the use of fossil fuels in buildings needs to be eliminated and industries must be powered by carbon-free electricity and biofuels. In fact, decarbonizing the energy system is a specific priority of the 2017 Clean Air Plan. An energy project that locks in natural gas dependence cannot contribute to achieving the State's goals to reduce GHG emissions and shift electricity demands from fossil fuels to renewable and GHG-free sources. Thus, the Projects would not comply with existing energy standards. Initial studies are needed to analyze the Projects' energy impacts.

4. Hazardous Substances

Desulfurization canisters are connected to Bloom's Fuel Cell Power Systems to remove impurities from natural gas before it is reformed into the hydrogen fuel. When "spent," these canisters contain sufficient benzene to qualify as hazardous waste. Bloom previously alleged its canisters were exempt under 40 § C.F.R. 261.4(c).[6] The EPA ruled this was improper and sought to fine Bloom $1 million for the violation. Subsequently, Bloom entered into an arrangement to have its canisters recycled at a facility in Indiana, so the canisters could be deemed exempt from hazardous waste requirements pursuant to 40 C.F.R. § 261.2(e)(1)(i).

Though the canisters may be deemed exempt from hazardous waste requirements under RCRA, the City is concerned with potential impacts that may arise from the storage and transportation of the canisters. The City has not been provided any information necessary to evaluate cumulative impacts to local streets, such as the volume or number of canisters to be removed from each site, how frequently this would occur, or proof of Bloom's compliance with all applicable laws in transporting the canisters. Including the Projects, there would be five sites in the City from which these canisters must be gathered and transported. Additionally, transporting the canisters to the recycling facility would have air quality, GHG, energy, and VMT impacts. These issues require further evaluation in initial studies.

B. Unusual Circumstance due to release or emission of hexavalent chromium

To date, the City has not received sufficient information to demonstrate the Projects will not result in a significant impact related to the release or emission of hexavalent chromium (CR+6). If the Projects will have a significant impact due to the release or emission of CR+6, it would constitute an unusual circumstance, precluding reliance on an exception. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1105 ["[A] party may establish an

[6] According to a complaint filed by Unicat Services, LLC (Unicat), Bloom represented that it had disposed of the highly toxic contents of the canisters in public landfills. (Third Amended Complaint at pp. 9-10, 15-16, *Unicat Services, LLC & Unicat Catalyst Technologies, Inc v. Bloom Energy Corporation*, No. 3:16-cv-32 (S.D. Tex 2016). The complaint further alleges that Bloom penalized Unicat for seeking to comply with hazardous waste laws in recycling and disposing of the spent canisters. (*Id*. at pp. 18, 21.)

unusual circumstance with evidence that the project will have a significant environmental effect."].)

As discussed above, Bloom's February Letter claims emissions of CR+6 are not available though it is clear from Bloom's SEC Annual Report that its Fuel Cell Power Systems do emit CR+6, potentially in significant quantities. Exposure to CR+6 is known to cause lung cancer and may also cause cancers of the nose and nasal sinuses; chronic exposure can also cause damage to the skin and respiratory systems and may harm reproductive systems as well as cause birth defects. CR+6 could be inhaled by workers and residents near the Projects. Additionally, CR+6 may accumulate on surfaces or seep into the soil and contaminate groundwater. Exposure via any of these pathways may pose serious health impacts.

Given Bloom's response to the City fails to disclose what quantity of CR+6 is emitted or the methodology used in making that determination, the City cannot find that the Projects will not result in significant impacts related to emission of highly toxic CR+6. Accordingly, the City is unable to conclude that the Projects will not result in an unusual circumstance, and this issue must be evaluated in the initial studies.

II. The City has determined Aspen Environmental will prepare the initial studies.

Pursuant to CEQA, a lead agency may use any of the following methods to prepare an initial study:

1. Preparing the initial study directly with its own staff.
2. Contracting with another entity, public or private, to prepare the initial study.
3. Accepting a draft initial study prepared by the applicant, a consultant retained by the applicant, or any other person.
4. Executing a third party contract or Memorandum of Understanding with the applicant to govern the preparation of an initial study by an independent contractor.
5. Using a previously prepared initial study (where appropriate).

(See CEQA Guidelines, §§ 15084(d), 15063(a)(4).)

The City's decision to contract with Aspen Environmental (Aspen) complies fully with CEQA. The City acknowledges that it often allows a developer to select a consultant from the City's Preferred Environmental Consultant List. However, the City chose not to use this process for two reasons. First, Aspen has significant experience consulting on Energy and Power Plant projects, and therefore, the City believes that Aspen is particularly qualified to prepare the initial studies required for the Projects. Second, it is unusual for a dispute to exist between the City and a project applicant concerning potential environmental impacts of a project before environmental review of a project has even commenced. Here, however, as you are aware, in *Bloom Energy Corporation v. City of Santa Clara, Santa Clara Superior Court Case No. 19CV348838*, Bloom argued that development of additional fuel cells within the City would reduce GHG emissions in the City. Bloom's position was inconsistent with the City's data, and the court ultimately held

that substantial evidence supported the City's conclusion that "CO_2e emissions for the SVP energy portfolio are approximately half of those from NG Fuel Cells." (Order re: Petition for Writ of Mandate and Complaint for Declaratory Relief, p. 14.) The City believes this prior disagreement between Bloom and the City regarding GHG emissions associated with Bloom's fuel cells provides further support for its decision to independently select the environmental consultant.

In Bloom's March 12 email transmitting the PCC Checklists to the City, Bloom requested that the City provide Bloom an opportunity to discuss the applicability of CEQA categorical exemptions for the Projects with Aspen. As outlined in this letter, City staff has determined that the Projects do not qualify for a categorical exemption. City staff made this determination in consideration of the evidence and arguments submitted by Bloom. The City's determination is final, and therefore, to avoid delays the City suggests that the focus shift to preparing the initial studies for the Projects. However, if Bloom would like to set a call to further discuss the City's determination that initial studies are required, please let us know.

As the City has determined that initial studies are required for the Projects, the City has asked Aspen to prepare a scope of work to complete the initial studies. The City will share the scope of work with Bloom once it is received from Aspen. Should Bloom have any questions regarding Aspen's proposed scope of work once provided, the City is happy to set a call to discuss the scope of work.

While the City has selected the environmental consultant, the City will allow, and indeed expects, that Bloom will participate in preparation of the CEQA documentation for the Projects by, for example, providing environmental documentation requested by the City. All environmental documentation submitted by Bloom, including the materials already submitted to the City, will be provided to Aspen to assist it in completing the initial studies for City review pursuant to CEQA Guidelines section 15063(b). Further, as part of Aspen's preparation of the initial studies, the City will schedule a virtual meeting with Bloom, Aspen, and the City to discuss the Projects and the environmental analysis further.

CONCLUSION

The City has found that the Projects are not eligible for an exemption from CEQA, so an initial study is required for each Project. Further, even if the Projects were eligible for an exemption, based on the above, the City finds that cumulative GHG and energy impacts would preclude reliance on an exemption. Additionally, the City is unable to conclude that exceptions would not be triggered due to cumulative impacts related to air quality or transportation of hazardous materials, or due to unusual circumstances related to the Projects' release and emission of CR+6. Accordingly, the City will have Aspen prepare the required initial studies.

The City will coordinate with Bloom regarding the initial study fees, Aspen's scope of work, and to obtain additional information and data that may be necessary for Aspen to complete the initial studies.

If you have any further questions, please let me know.

Sincerely,

Christopher J. Butcher

cc: Brian Doyle, City Attorney
Alexander Abbe, Assistant City Attorney
Kevin Kolnowski, Chief Operating Officer, Silicon Valley Power
Ann Hatcher, Assistant Director of Electric Utility, Silicon Valley Power
Manuel Pineda, Assistant City Manager/Chief Electric Utility Officer

OFFICE OF THE CITY ATTORNEY
CITY OF SANTA CLARA
BRIAN L. DOYLE, City Attorney, SBN 112923
bdoyle@santaclaraca.gov
ALEXANDER E. ABBE, Assistant City Attorney, SBN 204782
aabbe@santaclaraca.gov
1500 Warburton Ave.
Santa Clara, California 95050
Tel (408) 615-2230 Fax (408) 249-7846

THOMAS LAW GROUP
TINA A. THOMAS, SBN 088796
tthomas@thomaslaw.com
AMY R. HIGUERA, SBN 232876
ahiguera@thomaslaw.com
CHRISTOPHER J. BUTCHER, 253285
cbutcher@thomaslaw.com
455 Capitol Mall, Suite 801
Sacramento, California 95814
Tel (916) 287-9292 Fax (916) 737-5858

Attorneys for Respondents City of Santa Clara and Silicon Valley Power

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CLARA

BLOOM ENERGY CORPORATION, a Delaware corporation, Petitioner and Plaintiff, v. CITY OF SANTA CLARA, a municipal corporation; SILICON VALLEY POWER, a not-for-profit municipal electric utility; and DOES 1 through 10, inclusive Respondents and Defendants.	Case No. 19CV348838 **RESPONDENTS' OPPOSITION BRIEF** ACTION BASED ON CALIFORNIA ENVIRONMENTAL QUALITY ACT Assigned to: Honorable Thomas E. Kuhnle Department: 5 Petition Filed: June 11, 2019 Trial: December 18, 2019 Time: 9:00 a.m.

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I. INTRODUCTION

California's leadership with regard to climate change law and policy is well recognized. Due to the social, economic, and environmental costs of delayed action, the City of Santa Clara (the City) has likewise chosen to be a leader in the fight against climate change. As part of its sustainability efforts, it adopted a Climate Action Plan (CAP) in 2013 and is committed to meeting or exceeding State mandated greenhouse gas (GHG) reduction targets including the State's recently enacted goal to eliminate reliance on natural gas and, to instead, rely 100 percent on renewable energy and zero-carbon resources by 2045.

The City owns and operates Silicon Valley Power (SVP), a publicly owned power utility with generation, transmission, and distribution capabilities to provide electricity to City residents and businesses. To further align with State GHG reduction targets and its commitment to sustainability, the City passed Resolution no. 19-8701 (the Regulations), which updated SVP's Rules and Regulations to require that new self-generating energy facilities[1] (excluding back-up generators) installed by its customers in the future qualify as renewable electric generation facilities if the owner also wishes to interconnect to SVP's electrical grid.

Fuel cell projects are one type of self-generating energy facility. Fuel cells may run on either natural gas or biogas; biogas is derived from renewably sourced methane produced, for example, by dairies, landfills, or waste water treatment facilities. As Petitioner Bloom (Bloom) acknowledges, fuel cells that run on non-renewable natural gas emit both GHGs and criteria air pollutants whereas fuel cells that run on biogas are "carbon neutral." (AR 8601.)

Fuel cells, once installed, generally operate for 15-20 years. Therefore, natural gas fuel cells that are installed in the City in the future will potentially emit GHGs and criteria air pollutants for decades to come. As these emissions are inconsistent with both the City's and State's GHG and green energy goals, the City adopted the Regulations, in part, to encourage development of biogas fuel cells instead of natural gas fuel cells in the City.

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[1] Self-generation facilities are private electrical generation systems that an electrical customer installs on its own property for its own use. (AR 84.)

Contrary to the arguments advanced by Bloom in its Opening Brief, substantial evidence in the record demonstrates that Bloom can operate fuel cells using biogas. While doing so may reduce Bloom's profit, impacts to Bloom's profit margin do not constitute potentially significant impacts for the purposes of CEQA. As demonstrated below, Bloom's challenge is premised on a misunderstanding of how alleged indirect environmental impacts are evaluated pursuant to CEQA as well as on a series of unreasonable and unforeseeable assumptions. Each of these flaws in Bloom's challenge constitute an independent basis for this Court to deny the Petition for Writ of Mandate and enter judgment in favor of the City.

II. STATEMENT OF FACTS

California is a global leader with respect to climate change law and policy. Reducing GHG emissions requires actions on numerous fronts, including energy, transportation, land use, waste disposal, and water resource planning. (See, e.g. AR 17366.) This litigation concerns an action taken by the City to align energy production in the City with both the State's and City's GHG emission reduction goals.

A. State legislative emissions goals and targets

1. SB 350

The Legislature has declared that "[s]upplying electricity to California end-use customers that is generated by eligible renewable energy resources *is necessary* to improve California's air quality and public health … ." (Sen. Bill No. 350 (2015-2016 Reg. Sess.), § 17 [Pub. Utilities Code, § 399.11, subd. (e)(1) (emphasis added)].) In 2015, the Legislature passed the Clean Energy and Pollution Reduction Act (SB 350), which established new clean energy, clean air, and greenhouse gas reduction goals through 2030 and beyond. Specifically, as part of the effort to achieve the State's GHG reduction goals, SB 350 directs "electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to reduce dependence on petroleum, meet air quality standards, achieve the goals set forth in the Charge Ahead California Initiative . . . , and reduce emissions of greenhouse gases to 40 percent below 1990 levels by 2030 and to 80 percent below 1990 levels by 2050." (Sen. Bill No. 350 (2015-2016 Reg. Sess.) § 32 [Pub. Utilities Code, § 740.12, subd. (b)]; see also AR 84.)

2. SB 100

In 2018, the Legislature passed the California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases (SB 100) to transition the State to a 100 percent "zero-carbon electric system … ." (Sen. Bill No. 100 (2017-2018 Reg. Sess.) § 5 [Pub. Utilities Code, § 454.53, subd. (a)].) Specifically, SB 100 declares that it is "the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045." (*Ibid.*; see also AR 84.) To achieve the 2045 zero-carbon goal, SB 100 also establishes new targets for renewable energy production for 2026 and 2030. (Sen. Bill No. 100 (2017-2018 Reg. Sess.) § 2 [Pub. Utilities Code, § 399.11, subd. (a)] [establishing a target for total retail sales of electricity in California from eligible renewable energy resources of "50 percent by December 31, 2026, and 60 percent by December 31, 2030 … ."].)

B. Availability of renewable energy on the California energy market

In part due to California's aggressive GHG reduction goals, the California energy market has become markedly cleaner and more sustainable in recent years. (AR 1159.) The California energy market is operated by the California Independent System Operator (ISO). Renewable generation in California has made such strides that, at times, the supply of clean, renewable energy exceeds demand. (See AR 1157, 9685.) When this occurs, the California ISO is forced to curtail production of this clean and GHG-free energy. (AR 1157, 9685.)

As discussed further below, at times when clean and GHG-free energy is available in excess on the California energy market, SVP has the ability to rely on that available clean energy instead of on natural gas whereas Bloom's fuel cells cannot ramp up or down their reliance on natural gas to take advantage of available clean energy.

C. The City's energy framework

Since 2013, the City has been working aggressively to meet or exceed the goals set forth in its CAP. Its CAP calls for reducing GHG emissions to 15 percent below 2008 levels by 2020, and 55 percent below baseline levels by 2035 through a continuing increase in reliance on renewable and GHG-free electrical generation facilities. (AR 17363, 17369, 17392.) In recent years, SVP has

diversified its energy portfolio to meet these goals and presently supplies power to the community through a mix of large and small hydro, wind, geothermal, landfill gas, solar, and natural gas sources. (AR 16362-16363.) Pursuant to the CAP, the City closed its coal-fired power plant well ahead of schedule to support sustainability and fight climate change. (AR 233, 1150, 17277.)

For the last 10 years, the City has been committed to only adding renewable or GHG-free electricity to its portfolio. (AR 9167.) Accordingly, the City's energy portfolio has become substantially more sustainable. Additionally, SVP's portfolio approach enables it to ramp down or turn off its natural gas power production completely if additional renewable energy supplies are available on the California energy marketplace. (AR 1160, 9685.)

Since the City adopted its CAP in 2013, SVP's reliance on natural gas fell from nearly 45 percent of its portfolio to 16 percent in 2017. (AR 16361, 17278.) In that same timeframe, SVP's reliance on renewable and GHG-free energy increased significantly to 36 percent renewable and 72 percent GHG-free.[2] (AR 152-153, 9740, 17278.) Since adopting its CAP, SVP has also achieved 100 percent GHG-free energy for residential customers. (AR 17277.)

The City's 2018 Integrated Resource Plan (IRP) for SVP demonstrates that reliance on natural gas will continue to substantially decrease in the future: for instance, in 2018, SVP's Donald Von Raesfeld (DVR) natural gas power plant produced 899,242 megawatt hours (MWh) of energy. (AR 303; see also AR 85 [discussing GHG impacts of natural gas fuel cells compared to baseline emissions associated with SVP's 2018 electric load], 158 [discussing SVP's 2018 baseline emissions].) By 2038, DVR energy generation is projected to decrease by nearly 50 percent to 470,000 MWh. [3] (City's RJN,

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[2] Under California law, hydroelectric facilities larger than 30 megawatts do not qualify as renewable energy. (Public Resources Code, § 25741.) However, they are characterized as GHG-free. (See AR 16359.) SVP's use of hydroelectric power accounts for the difference in percentage between its renewable and GHG-free portfolio.

[3] SVP currently obtains energy produced using natural gas from four sources: Donald Von Raesfeld (DVR), Gianera Generating Station, Lodi Energy Center (NCPA Joint Powers Agency Resource), and Santa Clara Cogeneration. (AR 8533; City's RJN, Exhibit A, p. 8-8.) In 2019, these facilities are projected to produce 835, 8, 394, and 48 gigawatt hours (GWh) of electricity respectively (or 1,285 GWh collectively or 1,285,000 MWh). (City's RJN, Exhibit A, p. 8-8.) By 2038, these facilities are projected to produce 470, 0, 195, and 48 GWh of electricity respectively (or 713 GWh collectively or 713,000 MWh). (*Ibid.*)

Exhibit A, p. 8-8.)

D. Resolution No. 19-8701's update to SVP's Rules and Regulations

In keeping with its commitment to reduce GHG emissions and align its policies with those of the State of California and its CAP, the City proposed the Regulations. The Regulations require any customer that decides to seek future permits to develop a new self-generation energy facility, and desires to remain connected to SVP's grid, use a renewable electric generation facility as defined by the State.[4] (AR 77, 159-160.) With respect to fuel cells, this means that they must be powered by California Energy Commission (CEC) approved renewable generation and fuel sources rather than by natural gas. (See AR 77.)

Importantly, the Regulations only apply to self-generation facilities modified or installed *after* the passage of Resolution No. 19-8701. (AR 86.) Therefore, all preexisting fuel cells, including Bloom's, may continue operating without any changes whether they are currently operating on natural gas or biogas. (AR 86.)

Requirements such as those implemented by the Regulations are not uncommon within the State. For example, "cities like the cities of Pasadena and Burbank … have each adopted similar requirements which are already in place -- which is indicative of cities trying to advance … [the] mutual goal of advancing renewable energy policy." (AR 83; see also AR 137, 151-152, 9367, 9368-9373 [agenda for Pasadena's Regulations], 9372 [Pasadena concluded the Regulations "would not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment."].)

E. Bloom fuel cells

Bloom is an energy corporation that produces fuel cells which generate electricity through an electrochemical reaction. (AR 1226.) Bloom's fuel cells are generally used by larger industrial operations (like data storage operations) or institutional clients (like hospitals and universities). (See, e.g., AR 173, 181, 9579.) Bloom's promotional material state that the company has approximately 100

[4] The Regulations do not apply to emergency back-up generators. (AR 84, 160.) Therefore, both before and after the Regulations were adopted, emergency back-up generator projects could be developed in the City.

customers and, in total, operates fuel cells rated for approximately 300 MWh of energy. (AR 144, 209 [Bloom fuel cells are operating at approximately 80 sites around the world].)

While fuel cells can operate on biogas, Bloom's fuel cells generally utilize natural gas, which means they are 0 percent renewable and 0 percent GHG-free. (AR 85, 153.) *As a result, Bloom's fuel cells emit twice as much GHG as SVP's portfolio.* (AR 137 ["when SVP power content is compared to a natural gas fuel cell, the natural gas fuel cell will produce approximately 100% more GHG emissions than SVP during an annual time frame"], 9683.)

Furthermore, Bloom overstates the efficiency of its natural gas fuel cells. Bloom's Opening Brief and its expert claim their emission factor is 756 lbs/MWh. (Bloom's Opening Brief, p. 26; AR 16428.) However, in an application submitted to the State of Delaware, Bloom reported its emission factor was 884 lbs/MWh (a difference of nearly 17 percent), and one expert has reported the actual emission factor may exceed 900 lbs/MWh. (AR 11364, 17433; see also AR 1156 [noting Bloom's information lists CO_2 emissions of 735-849 lbs/MWh but "analysts have speculated that emissions are higher in actual operation"], 1174 [showing decrease in fuel cell efficiency over time].) Moreover, unlike SVP's electrical grid, natural gas fuel cells cannot ramp up or down, but rather run continuously 24 hours a day, 365 days a year, constantly emitting GHGs. (See AR 85, 1150.) Thus, because natural gas fuel cells – once installed – typically operate for 15-20 years, their dependence on natural gas is generally locked in on a continuous basis for well over a decade. (AR 217.)

In addition to GHG emissions, fuel cells generate NO_x, CO, VOCs, and hazardous solid waste. (See AR 155, 1156, 1172, 11364, 16361.) Sulfur compounds from natural gas must be filtered out, and other toxins such as benzene, toluene, xylene, lead, chromium, and arsenic also become trapped. (AR 11364.) The filtering material together with the trapped toxins becomes hazardous solid waste. (AR 11364.)

Bloom has aggressively lobbied for years for government subsidies to further its business interests notwithstanding the environmental impacts associated with fuel cells operating using natural gas. (AR 16355-16357, 17315-17316.) Initially Bloom's lobbying efforts were tremendously successful, resulting in hundreds of millions of dollars in subsidies. (See AR 16355-16357, 17316.) Specifically, Bloom has obtained over $400 million in rate-payer subsidies from the State's Self-

Generation Incentive Program (SGIP). (AR 1156.)

In 2015, after the Legislature renewed the SGIP until 2021, State Assemblymembers sent a letter to the Public Utilities Commission criticizing the existing SGIP eligibility criteria, which "maintain[ed] eligibility for existing technologies operating on 100 percent conventional natural gas." (AR 17316.) The letter urged that such technologies are not "consistent with the state's long term climate and energy goals." (*Ibid.*) The letter also noted that these existing natural gas technologies would emit significantly less GHGs if they used renewable biogas. (*Ibid.*) For these reasons, the letter concluded that if the SGIP eligibility criteria are not updated "SGIP will continue the increasingly absurd practice of subsidizing natural gas consumption, supporting existing technologies that have already taken hundreds of millions of dollars from SGIP and other public subsidies without producing substantial efficiency improvements, cost reductions, or general benefits to ratepayers … and undermining our collective efforts to clean the grid and transition away from fossil fuels." (*Ibid.*)

F. Summary of the administrative process

On May 7, 2019, the City Council held a hearing on the Regulations. Manuel Pineda, Interim Chief Electric Utility Officer, discussed the City's sustainability achievements and goals going forward and detailed why the Regulations would not cause significant environmental impacts. (AR 147-171, 220-230.) Three additional members of the public spoke in strong support for the Regulations, citing the need to advance energy policies in favor of renewable energy and pointing out the inefficiency of Bloom's fuel cells. (AR 212-214, 216-219.) Bloom employees spoke in opposition to the Regulations (AR 172-186, 191-193, 199-203), and several other speakers, including representatives of businesses that use Bloom's fuel cells, opposed the Regulations citing economic concerns. (AR 193-199.) Several comment letters were also submitted in opposition to the Regulations, including letters by Professor Catherine Sandoval and Professor James Sweeney, stating generally that federal and State subsidies have incentivized directing biogas towards transportation use, thereby artificially inflating its market value. (AR 16411-16414.) At the conclusion of the public comment period and after City Council deliberation, the City Council voted unanimously to adopt the Regulations. (AR 51.)

On May 8, 2019, the City issued a Notice of Exemption (NOE). (AR 48.) The NOE explains that the Regulations are exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), which

is commonly referred to as the commonsense exemption, based on the City's determination that the Regulations do not have the potential to result in any significant effect on the environment as defined by CEQA. (*Ibid.*) Bloom filed suit under CEQA, alleging that the Regulations are not exempt from CEQA pursuant to the commonsense exemption.

III. STANDARD OF REVIEW

Bloom's Opening Brief mostly ignores the applicable standard of review.[5] Instead, Bloom compares its product to the natural gas component of SVP's grid. As explained below, this is a misleading and false comparison as SVP's grid relies substantially, and increasingly, on renewable and GHG-free energy sources; natural gas is but a small, and decreasing, component of SVP's grid. Moreover, CEQA's evaluation of environmental impacts is not based on false comparisons of alleged future scenarios, but instead mandates analysis of a project (here, the Regulations) against the existing environmental baseline. In evaluating whether the City complied with CEQA when it concluded that the Regulations do not have the potential to result in any significant environmental impacts, the Court must determine whether substantial evidence supports the City's determination.

A. The commonsense exemption is subject to the substantial evidence standard of review and SVP met its burden of demonstrating that the exemption applies.

The commonsense exemption applies "[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment . . . ." (Guidelines, §15061(b)(3); *Muzzy Ranch Co. v. Solano County Airport Land Use Com.* (2007) 41 Cal.4th 372, 385-386 (*Muzzy Ranch*).) "[W]hether a particular activity qualifies for the commonsense exemption presents an issue of fact, and . . . the agency invoking the exemption has the burden of demonstrating it applies." (*Muzzy Ranch*, *supra*, 41 Cal.4th at p. 386.) "[T]he agency's exemption determination must [rely on] evidence in the record demonstrating that the agency considered possible environmental impacts in reaching its decision." (*Id.* at pp. 386-387, quoting *Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 117 (*Davidon*).) However, "[d]etermining whether a project

[5] Bloom appears to concur that the substantial evidence standard of review applies since Bloom argues that "the City did not produce substantial evidence supporting its reliance on the common sense exemption…." (See Bloom's Opening Brief, p. 21:3-6; see also *id.* at pp. 16:22-23, 20:13-15, 22:6-8.)

qualifies for the commonsense exemption need not necessarily be preceded by detailed or extensive factfinding. Evidence appropriate to the CEQA stage in issue is all that is required." (*Muzzy Ranch*, *supra*, 41 Cal.4th at p. 388.)

As explained in *Muzzy Ranch*, when legitimate questions are raised about a project's possible environmental impacts, the lead agency has "the burden to elucidate the facts that justified its invocation of CEQA's commonsense exemption." (*Muzzy Ranch*, *supra*, 41 Cal.4th at p. 387.) As a result of this required factual inquiry, the lead agency serves as "the finder of fact," and the appropriate standard of review for the reviewing court is substantial evidence. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1114 (*Berkeley Hillside*); see also 2 Kostka & Zischke, Practice Under the Environmental Quality Act (2d ed. Cal. CEB 2018) § 5.129 ["In the authors' view, the statements in the *Muzzy Ranch* decision implicitly indicate that the court was applying the substantial evidence standard…."].)

To the extent *Muzzy Ranch* leaves any ambiguity about the standard of review applicable to the commonsense exemption, *Union of Medical Marijuana Patients, Inc. v. City of San Diego* (2019) 7 Cal.5th 1171 (*Union*) and *CREED-21 v. City of San Diego* (2015) 234 Cal.App.4th 488 (*CREED-21*) resolves the ambiguity. In *Union*, the Supreme Court distinguished the standard of review applicable to determining whether a government approval constituted a "project" pursuant to CEQA from the standard of review applicable to the commonsense exemption. (*Union*, *supra*, 7 Cal.5th at pp. 1195-1197.) Interpreting *Muzzy Ranch*, the Supreme Court stated that the question whether a government approval constitutes a "project" is a "an issue of law… ." (*Id*. at p. 1196.) Whereas, the commonsense exemption "presents an issue of fact" and, therefore, even where a project may result in a "*possible* environmental impact[,]" the commonsense exemption may still apply. (*Ibid*. (original emphasis).)

Consistent with the Court's holding in *Union*, the court in *CREED-21* rejected the petitioner's argument that the city improperly relied on the commonsense exemption in approving a revegetation project. (*CREED-21*, *supra*, 234 Cal.App.4th at pp. 497-498.) In doing so, the court explained that, based on its review of the administrative record, "there is substantial evidence to support [c]ity's determination that the revegetation project was exempt from CEQA pursuant to the commonsense exemption under Guidelines section 15061, subdivision (b)(3)." (*Id*. at p. 511; accord. *Committee to*

Save the Hollywoodland Specific Plan v. City of Los Angeles (2008) 161 Cal.App.4th 1168, 1187 [stating "courts apply the substantial evidence test to the agency's factual determination that the exemption applies in the first instance"].)

Substantial evidence is an "extremely deferential standard of review." (*Doe v. Regents of University of California* (2016) 5 Cal.App.5th 1055, 1073.) Substantial evidence is "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (*Association of Irritated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1391 [quoting CEQA Guidelines, § 15384, subd. (a)].) Substantial evidence "includes fact[s], a reasonable assumption predicated upon fact[s], or expert opinion supported by fact[s]" (Pub. Resources Code, § 21080, subd. (e)), such as the "expertise of [an agency's] planning staff in determining whether a project will not have a significant impact on the environment." (*Citizens for Responsible Equitable Environmental Development v. City of San Diego* (2011) 196 Cal.App.4th 515, 529-530.)

"In applying the substantial evidence standard, the reviewing court must resolve reasonable doubts in favor of the administrative finding and decision." (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 393 [quotation marks omitted].) "[T]he question is not whether substantial evidence would support a different decision from the one the agency made; the question is whether the agency's decision is supported by substantial evidence." (*Committee for Re-Evaluation of T-Line Loop v. San Francisco Municipal Transportation Agency* (2016) 6 Cal.App.5th 1237, 1255.) In other words, "[t]he court must 'accept all evidence which supports the successful party, disregard the contrary evidence, and draw all reasonable inferences to uphold the [administrative decision].'" (*M.N. v. Morgan Hill Unified School Dist.* (2018) 20 Cal.App.5th 607, 616 [quoting *Doe v. Regents of University of California* (2016) 5 Cal.App.5th 1055, 1074]; see also *Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937, 953 [courts do not to weigh conflicting evidence].)

B. Because substantial evidence supports SVP's use of the commonsense exemption, the exemption must be upheld.

Bloom suggests that this Court must grant Bloom's petition because the City's staff report and

findings do not set forth the substantial evidence that supports the City's decision to rely on the commonsense exemption. (Bloom's Opening Brief, pp. 13:24-26, 16:18 – 18:20.) However, as illustrated by *Muzzy Ranch*, the relevant question is whether the record *as a whole* supports the commonsense exemption. There the lead agency "merely invoke[d] section 15061, subdivision (b)(3)" in its notice of exemption. (*Muzzy Ranch*, *supra*, 41 Cal.4th at p. 386.) Nevertheless, the Court explained that "[d]etermining whether a project qualifies for the commonsense exemption need not necessarily be preceded by detailed or extensive factfinding. Evidence appropriate to the CEQA stage in issue is all that is required." (*Id.* at p. 388.) In consideration of substantial evidence in the administrative record, the Court held that the lead agency "reached the correct result" when it relied on the commonsense exemption. (*Ibid.*)

Moreover, in *Rominger v. County of Colusa* (2014) 229 Cal.App.4th 690 (disapproved on another ground in *Union*, *supra*, 7 Cal.5th at p. 1194, fn. 10), the court held that even without invoking the commonsense exemption during the administrative process, a lead agency may nevertheless rely on the exemption (if applicable) during CEQA litigation. (*Id.* at pp. 700-701.) Therefore, the relevant question is only whether substantial evidence in the administrative record supports the City's reliance on the commonsense exemption and not, as Bloom would seem to believe, whether all the evidence was expressly set forth in the City's staff report or findings.

As demonstrated below, Bloom's challenge is not only based on a misunderstanding of the law, but substantial evidence in the administrative record demonstrates both that Bloom's argument is premised on a series of unreasonable and unforeseeable assumptions and that the Regulations do not have the potential to result in any significant environmental impacts pursuant to CEQA.

IV. ARGUMENT

Focusing on a handful of statements in the administrative record and ignoring the extensive evidence, Bloom suggests SVP adopted its Regulations for the purpose of stifling competition. (Bloom's Opening Brief, p. 5:12-18.) Not true. The record is replete with evidence that the City adopted the Regulations because self-generation projects that rely on fossil fuels are inconsistent with the City's and State's goals that future energy production qualify as renewable or GHG-free. (AR 86, 139, 159, 224-225, 227, 1150, 1574, 9584.) The Regulations help the City achieve these goals while

reducing future carbon emissions from self-generation projects that rely on fossil fuels within the City. (AR 84, 152, 154, 217, 1150.)

As it relates to fuel cells, the Regulations would generally require fuel cells to run on biogas (which is carbon neutral) instead of GHG-emitting natural gas. (AR 167-168, 8601, 9652; see also AR 77, 162, 1151.) And the evidence, including Bloom's own promotional materials, demonstrates that fuel cells operating on biogas are better for the environment than fuel cells running on natural gas. (AR 1156, 8601.) Moreover, Bloom's allegation that SVP adopted the Regulations to protect its business interests is not only wrong but it is irrelevant to this litigation. The sole legal question raised in this litigation is whether the City complied with CEQA in adopting the Regulations.

As demonstrated below, Bloom's CEQA challenge is meritless for multiple reasons. First, Bloom's entire challenge is premised on a speculative and – for the purposes of CEQA – irrelevant analysis. Bloom compares hypothetical future fuel cells running on natural gas to SVP's natural gas power plants, rather than advancing evidence or arguments concerning any potentially significant impacts of the Regulations as compared to SVP's existing baseline conditions. (See *infra* Section IV.A.) Second, substantial evidence in the record demonstrates that the Regulations do not have the potential to result in any potentially significant environmental impacts as compared to baseline physical conditions. (See *infra* Section IV.B.) Third, contrary to Bloom's allegations, substantial evidence in the record demonstrates that the Regulations do not ban the future development of fuel cells in the City. (See *infra* Section IV.C.1.) Fourth, even if the Regulations could lead to a future reduction in the development of fuel cells in the City, other renewable self-generation options are available as alternatives to fuel cells. (See *infra* Section IV.C.2.) Fifth, even if future development of renewable self-generation projects decreased in the future and SVP energy production increased as a result, substantial evidence in the record demonstrates that energy produced by SVP's electrical grid is better for the environment than Bloom's natural gas fuel cells. (See *infra* Section IV.C.3.) Each of these five reasons constitute an independent basis for this Court to deny Bloom's Petition.

A. Bloom fails to identify any potentially significant impact of the Regulations as defined by CEQA.

Instead of identifying any potential direct environmental impacts of the Regulations, Bloom

implicitly argues that the Regulations will result in indirect environmental impacts in the future. "An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project . . . ." (CEQA Guidelines, § 15064, subd. (d)(2).) "An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable." (CEQA Guidelines, § 15064, subd. (d)(3).)

Here, the Regulations are several steps removed from the indirect and clearly speculative environmental impacts raised by Bloom in its Opening Brief. Specifically, Bloom alleges that, as a result of the Regulations, Bloom will not be able to develop future fuel cells in the City and that, if Bloom does not develop future fuel cells in the City, then SVP will be required to increase production at its natural gas power plants in the future and such future increases in production at SVP's natural gas power plants would result in greater environmental impact than Bloom's potential operation of additional natural gas fuel cells in the City in the future. As discussed *infra* Section IV.C, Bloom's attenuated indirect impact argument is implicitly based on a series of speculative and unreasonable assumptions. However, this court does not need to address the unreasonable and speculative nature of Bloom's assumptions to deny Bloom's Petition because all of Bloom's arguments are premised on a misunderstanding of how environmental impacts are evaluated pursuant to CEQA.

Pursuant to CEQA, a petitioner cannot establish that a regulation adopted by a city has the potential to result in a significant impact cognizable under CEQA by comparing future scenarios that it believes would exist with and without a regulation in place. For example, in *Wal-Mart Stores, Inc. v. City of Turlock* (2006) 138 Cal.App.4th 273 (disapproved on other grounds by *Hernandez v. City of Hanford* (2007) 41 Cal.4th 279) (*Wal-Mart*), the city adopted an ordinance that prohibited the future development of discount superstores within the City after determining that the ordinance was exempt from CEQA. (*Id.* at pp. 283-284.) Wal-Mart filed a lawsuit alleging, in part, that the ordinance was not exempt from CEQA. To advance its argument, Wal-Mart asserted that the ordinance prevented it from developing a planned store in the city and indirect environmental impacts would result either from "the possible development of a multitenant shopping center where Wal-Mart initially planned to build its supercenter . . . [or from] the possible construction of a Wal-Mart Supercenter outside the boundaries of

[c]ity . . . ." (*Id*. at p. 289.) In rejecting this false dichotomy, the court aptly explained:

> Fundamentally, a physical change is identified by comparing *existing* physical conditions with the physical conditions that are predicted to exist at a later point in time, after the proposed activity has been implemented. (*City of Carmel-by-the-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d 229, 246–247 [effects of rezoning are evaluated against existing physical conditions, not against hypothetical conditions permitted by land use plan].) The difference between these two sets of physical conditions is the relevant physical change.
>
> Using the idea of photographic snapshots to illustrate our point, the baseline environment can be depicted in a snapshot of the physical conditions that exist at the time when the environmental review of the proposed activity begins. Next, an array of snapshots is created by picturing the physical conditions that one can reasonably foresee existing in the future. The physical changes that are reasonably foreseeable are the differences between the baseline snapshot and any one of the snapshots depicting future conditions.
>
> One can identify an error in Wal-Mart's analysis of physical change by using this photography illustration. Wal-Mart argues that "the Ordinance will likely result in alternative developments that will have worse environmental effects than the banned Discount Superstores." By comparing alternative developments on one hand with the discount superstores prohibited by the Ordinance on the other hand, Wal-Mart has compared two snapshots of future conditions and failed to use the snapshot of existing baseline conditions. This comparison by Wal-Mart fails to identify the relevant change. Instead, it identifies *changes to the changes* in the physical environment, which is a step removed from the inquiry relevant to CEQA. (See *Environmental Planning & Information Council v. County of El Dorado* (1982) 131 Cal. App. 3d 350, 358 [error to compare population capacities designated under existing general plan with population capacities designated in two-area plan proposed as amendments to general plan; the impact of development associated with proposed area plans must be determined by comparing that development with existing physical conditions].)
>
> The correct analysis of the relevant physical change in the environment involves a comparison of (1) the physical conditions that existed at the time the Ordinance was proposed or approved with (2) forecasts of reasonably foreseeable future conditions that may occur as a result of the adoption of the Ordinance.

(*Wal-Mart*, *supra*, 138 Cal.App.4th at pp. 289-291 (original emphasis, footnotes omitted).)

Similarly, in *Save the Plastic Bag Coalition v. City of Manhattan Beach* (2011) 52 Cal.4th 155, 162 (*Manhattan Beach Plastic Bag*),[6] a coalition of plastic bag manufacturers and distributors submitted letters and evidence to a city opposing a ban on grocery store plastic bags and an associated mitigated negative declaration. During the subsequent litigation challenging the plastic bag ban, the city

[6] See also *Save the Plastic Bag Coalition v. County of Marin* (2013) 218 Cal.App.4th 209, 227-228 [upholding county's determination that its grocery store plastic bag ban was categorically exempt from CEQA]; *Save the Plastic Bag Coalition v. City and County of San Francisco* (2013) 222 Cal.App.4th 863, 883 [same].

conceded that the evidence submitted by the business coalition demonstrated that "the manufacture, transportation, recycling, and landfill disposal of paper bags entail more negative environmental consequences than do the same aspects of the plastic bag 'life cycle.'" (*Id.* at p. 172.) The California Supreme Court, however, rejected that this constitutes evidence of a potentially significant impact as defined by CEQA. (*Id.* at p. 175.) In doing so, the Court recognized that CEQA did not require the City to compare the alleged global impacts of a future where plastic bags were banned in the city to one where they were not; instead, the Court explained that the inquiry "*shall be limited to substantial, or potentially substantial, adverse changes* in physical conditions which exist within the area as defined in [Public Resources Code] Section 21060.5." (*Id.* at p. 172 (original emphasis), quoting Pub. Resources Code, § 21151, subd. (b).) In consideration of the relevant question for the purpose of CEQA, the Court held that "the city acted within its discretion when it determined that its ban on plastic bags would have no significant effect on the environment." (*Ibid.*)

Here, Bloom has committed the same error as the petitioners in *Wal-Mart* and *Manhattan Beach Plastic Bag*. Rather than comparing the "reasonably foreseeable . . . differences between the baseline snapshot and any one of the snapshots depicting future conditions" after the Regulations are implemented, Bloom is comparing two hypothetical snapshots of what it believes future conditions would be with and without implementation of the Regulations. (*Wal-Mart*, *supra*, 138 Cal.App.4th at p. 290.) In other words, Bloom's entire argument is premised on comparing a future scenario where Bloom develops future natural gas fuel cells in the City to a future scenario where it does not and – as a result – SVP increases energy production at its natural gas power plants. (See, e.g., Bloom's Opening Brief, pp. 22:18-20 [arguing that the impact of the Regulations is that "the *electricity that fuel cells would have otherwise provided* would have to come from other sources of electricity" and not that the regulations would result in any increase in environmental impacts over baseline conditions] (emphasis added); see also *id.* at pp. 19:8-10 [arguing the "Fuel Cell Ban would increase NOx emissions *when comparing a fuel cell* to the City's Donald Von Raesfeld ('DVR') Power Plant"] (emphasis added), 21:15-20 [arguing DVR noise impacts are greater than fuel cell noise impacts], 22:1-5 [arguing DVR water demands are greater than fuel cell water demands], 22:27-28 [arguing "a fuel cell would substantially reduce emissions . . . compared to the DVR power plant"], 26:1-2 [arguing GHG impacts

are greater "when comparing a fuel cell to SVP's power plants"].) But, this comparison between a hypothetical world with more of Bloom's natural gas fuel cells and a hypothetical world with fewer of Bloom's natural gas fuel cells and increased energy production at SVP's natural gas power plants is "a step removed from the inquiry relevant to CEQA." (*Wal-Mart*, *supra*, 138 Cal.App.4th at p. 291.)

As illustrated in *Wal-Mart* and *Manhattan Beach Plastic Bag*, for the purposes of CEQA, the relevant question is only whether the Regulations have the potential to result in increased environmental impacts compared to baseline environmental conditions. But, Bloom's Opening Brief does not include any arguments or evidence to suggest that the Regulations will result in any potentially significant impacts as compared to baseline conditions. Instead, Bloom simply alleges that its fuel cell technology is better than SVP's natural gas power plants and, thus, Bloom believes the environment would be better off in the future with more of its fuel cells. Because Bloom's Opening Brief fails to advance any evidence or arguments relating to the relevant question pursuant to CEQA, Bloom's CEQA challenge necessarily fails for this reason alone. (See, e.g., *North Coast Rivers Alliance v. Kawamura* (2015) 243 Cal.App.4th 647, 679 [arguments not raised in a petitioner's opening brief are "forfeited"]; *South of Market Community Action Network v. City and County of San Francisco* (2019) 33 Cal.App.5th 321, 343, fn. 13 [court ordinarily will not consider issues raised for the first time on reply].)

B. The Regulations do not have the potential to result in any significant environmental impacts as compared to baseline conditions.

Even if Bloom's Opening Brief argued that the Regulations have the potential to result in a potentially significant environmental impact as compared to baseline environmental conditions, the argument would fail. For a project to have the potential to result in a significant environmental impact as defined pursuant to CEQA, the project must result in environmental impacts that *exceed* baseline conditions. (*CREED-21 v. City of San Diego* (2015) 234 Cal.App.4th 488, 512 (*CREED-21*) [upholding city's reliance on the commonsense exemption because an approved revegetation plan did not have the potential to result in any environmental impacts as compared to baseline conditions].)

Here, two facts must be assumed in order for the Regulations to have the potential to result in any significant impacts as defined by CEQA: (1) energy demand within the City must increase into the

future, and (2) the amount of energy produced by SVP using its natural gas power plants must also increase into the future.[7] (See, e.g., *North Coast Rivers Alliance v. Westlands Water Dist.* (2014) 227 Cal.App.4th 832, 872 ["noting 'the physical impacts of established levels of a particular use have been considered part of the existing environmental baseline …'; thus, the agency needed only to analyze proposed *increases in intensity or rate of use*"], quoting *Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4th 1170, 1196 (emphasis added).) Bloom's Opening Brief advances no evidence or argument concerning either future increases in energy demand in the City or SVP's reliance on energy produced using natural gas. As demonstrated herein, SVP's reliance on natural gas is limited and declining.

The City's adopted energy projections are set forth in the 2018 IRP for SVP. (See City's RJN, Exhibit A, p. 8-8.) The IRP establishes that energy demand in the City is projected to increase into the future. (*Ibid.*) However, it also demonstrates that the City's reliance on the production of energy using natural gas will continue to *decrease* in the future as compared to baseline conditions. (*Ibid.*) For example, as discussed *supra* Section II.C, in 2018, the DVR natural gas power plant produced 899,242 MWh of energy. (AR 303; see also AR 85, 158.) By the end of 2019, DVR energy generation is projected to decrease to 835,000 MWh and, by 2038, it is projected to decrease to 470,000 MWh. (City's RJN, Exhibit A, p. 8-8.) Therefore, as compared to baseline energy production at DVR in 2018, future energy production at DVR is anticipated to decrease by approximately 64,000 MWh[8] in 2019 and by 420,000 MWh[9] in 2038.

This substantial projected decrease in SVP's reliance on production of energy using natural gas

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[7] All of the indirect environmental impacts of the Regulations claimed by Bloom are associated with the environmental impacts allegedly caused by SVP producing additional energy in the future using natural gas.

[8] 899,242 MWh (baseline DVR natural gas energy production [AR 303]) – 835,000 MWh (2019 projected DVR natural gas energy production [City's RJN, Exhibit A, p. 8-8]) = ~64,000 MWh reduction in DVR natural gas energy projection as compared to the baseline level.

[9] 899,242 MWh (baseline DVR natural gas energy production [AR 303]) – 470,000 MWh (2038 projected DVR natural gas energy production [City's RJN, Exhibit A, p. 8-8]) = ~420,000 MWh reduction in DVR natural gas energy projection as compared to the baseline level.

is supported by extensive evidence in the record. For example, for the last 10 years, the City has only acquired renewable and GHG-free energy sources. (AR 9167.) Moreover, the City fully divested from its coal-fired power generation two years ahead of schedule, despite financial losses, because divestment aligned with its environmental and sustainability goals. (AR 167, 225, 233, 243, 1150, 1574, 17277.) Actions like these resulted in the City's GHG emissions decreasing, even in sectors where energy demand increased. (AR 17272; see also AR 1151.)

Furthermore, in the last five years, the City has acquired the following assets to further reduce its reliance on fossil fuels: 124 megawatts from tri-dam hydroelectric power; 19 megawatts from Rooney Ranch wind power; 30 megawatts Sand Hill A & B wind power; 40 megawatts Central 40 solar power; and 200 megawatts Viento Loco wind power. (AR 159, 16363.) The wind and solar acquisitions will come online in 2020 and 2021. These additional renewable resources will be added to SVP's portfolio and will further reduce the City's reliance on its natural gas power plants in the future.

Additionally, independent of the City's commitment to sustainability, State mandates require that SVP's energy supply become even cleaner and more sustainable in the future. As discussed further above (*supra* Section II.A.2), SB 100 requires energy providers such as SVP to provide 50 percent renewable energy by 2026, 60 percent renewables by 2030, and 100 percent GHG-free energy by 2045. To meet these goals and mandates, SVP must reduce and entirely phase out natural gas and expand the renewable and GHG-free energy components of its portfolio. In direct contrast, Bloom fuel cells powered by natural gas are, and will remain, 0 percent renewable and 0 percent GHG-free for their entire useful life — approximately 15-20 years — while the rest of the grid moves to 100 percent GHG-free energy. (AR 217, 239.)

Put simply, while substantial evidence in the record clearly shows a dramatic and increasing shift by SVP to renewable and GHG-free energy sources consonant with State policy (see AR 17278 [SVP energy portfolio chart showing a substantial increase in renewable and GHG-free energy and a steep decline in natural gas reliance]), no evidence supports the argument – even if not forfeited by Bloom (see *supra* Section IV.A) – that the Regulations will cause SVP's natural gas energy production to increase above existing baseline levels. Thus, as in *CREED-21*, because the Regulations do not have the potential to result in any adverse change in physical conditions as compared to baseline conditions,

"the administrative record shows 'with certainty that there is no possibility that the activity in question . . . may have a significant effect on the environment' (Guidelines, § 15061, subd. (b)(3)), . . . [and, as a result,] there is substantial evidence to support City's determination that the… [Regulations are] exempt from CEQA pursuant to the commonsense exemption (i.e., Guidelines, § 15061, subd. (b)(3)) . . . ." (*CREED-21*, *supra*, 234 Cal.App.4th at p. 512.)

C. Bloom's arguments are premised on a series of unreasonable assumptions.

As demonstrated above, Bloom has not argued that the Regulations have the potential to result in any significant environmental impacts as compared to baseline conditions. (See *supra* Section IV.A.) Moreover, even if Bloom had advanced such an argument, substantial evidence demonstrates that it is not reasonably foreseeable that the Regulations will result in any potentially significant environmental impacts as compared to baseline conditions. (See *supra* Section IV.B.) Either one of these reasons is sufficient to deny Bloom's CEQA challenge. However, as discussed below, the argument advanced in Bloom's Opening Brief is also premised on a series of unreasonable assumptions. Each unreasonable assumption constitutes an additional reason why Bloom's CEQA challenge is meritless. (See, e.g., CEQA Guidelines, §§ 15064, subd. (d)(2), 15358, subd. (a)(2) [a lead agency is only required to consider reasonably foreseeable indirect effects of a project].)

1. Bloom misrepresents that the Regulations create a "Fuel Cell Ban."

Bloom's Opening Brief repeatedly misrepresents that the Regulations constitute a "Fuel Cell Ban." The Regulations, however, do not prohibit the development of fuel cells in the City. Instead, the Regulations only require that SVP customers that develop self-generating energy facilities in the City in the future, and that want to remain connected to the SVP electrical system, must use renewable self-generating facilities. (AR 77, 1150.) With respect to fuel cells, the Regulations would require that fuel cells installed in the City in the future run on biogas instead of natural gas. (AR 1151.) Therefore, the Regulations do not ban fuel cells; the Regulations only require future fuel cells to run on biogas if a

customer wants to remain connected to the SVP electrical system.[10]

Bloom does not dispute that fuel cells that run on biogas are better for the environment than fuel cells that run on natural gas. Indeed, Bloom's own promotional materials highlight the environmental benefits of fuel cells that use biogas. (AR 8601 [stating its fuel cells running on natural gas generate 679-883 lbs of CO2 per MWh whereas fuel cells running on biogas are "carbon neutral"].) Thus, the intended effect of the Regulations is to require that fuel cells used in the City in the future *reduce* environmental impacts. Fuel cells that run on natural gas do not.

Nevertheless, in an effort to establish that the Regulations will result in potentially significant indirect environmental impacts, Bloom alleges that the environmental benefits of requiring fuel cells to run on biogas should be ignored because Bloom claims that it is not possible to install fuel cells that run on biogas. (See, e.g., Bloom's Opening Brief, p. 9:5-22.) For example, Bloom cites two letters submitted on its behalf that suggest use of "biomethane is prohibitively expensive if used for electricity generation." (AR 16411-16414.) However, these comments cannot be reconciled with the evidence in the record demonstrating that biogas is currently being used to generate electricity and, specifically, is being used to operate fuel cells. Moreover, these comments do nothing to further Bloom's obligation to demonstrate an impact of the Regulations on the existing environmental baseline.

For example, Bloom acknowledges that "Bloom's Energy Server is capable of running on biogas." (AR 1225.) Bloom also admits that it is "pioneering new on-site biogas projects across the state . . . ." (*Ibid.*; see also AR 9637 [Bloom "signed a bio-gas deals with Mountain View and have started operating their equipment on biogas"], 9435 (City's RJN, Exhibit C) [Emeryville IKEA uses

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[10] Bloom alleges that the Regulations require that the biogas come from an in-State source. (See, e.g., Bloom's Opening Brief, pp. 8:24 – 9:2, citing AR 17997 [SVP Rules & Regs. § 11.A.1(i)].) This is not correct. The Regulations require that fuel cells qualify as renewable electrical generation facilities as defined by the California Energy Commission. (AR 77.) Therefore, the Regulations do not establish any sourcing criteria; instead, the Regulations defer to State requirements concerning what qualifies as a renewable electrical generation facility. The City also notes that the State's discretion in establishing and updating its requirements for renewable electrical generation facilities, including the origin of biogas, is not unlimited. For example, the State cannot adopt requirements that violate the dormant Commerce Clause. (*Am. Trucking Ass'ns v. Mich. PSC* (2005) 545 U.S. 429, 432 [the dormant Commerce Clause "prevents a state from 'jeopardizing the welfare of the Nation as a whole' by 'plac[ing] burdens on the flow of commerce across its borders that commerce wholly within those borders would not bear'"].)

fuel cells that run on biogas].) "However, [Bloom asserts that] because available supplies of this feedstock are limited and very costly, only a few of Bloom's customers are currently running on directed biogas." (AR 1225; see also AR 16450 [asserted without any supporting economic data that biogas is "prohibitively costly"].)

The City acknowledges that operating fuel cells using biogas will likely be more expensive than using natural gas. But, despite the added costs, Bloom admits that it operates fuel cells that run on biogas. This fact alone supports the conclusion that it is possible for Bloom to operate fuel cells on biogas in the City. If it were not possible, then Bloom's existing biogas fuel cell projects would not likely exist. (*Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 600, citing *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 124 Cal.App.4th 430 ["No proponent, whether wealthy or not, is likely to proceed with a project that will not be economically successful."].) Moreover, Bloom proposed operating fuel cells running on biogas to SVP. (AR 11458 [biogas project summary], 11456 [email from Bloom executive stating Bloom was excited to work with SVP on a potential biogas project].) If Bloom was unable to operate fuel cells running on biogas, Bloom presumably would not have submitted a proposal to the City to do just that. Thus, rather than demonstrating that the Regulations render fuel cells economically infeasible, the administrative record merely suggests that requiring fuel cells to run on biogas may reduce Bloom's profit. While it is certainly understandable that Bloom desires to ensure its fuel cells are as profitable as possible, economic impacts to Bloom do not constitute environmental impacts pursuant to CEQA. (CEQA Guidelines, § 15382 ["An economic or social change by itself shall not be considered a significant effect on the environment."].) Bloom's argument is a policy argument; not a CEQA argument.

Moreover, even if it is assumed that Bloom's business model is not efficient enough to generate profit operating fuel cells that run on biogas, that would not establish that new fuel cells will not be developed in the City in the future by other companies. (*Joshua Tree Downtown Business Alliance v. County of San Bernardino* (2016) 1 Cal.App.5th 677, 691 [concluding that, if a project drives a store out of business, "a more efficiently run store of the same type . . . might move in"].) Thus, Bloom's claim that the Regulations constitute a "Fuel Cell Ban" is not borne out by either the evidence in the record or CEQA case law concerning economic impacts.

In summary, the evidence in the record supports the conclusion that new fuel cells can operate in the City after implementation of the Regulations; only now new fuel cells will need to be cleaner biogas fuel cells. As fuel cells may continue to be developed in the City in the future, Bloom's CEQA challenge must fail because it is premised on an assumed future scenario where a purported "Fuel Cell Ban" prohibits the future development of fuel cells in the City.

2. Bloom fails to acknowledge the availability of alternative renewable self-generation options.

The environmental impacts alleged by Bloom are premised on the theory that, if fuel cells are not developed in the City in the future, then the energy will instead come from SVP's gas power plants. However, even if Bloom's allegation that neither it nor any other company could develop fuel cells using biogas in the City in the future is – for the sake of argument – assumed to be a reasonably foreseeable outcome, substantial evidence in the administrative record demonstrates that alternative renewable self-generation options are available. For example, renewable self-generation technologies such as solar and wind power, combined with battery storage, are available as alternatives to fuel cells. (See, e.g., AR 9604-9605.) In light of this evidence, it is reasonably foreseeable that SVP customers that want to both use a self-generation facility in the future and remain connected to SVP's grid will use other available renewable self-generation options (like wind or solar with battery storage) if biogas fuel cells are unavailable. (See *Manhattan Beach Plastic Bag*, *supra*, 52 Cal.4th at p. 174 [holding that the "actual increase in paper bag use as a result of the ordinance is necessarily uncertain, given that some percentage of local residents may be expected to turn to the city's favored alternative, reusable bags"].) Therefore, no evidence in the record supports the conclusion that a reduction in fuel cell use will lead to a decrease in self-generation projects in the City in the future. As it is reasonably foreseeable that other self-generation options would be available to replace fuel cells in the future, Bloom's CEQA challenge fails because it is premised on an assumed future scenario where a decline in fuel cell development is replaced by an increase in SVP's natural gas energy production.

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3. Even if renewable self-generation is not developed in the future and reliance on SVP's energy grid increases in the future as a result, substantial evidence demonstrates that use of SVP's energy grid would result in a reduction in environmental impacts as compared to use of Bloom's natural gas fuel cells.

Even if a comparison between Bloom's natural gas fuel cells and SVP energy production was somehow relevant to this litigation (as Bloom argues throughout its Opening Brief), the comparison provided by Bloom is premised on the false assumption that every 1 MWh of fuel cell power replaces 1 MWh of energy produced at SVP's natural gas power plants. (Bloom's Opening Brief, pp. 19:8-27:18.) Bloom has presumably taken this approach because, when Bloom's natural gas fuel cells are compared to SVP's diversified energy portfolio, the evidence demonstrates that Bloom's natural gas fuel cells result in greater environmental impacts than energy from SVP's power grid. SVP's portfolio consists of wind, solar, geothermal, hydroelectric, landfill gas, and natural gas. (AR 17277.) In 2017, SVP's power content was 36 percent renewable and 72 percent GHG-free. (AR 152, 9740.) Its energy portfolio emits approximately half the GHG emissions per megawatt hour as fuel cells do. (See AR 137, 9683.)

Additionally, SVP's portfolio approach to energy procurement enables it to ramp down or completely shut down its natural gas plants to take advantage of renewable energy available on the California marketplace. (AR 1157, 9685; see also AR 85.) **Figure 1** (below) reflects such circumstances. SVP's use of natural gas is represented in light orange on top of the dark blue for large hydro. Over the two-week period recorded in the graph, natural gas production is almost imperceptible because SVP needed to generate very little energy from natural gas due to the abundant renewable energy supplies on the marketplace including large and small hydro, wind, geothermal, landfill gas, and solar energy production. (AR 16362-16363.)

Unlike SVP's natural gas power plants, Bloom's fuel cells are technologically incapable of ramping down to take advantage of a surplus of renewable, clean energy on the marketplace; rather, Bloom's fuel cells operate 24 hours a day, 365 days a year on natural gas. (AR 85, 9167.) This means—unless they run on biogas as incentivized by the Regulations—they are permanently 0 percent renewable and 0 percent GHG-free facilities. (AR 85-86, 153.)

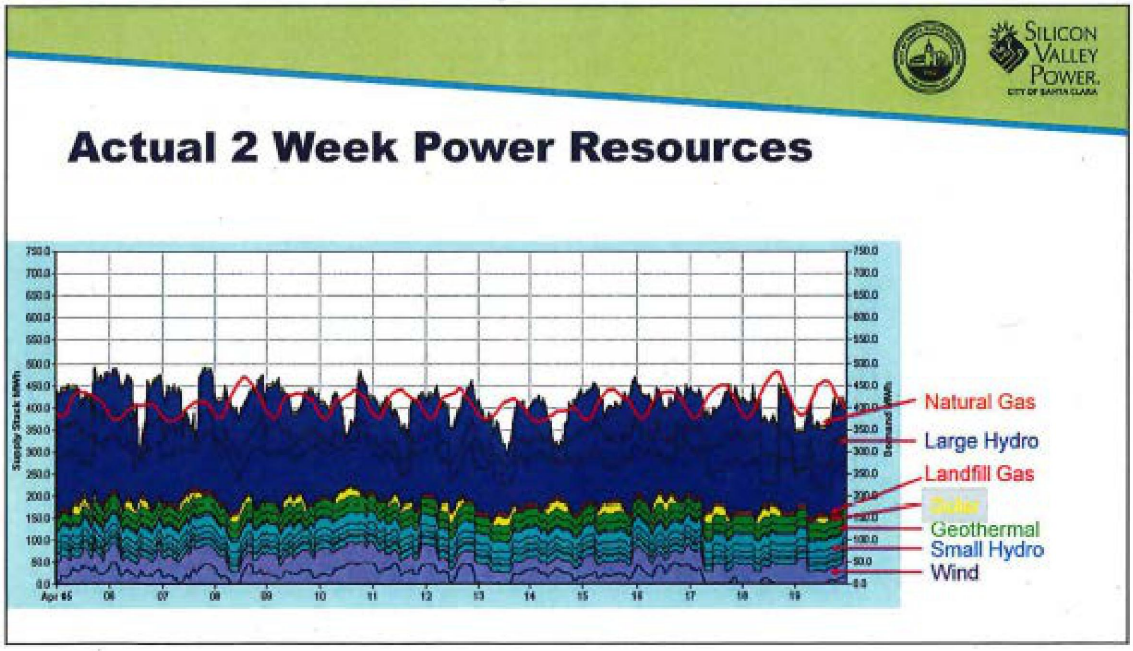


Figure 1: SVP Two-Week Actual Procurement – April 5, 2019 to April 20, 2019. (AR 16362.)

As a result of the City's vast renewable energy portfolio, it is apparent that the majority of the City's energy production emits 0 pounds/MWh of NOx, SOx, CO, or VOCs. (AR 155, 16361.)

Thus, Bloom presents a false dichotomy by suggesting that in the future either Bloom must develop additional natural gas fuel cells in the City or SVP will need to provide an equivalent amount of energy using its natural gas power plants. In truth, under baseline conditions only about 16 percent of SVP's power comes from natural gas. (AR 155-156, 1291, 16361, 17278.) For these reasons, even if the Regulations lead to increased energy production by SVP, Bloom ignores that, at most, only a small percentage of that production would be generated by SVP's natural gas power plants.

In addition, Bloom's allegations that the Regulations will result in increased water use[11] and noise[12] impacts are likewise baseless because they rely on the assumption that the Regulations will

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[11] As discussed, alleged differences between water use required to operate natural gas fuel cells and natural gas power plants do not address the relevant question for purpose of CEQA: whether the Regulations have the potential to increase water use leading to water use impacts compared to "existing environmental baseline conditions, which baseline conditions include[] the impact of established levels of annual water use." (*North Coast Rivers Alliance v. Westlands Water Dist.*, *supra*, 227 Cal.App.4th at p. 875.)

require SVP to supply additional energy from its natural gas power plants. (See Bloom's Opening Brief, pp. 21:14 – 22:10.) As discussed, substantial evidence in the administrative record supports the conclusion that the Regulations do not constitute a "Fuel Cell Ban" and that alternative renewable self-generation options are available. Moreover, even if the Regulations lead to a future reduction in fuel cell development in the City, SVP has, and will have, abundant renewable energy sources to meet demand without increased reliance on its natural gas plants. Accordingly, Bloom's allegation that the Regulations will cause increased water use and noise impacts associated with an alleged increase in natural gas power generation is meritless.

Contrary to Bloom's claims, the record reflects SVP's energy portfolio is cleaner and more sustainable than fuel cells running on natural gas. (See also *supra* Section IV.B [demonstrating that the City's reliance on its natural gas power plants will continue to decrease in the future].) For a project such as the Regulations, this constitutes substantial evidence supporting the conclusion that the Regulations will result in no impact for the purposes of CEQA. (See, e.g., *Manhattan Beach Plastic Bag*, *supra*, 52 Cal.4th at pp. 172, 174 [holding that, in evaluating the impacts of the plastic bag regulations, "the city could evaluate the broader environmental impacts of the ordinance at a reasonably high level of generality[,]" and, based on such an evaluation, conclude the regulation "would have no significant effect on the environment"].) In light of this evidence, the City reasonably concluded that the commonsense exemption applies to the Regulations.

D. The case law relied on by Bloom is readily distinguishable.

Each of the cases cited by Bloom in its Opening Brief are readily distinguishable for at least two reasons. First, in each of the cases the petitioners argued that the lead agency approved a project that would result in significant impacts as compared to existing physical conditions. (See *Cal. Farm Bureau Fed. v. Cal. Wildlife Conservation Bd.* (2006) 143 Cal.App.4th 173, 195 [holding the project involved

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[12] It should also be noted that, for purposes of CEQA, where a lead agency has an enforceable noise ordinance, general accusations that a project will result in noise impacts does not satisfy a petitioner's "burden of showing that the noise generated by the project actually will have a significant environmental effect." (*Walters v. City of Redondo Beach* (2016) 1 Cal.App.5th 809, 824 [rejecting petitioner's noise argument and upholding a city's approval of a car wash based on a categorical exemption].)

"the physical reshaping of the land"]; *Cal. Unions for Reliable Energy v. Mojave Desert Air Quality Management Dist.* (2009) 178 Cal.App.4th 1225, 1244 [holding the project was intended to result in paving at least some new roads]; *Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 118 [holding invasive soil testing requiring sample borings and installation of monuments would "necessarily result in *some* physical changes in the environment"] (original emphasis); *Dunn-Edwards Corp. v. Bay Area Air Quality Management Dist.* (1992) 9 Cal.App.4th 644, 657-658 [holding a regulation would "lead to a net increase in VOC emissions"]; *Myers v. Bd. of Supervisors* (1976) 58 Cal.App.3d 413, 425 [holding the project involved "the possible construction of 2 dwellings on adjoining [undeveloped rural] lots"]; *Rominger v. County of Colusa* (2014) 229 Cal.App.4th 690, 704 [holding a project to subdivide four existing agricultural parcels resulted in the "property [being] more amenable to development by creating smaller parcels"].) Here, Bloom fails to advance any arguments or evidence alleging that the Regulations will result in increased environmental impacts as compared to baseline physical conditions. Instead, unlike the cases cited in Bloom's Opening Brief, Bloom simply compares the Regulations to two alleged future scenarios with and without the Regulations, which as discussed *supra* Section IV.A is not the proper inquiry pursuant to CEQA.

Second, in each of the cases cited in Bloom's Opening Brief, the administrative record lacked substantial evidence showing that the projects would not result in reasonably foreseeable environmental impacts as defined by CEQA. (See *Cal. Farm Bureau Fed. v. Cal. Wildlife Conservation Bd.* (2006) 143 Cal.App.4th 173, 195-196 [holding that the agency did not point to "any evidence" demonstrating that a project "requir[ing] the use of heavy earth moving equipment" and involving the creation of "[l]evees, ditches, swales, loafing bars, and other [physical] features" would not result in potentially significant environmental impacts]; *Cal. Unions for Reliable Energy v. Mojave Desert Air Quality Management Dist.* (2009) 178 Cal.App.4th 1225, 1231 [holding that it was reasonably foreseeable that "road paving [projects] would tend to have adverse environmental effects" as compared to existing conditions]; *Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 117-119 [holding the agency produced no evidence to support the conclusion that invasive soil testing would not result in potentially significant environmental impacts]; *Dunn-Edwards Corp. v. Bay Area Air Quality Management Dist.* (1992) 9 Cal.App.4th 644, 658 [holding agency failed to identify evidence

demonstrating an increase in air quality impacts was not reasonably foreseeable]; *Myers v. Bd. of Supervisors* (1976) 58 Cal.App.3d 413, 430 [holding the administrative record lacked evidence refuting the environmental impacts associated with developing the rural properties]; *Rominger v. County of Colusa* (2014) 229 Cal.App.4th 690, 704 [holding the record did not include evidence demonstrating future development of four agricultural properties would not result in significant effects on the environment].) Whereas, here, the record demonstrates it is not reasonably foreseeable that the Regulations will result in any environmental impacts in excess of existing baseline conditions. (See *supra* Section IV.B.) Moreover, Bloom's argument is premised on a number of assumptions that are not supported by the record and are unreasonable. (See *supra* Section IV.C.) Thus, each of the cases relied on by Bloom is readily distinguishable.

V. CONCLUSION

As demonstrated above, Bloom has failed to advance a cognizable CEQA challenge and, instead, has posited alleged environmental impacts comparing two hypothetical future scenarios. Moreover, substantial evidence in the record demonstrates that the Regulations will not result in any reasonably foreseeable indirect environmental impacts as compared to baseline conditions. Therefore, the City complied fully with CEQA in determining that the commonsense exemption applies. For these reasons, the City respectfully requests this Court deny Bloom's Petition and enter judgment in favor of the City.

Dated: November 19, 2019

THOMAS LAW GROUP

By: _____
For Tina A. Thomas
Attorneys for Respondents
CITY OF SANTA CLARA and
SILICON VALLEY POWER

Bloom Energy Corp. v. City of Santa Clara et al.
Santa Clara County Superior Court Case No. 19CV348838

PROOF OF SERVICE

I am a resident of the United States, employed in the City and County of Sacramento. My business address is 455 Capitol Mall, Suite 801, Sacramento, California 95814. I am over the age of 18 years and not a party to the above-entitled action.

On November 19, 2019, I served the following:

RESPONDENTS' OPPOSITION BRIEF

X On the parties in this action by causing a true copy thereof to be placed in a sealed envelope with postage thereon fully prepaid in the designated area for outgoing mail addressed as follows; or

□ On the parties in this action by causing a true copy thereof to be delivered via Federal Express to the following person(s) or their representative at the address(es) listed below; or

□ On the parties in this action by causing a true copy thereof to be delivered by facsimile machine number (916) 737-5858 to the following person(s) or their representative at the address(es) and facsimile number(s) listed below; or

□ On the parties in this action by causing a true copy thereof to be hand-delivered to the following person(s) or representative at the address(es) listed below; or

X On the parties in this action by causing a true copy thereof to be electronically delivered via the internet to the following person(s) or representative at the address(es) listed below:

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury that the foregoing is true and correct and that this Proof of Service was executed this 19th day of November 2019, at Sacramento, California.

Stephanie Richburg

Bloom Energy Corp. v. City of Santa Clara et al.
Santa Clara County Superior Court Case No. 19CV348838

SERVICE LIST

James L. Arnone
james.arnone@lw.com
LATHAM & WATKINS LLP
355 South Grand Ave., Suite 100
Los Angeles, California 90071
Telephone: 213-485-1234
Facsimile: 213-891-8763

Marc T. Campopiano
marc.campopiano@lw.com
Lucas I. Quass
lucas.quass@lw.com
LATHAM & WATKINS LLP
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: 714-540-1235
Facsimile: 714-755-8290

Attorneys for Petitioner and Plaintiff:
BLOOM ENERGY CORPORATION

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT
Informational Report on Dates and Purpose of Stadium Authority and Stadium Manager Meetings and Corresponding Minutes for the Period January 1, 2021 to March 31, 2021

BOARD PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
On August 24, 2017, the Stadium Authority approved the Harvey Rose Audit titled “Comprehensive Audit of Stadium”. Audit recommendation 1.Q states that “the Stadium Authority Board should direct the Executive Director to require that all meetings, including the date and purpose of the meetings, between Stadium Authority staff and Stadium Manager be documented and reported quarterly or annually to the Stadium Authority Board.” Staff has implemented this audit recommendation on a quarterly basis.

Furthermore, at the August 25, 2020 meeting, the Stadium Authority Board directed staff to prepare minutes for all future Stadium Authority/Stadium Manager staff meetings.

DISCUSSION
In accordance with the Board approved audit recommendation, meetings between Stadium Authority staff and Stadium Manager for the period of January 1, 2021 to March 31, 2021 are listed below.

Date	Meeting Purpose
1/7/21	Discussed YTD Rent Payments, Public Safety Liability and AD&D Invoices, Trust Budget (phone call)
1/14/21	Discussion of Stadium Builder License (SBL) Issues (via Zoom)
1/21/21	Stadium Authority/Stadium Manager Monthly Coordination Meeting (via Zoom)
1/21/21	Discussed Lender Budget, Public Safety Liability Insurance, Repair Invoice Payment Status, FY19/20 Non-NFL Event review questions, Revolving Loan Credit, Rent Status (phone call)
1/27/21	Discussed Lender Budget, Public Safety Liability Insurance, Repair Invoice Payment Status, FY19/20 Non-NFL Event review questions, G&A Invoice (phone call)
1/28/21	Discussed Shared Expenses (FY2019-20) (in-person meeting)
1/29/21	Discussed Shared Expenses (FY2019-20) (in-person meeting)
2/1/21	2021 Operational and Public Safety Documents (in-person meeting)
2/9/21	Levi’s Signage Procurement Meeting (via Zoom)

2/12/21	Discussed Lender Budget, 20/21 Rent, Naming Rights, Equipment/Asset Listing, SBL Amortization, Bank Balance, Stadium Signage (via Microsoft Teams)
2/25/21	Discussed Naming Rights Receipt, SBL Receipt Timing, FY2020/21 Rent (via Microsoft Teams)
3/4/21	Discussed CFD Payment, Monthly O&M Invoice, SBL Payment (via Microsoft Teams)
3/11/21	Discussed Monthly O&M Invoice, SBL Proceeds, Bank Incumbency Certificate, Timing of year end distributions (via Microsoft Teams)
3/16/21	Budget Meet and Confer Meeting (via Zoom)
3/17/21	Discussed Year-end distributions (via Microsoft Teams)
3/18/21	Stadium Authority/Stadium Manager Quarterly Status Meeting (via Zoom)
3/19/21	Discussed Year-End distribution, Budget Amendments in Q3 posted report, March O&M Invoice (via Microsoft Teams)
3/24/21	Discussed Financial Management System Phase I Implementation (phone call)
3/25/21	Discussed CFD Scheduled Payment, Excess Revenue Distribution Timeline, April O&M Invoice, FY2019/20 Non-NFL Event Review (via Microsoft Teams)
3/26/21	Discussed April O&M Invoice (via Microsoft Teams)
3/30/21	Shared Stadium Expenses Review Meeting (in-person meeting)

The minutes for the meetings are attached. Discussions concerning confidential items have been redacted from the minutes per the request of the Stadium Manager or direction from the Stadium Counsel or Executive Director.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no fiscal impact related to this report other than the staff time to prepare this report.

COORDINATION

This report has been coordinated with the Treasurer and Stadium Authority Counsel’s Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

RECOMMENDATION

Note and file the quarterly report on Stadium Authority and Stadium Manager Meetings and Corresponding Minutes for the period of January 1, 2021 to March 31, 2021.

Prepared by: Kathi McGraw, Executive Assistant to the Executive Director
Approved by: Deanna J. Santana, Executive Director

ATTACHMENTS

1. Stadium Authority and Stadium Manager Meeting Minutes for the Period 1/1/21 to 3/31/21

Date: 01/07/2021
Phone call: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. YTD Rent Payments
2. Public Safety Liability and AD&D Invoices
3. Trust Budget

CONFIDENTIAL
STADIUM AUTHORITY/STADIUM MANAGER
DISCUSSION OF STADIUM BUILDER LICENSE (SBL) ISSUES
January 14, 2021 | 2:00 – 3:00 p.m.
Zoom Meeting

Stadium Manager Attendees:
Jim Mercurio, Executive Vice President & General Manager
Jihad Beauchman, Vice President, Deputy General Counsel
Jas Sajjan, Senior Manager, Public Affairs & Strategic Communications

Stadium Authority Attendees:
Deanna J. Santana, Executive Director
Brian Doyle, Stadium Authority Counsel
Sujata Reuter, Assistant City Attorney
Ruth Mizobe Shikada, Assistant City Manager
Kenn Lee, Treasurer
Christine Jung, Assistant to the Executive Director

CONFIDENTIAL DISCUSSION ON SBL ISSUES

MINUTES FROM
STADIUM AUTHORITY/STADIUM MANAGER
MONTHLY COORDINATION MEETING
January 21, 2021 | 9:00 – 10:30 a.m.
Zoom Meeting

ManCo Attendees:
Jim Mercurio, Executive Vice President & General Manager
Jihad Beauchman, Vice President, Deputy General Counsel
Jas Sajjan, Senior Manager, Public Affairs & Strategic Communications

Stadium Authority/City Attendees:
Deanna J. Santana, Executive Director
Brian Doyle, Stadium Authority Counsel
Kenn Lee, Treasurer
Ruth Mizobe Shikada, Assistant City Manager (for Items 1, 2, 5 and 7)
Manuel Pineda, Assistant City Manager (for Items 5, 8, and 9)
Christine Jung, Assistant to the Executive Director
Rachel Copes, Senior Management Analyst

A G E N D A

1. COVID Update from Stadium Manager

a. Levi's Stadium – Vaccination Site Update

ManCo's Executive Vice President & General Manager Jim Mercurio shared that ManCo offered Levi's Stadium as a potential vaccination site to Santa Clara County (County). ManCo conducted a walkthrough of the Stadium with the County, which Assistant City Manager Ruth Shikada and Fire Chief Ruben Torres participated in. ManCo is currently working through a list of questions that the County sent them and hope to respond back later that day. Executive Director Santana asked if ManCo was planning to execute an agreement with the County for the use of the facility. Mr. Mercurio responded that they planned on making it an NFL event but there has not been any confirmation yet whether the stadium would be used as a vaccination site. Ms. Santana shared that when the Santa Clara Convention Center was a COVID-19 medical site, there was an assumption that public safety resources would be provided, which the City did not agree to. Stadium Authority Counsel Brian Doyle asked if the vaccinations would occur indoor or outdoor to which Mr. Mercurio responded that the ManCo and the County were looking to provide the vaccinations indoors.

(The following discussion regarding Item 1 occurred later during the meeting.)

Ms. Santana noted that the County is asking cities if they can provide logistical resources to support the vaccination sites. If public safety resources from the City are discussed/brought up, she would like to be part of that conversation along with Ms. Shikada. Mr. Mercurio said that any assumptions would be captured in the agreement and that he doesn't see public safety in his list of questions received from the County. He also reiterated the vaccinations will likely be indoors so there might be less of a need for police support, but he would let the City know if public safety is needed. Ms. Santana brought up the need for post-event disinfection and the need to document those services so that it's clear who is responsible. Mr. Mercurio noted that the Stadium Manager has cleaning procedures that they will use.

Ms. Santana noted that the City had experience with working with the County on similar efforts for the COVID-19 treatment site at the Santa Clara Convention Center. There was general discussion on what may be required from the City such as public safety resources or City staff to assist with administrative tasks for the vaccination site. Mr. Mercurio said that he would notify and include Ms. Santana and Ms. Shikada in the discussion with the County if the need for City resources comes up. Ms. Santana reiterated that the City and Stadium Authority fully support vaccination sites, but details, logistics, and costs need to be very clearly laid out.

2. Stadium Builder Licenses (SBLs)

a. Paper Copy SBL Project: Status on requested SBL index/tracking documents

(Executive Director Santana had to take an urgent call during this part of the meeting)
ManCo's Vice President, Deputy General Counsel Jihad Beauchman said that the Stadium Manager didn't have an index for paper copy SBLs; however, they do have a list of all current SBL Holders. Mr. Doyle said without getting into what the Board said during Closed Session, the general feedback was that the Stadium Manager was demonstrating incompetence by not having this information organized and by not providing copies of Stadium Authority's records. Mr. Beauchman said there was a misunderstanding because he thought that the Stadium Authority previously requested for an index of the hard copy SBLs, which the Stadium Manager doesn't have. He said the Stadium Manager provides a thorough quarterly report to the Stadium Authority. Mr. Doyle said there was no misunderstanding, the Stadium Authority does not have SBL records and any changes made to the terms of those agreements because the Stadium Manager kept those records from the Stadium Authority. Mr. Beauchman said the Stadium Manager has made one bucket of changes to the SBLs and those were related to the construction of the Stadium. Mr. Doyle said the Stadium Authority was spending a lot of money to find out the terms for SBL Holders. Mr. Beauchman said that they could provide a list of Owner's Club but obligations to the Stadium Authority was the same. Mr. Doyle said that the Stadium Authority was looking for a spreadsheet that contained hyperlinks to SBLs and a matrix that would list out the different SBL types, and each set would have these terms and exhibits, what has been paid, and what's remaining in payments. Mr. Beauchman said that the Stadium Manager may have a list of SBL Holders who have paid.

Ms. Shikada asked what data the Stadium Authority can receive from the Stadium Manager at this time. She asked about the list of SBL Holders and their seats that Mr. Beauchman brought up earlier in the conversation - would the list contain information about how much payment is left, what has been paid, and the value of the SBL. Mr. Beauchman answered that he was almost certain the Stadium Manager could provide that information. Ms. Shikada said it would be helpful to start with bite-size chunks of data so that the Stadium Authority could have a better understanding of what there is. Mr. Beauchman said the list would provide the Stadium Authority with a better understanding of who owns an Owner's Club seat, regular seat, and club seat. However, the list would not contain parking information so the Stadium Authority would still have to go into the actual agreement to look for that information, [redacted] Ms. Shikada confirmed that the Stadium Authority would need that type of information, but the other information was more critical at this time. Mr. Beauchman said that they could put together a list that contains SBL Holders' names, seat numbers, SBL account numbers, SBL price, and how much is left to be paid on their SBL. He mentioned that the information would be live until that date because the Stadium Manager was still collecting payments. Ms. Shikada noted that the Stadium Authority understood that the status of payments was a snapshot in time and that this information may updated later, but it would be helpful to have something now. Mr. Beauchman said that the Stadium Manager would provide that list and that he assumed the Stadium Authority wanted to build its own SBL system. Mr. Doyle said that's what the Stadium Authority Board is asking for and they're disappointed with the previous administration because the

Stadium Authority should have always had those SBL records because they belonged to the Stadium Authority.

b. Digital SBLs: Status on transferring files to SCSA for proper archiving

Mr. Beauchman shared that the Stadium Manager is looking for a way to export the digital SBLs that were executed in Docusign. One option is to click on each Docusign agreement and download them individually. However, their preference is to perform a mass download and they're looking at what they can do. Assistant to the Executive Director Christine Jung clarified that she accessed the Docusign account and tried the click and download approach but the account only contained agreements dating back to a few months and not to the 2018 date when the Stadium Authority started utilizing Docusign to execute the agreements.

c. **SCSA to provide direction to Manco on SBL's – CONFIDENTIAL (if follow up required from scheduled meeting on 1/14/2021)**

[redacted]



[redacted]

[redacted]

3. **Status Update on Insurance Claim Filed on Behalf of SCSA – CONFIDENTIAL**
Assistant City Attorney Su Reuter and Risk Manager Greg Bych participated in this confidential discussion.

[redacted]

4. Follow up on Non-NFL Event Documentation Questions

Treasurer Kenn Lee stated that the Stadium Authority had sent a letter to the Stadium Manager to get clarification on questions and additional details on supporting documentation that the documentation lacked. Mr. Lee asked for an update of when the Stadium Manager would be responding to the December 1 letter that the Stadium Authority sent to the Stadium Manager, which outlined questions regarding Non-NFL Event documentation the Stadium Manager has previously submitted. Mr. Beauchman said that he wasn't sure about the request but that he would look into the status of the Stadium Manager's request. Mr. Lee noted that he just shared the letter with Mr. Beauchman via email.

5. Status Update on Existing Projects

a. ADA Improvements on Red Lot

i. Space count

Mr. Mercurio noted that he received 3-4 options for the lot. He said that the Stadium Manager's team was still going out to the lot to check out the space counts, and should have that completed on Wednesday, January 27. Mr. Mercurio also proposed having Ms. Shikada in future meeting discussions with Cedar Fair.

ii. Potential plans for consideration – CONFIDENTIAL

Assistant City Attorney Su Reuter participated in this confidential discussion.

[redacted]

b. HVAC Emergency Repair

Mr. Mercurio shared that the HVAC repair was still in progress.

c. Concessionaire Project and status on requested Levy Innovation and Investment Funds balances and summary of previously funded projects

Mr. Beauchman noted that he sent the Innovation and Investment Funds balances and projects over to the Stadium Authority. Ms. Shikada confirmed that staff received Mr. Beauchman's fund balance summary but still needed to review the information. Mr. Mercurio shared that the Stadium Manager was working with the City's Fire Department to schedule inspections for the concessionaire project and Mr. Beauchman said that the project would likely come under budget.

6. SCFD Outstanding Violations and Resolutions

Deputy Fire Chief Jeremy Ray participated in the following discussion.

Mr. Mercurio stated that he received the City's Fire Department's response letter regarding Stadium fire violations and saw that some items were still outstanding. He noted that Fire Chief Ruben Torres and Ms. Shikada looked at the H2/H3 storage room at the Stadium when they came by to examine the Stadium as a potential vaccination site. Deputy Chief Jeremy Ray said that there were 32 fire violations for the Stadium and the Stadium Manager closed out 14 violations so that there

are 18 left. He noted that many of those open items can be resolved by the Stadium Manager submitting documents.

Chief Ray shared that the biggest area of concern for the City's Fire Department was the smoke system that has not been certified and that travel for construction is allowed by the County order so the out-of-area contractor should be able to travel to Santa Clara and inspect the smoke detector. Mr. Mercurio was happy to hear that the out-of-area contractor could travel into Santa Clara under the current County order and said that he would communicate that information to the contractor. Chief Ray said that the Fire Department's other concern was the Stadium Manager's proposal to change the H2/H3 storage occupancy. Specifically, there had not been any good solutions in the past when the Stadium Manager previously stored hazardous materials at the Stadium and Chief Ray brought up the example of how the Stadium Manager inappropriately stored propane in the past. He communicated the need for a solution for storing hazardous materials, especially flammable materials, at the Stadium. Mr. Mercurio shared that the Stadium Manager has been getting feedback from different inspectors. He noted that the Stadium Manager will store propane offsite since they didn't need as much onsite and that he wanted to work with the Fire Department to work out a resolution. Chief Ray agreed to have the Fire Department and Stadium Manager get back together to discuss the issue.

7. **Naming Rights Signage Replacement (Levi's)**
   a. **Specific request to meet directly with City Planning Division & City of Santa Clara's Procurement Team regarding process, scope and contract preference and requirements. City to provide an acceptable template.**
   Confidential discussion about Levi's Signage.



8. **Application to City Building Dept. & SCFD – H2/H3 to S1 storage submitted**
   a. **Submitted classification change from H3/H2 to S1 storage to building dept.**
   This item was discussed during Item 6. SCFD Outstanding Violations and Resolutions.

9. **Status Update on RFP for Electrical Services**
   Mr. Mercurio provided an update that the Stadium Manager anticipated concluding the electrical services RFP the last week of January or early February.

SCSA Board Direction for Stadium Manager Follow Up

- Compliance Plan and Oversight of Corrective Action (including Validation)
- Number of public riders for large stadium events
- Analysis regarding Event Day Parking Costs
- Stadium Manager Report to Board Summarizing Contracts Let on Behalf of Stadium Authority
- May 27, 2020 Letter regarding COVID-19 Plan for the Stadium, revolving loan, the buffet invoice, maintenance of the Stadium, and event parking/public transportation.
- Stadium Manager Presentation to the Board on Transparency Efforts/Enhancements

Upcoming SCSA Board Meeting Dates

- January 26, 2021
- February 16, 2021
- March 2, 2021
- March 16, 2021
- April 13, 2021
- May 11, 2021
- June 8, 2021
- July 13, 2021
- August 24, 2021
- September 21, 2021
- October 19, 2021
- November 16, 2021
- December 14, 2021

Date: 01/21/2021
Phone call: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. Lender Budget
2. Public Safety Liab Insurance
3. Repair Invoice Payment Status
4. FY19/20 Non-NFL Event review questions
5. Revolving Loan Credit
6. Rent Status

Date: 01/27/2021
Phone call: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. Lender Budget
2. Public Safety Liab Insurance
3. Repair Invoice Payment Status
4. FY19/20 Non-NFL Event review questions
5. G&A Invoice

Date: 1/28/2021
In-Person Meeting: Linh Lam (SCSA), Rachel Copes (SCSA), David Presley (SCSA), Esther Chi (ManCo)
Topic: Shared Expenses (FY2019-20)

- 9:00 am - 11:45 am (2.75 hours) – Review supporting documents for samples chosen
- 12:45 pm – 4:45 pm (4.00 hours) – Review supporting documents for samples chosen

Date: 1/29/2021
In-Person Meeting: Linh Lam (SCSA), Rachel Copes (SCSA), David Presley (SCSA), Esther Chi (ManCo), Chris Steele (ManCo)
Topic: Shared Expenses (FY2019-20)

- 9:00 am – 12:00 pm (3.00 hours) – Review supporting documents for samples chosen
- 1:15 pm – 4:00 pm (2.75 hours) – Review supporting documents for samples chosen
- 4:00 pm – 4:45 pm (0.75 hour) – Review questions with Esther Chi and Chris Steele (Security, Engineering, and Grounds)

Date: 2/1/2021
In-Person Meeting: Christine Jung (SCSA) and Craig Graber (ManCo)
Topic: 2021 Operational and Public Safety Documents

- SCSA staff picked up binders and USB containing draft annual operational and public safety documents

CONFIDENTIAL
STADIUM AUTHORITY/STADIUM MANAGER
MEETING ON LEVI'S SIGNAGE PROCUREMENT
February 9, 2021 | 1:00 – 2:00 p.m.
Zoom Meeting

Stadium Manager Attendees:
Jenti Vandertuig, Procurement Contractor
Jihad Beauchman, Vice President, Deputy General Counsel

Stadium Authority Attendees:
Deanna J. Santana, Executive Director
Brian Doyle, Stadium Authority Counsel
Ruth Mizobe Shikada, Assistant City Manager
Kenn Lee, Treasurer
Mark Giovannetti, Purchasing Manager
Christine Jung, Assistant to the Executive Director

CONFIDENTIAL DISCUSSION ABOUT LEVI'S SIGNAGE.

Date: 2/12/2021
Teams meeting: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. Lender Budget
2. 20/21 Rent
3. Naming Rights
4. Equipment/Asset Listing
5. SBL Amortization
6. Bank Balance
7. Stadium Signage

Date: 2/25/2021
Teams meeting: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. Naming Rights Receipt
2. SBL Receipt Timing
3. FY2020/21 Rent

Date: 3/4/2021
Teams meeting: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. CFD Payment
2. Monthly O&M Invoice
3. SBL Payment

Date: 3/11/2021
Teams meeting: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. Monthly O&M Invoice
2. SBL Proceeds
3. Bank Incumbency Certificate
4. Timing of year end distributions

MINUTES FROM
STADIUM AUTHORITY/STADIUM MANAGER
BUDGET MEET AND CONFER MEETING
March 16, 2021 | 2:30 – 4:00 p.m.
Zoom Meeting

ManCo/Stadium Manager Attendees:
Jeff Fong, Vice President, Finance
Jihad Beauchman, Vice President, Deputy General Counsel
Jas Sajjan, Senior Manager, Public Affairs & Strategic Communications

Stadium Authority Attendees:
Deanna J. Santana, Executive Director
Brian Doyle, Stadium Authority Counsel
Kenn Lee, Treasurer
Christine Jung, Assistant to the Executive Director

Introductions were made since Manco's Vice President, Finance, Jeff Fong, hasn't met everyone before. Treasurer Kenn Lee started the meeting by thanking ManCo for meeting and stating that while the Stadium Authority was meeting with ManCo and hope that the conversation would be fruitful, the meeting itself did not change the positions that the Stadium Authority have taken in the litigation or the Stadium Authority's position that the Board has the final say on the Stadium Authority budget.

Mr. Lee said ManCo asked for areas of proposed budget disagreement that required discussion so he thought that the Stadium Authority and ManCo staff could go through each one together. The first topic was the Stadium Manager's expenses. Mr. Lee referenced his budget presentation from March 9, 2021 and stated, as you saw in the presentation, the Stadium Authority has allocated a portion of Stadium Manager's expenses in legal contingencies and that was based on our Board's action from 2019. He said from his perspective as Treasurer, he had to make sure that the Stadium Manager's expenses all aligned with state laws. Mr. Lee noted that as he responds to the Board's direction, he has to make sure from a cost allocation position that there is no double charging. He restated that was the direction that he received from the Board.

Mr. Lee said that he was very interested in Mr. Fong's offer to review the documents and back up documents that he had been tasked to review. He noted that in the past there has been varying levels of review and that the current process where Linh Lam and Rachel Copes (from the Stadium Authority) went over to Levi's Stadium to review documents with Esther (from ManCo), while helpful was not efficient. He asked if there could be a monthly review or some other review on a regular basis where Stadium Authority staff can go down to the stadium to review documents so that the Stadium Authority could release payments. Mr. Lee said that he didn't know if Mr. Fong's offer included those conditions that he shared but if that it was a possibility, that would help the Stadium Authority move everything forward.

Mr. Fong thanked Mr. Lee for his feedback. He stated that when he looks at the budget, he sees it in two pieces. Mr. Fong noted that if we look at the payroll piece, what he would be interested in is what Mr. Lee was looking from a budget perspective to release the $4.2M shared manager expenses related to payroll.

Mr. Lee acknowledged that the Stadium Manager has expressed concern about personal ID confidentiality. He stated that he would be interested in being able to verify Stadium Manager staff through position classification, position numbers, and other information. He used his position as an example of being allocated 20% to Stadium Authority and 80% to City. He said having a similar breakdown from Stadium Manager for these classifications and how they are allocated to Shared Stadium Expenses, Shared G&A costs, Non-NFL costs, SBL Sales and Marketing, see employee information, and any area that Stadium manager charges that would be helpful to validate how those charges are allocated across those areas or any other areas, e.g., vaccination site. Mr. Lee noted that the Stadium Authority would keep the names confidential, and that having position numbers and job classifications would be helpful. Additionally, if the Stadium Manager has multiple positions in the same job classification they could just number off the positions. Mr. Lee explained that was how things were done on the City side.

Mr. Fong said that starting with the $4.2M was the simplest because the split for all of the departments is 50/50, with grounds keeping splitting 70/30. He said the Stadium Manager gave the Stadium Authority a list of jobs for that are shared with the Stadium Manager, so they can use that or put something together to show how it will tie to the budget. Mr. Fong said that they can review everything with Stadium Authority staff virtually or as a small group in a large conference room with everyone wearing a mask so that staff can test whoever they wanted to test. He noted that there are 45 full time employees and that those are the options that they would be open to.

Executive Director stated that Stadium Authority staff has tried the virtual review in the past but it didn't work. Stadium Authority Counsel Doyle asked Mr. Lee if Mr. Fong had answered his question. Mr. Lee responded that with respect to COVID, he wants to respect the COVID rules in place. He stated that it would be helpful to have information in a very similar way of how the Stadium Authority shares a spreadsheet with that information with the Stadium manager. He said for example, Mr. Fong's position would be broken down by areas. The Stadium Authority's spreadsheet shows salaries, overhead, benefits. Mr. Lee said that with that information broken down into that detail, he would be able to vouch that that information ties back to the budget. He noted that was just one example of the details he was looking for but a spreadsheet showing Shared Expenses, G&A, SBL sales and services, and any other allocation that the Stadium Manager is charging to Non-NFL, NFL or vaccine. He said that the spreadsheet can add up the allocations and show that a position adds up to 100%. Mr. Lee also said a spreadsheet would be a lot more helpful than going down to look at the records and asked Mr. Fong if that information is helpful in terms of demonstrating what he was trying to figure out. Mr. Fong confirmed that what Mr. Lee said made sense. He said the split is fine so you can tie out the total. He bought up that certain positions have the same title so some people can be easily identified. Mr. Lee asked if position numbers would address that issue, for example listing them out like Position 1, Accountant, etc.

Mr. Doyle stated that on the topic of confidentiality, it is normal to see consultants' pay and that the idea that as a consultant, the Stadium Manager gets to hide how much they get paid by public funds doesn't make sense. ManCo's Vice President, Deputy General Counsel Jihad Beauchman responded that the Stadium Manager disagreed with making that information public. He noted that there are various vendors being used by the City, and other public entities. Mr. Doyle said the Stadium Authority was not trying to know their salaries and that the Stadium Authority just wants to know how much Stadium Authority was paying for the time that they were working on Stadium Authority's behalf. He provided the example of Sam Singer [a City and Stadium Authority consultant], which the Stadium Manager requests public records for. Mr.

Doyle noted that the invoices only show the rate of what the consultant is being paid but not his overall salary.

Mr. Beauchman stated that some of that information is there and sometimes it's not. He said that the Stadium Manager doesn't have an issue of showing the Stadium Authority salary information, but they don't want that information becoming public information. He asked if there can be some system to provide indemnity for that information. Mr. Doyle responded that as we have said before, the Stadium Authority believes that records of public funds spent on the Stadium Manager are public records. He noted that it was not up to the Stadium Manager to decide whether something is a disclosable public record, just like the Stadium Authority/City couldn't hide their public salaries. He referenced a Supreme Court case that requires that disclosure of public information. Mr. Doyle said that we heard that you'd like to keep it confidential, but we can't promise that we won't disclose that information if someone requested it.

Mr. Beauchman responded that that is why the Stadium Manager doesn't want to disclose that information. He referenced back to the Stadium Manager employees and said that the staff are split 50/50. He said that we don't understand the idea of double billing for these positions since this is the general operation of the stadium. He said these are not employees who charge their time to different events. Mr. Beauchman stated these are 50/50 employee who are splitting their time with the Stadium Authority because there isn't any time allocation.

Ms. Santana said it is known what is needed from the Stadium Manager based on the Board's discussions and actions. She noted that staff have already shown the Stadium Manager's charges and the lack of documentation publicly to the Board and public. She said it is the Stadium Authority's position that until those charges are reviewed, we cannot reimburse the charges, and that the Stadium Authority has been clear about what is needed in terms of transparent and easy to trace information. She also stated that the responses to the December 1 letter are unclear so if the Stadium Manager changes that information to something that would be easy for staff to verify, then we could release the public funds for payment. She restated that no one wants to not pay workers.

Mr. Beauchman clarified that the documentation that Stadium Authority staff shared was Non-NFL expenses, not shared expenses. Ms. Santana responded that all staff has is a document with a bunch of numbers and that we needed supporting documentation that is easy to trace to make sure that staff that is being charged for shared expenses is not double billing to non-NFL events: which, at this point, based on documentation is not easy to confirm.

Mr. Beauchman provided a specific example of one of their Stadium Operations staff whose time is 50/50 [split between Stadium Authority and Stadium Manager] and makes $100,000 salary. Mr. Beauchman clarified that his time is not allocated to a specific event and that it would truly be a 50/50 split between the two parties. Mr. Beauchman stated that we're willing to show their employee numbers and other benefits information, which will give you an idea of what they will be paid.

Ms. Santana said that she wants to make sure that based on his tracking information it's easy to show that he's not going to show up as numerical numbers (that don't make sense) in the non-NFL expenses. She stated that staff has to be able to trace the expenditures so that they could validate the numbers in both shared expenses and Non-NFL expenses. Mr. Beauchman noted that these individuals don't track their time. He said they are shared [between the Stadium Manager and Stadium Authority] and split 50/50.

Mr. Doyle stated that you have a universe of people who are split 50/50 and others who would show up similar to the in the lump sum $156,000 of expenses in the example of the Redbox Bowl documentation provided by Mr. Lee last week, show that universe of people who are split 50/50 in the spreadsheet and show people who charge their time to other allocations. Mr. Lee added that based on Mr. Beauchman's example, the exercise should be easy. He said, in a spreadsheet, show employees who work on G&A, shared expense, SBL sales and marketing and obviously if a position does not show up in other areas there is no double billing. Mr. Lee said, it would be great if the Stadium Authority can check this information on regular basis. He further stated, if we can validate how those people get charged then we can vouch for these expenses and get this paid. He noted that all he was looking for was a spreadsheet that would have information that ties back to the budget, which would be more efficient.

Mr. Beauchman asked if the Stadium Manager was able to produce this spreadsheet to be reviewed on site, would the Authority be able to do that. Mr. Lee confirmed that the Stadium Authority could do that on the regular basis, which would allow staff to validate the positions and expenses. He also said that it would be helpful if the information is all compiled so that it can help speed things up. He reiterated that it would be helpful to review the information on a regular basis, whether that is monthly or something else, that the information is all prepped and ready for review. Mr. Lee noted that this was his suggested process given the Board's direction.

Mr. Beauchman stated that he didn't think we were too far apart. He asked if Stadium Authority staff had seen any examples of double billings and to provide an example because he was unaware of any. Mr. Lee answered that it's more of what the Stadium Authority doesn't have so we are unable to confirm their expenses. Ms. Santana added that the best example is the bunch of numbers on the document that we showed to the Board that included a handwritten amount of $156,000 (Redbox Bowl example provided by Mr. Lee last week). She said the information might be clear to the Stadium Manager but not to the Stadium Authority so we are looking for a way to validate those expenses.

Ms. Santana also inquired about the status of the Stadium Manager's response to the December 1 letter that the Stadium Authority sent regarding questions for the supporting documentation that was submitted. Mr. Beauchman answered that there will be a response to the December 1 documentation. He noted that their fear was that there was a specific example of people double billing, but it appears that it was speculation because of what the Stadium Authority doesn't know. Ms. Santana clarified that the Stadium Authority was worried that it was being double billed. She noted that neither Mr. Lee or her could release public funds without supporting documentation and that the Stadium Authority's fears are valid based on what has recently happened. She also said that it has been nearly four months since the December 1 letter was sent and the documents that were submitted were woefully insufficient.

Mr. Beauchman said the shared expense payroll is very easy to tie out to show the 50/50 split. He noted that they have enough information to go back to their team and have Kenn go to the Stadium to review, starting with the shared stadium staff who are split 50/50 and 70/30 split and not allocating time to events.

Mr. Lee brought up the G&A chart that Mr. Fong showed during his budget presentation, which lumped departments together. He noted, when we talk about cost allocation, it's helpful to know where they are. He provided some examples and said when it comes to budget and actuals, it's very clear where things are charged. Mr. Lee restated that we could move on once we have that

information and are able to validate it. He said he hoped the Stadium Authority and Stadium Manager could get there based on this conversation.

Mr. Fong said he appreciated the feedback and that they would take it back and see if they could come up with something that meets the Stadium Authority's needs and still keeps the Stadium Manager's confidentiality. Mr. Lee responded that if they can provide position names, position numbers, and other information then he could make correlate the information. He restated that the information that he's looking for is position number, job titles, no names, and the allocations of the positions so he can validate their actuals and where they're budgeted. Mr. Lee said that Rachel from his team provides that information to Darren Wong (from ManCo) as part of the budget process. He stated that what he's asking for is a very similar process that can be in a spreadsheet or packet that would help make the review process efficient. Mr. Fong said they would take Mr. Lee's feedback and clarification and come up with something that can work for everybody.

CONFIDENTIAL DISCUSSION ABOUT LEVI'S SIGNAGE. [redacted]



Mr. Lee said the third and last item for discussion was G&A costs. Mr. Beauchman said he didn't think that we touched on the pie chart of G&A costs, which was made up of payroll and contracts that were approved. He stated that the Stadium Manager was trying to find areas where there is agreement. Their understanding is that there are areas agreement, e.g., ABM, which was a Shared Stadium Expense that was brought to the Board and approved by the Board. He asked why Stadium Authority needed to review something that was previously approved by the Board. Mr. Lee answered that in a very similar way, there is a need to validate

their expenses to ensure that state and regulations were followed. He said it would be helpful to see the contracts and see how they were procured. He noted that by having that detail, all he needed was just a spreadsheet of contracts, their dollar amounts and supporting documents including contracts and how they were procured. Mr. Lee said that he felt that the Board's direction to him was very clear and he hoped that the Stadium Authority could review those documents expeditiously and get those bills paid.

Mr. Beauchman said that they see that pie chart of additional expenses and it seemed that the concerns were in terms of expenses that needed some level of public works procurement, some level of state law compliance, bidding requirements and prevailing wage. He suggested carving out the expenses related to public works/prevailing wage and where there is dispute between the parties. Mr. Beauchman said it seems as if there should be a way to budget the other non-public works related items. He said there are items that concern prevailing wages, procurement requirements, public bidding, compliance with state laws, and that you don't have an issue with. He asked if the Stadium Manager could segment funds on those things that the Stadium Authority are concerned about and include the things that there are no concerns about, e.g., people attending conference, as part of the budget. He envisioned those to be day to day expenses.

Ms. Santana said part of what we've been talking about in the last couple weeks is that there are opportunities to advance Purchase Orders and travel expenses and bundled authority. She provided an example that the Stadium Manager could send a contract for uniforms and get that ready for Board approval and when they have expenditures for that item, they would send the appropriate documents to Kenn to get paid. She also provided an example of how to advance the release funds for payment for travel expenditures. Ms. Santana noted that the Stadium Manager could submit a list of all the conferences that they were planning to attend for the year and to ask for approval to send their staff to those conferences, without further Board action.

Mr. Beauchman said the Board's concern was about public works and prevailing wage. Ms. Santana clarified that there is a concern about how the Stadium Manager was procuring things, in general. She reminded him that when Stadium Authority was looking at prevailing wage, staff found that there were no bidding or legal contracts in place. She also reminded him that at one point the Stadium Authority discovered that the Stadium Manager was manufacturing documents to create the illusion of compliance. Mr. Beauchman said that they are trying to segment things that are about the disputes but that there was a difference between setting the budget and getting things approved.

Mr. Beauchman said there are no concerns in certain areas so it doesn't make sense to not set a budget. He stated that the budget is the budget and when you want to utilize it, you get approval for it. He noted that the current set up where they're put in a litigation reserve is a departure from regular practice. Mr. Beauchman said they're trying to see if there's an ability to set the budget and they'll still do the things that they're required to do, but that he just wanted to get them in a position where there are all these disputed areas in the budget when it's not a dispute.

Mr. Lee said that the budget was submitted at a very high level and the Stadium Authority has asked for more detail. He said when the Stadium Manager talks about segmenting areas for approval, none of those details were submitted with the budget. He noted that if there are areas that are not related to public works procurements, the Stadium Authority would need to see an itemized list of vendors. Mr. Beauchman said if you look at some of the other line items, there

are things that don't touch public works at all. He started referring different line items that would or wouldn't have public works.

Ms. Santana clarified that the Board's action was focused on removing contract authority for Executive Director because it wasn't just about prevailing wage, it was also about contracts and their legal practices overall. She asked Mr. Beauchman to bring their contracts forward to get them approved. She noted that the Stadium Manager can look at the contract reports that SVP has done to bring 5-6 contracts at a time to get Council approved, noting that this was an efficient approach.

Mr. Beauchman said he agreed but noted that the Board action was about contract authority so they're wondering why it is tied into the budget. He stated the contract authority is separate from budget. Ms. Santana responded that we don't know about the legal compliance of the contracts. Mr. Beauchman clarified that there are ones that are not for public works. He said you have things like ABM which is still a valid contact process. He said this is the budgeting process and asked why things were being carved out.

Ms. Santana asked if that was part of the Stadium Manager's budget responses. She told him that he had today to respond because everything goes public on Thursday. Ms. Santana said that she was open to hearing proposals about the general types of services that the Board can approve but noted that the Stadium Manager would have to do the carve out and show the Stadium Authority the contracts.

Mr. Beauchman said there is a line item on outside service. He pointed out for that segment, they are planning to carve out ABM and budget for that item. but everything outside of that line item, has the ability to be public works related. He asked that the Stadium Authority set the budget for those non-public works items so there is some sort of direction on those items. Mr. Beauchman confirmed that everything related to the signing authority would still apply but at least the Stadium Manager would have direction from Board on those items.

Ms. Santana asked if he submitted something for the Stadium Authority to review. Mr. Lee also clarified that when Mr. Beauchman said look at outside services, there is equipment that might have public works components. Mr. Beauchman said purchase of equipment would not be public works-related but services may. Mr. Lee and Mr. Beauchman discussed possibilities of what could or couldn't be carved out due to their nature of being potentially public works related. Ms. Santana clarified that sometimes combining services and equipment can be more cost efficient. She asked Mr. Beauchman that if he had some information by way of proposal because it feels like the Thursday deadline won't be met. She noted that the Stadium Authority can form some sort of recommendation that we will work through these items and come back to the Board for action.

Mr. Beauchman stated that he would just recommend that the Stadium Authority would carve out what is clearly not public works, e.g. uniforms, travel and expense. He asked Mr. Lee to look at things to carve out. Ms. Santana asked Mr. Beauchman to submit those requested carve outs so that Mr. Lee doesn't have to guess what those items are.

On a separate topic, Ms. Santana followed up with Mr. Beauchman regarding questions that Assistant to the Executive Director Christine Jung sent about the electrical repairs. She told him that the agenda reports are close to being finalized and that the plan was to include the Stadium Manager's responses to the agenda report. Mr. Beauchman confirmed that he received the email but had not reviewed the questions yet. There was agreement to move the electrical

repairs service agreements to the April 6 meeting if the Stadium Manager didn't meet the March 17 deadline to submit their responses.

Ms. Santana requested Mr. Beauchman to send Mr. Lee what they needed. She reiterated the importance of having the Stadium Manager respond to the December 1 letter. Mr. Beauchman answered that he didn't have a timeline, but he would bring that information back to the team.

Mr. Lee redirected the conversation to G&A costs. He said the Stadium Authority submitted a G&A budget of $5.1M to the Board, while the Stadium Manager proposed to lower that amount to $3.1M. Mr. Lee stated that Measure J does not allow City to subsidize the Stadium Authority's costs and that the Stadium Authority's position is that the $5.1M is needed to provide oversight as needed and to perform the work required. He noted that the Board has discretion has over its own budget.

Ms. Santana shared that the Board directed some additional work items to staff as part of the study session. She noted that in addition to the financial management system, new referrals, Stadium Builder Licenses, there is a lot of work and that new resources are needed. Mr. Beauchman said they understood Measure J and Stadium Authority requirement to cover its cost. He stated that one of their responsibilities is to make sure that the Stadium Authority is being responsible. He said, you saw our comparison where your G&A costs are up 67%. Mr. Beauchman said that he was going to keep the legal costs completely separate from the numbers he is talking about. He said that the Stadium Manager is seeing that staffing costs go up close to 80% during pandemic.

Mr. Doyle responded that the costs are going up because of ManCo's mismanagement and lawsuits. He said if you want to cut those lawsuits and we can cut the costs drastically. Mr. Beauchman stated that they were discussing that internally and are taking it back to see what that looks like. He asked Mr. Doyle to have the same conversation with the Board.

Mr. Beauchman asked what proposal or settlement Mr. Doyle would suggest. Mr. Doyle stated that the Stadium Authority asked that there would be a disinterested manager to manage Non-NFL Events, who did not have self-dealing, and that abided by state laws. Mr. Beauchman responded that the proposal can't be what you're asking for. He noted that was what the Stadium Authority was looking to achieve, but what they're trying to do is see if there is reasonable negotiation about settling the continuing legal disputes.

Ms. Santana said that she thought that the presentation went back and forth. She clarified that the Stadium Authority has not hired a Deputy City Manager and Management Analyst to purposely keep costs down. She acknowledged that the Stadium Authority cut those major positions and with the more initiatives that the Board has assigned, the workload has increased, and the Stadium Authority has artificially kept vacancies to keep the costs low and absorbed the workload with existing staff.

Mr. Beauchman said that the Stadium Manager doesn't have that information yet. He said from their perspective they see that a year when there were no events, why would we see an increase in staffing? Ms. Santana provided an example that Stadium Authority was still spending significant resources to review FY 19/20 documents this fiscal year due to the Stadium Manager's late submittal and incomplete documentation. Ms. Santana told Mr. Beauchman that the Stadium Authority would discuss additional initiatives during Thursday's meeting. There was agreement that both parties were open to what that looks like and that it may take an additional meeting. Ms. Santana clarified that Stadium Authority staff are receiving documents later from

the Stadium Manager so they are reviewing them in a different fiscal year. She said Stadium Authority can explain that as part of its March 23 report to demonstrate where the expenditures are spent.

Date: 3/17/2021
Teams meeting: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. Year-end distributions

MINUTES FROM
STADIUM AUTHORITY/STADIUM MANAGER
QUARTERLY STATUS MEETING
March 18, 2021 | 9:00 – 10:30 a.m.
Zoom Meeting

ManCo Attendees:
Jim Mercurio, Executive Vice President & General Manager
Jihad Beauchman, Vice President, Deputy General Counsel
Jas Sajjan, Senior Manager, Public Affairs & Strategic Communications

Stadium Authority/City Attendees:
Ruth Shikada, Assistant City Manager
Manuel Pineda, Assistant City Manager (for Items 6 and 7b)
Brian Doyle, Stadium Authority Counsel
Kenn Lee, Treasurer
Rachel Copes, Senior Management Analyst
Christine Jung, Assistant to the Executive Director

A G E N D A

Assistant City Manager Shikada shared that Executive Director Santana had an emergency and would not be participating in the meeting.

1. Board Referrals and Other Follow Up Items

a. **Public Safety Costs Per Event**
Ms. Shikada shared that SCSA placed this item on the agenda to let the Stadium Manager know the Board asked for those numbers, which staff was preparing. She said due to deployment numbers being involved that the information would be presented in Closed Session. ManCo's Executive Vice President & General Manager Jim Mercurio agreed with the decision to present the information in Closed Session due to the sensitivity surrounding deployment numbers.

b. Marketing Plan Questions from Board as Transmitted on March 11, 2021
Ms. Shikada asked if Mr. Mercurio's email that was received by SCSA that morning included the Stadium Manager's responses to the SCSA's Marketing Plan questions. Mr. Mercurio stated that he did share the Marketing Plan responses as well as other items. Ms. Shikada said that staff was still reviewing the documents. Assistant to the Executive Director Christine Jung said that she briefly reviewed the responses and understood that there were two separate Marketing Budgets for two different types of events but she did not see staff costs as part of the budgets. Mr. Mercurio first responded that the staff costs were Shared Expenses then asked ManCo's Vice President, Deputy General Counsel Jihad Beauchman to confirm whether staff costs were included. Mr. Beauchman confirmed that the Marketing Budgets did not include staff costs because they were budgeted separately, which should be documented in the responses.

c. Third-party Assessment of Marketing Plan as Transmitted on March 11, 2021
Ms. Shikada shared that the Board expressed interest in having a third-party assessment of the Marketing Plan. She noted that the Board wanted someone else to look at it and provide an overall picture and critique of what that we're looking for. Mr. Beauchman responded that he would refer back to the Stadium Manager's response in the Marketing Plan response but that they were open to the idea.

d. Status of Final Stadium Operation and Maintenance Plan (SOMP)

Ms. Shikada asked if Mr. Mercurio sent the final SOMP that morning. Mr. Mercurio responded that SCSA had two points that it had asked the Stadium Manager to review: one where SCSA agreed with their proposed change and another where SCSA asked the Stadium Manager to incorporate Stadium Engineers into the maintenance schedule. He clarified that sometimes the Stadium Engineers oversaw contractors doing the work so they will incorporate that information and send the redacted version sometime mid next week. Ms. Jung asked for clarification whether the copy the SCSA previously received was redacted. Mr. Mercurio answered that anything that is sensitive remained in the Stadium office. He noted that they sent the version they provided to SCSA was redacted because anything that could compromise the stadium remains at the office for viewing. Ms. Jung thanked him for the clarification.

e. Parking Research and Data for Transportation Management and Operations Plan (TMOP) and Parking Plans

Mr. Mercurio provided an update that the Stadium Manager sent the parking information that the SCSA requested for the Parking Plans that morning as part of his email. He also mentioned that they were working to finalize the other operational and public safety documents that the SCSA was working with the Stadium Manager on. He shared that they would send the SCSA the refreshed copies once they compiled the rest of the information.

Ms. Shikada asked for clarification on the information contained in each column. Mr. Mercurio clarified that the Stadium Manager didn't control the "outside lots" column, but they received that information from the City/Stadium Authority based on the permit fee. He said that they broke down the different types of parking so that the City/Stadium Authority could understand them and totaled the numbers on the bottom and provided an average and average by year which should give the City/SCSA information requested.

2. Updates from Stadium Manager: Quarterly Status Meeting (First Amendment to Stadium Management Agreement)

a. Financial performance of past Non-NFL Events

i. Non-NFL Events P&L for quarter end 12/31/2020

Mr. Mercurio said there weren't any events, but they sent the P&L.

b. Status of future Non-NFL Events

i. Booked Events

ii. Pipeline Events

Mr. Mercurio provided a brief update that the Stadium Manager had two events in the pipeline, which were contingent on county restrictions. He said that he could start to see more activity and people are anxious for events but that's all the Stadium Manager has at this moment.

c. Private Parking Agreements

i. Executed private parking agreements

ii. Ongoing negotiations for private parking agreements

Director of Community Development Andrew Crabtree participated in this discussion.

Mr. Mercurio shared that the Stadium Manager added back Yellow 2 and Yellow 3 lots based on news from Related would not start construction during the 2021 NFL football season. He also shared that there were discussions on Blue Lots 1, 2, and 3.

Ms. Shikada asked Director Crabtree if there was any additional information needed. Mr. Crabtree said he didn't have anything right now but there might be questions in the future. He said that his department was always in constant communication with the Stadium Manager. Mr. Crabtree noted that based on what Mr. Mercurio described, it sounded like the information they needed.

There was discussion about the ADA improvements, which is documented under Item 7(a).

3. Stadium Builder Licenses (SBLs)

a. Paper Copy SBL Project: Status on requested SBL index/tracking documents

Mr. Beauchman said for Item 3a, the Stadium Manager sent over a tracking document that had a list of all active SBLs as SCSA requested. Ms. Shikada confirmed that staff received it but was still reviewing the information. CONFIDENTIAL DISCUSSION ABOUT A SUBSET OF SBL HOLDERS. [redacted]

b. Digital SBLs: Status on transferring files to SCSA for proper archiving

Ms. Jung shared that SCSA staff checked their Docusign account with their IT Department and found that they are only able to access SBLs that were executed up to a couple months ago. Mr. Beauchman said that he didn't think there was a Docusign time limit. He suggested another option was referencing the emails that SCSA should have received emails from Docusign whenever an SBL was executed. He said that the issue with Docusign was that they could go in

to search for someone but that they weren't able to do a bulk download of all the executed SBLs because that's not a feature that Docusign has. He said that they would have to have someone click through each SBL to download them and they want to try the bulk download before they go to that option. Mr. Beauchman referred SCSA staff back to the SCSA's SBL emails from Docusign.

Ms. Jung clarified that she was unsure whether any emails had been deleted from the SCSA's email account and that the Stadium Manager should have those files downloaded as the manager of the SBLs. Mr. Beauchman responded that the Stadium Manager didn't really go back to the contracts often because most of them had standard benefits. The key information that they need is seat numbers, which they pull, so they don't refer to the actual SBLs a lot. He noted that if for some reason they needed to refer to the actual SBLs, they just look them up in Docusign. He said that he would look into whether there was some sort of repository. Ms. Jung thanked him and asked him to please check whether they did have a repository because SCSA did not have the same retention in Docusign. Mr. Beauchman said he would.

c. Expired SBLs from 2019

Mr. Beauchman provided an update that the tracking spreadsheet also included a list of SBL contracts that expired. He said that the Stadium Manager was working to get those SBL Holders to resign their original SBLs. Ms. Jung referenced Larry MacNeil's (from ManCo) letter which said those SBLs holders were not notified that their SBLs were not executed and asked for clarification about the delay for getting the SBLs signed if the SBL Holders were unaware that their SBLs were not executed. She noted that there were twenty SBL Holders with expired SBLs and that the SCSA had signed four already and two pending in Docusign which SCSA planned to sign, and asked for the plan for the remaining 14 SBL Holders. Mr. Beauchman confirmed that they identified the SBL Holders and are reaching out to get them to resign their SBLs. He noted that people are a little confused but we're working on the SBLs.

d. Status on Confidential follow up items

[redacted]

[redacted]

[redacted]

4. **Confidential Update from Stadium Manager on Insurance Claim Filed on Behalf of SCSA**
Risk Manager Greg Bych participated in this confidential discussion.

[redacted]

[redacted]

5. **Follow up on Non-NFL Event Documentation Questions**
Mr. Lee said followed up on the letter he sent letter to the Stadium Manager on December 1, 2020 with questions and follow up items. He said, as part of our March 16 Meet and Confer meeting Mr. Beauchman said it would come soon. Mr. Beauchman confirmed that their response should come in the next few business days.

6. **Response from Stadium Manager for SCSA Questions Regarding On-call Electrical Maintenance and Repair Service Agreements**
Mr. Beauchman said that this item was discussed during the March 16 Meet and Confer meeting and that they would move the item to early April. He said the Stadium Manager would respond to the SCSA's questions later this week or early next week. Mr. Doyle shared that his reaction for the agreements was that was a high dollar value. He said he wanted to make sure that the Stadium Manager understood that repair is different than a capital project. He restated that he thought the agreements amounts were an extraordinary amount. Mr. Mercurio confirmed that the agreements would not be used for CapEx. Mr. Doyle asked him to provide more details. Mr. Mercurio agreed to put that together for the SCSA and that an entire review of the system was coming up.

7. **Update from Stadium Manager on Existing Projects**
   a. **ADA Improvements on Red Lot**
   Assistant City Attorney Su Reuter and Director of Community Development Andrew Crabtree participated in this confidential discussion.

[redacted]

[redacted]

[redacted]

[redacted]

b. HVAC Emergency Repair

Mr. Mercurio shared that the Stadium Manager would have something for SCSA sometime in next couple of business days as they go through the work associated with the project. He said they will provide an update next week.

Ms. Shikada referenced the list of Board referrals on the agenda and said that we need to start working on those. Mr. Mercurio responded that the Stadium Manager has addressed some of these items. He referenced Larry MacNeil (from ManCo) providing information on public ridership and parking costs months ago. Mr. Doyle said that the easiest thing would be if the Stadium Manager sent SCSA a copy of what they've previously submitted and staff would see if the referrals have been addressed. Mr. Mercurio answered that he guess the Stadium Manager could do that.

SCSA Board Direction for Stadium Manager Follow Up

- Compliance Plan and Oversight of Corrective Action (including Validation)
- Number of public riders for large stadium events
- Analysis regarding Event Day Parking Costs
- Stadium Manager Report to Board Summarizing Contracts Let on Behalf of Stadium Authority
- May 27, 2020 Letter regarding COVID-19 Plan for the Stadium, revolving loan, the buffet invoice, maintenance of the Stadium, and event parking/public transportation.
- Stadium Manager Presentation to the Board on Transparency Efforts/Enhancements

Upcoming SCSA Board Meeting Dates

- March 23, 2021
- April 13, 2021
- May 11, 2021
- June 8, 2021
- July 13, 2021
- August 24, 2021
- September 21, 2021
- October 19, 2021
- November 16, 2021
- December 14, 2021

Date: 3/19/2021
Teams meeting: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. Yearend distribution
2. Budget Amendments in Q3 posted report
3. March O&M Invoice

Date: 3/24/2021
Phone Call meeting: Rachel Copes (SCSA), Esther Chi (ManCo), Larry MacNeil (ManCo), Linh Lam (SCSA)

- Financial Management System Phase I Implementation
    - Ms. Lam will work with Armanino to schedule the kickoff meeting for the first week of July and will clarify if the kickoff meetings are with both parties (ManCo/SCSA) or separate
    - Mr. MacNeil will provide the Non-Disclosure Agreement to Armanino the week of March 29, 2021
    - Both parties are confident in the timeline to implement Non-NFL and Shared Expenses in the new FMS by the end of FY21/22. However, the SBL portion may be more complicated but will be discussed further with Armanino.
    - ManCo created a separate company code in their system to enter SBL's and will kick it off April 1, 2021

Date: 3/25/2021
Teams meeting: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. CFD Scheduled Payment
2. Excess Revenue Distribution Timeline
3. April O&M Invoice
4. FY2019/20 Non-NFL Event Review

Date: 3/26/2021
Teams meeting: Rachel Copes (SCSA) and Darren Wong (ManCo)

1. April O&M Invoice

MINUTES FROM
STADIUM AUTHORITY/STADIUM MANAGER
SHARED STADIUM EXPENSES REVIEW MEETING
March 30, 2021 | 1:00 – 5:00 p.m.
Levi's Stadium

Stadium Manager Attendees:
Jihad Beauchman, Vice President, Deputy General Counsel
Esther Chi, Vice President & Controller
Alex Acton, Finance Manager

Stadium Authority Attendees:
Kenn Lee, Treasurer
Linh Lam, Assistant Director of Finance
Christine Jung, Assistant to the Executive Director

The meeting started with introductions between staff. Treasurer Kenn Lee stated that the two groups had a shared goal of trying to validate the $4.2M of Shared Expense salaries. Vice President, Deputy General Counsel Jihad Beauchman described the process of how ManCo staff would share information for Stadium Authority staff's review during the meeting, which was through the TV screens hooked up to staff's laptops. He said the documents would show names, salaries and other information that ManCo staff hoped that Stadium Authority staff would keep confidential. He said the information will be relevant for FY 2021 and there wouldn't be any information for past fiscal years since they were concentrating on the $4.2M. He reemphasized the importance of keeping their employees' information confidential.

Mr. Lee agreed and said that when Stadium Authority and ManCo staff talked during the March 16 Meet and Confer Meeting, Stadium Authority staff said that they were interested in keeping ManCo's employee names confidential. He said if there were employee numbers, we're happy to take notes of that fashion. Mr. Beauchman responded that they can decide on what that looks like and that they're trying to get Stadium Authority staff the information they need. Mr. Lee stated that Stadium Authority staff wanted to make sure that they were being efficient. He noted that Assistant Director of Finance Linh Lam has visited the stadium in the past to validate expenses and that having employee numbers would keep things efficient for future reviews.

ManCo's Finance Director Alex Acton began showing the Draft FY 2021 budget which included the 45 positions that were charged to Shared Expenses. He then shared a spreadsheet on the screen that included those positions' salaries, overtime, bonuses, taxes and benefits and their corresponding allocations split between StadCo and the Stadium Authority (50/50 split for all positions except for groundskeeping staff who are split 70/30). The bonuses and taxes are grouped at usual allocation rates. We have a bonus pool for employees showing 50/50. Part-time allocation for Procurement, Stadium Ops, and Guest Services staff. Mr. Acton stated that the data being presented in total rolled up to the $4.2M in the budget.

Mr. Lee asked if Stadium Authority staff could get a copy of the document that was being shared on Mr. Acton's screen. Mr. Beauchman denied the request and said that ManCo could not send the document but that they were happy to have Stadium Authority staff view the information. Ms. Lam asked if ManCo staff would be able to provide the same information (annual salary,

overtime, and bonuses) with employee IDs instead of employee names. She stated that having some sort of unique identifier that would maintain the confidentiality of employee identities while allowing Stadium Authority to be able to cross reference information would be helpful. Mr. Beauchman responded that they're not in the position right now to share that information but they could discuss that option. He said they were still trying to figure out the best way to get the information to Stadium Authority staff and that they were happy to have Stadium Authority staff view it but as of right now they didn't have a plan to show the identifier.

There was discussion about what that unique identifier information may look like. Mr. Lee noted that at some point, Stadium Authority staff want to have that information so that they're able to provide details on how to get back to the $4.2M and we can validate. Mr. Beauchman stated that ManCo provided the salary information rolled up and that the information they will provide will show the underlying details that the Stadium Authority wants to see. He clarified that ManCo's concern was maintaining confidentiality and whether Stadium Authority staff's notes would tie back to the identifier. Mr. Lee said the level of detail that Stadium Authority staff was looking for was like the list of Stadium Authority positions, classifications, salaries, benefits, and overhead that they had provided to ManCo during the budget process. He said from a note taking perspective, Stadium Authority staff were trying to validate information from a budget position, so things like positions and job functions. Mr. Lee noted as staff validated the information, they might have some follow up questions. He explained that he was trying to validate the information in a way that he would be able to present to the Board the details behind the $4.2M through his notes.

Mr. Beauchman explained that ManCo staff was trying to figure out how to do the same thing. He provided the example of groundskeeping and said the information that Stadium Authority staff view was same as what was totaled in the budget. He clarified that ManCo didn't want specific information tying back to position numbers, which they wanted to keep confidential.

Mr. Beauchman acknowledged that he understood what Stadium Authority staff was saying from public entity's perspective, but ManCo didn't think the information being shared was public information. He said the information would provide Stadium Authority staff back up for what they needed, and he thought that could be done without putting the specifics in the notes. Mr. Lee agreed that made sense but provided a couple points of clarification. He stated that ManCo knew what the Stadium Authority's position on what was considered public information. He also stated that it has also been made clear that the Stadium Authority wanted to respect the confidentiality of ManCo. Mr. Lee said Stadium Authority staff thought they could respect the confidentiality on what was being presented on the screen. He noted however, staff's notes were just notes if someone asked for more supporting documentation. Mr. Beauchman stated that the idea is that the information would not be directly tied to employees and that the information would be sufficient for the Stadium Authority staff to view the roles and confirm the backup. He noted that there was a concern about double billing, that people weren't doing what they're paid to do so today's supporting backup should address those concerns. He acknowledged that he understood the Stadium Authority wanted copies of the information and that while ManCo couldn't meet that request, they hope that the Stadium Authority's concerns would be addressed by reviewing the specific roles and duties.

Ms. Lam asked if we were able to look at the positions and roles could ManCo provide employee IDs so at the end of the year when Stadium Authority staff looks at Shared Expenses,

they can cross reference and can trace back the employees. Mr. Beauchman answered to the extent that Ms. Lam was asking for the rolled-up amounts for the positions that was something they could provide. Ms. Lam confirmed that total positions rolled up with employee information was sufficient. Mr. Beauchman asked for clarification and provided an example of labeling employees with sample identifiers (e.g., G1, G2, G3) and providing their salary information rolled up as a department. Ms. Lam agreed that was what she was asking for, along with the employees' ID numbers. Mr. Beauchman provided another example of how the information could be verified when Stadium Authority staff reviewed everything for budget purposes, such as the positions identified as G1, G2, G3 and their total actuals for the groundskeeping budget item. Ms. Lam shared that it would be even easier to just provide the employees' ID numbers so that Stadium Authority staff can trace those positions and tie back the costs when they look back in the budget. Mr. Beauchman asked if Stadium Authority staff would do that on site, which Ms. Lam confirmed. Mr. Beauchman said that he was generally comfortable with that process and asked if Ms. Lam would leave with the G1, G2, G3 matching with the identifier. Ms. Lam said that she hoped to get the employee ID as the unique identifier. Mr. Beauchman said to the extent that the total salaries are rolled up by department they should be comfortable with providing that information. Mr. Lee said that information would be helpful so Stadium Authority staff could validate how much was spent out of the amount budgeted.

Mr. Beauchman stated that shouldn't be a concern since he didn't think there were any departments with only one person. Mr. Acton shared that there was a department with two people. Vice President & Controller Esther Chi added that ManCo does use employee IDs numbers to log in. Ms. Lam restated that having employee ID information would be very helpful as an identifier to help Stadium Authority staff validate and tie back information to Shared Expenses next year when preparing the budget. Mr. Beauchman stated that ManCo would need to figure out the best way to signify employees and they should be able to create something to tie back to the roll up which was what the need. He noted that the focus for today's meeting was to look at the budgeted items and that the focus on tying back the actuals could take place later, and that it generally seems like they could do it but they wanted to make sure that its done in a way that is rolled up. Mr. Lee agreed and said the unique identifier would be helpful because we want to be efficient. He noted that anything that the group does now would expedite the verification process later on. He also said that in the Stadium Authority's notes, staff would respect the confidentiality.

Ms. Lam and Mr. Lee requested Mr. Acton to start going through the data in the spreadsheet which contained names and salary information for the 45 full-time ManCo employees who make up the Shared Expense salaries that are allocated between Stadium Authority and ManCo. Mr. Lee asked to start with the Engineering Department staff, which has 15 positions. Mr. Acton stated that the Engineering Department had 11 Stationary Engineers, one Assistant Chief Engineer, one chief engineer, one Vice President, Stadiums Operations, and one Administrative Engineering Coordinator. Ms. Lam asked whether the staff are salary or hourly. Mr. Acton answered that all the positions are unionized, so hourly, except for the Vice President and Administrative Engineering Coordinator positions. Mr. Lee asked about the average salaries, and Mr. Acton provided sum of the staff's hourly rates, overtime, and taxes and benefits. ManCo staff stated that only one position received a bonus. Mr. Lee also asked questions about one Engineering position's salary to clarify whether the amount shown was 100% of their salary, which ManCo staff confirmed that it was.

Mr. Lee asked ManCo staff to provide more detail about Stationary Engineers' responsibilities. Mr. Acton answered that ManCo sent over the positions' job descriptions and pulled up the document for everyone's review. Mr. Lee noted that all the positions looked filled and asked if the staff were still going in without events at the stadium. Mr. Beauchman answered that the Stationary Engineers are still there for routine work around the stadium. Mr. Acton noted that the number of Engineering staff has been pretty static over the years. Mr. Beauchman noted that the number of staff was the basic level of what was needed to operate the building. Mr. Lee asked if there is a bigger workload when there are events. Mr. Acton noted that if the Stadium Authority wanted to know what the Engineering staff did during events, they could work towards getting staff that information. Ms. Lam asked if the Engineering staff charged their times to events. Mr. Acton answered that all of the employees whose information was being shown were split 50/50 so they do not charge to specific events.

Mr. Lee referenced the ongoing vaccination site at Levi's Stadium and the engineers keeping the building running. He asked whether ManCo did a cost allocation to charge the Engineer's time back to the vaccination site. Mr. Beauchman answered that in past years there were up to 300 days when people are in the building and no matter what, those expenses are split 50/50. He noted that Stadium Authority and ManCo did that when they put the contract together so that amount is split and that the number of events would not impact the split amount. In reference to the vaccination site, Mr. Beauchman said that Guest Services Representatives were working on the vaccinations and their costs would not be charged to Shared Expenses.

Mr. Lee asked about security at the Stadium and whether they were also helping with the vaccination site. He also asked if the security staff would be working whether or not there were events. Mr. Beauchman responded with an example of someone sitting in the command center, which was needed regardless of events. He noted that there's going to be one even if there is extra security for vaccination site, which they did have and the extra security would not be reflected in Shared Expenses.

Mr. Lee asked about the security dog that sniffed staff's cars prior to the entering the stadium and whether that security was for both Levi's Stadium and the practice facility. Mr. Beauchman answered that the security dog and security person was just for Levi's Stadium and the process that was being used when Stadium Authority staff came into the building was the Levi's Stadium check in process regardless whether people were here for Stadium Authority of NFL work. He noted those people are still being charged 50/50 and that will continue even though the day to day may vary. He said there used to be more Stadium Authority events than NFL events so the 50/50 split wasn't based on number of events. Mr. Lee asked how the Shared Expense staff filled out their timesheets and whether they charged to events. Mr. Beauchman confirmed that they did not charge to events. Mr. Lee asked whether the Shared Expense groundskeeping staff also worked on the practice facility. Mr. Acton answered that he believed there are separate people for the practice facility.

Mr. Lee referred to the spreadsheet and asked if ManCo staff could sum up all the totals for salary, overtime, bonuses, and taxes and benefits, which Mr. Acton obliged. Stadium Authority staff reviewed the totals for salary, overtime, bonuses, and taxes and benefits for each department (Engineering, Stadium Operations, Guest Services, Groundskeeping, and Security). Ms. Lam and Mr. Beauchman discussed whether this is the type of information that the Stadium Authority would need rolled up for validation.

Mr. Lee asked whether the Engineering staff were responsible for CapEx projects. Mr. Beauchman answered that they assisted and advised what needs to be done. Mr. Lee asked if

there was a different team that would work on CapEx projects. Mr. Beauchman answered that the Engineering Department was the primary group responsible for that work, with ManCo's Executive Vice President & General Manager Jim Mercurio overseeing the projects. Mr. Beauchman noted that there may be nuances that he was not communicated but what he communicated was based on his understanding.

Ms. Lam asked how the Shared Expense staff's taxes and benefits were determined. Mr. Acton answered that those numbers were based on what benefits employees elected last fiscal year. He noted that the budget was put together back in January so if ManCo anticipated any staff having merit increases then they grew their benefits by 3%. He also noted that employees could elect for different benefits (e.g., insurance one year and not the next year) so the actual number is dependent on what people elect. Ms. Lam asked if that benefit amount also included overhead. Mr. Acton confirmed that overhead was not part of Shared Expenses.

Mr. Lee said that when he looked at taxes and benefits, he noticed that they varied between the departments. Mr. Acton said the biggest difference is for Engineering and that is because they're unionized. Mr. Lee asked for clarification if the benefits included health insurance and other items, which Mr. Acton confirmed. Mr. Lee asked for the matching contribution amount. Ms. Chi answered that it's 50% employee contribution, 2.5% of employee salary or $3,750, whichever one is lowest. Mr. Beauchman added that the maximum amount of contribution was $3,750. Mr. Lee whether the taxes portion was just standard payroll tax and social security, which Ms. Chi confirmed.

Ms. Lam asked Mr. Acton to go to the section in the spreadsheet that showed the Stadium Authority's allocation (50/50 split for all staff except those in groundskeeping, which have a 70/30 split). Mr. Lee asked to go back to the Engineering positions on the spreadsheet and asked whether the number of Engineering staff was the same over the years. Mr. Acton said that the number was mostly the same, but the Vice President of Operations used to be in the Stadium Operations Department so that is the only difference.

Mr. Lee moved on to the Groundskeeping Department, which had three staff. Stadium Authority staff reviewed each individual's salary as well as the average salary. Mr. Lee asked if promoters for events, e.g., Monster Jam, had their own groundskeeping staff. Mr. Beauchman answered that promoters would have their own groundskeeping staff but ManCo's groundskeeping staff would work with them to figure out what they need. Mr. Lee referred to the budget document that contained the job descriptions for the groundskeeping staff's responsibilities, which included water management and prepping the surface for games and events. He asked whether the groundskeeping staff would oversee piping too, like the broken recycled water line. Mr. Beauchman didn't think that the groundskeeping staff would be involved with that. Mr. Acton noted that what they were sharing was based on what they knew about the positions. Mr. Lee said that he understood and that he just wanted to get a good understanding of what the staff were responsible for. Mr. Beauchman added that the groundskeeping staff were responsible for everything natural above the concrete and stated again that he did not think that they were involved with irrigation. Mr. Lee asked whether the groundskeeping staff were also responsible for the turf around the rim of the field. Mr. Beauchman said yes, it was because the staff's purview was within the green boundaries.

Mr. Lee noted that the meeting was about staff's salaries but asked if ManCo used other contracts for groundskeeping. Mr. Beauchman answered that the groundskeeping staff were responsible for the majority of the work, but they had contractor for when the sod got damaged. He said their staff would be responsible for the day to day operations and management.

Mr. Lee asked if Mr. Beauchman anticipated letting Stadium Authority perform a similar type of this review for contracts and other items in the future. Mr. Beauchman referenced the annual audit and stated that they expected that things would be audited through that process. He noted, in terms of breaking down every single budget, they haven't discussed that internally because that's not something that they've ever done for the budget process. He shared that their position was that reviewing items individually was part of the end of the year audit which has been done. Mr. Beauchman noted that ManCo would continue bringing new agreements forward for the Stadium Authority Board to approve but they haven't talked about outside services. Mr. Lee shared that having that information would be helpful in planning ahead for next year's budget.

Mr. Beauchman said that ManCo would follow what is required by agreements. He acknowledged that Mr. Lee received direction from the Stadium Authority Board but said that is separate from what the agreements state. He referenced back to the agreements and ManCo's focus on what is required by the agreements. He noted, that as far as they knew, the agreements didn't require them to be that forward looking. Mr. Beauchman added that they wanted to get to a point where there is a good understanding what is spent and that they were open to having those discussions but they understood what the previous direction from 2019 looked like. He said that they were looking for middle ground to move beyond the position of what the agreement required if both parties agreed.

The next department that was reviewed was Guest Services, which had two positions. Ms. Lam asked, in reference to the low number of staff, if most of the staff were outsourced. Mr. Acton answered that there were a lot of part-time people, who are involved with training and that the two full time staff managed all those people. Mr. Beauchman asked Stadium Authority to be discreet with the information related to Guest Services and Groundskeeping due to those departments' only having a few staff.

Mr. Lee asked if other Guest Services staff were contractors. Mr. Beauchman answered they were and they charged to specific events that they worked. He noted that general training time got charged 50/50. He said that the two Guest Services staff were responsible for making sure that there are enough Guest Services staff, that they got their training, and that there were enough people on site for events. The two full time Guest Services staff were charged 50/50. Mr. Acton added that the part-time contractors were hired by 49ers. Mr. Lee asked if the two staff were managing all the part time people who were working the vaccination site, which Mr. Beauchman confirmed. Mr. Lee asked what the staff did during the pandemic when there were no events. Mr. Acton shared that there used to be 4-5 people in Guest Services. Mr. Lee asked whether the headcount for Guest Services would increase as events picked up. Mr. Beauchman said for discussion purposes, there would be changes to the Guest Services department but that applied generally for all departments. He noted that the change wouldn't happen this year but especially for this group there was a drop and they anticipated seeing more events for FY 2022/23.

Security was the next department that was reviewed. Mr. Beauchman noted that this department was responsible for operating security. Mr. Lee asked for clarification whether these staff would be the ones at events. Mr. Beauchman clarified that there is separate event day security provided through their contractor, Landmark. He noted that Landmark's 2017 contract was approved by the Stadium Authority Board so Stadium Authority staff should have a copy. Landmark works with the City's Police Department and the Security Department is the group that works with Landmark to manage that operation. Mr. Lee asked if during COVID-19, whether

the Security staff were onsite or working remotely. Mr. Acton and Mr. Beauchman answered that some staff work offsite but some do go in, such as ManCo's Director of Security. Mr. Beauchman added that some of the Security staff managed the technology, so they had to be on site to make sure those things were operating. Mr. Lee asked whether Guest Services and Groundskeeping staff have been working offsite during the pandemic. Mr. Beauchman answered that the Guest Services staff have been mostly remote but Groundskeeping have working on site.

Stadium Operations was the next department to be reviewed. The department contained a variety of positions that were responsible for things from A/V, warehouse, to procurement, etc. Stadium Authority staff reviewed departmental staff's salaries.

Mr. Lee and ManCo staff discussed IPTV (internet on screen) and whether the Manager had his own crew. Mr. Beauchman explained that the IPTV was a big system that you need expertise to manage the system. Ms. Lam asked questions about a management position and whether it was hourly. Mr. Acton said that he believed the position was non-exempt. Ms. Chi shared that staff's management titles did not automatically meant that they're exempt.

There was discussion about whether the assumption was that things would go back to normal by 2022. Mr. Acton answered that some of budgeted costs may be reduced from some of the actuals for 18/19 but if the stadium is busy then they may need more resources.

Mr. Lee asked whether the Stadium Operations staff were offsite during COVID-19. Mr. Acton answered there was a healthy mix. Mr. Beauchman added that staff worked offsite when they could but came in when they are needed onsite. Ms. Lam noted that there was one vacancy on the Stadium Operations team. Mr. Lee asked for clarification whether the stadium operations applied to only Levi's Stadium or other 49ers facilities as well. Mr. Beauchman answered that the stadium operations were only for Levi's Stadium. There was discussion about the SAP practice facility and associated staff.

Going back to the spreadsheet, Mr. Lee asked about the bonus pool amount that was on the bottom of the worksheet. He asked how the bonus figures were determined. Mr. Acton clarified that bonus pool was just for full time staff. He explained the process for bonuses, which were recommended by Mr. Jim Mercurio, approved by HR and then approved by the president. Mr. Lee asked whether the bonuses were based on salary or contracts. Mr. Acton answered that the bonus pool itself was determined by historic bonus amounts. Mr. Lee asked if during a COVID environment, there would be less bonuses distributed. Mr. Beauchman responded that he didn't think the amount would be a lot less. Mr. Lee asked for more clarification about the process for recommending bonuses at the end of the year, which Mr. Beauchman provided.

Mr. Lee noted that Finance staff were not included in the spreadsheet. Mr. Beauchman answered that was correct because the spreadsheet only dealt with Shared Expenses under the Lease. The positions in the spreadsheet were split 50/50 and 70/30 as defined by the Lease. Mr. Lee asked if Finance staff ever charged as Shared Expenses, which Mr. Beauchman said no, they would have never charged to Shared Expenses. He referenced the graph in ManCo's budget presentation and said that those are staff below the line and don't charge 50/50. Mr. Lee asked him to confirm that Stadium Builder Licenses staff were also below the line, which Mr. Beauchman confirmed. Mr. Lee asked whether the G&A invoice included Finance staff's time. Mr. Acton responded by providing his position as an example – his position was G&A and not Shared Expenses, so he charged his time when he worked on Stadium Authority work. Mr. Lee

asked if information was reflected on staff's timecards. Mr. Acton answered that they did charge the time in their payroll system, ABI Mastermind.

Mr. Lee asked if Ms. Lam wanted the unique identifier for these people whether they would see the same people in the system. Mr. Beauchman answered that these people are only in Shared Expenses. Mr. Lee asked if at some point later that day, whether Stadium Authority could see how a Shared Expense staff tracked their time. Ms. Chi responded that Shared Expense staff did not track their time. She said that they used ABI Mastermind for management staff to track their time on Stadium Authority work. She provided an example of Stadium Builder License staff, who are exempt, indicating how much time they spent on Stadium Builder Licenses work. Mr. Lee asked who pays for the staff who charge directly to an event. Mr. Acton asked for more clarification, which Mr. Lee used Ms. Chi's time as an example of how she would potentially charge her time based on time spent on Stadium Authority and non-Stadium Authority work. Ms. Chi said she would document the hours spent on Stadium Authority work in the ABI Mastermind payroll system. Mr. Acton added that those costs would be reflected in the "Other G&A" line item. Mr. Beauchman said that the Other G&A line item was tied to Stadium Authority and not specific items and events.

Mr. Lee asked if planning for events were charged to an event. Mr. Beauchman answered that was a general expense and not charged to an event. Mr. Lee asked how general event costs are allocated. He noted that the Shared Expenses allocations were clear and he understood how costs to NFL events and Non-NFL events were charged. Mr. Beauchman noted that he didn't want to get too far into that topic because they are a part of the loss for this upcoming year. He said that no events occurred in 2021 but there was still prospecting that occurred so there were costs. He noted that it was clear to ManCo staff there were separate buckets but he understood that those might not be as clear to Stadium Authority staff.

Mr. Lee stated that having the spreadsheet of the different buckets would help Stadium Authority staff explain the numbers to the Stadium Authority Board. He said that the type of review that Stadium Authority and ManCo went through made it a little less efficient. He noted that he was trying to learn and understand the information as much as he could and to avoid misinformation.

Ms. Lam asked if exempt employees had to enter their time, which Mr. Acton answered they did not have to track their time. Ms. Lam asked about ManCo's procurement staff, which she understood to be a Procurement Manager and a part time person. Mr. Acton told her that the Procurement staff were part time and that they had two open positions and one person just joined.

Mr. Lee asked to do some salary sampling from the spreadsheet and reference their salaries against what was in the system, which ManCo staff agreed to. Mr. Acton noted that the actuals may not match up because the budgeted amounts were estimates. Stadium Authority staff reviewed the salaries for 13 staff (5 in Stadium Operations, 2 in Security, 1 in Guest Services, 1 in Groundskeeping, and 4 in Engineering) against their bi-weekly pay in ManCo's payroll system.

There was discussion about how inflation was accounted for and then staff moved on to a position that received a bonus but the net difference was $0 because that position did not receive a salary increase. There was discussion about that person's offer contract included the bonus. Mr. Lee asked ManCo staff to show the pool of bonuses again on the spreadsheet. The bonus potential for full time staff was $305,000.

Mr. Lee asked for more detail about the procurement staff. Mr. Acton answered that the part time positions would help the Procurement Manager and would be split 50/50. Ms. Lam asked Mr. Acton if he could scroll back so Stadium Authority staff could see how many people were sampled. Mr. Acton noted that the sampled positions were: 5 in stadium ops, 2 in security, 1 in guest services, 1 in groundskeeping, 4 in engineering. Mr. Beauchman asked Stadium Authority staff to maintain ambiguity of the people who got selected for Guest Services and Groundskeeping.

Mr. Lee asked for the breakdown for part-time staff. Mr. Acton shows an updated spreadsheet that includes the rate for the guest services people, number of staff and number of trainings. Mr. Lee noted that there were no employee names on the sheet and asked if the sheet was something that ManCo could provide. Mr. Beauchman acknowledged that the information did look very general but he would have to check with the team.

Mr. Lee asked for more information about the different types of training for part-time Guest Services staff, which ManCo staff answered (rookie training for new staff and veteran training for staff who have been there a while). The spreadsheet contained multiple types of training: rookie training, veteran training, ADA training, TEAM & Conflict Resolution training, and CPT. He noted that when Mr. Beauchman brought the request back to the team, it would be helpful to add that the part-time information was more generalized and that it would be more efficient to have a copy of the detail so he didn't have to take down all the notes. Mr. Beauchman said he would.

Mr. Lee asked for more information on the scheduling process for part-time staff during the pandemic. Mr. Acton there were still costs because the stadium was open; however part-time people will come back once events return. Mr. Lee asked if the training costs were coordinated to events. Mr. Acton answered yes, so the training costs were way down last year. He noted that didn't mean that they didn't do any trainings, because they did, but there was just less. Ms. Lam asked Mr. Acton to clarify whether Guest Services staff charged to events when there were events, which he confirmed.

Mr. Lee asked to look at the Stadium Operations part-time staff. The Stadium Ops part-time staff spreadsheet reflected 8 positions: Logistics Supervisor, Logistics staff, Loading Dock Warehouse Supervisor, Loading Dock Warehouse Staff, A/V Staff, Office Staff, Command Post Manager, and Medical Risk Staff. ManCo staff noted that these are day to day staff who are not tied to training. Mr. Lee asked about anticipated 10 hours worked per week for two positions (Command Post Manager and Medical Risk Staff) and asked what those positions were responsible for. Mr. Acton responded that he didn't know exactly but that generally, the logistics staff were in the stadium everyday doing everything. Mr. Beauchman asked his team whether the part-time staff were included in the job descriptions that ManCo provided the Stadium Authority. Mr. Acton answered that ManCo only provided the descriptions for full time staff. Mr. Lee asked if the part-time staff would use the ABI Mastermind payroll system to track their time, which Mr. Acton confirmed.

Mr. Lee asked whether any of the people would charge to events. Mr. Acton answered that if they work on an event, then they will charge their time to that event. Mr. Lee asked whether all the part-time positions were filled during COVID. Mr. Acton shared that the Command Post Manager and AV staff positions were not filled now. He noted as things get going at the stadium, ManCo planned to bring those staff back.

Mr. Lee asked whether ManCo used a scheduling software to track the part-time staff's time. Ms. Chi answered that would be ABI Mastermind. Mr. Lee asked whether ABI could produce summarized reports that doesn't contain employee information so that Ms. Lam could tie back the part-time staff costs charged during an audit. Mr. Chi said that they could probably run reports by totals, departments, and monthly in ABI. She shared that they had an ABI cost report that was sent monthly for Guest Services staff that they used to reclass to specific amounts. Ms. Lam asked whether the part-time staff were allocated in ABI. Ms. Chi responded that she hasn't looked at that but it wouldn't be fixed. She noted that she didn't know how the Guest Services Director/Manager scheduled the staff and that the schedules could look very different week to week. There was more discussion about how part-time staff's time was tracked in the ABI Mastermind system. Mr. Acton noted that he was not in the system all the time but the reports should be able to pull the breakdown of what was charged to events (e.g. $20 to rolling stone, $80 to something else).

Stadium Authority staff then requested to look at the part-time Procurement positions, which included three positions and had a total budget of $190,175. Mr. Lee asked for clarification as to why two of the procurement part-time positions were anticipated to work 39 weeks instead of 52. Mr. Acton answered that ManCo was planning to bring those positions on after Q1 of this fiscal year. Mr. Lee asked him to confirm that moving forward the two positions would be anticipated to work 52 weeks out of the year, which Mr. Acton confirmed. Mr. Lee asked for more detail about the procurement staff's responsibilities. Mr. Beauchman answered that those positions would help with procurement like sourcing and bidding.

Mr. Lee noted Mr. Beauchman brought up uniforms and contracts during a previous meeting. Mr. Beauchman said that they were just discussing the $4.2M for salary that day. Mr. Lee asked ManCo staff to confirm that the $4.2M was totaled by adding everything such as bonuses, salaries, etc. Mr. Acton confirmed that they got that number by adding up the gross amounts and multiplying it by 50%.

Mr. Lee and Ms. Lam listed the outstanding items that were requested from ManCo: Part-time details, offer letter for the management position that was discussed regarding salary and bonus, and the list of the FTEs with the unique identifier. Mr. Beauchman said the last item was part of a larger conversation but that they should be able to get back to Stadium Authority staff about the other two items fairly quickly. Ms. Lam shared that the unique identifier information was something was very helpful. Mr. Beauchman said he understood but that he saw the meeting as the first step towards verifying the $4.2M in Shared Expenses. He noted that the most important thing was Stadium Authority staff being comfortable about what they reviewed that day. He said that he hoped that Stadium Authority staff could use that information to tie back the numbers. Mr. Lee agreed that the meeting and information shared through the screen was very informative and it was to good to know and understand the information. Mr. Lee said he would check in with the Stadium Authority team to build out what was needed to check out the information. He noted that while they did sampling for the employees, and he took some notes on the part-time staff, it would be helpful to have more documentation as more back up and to help with the validation that Ms. Lam would come back for later for the actuals. Mr. Lee said from a process cycle it makes sense all the way through to speed things through. Ms. Lam added that it would be very helpful to cross walk the unique information for NFL events.

Mr. Lee stated that Stadium Authority staff have not seen a lot of detail for G&A costs, including who's charging what. He said that's also where we're trying to validate the different pools and some of those details are needed. Mr. Lee provided examples of City departments and Spectra, a City contractor that manages the Santa Clara Convention Center, and requiring details from a

due diligence standpoint. Mr. Beauchman noted that ManCo was different from the City's department but he acknowledged that the two groups got a lot done during the meeting and that would lead to working together more in the future. He ended the meeting by stating that the two groups could have an open conversation about how to progress from there.

21-662 **Agenda Date: 5/25/2021**

INFORMATIONAL REPORT TO COUNCIL

SUBJECT
Informational Report Regarding Bi-yearly Project Status Report of the GIS Services Program

COUNCIL PILLAR
Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND
On October 29, 2019, Arini Geographics was awarded a contract for Enterprise GIS Consulting Services. The contract was awarded as a three-year professional services agreement for the initial term of the contract, with the option of one additional two-year renewal term. Council has requested a bi-annual project status report of GIS services. This is the third report.

DISCUSSION
With location a common attribute across numerous city services and assets, the City's Enterprise GIS Program is a framework of people, process and technology enabling geospatial and asset information across departments to be managed in a single system. Integrating this information and making it available to staff and the public enables operational effectiveness, data driven decision making, cross departmental and regional coordination, citizen engagement and transparency.

Efforts are focused on both projects and day-to-day operations. Despite challenges encountered by shelter-in-place regulations, there is significant progress for the current reporting period.

Projects - Highlighted project accomplishments during this reporting timeframe:

Project	Current Reporting Period	Next Reporting Period
infoMap Upgrade	✓ **Completed**	
Streets Sign Inventory	✓ **Completed**	
Streets Trees Inventory	In Progress	Completion Planned
PD Records Mgmt System	In Progress	Completion Planned
Mobile Map for PD	In Progress - *Note below	Completion Planned

- Launched the new and significantly improved infoMap 3.0, available to City staff, providing maps and location-based information such as address, parcels, streets, ownership, property reports, zoning, FEMA floods designations, council districts, etc., plus a wide variety of mapping, redlining, querying, and reporting capabilities. In addition to migrating from obsolete underlying technology, the new infoMap is now hardware and web browser independent and can be used on both desktop computers and mobile devices connected to the City network. Productivity

improvements include the ability for maps to be saved and shared online, controlled access, and ability to upload other mapping layers (such as Google Earth/Maps) for custom geospatial analysis and cartography. Supported by a new help system specific to the City and regularly scheduled training, the upgrade is expected to increase the usage of GIS information as part of everyday business and improve decision-making citywide.

- Completed citywide street signs inventory: located and photographed 9,064 signposts holding 13,885 signs, together with specifically designed digital cartography to be integrated with the City's EAM, featuring a comprehensive sign symbol library of more than 450 representations to the federally established standard (Manual on Uniform Traffic Control Devices, MUTCD).

- GIS inventory of sidewalks and trees lining the City streets started on April 12, 2021 and upon completion will be integrated with the City's EAM.

- Created the Mobile (Multi-source) Map for 911 field operations and tested on a first responder Mobile Data Computer (MDC). This is to be synchronized with the Computer Aided Dispatch (CAD) system. *This activity is being continued into the next reporting period to allow for issue resolution with the vendor and additional testing.

- In preparation for the new Enterprise Permit Management System, significant effort went into providing map-based productivity enhancements such as several ways of searching and mapping sites of interest, as well as optimal routing for inspections. Location validation was completed for more than 500,000 permit records to be migrated to the new citywide Enterprise Permitting System.

Planned activities over the next six months:

- Overhaul of the City Enterprise GIS Infrastructure with significant technology improvements to ensure higher availability and security, optimize performance and better support transactional GIS through multiple integrations. This major update will replace end of life underlaying technology, preventing potential business interruptions to the Enterprise GIS system and mission critical applications currently integrated with GIS (permitting, 911 dispatch, records management, publicly available apps and story maps, etc.).

- Complete GIS inventory of sidewalks and City trees, providing the Department of Public Works with first ever comprehensive inventory of trees along City streets. This is necessary for computerized maintenance management.

- Complete the testing and deployment of the Mobile Map for Mobile Data Computers in Police vehicles, synchronized with the Computer Aided Dispatch system.

- Update the speed limit attribute of the City Streets layer, based on the data from the new traffic signs inventory. The refresh will improve the optimal routing functionality being used in public safety, traffic engineering, building inspection and code enforcement applications.

- Integrate the 2020 high-resolution aerial imagery into the City Enterprise GIS Basemap. This

new natural color image is the result of the ongoing partnership with the County of Santa Clara and the Cities and special districts, which will enable the City to refresh its aerial imagery yearly at a very affordable price.

- Implement a new Operations Dashboard, which offers a near real-time visualization of edits done to the City Enterprise Basemap. The Operations Dashboard will be available internally to all City staff.

- Begin implementation of Mobile GIS for Silicon Valley Power's field operations, which will enable field crews to access and edit critical utility information right from where they work.

- Enterprise GIS integration and location awareness for new records management system (RMS) for the Police Department.

Day-to-Day Operations - Quality assurance and critical data updates are continually being performed in several areas:

Statistics and information related to Enterprise GIS activities can be found in the attached infographic (Attachment 1), indicating the number of addresses updated in the City Basemap since November 1, 2019 and the dynamic number of records in the Enterprise Geospatial Repository (EGR) by department. Enterprise GIS Web-based Applications, infoMap and MapSantaClara usage statistics are also shown both by functionality and geography. It should be noted that numbers are trending up, reflecting an easing back towards normal activity as we worked through the pandemic and restrictions lifted.

- **City Enterprise GIS Basemap** - specialized mapping system keeping track of the City's foundational map layers (includes addresses, streets, parcels, ownership, general plan and zoning designations, flooding and noise delineations, multiyear aerial imagery) and key-related attributes. From October 1, 2020 through April 30, 2021, nearly 9,000 addresses were updated, ensuring that residents, businesses, and government officials operate with the most current data. This is a 37% increase over the previous reporting period, likely reflecting increased development activity as the pandemic restrictions are gradually lifted, data updates in conjunction with the cleanup, and updates needed for the upcoming Permit Management System implementation.

- **MapSantaClara** - this web-based application provides tailored access and reporting functionality to the public at large: <https://map.santaclaraca.gov>. From October 1, 2020 through April 30, 2021, over 27,000 visits were made representing an increase of 52% over the previous reporting period, likely due to the ongoing citywide clean-up campaign since the residents are using MapSantaClara to check their address / property status and pick-up timing.

- **Open Data Geospatial Portal** - this web-based repository provides the business community, other agencies, City contractors and the public at large with up-to-date common GIS data layers such as streets, addresses, parcels, voting districts, census blocks, etc. without the need to request such information, saving City staff time and enabling applications to direct-read and process GIS information. Providing the public with updated authoritative data is a core aspect of the GIS program, thereby increasing confidence, transparency and trust: <https://map.santaclaraca.gov/data>

- **Story Maps -** six publicly-available, web-based applications that facilitate information dissemination and increase the level of service to the public, including Development Projects and Live Traffic Cameras: <http://santaclaraca.gov/devprojects> and <http://santaclaraca.gov/trafficcam>

- **Public Safety** - remains one of the City's top priorities and has many GIS interconnections. Dedicated datasets, maps, map services, applications, and integrations, for both Fire and Police Departments, are being maintained and map updates to the Computer-Aided Dispatch (CAD) system are being done at scheduled intervals; successfully completing two planned updates in the past six months. The reliability and importance of keeping the data current has several implications including officer safety, response times/routing and more.

- **Enterprise Asset Management (EAM)** - key focus area enabling more effective management of City's assets to improve their utilization and performance, reduce capital costs, reduce asset-related operating costs, extend asset life and subsequently, increase return on assets and quality of service. EAM also helps improve environmental compliance as well as meet occupational safety regulations.

- **Regional GIS Collaboration and Coordination** - the City continues to collaborate with neighboring cities, the County of Santa Clara, and other government agencies to ensure regional timely and quality data acquisition and sharing. Through an ongoing effort, we have acquired new high-resolution aerial imagery, which will become an integral part the Enterprise GIS Basemap before the end of the current fiscal year. High resolution imagery helps locate things on the ground without field visits, location awareness and coordination. Additionally, the imagery is used for identification and extraction of discrete objects, which are City assets. With the increased development activity in the City, this is especially helpful. Other regional activities include seamless countywide Basemap GIS layers sharing and upkeep, as well as emergency response preparedness.

- **Steady State GIS** - fulfilled numerous requests from various City departments, including producing mailing lists for specific areas requested, improved Council Districts map, with higher resolution and better legibility, plus new individual maps for each district, now publicly accessible on the City's website <https://www.santaclaraca.gov/our-city/government/mayor-and-council/council-districts>. Change of addresses, parcels and streets are being tracked on a weekly basis and property ownership is being updated monthly through reports received from the County of Santa Clara Assessor's Office. A non-exhaustive list of other GIS layers that are being regularly updated includes: FEMA Flood Zones and LOMA notifications, Annual Clean Up Campaign locations and dates, and the addition of new developments throughout the City.

ENVIRONMENTAL REVIEW

This is an informational report only and no action is being taken by the City Council and no environmental review under the California Environmental Quality Act ("CEQA") is required.

FISCAL IMPACT

There is no cost to the City associated with this report other than administrative time and expense.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov.

RECOMMENDATION

Note and file the Informational Report regarding the Bi-yearly Project Status Report of the GIS Services Program.

Reviewed by: Gaurav Garg, Director of Information Technology/CIO
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Infographic - Enterprise Geospatial Program Activity

Enterprise Geospatial Program Activity

November 1,2019 - April 30, 2021

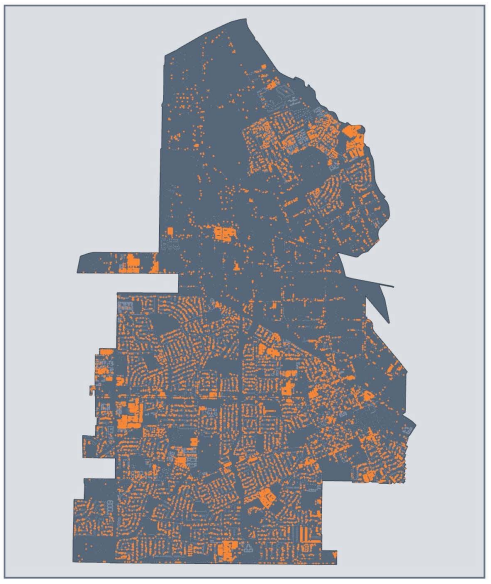
Enterprise Geospatial Repository (EGR)

InfoMap (http://infomap.santaclaraca.gov/) provides City Staff easy access to up-to-date and accurate GIS data, and printable maps and reports. These services and their supporting data facilitate operations in land records, public works, fire services, emergency management, law enforcement, planning and development, elections, health and human services, and many others.

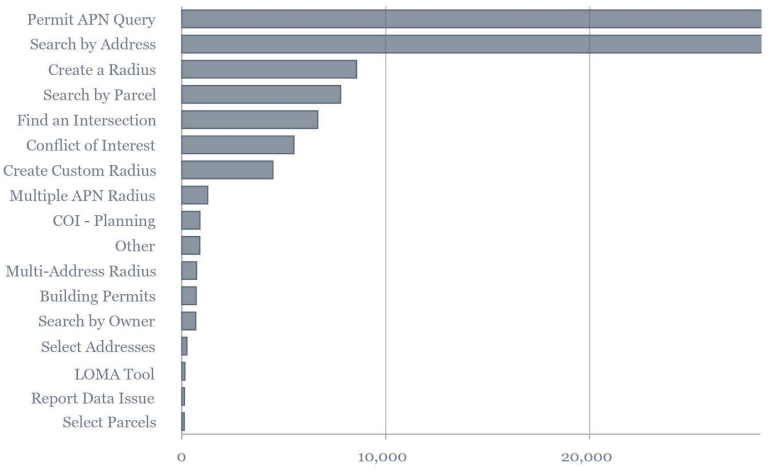
MapSantaClara (https://map.santaclaraca.gov/), an interactive city map, provides the City's residents, businesses, and developers with quick access to information about Santa Clara.

Addresses Updated

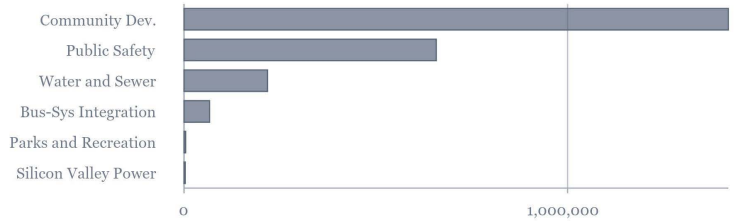
24,790



InfoMap Usage by Functionality



EGR Record Count by Department

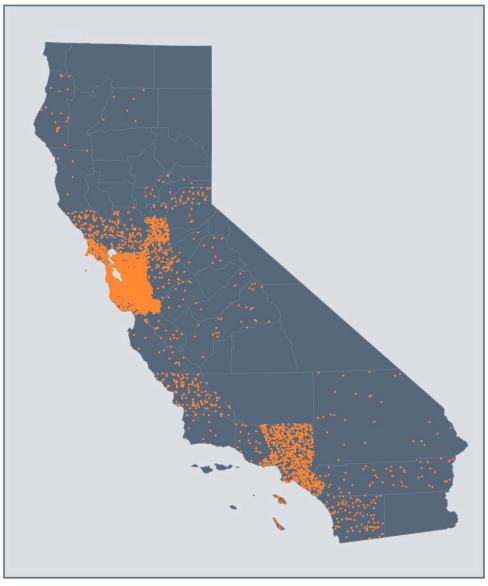


MapSantaClara Usage by County

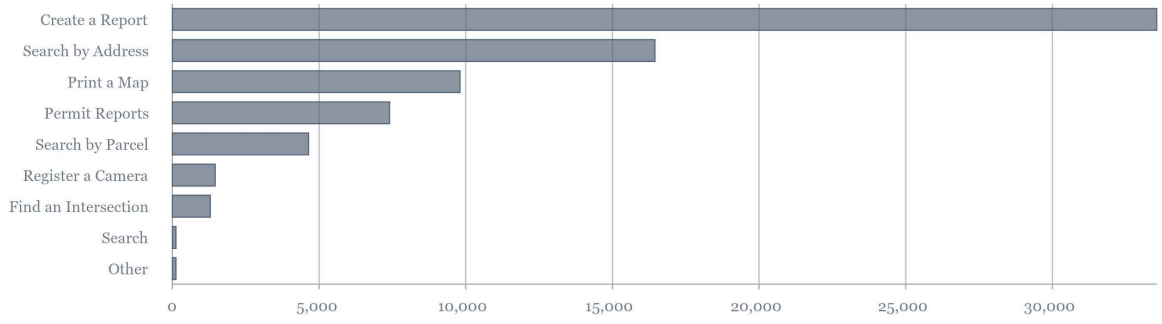
128,575 visits/requests*

Santa Clara	80899	San Joaquin	921	Monterey	153
Alameda	9301	Sonoma	838	Yuba	93
San Francisco	7561	Solano	512	Merced	92
Los Angeles	5950	Riverside	494	Santa Barbara	91
San Mateo	4852	Napa	417	Tuolumne	82
Contra Costa	4288	Placer	385	Shasta	67
Sacramento	2271	San Bernardino	267	Yolo	61
Marin	2091	Fresno	248	El Dorado	60
Santa Cruz	1748	Stanislaus	234	Mendocino	54
Orange	1628	Humboldt	200	Madera	35
San Luis Obispo	1315	Ventura	189	Calaveras	34
San Diego	930	San Benito	180	Nevada	34

* Cumulative number of visits, of which 64,793 were counted from 05/01/2018 to 10/31/2019.



MapSantaClara Usage by Functionality



21-767 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action to Approve/Ratify Agreement with Management Partners for Executive Evaluation Facilitation

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
The City Attorney has an employment agreement with the City. The employment agreement contains the following:

> 4. Performance Appraisal: The City Council shall formally review and evaluate Employee's performance by December of each year.

It is recommended that a professional facilitator be retained to mediate the process and provide a comprehensive summary of the results.

DISCUSSION
On April 21, 2021, the City Council met in closed session to interview a candidate to serve as the performance evaluation facilitator for the City Attorney's annual performance evaluation process. Following the closed session, the council reported out that the Council had authorized the Mayor to negotiate an agreement to retain the candidate's consulting firm. The Mayor conducted the negotiation and reached an agreement with the candidate's firm.

The facilitator is Jan Perkins, Vice President of Management Partners. Jan has worked with the City before and has over 30 years of local government management experience. She works with senior local government managers and elected officials to conduct performance evaluations, develop budget policy, conduct organizational assessments, and more. She has worked with cities and counties across California and beyond. Her experience and professionalism, as well as her familiarity with the City, makes her particularly qualified to facilitate the City Attorney's annual evaluation process. The timing of the performance evaluation will be in the Summer of 2021.

It is recommended that the Council approve the contract between the City and Management Partners, attached for the Council's consideration.

ENVIRONMENTAL REVIEW
The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a

potential significant impact on the environment

FISCAL IMPACT

The total cost of the Agreement for Services with Management Partners for facilitation of the performance evaluation process for the City Attorney is $12,900, which includes individual interviews with City Councilmembers, administration of a confidential questionnaire, and a final memorandum summarizing the agreements and results of the performance evaluation. There are sufficient funds in the City Attorney's budget to cover this cost.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Approve/ratify the agreement with Management Partners for facilitation of the City Attorney performance evaluation process.

ATTACHMENTS

1. Management Partners Agreement for City Attorney Performance Evaluation

DocuSign Envelope ID: 3CFC34CF-C086-4B75-A247-50B3A25363D8

AGREEMENT FOR SERVICES BETWEEN THE CITY OF SANTA CLARA, CALIFORNIA, AND MANAGEMENT PARTNERS, INC.

PREAMBLE

This Agreement is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and Management Partners, Inc., a Ohio corporation, (Contractor). City and Contractor may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

A. City desires to secure the services more fully described in this Agreement, at Exhibit A, entitled "Scope of Services;"

B. Contractor represents that it, and its subcontractors, if any, have the professional qualifications, expertise, necessary licenses and desire to provide certain goods and/or required services of the quality and type which meet objectives and requirements of City; and

C. The Parties have specified herein the terms and conditions under which such services will be provided and paid for.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AGREEMENT DOCUMENTS

The documents forming the entire Agreement between City and Contractor shall consist of these Terms and Conditions and the following Exhibits, which are hereby incorporated into this Agreement by this reference:

Exhibit A – Scope of Services

Exhibit B – Schedule of Fees

Exhibit C – Insurance Requirements

Exhibit D – Labor Compliance Addendum (if applicable)

This Agreement, including the Exhibits set forth above, contains all the agreements, representations and understandings of the Parties, and supersedes and replaces any previous agreements, representations and understandings, whether oral or written. In the event of any inconsistency between the provisions

of any of the Exhibits and the Terms and Conditions, the Terms and Conditions shall govern and control.

2. TERM OF AGREEMENT

Unless otherwise set forth in this agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on the date of contract execution by all parties and terminate six months later. At the sole discretion of City, the Agreement may be extended for up to an additional six months with no change in rates.

3. SCOPE OF SERVICES AND PERFORMANCE SCHEDULE

Contractor shall perform those Services specified in Exhibit A within the time stated in Exhibit A. Time is of the essence.

4. WARRANTY

Contractor expressly warrants that all materials and services covered by this Agreement shall be fit for the purpose intended, shall be free from defect and shall conform to the specifications, requirements and instructions upon which this Agreement is based. Contractor agrees to promptly replace or correct any incomplete, inaccurate or defective Services at no further cost to City when defects are due to the negligence, errors or omissions of Contractor. If Contractor fails to promptly correct or replace materials or services, City may make corrections or replace materials or services and charge Contractor for the cost incurred by City.

5. QUALIFICATIONS OF CONTRACTOR - STANDARD OF CARE

Contractor represents and maintains that it has the expertise in the professional calling necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and City expressly relies upon Contractor's representations regarding its skills and knowledge. Contractor shall perform such Services and duties in conformance to and consistent with the professional standards of a specialist in the same discipline in the State of California.

6. COMPENSATION AND PAYMENT

This is a fixed price contract, subject to monthly invoicing by the Contractor. In consideration for Contractor's complete performance of Services, City shall pay Contractor for all materials provided and Services rendered by Contractor in accordance with Exhibit B, "Schedule of Fees." The maximum compensation for this Agreement is Twelve Thousand Nine Hundred Dollars and Zero Cents ($12,900) which includes all costs and expenses including but not limited to supplies, labor, materials and equipment required to perform the Services. All work performed or materials provided in excess of this maximum compensation

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shall be at Contractor's expense. Contractor shall not be entitled to any payment above the maximum compensation under any circumstance.

The fees and payment schedule for furnishing services under this Contract shall be based on the rate schedule which is attached hereto as **Exhibit B** and by this reference incorporated herein. Said fees shall remain in effect for the entire term of the Agreement. Contractor shall provide City with his/her/its/their Federal Tax I.D. number prior to submitting the first invoice. Payment shall be made within 30 days of receipt of invoice.

7. TERMINATION

A. Termination for Convenience. City shall have the right to terminate this Agreement, without cause or penalty, by giving not less than Thirty (30) days' prior written notice to Contractor.

B. Termination for Default. If Contractor fails to perform any of its material obligations under this Agreement, in addition to all other remedies provided by law, City may terminate this Agreement immediately upon written notice to Contractor.

C. Upon termination, each Party shall assist the other in arranging an orderly transfer and close-out of services. As soon as possible following the notice of termination, but no later than ten (10) days after the notice of termination, Contractor will deliver to City all City information or material that Contractor has in its possession.

D. City shall have the right to temporarily suspend Contractor's performance in whole or in part, by giving a written notice of suspension to Contractor. If City gives such notice of suspension, Contractor shall immediately suspend its activities under this Agreement, as specified in such notice.

8. ASSIGNMENT AND SUBCONTRACTING

City and Contractor bind themselves, their successors and assigns to all covenants of this Agreement. This Agreement shall not be assigned or transferred without the prior written approval of City. Contractor shall not hire subcontractors without express written permission from City.

Contractor shall be as fully responsible to City for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by them, as Contractor is for the acts and omissions of persons directly employed by it.

9. ASSIGNMENT OF PERSONNEL

The Contractor shall not substitute any personnel for those specifically named in its proposal unless personnel with substantially equal or better qualifications and experience are provided, acceptable to the City, as is evidenced in writing.

10. NO THIRD PARTY BENEFICIARY

This Agreement shall not be construed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

11. INDEPENDENT CONTRACTOR

Contractor and all person(s) employed by or contracted with Contractor to furnish labor and/or materials under this Agreement are independent contractors and do not act as agent(s) or employee(s) of City. Contractor has full rights to manage its employees in their performance of Services under this Agreement. Contractor shall be solely responsible to pay all required taxes, including but not limited to, sales, possessory interest, withholding, social security, and workers' compensation.

12. CONFIDENTIALITY OF MATERIAL

During performance of this Agreement, Contractor may gain access to and use City information including but not limited to inventions machinery, products, prices, apparatus, costs, discounts, future plans business affairs, governmental affairs, processes, trade secrets, technical matters, systems, facilities, customer lists, product design, copyright, data, and other vital information (hereafter collectively referred to as "City Information") that are valuable, special and unique assets of the City. Contractor agrees to protect all City Information and treat it as strictly confidential, and further agrees that Contractor shall not at any time, either directly or indirectly, divulge, disclose or communicate in any manner any City Information to a third party without the prior written consent of City.

In addition, Contractor shall comply with any City policies governing use of City's network and technology systems.

A violation by Contractor of this section shall be a material violation of this agreement and shall justify legal and/or equitable relief.

13. WORK PRODUCT/PRE-EXISTING WORK PRODUCT OF CONTRACTOR

Any and all work product resulting from this Contract is commissioned by the City of Santa Clara as a work for hire. The City of Santa Clara shall be considered, for all purposes, the author of the work product and shall have all rights of authorship to the work, including, but not limited to, the exclusive right to use, publish, reproduce, copy and make derivative use of, the work product or otherwise grant others limited rights to use the work product.

To the extent Contractor incorporates into the work product any pre-existing work product owned by the Contractor, Contractor hereby acknowledges and agrees

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that ownership of such work product shall be transferred to the City of Santa Clara.

Contractor shall fully defend, indemnify and hold harmless City, its officers, agents employees and each and every one of them, from and against any and all claims, actions, lawsuits or other proceedings alleging that all or part of the information prepared, produced, or provided by Contractor pursuant to this Agreement infringes upon any third party's trademark, trade name, copyright, patent or other intellectual property rights. This obligation shall survive any termination of this Agreement.

14. RIGHT OF CITY TO INSPECT RECORDS OF CONTRACTOR

City, through its authorized employees, representatives or agents shall have the right during the term of this Agreement and for four (4) years from the date of final payment for goods or services provided under this Agreement, to audit the books and records of Contractor for the purpose of verifying any and all charges made by Contractor in connection with Contractor compensation under this Agreement, including termination of Contractor. Contractor agrees to maintain sufficient books and records in accordance with generally accepted accounting principles to establish the correctness of all charges submitted to City. Any expenses not so recorded shall be disallowed by City. Contractor shall bear the cost of the audit if the audit determines that there has been a substantial billing deviation in excess of five (5) percent adverse to the City.

Contractor shall submit to City any and all reports concerning its performance under this Agreement that may be requested by City in writing. Contractor agrees to assist City in meeting City's reporting requirements to the State and other agencies with respect to Contractor's Services hereunder.

15. HOLD HARMLESS/INDEMNIFICATION

A. To the extent permitted by law, Contractor agrees to protect, defend, hold harmless and indemnify City, its City Council, commissions, officers, employees, volunteers and agents from and against any claim, injury, liability, loss, cost, and/or expense or damage, including all costs and attorney's fees in providing a defense to any such claim or other action, and whether sounding in law, contract, tort, or equity, in any manner arising from, or alleged to arise in whole or in part from, or in any way connected with the Services performed by Contractor pursuant to this Agreement – including claims of any kind by Contractor's employees or persons contracting with Contractor to perform any portion of the Scope of Services – and shall expressly include passive or active negligence by City connected with the Services. However, the obligation to indemnify shall not apply if such liability is ultimately adjudicated to have arisen through the sole active negligence or sole willful misconduct of City; the obligation to defend is not similarly limited.

B. Contractor's obligation to protect, defend, indemnify, and hold harmless in full City and City's employees, shall specifically extend to any and all employment-related claims of any type brought by employees, contractors, subcontractors or other agents of Contractor, against City (either alone, or jointly with Contractor), regardless of venue/jurisdiction in which the claim is brought and the manner of relief sought.

C. To the extent Contractor is obligated to provide health insurance coverage to its employees pursuant to the Affordable Care Act ("Act") and/or any other similar federal or state law, Contractor warrants that it is meeting its obligations under the Act and will fully indemnify and hold harmless City for any penalties, fines, adverse rulings, or tax payments associated with Contractor's responsibilities under the Act.

The existence or acceptance by City of any of the insurance policies or coverages described in this Agreement shall not affect or limit any of City's rights under this section, nor shall the limits of such insurance limit the liability of Consultant hereunder. The provisions of this section shall survive any expiration, assignment or termination of this Agreement.

16. INSURANCE REQUIREMENTS

During the term of this Agreement, and for any time period set forth in Exhibit C, Contractor shall provide and maintain in full force and effect, at no cost to City, insurance policies as set forth in Exhibit C.

17. WAIVER

Contractor agrees that waiver by City of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement. Neither City's review, acceptance nor payments for any of the Services required under this Agreement shall be constructed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

18. NOTICES

Except as otherwise provided in this Agreement, any notice, submittal or communication required or permitted to be served on a party, shall be in writing and may be served by personal delivery to the person or the office of the person identified below. Service may also be made by mail, by placing first-class postage, and addressed as indicated below, and depositing in the United States mail. Any notice or other communication provided for or required by this Agreement to be in writing shall be deemed received upon the earlier of actual receipt or three business days after proper posting.

City of Santa Clara
Attention: Mayor Lisa Gillmor
1500 Warburton Avenue
Santa Clara, CA 95050
By e-mail at LGillmor@SantaClaraCA.gov

And to Contractor addressed as follows:

Jerry Newfarmer, President and CEO

1730 Madison Road
Cincinnati, Ohio 45206
By phone at (513) 861-5400
By email at jnewfarmer@managementpartners.com

The workday the e-mail was sent shall control the date notice was deemed given. An e-mail transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following business day.

19. COMPLIANCE WITH LAWS

Contractor shall comply with all applicable laws and regulations of the federal, state and local government, including but not limited to "The Code of the City of Santa Clara, California" ("SCCC"). In particular, Contractor's attention is called to the regulations regarding Campaign Contributions (SCCC Chapter 2.130), Lobbying (SCCC Chapter 2.155), Minimum Wage (SCCC Chapter 3.20), Business Tax Certificate (SCCC section 3.40.060), and Food and Beverage Service Worker Retention (SCCC Chapter 9.60), as such Chapters or Sections may be amended from time to time or renumbered. Additionally Contractor has read and agrees to comply with City's Ethical Standards (http://santaclaraca.gov/home/showdocument?id=58299).

The Contractor shall maintain the appropriate licenses throughout the life of this Contract. Contractor shall also maintain any and all permits which might be required by the work to be performed herein.

In performing services under the Agreement during a declared statewide or local emergency, Contractor shall comply with all recommendations issued by federal, state and/or local health officials to protect the health and safety of Contractor's employees and agents, the City's employees and agents, volunteers and the general public.

In addition, the following NOTICES may apply:

1. Pursuant to California Franchise Tax Board regulations, City will automatically withhold 7% from all payments made to vendors who are non-residents of California.

2. Contractor agrees to meet all applicable program access and physical accessibility requirements under State and Federal laws, as amended from time to time, that may apply to services, programs or activities for the benefit of the public.

20. CONFLICTS OF INTEREST

Contractor certifies that to the best of its knowledge, no City officer, employee or authorized representative has any financial interest in the business of Contractor and that no person associated with Contractor has any interest, direct or indirect, which could conflict with the faithful performance of this Agreement. Contractor is familiar with the provisions of California Government Code section 1090 as well as California Government Code section 87100 and following, and certifies that it does not know of any facts which would violate these code provisions. Contractor will advise City if a conflict arises.

21. FAIR EMPLOYMENT

Contractor shall not discriminate against any employee or applicant for employment because of race, sex, color, religion, religious creed, national origin, ancestry, age, gender, marital status, physical disability, mental disability, medical condition, genetic information, sexual orientation, gender expression, gender identity, military and veteran status, or ethnic background, in violation of federal, state or local law.

22. NO USE OF CITY NAME OR EMBLEM

Contractor shall not use City's name, insignia, or emblem, or distribute any information related to services under this Agreement in any magazine, trade paper, newspaper or other medium without express written consent of City.

23. GOVERNING LAW AND VENUE

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California. The venue of any suit filed by either Party shall be vested in the state courts of the County of Santa Clara, or if appropriate, in the United States District Court, Northern District of California, San Jose, California.

24. SEVERABILITY CLAUSE

In case any one or more of the provisions in this Agreement shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions, which shall remain in full force and effect.

25. AMENDMENTS

This Agreement may only be modified by a written amendment duly authorized and executed by the Parties to this Agreement. Requests for enhancements or additional work shall require written modification of the Agreement prior to provision of any additional service.

26. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

27. RELEASE

Contractor and its officers, employees and agents hereby waive and release, without limitation, City and its predecessors, successors, subsidiaries, related entities, and current and former officers, directors, trustees, agents, attorneys, employees, volunteers and assigns from any and all liabilities, claims, demands, damages, acts or omissions, obligations and causes of action of every nature, kind and description, in law, equity, or otherwise, arising from or related to any injury or illness sustained due to exposure to COVID-19.

28. ELECTRONIC TRANSMISSION OF CONTRACT AND SIGNATURE

The Parties agree that this Agreement may be transmitted and signed by electronic mail by any of the Parties, and that such signatures shall have the same force and effect as original signatures, in accordance with California Government Code section 16.5 and Civil Code section 1633.7.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form:
DocuSigned by:
Jenica Maldonado
8D45C0D7CCD24E5...
JENICA MALDONADO
Of Counsel
Renne Public Law Group

Dated: 5/13/2021
DocuSigned by:
Lisa M Gillmor
0AD211E938C348C...
LISA GILLMOR
Mayor1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

MANAGEMENT PARTNERS, INC.
A OHIO CORPORATION

Dated: 5/13/2021
By (Signature): DocuSigned by: Jerry Newfarmer DC9BC295314542F...
Name: Jerry Newfarmer
Title: President and CEO
Principal Place of Business Address: 1730 Madison Road Cincinnati, OH 45206
Email Address: jnewfarmer@managementpartners.com
Telephone: (513) 861-5400
Fax: (513) 861-3480

"CONTRACTOR"

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Exhibit A – Scope of Services

Contractor shall perform the following services to facilitate a performance evaluation of the Santa Clara City Attorney.

Contractor's services shall be conducted remotely. The Project Manager, Facilitator and City contact for these services shall be Jan Perkins, Vice President. She will be assisted by another Contractor employee as required. References to Contractor employees below ("Contractor" or "Jan"). The City contact shall be the Mayor. References to outside legal counsel refer to Jenica Maldonado of the Renne Public Law Group ("Outside Counsel").

The following describes the plan of work anticipated for this engagement.

Activity 1 – Gather Information and Provide Report

All Activity 1 Deliverables shall be completed no later than three (3) days prior to the date set for closed session on the subject matter of this Agreement, which shall be noticed for no later than July 18, 2021. Date of closed session is subject to change. Contractor shall be provided notice of change in closed session date if applicable. Extension of time for completion of deliverables may be adjusted by agreement between the Mayor and Contractor for a period not to exceed one month to accommodate Council schedule and delays outside the control of Contractor. Any additional extensions shall require an amendment to this Agreement.

To begin the project, Jan will first talk with the Mayor and Outside Counsel to review the steps and schedule.

- ***Council Interviews.*** Jan will provide draft interview questions to the Mayor and Outside Counsel for review. These questions are intended to elicit feedback about the City Attorney's performance from Council members. Jan will conduct confidential individual interviews with each member of the City Council.

- ***City Attorney's Self-Assessment.*** The City Attorney will be responsible for preparing a self-assessment. If requested, by the City Attorney, Jan will provide examples of forms and standard information to the City Attorney about preparing a self-assessment. Contractor shall not review, revise, or advise the City Attorney regarding the specifics of the self-assessment. The City Attorney will be directed to provide the completed self-assessment to the Mayor and the Council.

- ***360°Feedback.*** Contractor will design and administer a confidential questionnaire to the City Attorney's direct reports and to members of the City's executive team to obtain feedback on the City Attorney's performance. Contractor will prepare a draft of the survey questions and provide them to the Mayor prior to finalizing and administering the questionnaire. Based on the Mayor's input, Contractor will finalize the questions and then place them into Survey Monkey for distribution to staff who will be invited to

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participate. Responses will be returned to Management Partners and will be anonymous and confidential. Once the survey closes, Contractor will summarize the results.

- ***Confidential Report.*** After Jan has interviewed each member of Council and gathered the feedback from the questionnaires, she will summarize the results in a written confidential report. She will review the consolidated confidential report with the Mayor, Outside Counsel and City Attorney.

Activity 2 – Facilitate Closed Session

Jan will meet with the Mayor and Outside Counsel in advance of the closed session to discuss the process for the meeting. The Closed Session shall occur no later than July 18, 2021 and, if later, subject to the requirements regarding extension, as addressed under the heading regarding Activity 1. Jan will then facilitate all or part of the closed session with the Council, in Council's discretion. Outside Counsel will attend the closed session as well. The City Attorney will be present for a portion of the session, in Council's discretion.

During the closed session, Jan will provide an overview of the process to date, present the confidential report and highlight key issues for discussion. Jan will facilitate a discussion about expectations and goals for the City Attorney, with the outcome being consensus by the Council.

The closed session will be facilitated in such a way that there is an open and productive discussion by all Council members.

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Exhibit B – Schedule of Fees

Contractor will complete the plan of work described above for a total fixed fee of $12,900 which includes all costs and expenses. Payment shall be made as set forth in Section 6 of the Agreement. If more than one closed session is needed, Contractor will charge $1,000 for each additional session. Any additional services or charges in excess of $12,900 must be approved in advance by amendment to this Agreement. Contractor shall invoice City upon successful completion of each milestone as follows:

Milestone 1	Conduct interviews and 360° feedback.	$7,000
Milestone 2	Prepare report.	$5,900
	TOTAL	$12,900

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EXHIBIT C

Without limiting the Contractor's indemnification of the City, and prior to commencing any of the Services required under this Agreement, the Contractor shall provide and maintain in full force and effect during the period of performance of the Agreement and for twenty-four (24) months following acceptance by the City, at its sole cost and expense, the following insurance policies from insurance companies authorized to do business in the State of California. These policies shall be primary insurance as to the City of Santa Clara so that any other coverage held by the City shall not contribute to any loss under Contractor's insurance. The minimum coverages, provisions and endorsements are as follows:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:

   $1,000,000 Each Occurrence
   $2,000,000 General Aggregate
   $2,000,000 Products/Completed Operations Aggregate
   $1,000,000 Personal Injury

2. Exact structure and layering of the coverage shall be left to the discretion of Contractor; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.

3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Contractor to comply with the insurance requirements of this Agreement:

   a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;

   b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and

   c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars ($1,000,000) policy limit Bodily Injury by disease, one million dollars ($1,000,000) each accident/Bodily Injury and one million dollars ($1,000,000) each employee Bodily Injury by disease.

2. The indemnification and hold harmless obligations of Contractor included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Contractor or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).

3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

C. PROFESSIONAL LIABILITY

Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designed to protect against negligent acts, errors or omissions of the Contractor. Covered services as designated in the policy must specifically include work performed under this agreement. Coverage shall be in an amount of not less than one million dollars ($1,000,000) per claim or two million dollars ($2,000,000) aggregate. Any coverage containing a deductible or self-retention must first be approved in writing by the City Attorney's Office or outside counsel.

D. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents are hereby added as additional insureds in respect to liability arising out of Contractor's work for City, using Insurance Services Office (ISO) Endorsement CG 20 10 11 85, or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.

2. Primary and non-contributing. Each insurance policy provided by Contractor shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the

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indemnities may possess, including any self-insurance or self-insured retention they may have. Any other insurance indemnities may possess shall be considered excess insurance only and shall not be called upon to contribute with Contractor's insurance.

3. Cancellation.

   a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least ten (10) days prior to the effective date of non-renewal.

   b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.

4. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through E of this Exhibit C, above.

E. ADDITIONAL INSURANCE RELATED PROVISIONS

Contractor and City agree as follows:

1. Contractor agrees to ensure that subcontractors, and any other party involved with the Services, who is brought onto or involved in the performance of the Services by Contractor, provide the same minimum insurance coverage required of Contractor, except as with respect to limits. Contractor agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Contractor agrees that upon request by City, all agreements with, and insurance compliance documents provided by, such subcontractors and others engaged in the project will be submitted to City for review.

2. Contractor agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Contractor for the cost of additional insurance coverage required by this Agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.

3. The City reserves the right to withhold payments from the Contractor in the event of material noncompliance with the insurance requirements set forth in this Agreement.

F. EVIDENCE OF COVERAGE

Prior to commencement of any Services under this Agreement, Contractor, and each and every subcontractor (of every tier) shall, at its sole cost and expense, provide and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Agreement. Such insurance coverage shall be maintained with insurers, and under forms of policies, satisfactory to City and as described in this Agreement. Contractor shall file with the City all certificates and endorsements for the required insurance policies for City's approval as to adequacy of the insurance protection.

G. EVIDENCE OF COMPLIANCE

Contractor or its insurance broker shall provide the required proof of insurance compliance, consisting of Insurance Services Office (ISO) endorsement forms or their equivalent and the ACORD form 25-S certificate of insurance (or its equivalent), evidencing all required coverage shall be delivered to City, or its representative as set forth below, at or prior to execution of this Agreement. Upon City's request, Contractor shall submit to City copies of the actual insurance policies or renewals or replacements. Unless otherwise required by the terms of this Agreement, all certificates, endorsements, coverage verifications and other items required to be delivered to City pursuant to this Agreement shall be mailed to:

EBIX Inc.
City of Santa Clara, Office of the Mayor
P.O. Box 100085 – S2 or 1 Ebix Way
Duluth, GA 30096 John's Creek, GA 30097

Telephone number: 951-766-2280
Fax number: 770-325-0409
Email address: ctsantaclara@ebix.com

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H. QUALIFYING INSURERS

All of the insurance companies providing insurance for Contractor shall have, and provide written proof of, an A. M. Best rating of at least A minus 6 (A- VI) or shall be an insurance company of equal financial stability that is approved by the City or its insurance compliance representatives.

21-729 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT

Report from the City Attorney on California Voter Rights Act (CVRA) Litigation

BACKGROUND

The Council has requested a report on the City's expenditures with respect to defending the **Yumori-Kaku v. City of Santa Clara** litigation (CVRA litigation). Because the reasonableness of the expenditures cannot be assessed without a completely transparent disclosure of the events that occurred throughout the litigation, I have attached to this report a Chronology of the key dates that are tied to the expenditures of the City and of the plaintiffs, respectively.

In order to draw conclusions about when litigation costs could have been avoided in the course of a lawsuit, it is critical to understand the difference between lawsuits in which the City is a defendant and lawsuits in which the City is the plaintiff.

Most of the time that the City becomes a party to litigation, it is the result of another party filing a complaint against the City as a defendant. When this happens, the City cannot terminate the litigation unilaterally. It must either participate in the litigation through trial in an effort to obtain a verdict in its favor, or convince the plaintiffs to settle the case and dismiss the complaint against the City.

When the City takes the very rare step of suing another entity or person, it serves and files a complaint on a defendant. In such cases, the City can unilaterally terminate such litigations by simply filing a dismissal of the complaint. Usually, this step will only occur if there is some type of settlement with the defendant. This was ***not*** the case in the CVRA litigation. Therefore, once the plaintiffs sued the City, the City was not in control of terminating the litigation.

The CVRA was a lawsuit that was brought against the City as defendant. Thus, the plaintiffs had the upper hand as to when and how the litigation could be terminated. As will be explained in detail in this report, until February 2021 the CVRA plaintiffs never offered to dismiss their case or otherwise enter into a settlement that was acceptable to the City Council. Thus, despite two separate ballot measures proposed by the two Charter Review Committees to end the at-large by-seat voting system, plaintiffs opposed these solutions to end the litigation.

DISCUSSION

The City of Santa Clara has been addressing the issue of changing the way it elects its Council members since as early as 2011 when it first received a letter from Robert Rubin, one of two lawyers in California who has extensively threatened litigation under the provisions of the California Voter Rights Act (CVRA). Attached to this report is a Chronology of the events regarding the City's efforts.

In reaction to the receipt of Mr. Rubin's 2011 letter, the Council empaneled the first of what would grow to be **four** Charter Review Committees to conduct a public process to consider ballot measures to amend the City Charter. Although there was sentiment to move away from the numbered seat system in the City Charter and explore a ranked-choice voting system, the 2011 Charter Review Committee ultimately did not propose charter amendment to put on the 2012 ballot.

The next consideration of changing the City Charter began in October of 2015 when, after a recommendation from the Ethics Committee, the City Council convened another Charter Review Committee to consider amendments. The 2015 Charter Review Committee recommended 4 charter amendments all of which passed, but did not recommend an amendment to change the City's system for electing council members. It is unclear what the impetus for the creation of this Committee was because there is no record of a letter from Mr. Rubin until October of 2016, just before the November 2016 election.

After the election, which failed to elect Asian American candidates in city-wide elections, Mr. Rubin inexplicably withdrew his threat to sue to prevent the seating of the white candidates who had opposed the minority candidates that lost.

The next Charter Review Committee to take on conducting a public process to consider amendments to the City Charter was created by the City Council on April 11, 2017.

The 2017 Charter Review Committee consider several different possible charter amendments. There was virtually no public input indicating a desire to keep the at-large by-seat election process. In a unanimous recommendation, the Charter Review Committee unanimously recommended Measure A which the City Council unanimously approved putting on the June 2018 ballot. Measure A would have created two council districts represented by 3 council members each to be elected using a ranked-choice system of voting.

In October 2017, Mr. Rubin sent another letter to the City Council demanding that City Council members be elected by a district system rather than the at-large system in the City Charter. Despite the fact that there was a clear indication that Santa Clarans were interested in moving away from the current numbered-seat city-wide Charter provisions for electing its council, in December 2017 Mr. Rubin, GDBH and the Asian Law Alliance filed a complaint against the City of Santa Clara demanding a judicial change to the City's at large election system and seeking attorney fees under the CVRA. The judge in the CVRA case, Superior Court Judge Thomas Kuhnle, bifurcated the litigation into two phases. The first phase was to determine liability, i.e. whether the City's at-large Charter provisions denied protected classes of voters of Asian ancestry from electing representatives of their choice. The liability phase of the trial proceeded in parallel with the campaign period for the June 5, 2018 election at which Measure A was on the ballot.

It was believed that if Measure A would have passed, there was a substantial possibility that Judge Kuhnle would decide that the CVRA lawsuit was moot because the charter provision at issue in the case would no longer be in effect. Indeed, Judge Kuhnle held off on finalizing his Statement of Decision on the liability phase of the trial until June 6, 2018, the day after the election on Measure A. It also appeared that plaintiffs also believed that the passage of Measure A would have ended their lawsuit because during the campaign, their representatives reportedly urged a "no" vote "so that they would win the lawsuit."

During the motions regarding the award of attorneys' fees for the case, it was revealed that plaintiffs' law firm expended approximately $50,000 in unreported campaign in-kind services against the passage of Measure A. If the judge had declared the plaintiffs' case moot by reason of the charter having been amended, the litigation would have ended, limiting both the City's costs, as well as creating the very real possibility that the City would have not be obligated to pay plaintiffs' fees and costs. In this case, the City's costs might have been limited to the $500K to 700K range.

After receiving the election results indicating that Measure A had not passed, the CVRA litigation proceeded to the "remedies" phase. Judge Kuhnle ordered the City to engage in a "districting" process that involved a series of public hearings that paralleled the provisions of the state Elections Code. Recognizing that there would not be sufficient time to adhere to the strict provisions of the Code, the judge's order imposed a series of public hearings on a very tight time frame in July 2018 in order to have an order mandating district elections in time for the November 2018 election.

In compliance with the judge's order the City Council convened a districting committee to draw up alternative maps for the judge to consider in creating a by-district voting system. Ultimately the court ordered the City to adopt the six-district map that the districting committee had recommended, and the 2018 and 2020 elections were held using this map.

On August 15, 2018, the City filed an appeal of Judge Kuhnle's decision.

The Council also placed Measure N on the November 2018 elections. Measure N was an advisory measure that asked the voters the following question:

> Shall the City of Santa Clara engage the voters in a public process to draft a Charter Amendment ballot measure to elect its Council Members, other than the Mayor, by district?

Measure N received a 70% yes vote. In response to the voters' approval of Measure N, the City Council convened a Charter Review Committee to conduct robust public outreach to determine what type of district election system should be proposed for a Charter Amendment. The Charter Review Committee recommended that the Charter be amended to proceed with the six-district system for the 2020 election, but then transition to a three-district system with two council members to represent each district to be elected at alternating elections.

In January 2019 plaintiffs moved for an award of their fees and costs as prevailing parties in the litigation. The City moved to reduce their requested award of $4.1 million. The City's outside counsel spent approximately $163K in successfully reducing the amount of the fees to $3,164,955.61, producing a net savings of $1,073,100.14.

Following the filing of the appeal, plaintiffs moved for a calendar preference in the Court of Appeal which issued an order stating the it would decide the case by March 10, 2020.

It was believed that if Measure C had passed, it would have rendered the appeal moot, ending the litigation. On February 1, 2019, Richard Konda sent a letter to the 49ers asking them to fund a

campaign against Measure C. A copy of Mr. Konda's letter is attached to this report. Ultimately, Jed York spent almost $700K to defeat Measure C, which would prevent the possibility of the Court of Appeal dismissing the case on the grounds of mootness. A dismissal of the case on the ground of mootness could have resulted in limiting the City's expenses to its own outside counsel expenses, as well as gaining substantial leverage in settling with the plaintiffs on the question of paying their costs.

Although the Court of Appeal had issued an order that it would rule on the appeal by March 10, 2020, it was not until November 2020 that it set December 17, 2020 as the date for oral argument.

The November 2020 election was held in accordance with the trial court order with four council members elected from districts under the court-ordered map.

The Court of Appeal held oral argument in the case on December 17, 2020 and issued its ruling on December 30, 2020. The Court upheld the trial court's decision that the City Charter sections providing for a city-wide numbered-seat election system for council elections to be in violation of the CVRA.

On February 12, 2021, the City paid plaintiffs' fees and costs in the amount of $3,830,090.21 that had been awarded in Amended Judgment for the trial phase of the litigation.

On April 21, 2021, the City and plaintiffs entered into a settlement agreement requiring the City to pay the plaintiffs an additional amount of $712,500 for their fees and costs on appeal. The settlement agreement requires the City to place a charter amendment on the June 2022 ballot to change its charter provisions from the city-wide system to a six- district system for the election of its council members.

Expenditures

The City's total expenditures to outside counsel in connection with the CVRA matter was approximately $1.5 million. Those expenditures included approximately $105K in prelitigation advice with respect to potential charter amendments (Measure A), $750K in litigation costs through trial, $163K in expenditures to reduce plaintiffs' attorneys fees award; $12K in expenditures for advice associated with Measure C; $430K in fees and costs on the appeal; and $40K expended on post-appeal settlement efforts.

The total amount of payments to plaintiffs to satisfy the judgments that City Council agreed to was $4,542,590.21. This included payment of $3,830,090.21 in satisfaction of trial court judgment inclusive of fees and costs and interest, and an additional $712,500 for plaintiffs' fees and costs on appeal.

CONCLUSION

Several false narratives advanced against the City Council's decision-making process in defending the CVRA lawsuit warrant correction:

- In defending against the litigation, the Council was motivated by its desire to defend the voters of Santa Clara against the claim that they had elected council members in a racially polarized manner under the at-large provisions of the City Charter. The Council was not attempting to

preserve the at-large system in the Charter; it had consistently taken the position that it would ask the voters to amend the Charter to move away from an at-large system to a district-based system.

- Measures A, N and C are all evidence of the City Council's position that it was not seeking to preserve the Charter's at-large election system.

- The City Council was also committed to an inclusive public process in the form of convening two Charter Review Committees to hear from the public about what type of election system to transition to. The Council adopted the recommendations of each of the Committees as to how the Charter should be amended; the Council did not assert its political preferences over the Committee recommendations in placing these measures on the ballot.

- Finally, with the intervention of $50K in opposition to Measure A, and $700K in opposition to Measure C by outside parties in alignment with plaintiffs, one could easily draw the conclusion that it was plaintiffs, rather than the City Council, that achieved preservation of the Charter's at -large voting system. Ironically, plaintiffs now concede that a vote of the people is required to amend the Charter provisions in order to bring Santa Clara in alignment with the requirements of the CVRA.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Note and file report.

Approved by: Brian Doyle, City Attorney

ATTACHMENTS

1. CVRA Chronology
2. February 1, 2020 Konda Letter

CVRA Chronology

Date	Event	Notes	City's Fees[1]	Plaintiffs' Fees
2011	First threat letter from Robert Rubin	Unable to locate copy		
01/24/2012	Council approves Charter Review Committee recommendations	○ Charter be changed to allow At Large Elections ○ Consider Proportional Representation voting system by end of calendar year 2012 and possible implementation by 2014 ○ Create a program to encourage voter registration among minorities and allocate funds to monitor the system by January 1, 2013 to address voter registration for the 2014 election ○ Address the "Barriers to City Council Service" list (attached to November 17, 2011 minutes) with extreme regard to candidate recruitment		
11/06/2012	City Council Election			
10/05/2015	Ethics Committee requests staff to bring the concept of a review of City Charter provisions to the City Council for consideration			
10/13/2015	CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION pursuant to Gov. Code 54956.9(d)(2) – Exposure to litigation Number of potential cases: 1	"No reportable action" ???		
10/27/2015	City Council Agenda Item 19b	MOTION was made by Caserta, seconded and unanimously carried (Marsalli absent), that the Council approve the creation of a Charter Review Committee to consider i) the manner of electing Members to the City Council; ii) City Council compensation; and iii) whether other Charter elements are no longer in compliance with current laws or best practices; direct that the Committee consist of no more than 15 members, including one individual selected by each Council Member and the Mayor, one member to be appointed		

[1] Approximate amounts

		by the Citizens Advisory Committee, one member to be appointed by the Chamber of Commerce, and six at-large members to be selected by the City Council.		
02/04/2016	Charter Review Committee Meeting Discussion on Election of Councilmembers	The City Attorney (Ren Nosky) stated the City of Santa Clara has not been sued, but that several cities have been challenged on their at-large voting and that it has been devastating to those cities. California Voting Rights Act allows cities to self-correct before going into court action. He also stated that the courts cannot impose a charter change, but can mandate district elections.		
2016	Charter Review Committee	Recommended 4 Charter Amendments but did not include ballot measure on Council Elections		
10/06/2016	Robert Rubin letter			
11/08/2016	City Election			
11/15/2016	CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Pursuant to Gov. Code 54959.9(e)(2) – Exposure to litigation Number of potential cases: 1 (FACTS AND CIRCUMSTANCES) City as potential defendant: October 6, 2016, letter from Attorney Robert Rubin regarding City's alleged violation of the California Voting Rights Act			
12/6/2016	From: Richard Nosky To: Debi Davis, Dominic Caserta, Jerry Marsalli, Kathy Watanabe, Lisa Gillmor, Pat Kolstad, Teresa O'Neill Cc: Rajeev Batra, Rod Diridon, Mike Sellers, Lynn Garcia, Jennifer Yamaguma Date: 12/06/2016 8:37 AM Subject: Voting Rights Issue			

	All— Attorney Robert Rubin contacted me yesterday evening to inform me that he and his client will no longer seek to get an injunction against certifying the 2016 election results. Instead, they will focus on the 2018 election and file their lawsuit early next year. The effect of this is not totally clear yet, but it paves the way for the new council to be sworn in on December 13th.We will keep you advised of further developments. Call me if you have any questions.			
04/11/2017	City Council directs the creation of a Charter Review Committee to include review of the City's election method with a focus on district and other methods of electing members to the City Council in time for the June 2018 primary election.	Charter Review Committee Members: Tino Silva (Chair) Keith Stattenfield (Vice Chair), Chris Horton, Hosam Haggag, Hazel Alabado, Steve Lodge, Markus Bracamonte, Jodi Muirhead, Saskia Feain, Beverly Silva, Mary Hanna-Weir, Teresa Sulcer		
07/18/2017	Charter Review Committee makes *unanimous* recommendation for 2 Districts with 3 Councilmembers each with Single Transferable Voting system	MOTION was made by Davis, seconded and unanimously carried (Kolstad absent), that the Council approve the 2017 Charter Review Committee's recommendations as itemized; direct the City Manager and Interim City Attorney to draft a Charter Amendment to submit to the 2017 Charter Review Committee for review; and direct the City Manager and Interim City Attorney to bring a report to the Council by December 2017		
Aug 2017	Rubin sends notice letter alleging that proposed system of voting is an at large election system			
Oct 2017	Rubin sends another notice letter			

11/30/2017	Complaint for violation of the California Voting Rights Act of 2001, Elections Code §§ 14025, et seq.			
12/05/2017	Council approves Charter Committee's unanimous recommendation	MOTION was made by Davis, seconded and unanimously carried (Mahan absent), that the Council approve the Charter Review Committee's recommendations 1) approve the proposed Charter amendment language to: a) Elect City Council Members by two districts (e.g., District 1 and 2) with three Council Members representing each district; b) Elect the three Council Members at the same time per district alternating/staggering between gubernatorial and presidential election years; c) Utilize Single Transferrable Vote, a form of Ranked Choice Voting, as soon as the Santa Clara County Registrar of Voters Office can support such a system and continue with the City's current voting method of plurality until the County can support the new voting method; d) Transition to include: In 2018, elect two members to four-year terms in District 1 and in 2020, elect one member to a two-year term in District 1 and three members to four-year terms in District 2; and e) Change the voting method of all other elected officers, including Mayor, City Clerk, Chief of Police, to match the recommended voting method of CONCURRENT MEETING MINUTES – December 5, 2017 Page 9 of 10 Council Members (Ranked Choice Voting by means of Single Transferrable Vote) beginning in 2020 with the election of the City Clerk and Chief of Police, and then subsequent elections thereafter and 2) direct the City Manager and the Interim City Attorney to initiate the process to draw the districts with public outreach		
12/27/2017	First Amended Complaint		$105,000	
1/23/2018	Closed Session: Item C			
03/06/2018	Council places Measure A on June ballot 6-0-1 (Mahan absent)	*Shall the City Charter be amended: to establish two districts starting in 2018 to be represented by three council members each; and when available, use ranked choice voting to allow voters to select candidates in order of choice to determine the winners of elections of all city elected officers?*		
3/27/2018	Closed Session: Item 18-377			
4/18/2018	Closed Session Item 18-502			

4/25/2018	Trial			
4/30/2018	Post-Trial Briefing Order			
5/8/2018	Closed Session: Item 18-625			
05/15/2018	Councilmember Caserta resigns			
05/15/2018	Court issues Proposed Statement of Decision – Liability Phase			
5/22/2018	Closed Session: Item 18-738			
Spring 2018	Plaintiffs' attorneys bill $47,750 of time involving political and media activities in opposition to Measure A which are eventually disallowed by the court	There is no record that these expenditures in opposition to Measure A were ever reported		
6/5/2018	Election - Measure A			
6/6/2018	Statement of Decision Issued by Court	Court finds City of Santa Clara in violation of CVRA, trial will proceed to remedies phase		
6/12/2018	Closed Session: Item 18-834			
6/12/2018	Council consideration of appointment of Council member to vacant seat	Councilmembers Mahan and Kolstad vote against the following 5 candidates who are members of a protected class under CVRA: • Eversley Forte • Hosam Haggag • Kevin Park • Suds Jain • Mohammed Nadeem		
06/21/2018	Closed Session: Item 18-887			
06/26/2018	Closed Session: Item 18-964			
July 2018	Public Hearings conducted by the court-ordered Ad-hoc Advisory Districting Committee: Yuki Ikezi (Chair), Stephen Ricossa, Bobbi Estrada	Provided public input for creation of six district map to Judge Kuhnle		
7/5/2018	Closed Session: Item 18-964			
7/10/2018	Closed Session: Item 18-970			

7/16/2018	Council places Measure N on November ballot	Measure N Ballot Question: Shall the City of Santa Clara engage the voters in a public process to draft a Charter Amendment ballot measure to elect its Council Members, other than the Mayor, by district?		
7/16/2018	Closed Session: Item 18-1011			
7/17/2018	Closed Session: Item 18-1013			
7/18/2018	Remedies phase of Trial			
7/20/2018	Closed Session: Item 18-1047			
7/23/2018 7/23/2018	Statement of Decision regarding Remedies Phase of Trial Closed Session: Item 18-1050	Mayor, Watanabe, Davis, O'Neill, Mahan: Reject plaintiffs' offer 5-0		
7/24/2018	Amended Statement of Decision re: Remedies Phase of Trial; Judgment			
7/24/2018	Closed Session: Item 18-1052			
7/27/2018	Notice of Entry of Judgment		$750,000	
08/07/2018	Council adopts Resolution 18-8585	Six-District Map adopted, call for election of councilmembers for Districts 2 and 3 in November 2018		
8/15/2018	Notice of Appeal on Judgment filed	City does not appeal council districts ordered by the Court; does not seek a stay of the Court's order		
8/21/2018	Closed Session: Item 18-1151			
11/06/2018	General Election	City Wide Election: Lisa Gillmor Mayor Hossam Haggag City Clerk Measure N – 70% District 2: Raj Chahal District 3: Karen Hardy		

01/22/2019	Order re: Motion for Attorneys' Fees	Plaintiffs request: $4,238,055.75 Judge reduces amount to: $3,164,955.61 **Net reduction: $1,073,100.14**	$163,000	
01/22/2019	Amended Judgment entered			
05/07/2019	City Council approval of the creation of a Charter Review Committee to implement voter-approved Measure N			
06/04/2019	Closed Session Item 19-704			
07/10/2019	The City Council appointed Charter Review Committee members	District 1 - Benjamin Cooley District 2 - Steven Silva District 3 - Christine Koltermann District 4 - Katherine Almazol District 5 - Sudhanshu Jain District 6 - Stephen Ricossa At-Large - Richard Bonito		
Oct 2019	Appeal is fully briefed		$430,000	
11/05/2019	Charter Review Committee recommendation presented to Council	• 6 District System for 2020 election with transition to 3 Two-Member District System • 30-day residency requirement • Independent redistricting committee	$12,000	
11/19/2019	Council (4-2) adopts resolution placing Charter Review Committee Recommendation for Measure C on the March 2020 Ballot (Hardy and Mahan oppose, Chahal absent)	Shall the City Charter be amended to elect city council members by district, excepting the mayor, as follows: for the 2020 election to establish six districts for the election of one council member to represent each district; and, beginning in 2022 to establish three districts for the election of two council members to represent each district; and to require an independent redistricting committee?		
02/01/2020	Letter from Richard Konda to R. Chandhok	"My purpose in writing is to request the 49ers organization help to defeat Measure C in Santa Clara placed on the ballot for the March election."		

February 2020	Jed York spends $700K in No on C campaign			
03/03/ 2020	Statewide Primary Election	Measure C loses		
12/17/2020	Oral Argument 6th District Court of Appeal			
12/30/2020	Court of Appeal issues ruling	Upholds Trial Court decision		
02/12/2021	City pays Amended Judgment Amount	Fees and Costs = $3,339,505.51 Interest = $490,584.70		$3,830,090.21
04/21/2021	Settlement Agreement signed	Requires additional payment for fees and costs on appeal of $712,500		
04/23/2021	Second Amended Judgment Entered City pays additional amount to plaintiffs		$40,000	$712,500.00
	TOTALS		$1,500,000	$4,542,590.21

February 1, 2020

Mr. Rahul Chandhok
San Francisco 49ers
4900 Marie P DeBartolo Way
Santa Clara, CA 95054

Dear Mr. Chandhok:

First, we'd like to wish the team good luck tomorrow. What a great accomplishment to reach the Super Bowl this year. Congratulations.

My purpose in writing is to request the 49ers organization help to defeat Measure C in Santa Clara placed on the ballot for the March election. I write on behalf of Reverend Jethroe Moore II of the San Jose- Silicon Valley NAACP, Victor Garza of La Raza Roundtable and former State Assemblyman Paul Fong.

As a valued community organization in Santa Clara, we know the 49ers share our collective and steadfast belief that we can build strong and healthy communities when all of our voices are heard and represented. For that reason, we urge you to join us in our fight to defeat Measure C.

Measure C would amend the Santa Clara city charter to reduce City Council districts from six to three, with the consequence of disenfranchising minority and underserved communities. To be clear, if passed, Measure C would institutionalize anti-democratic elections in Santa Clara that would deny many in the community equal representation on the City Council—a fact that has been affirmed by the Santa Clara County Courts.

In 2018, the Santa Clara County Superior Court ruled that the city's at-large election system was a direct violation of the California Voting Rights Act. Furthermore, the Court mandated Santa Clara adopt a six-district election system that guarantees that members elected to the City Council live and reflect the needs of the communities they serve.

In nearly 40 years, Santa Clara has only elected one non-white City Council member. And that member was elected under the new system of six council districts. Santa Clara's economic and cultural vibrancy is enhanced by its rich diversity. There is no doubt that there is a better democracy and a better Santa Clara when that diversity is reflected and represented in local government.

Measure C is bad for democracy and bad for Santa Clara. Nevertheless, there are those who want to maintain the antiquated and illegal system of government for political power motives. These individuals are invested in the passage of Measure C. We simply cannot allow that to happen.

We hope that you will join us publicly and with resources to reach the voters in ensuring Measure C is defeated on March 3, 2020.

We look forward to discussing this further.

Sincerely,

Richard Konda
Executive Director
Asian Law Alliance
408-823-0799
rgkonda@hotmail.com

*organizations listed for identification purposes only

21-722 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action on a Written Petition submitted by Robert Mezzetti, II Requesting to Discuss Amendment No. 3 to the Exclusive Negotiation Agreement by and between the City, VTA and Republic Metropolitan an LLC for the proposed project located at 500 S. Benton Street (APN 230-08-061 and 230-08-078)

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
Council Policy 030 - *Adding an Item on the Agenda* (Attachment 1) sets forth the procedure for written petitions. Any member of the public may submit a written request raising any issue or item within the subject matter jurisdiction of the Council. Per the policy, the written request will be submitted on the agenda, in the form substantially provided by the requestor, without any staff analysis, including fiscal review, legal review, and policy review. If a simple majority of the City Council supports further study of the request, then a full staff analysis shall be prepared within thirty (30) days, unless otherwise directed by the City Council.

DISCUSSION
The City Clerk's Office has received a Written Petition for Council consideration from Robert Mezzetii, II, dated April 28, 2021 (Attachment 1) requesting to discuss Amendment No. 3 to the Exclusive Negotiations Agreement (ENA) by and between the City, VTA and Republic Metropolitan an LLC for the proposed project located at 500 S. Benton Street (APN 230-08-061 and 230-08-078).

The ENA for the proposed project was a no-bid three-party agreement between Republic Metropolitan (Developer), Santa Clara Valley Transportation Authority (VTA), and the City of Santa Clara. The ENA was entered into on February 26, 2018 and expired as of August 5, 2020. As the ENA is expired and there is no longer an effective contract, an amendment is not possible. In addition, any next steps for the development site would require the concurrence of VTA as a partial owner of the overall project site.

If Council is interested in pursuing development of this property, the next step would be for the Council to analyze potential uses of the site given the location of active City well, as well as an appropriate public and competitive process for offering the development opportunity. VTA staff have advised City staff that VTA is pursuing a study of the Station area as well, and believes the prudent course of action is for VTA to complete the study prior to any further discussion of a long term development of its property. Following any Council policy decision to change the existing use of the property and pursue development, the City would be required to follow the procedures described in the California Surplus Land Act (Government Code section 54220 et seq.).
Because amendment of the previous ENA is not possible, staff does not recommend placing this item

on a future agenda.

FISCAL IMPACT
There is no fiscal impact associated with considering the request to be placed on a future agenda except for staff time.

ENVIRONMENTAL REVIEW
The action being considered does not constitute a “project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a administrative activity that will not result in direct or indirect physical changes to the environment.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any report to council may be requested by contacting the City Clerk’s Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

ALTERNATIVES
1. Set a future Council meeting date to take action on the Written Petition received.
2. Take no action on the petition and do not place this item on a future agenda.
3. Any other City Council Action, as determined by the City Council.

RECOMMENDATION
That Council take no action on the petition and do not place the item on a future agenda.

Reviewed by: Nora Pimentel, Assistant City Clerk
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS
1. Policy and Procedure 030 - Adding an Item on the Agenda
2. Written Petition dated April 28, 2021 from Robert Mezzetti, II
3. November 12, 2020 letter to Republic Metropolitan

RESOLUTION NO. 20-8895

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA TO REPEAL RESOLUTION NO. 20-8809, AMEND COUNCIL POLICY 030 ENTITLED "ADDING AN ITEM ON THE AGENDA," AND APPROVE THE COUNCIL ITEM REQUEST FORM

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, amending the policy on adding an item on the agenda to establish a clear, effective and easily understood process for members of the City Council and the public to have items within the jurisdiction of the City Council placed on a meeting agenda;

WHEREAS, the amended version of the Adding an Item on the Agenda policy expands on the current policy language by clearly stating that, when a written request is first considered, discussion should be limited to whether an item should be added to an agenda and a date, not the merit of the item; and,

WHEREAS, the amended Adding an Item on the Agenda policy, attached hereto as Attachment 1, includes a Council Item Request Form for the City Council's use when requesting an item for inclusion on a Council meeting agenda and adds the procedure for written requests from members of the City Council.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That Resolution No. 20-8809 is hereby rescinded in its entirety.

2. That amended Council Policy 030 entitled "Adding an Item on the Agenda" with the Council Item Request Form, attached hereto as Attachment 1, is hereby approved and adopted, and the City Manager is directed to number (and renumber, as appropriate) the Council Policy Manual such that they are organized in a logical fashion.

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3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 27TH DAY OF OCTOBER, 2020, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Chahal, Davis, Hardy, O'Neill, and Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Council Policy 030 entitled "Adding an Item on the Agenda"

ADDING AN ITEM ON THE AGENDA

PURPOSE

To establish a clear, effective, and easily understood process for members of the City Council and the public to have items, within the jurisdiction of the City Council, placed on the City Council agenda for consideration.

POLICY

Members of the City Council:

The Mayor or any individual Councilmember may submit a written request by using the Council Item Request Form to the City Manager's Office for inclusion of an item on a City Council agenda, provided the request is received two (2) days prior to the public release of the agenda packet. At the meeting where the request is heard, discussion should be limited to whether the item should be added to an agenda and a date, not the merit of the item.

Referral from a Council Committee:

Council Committees may submit a written request to the City Manager's Office for inclusion of an item on a City Council agenda, provided the request is received two (2) days prior to the public release of the agenda packet.

Council Committees may bring forward a recommendation to the full City Council by way of the Committee minutes, which are typically prepared within three weeks following the Committee meeting.

Items Referred During a Council Meeting:

By Council action, an item may be referred to the City Manager for inclusion on a City Council agenda. If the request requires further study of the item from staff, a full analysis shall be prepared at the direction of the City Manager with at least thirty (30) calendar days prior to the meeting, unless otherwise directed by the City Council. If the request requires more than thirty (30) calendar days to prepare, status updates will be provided to the City Council every sixty (60) days as an informational memo.

ADDING AN ITEM ON THE AGENDA

Written Petitions and Public Presentations:

Any member of the public may submit a written request raising any issue or item within the subject matter jurisdiction of the City Council to be heard under the **"Written Petition"** section of the City Council's regular agenda within two (2) Council meetings after received. After the initial Written Petition is placed on the agenda, a majority vote of the City Council may add the item to a future Council meeting for action. Any member of the public may address the City Council under the **"Public Presentations"** section of the agenda. If the presentation includes a request of the Council, a majority vote of the City Council may refer the item to the City Manager to be properly added to a future meeting, in compliance with the Brown Act.

PROCEDURE FOR WRITTEN PETITIONS

1. All requests to address the City Council shall be submitted in writing. Written Petition forms are available for the petitioner's convenience on the City's website and in the City Manager's Office, City Clerk's Office, and the Mayor and Council Offices. Alternatively, an email may be submitted to clerk@santaclaraca.gov.
2. Once the Written Petition is received by the City Clerk's Office, it should immediately be forwarded to the City Manager for placement on an agenda within two (2) Council meetings after receipt of the original request from the City Clerk's Office. All written material (request and any support material) will be submitted on the agenda in the form substantially provided by the requester without any staff analysis, including fiscal review, legal review and policy review, until the City Council has had the opportunity to provide direction to the City Manager.
3. At the meeting where the item is first considered, if a majority of the City Council supports further study of the item, then a full staff analysis shall be prepared within thirty (30) days, unless otherwise directed by the City Council. Discussion should be limited to whether an item should be added to an agenda and a date, not the merit of the item.

ADDING AN ITEM ON THE AGENDA

PROCEDURE FOR WRITTEN REQUESTS FROM CITY COUNCIL

1. Members of the City Council shall use the Council Item Request Form to submit a written request for inclusion of an item on a future City Council agenda.
2. Once the Council Item Request Form is received by the City Clerk's Office, it should immediately be forwarded to the City Manager for placement on an agenda within two (2) Council meetings after receipt of the original request from the City Clerk's Office. All written material (Council Item Request Form and any support material) will be submitted on the agenda in the form substantially provided by the requester without any staff analysis, including fiscal review, legal review and policy review, until the City Council has had the opportunity to provide direction to the City Manager.
3. At the meeting where the item is first considered, if a majority of the City Council supports further study of the item, then a full staff analysis shall be prepared within thirty (30) days, unless otherwise directed by the City Council. Discussion should be limited to whether an item should be added to an agenda and a date, not the merit of the item.

Attachments: Council Item Request Form

City of Santa Clara
The Center of What's Possible

COUNCIL ITEM REQUEST FORM

The Council Item Request Form is for members of the City Council to submit written requests to the City Manager's Office for inclusion of an item on a future City Council meeting agenda. At the meeting where the initial written request is heard, discussion should be limited to whether the item should be added to an agenda and a date, not the merit of the item. A majority vote of the City Council is required for the item to be added to future Council meeting agenda for action.

CONTACT INFORMATION

Requesting Member of City Council _____

Contact E-mail _____

Contact Phone _____

Today's Date _____

WRITTEN REQUEST

I, _____, hereby request that the following item be placed on the City of Santa Clara Council and Authorities Concurrent meeting agenda:

_____

_____

_____

Reference: Council Policy 030 – Adding an Item on the Agenda
Resolution No. 20-8895

CITY OF SANTA CLARA
2021 APR 28 PM 3:12

City of Santa Clara
The Center of What's Possible

CITY COUNCIL WRITTEN PETITION

Please provide the information requested below. When complete, please submit to the City Clerk's Office, 1500 Warburton Avenue, Santa Clara, CA 95050.

Date: April 28, 2021

I, Robert L. Mezzetti, II, am hereby requesting to be placed on the Santa Clara City Council Agenda for the following purpose:

At the next City Council meeting I would like to agendize Amendment No. 3 to the Exclusive Negotiation Agreement by and between the City, VTA and Republic Metropolitan LLC for the proposed project located at 500 S. Benton Street (APNs 230-08-061 and 230-08-078)

I understand that it is important that I attend the meeting in the event there are any questions the Council wishes to ask me.

Signed:

NAME: Robert L. Mezzetti, II

ADDRESS: 31 E. Julian Street
Street

San Jose 95112
City Zip Code

TELEPHONE:* (408) 279-8400
Optional

DATE: April 28, 2021

*NOTE: This is a public document. If your telephone number is unlisted or if you do not want it to be public, please provide an alternate number where you can be reached.

City of Santa Clara
The Center of What's Possible

City Manager's Office

November 12, 2020

Republic Metropolitan LLC
1201 Maryland Avenue, SW, Suite 850
Washington, DC 20024
Attn: Robert Mendelsohn

Re: Exclusive Negotiations Agreement
500 S. Benton, Santa Clara, CA

Dear Mr. Mendelsohn:

The purpose of this letter is to advise that the City of Santa Clara considers the February 6, 2018 Exclusive Negotiations Agreement as amended to have expired as of August 5, 2020. The Santa Clara City Council has directed staff to cease efforts to further Republic's proposed project at 500 S. Benton.

City staff will be rescinding its authorization on Republic's Planning application for environmental review and entitlements. The City is collecting the outstanding third-party invoices from VTA and following the reimbursement of these expenses, will process a refund of any remaining deposits to Republic.

We appreciate Republic's effort to pursue a development in Santa Clara.

Best regards,

Ruth Mizobe Shikada
Assistant City Manager

cc: Deanna Santana, City Manager
Brian Doyle, City Attorney
Ron Golem, Deputy Director, VTA
Vic Pappalardo, Senior Assistant Counsel
Rob Mezzetti

21-778 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Action on Stadium Authority & Special City Council Meeting Minutes of March 2, 2021 and Council & Authorities Concurrent and Special Stadium Authority Minutes of March 9, 2021

COUNCIL PILLAR
Enhance Community Engagement and Transparency

RECOMMENDATION
Approve the Stadium Authority & Special City Council Meeting Minutes of March 2, 2021 and Council & Authorities Concurrent and Special Stadium Authority Minutes of March 9, 2021.

City of Santa Clara

Draft

Meeting Minutes

Santa Clara Stadium Authority

Call and Notice of Special Meeting

City Council

03/02/2021 **3:30 PM** **Virtual Meeting**

****Revision:**
Added List of Names for Negotiating Parties for Item 21-301

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

• Via Zoom:

o https://santaclaraca.zoom.us/j/99706759306

Meeting ID: 997-0675-9306 or

o Phone: 1(669) 900-6833

• Via the City's eComment (now available during the meeting)

• Via email to PublicComment@santaclaraca.gov
As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Mayor calls for a Special Meeting of the City Council of the City of Santa Clara to commence and convene on March 2, 2021, at 3:30 pm for a Special Meeting to be held virtually zoom, to consider the following matter(s) and to potentially take action with respect to them.

3:30 PM CLOSED SESSION

Call to Order

Mayor/Chair Gillmor called the meeting to order at 3:35 PM.

Roll Call

Present: 7 - Council/Boardmember Kathy Watanabe, Vice Mayor/Chair Raj Chahal, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Council/Boardmember Suds Jain, Council/Boardmember Anthony Becker, and Mayor/Chair Lisa M. Gillmor

Public Comment

Vice Mayor/Chair Chahal noted that he will be recusing himself from Closed Session Item 1.A due to his property in close proximity to 960 Central Expressway.

None.

1.A 21-301 Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: Please see below listing for APNs and addresses
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Parties: Please see below listing for names for negotiating party(ies)
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

1.B 21-341 Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. IA Lodging Santa Clara, LLC, et al., Santa Clara County Superior Court Case No. 19CV340507

1.C 21-373 Conference with Legal Counsel-Existing Litigation (SA)
Pursuant to Gov't Code § 54956.9(d)(1)
Forty Niners SC Stadium Company LLC, et al., v. Santa Clara Stadium Authority, Demand for Arbitration through JAMS, 07/26/2019

1.D 21-374 Conference with Legal Counsel-Existing Litigation (SA)
Pursuant to Gov. Code § 54956.9(d)(1)
Jesse Scott, on behalf of himself and all others similarly situated v. Santa Clara Stadium Authority and Legends Sales and Marketing LLC, Santa Clara County Superior Court Case No. 20CV368911

1.E 21-375 Conference with Legal Counsel-Existing Litigation (SA)
Pursuant to Gov. Code § 54956.9(d)(1)
Forty Niners Stadium Management Company LLC and Forty Niners SC Stadium Company LLC v. Santa Clara Stadium Authority, et al., Santa Clara County Superior Court Case No. 17CV304903 and 19CV355432 (consolidated under lead case 17CV304903)

1.F 21-353 Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. Yumori Kaku, et al., California Sixth District Court of Appeal Case No. H046105

Convene to Closed Session

Council/Stadium Authority Board convened to Closed Session at 3:38 PM and reconvened at 5:19 PM.

STADIUM AUTHORITY/SPECIAL COUNCIL MEETING

Pledge of Allegiance and Statement of Values

Council/Stadium Authority Board recited the Pledge of Allegiance.

Council/Boardmember Hardy recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB23 Announcement and Behavioral Standards.

Mayor/Chair Gillmor expressed condolences to the Callejon Family for the recently passing of Don Callejon. **Mayor/Chair Gillmor** noted the impact Don Callejon had on Santa Clara and requested a moment of silence in his memory.

Council also expressed condolences to the Callejon Family and the gratitude they have for his service to Santa Clara.

Public Speaker(s): Donna Callejon
Rick Callejon

21-411 Moment of Silence in honor of Don Callejon Post Meeting Material

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney/Counsel Doyle noted that there was no reportable action from Closed Session.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Mayor Gillmor requested Item 7 be heard prior to Item 4 as members of the public requested this item be heard sooner.

A motion was made by Councilmember Watanabe, seconded by Councilmember Becker, to move Item 7 up before Item 4.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Councilmember Jain requested Item 6 be heard following Item 7 as it was continued from the previous meeting and high school students joined this meeting to comment on that item.

A motion was made by Councilmember Jain, seconded by Councilmember Becker, to move Item 6 up to be heard following Item 7.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

SPECIAL ORDER OF BUSINESS

2. 21-342 Verbal Report from City Manager regarding COVID-19 Pandemic

City Manager Santana introduced this item and **Chief Emergency Services Officer Schoenthal** provided the following PowerPoint Presentation on the COVID-19 Pandemic:
- Santa Clara County will move into the Red Tier beginning March 3, 2021;
- Encouraged everyone to continue to get tested;
- In-door dining can reopen while complying with the County of Santa Clara and State of California guidelines;
- County of Santa Clara noted to continue remote work if possible;
- In-door Worship Services can open at 20%;
- County of Santa Clara continues with Vaccination efforts; and
- Libraries providing drive-up and walk-up lobby services.

Chief Emergency Services Officer Schoenthal addressed Council questions.

City Manager Santana played a video on Big Foot on continuing Social Distancing.

CONSENT CALENDAR

A motion was made by Boardmember Jain, seconded by Boardmember Watanabe, to approve the Consent Calendar.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

3.A 21-274 Action on Stadium Authority Bills and Claims for the Month of January 2021

Recommendation: Approve the list of Stadium Authority Bills and Claims for January 2021.

A motion was made by Boardmember Jain, seconded by Boardmember Watanabe, to approve staff recommendation.

3.B 21-327 Action on Agreement with DemandStar Corporation for E-procurement Services

Recommendation: Authorize the Executive Director to execute an agreement with DemandStar for procurement services, at no cost to the Stadium Authority.

A motion was made by Boardmember Jain, seconded by Boardmember Watanabe, to approve staff recommendation.

PUBLIC PRESENTATIONS

None.

CONSENT ITEMS PULLED FOR DISCUSSION

None.

PUBLIC HEARING/GENERAL BUSINESS

7. 21-370 Continuance of FY 2020/21 Budget Rebalancing Actions to Address COVID-19 Pandemic Impacts (Continued from February 23, 2021)

Recommendation: 1. Approve the FY 2020/21 budget amendments detailed in Attachment 1 for all Departments and Offices, except the Mayor and Council and the City Auditor's Office and City Attorney's Office appointees, as recommended by the City Manager (five affirmative Council votes required for revenue actions only); and
2. Consider and approve the FY 2020/21 budget amendments detailed in Attachment 2 for the Mayor and Council, the City Auditor's Office, and City Attorney's Office appointees.

City Manager Santana introduced this item and addressed **Council** questions.

Director of Finance Lee gave a PowerPoint Presentation and addressed **Council** questions.

Public Speaker(s): Patrick Walsh
Chris Jackson
Rob Jerdonek
Anthony Pascoal
Gail Carter
Michael Aken
Alex Torke
Carlos Lamas (e-Comment)
Jesse Kerns (e-Comment)
Laura Fanelli (e-mail)

Council discussion and questions continued.

A motion was made by **Councilmember Hardy**, seconded by **Vice Mayor Chahal**, to accept staff recommendation 1 and 2: (1) approve the FY 2020/21 budget amendments detailed in Attachment 1 for all Departments and Offices, except the Mayor and Council and the City Auditor's Office and City Attorney's Office appointees, as recommended by the City Manager (five affirmative Council votes required for revenue actions only); and (2) consider and approve the FY 2020/21 budget amendments detailed in Attachment 2 for the Mayor and Council, the City Auditor's Office, and City Attorney's Office appointees with the amendments to (a) freeze all vacant positions instead of eliminating; and (b) do not brown out of the Fire Engine in Phase 1 and return with the possible brown out of the Fire Engine in Phase 2.

Council discussion continued.

Councilmember Watanabe proposed the following friendly amendment to the motion made by **Councilmember Hardy:**
Add to the original motion as proposed by Councilmember Hardy to include additional funding from the reserves to fund the Police Department with the Police Field Training Staff, Community Service Officer, and Task Force through June 2021.

Councilmember Hardy declined the friendly amendment.

Councilmember Watanabe proposed the following amended motion:
A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to accept staffs recommendation 1 and 2 with two changes: freezing all positions instead of elimination and to put off the brown out of the fire engine and place it in phase 2 and add additional funds from the reserves to cover the police field training staff, CSO and Task Force to get us through June 2021.

A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to add to the original motion as proposed by Councilmember Hardy to include additional funding from the reserves to fund the Police Department with the Police Field Training Staff, Community Service Officer, and Task Force through June 2021.

Aye: 3 - Councilmember Watanabe, Councilmember Becker, and Mayor Gillmor

Nay: 4 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Jain

Motion Fails.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Chahal, to accept staff recommendation 1 and 2: (1) approve the FY 2020/21 budget amendments detailed in Attachment 1 for all Departments and Offices, except the Mayor and Council and the City Auditor's Office and City Attorney's Office appointees, as recommended by the City Manager (five affirmative Council votes required for revenue actions only); and (2) consider and approve the FY 2020/21 budget amendments detailed in Attachment 2 for the Mayor and Council, the City Auditor's Office, and City Attorney's Office appointees with the amendments to (a) freeze all vacant positions instead of eliminating; and (b) do not brown out of the Fire Engine in Phase 1 and return with the possible brown out of the Fire Engine in Phase 2.

Aye: 4 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Jain

Nay: 3 - Councilmember Watanabe, Councilmember Becker, and Mayor Gillmor

Motion Fails.

After discussion regarding the Charter Amendment requirement needing Five Affirmative Votes for budget revenue and expenditures, **Councilmember Watanabe** proposed to continue this item to the next meeting for further discussion.

A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to continue this item to March 9, 2021.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

Mayor Gillmor called for a recess at 8:05 PM and reconvened the meeting at 8:15 PM.

6. 21-371 Actions for Target Setting and Priority Strategies for Climate Action Plan (CAP) Update (Continued from February 23, 2021)

Recommendation: The goal of this meeting is to get Council's confirmation on the recommended GHG target for the CAP update. The staff also seek the Council's input on strategies and the initial action list to indicate their top priority actions and to indicate if there are actions that should not be included in the CAP Update.

Director of Community Development Crabtree, **Andrea Martin** and **Walker Wells (Consultant from Cascadia Consulting Group)** gave a PowerPoint Presentation

Director of Community Development Crabtree addressed Council questions.

Public Speaker(s): Jeff Houston, Josie Gaillard, Carolyn Zhao, Alexis, Bruce Karney, Dashiell Leeds, Betsy Megas, Vanessa S., Kristel Wickham, Bruce Naegel, Sindhu Saggeri, Suzanne Emerson

A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to confirm the recommended Green House Gas target for the Climate Action Plan update and set the city's target to be more aggressive than the State of California Guidelines including the all electric reach code and add the following: intermediate goal target of 80% emissions reduction by 2035 while keeping the proposed 100% by 2045 target, and 25% VMT reduction from Active Measures aside from proximity to public transit, one secured biking parking spot per unit with electrical outlets for charging electric bikes, City to adopt a policy for City buildings to replace gas furnace with an electric equivalent on burnout, implement an Emissions Tracking Dashboard, facilitate Work-From-Home by improving the City's internet access & fiber, and to adopt an all Electric Reach code and changing the proposed EV charging 75% Level 1 requirement to Level 2 light at 3.8 Kw using an automatic load management software to balance the loads. (update it from proposed 25% level 2 and 75% level 1 to 25% level 2 and 75% light level 2 at 3.8kW).

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Becker noted his attendance at the Caltrain Modernization Local Policymaker Group meeting.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Santana noted that Council Committee meetings begin on March 3, 2021 with City/School Liasion Committee Meeting and Economic Development, Communications, and Marketing Committee Meeting.

4. 21-50 Study Session: Draft 2021 Non-NFL Events Marketing Plan for Levi's Stadium in Accordance with Section 4.10 of the Stadium Management Agreement

Recommendation: Stadium Authority Board discussion and possible action on ManCo's draft 2021 Marketing Plan.

Public Speaker(s): Jeff Fong

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to continue Item 4 and Item 5 to a future meeting.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

5. 21-44 Discussion of the Proposed Santa Clara Stadium Authority Fiscal Year 2021/22 Budget, Compliance and Management Policies

Recommendation: Review and provide input, or possible Board action, on the Santa Clara Stadium Authority Fiscal Year 2021/22 Operating, Debt Service, and Capital Budget and Stadium Authority Budget, Compliance and Management Policies.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to continue Item 4 and Item 5.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

ADJOURNMENT

The meeting was adjourned at 10:13 PM in memory of **Don Callejon**.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Hardy, to adjourn the meeting.

Aye: 7 - Council/Boardmember Watanabe, Vice Mayor/Chair Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Council/Boardmember Jain, Council/Boardmember Becker, and Mayor/Chair Gillmor

The next regular scheduled meeting is on Tuesday evening, March 9, 2021.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive $30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.

City of Santa Clara

Draft

Meeting Minutes

Council and Authorities Concurrent Meeting

Call and Notice of Special Meeting

Santa Clara Stadium Authority

03/09/2021 **4:00 PM** **Virtual Meeting**

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

• Via Zoom:

o https://santaclaraca.zoom.us/j/99706759306

Meeting ID: 997-0675-9306 or

o Phone: 1(669) 900-6833

• Via the City's eComment (now available during the meeting)

• Via email to PublicComment@santaclaraca.gov

As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Chair calls for a Special Meeting of the Governing Board of the Stadium Authority, to commence and convene on March 9, 2021, at 4:00 pm for a Special Meeting to be held virtually via Zoom, to consider the following matter(s) and to potentially take action with respect to them.

4:00 PM CLOSED SESSION

Call to Order

Mayor/Chair Gillmor called the meeting to order at 4:00 PM.

Roll Call

Present: 7 - Council/Boardmember Kathy Watanabe, Vice Mayor/Chair Raj Chahal, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Council/Boardmember Suds Jain, Council/Boardmember Anthony Becker, and Mayor/Chair Lisa M. Gillmor

Public Comment

None.

1.A 21-366 Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. Yumori Kaku, et al., California Sixth District Court of Appeal Case No. H046105

1.B 21-399 Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. IA Lodging Santa Clara, LLC, et al., Santa Clara County Superior Court Case No. 19CV340507

1.C 21-416 Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Sommers, et al., v. City of Santa Clara, et al., United States District Court, Northern District of California Case No. 5:17-cv-04469-BLF

Convene to Closed Session

Council convened to Closed Session at 4:04 PM and reconvened to Open Session at 5:38 PM.

5:30 PM COUNCIL/SPECIAL STADIUM AUTHORITY MEETING

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Hardy recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB 23 Announcement and Behavioral Standards.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney Doyle noted that there was no reportable action from Closed Session.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

2. 21-413 Action to Continue the Public Hearing Originally Set for March 9, 2021 and Set a New Hearing Date for March 16, 2021 to Consider the Appeal Submitted by Santa Clara Citizens for Sensible Industry c/o Legal Counsel for 1111 Comstock Street (PLN2019-13941; CEQ2020-01079)

Recommendation: Set March 16, 2021 for a Public Hearing to consider the Appeal submitted by Santa Clara Citizens for Sensible Industry c/o Legal Counsel of the Development Review Officer's November 4, 2020 adoption of the Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program and approval of the Architectural Review and Minor Modifications to increase the building height to 87 feet and reduce parking space requirements for the Comstock Data Center Project at 1111 Comstock Street.

Vice Mayor Chahal recused himself from this item as he has property within 1000 ft. of 1111 Comstock Street.

A motion was made by Councilmember Jain, seconded by Councilmember Watanabe, to set March 16, 2021 for a Public Hearing to consider the Appeal submitted by Santa Clara Citizens for Sensible Industry c/o Legal Counsel of the Development Review Officer's November 4, 2020 adoption of the Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program and approval of the Architectural Review and Minor Modifications to increase the building height to 87 feet and reduce parking space requirements for the Comstock Data Center Project at 1111 Comstock Street.

Aye: 6 - Councilmember Watanabe, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

Recused: 1 - Vice Mayor Chahal

Council/Boardmember Jain requested Items 5, 6, 7 be heard prior to Items Pulled from the Consent Calendar.

Executive Director Santana recommended hearing the Stadium Authority Budget (Item 7) prior to the Draft Marketing Plan (Item 6).

Geta Dev requested to pull Item 4.E from the Consent Calendar for further discussion.

SPECIAL ORDER OF BUSINESS

3.A 21-278 Proclaim March 2021 as Red Cross Month

Joe Siecinski and **Kay Ammon (American Red Cross - Silicon Valley Chapter)** gave a Powerpoint Presentation on American Red Cross Silicon Valley.

Mayor Gillmor proclaimed March 2021 as Red Cross Month.

3.B 21-396 Proclaim March 2021 as Women's History Month

Mayor Gillmor proclaimed March 2021 as Women's History Month.

3.C 21-343 Verbal Report from City Manager regarding COVID-19 Pandemic

City Manager Santana introduced **Chief Emergency Services Officer Schoenthal** who then gave a PowerPoint Presentation on COVID-19 with the following highlights:
- Santa Clara County remains in Red Tier;
- State of California released relaxed restrictions in all tiers;
- Data on Santa Clara County testing and case rates;
- CDC released guidance for vaccinated individuals;
- State of California released guidance's on contact and non-contact sports activities; and
- Data on the number of COVID-19 vaccinations that are being administered and the challenges of the vaccine allocations.

Chief Emergency Services Officer Schoenthal addressed **Council** questions.

CONSENT CALENDAR

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to approve the balance of the Consent Calendar (except Item 4.E and Item 4.L).

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

4.A 21-06 Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:

Santa Clara Tourism Improvement District Advisory Board - April 9, 2020
Santa Clara Tourism Improvement District Advisory Board - April 16, 2020
Santa Clara Tourism Improvement District Advisory Board - May 14, 2020
Santa Clara Tourism Improvement District Advisory Board - June 11, 2020
Santa Clara Tourism Improvement District Advisory Board - June 22, 2020
Planning Commission - October 28, 2020
Planning Commission - January 27, 2021
Board of Library Trustees - December 7, 2020
Board of Library Trustees - February 8, 2021
Cultural Commission - February 1, 2021

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to approve staff recommendation.

4.B 21-896 Approval of Budget Amendment for the TDA20-21 Bicycle Facilities Upgrade Project funded by Fiscal Year 2020/21 Transportation Development Act Funds

Recommendation: Establish a new TDA20-21 Bicycle Facilities Upgrade capital project and approve a FY 2020/21 budget amendment in the Streets and Highways Capital Fund to establish an appropriation for the new CIP project - TDA20-21 Bicycle Facilities Upgrade Project in the amount of $94,054 and increase the revenue estimate in the amount of $94,054 to recognize the Transportation Development Act Article 3 grant (five affirmative Council votes required for revenue actions only).

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to approve staff recommendation.

4.C 21-1259 Action to Approve a Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara and Monterey County Sheriff's Office

Recommendation: Approve a Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara, and Monterey County Sheriff's Office for support services associated with special events at Levi's Stadium.

A motion was made by Council/Boardmember Becker, seconded by Vice Mayor/Chair Chahal, to approve staff recommendation.

4.D 21-244 Action on Amendment No. 1 to the Steam Sales Agreement with The Newark Group, Inc. to Purchase Steam from the City's Cogeneration Facility to Renew and Extend the Agreement Until October 31, 2021 to Allow Staff to Continue Negotiations for a New Steam Sales Agreement

Recommendation: Authorize the City Manager to execute Amendment No. 1 to the Steam Sales Agreement with The Newark Group, Inc. to renew and extend the Agreement until October 31, 2021 to allow staff to continue negotiations for a new Steam Sales Agreement.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to approve staff recommendation.

4.F 21-37 Action on Approval of the Spending Plan for Supplemental Law Enforcement Services Fund and Related Budget Amendment

Recommendation:

1. Approve the spending plan for funds received from the Citizen's Option for Public Safety Programs Supplemental Law Enforcement Services Fund;
2. Approve a FY 2020/21 budget amendment in the Police Operating Grant Trust Fund to recognize revenue in the amount of $196,119 for the anticipated Fiscal Year 2020/21 revenue and establish the Citizen's Option for Public Safety FY 2020/21 appropriation in the amount of $196,119 (five affirmative Council votes required for revenue actions only); and
3. Approve a FY 2020/21 budget amendment in the Police Operating Grant Trust Fund to recognize revenue in the amount of $110,659 for revenue received in excess of the previously approved allocation for the COPS program from Fiscal Year 2019/20 and establish a Citizen's Option for Public Safety FY 2019/20 appropriation in the amount of $110,659 (five affirmative Council votes required for revenue actions only).

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to approve staff recommendation.

4.G 21-100 Action on Resolutions Dedicating Portions of City-Owned Land for Use as an Overhead Electric Easement, Underground Electric Easement and Sidewalk Easement Located at the Raymond G. Gamma Dog Park

Recommendation:

1. Adopt a Resolution Dedicating a Portion of City-owned Land located at the Raymond G. Gamma Dog Park for use as a sidewalk easement [APN 224-02-001 (2020-21); SC 19,332];
2. Adopt a Resolution Dedicating a Portion of City-owned Land located at the Raymond G. Gamma Dog Park for use as an underground electric easement [APN 224-02-001 (2020-21); SC 19,333];
3. Adopt a Resolution Dedicating a Portion of City-owned Land located at the Raymond G. Gamma Dog Park for use as an overhead electric easement [APN 224-02-001 (2020-21); SC 19,334]; and
4. Authorize the recordation of the Resolutions.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to 1) adopt Resolution No. 21-8944, dedicating a portion of City-owned land located at the Raymond G. Gamma Dog Park for use as a sidewalk easement [APN 224-02-001 (2020-21); SC 19,332]; 2) adopt Resolution No. 21-8945, dedicating a portion of City-owned Land located at the Raymond G. Gamma Dog Park for use as an underground electric easement [APN 224-02-001 (2020-21); SC 19,333]; 3) adopt Resolution No. 21-8946, dedicating a Portion of City-owned Land located at the Raymond G. Gamma Dog Park for use as an overhead electric easement [APN 224-02-001 (2020-21); SC 19,334]; and 4) authorize the recordation of the Resolutions.

4.H 21-160 Approval to Participate in the California Integrated Information Network (CALNET) State Contract with AT&T, Verizon, Sprint and T-Mobile for Telecommunication Services

Recommendation: 1. Authorize the City Manager to execute all required documentation for continued participation under the CALNET 3 Contract with AT&T, Verizon, Sprint and T-Mobile for voice and data telecommunication services through December 31, 2021, subject to the appropriation of funds; and
2. Authorize the City Manager to execute all required documentation under the next generation CALNET Contract with AT&T, Verizon, Sprint, and T-Mobile for all telecommunication services during the term of the next generation CALNET contract ending on May 22, 2028, subject to the appropriation of funds.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to (1) authorize the City Manager to execute all required documentation for continued participation under the CALNET 3 Contract with AT&T, Verizon, Sprint and T-Mobile for voice and data telecommunication services through December 31, 2021, subject to the appropriation of funds; and (2) authorize the City Manager to execute all required documentation under the next generation CALNET Contract with AT&T, Verizon, Sprint, and T-Mobile for all telecommunication services during the term of the next generation CALNET contract ending on May 22, 2028, subject to the appropriation of funds.

4.I 21-206 Action on the Award of Purchase Orders with Valley Oil and Western States Oil Company for the purchase of Gasoline and Diesel Fuel

Recommendation: Authorize the City Manager to execute purchase orders for gasoline and diesel fuel with Valley Oil and Western States Oil Company pursuant to the County of Santa Clara's cooperative fuel agreements, for a term ending on or around January 11, 2026 and subject to the annual appropriation of funds.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to approve staff recommendation.

4.J 21-179 Action on Historical Preservation Agreement (Mills Act Contract) for 904 Madison Street

Recommendation: Authorize the City Manager to execute a Mills Act contract and adopt the Ten-Year Restoration and Maintenance Plan associated with the Historic Property Preservation Agreement for the property at 904 Madison Street with applicants Quenton Diduck and Marlene Diduck; PLN2020-14670.

Mayor Gillmor abstained from this item as she owns property in close proximity to 904 Madison Street.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to authorize the City Manager to execute a Mills Act contract and adopt the Ten-Year Restoration and Maintenance Plan associated with the Historic Property Preservation Agreement for the property at 904 Madison Street with applicants Quenton Diduck and Marlene Diduck; PLN2020-14670.

Aye: 6 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, and Councilmember Becker

Abstained: 1 - Mayor Gillmor

4.K 21-217 Action on Award of Purchase Orders to Reed & Graham, Inc. and Granite Construction Company for the purchase of Hot Mix Asphalt

Recommendation: 1. Authorize the City Manager to execute purchase orders with Reed & Graham, Inc., and Granite Construction Company for the purchase of hot mix asphalt, for an initial term ending June 30, 2022, with an aggregate maximum compensation not-to-exceed $362,981, subject to the annual appropriation of funds; and

2. Authorize the City Manager to execute up to five one-year options to renew the purchase orders after the initial term, with the final term ending on June 30, 2027, subject to the annual appropriation of funds.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to approve staff recommendation.

4.M 21-225 Action on Various Agreements for Silicon Valley Power (SVP), Authorizing the City Manager to:

1. Execute Amendment No. 1 to an Agreement for Services with e-Builder, Inc. for License and Support Fees for Capital Project Management Software;
2. Execute Amendment No. 1 to an Agreement for Services with Efficiency Services Group, LLC to administer the Commercial Parking Lot & Exterior Lighting Program to Silicon Valley Power's (SVP) small and mid-sized business customers; and
3. Add or delete services consistent with the scopes of the agreements, and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds

Recommendation:

1. Authorize the City Manager to execute Amendment No. 1 to an Agreement for Services with e-Builder, Inc. for License and Support Fees for Capital Project Management Software to cover the cost of the Annual Software Subscription as well as Enterprise Implementation, Setup, Deployment, Training, and Enhancements or Integrations for e-Builder, Inc. to increase the maximum compensation from $1,015,449 to $1,150,000;
2. Authorize the City Manager to execute Amendment No. No. 1 to an Agreement for Services with Efficiency Services Group, LLC to administer the Commercial Parking Lot & Exterior Lighting Program to Silicon Valley Power's (SVP) small and mid-sized business customers; and
3. Authorize the City Manager to add or delete services consistent with the scope of the agreements and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to approve staff recommendation.

PUBLIC PRESENTATIONS

Kirk Vartan (e-mail) expressed comments of concern regarding Councilmembers having their video on throughout the duration of a meeting.

21-661 Public Presentations Post Meeting Material

AGENDA ITEMS CONTINUED FROM MARCH 2, 2021

5. 21-402 Action on the FY 2020/21 Budget Rebalancing Actions to Address COVID-19 Pandemic Impacts (Continued from February 23, 2021 and March 2, 2021)

Recommendation: Alternatives 1 and 2 (net reduction of expenditures) and 3 (adjustments to transfers of unused balances to other uses and revenue), as follows:

(A) Council action on the following budget amendments resulting in a net reduction of expenditures and **requiring four affirmative votes**:

1. Approve the budget amendments detailed in Attachment 1 that result in a net reduction in expenditures of $19,118,695 in various funds for all Departments and Offices, except the Mayor and Council and the City Auditor's Office and City Attorney's Office appointees, to offset corresponding revenue reductions in Transient Occupancy Tax, Charges for Services, Interest Earnings, Fines and Penalties, and Interdepartmental Revenue in various funds **(four affirmative Council votes required)**;
2. Consider and approve the budget amendments detailed in Attachment 2 for the Mayor and Council, the City Auditor's Office, and City Attorney's Office appointees that reduce expenditures in the General Fund by $440,372 to offset a corresponding revenue reduction in Transient Occupancy Tax revenue **(four affirmative Council votes required)**.

(B) Approve the following FY 2020/21 budget amendments in various funds requiring five affirmative votes and consistent with **City Charter Section 1305**, **"***At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the* ***affirmative votes of at least five members*** *so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not included in the budget*":

3. Approve the budget amendments that recognize additional revenue, including the transfers to the General Fund of $204,857 from the Streets and Highways Capital Fund and $6,000 from the Parking Maintenance District Fund as detailed in Attachment 1 to offset a corresponding revenue reduction in Transient Occupancy Tax revenue **(five affirmative Council votes required to appropriate additional revenue)**.

City Manager Santana made introductory comments on this item continued from March 2, 2021.

Director of Finance Lee gave a PowerPoint presentation and addressed **Council** questions.

City Manager Santana addressed Council questions.

Chief of Police Nikolai gave a PowerPoint Presentation on Violent Crime stats.

A motion was made by **Councilmember Hardy**, seconded by **Vice Mayor Chahal** to approve Alternatives 1, 2 and 4: (1) approve the budget amendments detailed in Attachment 1 that result in a net reduction in expenditures of $19,118,695 in various funds for all Departments and Offices, except the Mayor and Council and the City Auditor's Office and City Attorney's Office appointees, to offset corresponding revenue reductions in Transient Occupancy Tax, Charges for Services, Interest Earnings, Fines and Penalties, and Interdepartmental Revenue in various funds (four affirmative Council votes required); (2) consider and approve the budget amendments detailed in Attachment 2 for the Mayor and Council, the City Auditor's Office, and City Attorney's Office appointees that reduce expenditures in the General Fund by $440,372 to offset a corresponding revenue reduction in Transient Occupancy Tax revenue (four affirmative Council votes required); and (4) freeze rather than eliminate positions, amend the actions included in Attachments 1 and/or 2 to reflect this change (four affirmative Council votes required).

Public Speaker(s): Linda
Bob O'Keefe
Anthony Pascoal
Alex Torke
Debbie Algieri

Council discussion continued.

Councilmember Watanabe proposed a friendly amendment to the motion on the table to include Alternative 6 - to exclude the Fire Department Minimum Staffing Overtime Reduction/Engine Company Brown-Outs proposal, replace the FY 2020/21 General Fund budget reduction proposal detailed in Attachment 1 with a lower reduction in Transient Occupancy Tax revenue by $705,174 (four affirmative Council votes required) and Alternative 8 - to exclude the Police Department Police Field Operations Division - Field Training Officer Program/Academy ($649,738) proposal, Police Administrative Services Division - Task Force Unit ($470,556) proposal, and Police Field Operations Division - Community Service Officers ($534,655) proposal, replace the FY 2020/21 General Fund budget reduction proposals detailed in Attachment 1 with a lower reduction in Transient Occupancy Tax Revenue by $1,654,949 (four affirmative Council votes required).

Councilmember Hardy declined the proposed friendly amendment to the motion and requested that proposal be taken separately.

Mayor Gillmor seconded **Councilmember Watanabe's** amended motion.

Chief of Police Nikolai expressed comments of concern regarding comments made by Councilmembers.

Council discussion and questions continued.

A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to amend Councilmember Hardy's motion to include Alternative 6 - to exclude the Fire Department Minimum Staffing Overtime Reduction/Engine Company Brown-Outs proposal, replace the FY 2020/21 General Fund budget reduction proposal detailed in Attachment 1 with a lower reduction in Transient Occupancy Tax revenue by $705,174 (four affirmative Council votes required) and Alternative 8 - to exclude the Police Department Police Field Operations Division - Field Training Officer Program/Academy ($649,738) proposal, Police Administrative Services Division - Task Force Unit ($470,556) proposal, and Police Field Operations Division - Community Service Officers ($534,655) proposal, replace the FY 2020/21 General Fund budget reduction proposals detailed in Attachment 1 with a lower reduction in Transient Occupancy Tax Revenue by $1,654,949 (four affirmative Council votes required).

Aye: 3 - Councilmember Watanabe, Councilmember Becker, and Mayor Gillmor

Nay: 4 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Jain

Motion Fails.

Council proceeded to consider the original motion by **Councilmember Hardy** on the table.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Chahal to approve Alternatives 1, 2 and 4: (1) approve the budget amendments detailed in Attachment 1 that result in a net reduction in expenditures of $19,118,695 in various funds for all Departments and Offices, except the Mayor and Council and the City Auditor's Office and City Attorney's Office appointees, to offset corresponding revenue reductions in Transient Occupancy Tax, Charges for Services, Interest Earnings, Fines and Penalties, and Interdepartmental Revenue in various funds (four affirmative Council votes required); (2) consider and approve the budget amendments detailed in Attachment 2 for the Mayor and Council, the City Auditor's Office, and City Attorney's Office appointees that reduce expenditures in the General Fund by $440,372 to offset a corresponding revenue reduction in Transient Occupancy Tax revenue (four affirmative Council votes required); and (4) freeze rather than eliminate positions, amend the actions included in Attachments 1 and/or 2 to reflect this change (four affirmative Council votes required);

Aye: 4 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Jain

Nay: 3 - Councilmember Watanabe, Councilmember Becker, and Mayor Gillmor

Motion Passes.

Vice Mayor Chahal proposed to consider Alternative 3: approve the budget amendments that recognize additional revenue, including the transfers to the General Fund of $204,857 from the Streets and Highways Capital Fund and $6,000 from the Parking Maintenance District Fund as detailed in Attachment 1 to offset a corresponding revenue reduction in Transient Occupancy Tax revenue (five affirmative Council votes required to appropriate additional revenue)

Councilmember Jain requested to include Alternative 5: exclude the Fire Department Minimum Staffing Overtime Reduction/Engine Company Brown-Outs proposal, replace the FY 2020/21 General Fund budget reduction proposal detailed in Attachment 1 with the use of $705,174 from the General Fund Budget Stabilization Reserve (five affirmative Council votes required for the use of unused balances).

Vice Mayor Chahal agreed and **Councilmember Jain** seconded the motion.

A motion was made by Vice Mayor Chahal, seconded by Councilmember Jain, to approve Alternatives 3 and 5: (3) approve the budget amendments that recognize additional revenue, including the transfers to the General Fund of $204,857 from the Streets and Highways Capital Fund and $6,000 from the Parking Maintenance District Fund as detailed in Attachment 1 to offset a corresponding revenue reduction in Transient Occupancy Tax revenue (five affirmative Council votes required to appropriate additional revenue) and (5) exclude the Fire Department Minimum Staffing Overtime Reduction/Engine Company Brown-Outs proposal, replace the FY 2020/21 General Fund budget reduction proposal detailed in Attachment 1 with the use of $705,174 from the General Fund Budget Stabilization Reserve (five affirmative Council votes required for the use of unused balances)

Aye: 4 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Jain

Nay: 3 - Councilmember Watanabe, Councilmember Becker, and Mayor Gillmor

Motion Fails.

Vice Mayor Chahal made a motion, seconded by **Councilmember Hardy**, to approve Alternative 3: approve the budget amendments that recognize additional revenue, including the transfers to the General Fund of $204,857 from the Streets and Highways Capital Fund and $6,000 from the Parking Maintenance District Fund as detailed in Attachment 1 to offset a corresponding revenue reduction in Transient Occupancy Tax revenue (five affirmative Council votes required to appropriate additional revenue).

A motion was made by Vice Mayor Chahal, seconded by Councilmember Hardy, to approve Alternative 3: approve the budget amendments that recognize additional revenue, including the transfers to the General Fund of $204,857 from the Streets and Highways Capital Fund and $6,000 from the Parking Maintenance District Fund as detailed in Attachment 1 to offset a corresponding revenue reduction in Transient Occupancy Tax revenue (five affirmative Council votes required to appropriate additional revenue).

Aye: 4 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Jain

Nay: 3 - Councilmember Watanabe, Councilmember Becker, and Mayor Gillmor

Motion Fails.

Councilmember Becker requested to reconsider his vote on the previous motion (Alternative 3).

City Attorney Doyle noted that **Councilmember Becker** can see if there is a unanimous consent to reconsider his vote.

Councilmember Becker asked the Council for unanimous consent to reconsider his vote.

Mayor Gillmor asked if there were any objections. **Councilmember Watanabe** objected.

A motion was made by **Councilmember Becker**, seconded by **Vice Mayor Chahal**, approve Alternative 5: to exclude the Fire Department Minimum Staffing Overtime Reduction/Engine Company Brown-Outs proposal, replace the FY 2020/21 General Fund budget reduction proposal detailed in Attachment 1 with the use of $705,174 from the General Fund Budget Stabilization Reserve (five affirmative Council votes required for the use of unused balances).

City Attorney Doyle addressed **Council** questions.

Councilmember Watanabe requested a friendly amendment to the motion on the table to include Alternative 7: to exclude the Police Department Police Field Operations Division - Field Training Officer Program/Academy ($649,738) proposal, Police Administrative Services Division - Task Force Unit ($470,556) proposal, and Police Field Operations Division - Community Service Officers ($534,655) proposal, replace the FY 2020/21 General Fund budget reduction proposals detailed in Attachment 1 with the use of $1,654,949 from the General Fund Budget Stabilization Reserve (five affirmative Council votes required for the use of unused balances).

Councilmember Becker agreed. **Vice Mayor Chahal** (seconder) did not agree and requested Alternative 7 be taken separately.

Mayor Gillmor seconded the amendment from **Councilmember Watanabe** to add Alternative 7 to the motion on the table.

A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to amend Councilmember Becker's motion to include Alternative 7: to exclude the Police Department Police Field Operations Division - Field Training Officer Program/Academy ($649,738) proposal, Police Administrative Services Division - Task Force Unit ($470,556) proposal, and Police Field Operations Division - Community Service Officers ($534,655) proposal, replace the FY 2020/21 General Fund budget reduction proposals detailed in Attachment 1 with the use of $1,654,949 from the General Fund Budget Stabilization Reserve (five affirmative Council votes required for the use of unused balances)

Aye: 3 - Councilmember Watanabe, Councilmember Becker, and Mayor Gillmor

Nay: 4 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Jain

Motion Fails.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to approve Alternative 5: to exclude the Fire Department Minimum Staffing Overtime Reduction/Engine Company Brown-Outs proposal, replace the FY 2020/21 General Fund budget reduction proposal detailed in Attachment 1 with the use of $705,174 from the General Fund Budget Stabilization Reserve (five affirmative Council votes required for the use of unused balances).

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

Motion Passes.

A motion was made by **Councilmember Watanabe,** seconded by **Mayor Gillmor**, to approve Alternative 7: exclude the Police Department Police Field Operations Division - Field Training Officer Program/Academy ($649,738) proposal, Police Administrative Services Division - Task Force Unit ($470,556) proposal, and Police Field Operations Division - Community Service Officers ($534,655) proposal, replace the FY 2020/21 General Fund budget reduction proposals detailed in Attachment 1 with the use of $1,654,949 from the General Fund Budget Stabilization Reserve (five affirmative Council votes required for the use of unused balances).

Public Speaker(s): Mike A
Alex Torke
Debbie Algieri
Bob O'Keefe
Brenna Burnette
Alex Torke
Kathy Kelsey

Council discussion continued.

A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to approve Alternative 7: exclude the Police Department Police Field Operations Division - Field Training Officer Program/Academy ($649,738) proposal, Police Administrative Services Division - Task Force Unit ($470,556) proposal, and Police Field Operations Division - Community Service Officers ($534,655) proposal, replace the FY 2020/21 General Fund budget reduction proposals detailed in Attachment 1 with the use of $1,654,949 from the General Fund Budget Stabilization Reserve (five affirmative Council votes required for the use of unused balances).

Aye: 4 - Councilmember Watanabe, Councilmember Park, Councilmember Becker, and Mayor Gillmor

Nay: 3 - Vice Mayor Chahal, Councilmember Hardy, and Councilmember Jain

Motion Fails.

A motion was made by **Councilmember Watanabe**, seconded by **Mayor Gillmor**, to approve Alternative 8: exclude the Police Department Police Field Operations Division - Field Training Officer Program/Academy ($649,738) proposal, Police Administrative Services Division - Task Force Unit ($470,556) proposal, and Police Field Operations Division - Community Service Officers ($534,655) proposal, replace the FY 2020/21 General Fund budget reduction proposals detailed in Attachment 1 with a lower reduction in Transient Occupancy Tax Revenue by $1,654,949 (four affirmative Council votes required).

Public Speaker(s): Amy Aken

Council discussion continued.

A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to approve Alternative 8: exclude the Police Department Police Field Operations Division - Field Training Officer Program/Academy ($649,738) proposal, Police Administrative Services Division - Task Force Unit ($470,556) proposal, and Police Field Operations Division - Community Service Officers ($534,655) proposal, replace the FY 2020/21 General Fund budget reduction proposals detailed in Attachment 1 with a lower reduction in Transient Occupancy Tax Revenue by $1,654,949 (four affirmative Council votes required).

Aye: 3 - Councilmember Watanabe, Councilmember Becker, and Mayor Gillmor

Nay: 4 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Jain

Motion Fails.

Mayor Gillmor called for a recess at 8:56 PM and reconvened the meeting at 9:14 PM.

PUBLIC HEARING/GENERAL BUSINESS

City Manager Santana requested Items 8 and 9 to be heard prior to Item 7.

8. 21-323 Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 1051 Martin Avenue, Santa Clara, California, from Bay Area Cellular Telephone Company

Recommendation: Alternative 1: Adopt a Resolution of Necessity to Acquire Certain Real Property Interests on 1051 Martin Avenue, Santa Clara, California, from Bay Area Cellular Telephone Company.

Chief Electrical Utility Officer Pineda gave a PowerPoint Presentation.

A motion was made by Councilmember Jain, seconded by Councilmember Hardy, to close the Public Hearing.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

A motion was made by Councilmember Watanabe, seconded by Councilmember Jain, to approve Alternative 1: adopt Resolution No. 21-8947 of Necessity to Acquire Certain Real Property Interests on 1051 Martin Avenue, Santa Clara, California, from Bay Area Cellular Telephone Company.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

9. 21-325 Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 2435 Lafayette Street, Santa Clara, California, from Wesco Properties, Inc.

Recommendation: Alternative 1: Adopt a Resolution of Necessity to Acquire Certain Real Property Interests on 2435 Lafayette Street, Santa Clara, California, from Wesco Properties, Inc.

Chief Electric Utility Officer Pineda gave a PowerPoint Presentation.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to close the Public Hearing.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve Alternative 1: adopt Resolution No. 21-8948 of Necessity to Acquire Certain Real Property Interests on 2435 Lafayette Street, Santa Clara, California, from Wesco Properties, Inc.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

7. 21-401 Study Session: Proposed Santa Clara Stadium Authority Fiscal Year 2021/22 Budget, Compliance and Management Policies (Continued from March 2, 2021)

Recommendation: Review and provide input, or possible Board action, on the Santa Clara Stadium Authority Fiscal Year 2021/22 Operating, Debt Service, and Capital Budget and Stadium Authority Budget, Compliance and Management Policies.

Executive Director Santana and **Stadium Treasurer Lee** gave a PowerPoint Presentation and addressed Board questions.

Board comments and questions followed.

Jeff Fong, Vice President of Finance for the Forty Niners Management Company gave a Powerpoint Presentation and addressed **Board** questions.

Stadium Authority Counsel Doyle and **Executive Director Santana** addressed the Forty Niners Management Company's PowerPoint Presentation.

Stadium Treasurer Lee gave an additional PowerPoint Presentation and addressed Board questions.

Board comments and questions followed.

City Clerk Haggag expressed comments of concern regarding comments made on the **Forty Niners Managment Company's** PowerPoint Presentation.

Board comments and questions followed.

Public Speaker(s): Deb

6. 21-405 Study Session: Draft 2021 Non-NFL Events Marketing Plan for Levi's Stadium in Accordance with Section 4.10 of the Stadium Management Agreement (Continued from March 2, 2021)

Recommendation: Stadium Authority Board discussion and possible action on ManCo's draft 2021 Marketing Plan.

This meeting was adjourned to March 10, 2021 at 4:00 p.m. to continue discussion and action on Items (Item 4.E, Item 4.L, and Item 6) not heard.

CONSENT ITEMS PULLED FOR DISCUSSION

4.E 21-215 Action on Amendment No. 4 to the Agreement for Professional Services with Perkins + Will for the Tasman East Specific Plan and Related Budget Amendment

Recommendation:
1. Authorize the City Manager to execute Amendment No. 4 to the Agreement with Perkins + Will for professional services to prepare the Amendment to the Tasman East Specific Plan to allow 1,500 additional units in the Tasman East area, along with preparation of the associated environmental clearance by increasing the amount of the agreement by $275,000 and extending the term of the agreement through June 30, 2022 for a revised not-to-exceed maximum compensation of $1,461,432, subject to the appropriation of funds; and
2. Approve a FY 2020/21 budget amendment in the Other City Departments Operating Grant Trust Fund to recognize grant revenue in the amount of $310,000 and establish a Planning Grants Program appropriation in the amount of $310,000 (five affirmative votes required for revenue actions only).

This meeting was adjourned to March 10, 2021 at 4:00 p.m. to continue discussion and action on Items (Item 4.E, Item 4.L, and Item 6) not heard.

4.L 21-216 Action on a Resolution Authorizing the City Manager to Execute a Cooperative Agreement with the Energy Council for the Bay Area Regional Heat Pump Water Heater Contractor Incentive Program

Recommendation:
1. Adopt a Resolution authorizing the City Manager to execute a Cooperative Agreement with The Energy Council for the Bay Area Regional Heat Pump Water Heater Contractor Incentive Program; and
2. Authorize the City Manager to approve modifications to the Cooperative Agreement that do not materially change the benefits to or obligations of the City under the agreement.

This meeting was adjourned to March 10, 2021 at 4:00 p.m. to continue discussion and action on Items (Item 4.E, Item 4.L, and Item 6) not heard.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

None.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

21-379 Update on City Council and Stadium Authority Staff Referrals

ADJOURNMENT

The meeting was adjourned to March 10, 2021 at 4:00 PM to hear and consider the remaining Items: Item 4.E, 4.L, and Item 6.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Hardy, to adjourn the meeting to Wednesday, March 10, 2021 at 4:00 PM.

Aye: 7 - Council/Boardmember Watanabe, Vice Mayor/Chair Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Council/Boardmember Jain, Council/Boardmember Becker, and Mayor/Chair Gillmor

The next scheduled meeting is on Wednesday, March 10, 2021.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive $30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.

21-485 **Agenda Date: 5/25/2021**

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT
Action on Stadium Authority Bills and Claims for the Month of March 2021

BOARD PILLARS
Enhance Community Engagement and Transparency
Ensure Compliance with Measure J and Manage Levi's Stadium

BACKGROUND
Disbursements made by the Stadium Authority are based on invoices submitted for payment. Prior to payment, staff reviews all disbursement documents to ensure that they are in compliance with the goods or services provided.

The Bills and Claims listing represents the cash disbursements required of normal and usual operations during the period. Budget control is set by the Stadium Authority Board through the budget adoption process.

DISCUSSION
On April 30, 2019, the Stadium Authority Board directed staff to stop payment of any Stadium Authority invoices for services unless there is substantial documentation of services rendered, which must also be in compliance with State law and City Code. Since April 30, 2019, staff received direction to pay Stadium Authority invoices related to SBL sales and services, insurance, and utilities.

Significant expenses in March 2021 include:

- Payments totaling $134,629.47 to the City of Santa Clara for the following:
  - $131,238.40 for reimbursement of General and Administrative (G&A) City payroll costs (e.g.: City Manager's Office, City Attorney's Office, and Finance Department)
  - $3,391.07 for reimbursement of CapEx Stadium Authority Expenses
- Payments totaling $5,874,288.99 to Forty Niners SC Stadium Co, LLC for the following:
  - $77,577.27 for CFD Advance Payment - Interest
  - $5,796,711.72 for the Subordinated Loan Payment - Principal & Interest
- Payment totaling $447,000.00 to Forty Niners Stadium Management Co, LLC for the following:
  - $247,000.00 for March 2021 Stadium Manager Expenses - Insurance
  - $200,000.00 for March 2021 Stadium Manager Expenses - Utilities
- Payments totaling $89,714.14 for Legal Services
- Payments totaling $2,136.00 to Santa Clara Weekly for Public Hearing Notice

Names of law firms that provide legal services to the Stadium Authority have been redacted from the Bills and Claims report. The Supreme Court of California in *Los Angeles County Board of Supervisors*

v. Superior Court, (2016) 2 Cal.5th 282, held that invoices specifying the amounts billed by a law firm to a client fall within the scope of the attorney-client privilege while the matters are active. In accordance with the Supreme Court's ruling, the names of law firms retained by the Stadium Authority have been redacted to maintain confidentiality of billing records for legal services.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

There is a $6,548,599.96 fiscal impact to the Stadium Authority.

COORDINATION

This report has been coordinated with the Stadium Authority Counsel's Office.

PUBLIC CONTACT

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RECOMMENDATION

Approve the list of Stadium Authority Bills and Claims for March 2021.

Reviewed by: Kenn Lee, Treasurer
Approved by: Deanna J. Santana, Executive Director

ATTACHMENTS

1. March 2021 SCSA Bills and Claims

Santa Clara Stadium Authority

Bills and Claims
Expenses Paid by Wire Transfer
For the Month of March 2021

Payment Date	Vendor	Invoice No.	Description	Fund		Amount
3/15/2021	Bank of America	N/A	February 2021 bank fees acct 0444	Operating	$ 651.19	
3/15/2021	Bank of America	N/A	February 2021 bank fees acct 0425	Operating	127.57	
3/15/2021	Bank of America	N/A	February 2021 bank fees acct 6280	Operating	34.26	
3/15/2021	Bank of America		February 2021 bank fees acct 6596	Operating	18.34	
			Bank of America Subtotal			831.36
3/5/2021	City of Santa Clara	N/A	B2104 SCSA Admin Payroll Costs	Operating	61,446.06	
3/18/2021	City of Santa Clara	N/A	B2105 SCSA Admin Payroll Costs	Operating	69,792.34	
3/5/2021	City of Santa Clara	N/A	Reimburse City of Santa Clara for CapEx Costs	CapEx	3,391.07	
			City of Santa Clara Subtotal			134,629.47
3/31/2021	Forty Niners SC Stadium Co, LLC	N/A	CFD Advance Payment - Interest	Debt Service	77,577.27	
3/31/2021	Forty Niners SC Stadium Co, LLC	N/A	Subordinated Loan Payment - Principal & Interest	Debt Service	5,796,711.72	
			Forty Niners SC Stadium Co, LLC Subtotal			5,874,288.99
3/24/2021	Forty Niners Stadium Management Co, LLC	SLS-23169	March 2021 Std Mgr - Insurance	Operating	247,000.00	
3/24/2021	Forty Niners Stadium Management Co, LLC	SLS-23169	March 2021 Std Mgr - Utilities	Operating	200,000.00	
			Forty Niners Stadium Management Co, LLC Subtotal			447,000.00
N/A	[redacted]	N/A	Legal Services	Operating		85,891.64
N/A	[redacted]	N/A	Legal Services	Operating		3,822.50
3/30/2021	Santa Clara Weekly	1245142	Public Hearing Notice	Operating	840.00	
3/30/2021	Santa Clara Weekly	1245155	Public Hearing Notice	Operating	1,296.00	
			Santa Clara Weekly Subtotal			2,136.00
			March 2021 Total			**$ 6,548,599.96**

21-1137 **Agenda Date: 5/25/2021**

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT
Action on an Agreement with KPMG LLP to provide auditing services for the Santa Clara Stadium Authority

BOARD PILLAR
Ensure Compliance with Measure J and Manage Levi's Stadium

BACKGROUND
The Credit Agreement, entered into between the Santa Clara Stadium Authority (Stadium Authority), Stadium Funding Trust (FinanceCo), and Goldman Sachs Bank USA on March 28, 2012, requires that the Stadium Authority file audited annual financial statements within 180 days after the end of each fiscal year. It further requires that the financial statements be audited by a nationally recognized independent certified public accounting (CPA) firm (also known as the "Big Four") selected by the Stadium Authority.

Section 8.3.3 of the Amended and Restated Stadium Lease Agreement (Stadium Lease) between the Stadium Authority and Forty Niners SC Stadium Company LLC (StadCo) dated June 19, 2013 requires the Stadium Authority to furnish (or cause the Stadium Manager to furnish) to the Tenant a Statement of Operations within 90 days following each lease year. The Statement of Operations shall be prepared by a qualified, third party independent certified public accountant selected by Landlord and approved by Tenant, of the following: Stadium Authority Revenue, Tenant's Proportionate Share, Shared Stadium Expenses, the amount of Tenant's payments for Estimated Shared Stadium Expenses, Stadium Authority Expenses, Capital Expenditures, Net Income from Non-NFL Events, and distributions to and from the Operating Expense Reserve, Stadium Capital Expenditure Reserve and Renovation/Demolition Reserve. This reporting requirement was also noted in the Harvey Rose Measure J Audit under audit finding item 1.I.

In addition, Section 8.6.3 of the Stadium Lease allow for the Stadium Authority to conduct an audit of the Stadium Records within 180 days following the Stadium Authority's receipt of any Annual Statement of Stadium from the Tenant. The Stadium Authority desires to have an independent CPA review of the Shared Stadium Expenses between the Stadium Authority and StadCo.

DISCUSSION
Staff issued a formal Request for Proposal (RFP) in June 2020 for the annual external audit services and the agreed upon procedures (AUP) on the Statement of Operations and Shared Stadium Expenses. The RFP specifically requested that the auditing firm performing the audit to verify the transaction balances against supporting source documents for all items selected for testing based on the firms' audit procedures. The Stadium Authority wants to ensure that all the recorded transactions have proper source documentation and are fully supported. To ensure that the accounting firms

received the RFP, staff contacted each of the Big Four accounting firms to determine if they would be interested in submitting a proposal for audit services. Staff also extended the RFP due date by two more weeks to provide firms with more time to respond. All of the firms respectively declined except for KPMG LLP (KPMG).

Staff recommends that the Stadium Authority enter into a five-year contract with KPMG for audit services. Staff also recommends retaining KPMG to perform certain AUP to satisfy both the Statement of Operations requirement and Shared Expenses review. This work is in addition to the annual financial statement audit. The engagement letters containing the specific procedures to be performed for these services are attached within the agreement.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of a California Environmental Quality Act ("CEQA") pursuant to the CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

The proposed Agreement is for a five-year term. KPMG will conduct the external financial audit and both Agreed Upon Procedures in the fiscal year ending March 31, 2021 for a not to exceed amount of $142,120 with fixed contractual increases for the following fiscal years. The total cost of the contract over the five years will not exceed $754,554. The cost of the fiscal year 2020/21 audit is budgeted in the fiscal year 2021/22 Stadium Authority Operating Budget. Appropriations in future year will be requested and approved through the annual budget process.

COORDINATION

This report has been coordinated with the Stadium Authority Counsel and Executive Director.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

RECOMMENDATION

Approve and authorize the Executive Director to execute an agreement with KPMG LLP to provide auditing services for the Santa Clara Stadium Authority for FY 2020/21 through FY 2024/25 in the amount not-to-exceed $754,554.

Prepared by: David Noce, Audit Manager
Reviewed by: Kenn Lee, Treasurer
Approved by: Deanna J. Santana, Executive Director

ATTACHMENTS

1. Professional Services Agreement with KPMG LLP

EBIX Insurance No. *S200002724

AGREEMENT FOR SERVICES BETWEEN THE SANTA CLARA STADIUM AUTHORITY AND KPMG LLP

PREAMBLE

This Agreement is entered into between the Santa Clara Stadium Authority, a joint powers agency created pursuant to Section 6532 of the California Government Code, with its primary business address at 1500 Warburton Avenue, Santa Clara, California 95050 ("Authority"), and KPMG LLP, a Delaware registered limited liability partnership, with a place of business located at 55 Second Street, Suite 1400, San Francisco, California 94105, (Contractor). Authority and Contractor may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

A. Authority desires to secure the services more fully described in this Agreement, at Exhibit A, entitled "Scope of Services";

B. Contractor represents that it, and its subcontractors, if any, have the professional qualifications, expertise, necessary licenses and desire to provide certain goods and/or required services of the quality and type which meet objectives and requirements of Authority; and,

C. The Parties have specified herein the terms and conditions under which such services will be provided and paid for.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AGREEMENT DOCUMENTS

The documents forming the entire Agreement between Authority and Contractor shall consist of these Terms and Conditions and the following Exhibits, which are hereby incorporated into this Agreement by this reference:

Exhibit A – Scope of Services

Exhibit B – Schedule of Fees

Exhibit C – Insurance Requirements

This Agreement, including the Exhibits set forth above, contains all the agreements, representations and understandings of the Parties, and supersedes

and replaces any previous agreements, representations and understandings, whether oral or written. In the event of any inconsistency between the provisions of any of the Exhibits and the Terms and Conditions, the Terms and Conditions shall govern and control.

2. TERM OF AGREEMENT

Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on the Effective Date of this Agreement and terminate on March 31, 2026.

3. SCOPE OF SERVICES & PERFORMANCE SCHEDULE

Contractor shall perform those Services specified in Exhibit A within the time stated in Exhibit A. Time is of the essence.

4. WARRANTY

Contractor expressly warrants that all materials and services covered by this Agreement shall be performed in accordance with the applicable professional standards.

5. QUALIFICATIONS OF CONTRACTOR - STANDARD OF CARE

Contractor represents and maintains that it has the experience in the professional calling necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and Authority expressly relies upon Contractor's representations regarding its skills and knowledge. Contractor shall perform such Services and duties in conformance to and consistent with the professional standards.

6. COMPENSATION AND PAYMENT

In consideration for Contractor's complete performance of Services, Authority shall pay Contractor for all materials provided and Services rendered by Contractor in accordance with Exhibit B, entitled "SCHEDULE OF FEES." The maximum compensation of this Agreement is seven hundred fifty-four thousand five hundred and fifty-four dollars, subject to budget appropriations, which includes all payments that may be authorized for Services and for expenses, supplies, materials and equipment required to perform the Services.

7. TERMINATION

A. Termination for Convenience. Authority shall have the right to terminate this Agreement, without cause or penalty, by giving not less than Thirty (30) days' prior written notice to Contractor.

B. Termination for Default. If Contractor fails to perform any of its material obligations under this Agreement, in addition to all other remedies provided by law, Authority may terminate this Agreement immediately upon written notice to Contractor, after providing reasonable notice and opportunity to cure.

C. Upon termination, each Party shall assist the other in arranging an orderly transfer and close-out of services in accordance with professional standards. Contractor may retain a copy of all information necessary to comply with its applicable professional standards and contractual obligations. Upon termination, Contractor shall discontinue further services as of the effective date of termination, and Authority shall pay Contractor for all Services satisfactorily performed up to such date.

8. ASSIGNMENT AND SUBCONTRACTING

Authority and Contractor bind themselves, their successors and assigns to all covenants of this Agreement. This Agreement shall not be assigned or transferred without the prior written approval of Authority. Contractor shall not hire subcontractors without express written permission from Authority.

Contractor shall be as fully responsible to Authority for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by them, as Contractor is for the acts and omissions of persons directly employed by it.

9. NO THIRD PARTY BENEFICIARY

This Agreement shall not be construed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

10. INDEPENDENT CONTRACTOR

Contractor and all person(s) employed by or contracted with Contractor to furnish labor and/or materials under this Agreement are independent contractors and do not act as agent(s) or employee(s) of Authority. Contractor has full rights to manage its employees in their performance of Services under this Agreement.

11. CONFIDENTIALITY OF MATERIAL

All ideas, memoranda, specifications, plans, manufacturing procedures, data, drawings, descriptions, documents, discussions or other information developed or received by or for Contractor and all other written information submitted to Contractor in connection with the performance of this Agreement shall be held confidential by Contractor and, except as permissible under applicable professional standards or use other permitted by this Agreement, shall not, without the prior written consent of Authority, be used for any purposes other than the performance of the Services nor be disclosed to an entity not connected

with performance of the Services. Nothing furnished to Contractor which is otherwise known to Contractor or becomes generally known to the related industry shall be deemed confidential.

12. OWNERSHIP OF MATERIAL

All deliverables under this Agreement shall be the property of Authority but Contractor may retain and use copies thereof. Authority shall not be limited in any way or at any time in its use of said material. No ownership rights of the Authority's information shall transfer to the Contractor. Contractor's working papers shall remain the Contractor's exclusive property. Contractor retains ownership rights of all its pre-existing property.

13. RIGHT OF AUTHORITY TO INSPECT RECORDS OF CONTRACTOR

Authority, through its authorized employees, representatives or agents, who are subject to our consent, shall have the right during the term of this Agreement and for four (4) years from the date of final payment for goods or services provided under this Agreement, to audit the timekeeping and expense records of Contractor for the purpose of verifying any and all charges made by Contractor in connection with Contractor compensation under this Agreement, including termination of Contractor. Contractor agrees to maintain sufficient timekeeping and expense records to establish the correctness of all charges submitted to Authority. Any expenses not so recorded shall be disallowed by Authority. Contractor shall bear the cost of the audit if the audit determines that there has been a substantial billing deviation in excess of five (5) percent adverse to the Authority.

Contractor shall submit to Authority any and all reports concerning its performance under this Agreement that may be requested by Authority in writing. Contractor agrees to assist Authority in meeting Authority's reporting requirements to the State and other agencies with respect to Contractor's Services hereunder.

14. HOLD HARMLESS/INDEMNIFICATION

A. To the extent permitted by law, Contractor agrees to protect, defend, hold harmless and indemnify Authority, its governing board, commissions, officers, employees, volunteers and agents from and against any claim, injury, liability, loss, cost, and/or expense or damage, including all costs and reasonable attorney's fees in providing a defense to any such claim arising out of, pertaining to, or relating to the negligence, recklessness, or willful misconduct of the Consultant, its employees, subcontractors, or agents in the performance or non-performance, of services under this Agreement. The Contractor is not required to provide indemnification under this section where doing so would violate the Contractor's independence requirements or other applicable professional standards.

B. Contractor's obligation to protect, defend, indemnify, and hold harmless in full Authority and Authority's employees, shall specifically extend to any and all employment-related claims of any type brought by employees, contractors, subcontractors or other agents of Contractor, against Authority (either alone, or jointly with Contractor), regardless of venue/jurisdiction in which the claim is brought and the manner of relief sought.

C. To the extent Contractor is obligated to provide health insurance coverage to its employees pursuant to the Affordable Care Act ("Act") and/or any other similar federal or state law, Contractor warrants that it is meeting its obligations under the Act and will fully indemnify and hold harmless Authority for any penalties, fines, adverse rulings, or tax payments associated with Contractor's responsibilities under the Act.

15. INSURANCE REQUIREMENTS

During the term of this Agreement, and for any time period set forth in Exhibit C, Contractor shall provide and maintain in full force and effect, at no cost to Authority, insurance policies as set forth in Exhibit C.

16. WAIVER

Contractor agrees that waiver by Authority of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement. Neither Authority's review, acceptance nor payments for any of the Services required under this Agreement shall be constructed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

17. NOTICES

All notices to the Parties shall, unless otherwise requested in writing, be sent to Authority addressed as follows:

Santa Clara Stadium Authority
Attention: Finance Department
1500 Warburton Avenue
Santa Clara, CA 95050
and by e-mail at finance@santaclaraca.gov, and
manager@santaclaraca.gov

And to Contractor addressed as follows:

KPMG LLP
55 Second Street, Suite 1400
San Francisco, CA 94105
or by facsimile at (415) 963-8100

The workday the e-mail was sent shall control the date notice was deemed given. An e-mail transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following business day.

18. COMPLIANCE WITH LAWS

Contractor shall comply with all applicable laws and regulations of the federal, state and local government, including but not limited to "The Code of the City of Santa Clara, California" ("SCCC"). In particular, Contractor's attention is called to the regulations regarding Campaign Contributions (SCCC Chapter 2.130), Lobbying (SCCC Chapter 2.155), Minimum Wage (SCCC Chapter 3.20), Business Tax Certificate (SCCC section 3.40.060), and Food and Beverage Service Worker Retention (SCCC Chapter 9.60), as such Chapters or Sections may be amended from time to time or renumbered. Additionally Contractor has read and agrees to comply with City's Ethical Standards (http://santaclaraca.gov/home/showdocument?id=58299).

19. CONFLICTS OF INTEREST

This Agreement does not prevent either Party from entering into similar agreements with other parties. To prevent a conflict of interest, Contractor certifies that to the best of its knowledge, no Authority officer, employee or authorized representative has any financial interest in the business of Contractor and that no person associated with Contractor has any interest, direct or indirect, which could conflict with the performance of this Agreement in accordance with applicable professional standards. Contractor is familiar with the provisions of California Government Code section 87100 and following, and certifies that it does not know of any facts which would violate these code provisions. Contractor will advise Authority if a conflict arises.

20. FAIR EMPLOYMENT

Contractor shall not discriminate against any employee or applicant for employment because of race, sex, color, religion, religious creed, national origin, ancestry, age, gender, marital status, physical disability, mental disability, medical condition, genetic information, sexual orientation, gender expression, gender identity, military and veteran status, or ethnic background, in violation of federal, state or local law.

21. NO USE OF AUTHORITY NAME OR EMBLEM

Contractor shall not use Authority's name, insignia, or emblem, or distribute any information related to services under this Agreement in any magazine, trade paper, newspaper or other medium without express written consent of Authority.

22. GOVERNING LAW AND VENUE

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California. The venue of any suit filed by either Party shall be vested in the state courts of the County of Santa Clara, or if appropriate, in the United States District Court, Northern District of California, San Jose, California. In the event of a dispute, the parties agree to use non-binding mediation prior to commencing litigation in a court of competent jurisdiction.

23. SEVERABILITY CLAUSE

In case any one or more of the provisions in this Agreement shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions, which shall remain in full force and effect.

24. AMENDMENTS

This Agreement may only be modified by a written amendment duly authorized and executed by the Parties to this Agreement.

25. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form: Dated: _____

BRIAN DOYLE
City Attorney

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

KPMG LLP
a Delaware Registered Limited Liability Partnership

Dated: 5/11/2021
By (Signature): Lisa Avis
Name: Lisa Avis
Title: Managing Director
Principal Place of Business Address: 500 Capitol Mall, Ste. 2100 Sacramento, CA 95814
Email Address: lavis@kpmg.com
Telephone: (916) 551-3115
Fax: (916) 554-1199

"CONTRACTOR"

EXHIBIT A
SCOPE OF SERVICES

The Services to be performed for the Authority by the Contractor under this Agreement are fully described in the Contractor's proposal entitled, "Engagement Letter" dated March 29, 2021 and March 30, 2021, which is attached to this Exhibit A and incorporated by this reference.

KPMG LLP
500 Capitol Mall, Ste 2100
Sacramento, CA 95814-4754

Telephone +1 916 448 4700
Fax +1 916 554 1199
kpmg.com

March 30, 2021

Santa Clara Stadium Authority
1500 Warburton Avenue
Santa Clara, California 95050

Attention: Finance Director

Ladies and Gentlemen:

This letter (Engagement Letter) confirms our understanding of our engagement to provide professional services to the Authority.

Objectives and Limitations of Services

Audit Services

You have requested that we audit the Authority's financial statements as set forth in Appendix I.

We have the responsibility to conduct and will conduct the audit of the financial statements in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States (Government Auditing Standards), with the objectives of obtaining reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to error or fraud, and issuing an auditor's report that includes our opinion as to whether the presentation of the financial statements conforms with U.S. generally accepted accounting principles.

Reasonable assurance is a high level of assurance but it is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users made on the basis of these financial statements.

As part of an audit in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit. We also will:

- Identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion on the financial statements.

- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall financial statement presentation, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

KPMG LLP, a Delaware limited liability partnership and a member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee.

- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Authority ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, there is an unavoidable risk that some material misstatements, fraud, and noncompliance with laws and regulations may exist and not be detected by an audit of financial statements even though the audit is properly planned and performed in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Also, an audit is not designed to detect matters that are immaterial to the financial statements.

We will also perform certain limited procedures to the required supplementary information as required by auditing standards generally accepted in the United States of America. However, we will not express an opinion or provide any assurance on the information. Our report relating to the financial statements will include our consideration of required supplementary information.

We also understand that the financial statements will include supplementary information which is presented for the purpose of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information will be subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America with the objective of expressing an opinion as to whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

Subject to the remainder of this paragraph, we will issue a written report upon completion of our audit of the Authority's financial statements addressed to the Board of Directors of the Santa Clara Stadium Authority. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinion, add an emphasis-of-matter paragraph or other-matter paragraph to our auditor's report, or, if necessary, withdraw from the engagement. If, during the performance of our audit procedures such circumstances arise, we will communicate to the audit committee our reasons for modification or withdrawal.

Internal Control over Financial Reporting and Compliance and Other Matters

We will obtain an understanding of the Authority's internal control relevant to the audit in order to determine the nature, timing, and extent of our audit procedures for the purpose of expressing an opinion on the financial statements but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.

The objective of our audit of the financial statements is not to report on the Authority's internal control and we are not obligated to search for material weaknesses or significant deficiencies as part of our audit of the financial statements. A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the financial statements will not be prevented or detected and corrected on a timely basis. A significant deficiency is a deficiency, or combination of

deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Authority's compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, our objective is not to provide an opinion on compliance with such provisions.

In accordance with *Government Auditing Standards*, we will prepare a written report, *Report on Internal Control Over Financial Reporting and Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With Government Auditing Standards* (GAGAS report), on our consideration of internal control over financial reporting and tests of compliance made as part of our audit of the financial statements. This report will include any material weaknesses and significant deficiencies identified during the audit. This report will also include any of the following that we identify or suspect:

- Instances of noncompliance with provisions of laws, regulations, contracts, or grant agreements that have a material effect on the financial statements or other financial data significant to the audit objectives;
- Instances of fraud that are material, either qualitatively or quantitatively, to the financial statements or other financial data significant to the audit objectives.

The report will describe its purpose and will state that it is not suitable for any other purpose.

In accordance with *Government Auditing Standards*, we will also communicate in writing when:

- Identified or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements comes to our attention during the course of our audit that has an effect on the financial statements or other financial data significant to the audit objectives that is less than material but warrants the attention of those charged with governance, or
- We obtained evidence of identified or suspected instances of fraud that have an effect on the financial statements or other financial data significant to the audit objectives that are less than material but warrant the attention of those charged with governance.

In accordance with *Government Auditing Standards*, we are also required in certain circumstances to report identified or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or instances of fraud directly to parties outside the auditee.

Offering Documents

In the event the Authority requests our involvement with a future exempt filing that will include or incorporate by reference these financial statements and our audit report(s) thereon, professional standards require us to be separately engaged. The specific terms of our future services with respect to future exempt offerings will be determined at the time the services are to be performed and will be subject to the negotiation, agreement, and execution of a specific engagement letter or contract.

In the event the Authority does not engage us to be involved with the offering document, then the Authority agrees to include the following language in the offering document:

> "KPMG LLP, our independent auditor, has not been engaged to perform and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. KPMG LLP also has not performed any procedures relating to this official statement."

Our Responsibility to Communicate with the Audit Committee

We will communicate our planned scope and timing for our audit with the audit committee, including significant risks identified in planning our audit.

We will report to the audit committee or those charged with governance the following matters:

- Material, corrected misstatements that were brought to the attention of management as a result of audit procedures.
- Uncorrected misstatements accumulated by us during the audit and the effect that they, individually or in the aggregate, may have on our opinion in the auditor's report, the effect of uncorrected misstatements related to prior periods, and that uncorrected misstatements or matters underlying those uncorrected misstatements could potentially cause future-period financial statements to be materially misstated, even if the auditor has concluded that the uncorrected misstatements are immaterial to the financial statements under audit.
- Our views about qualitative aspects of the Authority's significant accounting practices, including accounting policies, accounting estimates, and financial statement disclosures.
- Significant unusual transactions, if any.
- Significant difficulties, if any, encountered during our audit.
- Disagreements with management, if any.
- Circumstances that affect the form and content of our auditor's report, if any.
- Matters that are difficult or contentious for which the auditor consulted outside the engagement team and that are, in the auditor's judgment, significant and relevant to those charged with governance regarding their responsibility to oversee the financial reporting process.
- Other matters required to be communicated by auditing standards generally accepted in the United States of America and *Government Auditing Standards*.

We will also read minutes, if any, of relevant committee meetings for consistency with our understanding of the communications made to the audit committee and determine that the audit committee has received copies of all material written communications between ourselves and management. We will also determine that the audit committee has been informed of i) the initial selection of, or the reasons for any change in, significant accounting policies or their application during the period under audit, ii) the methods used by management to account for significant unusual transactions, and iii) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

To the extent that they come to our attention, we will inform the appropriate level of management about any instances of noncompliance or suspected noncompliance with laws and regulations, unless they are clearly inconsequential, material errors in the financial statements and any instances of fraud. Further, to the extent they come to our attention, we also will communicate directly to the audit committee any instances of noncompliance or suspected noncompliance with laws and regulations, unless they are clearly inconsequential, material errors in the financial statements, and any instances of fraud that involve senior management or that, in our judgment, cause a material misstatement of the financial statements.

Management Responsibilities

The management of the Authority acknowledges and understands that they have responsibility for the preparation and fair presentation, in accordance with U.S. generally accepted accounting principles, of the financial statements and all representations contained therein. Management also is responsible for identifying and ensuring that the Authority complies with laws, regulations, contracts, and grant agreements applicable to its activities, and for informing us of any known instances of noncompliance or suspected noncompliance with laws, regulations and provisions of contracts and grant agreements. Management also is responsible for the design, implementation, and maintenance of programs and controls to prevent, deter, and detect fraud, for adopting sound accounting policies, and for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of the financial statements and to provide reasonable assurance against the possibility of misstatements that are material to the financial statements whether due to error or fraud. Management is also responsible for informing us, of which it has knowledge, of all material weaknesses and significant deficiencies in the design or operation of such controls. The audit of the financial statements does not relieve management or those charged with governance of their responsibilities.

The management of the Authority also acknowledges and understands that they have responsibility for the preparation of the supplementary information in accordance with the applicable criteria. Management is also responsible for providing us written representations regarding the supplementary information. Management is also responsible for including our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information, and for including the audited financial statements with any presentation of the supplementary information that includes our report thereon or making the audited financial statements readily available to intended users of the supplementary information no later than the date the supplementary information is issued with our report thereon.

Management of the Authority also acknowledges and understands that it is their responsibility to provide us with: i) access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements such as records, documentation, and other matters; ii) additional information that we may request from management for purposes of the audit; and iii) unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence. As required by auditing standards generally accepted in the United States of America, we will make specific inquiries of management about the representations embodied in the financial statements and the effectiveness of internal control, and obtain a representation letter from management about these matters. The responses to our inquiries, the written representations, and the results of audit tests, among other things, comprise the evidential matter we will rely upon in forming an opinion on the financial statements.

To facilitate our audit planning, in accordance with *Government Auditing Standards*, management agrees to identify and provide copies of reports, if applicable, of previous audits, attestation engagements, or other studies that directly relate to the objectives of the audit, including whether related recommendations have been implemented, prior to April 1, 2021.

Management is responsible for adjusting the financial statements to correct material misstatements and for affirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements being reported upon, taken as a whole. Because of the importance of management's representations to the effective performance of our services, the Authority will release KPMG LLP (KPMG) and its personnel from any claims, liabilities, costs and expenses relating to our services under this Engagement Letter attributable to any misrepresentations in the representation letter referred to above. The provisions of this paragraph shall apply regardless of the form of action, damage, claim, liability, cost, expense, or loss asserted, whether in contract, statute, tort (including but not limited to negligence) or otherwise.

Management is also responsible for providing us with written responses in accordance with *Government Auditing Standards* to the findings included in the GAGAS report within 10 days of being provided with draft findings. If such information is not provided on a timely basis prior to release of the report, the GAGAS report will indicate management did not provide written responses.

Management is responsible for the distribution of the reports issued by KPMG.

Non-audit service - Assistance in Preparing Financial Statements

We will assist management in preparing the financial statements and related notes in accordance with U.S. generally accepted accounting principles. We will use information from the trial balance and/or other source documents provided by management to assist management in preparing the financial statements and related notes.

We may also provide advice and recommendations to assist management of the Authority in performing its responsibilities. We will not assume management responsibilities on behalf of the Authority.

The Authority agrees to:

- Assume all management responsibilities, including determining the accuracy and completeness of the financial statements and notes.
- Assign a suitable employee with appropriate skills, knowledge and/or experience to oversee the financial statement preparation assistance and evaluate the adequacy and results of the services.
- Accept responsibility for the results of the financial statement preparation assistance.

Dispute Resolution

The parties agree that any dispute or claim arising out of or relating to the Engagement Letter and the related contract or the services provided thereunder shall first be submitted to non-binding mediation as a prerequisite to litigation. Mediation may take place at a location to be designated by the parties using the Mediation Procedures of the International Institute for Conflict Prevention and Resolution, with the exception of paragraph 2 (Selecting the Mediator). If, after good faith efforts, the parties are unable to resolve their dispute through mediation within ninety (90) days after the issuance by one of the parties of a request for mediation, then the parties are free to pursue all other legal and equitable remedies available to them. Nothing herein shall preclude a party from filing a timely formal claim in accordance with applicable California law provided, however, that the party shall, if permitted, seek a stay of said claim during the pendency of any mediation. Either party may seek to enforce any written agreement reached by the parties during mediation in any court of competent jurisdiction.

Other Matters

In the event that any term or provision of this Engagement Letter shall be held to be invalid, void or unenforceable, then the remainder of the Engagement Letter shall not be affected, and each such term and provision shall be valid and enforceable to the fullest extent permitted by law.

This Engagement Letter shall serve as the Authority's authorization for the use of e-mail and other electronic methods to transmit and receive information, including confidential information, between KPMG and the Authority and between KPMG and outside specialists or other entities engaged by either KPMG or the Authority. The Authority acknowledges that e-mail travels over the public Internet, which is not a secure means of communication and, thus, confidentiality of the transmitted information could be compromised through no fault of KPMG. KPMG will employ commercially reasonable efforts and take appropriate precautions to protect the privacy and confidentiality of transmitted information.

In an effort to facilitate efficient communication between KPMG and the Authority related to the audit and to track engagement progress during the course of the engagement, KPMG may provide the Authority with access to certain online tools. If such access is provided to the Authority, the Authority shall be responsible for: (i) its users' access and use of such tools (including the information its users may upload to such tools and compliance with all laws and regulations applicable to use or access by the Authority's users outside of the United States (e.g. export control and data privacy laws and regulations)), and (ii) protecting the security of the account credentials in its possession for each user including timely informing KPMG when the Authority individuals' access should be removed. The Authority acknowledges that it shall not provide third parties (agents or contractors) with access to such tools without KPMG's written consent, use such tools as a system of record, nor use such tools other than for purposes of the audit engagement.

Except as permitted by law or as set forth in this paragraph, neither party shall acquire hereunder any right to use the name or logo of the other party or any part thereof, and any such use shall require the express written consent of the owner party. The Authority agrees that KPMG may list the Authority as a client in KPMG's internal and external marketing materials, including KPMG websites and social media, indicating the general services rendered (e.g., "[*the Santa Clara Stadium Authority*] is an Audit client of KPMG LLP"). Further, for purposes of the services described in this Engagement Letter only, the Authority hereby grants to KPMG a limited, revocable, non-exclusive, non-transferable, paid up and royalty-free license, without right of sublicense, to use all logos, trademarks and service marks of the Authority solely for presentations or reports to the Authority or for internal KPMG presentations and intranet sites.

The Authority and KPMG acknowledge and agree that each shall comply with all applicable United States export control laws and regulations in the performance of each party's respective responsibilities under the Engagement Letter. Unless requested by KPMG to allow it to complete its audit, the Authority will not provide KPMG, or grant KPMG access to, (a) information (including technical data or technology), verbally, electronically, or in hardcopy, (b) software or (c) hardware, that is controlled for export by the United States government under the Arms Export Control Act of 1976, Export Control Reform Act of 2018, the International Traffic in Arms Regulations ("ITAR"), Export Administration Regulations ("EAR"), Department of Energy Part 810 Regulations or Nuclear Regulatory Commission Part 110 Regulations, except information, software or hardware that is classified as EAR99 under the EAR ("Export Controlled Information"). If KPMG requests Export Controlled Information from the Authority, the Authority shall provide KPMG with notice of provision of Export Controlled Information at least 48 hours prior to providing such Export Controlled Information to KPMG.

KPMG is a limited liability partnership comprising both certified public accountants and certain principals who are not licensed as certified public accountants. Such principals may participate in the engagements to provide the services described in this Engagement Letter.

The audit documentation for this engagement is the property of KPMG. If KPMG receives a subpoena; other validly issued administrative, judicial, government or investigative regulatory demand or request; or other legal process requiring it to disclose the Authority's confidential information ("Legal Demand"), KPMG shall, unless prohibited by law or such Legal Demand, provide prompt written notice to the Authority of such Legal Demand in order to permit it to seek a protective order. So long as KPMG gives notice as provided herein, KPMG shall be entitled to comply with such Legal Demand to the extent required by law, subject to any protective order or the like that may have been entered in the matter. In the event KPMG is requested or authorized by the Authority, or is required by law, rule, regulation or Legal Demand in a proceeding or investigation to which KPMG is not a named party or respondent, to produce KPMG's documents or personnel as witnesses or for interviews, or otherwise to make information relating to the service under the Engagement Letter available to a third party, or the Authority, the Authority shall reimburse KPMG for its professional time, at its then-current standard hourly rates, and expenses, including reasonable attorneys' fees and expenses, incurred in producing documents or personnel or providing information pursuant to such requests, authorizations or requirements.

Pursuant to *Government Auditing Standards,* and subject to applicable provisions of laws and regulations, we are required to make appropriate individuals and certain audit documentation available in a timely manner to others, including Regulators, upon request. In addition, we may also be requested to make certain audit documentation available to Regulators pursuant to authority provided by law or regulation. If so requested, access to such audit documentation will be provided. Furthermore, Regulators may obtain copies of selected audit documentation. Such regulators may intend, or decide, to distribute the copies or information contained therein to others, including other government agencies.

KPMG, as an accounting firm, has an obligation to comply with applicable professional standards. Certain professional standards, including AICPA Code of Professional Conduct Section 1.700, "Confidential The Authority Information Rule," adopted by the American Institute of Certified Public Accountants and similar rules adopted by the boards of accountancy of many states, prohibit the disclosure of the Authority confidential information without the Authority consent, except in limited circumstances. KPMG represents to the Authority that KPMG will treat the Authority's confidential information in accordance with applicable professional standards.

KPMG may work with and use the services of other members of the international KPMG network of independent firms and entities controlled by, or under common control with, one or more KPMG member firms (together with KPMG, the "KPMG Firms") to provide services to the Authority. The KPMG Firms, together with the entities comprising KPMG International, shall be referred to herein as the "KPMG Parties." In connection with the performance of services under this Engagement Letter, the KPMG Firms may, in their discretion, utilize the services of third party service providers within or outside of the United States to complete the services under this Engagement Letter. KPMG Parties and such third parties may have access to your confidential information from offshore locations. In addition, KPMG uses third party service providers within and outside of the United States to provide, at its direction, back-office administrative and clerical, or analytical services to KPMG and these third party service providers may in the performance of such services have access to your confidential information. In particular, KPMG's audit technologies, software productivity tools and certain technology infrastructure and, necessarily, your confidential information, may be hosted in cloud environments operated by KPMG Parties or such third party service providers. In addition, for purposes of fulfilling our professional responsibilities, such as maintaining independence and performing conflict checks, the Authority will be listed as a client in internal KPMG Parties' systems accessible on a need to know basis to KPMG Parties. KPMG represents that it has technical, legal and/or other safeguards, measures and controls in place to protect your confidential information from unauthorized disclosure or use.

You also understand and agree that the KPMG Parties, with the assistance of third parties as outlined above, may use all the Authority information for other purposes consistent with our professional standards, such as improving the delivery or quality of audit and other services or technology to you and to other clients, thought leadership projects, to allow you and other clients to evaluate various business transactions and opportunities, and for use in presentations to you, other clients and non-clients. When your information is used outside of the KPMG Parties or such third parties assisting them as outlined above, the Authority will not be identified as the source of the information.

It may be necessary or convenient for the Authority to use KPMG-owned or -licensed software, software agents, scripts, technologies, tools or applications (collectively "KPMG Technology") designed to extract data from The Authority's electronic books and records systems or other systems (collectively, "Systems"), in connection with the audit. The Authority understands and agrees that it is solely responsible for following appropriate change management policies, processes and controls relating to use of such technology (including without limitation appropriate backup of the Authority's information and Systems) (collectively, "Change Management Processes") before such KPMG Technology is utilized to extract data from the Systems. In the event the Authority fails to use such Change Management Processes or if such Change Management Processes prove to be inadequate, the Authority acknowledges that the Systems and/or KPMG Technology may not function as intended. In consideration of the foregoing, KPMG hereby grants the Authority the right to use KPMG Technology solely to facilitate the Authority's necessary or convenient provision of information to KPMG in connection with the audit, and this grant does not extend to any other purposes or use by third parties outside of your organization without our prior written approval, provided that third party contractors of the Authority having a need to know in order to perform their services to the Authority are permitted to use KPMG Technology to the extent necessary for such parties to perform such services, so long as the Authority exercises the same level of care to protect such KPMG Technology and KPMG confidential information as it uses to protect its own confidential information, but in no event less than reasonable care. Other than as expressly permitted hereby, the Authority agrees to keep KPMG Technology confidential, using no less than a reasonable standard of care to protect it from unauthorized disclosure or use, and to notify KPMG of any legal compulsions to disclose it, in accordance with the provisions governing legal demand of confidential information which appear in this engagement letter with respect to which the KPMG Technology is being used, *mutatis mutandis*. If the KPMG Technology is subject to any third party license terms and conditions before being provided to the Authority, the Authority may be required to accept such terms and conditions before using the KPMG Technology, in which case KPMG will provide such license terms and conditions to the Authority in writing before the Authority elects to use the KPMG Technology.

Except as otherwise provided for in this Engagement Letter, neither party may assign, transfer or delegate any of its rights, obligations, claims or proceeds from claims arising under or relating to this Engagement Letter (including by operation of law, in which case the assigning party will, to the extent legally permissible, give as much advance written notice as is reasonably practicable thereof) without the prior written consent of the other party, such consent not to be unreasonably withheld. Any assignment in violation hereof shall be null and void.

As required by *Government Auditing Standards*, we have attached a copy of KPMG's most recent peer review report.

Reports, Services and Associated Fees

Appendix I to this Engagement Letter lists the reports we will issue and the services we will provide as part of this engagement and our fees for professional services to be performed under this Engagement Letter.

In addition, fees for any special audit-related projects, such as research and/or consultation on special business or financial issues, will be billed separately from the audit fees for professional services set forth in Appendix I and may be subject to written arrangements supplemental to those in this Engagement Letter.

* * * * * * *

Our engagement herein is for the provision of annual audit services for the financial statements for the periods described in Appendix I, and it is understood that such services are provided as a single annual engagement. Pursuant to our arrangement as reflected in this Engagement Letter we will provide the services set forth in Appendix I as a single engagement for each of the Authority's subsequent fiscal years until either those charged with governance or we terminate this agreement, or mutually agree to the modification of its terms. The fees for each subsequent year will be annually subject to negotiation and approval by those charged with governance.

We shall be pleased to discuss this Engagement Letter with you at any time. For your convenience in confirming these arrangements, we enclose a copy of this Engagement Letter. Please sign and return it to us to indicate your acknowledgement of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

Very truly yours,

KPMG LLP

Lisa Avis
Managing Director

ACCEPTED

Santa Clara Stadium Authority

Authorized Signature

Stadium Authority Treasurer
Title

April 23, 2021
Date

Reports, Services and Associated Fees

Based upon our discussions with and representations of management, our fees for services we will perform are estimated as follows:

Audit of financial statements and related notes to the financial statements of the Authority as of and for the year ended March 31, 2021 and Agreed-Upon Procedures Reports	$142,120

The above estimates are based on the level of experience of the individuals who will perform the services. Circumstances encountered during the performance of these services that warrant additional time or expense could cause us to be unable to deliver them within the above estimates. We will endeavor to notify you of any such circumstances as they are assessed.

Where KPMG is reimbursed for expenses, it is KPMG's policy to bill clients the amount incurred at the time the good or service is purchased. If KPMG subsequently receives a volume rebate or other incentive payment from a vendor relating to such expenses, KPMG does not credit such payment to the client. Instead, KPMG applies such payments to reduce its overhead costs, which costs are taken into account in determining KPMG's standard billing rates and certain transaction charges which may be charged to clients.

All fees, charges and other amounts payable to KPMG under the Engagement Letter do not include any sales, use, excise, value added, income or other applicable taxes, tariffs or duties, payment of which shall be the Authority's sole responsibility, excluding any applicable taxes based on KPMG's net income or taxes arising from the employment or independent contractor relationship between KPMG and its personnel.

KPMG LLP
500 Capitol Mall, Ste 2100
Sacramento, CA 95814-4754

March 29, 2021

Santa Clara Stadium Authority
1500 Warburton Avenue
Santa Clara, California 95050

Attention: Finance Director

PRIVATE

This Engagement Letter (Engagement Letter) sets forth our understanding of the terms and objectives of our engagement and the nature and limitations of the services KPMG LLP ("KPMG") will provide.

We will apply the following agreed-upon procedures to the Shared Stadium Expenses and Statement of Operations of Santa Clara Stadium Authority (the Authority) for the year ended March 31, 2021. The Authority is responsible for the Shared Stadium Expenses. The sufficiency of the procedures is solely the responsibility of the specified users of the report: the Santa Clara Stadium Authority. Consequently, we make no representation regarding the sufficiency of the procedures either for the purpose for which our report is being prepared or for any other purpose. Execution of this Engagement Letter will signify the Authority's agreement to the procedures and to its responsibility for the sufficiency of the procedures for its purposes.

1) Obtain the *Stadium Lease Agreement by and between the Santa Clara Stadium Authority and Forty Niners Stadium Company LLC dated as of March 28, 2012, as amended and restated as of June 19, 2013* (Lease Agreement).

2) Obtain the following Shared Expense categories utilized by ManagementCo and agree them to the Lease agreement in Procedure 1.

    a. Day to day expenses (StadCo's share of 50%)

    b. Capital repairs and capital expenditures (StadCo's share of 50%)

    c. Stadium management fees (StadCo's share of 50%)

    d. Other specified shared expenses (StadCo's share of 50%)

    e. Groundskeeping services (StadCo's share of 70%)

    f. Insurance expenses (1st lease year $2,550,000, 2nd lease year onwards $2,550,000 increased by 3% each year, tenant expansion period 0%)

3) Determine if SCSA properly charged StadCo for its proportionate share of the Shared Stadium Expenses by obtaining the final Shared Stadium Expenses reconciliation prepared by ManagementCo and comparing it against the Estimated Shared Stadium Expenses paid by StadCo. If there is a difference between the estimated and final amount, then ensure that ManagementCo properly credit or invoice StadCo for the difference on behalf of SCSA.

4) Agree the Stadium Authority's Revenues, Expenses, Capital Expenditures, and Net Income (Loss) from Non-NFL Events to the Stadium Authority's March 31, 2020's general ledger

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5) Recalculate the distributions to and from the Operating Expense Reserve, Stadium Capital Expenditure Reserve and Renovation/Demolition Reserve and agree it to the general ledger.

The Authority acknowledges its responsibility for determining the scope of the engagement, including the subject matter and criteria used in evaluating the subject matter, agreeing to the procedures and the sufficiency of such procedures for the Authority's purposes. At the conclusion of the engagement, the Authority agrees to supply us with a representation letter that will include the Authority's assertion about the Shared Expenses based on the criteria and will include:

a. a statement that all known matters contradicting the subject matter or assertion and any communication from regulatory agencies or others affecting the subject matter or assertion have been disclosed to us including communications received between the end of the period addressed in the written assertion and the date of our report,

b. a statement acknowledging its responsibility for the subject matter and the assertion, selecting the criteria, when applicable, and determining that such criteria are appropriate for its purposes,

c. a statement that it has provided us with access to all records relevant to the subject matter and the agreed-upon procedures, and

d. other matters as we may deem appropriate.

If such a representation letter is not provided, which includes the aforementioned assertion, it may be necessary for us to withdraw from the engagement.

Our engagement to apply agreed-upon procedures will be performed in accordance with the attestation standards established by the American Institute of Certified Public Accountants. Because the agreed-upon procedures referred to above do not constitute an examination or review, we will not express an opinion or conclusion on Shared Expenses of the Authority. Our report will include a statement to that effect. In addition, we have no obligation to perform any procedures beyond those referred to above.

Our written independent accountants' agreed-upon procedures report will include a list of the procedures performed (or reference thereto) and the related findings. Our report will also contain a paragraph indicating that had we performed additional procedures, other matters might have come to our attention that would have been reported to you. We have no responsibility to update our report for events and circumstances occurring after the date of such report.

Our report is intended solely for the use of the Authority, and is not intended for use by those who have not agreed to the procedures and taken responsibility for the sufficiency of the procedures for their purposes. Our report will include a statement to that effect. If you request that additional specified users of the report be added, we will require that they acknowledge, in writing, their agreement with the procedures and their responsibility for the sufficiency of the procedures for their purposes.

If we are unable to complete the agreed-upon procedures referred to above, we will discuss the matter with you during the engagement. In such circumstances, we may conclude that we will not issue a report as a result of this engagement.

Because of the importance of management's representations to the effective performance of our services, the Authority hereby releases KPMG and its personnel from and against any and all claims, liabilities, costs, and

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expenses relating to our services under this Engagement Letter attributable to any misrepresentations in the representation letter referred to above. The provisions of this paragraph shall apply regardless of the form of action, damage, claim, liability, cost, expense, or loss asserted, whether in contract, statute, tort (including but not limited to negligence) or otherwise.

The Authority will indemnify, defend, and hold KPMG and its personnel harmless from and against any and all claims, liabilities, costs, and expenses asserted against KPMG by any third party to the extent resulting from or attributable to (i) that party's use or possession of, or reliance upon, KPMG's report or reference to KPMG's services hereunder as a result of the Authority's disclosure of such report or reference thereto other than to the specified user(s) or (ii) any misrepresentations in the representation letter referred to above. The foregoing indemnification obligation shall apply regardless of whether the third party claim alleges a breach of contract, violation of statute or tort (including without limitation negligence) by KPMG.

The Authority hereby releases KPMG and its personnel from and against any and all claims, liabilities, costs, and expenses relating to our services under this Engagement Letter, except to the extent determined to have resulted from the gross negligence of KPMG personnel.

The Authority will indemnify, defend, and hold KPMG and its personnel harmless from and against any and all claims, liabilities, costs, and expenses asserted against KPMG by any third party to the extent resulting from or attributable to that party's use or possession of, or reliance upon, KPMG's report or reference to KPMG's services hereunder as a result of the Authority's disclosure of such report or reference thereto.

Dispute Resolution

The parties agree that any dispute or claim arising out of or relating to the Engagement Letter and the related contract or the services provided thereunder shall first be submitted to non-binding mediation as a prerequisite to litigation. Mediation may take place at a location to be designated by the parties using the Mediation Procedures of the International Institute for Conflict Prevention and Resolution, with the exception of paragraph 2 (Selecting the Mediator). If, after good faith efforts, the parties are unable to resolve their dispute through mediation within ninety (90) days after the issuance by one of the parties of a request for mediation, then the parties are free to pursue all other legal and equitable remedies available to them. Nothing herein shall preclude a party from filing a timely formal claim in accordance with applicable California law provided, however, that the party shall, if permitted, seek a stay of said claim during the pendency of any mediation. Either party may seek to enforce any written agreement reached by the parties during mediation in any court of competent jurisdiction.

Other Matters

In the event that any term or provision of this Engagement Letter shall be held to be invalid, void or unenforceable, then the remainder of the Engagement Letter shall not be affected, and each such term and provision shall be valid and enforceable to the fullest extent permitted by law.

This Engagement Letter shall serve as the Authority's authorization for the use of e-mail and other electronic methods to transmit and receive information, including confidential information, between KPMG and the Authority and between KPMG and outside specialists or other entities engaged by either KPMG or the Authority. The Authority acknowledges that e-mail travels over the public Internet, which is not a secure means of communication and, thus, confidentiality of the transmitted information could be compromised through no fault of KPMG. KPMG will employ commercially reasonable efforts and take appropriate precautions to protect the privacy and confidentiality of transmitted information.

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In an effort to facilitate efficient communication between KPMG and the Authority related to the attest engagement and to track engagement progress, KPMG may provide the Authority with access to certain online tools. If such access is provided to the Authority, the Authority shall be responsible for: (i) its users' access and use of such tools (including the information its users may upload to such tools and compliance with all laws and regulations applicable to use or access by the Authority's users outside of the United States (e.g. export control and data privacy laws and regulations)), and (ii) protecting the security of the account credentials in its possession for each user including timely informing KPMG when the Authority individuals' access should be removed. The Authority acknowledges that it shall not provide third parties (agents or contractors) with access to such tools without KPMG's written consent, use such tools as a system of record, nor use such tools other than for purposes of the attest engagement. The KPMG online tools include technology licensed from Microsoft, and the Authority's use of such Microsoft technology is subject to the Microsoft End-User Terms available at http://www.kpmginfo.com/NDPPS/media/docs/144210-1A_NAS_MicrosoftEnd-UserTerms.pdf.

Except as permitted by law or as set forth in this paragraph, neither party shall acquire hereunder any right to use the name or logo of the other party or any part thereof, and any such use shall require the express written consent of the owner party. The Authority agrees that KPMG may list the Authority as a client in KPMG's internal and external marketing materials, including KPMG websites and social media, indicating the general services rendered (e.g., "[*the Santa Clara Stadium Authority*] is an Audit client of KPMG LLP"). Further, for purposes of the services described in this Engagement Letter only, the Authority hereby grants to KPMG a limited, revocable, non-exclusive, non-transferable, paid up and royalty-free license, without right of sublicense, to use all logos, trademarks and service marks of the Authority solely for presentations or reports to the Authority or for internal KPMG presentations and intranet sites.

The Authority and KPMG acknowledge and agree that each shall comply with all applicable United States export control laws and regulations in the performance of each party's respective responsibilities under the Engagement Letter. Unless requested by KPMG to allow it to complete its audit, the Authority will not provide KPMG, or grant KPMG access to, (a) information (including technical data or technology), verbally, electronically, or in hardcopy, (b) software or (c) hardware, that is controlled for export by the United States government under the Arms Export Control Act of 1976, Export Control Reform Act of 2018, the International Traffic in Arms Regulations ("ITAR"), Export Administration Regulations ("EAR"), Department of Energy Part 810 Regulations or Nuclear Regulatory Commission Part 110 Regulations, except information, software or hardware that is classified as EAR99 under the EAR ("Export Controlled Information"). If KPMG requests Export Controlled Information from the Authority, the Authority shall provide KPMG with notice of provision of Export Controlled Information at least 48 hours prior to providing such Export Controlled Information to KPMG.

KPMG is a limited liability partnership comprising both certified public accountants and certain principals who are not licensed as certified public accountants. Such principals may participate in the engagements to provide the services described in this Engagement Letter.

The documentation for this engagement is the property of KPMG. If KPMG receives a subpoena; other validly issued administrative, judicial, government or investigative regulatory demand or request; or other legal process requiring it to disclose the Authority's confidential information ("Legal Demand"), KPMG shall, unless prohibited by law or such Legal Demand, provide prompt written notice to the Authority of such Legal Demand in order to permit it to seek a protective order. So long as KPMG gives notice as provided herein, KPMG shall be entitled to comply with such Legal Demand to the extent required by law, subject to any protective order or the like that may have been entered in the matter. In the event KPMG is requested or authorized by the Authority, or is required by law, rule, regulation or Legal Demand in a proceeding or investigation to which KPMG is not a named party or respondent, to produce KPMG's documents or personnel as witnesses or for interviews, or

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otherwise to make information relating to the service under the Engagement Letter available to a third party, or the Authority, the Authority shall reimburse KPMG for its professional time, at its then-current standard hourly rates, and expenses, including reasonable attorneys' fees and expenses, incurred in producing documents or personnel or providing information pursuant to such requests, authorizations or requirements.

KPMG, as an accounting firm, has an obligation to comply with applicable professional standards. Certain professional standards, including AICPA Code of Professional Conduct Section 1.700, "Confidential Client Information Rule," adopted by the American Institute of Certified Public Accountants and similar rules adopted by the boards of accountancy of many states, prohibit the disclosure of client confidential information without client consent, except in limited circumstances. KPMG represents to the Authority that KPMG will treat the Authority's confidential information in accordance with applicable professional standards.

KPMG may work with and use the services of other members of the international KPMG network of independent firms and entities controlled by, or under common control with, one or more KPMG member firms (together with KPMG, the "KPMG Firms") to provide services to the Authority. The KPMG Firms, together with the entities comprising KPMG International, shall be referred to herein as the "KPMG Parties." In connection with the performance of services under this Engagement Letter, the KPMG Firms may, in their discretion, utilize the services of third party service providers within or outside of the United States to complete the services under this Engagement Letter. KPMG Parties and such third parties may have access to your confidential information from offshore locations. In addition, KPMG uses third party service providers within and outside of the United States to provide, at its direction, back-office administrative and clerical, or analytical services to KPMG and these third party service providers may in the performance of such services have access to your confidential information. In particular, KPMG's audit technologies, software productivity tools and certain technology infrastructure and, necessarily, your confidential information, may be hosted in cloud environments operated by KPMG Parties or such third party service providers. In addition, for purposes of fulfilling our professional responsibilities, such as maintaining independence and performing conflict checks, the Authority will be listed as a client in internal KPMG Parties' systems accessible on a need to know basis to KPMG Parties. KPMG represents that it has technical, legal and/or other safeguards, measures and controls in place to protect your confidential information from unauthorized disclosure or use.

You also understand and agree that the KPMG Parties, with the assistance of third parties as outlined above, may use all the Authority information for other purposes consistent with our professional standards, such as improving the delivery or quality of audit and other services or technology to you and to other clients, thought leadership projects, to allow you and other clients to evaluate various business transactions and opportunities, and for use in presentations to you, other clients and non-clients. When your information is used outside of the KPMG Parties or such third parties assisting them as outlined above, the Authority will not be identified as the source of the information.

Except as otherwise provided for in this Engagement Letter, neither party may assign, transfer or delegate any of its rights, obligations, claims or proceeds from claims arising under or relating to this Engagement Letter (including by operation of law, in which case the assigning party will, to the extent legally permissible, give as much advance written notice as is reasonably practicable thereof) without the prior written consent of the other party, such consent not to be unreasonably withheld. Any assignment in violation hereof shall be null and void.

* * * * * * *

Our engagement herein is for the provision of annual audit services for the financial statements for the periods described in Appendix I of the financial statement audit engagement letter, and it is understood that such

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services are provided as a single annual engagement. Pursuant to our arrangement as reflected in this Engagement Letter we will provide the services set forth in Appendix I of the financial statement audit engagement letter as a single engagement for each of the Authority's subsequent fiscal years until either those charged with governance or we terminate this agreement, or mutually agree to the modification of its terms. The fees for each subsequent year will be annually subject to negotiation and approval by those charged with governance.

Based upon our discussions with and representations of the Authority, we estimate that fees for these services is $15,000. This estimate is based on the level of experience of the individuals who will perform the services. In addition, expenses are billed for reimbursement as incurred. Circumstances encountered during the performance of these services that warrant additional time or expense could cause us to be unable to deliver the services within the above estimates. We will endeavor to notify you of any such circumstances as they are assessed.

Our fees and expenses will be billed every two weeks as charges are incurred. All invoices shall be paid within 30 days after the date thereof. In the event any invoice is not timely paid as set forth herein, then upon five days prior written notice to you, KPMG may terminate its performance hereunder and will not be responsible for any loss, costs, or expense thereby resulting. It is understood that neither our fees nor the payment thereof will be contingent upon the results of our engagement.

Where KPMG is reimbursed for expenses, it is KPMG's policy to bill clients the amount incurred at the time the good or service is purchased. If KPMG subsequently receives a volume rebate or other incentive payment from a vendor relating to such expenses, KPMG does not credit such payment to the client. Instead, KPMG applies such payments to reduce its overhead costs, which costs are taken into account in determining KPMG's standard billing rates and certain transaction charges which may be charged to clients.

All fees, charges and other amounts payable to KPMG under the Engagement Letter do not include any sales, use, excise, value added, income or other applicable taxes, tariffs or duties, payment of which shall be the Authority's sole responsibility, excluding any applicable taxes based on KPMG's net income or taxes arising from the employment or independent contractor relationship between KPMG and its personnel.

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We shall be pleased to discuss this Engagement Letter with you at any time. For your convenience in confirming these arrangements, we enclose a copy of this Engagement Letter. Please sign and return it to us.

Very truly yours,

KPMG LLP

Lisa Avis

Lisa Avis
Managing Director

This Engagement Letter correctly sets forth the understanding of the Santa Clara Stadium Authority.

ACCEPTED

Santa Clara Stadium Authority

Authorized Signature

Stadium Authority Treasurer
Title

April 23, 2021
Date

KPMG LLP is a Delaware limited liability partnership and the U.S. member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity.

KPMG LLP
500 Capitol Mall, Ste 2100
Sacramento, CA 95814-4754

Telephone +1 916 448 4700
Fax +1 916 554 1199
kpmg.com

March 29, 2021

Santa Clara Stadium Authority
1500 Warburton Avenue
Santa Clara, California 95050

Attention: Finance Director

PRIVATE

This Engagement Letter (Engagement Letter) sets forth our understanding of the terms and objectives of our engagement and the nature and limitations of the services KPMG LLP ("KPMG") will provide.

We will apply the following agreed-upon procedures to the Shared Stadium Expenses of Santa Clara Stadium Authority (the Authority) for the year ended March 31, 2021. The Authority is responsible for the Shared Stadium Expenses. The sufficiency of the procedures is solely the responsibility of the specified users of the report: the Santa Clara Stadium Authority. Consequently, we make no representation regarding the sufficiency of the procedures either for the purpose for which our report is being prepared or for any other purpose. Execution of this Engagement Letter will signify the Authority's agreement to the procedures and to its responsibility for the sufficiency of the procedures for its purposes.

1. Obtain the Stadium Lease Agreement by and between the Santa Clara Stadium Authority and Forty Niners Stadium Company LLC dated as of March 28, 2012, as amended and restated as of June 19, 2013 (Lease Agreement).

2. Obtain the following Shared Expense categories utilized by Management Co, select 100 non-labor expenditures, and agree them to the original source documents (i.e. vendor invoice, agreements, etc.) and to the Lease agreement in Procedure 1.

    a. Day to day expenses (the Authority's share of 50%)

    b. Capital repairs and capital expenditures (the Authority's share of 50%)

    c. Groundskeeping services (the Authority's share of 30%)

3. For SBL Sales and Services, select 20 Commission and 10 Bonus payouts, trace and agreed the amount to the payroll report, employment agreement or payout approval, and verify that the expenditure was reasonable and properly allocated to the Stadium Authority as agreed in Procedure 1.

4. For non-SBL Sales and Services transactions, select 20 Bonus and/or Commission payouts, trace and agreed the amount to payroll report, employment agreement or payout approval, and verify that the expenditure was reasonable and properly allocated to the Stadium Authority as agreed in Procedure 1.

5. For fulltime labor transactions, select 30 payouts and 10 accruals, trace and agree the sample to the original source documents, verify that the expense was properly charged and allocated to the Stadium Authority as agreed in Procedure.

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6. Review the Shared Expense details and determine if there are any Related Party transactions. If so, then select 10 samples, trace the payout to the original source documents or agreements, verify that there is no conflict of interest and that the expenditure was reasonable and properly allocated to the Stadium Authority as agreed in Procedure 1.

The Authority acknowledges its responsibility for determining the scope of the engagement, including the subject matter and criteria used in evaluating the subject matter, agreeing to the procedures and the sufficiency of such procedures for the Authority's purposes. At the conclusion of the engagement, the Authority agrees to supply us with a representation letter that will include the Authority's assertion about the Shared Expenses based on the criteria and will include:

a. a statement that all known matters contradicting the subject matter or assertion and any communication from regulatory agencies or others affecting the subject matter or assertion have been disclosed to us including communications received between the end of the period addressed in the written assertion and the date of our report,

b. a statement acknowledging its responsibility for the subject matter and the assertion, selecting the criteria, when applicable, and determining that such criteria are appropriate for its purposes,

c. a statement that it has provided us with access to all records relevant to the subject matter and the agreed-upon procedures, and

d. other matters as we may deem appropriate.

If such a representation letter is not provided, which includes the aforementioned assertion, it may be necessary for us to withdraw from the engagement.

Our engagement to apply agreed-upon procedures will be performed in accordance with the attestation standards established by the American Institute of Certified Public Accountants. Because the agreed-upon procedures referred to above do not constitute an examination or review, we will not express an opinion or conclusion on Shared Expenses of the Authority. Our report will include a statement to that effect. In addition, we have no obligation to perform any procedures beyond those referred to above.

Our written independent accountants' agreed-upon procedures report will include a list of the procedures performed (or reference thereto) and the related findings. Our report will also contain a paragraph indicating that had we performed additional procedures, other matters might have come to our attention that would have been reported to you. We have no responsibility to update our report for events and circumstances occurring after the date of such report.

Our report is intended solely for the use of the Authority, and is not intended for use by those who have not agreed to the procedures and taken responsibility for the sufficiency of the procedures for their purposes. Our report will include a statement to that effect. If you request that additional specified users of the report be added, we will require that they acknowledge, in writing, their agreement with the procedures and their responsibility for the sufficiency of the procedures for their purposes.

If we are unable to complete the agreed-upon procedures referred to above, we will discuss the matter with you during the engagement. In such circumstances, we may conclude that we will not issue a report as a result of this engagement.

Because of the importance of management's representations to the effective performance of our services, the Authority hereby releases KPMG and its personnel from and against any and all claims, liabilities, costs, and expenses relating to our services under this Engagement Letter attributable to any misrepresentations in the representation letter referred to above. The provisions of this paragraph shall apply regardless of the form of action, damage, claim, liability, cost, expense, or loss asserted, whether in contract, statute, tort (including but not limited to negligence) or otherwise.

The Authority will indemnify, defend, and hold KPMG and its personnel harmless from and against any and all claims, liabilities, costs, and expenses asserted against KPMG by any third party to the extent resulting from or attributable to (i) that party's use or possession of, or reliance upon, KPMG's report or reference to KPMG's services hereunder as a result of the Authority's disclosure of such report or reference thereto other than to the specified user(s) or (ii) any misrepresentations in the representation letter referred to above. The foregoing indemnification obligation shall apply regardless of whether the third party claim alleges a breach of contract, violation of statute or tort (including without limitation negligence) by KPMG.

The Authority hereby releases KPMG and its personnel from and against any and all claims, liabilities, costs, and expenses relating to our services under this Engagement Letter, except to the extent determined to have resulted from the gross negligence of KPMG personnel.

The Authority will indemnify, defend, and hold KPMG and its personnel harmless from and against any and all claims, liabilities, costs, and expenses asserted against KPMG by any third party to the extent resulting from or attributable to that party's use or possession of, or reliance upon, KPMG's report or reference to KPMG's services hereunder as a result of the Authority's disclosure of such report or reference thereto.

Dispute Resolution

The parties agree that any dispute or claim arising out of or relating to the Engagement Letter and the related contract or the services provided thereunder shall first be submitted to non-binding mediation as a prerequisite to litigation. Mediation may take place at a location to be designated by the parties using the Mediation Procedures of the International Institute for Conflict Prevention and Resolution, with the exception of paragraph 2 (Selecting the Mediator). If, after good faith efforts, the parties are unable to resolve their dispute through mediation within ninety (90) days after the issuance by one of the parties of a request for mediation, then the parties are free to pursue all other legal and equitable remedies available to them. Nothing herein shall preclude a party from filing a timely formal claim in accordance with applicable California law provided, however, that the party shall, if permitted, seek a stay of said claim during the pendency of any mediation. Either party may seek to enforce any written agreement reached by the parties during mediation in any court of competent jurisdiction.

Other Matters

In the event that any term or provision of this Engagement Letter shall be held to be invalid, void or unenforceable, then the remainder of the Engagement Letter shall not be affected, and each such term and provision shall be valid and enforceable to the fullest extent permitted by law.

This Engagement Letter shall serve as the Authority's authorization for the use of e-mail and other electronic methods to transmit and receive information, including confidential information, between KPMG and the Authority and between KPMG and outside specialists or other entities engaged by either KPMG or the Authority. The Authority acknowledges that e-mail travels over the public Internet, which is not a secure means of communication and, thus, confidentiality of the transmitted information could be compromised through no

fault of KPMG. KPMG will employ commercially reasonable efforts and take appropriate precautions to protect the privacy and confidentiality of transmitted information.

In an effort to facilitate efficient communication between KPMG and the Authority related to the attest engagement and to track engagement progress, KPMG may provide the Authority with access to certain online tools. If such access is provided to the Authority, the Authority shall be responsible for: (i) its users' access and use of such tools (including the information its users may upload to such tools and compliance with all laws and regulations applicable to use or access by the Authority's users outside of the United States (e.g. export control and data privacy laws and regulations)), and (ii) protecting the security of the account credentials in its possession for each user including timely informing KPMG when the Authority individuals' access should be removed. The Authority acknowledges that it shall not provide third parties (agents or contractors) with access to such tools without KPMG's written consent, use such tools as a system of record, nor use such tools other than for purposes of the attest engagement. The KPMG online tools include technology licensed from Microsoft, and the Authority's use of such Microsoft technology is subject to the Microsoft End-User Terms available at http://www.kpmginfo.com/NDPPS/media/docs/144210-1A_NAS_MicrosoftEnd-UserTerms.pdf.

Except as permitted by law or as set forth in this paragraph, neither party shall acquire hereunder any right to use the name or logo of the other party or any part thereof, and any such use shall require the express written consent of the owner party. The Authority agrees that KPMG may list the Authority as a client in KPMG's internal and external marketing materials, including KPMG websites and social media, indicating the general services rendered (e.g., "[*the Santa Clara Stadium Authority*] is an Audit client of KPMG LLP"). Further, for purposes of the services described in this Engagement Letter only, the Authority hereby grants to KPMG a limited, revocable, non-exclusive, non-transferable, paid up and royalty-free license, without right of sublicense, to use all logos, trademarks and service marks of the Authority solely for presentations or reports to the Authority or for internal KPMG presentations and intranet sites.

The Authority and KPMG acknowledge and agree that each shall comply with all applicable United States export control laws and regulations in the performance of each party's respective responsibilities under the Engagement Letter. Unless requested by KPMG to allow it to complete its audit, the Authority will not provide KPMG, or grant KPMG access to, (a) information (including technical data or technology), verbally, electronically, or in hardcopy, (b) software or (c) hardware, that is controlled for export by the United States government under the Arms Export Control Act of 1976, Export Control Reform Act of 2018, the International Traffic in Arms Regulations ("ITAR"), Export Administration Regulations ("EAR"), Department of Energy Part 810 Regulations or Nuclear Regulatory Commission Part 110 Regulations, except information, software or hardware that is classified as EAR99 under the EAR ("Export Controlled Information"). If KPMG requests Export Controlled Information from the Authority, the Authority shall provide KPMG with notice of provision of Export Controlled Information at least 48 hours prior to providing such Export Controlled Information to KPMG.

KPMG is a limited liability partnership comprising both certified public accountants and certain principals who are not licensed as certified public accountants. Such principals may participate in the engagements to provide the services described in this Engagement Letter.

The documentation for this engagement is the property of KPMG. If KPMG receives a subpoena; other validly issued administrative, judicial, government or investigative regulatory demand or request; or other legal process requiring it to disclose the Authority's confidential information ("Legal Demand"), KPMG shall, unless prohibited by law or such Legal Demand, provide prompt written notice to the Authority of such Legal Demand in order to permit it to seek a protective order. So long as KPMG gives notice as provided herein, KPMG shall be entitled to comply with such Legal Demand to the extent required by law, subject to any protective order or the like that may have been entered in the matter. In the event KPMG is requested or authorized by the Authority, or is

required by law, rule, regulation or Legal Demand in a proceeding or investigation to which KPMG is not a named party or respondent, to produce KPMG's documents or personnel as witnesses or for interviews, or otherwise to make information relating to the service under the Engagement Letter available to a third party, or the Authority, the Authority shall reimburse KPMG for its professional time, at its then-current standard hourly rates, and expenses, including reasonable attorneys' fees and expenses, incurred in producing documents or personnel or providing information pursuant to such requests, authorizations or requirements.

KPMG, as an accounting firm, has an obligation to comply with applicable professional standards. Certain professional standards, including AICPA Code of Professional Conduct Section 1.700, "Confidential Client Information Rule," adopted by the American Institute of Certified Public Accountants and similar rules adopted by the boards of accountancy of many states, prohibit the disclosure of client confidential information without client consent, except in limited circumstances. KPMG represents to the Authority that KPMG will treat the Authority's confidential information in accordance with applicable professional standards.

KPMG may work with and use the services of other members of the international KPMG network of independent firms and entities controlled by, or under common control with, one or more KPMG member firms (together with KPMG, the "KPMG Firms") to provide services to the Authority. The KPMG Firms, together with the entities comprising KPMG International, shall be referred to herein as the "KPMG Parties." In connection with the performance of services under this Engagement Letter, the KPMG Firms may, in their discretion, utilize the services of third party service providers within or outside of the United States to complete the services under this Engagement Letter. KPMG Parties and such third parties may have access to your confidential information from offshore locations. In addition, KPMG uses third party service providers within and outside of the United States to provide, at its direction, back-office administrative and clerical, or analytical services to KPMG and these third party service providers may in the performance of such services have access to your confidential information. In particular, KPMG's audit technologies, software productivity tools and certain technology infrastructure and, necessarily, your confidential information, may be hosted in cloud environments operated by KPMG Parties or such third party service providers. In addition, for purposes of fulfilling our professional responsibilities, such as maintaining independence and performing conflict checks, the Authority will be listed as a client in internal KPMG Parties' systems accessible on a need to know basis to KPMG Parties. KPMG represents that it has technical, legal and/or other safeguards, measures and controls in place to protect your confidential information from unauthorized disclosure or use.

You also understand and agree that the KPMG Parties, with the assistance of third parties as outlined above, may use all the Authority information for other purposes consistent with our professional standards, such as improving the delivery or quality of audit and other services or technology to you and to other clients, thought leadership projects, to allow you and other clients to evaluate various business transactions and opportunities, and for use in presentations to you, other clients and non-clients. When your information is used outside of the KPMG Parties or such third parties assisting them as outlined above, the Authority will not be identified as the source of the information.

Except as otherwise provided for in this Engagement Letter, neither party may assign, transfer or delegate any of its rights, obligations, claims or proceeds from claims arising under or relating to this Engagement Letter (including by operation of law, in which case the assigning party will, to the extent legally permissible, give as much advance written notice as is reasonably practicable thereof) without the prior written consent of the other party, such consent not to be unreasonably withheld. Any assignment in violation hereof shall be null and void.

* * * * * * *

Our engagement herein is for the provision of annual audit services for the financial statements for the periods described in Appendix I of the financial statement audit engagement letter, and it is understood that such services are provided as a single annual engagement. Pursuant to our arrangement as reflected in this Engagement Letter we will provide the services set forth in Appendix I of the financial statement audit engagement letter as a single engagement for each of the Authority's subsequent fiscal years until either those charged with governance or we terminate this agreement, or mutually agree to the modification of its terms. The fees for each subsequent year will be annually subject to negotiation and approval by those charged with governance.

Based upon our discussions with and representations of the Authority, we estimate that fees for these services is $20,000. This estimate is based on the level of experience of the individuals who will perform the services. In addition, expenses are billed for reimbursement as incurred. Circumstances encountered during the performance of these services that warrant additional time or expense could cause us to be unable to deliver the services within the above estimates. We will endeavor to notify you of any such circumstances as they are assessed.

Our fees and expenses will be billed every two weeks as charges are incurred. All invoices shall be paid within 30 days after the date thereof. In the event any invoice is not timely paid as set forth herein, then upon five days prior written notice to you, KPMG may terminate its performance hereunder and will not be responsible for any loss, costs, or expense thereby resulting. It is understood that neither our fees nor the payment thereof will be contingent upon the results of our engagement.

Where KPMG is reimbursed for expenses, it is KPMG's policy to bill clients the amount incurred at the time the good or service is purchased. If KPMG subsequently receives a volume rebate or other incentive payment from a vendor relating to such expenses, KPMG does not credit such payment to the client. Instead, KPMG applies such payments to reduce its overhead costs, which costs are taken into account in determining KPMG's standard billing rates and certain transaction charges which may be charged to clients.

All fees, charges and other amounts payable to KPMG under the Engagement Letter do not include any sales, use, excise, value added, income or other applicable taxes, tariffs or duties, payment of which shall be the Authority's sole responsibility, excluding any applicable taxes based on KPMG's net income or taxes arising from the employment or independent contractor relationship between KPMG and its personnel.

We shall be pleased to discuss this Engagement Letter with you at any time. For your convenience in confirming these arrangements, we enclose a copy of this Engagement Letter. Please sign and return it to us.

Very truly yours,

KPMG LLP

Lisa Avis

Lisa Avis
Managing Director

This Engagement Letter correctly sets forth the understanding of the Santa Clara Stadium Authority.

ACCEPTED

Santa Clara Stadium Authority

Authorized Signature

Stadium Authority Treasurer
Title

April 23, 2021
Date

EXHIBIT B
SCHEDULE OF FEES

Contractor will bill Authority on a monthly basis for Services provided by Contractor during the preceding month on an invoice and in a format approved by Authority and subject to verification and approval by Authority. Authority will pay Contractor within thirty (30) days of Authority's receipt of an approved invoice.

Fee Schedule is per Appendix I in the Contractor's proposal entitled, "Engagement Letter" dated March 30, 2021, which is attached to this Exhibit B and incorporated by this reference. In no event shall the amount billed to Authority by Contractor for services under this Agreement exceed seven hundred fifty-four thousand five hundred and fifty-four dollars (including expenses) for audit services for fiscal year ending March 31, 2021 thru March 31, 2025. All fees are subject to annual budget appropriations.

EXHIBIT C
INSURANCE REQUIREMENTS

INSURANCE COVERAGE REQUIREMENTS
FOR PROFESSIONAL SERVICES

Without limiting the Consultant's indemnification of the Santa Clara Stadium Authority ("Stadium Authority"), and prior to commencing any of the Services required under this Agreement, the Consultant shall provide and maintain in full force and effect during the period of performance of the Agreement and for twenty-four (24) months following acceptance by the Stadium Authority, at its sole cost and expense, the following insurance policies from insurance companies authorized to do business in the State of California. These policies shall be primary insurance as to the Stadium Authority so that any other coverage held by the Stadium Authority shall not contribute to any loss under Consultant's insurance. The minimum coverages, provisions and endorsements are as follows:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:

   $1,000,000 Each Occurrence
   $2,000,000 General Aggregate
   $2,000,000 Products/Completed Operations Aggregate
   $1,000,000 Personal Injury

2. Exact structure and layering of the coverage shall be left to the discretion of Consultant; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.

3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Consultant to comply with the insurance requirements of this Agreement:

   a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;

   b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and

   c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01 with policy limits a minimum limit of not less than one million dollars ($1,000,000) each accident using, or providing coverage at least as broad as, Insurance Services Office form CA 00 01. Liability coverage shall apply to all owned (if any), non-owned and hired autos.

In the event that the Work being performed under this Agreement involves transporting of hazardous or regulated substances, hazardous or regulated wastes and/or hazardous or regulated materials, Consultant and/or its subcontractors involved in such activities shall provide coverage with a limit of one million dollars ($1,000,000) per accident covering transportation of such materials by the addition to the Business Auto Coverage Policy of Environmental Impairment Endorsement MCS90 or Insurance Services Office endorsement form CA 99 48, which amends the pollution exclusion in the standard Business Automobile Policy to cover pollutants that are in or upon, being transported or towed by, being loaded onto, or being unloaded from a covered auto.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars ($1,000,000) policy limit Bodily Injury by disease, one million dollars ($1,000,000) each accident/Bodily Injury and one million dollars ($1,000,000) each employee Bodily Injury by disease.

2. The indemnification and hold harmless obligations of Consultant included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Contractor or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).

3. This General Liability policy must include a Waiver of Subrogation in favor of the Stadium Authority, its governing board, subordinate boards, officers, employees, volunteers and agents.

D. PROFESSIONAL LIABILITY

Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designed to protect against negligent acts, errors or omissions of the Consultant. Coverage shall be in an amount of not less than one million dollars ($1,000,000) per claim or two million dollars ($2,000,000) aggregate. Any coverage containing a deductible or self-retention must first be approved in writing by the Stadium Authority General Counsel's Office.

E. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. The Santa Clara Stadium Authority, its governing board, officers, employees, and agents ("Indemnified Parties") are hereby added as additional insureds in respect to liability arising out of Consultant's work for the Stadium Authority.

2. Each insurance policy provided by Consultant shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the Indemnified Parties may possess, including any self-insurance or self-insured retention they may have. Any other insurance that the Indemnified Parties may possess shall be considered excess insurance only and shall not be called upon to contribute with Consultant's insurance.

3. Cancellation.

   a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to the Stadium Authority at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least ten (10) days prior to the effective date of non-renewal.

   b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to the Stadium Authority at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.

4. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through E of this Exhibit C, above.

F. ADDITIONAL INSURANCE RELATED PROVISIONS

Consultant and the Stadium Authority agree as follows:

1. Consultant agrees to ensure that subcontractors, and any other party involved with the Services, who is brought onto or involved in the performance of the Services by Consultant, provide the same minimum insurance coverage required of Consultant, except as with respect to limits. Consultant agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Consultant agrees that upon request by the Stadium Authority, all agreements with, and insurance compliance documents provided by, such subcontractors and others engaged in the project will be submitted to the Stadium Authority for review.

2. Consultant agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge the Stadium Authority or Consultant for the cost of additional insurance coverage required by this Agreement. Any such provisions are to be deleted with reference to the Stadium Authority. It is not the intent of the Stadium Authority to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against the Stadium Authority for payment of premiums or other amounts with respect thereto.

3. The Stadium Authority reserves the right to withhold payments from the Consultant in the event of material noncompliance with the insurance requirements set forth in this Agreement.

G. EVIDENCE OF COVERAGE

Prior to commencement of any Services under this Agreement, Consultant, and each and every subcontractor (of every tier) shall, at its sole cost and expense, provide and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Agreement. Such insurance coverage shall be maintained with insurers, and under forms of policies, satisfactory to the Stadium Authority and as described in this Agreement. Consultant shall file with the Stadium Authority all certificates and blanket endorsements for the required insurance policies for the Stadium Authority's approval as to adequacy of the insurance protection.

H. EVIDENCE OF COMPLIANCE

Consultant or its insurance broker shall provide the required proof of insurance compliance, consisting of Insurance Services Office (ISO) endorsement forms or their equivalent and the ACORD form 25-S certificate of insurance (or its equivalent), evidencing all required coverage, and be delivered to the Stadium Authority through its representative as set forth below, at or prior to execution of this Agreement. Unless otherwise required by the terms of this Agreement, all certificates, endorsements, coverage verifications and other items required to be delivered to the Stadium Authority pursuant to this Agreement shall be mailed to:

Santa Clara Stadium Authority [Finance Department]
c/o Ebix, Inc.
P.O. Box 100085 – S2 or 1 Ebix Way
Duluth, GA 30096 John's Creek, GA 30097

Telephone number: 951-766-2280
Fax number: 770-325-0409
Email address: ctsantaclara@ebix.com

I. QUALIFYING INSURERS

All of the insurance companies providing insurance for Consultant shall have, and provide written proof of, an A. M. Best rating of at least A minus 6 (A- VI) or shall be an insurance company of equal financial stability that is approved by the Stadium Authority or its insurance compliance representatives.

21-740 **Agenda Date: 5/25/2021**

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT
Request from the Stadium Manager for Authority to Execute Amendment No. 1 to Concessions Operating Agreement with Levy Premium Foodservice Limited Partnership

BOARD PILLAR
Ensure Compliance with Measure J and Manage Levi's Stadium

DISCUSSION
Through the existing Concessions Operating Agreement, Levy Premium Foodservice Limited Partnership (Levy) has rights to provide food, beverage, and catering services at Levi's Stadium. On May 10, 2021, the Stadium Manager submitted a request to amend its current Concessions Operating Agreement with Levy by extending the term of the agreement by one year and modifying several financial investment fee and fund amortization schedules so they align with the new term.

The existing agreement has a 12-year term and is effective until April 15, 2030. If Amendment No. 1 is approved, the Concessions Operations Agreement with Levy will be effective through April 15, 2031.

ATTACHMENTS
1. Stadium Manager's Email Request

From: Mercurio, Jim
To: Christine Jung; Compliance Manager; Deanna Santana
Cc: Brian Doyle; Ruth Shikada
Subject: RE: Field Seats and Levy Agreement
Date: Monday, May 10, 2021 5:43:33 PM
Attachments: image001.png
image002.png
image004.png
First Amendment to Concessions Operating Agreement Levy Premium Foodserv....pdf
2021 Field Seats SCSA Revenue.pdf

Deanna:

As we discussed in our most recent quarterly meeting, Stadium Manager is seeking approval from the SCSA of (1) the setting of SBL pricing for field seating in the north and south endzones of Levi's Stadium and (2) an amendment to the Stadium's Concessions Agreement as a result fewer than 8 games being played at Levi's Stadium during the 2020 NFL season.

For the Field Seats, these seats continue to be popular with fans and present a significant financial opportunity to drive additional revenue directly to the SCSA. Although we have not yet received final approval for the seats from the NFL for the 2021 season, we would like to proceed with finalizing the price point so that when approval is received, we are prepared to go to market with the seats.

While in the past we have presented multiple options for pricing, we believe that the optimal price point for these seats is an SBL of $10,000 per seat. At this price level, we anticipate full sell-through of the field seating within 18 months, generating a projected $1,172,980.00 in total revenue to the SCSA over the life of the seats.

Further, as we discussed in the quarterly meeting, the 49ers have committed to covering any food and beverage credits associated with these SBLs. Thus, the SCSA will not be obligated to fund any buffets associated with the seats.

I have attached our revenue projections for the seats to this email. The projections assume pricing approval at the May 25 SCSA Board meeting, and approval from the NFL prior to June 1.

The other item that requires approval at the May 25 SCSA Board meeting is the attached First Amendment to the Stadium's Concessions Agreement. Under Section 3.3 of the original Concessions Agreement, the parties agreed to the extension of the term of the agreement by one year in the event that fewer than 8 home games are played at the Stadium in any fiscal year. Because only 5 home games were played in Levi's Stadium during the 2020 NFL season, the parties are obligated to extend the term for one additional year.

In addition to extending the term of the agreement, the attached amendment contains limited financial housekeeping to ensure Levy's back-end accounting aligns with their investment commitment and the new 13-year term. These modifications have no impact on the revenues or costs to the SCSA.

We are happy to answer any additional questions that you or your staff may have ahead of the May

25 meeting.

Thanks,

JIM

JIM MERCURIO
Executive Vice President & General Manager
Forty Niners Stadium Management Company
T 408.562-4944 | M 650 642-4909
Levi's® Stadium
4900 Marie P. DeBartolo Way
Santa Clara, CA 95054



_____

#FTTB
49ers.com

From: Christine Jung <CJung@SantaClaraCA.gov>
Sent: Thursday, April 29, 2021 9:04 AM
To: Mercurio, Jim <jim.mercurio@49ers.com>; Compliance Manager <compliancemanager@49ers-smc.com>
Cc: Deanna Santana <DSantana@SantaClaraCA.gov>; Brian Doyle <BDoyle@SantaClaraCA.gov>; Ruth Shikada <RShikada@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>
Subject: Field Seats and Levy Agreement

Hi Jim,

We have not yet received any information from the Stadium Manager on the proposed field seats and amendment to the Levy agreement which were discussed during our April 15 staff meeting. At this point, the Stadium Authority will not have sufficient time to review and analyze information the Stadium Manager submits and draft corresponding agenda reports on its behalf for the May 11 Stadium Authority Board meeting.

We can plan on bringing these two items forward for the Board's consideration at the May 25 meeting if the Stadium Manager is able to submit the written requests and supporting information/documentation by Monday, May 10, 2021. As requested during our April 15 meeting, we ask that the Stadium Manager send whatever information it currently has on the two items as soon as possible so that staff can start preparing the agenda reports and plug in the missing information/documents when received (e.g., NFL approval of the field seats).

Thank you,
Christine Jung | Assistant to the Executive Director
1500 Warburton Avenue | Santa Clara, CA 95050
D: 408.615.2218 | www.santaclaraca.gov/scsa

21-742 **Agenda Date: 5/25/2021**

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT
Report from the Stadium Authority Regarding the Stadium Manager's Request to Execute Amendment No.1 to Concessions Operating Agreement with Levy Premium Foodservice Limited Partnership

BOARD PILLAR
Ensure Compliance with Measure J and Manage Levi's Stadium

BACKGROUND
On October 8, 2019, the Stadium Authority Board (Board) approved Ordinance No. 2005 amending Chapter 17.30 of the City Code (Stadium Authority Procurement Policy), which rescinded the delegation to the Executive Director to enter into agreements without prior Board approval. As the Stadium Manager's authority to enter into contracts was through delegated authority from the Executive Director, as a result of Ordinance No. 2005, the Stadium Manager is now also required to request Board approval before entering into agreements on behalf of the Stadium Authority. As of the effective date of the Ordinance (November 8, 2019), all Stadium Authority agreements for services, supplies, materials, and equipment require the approval of the Stadium Authority Board.

Through the existing Concessions Operating Agreement, Levy Premium Foodservice Limited Partnership (Levy) has rights to provide food, beverage, and catering services at Levi's Stadium. The Stadium Manager is requesting authority to amend the agreement to extend the term by one year and modify several financial investment fee and fund amortization schedules so they align with the new term.

The existing agreement has a 12-year term and is effective until April 15, 2030. If Amendment No. 1 is approved, the Concessions Operations Agreement with Levy will be effective through April 15, 2031.

DISCUSSION
Below is Stadium Authority staff's analysis of the proposed amendments:

1. **Amending Section 3.3 to extend the term of the agreement by one year, until April 15, 2031.**

Staff Analysis: The amendment is required by Section 3.3 in the Concessions Operations Agreement which states, "If fewer than eight (8) Home Games occur in any Fiscal Year, the Term shall be extended by one (1) year for each such season." The 49ers played less than the required number of Home Games during Fiscal Year (FY) 2020/21 (April 1, 2020 - March 31, 2021) due to the COVID-19 pandemic and resulting regional and state Stay at Home Orders. Stadium Authority

staff have no concerns with this proposed amendment.

2. **Updating the Investment Use Fee Schedule outlined under Section 5.1(k) to 1) zero out the fee for Fiscal Year 3 (FY 2020/21), 2) include a Fiscal Year 13, and 3) adjust the fee amounts for the other Fiscal Years.**

Staff Analysis: Section 5.1(k) states that the Investment Use Fee amounts shall be deducted from NFL Events and retained by Levy as the fee for the Stadium Manager's use of the concepts developed and/or equipment purchased utilizing the Initial Capital Investment, Innovation Fund, and Refresh Investment. Through the agreement, Levy is obligated to provide different sources of financial contributions to the Stadium Manager which are used for capital investments and updates, including the following:

- Capital Investment Fund ($5M): To be utilized for the Food and Beverage Facilities.
- Innovation Fund ($12M over the span of 12 years): To be used to support the implementation of modern concepts and fan experiences at the Stadium.
- Refresh Investment Fund ($5M prior to sixth year of the Agreement): To be used for ROI-producing improvements to the Food and Beverage Facilities.

The original Investment Use Fee Schedule totals $22M over the span of 12 years while the proposed schedule totals the same but over the span of 13 years. The proposed amendments to the Investment Use Fee Schedule will not impact the Stadium Authority as the Stadium Manager is responsible for those fees. Stadium Authority staff have no concerns with this proposed amendment.

3. **Pausing Levy's annual $1M contribution to the Innovation Fund for FY 2020/21 (April 1, 2020 - March 31, 2021).**

Staff Analysis: Through the agreement, Levy is obligated to contribute $1M every fiscal year to the Innovation Fund for a total of $12M. Stadium Authority staff have no concerns with pausing the contribution for one year so that the total $12M contribution aligns with the new term.

4. **Modifying the following amortization schedules through the following actions outlined under Section 4 of Amendment No. 1:**

- **Stopping the amortization for the Capital Investment and Innovation Funds from April 1, 2020 through March 31, 2021. The amortization for these two funds will resume on April 1, 2021 on a straight-line basis through the extended Term;**
- **Requiring the Refresh Investment Fund to amortize on a straight-line basis through the extended Term; and**
- **Requiring the amortization of the Hub for Next Generation Sports Entertainment Fund to re-spread and continue on a straight-line basis through the end of the extended Term.**

Staff Analysis: There are four funds that are impacted by the proposed amendment above: (1) Capital Investment Fund; (2) Innovation Fund; (3) Refresh Investment Fund, and 4) Hub for Next Generation Sports Entertainment Fund. In addition to the three funds defined in the section above, Levy is also obligated to contribute $2M to a Hub for Next Generation Sports Entertainment Fund to be used by the Stadium Manager.

In August 2020, Stadium Authority staff began requesting for the remaining balances for the different funds and the projects that they funded. The Stadium Manager provided the requested report in January 2020, which showed that the Capital Investment, Innovation and Refresh Investment Funds had funded the Concourse Line Project, kallpods, pizza ovens, griddle, dessert carts, Concessions Refresh Project, and Stadium Terrace Project. No projects had been funded by the Hub for Next Generation Sports Entertainment Fund yet. Additionally, the report showed that the Stadium Manager received the full $5M from Levy for the Initial Capital Investment Fund, which was spent on dessert carts, Stadium Terrace, and Concessions Refresh Project.

Straight line amortization is a method of recognizing the cost of assets or loans equally throughout their life or the contract term. While only the Hub for Next Generation Sports Entertainment Fund amortizes on a straight-line basis in the existing agreement, there are no concerns with the proposed changes to the Capital Investment and Innovation, Refresh Investment, and Hub for Next Generation Sports Entertainment Funds' amortization schedules as they are needed to align with the proposed term extension. Stadium Authority staff have no concerns with this proposed amendment.

For the reasons outlined above, staff recommends Board approval of the Stadium Manager's request to execute the Amendment No.1 to the Concessions Operating Agreement with Levy.

ENVIRONMENTAL REVIEW

The actions being considered do not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment or pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

There are no direct financial impacts to the Stadium Authority. However, this agreement continues to be of interest to the Stadium Authority as the quality of Levy' concessions services and their capital investments are important to Levi's Stadium's operations and standard of care.

COORDINATION

This report has been coordinated with the Stadium Authority Counsel and Treasurer's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov.

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ALTERNATIVES

1. Approve the Stadium Manager's request for authority to execute Amendment No. 1, with the redlined changes outlined in Attachment 3, to the Concessions Operating Agreement with Levy which will extend the term of the agreement by one year and modify the Investment Use Fee Schedule and the amortization schedules for the Capital Investment, Innovation, Refresh Investment, and Hub for Next Generation Sports Entertainment Funds to align with the new agreement term, at no cost to the Stadium Authority;
2. Do not approve the Stadium Manager's request for authority to execute Amendment No. 1 to the Concessions Operating Agreement with Levy; or,
3. Any other direction from the Board.

RECOMMENDATION

1. Approve the Stadium Manager's request for authority to execute Amendment No. 1, with the redlined changes outlined in Attachment 3, to the Concessions Operating Agreement with Levy which will extend the term of the agreement by one year and modify the Investment Use Fee Schedule and the amortization schedules for the Capital Investment, Innovation, Refresh Investment, and Hub for Next Generation Sports Entertainment Funds to align with the new agreement term, at no cost to the Stadium Authority;

Prepared by: Christine Jung, Assistant to the Executive Director
Reviewed by: Deanna J. Santana, Executive Director

ATTACHMENTS

1. Original Concessions Operating Agreement with Levy
2. Amendment No.1 to Concessions Operating Agreement with Levy
3. Redlined Amendment No. 1 to Concessions Operating Agreement with Levy

CONCESSIONS OPERATING AGREEMENT

By And Between

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC

And

LEVY PREMIUM FOODSERVICE LIMITED PARTNERSHIP

Dated February 20, 2018

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EXHIBIT C — Outside Areas

EXHIBIT D — Office and Storage Space

EXHIBIT E — Employee Training Program(s)

EXHIBIT F — Service Levels

EXHIBIT G — Manager's Share of Net Receipts & Authority's Commissions

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EXHIBIT K – Cost F&B Services Reporting
EXHIBIT L – Transitional Expenses

CONCESSIONS OPERATING AGREEMENT

THIS CONCESSIONS OPERATING AGREEMENT (this "**Agreement**") is made as of February 20, 2018 ("**Effective Date**"), and is by and between **FORTY NINERS STADIUM MANAGEMENT COMPANY LLC**, a Delaware limited liability company ("**Manager**"), and **LEVY PREMIUM FOODSERVICE LIMITED PARTNERSHIP**, an Illinois limited partnership ("**Concessionaire**").

WITNESSETH:

WHEREAS, the CITY OF SANTA CLARA, a municipal corporation ("**City**") and the SANTA CLARA STADIUM AUTHORITY, a joint exercise of powers entity, created through Government Code sections 6500 *et seq*. (the "**Authority**"), have entered into a certain Ground Lease dated as of March 28, 2012 (as the same may be amended from time to time, the "**Ground Lease**"), pursuant to which the Authority leases certain real property from the City upon which the Authority has constructed a multi-purpose stadium (the "**Stadium**").

WHEREAS, the Authority and FORTY NINERS SC STADIUM COMPANY, LLC, a Delaware limited liability company (**"StadCo"**), have entered into a certain Amended and Restated Stadium Lease Agreement dated as of June 19, 2013 (as the same may be amended from time to time, the "**Stadium Lease**"), pursuant to which StadCo is granted the right during the term of the Stadium Lease to use and occupy the Stadium for the operation of an NFL franchise, subject to, and on the basis of, the terms, covenants and conditions set forth in the Stadium Lease.

WHEREAS, StadCo and FORTY NINERS FOOTBALL COMPANY LLC, a Delaware limited liability company ("**Team**") have entered into a certain Amended and Restated Sublease Agreement dated as of June 19, 2013 (as the same may be amended from time to time, the "**Team Sublease**"), pursuant to which, during the term of the Team Sublease, the Team plays its NFL home games at the Stadium, subject to, and on the basis of, the terms, covenants and conditions set forth in the Team Sublease;

WHEREAS, the Authority, StadCo and Manager have entered into a certain Stadium Management Agreement dated as of March 28, 2012 (as the same may be amended from time to time, the "**Stadium Management Agreement**"), pursuant to which the Manager manages the operation of the Stadium year-round on behalf of the Authority and StadCo for the term and on the basis specified in the Stadium Management Agreement;

WHEREAS, pursuant to the Stadium Management Agreement, the Manager is required to provide for the sale of food and beverages at the Stadium through concessionaires selected by StadCo and the Authority or the Manager at the request of StadCo and the Stadium Authority;

WHEREAS, Concessionaire is engaged in the concession and catering business and is experienced in (i) selling food, Alcoholic Beverages and non-Alcoholic Beverages and other products, and (ii) providing premium quality concession and catering services at arenas, stadiums and other sports entertainment facilities throughout the United States;

WHEREAS, by their acceptance and acknowledgment of this Agreement where indicated below, the Authority and StadCo have selected Concessionaire to provide certain food, beverage, and catering services at the Stadium, and have authorized the Manager to enter into this Agreement;

WHEREAS, in furtherance of the Concessionaire's selection by the Authority and StadCo as indicated herein, and the authorization given to the Manager to enter into this Agreement, the Manager and Concessionaire desire to enter into this Agreement whereby Concessionaire shall have the right to provide, and Concessionaire agrees to provide, certain food, beverage, and catering services at the Stadium, subject to the terms and conditions of this Agreement, the Stadium Lease and the Stadium Management Agreement.

NOW, THEREFORE, in consideration of the premises hereto and the mutual covenants hereinafter set forth, the Manager and Concessionaire agree as follows:

ARTICLE I

Definitions

The following terms shall have the meanings set forth below:

Accounting Period: shall mean a calendar month, of which there must be twelve (12) within each full Fiscal Year.

Additional Indemnitees: shall mean the Authority's Affiliates (including without limitation, the Authority's Board of Directors, the City, its City Council, and all City or Agency commissions, officers, employees, volunteers and agents), StadCo and its Affiliates, the Team, DeBartolo Corporation, Manager's Affiliates (if not any of the previously mentioned Persons), each other tenant of the Stadium and each Event promoter, and any mortgagee, bond trustee or other financial institution from time to time holding a lien or indenture upon Manager's interest in the Stadium, the Stadium Lease or the Stadium Management Agreement.

Affiliate: shall mean any Person directly or indirectly controlling or controlled by or under direct or indirect common control with a Person. For purposes of this definition, "**control**" when used with respect to any entity means the power to direct the management and policies of such entity, directly or indirectly, whether through the ownership of voting securities, by contract or otherwise; and the terms "controlling" and "controlled" have meanings correlative to the foregoing.

Agreement: shall have the meaning set forth in the recitals to this document.

Alcohol Laws: shall have the meaning set forth in Section 6.4(d).

Alcoholic Beverage Policy: shall mean the rules, policies and procedures established from time to time by Manager in respect of the sale, distribution, promotion and consumption of Alcoholic Beverages at the Stadium.

Alcoholic Beverages: shall mean all alcoholic drinks, including liquors, beers and wines and other malt or brewed beverages.

All-Inclusive F&B Services: shall have the meaning set forth in Section 3.1(d).

All-Inclusive F&B Service Areas: shall have the meaning set forth in Section 3.1(d).

Annual Management Fee: shall have the meaning set forth in Section 5.1(c).

Annual Preference Payment: shall have the meaning set forth in Section 5.1(b).

Architectural Drawings: shall mean certain design and architectural drawings for the Stadium, including the Food and Beverage Facilities, the Leasehold Improvements and Equipment, as more fully identified on **Exhibit A**, and as amended by the Authority, Manager, or their respective Affiliates.

Authority: shall have the meaning set forth in the recitals to this Agreement.

Authority's Commissions: shall have the meaning set forth in Section 5.1(a).

Authority Events: shall mean Non-NFL Events and Catered Events.

Authority Operating Costs: shall mean, collectively, Concessionaire's costs directly attributable to Authority Events, including (i) cost of goods sold at Authority Events (less any discount/rebate received by Concessionaire for such items); (ii) labor costs incurred in connection with Concessionaire's operation of the Food and Beverage Services at the Stadium and the Outside Areas at Authority Events in accordance with the terms of this Agreement, including, but not limited to, payroll taxes, employee parking and shuttle costs; (iii) uncollectible amounts at Non-NFL Events from the Food and Beverage Services and any cash bar at a Catered Event, including, but not limited to, uncollectibles from credit/debit card activity, provided that such amounts shall not exceed .35% of revenues from such event; (iv) the laundering of uniforms for Authority Events; (v) equipment rentals for Authority Events; (vi) cost of pest control, trash removal, janitorial service, cleaning expenses, including, but not limited to, the cost of supplies, that can be attributed to Authority Events; (vii) items specifically identified elsewhere in this Agreement as an Authority Operating Cost; (viii) insurance costs incurred by Concessionaire in connection with providing the insurance required pursuant to this Agreement that can be attributed to Authority Events; and (ix) any other costs actually and reasonably incurred by Concessionaire in connection with the Food and Beverage Services directly attributable to Authority Events, all as reported by Concessionaire to Manager on a monthly basis in substantially the form attached hereto as **Exhibit B** (as the same may be modified from time to time by mutual agreement). The Parties acknowledge and agree that costs from Cost F&B Services requested by Authority or in connection with Authority Events shall not be included as an Authority Operating Cost.

Branded Products: shall mean food or beverage products identified by a unique brand which are specifically required by Manager (for example, a brand such as "**Pepsi**").

Budget: shall have the meaning set forth in Section 5.3(j).

Catered Event(s): shall mean any event or activity, including but not limited to events or activities held before, during and after Events, that is not open or available to the general public and where services are to be paid for on a group basis by a Person (provided that Gross Receipts from Catered Events shall include receipts from any cash bar associated with such event), including activities such as weddings, parties, receptions and meetings, to be held in one or more areas within the Stadium such as conference, banquet, bar, lounge, meeting, catering and event facilities as Manager or its designee shall deem appropriate under the circumstances.

Celebrity Chef and **Celebrity Chef Program**: shall have the respective meanings set forth in Section 3.1(k).

City: The City of Santa Clara, Santa Clara County, California.

Club Areas: shall mean the premium areas identified in the Architectural Drawings as the "Club Level" (as may be modified or updated by Manager in its sole discretion) or any named "Club" areas within the Stadium.

CMMS: shall have the meaning set forth in Section 6.8(f).

Commencement Date: shall mean April 16, 2018.

Common Areas: shall mean all loading docks and facilities, freight elevators, common passage areas, employee locker rooms, employee rest rooms, and appurtenant easement and access areas thereto in the Stadium, provided such Common Areas are reasonably necessary for Concessionaire's operation of the Food and Beverage Services, but shall not include any Excluded Areas.

Concessionaire: shall have the meaning set forth in the recitals to this Agreement.

Concessionaire Preference Payment: shall have the meaning set forth in Section 5.1(c).

Concessionaire Surveys: shall mean Manager surveys, the secret shopper surveys, "voice of the fan" surveys, and third-party customer surveys developed and implemented in accordance with Section 3.1(h).

Cost F&B Services: shall have the meaning set forth in Section 3.1(d).

Customer Information: shall have the meaning set forth in Section 5.3(k).

Default Rate: shall mean a rate per annum equal to the lesser of (i) fifteen percent (15.0%) and (ii) the maximum non-usurious rate permitted by applicable law, with adjustments in that varying rate to be made on the same date as any change in that rate.

Discounts: shall mean any reduction in standard sales price offered through a coupon, code, or other method, as determined by Manager in its sole discretion, for the purchase of Refreshments or other Food and Beverages Services offered by Concessionaire.

East Legacy Club: shall mean the Club Area identified as the "East Legacy Club" in the Architectural Drawings.

Effective Date: shall have the meaning set forth in the recitals to this Agreement.

Employee Meal Program: shall have the meaning set forth in Section 3.1(b).

Employee Training Programs: shall have the meaning set forth in Section 6.2(c).

Environmental Laws: shall mean any and all federal, state and local statutes, laws, regulations, ordinances, rules, judgments, orders, decrees, permits, concessions, grants, franchises, licenses, agreements or governmental restrictions relating to pollution and the protection of the environment or the release of any materials into the environment, including those related to hazardous substances or wastes, air emissions and discharges to waste or public systems.

Equipment: shall mean all equipment, machinery, furniture, Point of Sale Devices, cash registers, security equipment, major appliances, Portables, and other tangible property, other than Smallwares, Leasehold Improvements and Office Equipment, used or needed to receive, store, freeze or refrigerate, transport, prepare, cook, display, sell and account for Refreshments at the Stadium.

Event(s): shall mean any event open to the public at large held at the Stadium. For purposes of calculating the Manager's Share of Net Receipts and the Authority's Commissions, Events operated by the Team or StadCo (or by Manager on behalf of the Team or StadCo) shall be "NFL Events," and Events operated by the Authority (or by Manager on behalf of the Authority) shall be "Non-NFL Events."

Excluded Areas: shall mean Team and visiting team locker rooms, offices of the Authority, Manager or any of their respective Affiliates or agents, back of house dressing rooms and staging areas, restaurant areas, merchandise retail areas including all "49ers Team Stores", and other similar areas designated from time to time by the Manager, in its sole discretion.

Excluded Expenses: shall mean costs not to be included in Authority Operating Costs, StadCo Operating Costs, or Joint Operating Costs, such costs being the sole responsibility of Concessionaire, and shall include (i) any legal fees not incurred in the normal course of business (i.e., litigation costs, settlement costs); (ii) insurance deductible payments; (iii) uncollectible amounts at Events from the Food and Beverage Services, including, but not limited to, uncollectibles from credit/debit card activity, provided that such amounts exceed .35% of revenues from such event; (iv) Transitional Expenses incurred by Concessionaire; (v) amortization of debt or other tax-deductible write-offs; (vi) corporate software or services costs incurred by Concessionaire not directly attributable to the Stadium; and (vii) any other costs incurred by Concessionaire that are not directly attributable to the Food and Beverage Services offered by Concessionaire at the Stadium.

Fiscal Year: shall mean the twelve (12) month period commencing April 1 of each year after the execution of this Agreement, except that the first Fiscal Year will commence on the Commencement Date and end on the next following March 31. If this Agreement expires or

terminates on a date other than March 31 of a particular year, there shall be a partial last Fiscal Year ending on the date of such termination.

Food and Beverage Facilities: shall mean all of those areas within the Stadium or the Outside Areas to be occupied and used by Concessionaire in connection with the performance of its obligations hereunder relating to Food and Beverage Services, including Concessionaire's kitchen and commissary and food and beverage service storage areas, food and beverage wash areas, pantry areas, food preparation and food and beverage cleaning areas, cafeterias, concession stands, bars, buffets, vending areas, portable stands, condiments stands, cooking, preparation, display and other back-of-house areas for Club Areas and lounges, administrative offices, money counting and record-keeping rooms dedicated to Concessionaire's operations located within the Stadium, all as shown as Concessionaire's areas on **Exhibit A** (as the same may be modified from time to time by the Authority or StadCo pursuant to the Stadium Lease, or the Manager on their behalf), but shall not include any Service Areas (except for purposes of properly controlling the sale and consumption of Alcoholic Beverages within such Service Areas), Common Areas or Excluded Areas; and all Leasehold Improvements constructed as part thereof in accordance with the Architectural Drawings.

Food and Beverage Services: shall mean the procurement, preparation, transportation, storage, service and sale of Refreshments by Concessionaire at the Stadium and Outside Areas in accordance with this Agreement, including club level concessions, services provided in lounges, Suites and restaurants, In Seat Delivery, and all game day and non-game day catering at the Stadium and Outside Areas.

Force Majeure: shall mean an act of God, riot, invasion, fire, flood, earthquake, tornado, storm, accident, strike, employee lockout or walk-out, or government interference, regulation, appropriation or rationing or any other event or condition similar to those enumerated above, that would render impossible a party's ability to perform hereunder; provided, that any NFL strike or other NFL work stoppage shall not be considered a "Force Majeure" event as applied to Manager.

General Concessions Sales: shall mean the sale of Refreshments, including all food, Alcoholic Beverages and non-Alcoholic Beverages, by Concessionaire at the Stadium and Outside Areas in accordance with this Agreement, excluding (a) In Seat Delivery, (b) the sale of Refreshments in the Club Area(s), Suites and restaurants, and (c) game day and non-game day catering at the Stadium and Outside Areas.

Governmental Authority: shall mean any and all applicable courts, boards, agencies, commissions, offices or authorities of any nature whatsoever of any governmental or quasigovernmental unit (federal, state, county, district or municipal), whether now or hereafter in existence.

Gross Receipts: shall mean the total amounts received or charged by Concessionaire or any agent or employee of Concessionaire from operations conducted throughout the Stadium and the Outside Areas hereunder, less Sales Taxes, gratuities, Service Charges paid out to Concessionaire's employees, Concessionaire employee meals, Cost F&B Services, credit card fees, Licensed Product Charges, amounts not received from bad debts associated with Catered

Events, and items sold at cost with the prior approval of Manager, including Cost F&B Services; "Gross Receipts" shall include the net amounts received by Concessionaire from third-party subcontractors, but not the amount of gross receipts generated by such subcontractors at the Stadium.

Hazardous Substance: shall mean, as of any date: (a) any petroleum or petroleum products, flammable explosives, radioactive materials, asbestos in any form that is or could become friable, urea formaldehyde foam insulation, and transformers or other equipment that contain dielectric fluid containing polychlorinated biphenyls (PCBs); (b) any chemicals or other materials or substances which as of such date are defined as or included in the definition of "hazardous substances," "hazardous wastes," "hazardous materials," "extremely hazardous wastes," "restricted hazardous wastes," "toxic substances," "toxic pollutants," "contaminants," "infectious wastes," "pollutants" or words of similar import under any Environmental Law; and (c) any other chemical or other material or substance, exposure to which or use of which as of such date is prohibited, limited or regulated under any Environmental Law.

Home Game: shall mean those NFL games (preseason, regular season, or post-season, excluding any SuperBowl) played at the Stadium by the San Francisco 49ers professional football team (such San Francisco 49ers players not to constitute "replacement players" or similar players).

House Charges: shall have the meaning set forth in Section 3.1(c).

Hub for Next Generation Sports Entertainment Fund: shall have the meaning set forth in Section 5.1(g).

In Seat Delivery: shall mean the sale and delivery of Refreshments ordered via portable electronic application and delivered to the customer's seat or premium area.

In Seat Delivery Fees: shall mean any fees added to orders placed for In Seat Delivery apart from the prices of the individual Refreshments and any gratuity provided to the delivery person, as determined in the Manager's sole discretion.

In Seat Delivery Product Sales: shall mean the gross In Seat Delivery sales, less In Seat Delivery Fees, Sales Taxes, and any gratuity paid to the delivery person.

Industry Member: shall have the meaning set forth in Section 6.4(d).

Initial Capital Investment: shall have the meaning set forth in Section 5.1(e).

Innovation Fund: shall have the meaning set forth in Section 5.1(f).

Investment Use Fee: shall have the meaning set forth in Section 5.1(k).

IPTV: shall have the meaning set forth in Section 6.11(b).

Joint Operating Costs: shall mean, collectively, Concessionaire's (i) non-attributable costs incurred in connection with Concessionaire's operation of the Food and Beverage Services

at the Stadium and the Outside Areas in accordance with the terms of this Agreement, including, but not limited to, cost of office supplies, postage, computer software, network connections, information systems infrastructure, telephone service, accounting and reporting, mutually agreed upon background checks of employees and vendors, payroll costs, including reasonable fringe benefits, employee benefits, and training costs; (ii) costs incurred for pest control, trash removal, janitorial service, cleaning expenses, including, but not limited to, the cost of supplies that cannot be attributed to Authority Events or NFL Events; (iii) cost of Utility Services; (iv) the cost of uniforms if provided by Concessionaire; (v) cost of governmental charges, such as the cost of obtaining and maintaining all necessary or required licenses or permits; (vi) cost of Smallwares and Customer Surveys; (vii) items specifically identified elsewhere in this Agreement as a Joint Operating Cost; and (viii) any other costs actually and reasonably incurred by Concessionaire in connection with the Food and Beverage Services not directly attributable to an Authority Event or NFL Events, all as reported by Concessionaire to Manager on a monthly basis in substantially the form attached hereto as **Exhibit B** (as the same may be modified from time to time by mutual agreement).

Leasehold Improvements: shall mean all equipment, fixtures, finishes, cabinetry, and construction results that are included in the Food and Beverage Facilities and attached to the physical building structure by more than an electrical or gas connection and all necessary and adequate Utility Systems for the Food and Beverage Facilities.

Legal Requirements: shall mean any and all applicable present and future laws, statutes, ordinances, decisions, decrees, rulings, rules, codes, procedures, orders, regulations, permits, certificates, licenses, and any other requirements of any Governmental Authority including, but not limited to, the City of Santa Clara Worker Retention Ordinance and Minimum Wage Ordinance, any safety laws, health laws, Environmental Laws and laws regarding the rights of and obligations of the handicapped and disabled, including the Occupational Safety and Health Act and the Americans with Disabilities Act, each as amended from time to time.

Licensed Products: shall mean any products that Manager requires Concessionaire to sell or services Concessionaire is required to use and for which Concessionaire is required to pay a Licensed Products Charge. Only such products or services which Manager specifically requires shall qualify as Licensed Products. For the avoidance of doubt, Alcoholic Beverages shall not qualify as Licensed Products.

Licensed Products Charges: shall mean the royalty, franchise and/or license charges and advertising contributions and other similar charges actually paid by Concessionaire to the holder of any intellectual property rights (such as a trademark owner) in connection with the sale or use of any Licensed Products required by Manager.

Losses: shall have the meaning set forth in Section 7.1(a).

Manager: shall have the meaning set forth in the recitals to this Agreement.

Manager Assignee: shall have the meaning set forth in Section 8.2.

Manager's Share of Net Receipts: shall have the meaning set forth in Section 5.1(a).

Management Team: shall mean the management team employed by Concessionaire at the Stadium, which as of the Commencement Date is contemplated to include (but will not be limited to) a VP Hospitality, Director of Operations, Assistant Director of Operations – Concessions, Assistant Director of Operations – Premium, Director of HR, Staffing/Scheduling Manager, Controller, Accounting Manager, Executive Chef, Executive Sous Chef, Sous Chef – Premium, Sous Chef - Premium (seasonal), Sous Chef - Concessions (seasonal), Sous Chef – Concessions, Director of Purchasing, Two (2) Purchasing Managers, Director of Concessions, GM Concessions, Two (2) Sr. Concessions Managers, Two (2) Concessions Managers, Concessions Manager (seasonal), In Seat Service Manager (seasonal), GM Suites, Senior Suites Manager, Two (2) Suites Managers, Director of Corporate Sales, Two (2) Catering Managers, GM Clubs, Sr. Club Manager, Club Manager, Two (2) Club Managers (seasonal), E15 Manager. Beverage Manager. . The job description for each of the foregoing employees will be subject to Manager's approval, provided that the parties acknowledge that the scope of job responsibilities and titles may vary by mutual agreement from time to time.

Marketing Fund: shall have the meaning set forth in Section 3.1(x).

Mortgage: shall have the meaning set forth in Section 11.12.

Naming Rights Suite: shall mean the Suite designated by Manager from time to time as the "Naming Rights Suite".

Net Receipts: shall mean the total amount of Gross Receipts from NFL Events less StadCo Operating Costs, fifty-one percent (51%) of the Joint Operating Costs, the Annual Preference Payment, the Renewal and Replacement Amount for Gross Receipts from NFL Events, the Annual Management Fee, the Concessionaire Preference Payment, and the Investment Use Fee.

NFL: shall mean the National Football League.

Office Equipment: shall mean all office furnishings, equipment and other personal property, including all computers, software, security equipment, fax machines and copiers, that are necessary or desirable to enable Concessionaire to fulfill its obligations under this Agreement.

Outside Areas: shall mean those areas surrounding the Stadium, including plazas, parking lots and Stadium grounds, shown on **Exhibit C**, excepting Excluded Areas.

Owners Club: shall mean the Club Area identified as the "Owners Club" in the Architectural Drawings.

Owners Suites: shall mean those Suites identified as the "Owners Suites" in the Architectural Drawings.

Person: shall mean any individual, corporation, partnership, limited liability company, association, trust or other entity whatsoever.

Point of Sale Devices: means the specific technological devices used to receive payment for Food and Beverage Services as provided by Manager for use by Concessionaire throughout the Term; it being understood that such devices may include, without limitation, computerized cash registers, credit/debit card swipe terminals and tags, hand held wireless transponders, radio frequency identification devices and any other type of device (current or future) that can track and store sale data at a point of sale.

Portables: shall mean any portable concession stands and bars, carts and kiosks used for the Food and Beverage Services, as applicable.

Premium Concessions Services: shall have the meaning set forth in Section 3.1(e).

Refresh Investment: shall have the meaning set forth in Section 5.1(h).

Refreshments: shall mean all food and Alcoholic and non-Alcoholic Beverage products, including meals, snacks, confections, candies and all other food and beverage products.

Renewal and Replacement Account: shall have the meaning set forth in Section 5.1(l).

Renewal and Replacement Amount: shall mean, on an annual basis during each Fiscal Year of the Term, two percent (2%) of Gross Receipts from both NFL Events and Authority Events, to fund periodic repairs and replacements of Equipment and Smallwares and other ongoing improvements of the Food and Beverage Services at the Stadium, as determined by Manager.

Sales Taxes: shall mean any and all taxes assessed based on the sales price of Refreshments or services rendered hereunder (other than any income or franchise taxes), whether assessed against the customer and collected by Concessionaire for the government or otherwise, including but not limited to any and all value added taxes that may be assessed hereafter.

Service Areas: shall mean the Common Areas in which Food and Beverage Services are provided to customers in accordance with this Agreement, including the Suites, Club Areas, lounges, bars and areas in which Catered Events are held, but excluding the Excluded Areas.

Service Charges: shall mean the amounts charged for Catered Events and the sale of Refreshments in the Suites or Club Areas or in other areas where such charges are deemed to be commercially reasonable by Concessionaire and Manager; provided, that any such charges that are greater than twenty-one percent (21%) of the amount of the invoice or the amount of the sale shall require Manager approval. Such charges shall be included in Gross Receipts and subject to Authority Commissions, except as paid out to Concessionaire's employees. The parties acknowledge and agree that a percentage of such charges shall be paid out to Concessionaire's employees in accordance with any applicable collective bargaining agreement or Legal Requirements, and as mutually agreed upon by the parties.

Smallwares: shall mean the kitchen tools of the trade, table top appliances, and chafing dishes, serviceware, portable fixtures, utensils, pots, pans, crockery, glassware, dishware, linens, display carts, table skirting, cutlery and recycling and composting containers used or reasonably necessary for use in providing the Food and Beverage Services under this Agreement.

StadCo: shall have the meaning set forth in the recitals to this Agreement.

StadCo Operating Costs: shall mean, collectively, Concessionaire's costs directly attributable to NFL Events, including (i) cost of goods sold at NFL Events (less any discount/rebate received by Concessionaire); (ii) labor costs incurred in connection with Concessionaire's operation of the Food and Beverage Services at the Stadium and the Outside Areas at NFL Events in accordance with the terms of this Agreement, including, but not limited to, payroll taxes, and employee parking and shuttle costs; (iii) uncollectible amounts at NFL Events from the Food and Beverage Services, including, but not limited to, uncollectibles from credit/debit card activity, provided that such amounts shall not exceed .35% of revenues from such event; (iv) the laundering of uniforms for NFL Events; (v) equipment rentals for NFL Events; (vi) cost of pest control, trash removal, janitorial service, cleaning expenses, including, but not limited to, the cost of supplies, that can be attributed to NFL Events; (vii) cost of new uniforms if Manager requests changes to the uniforms as a result of a Stadium naming rights change during the first eight (8) Fiscal Years; (viii) items specifically identified elsewhere in this Agreement as a StadCo Operating Cost; (ix) insurance costs incurred by Concessionaire in connection with providing the insurance required pursuant to this Agreement that can be attributed to NFL Events; and (x) any other costs actually and reasonably incurred by Concessionaire in connection with the Food and Beverage Services directly attributable to NFL Events, all as reported by Concessionaire to Manager on a monthly basis in substantially the form attached hereto as **Exhibit B** (as the same may be modified from time to time by mutual agreement). The Parties acknowledge and agree that costs from Cost F&B Services requested by StadCo or Team or in connection with NFL Events shall not be included as a StadCo Operating Cost.

StadCo Suite(s): shall mean Suites designated by Manager from time to time as Suites to be used for marketing, promotional or other internal purposes by StadCo and its Affiliates, including any unsold Suite(s) utilized for such purposes. The Food and Beverage Services to be provided to one such StadCo Suite shall be provided on a complimentary basis. Any other StadCo Suite(s) shall be charged at cost.

Stadium: shall have the meaning set forth in the recitals to this Agreement.

Stadium Lease: shall have the meaning set forth in the recitals to this Agreement.

Stadium Management Agreement: shall have the meaning set forth in the recitals to this Agreement.

Stadium Rights: shall mean all intellectual, industrial and other proprietary rights in and to (1) the design, structure or image of the Stadium or any entertainment facility therein; (2) Events held at the Stadium, including the right to copy, reproduce or otherwise utilize the same, and the copyrights and trademarks related thereto; and (3) the naming, sponsorship or other rights for the Stadium, the Team, or Events.

Stadium Safety and Security Plan: shall mean the Public Safety Plan for the Stadium, as defined in the Stadium Lease.

Suites: shall mean the private viewing boxes located in the Stadium and identified as "Suites" in the Architectural Drawings.

Team: shall have the meaning set forth in the recitals to this Agreement.

Team Suites: shall mean the Suites designated by Manager from time to time as the "Home Team Owners' Suite", the "Visiting Team Owners' Suite" and the Suites utilized by Team employees and their guests, Team sponsors and prospective sponsors, and as reasonably designated by Manager on behalf of Team.

Term: shall have the meaning set forth in Section 3.3.

Third Party Caterer: shall have the meaning set forth in Section 3.1(e).

Transitional Expenses: shall have the meaning set forth in Section 2.3(d).

Transitional Period: shall have the meaning set forth in Section 2.3.

Trophy Club(s): shall mean the Club Area(s) identified as the "Trophy Club(s)" in the Architectural Drawings.

Trophy Suites: shall mean the Suites identified as the "Trophy Suites" in the Architectural Drawings.

Utility Systems: Any water, sewage (including but not limited to all permit fees and tap fees), gas, plumbing and general lighting, electrical service, sprinkler and fire safety, telephone and telecommunication and security facilities (including telephone and telecommunications equipment), piping (including storm and waste drains and all lines, drops and heads for sprinklers), ductwork, grease extraction ductwork, conduit, wiring (including all electrical panel boards and transformers), outlets and connections and mechanicals (as applicable); heating, ventilating, and air conditioning equipment, ductwork, fans and electrical components; all applicable elevators and escalators; all Alcoholic Beverage and non-Alcoholic Beverage conduit; and all chases and drains, and electrical lines related thereto.

Utility Services: shall mean water, gas and electricity services directly related to Food and Beverage Services. As used herein, water shall mean water fit for human consumption and in compliance with all applicable laws, rules, regulations and orders.

Waste Reduction and Recycling Plan: shall have the meaning set forth in Section 6.8(b).

West Legacy Club: shall mean the Club Area identified as the "West Legacy Club" in the Architectural Drawings.

ARTICLE II

Leasehold Improvements; Transitional Services

2.1 **Manager's Responsibilities**.

(a) On or before the Commencement Date and throughout the Term, the Stadium, including all Food and Beverage Facilities and all Service Areas and the Leasehold Improvements therein, shall have been made ready for use, substantially as described in the Architectural Drawings and related construction specifications, with such changes or amendments thereto as the Authority, Manager and their respective Affiliates shall deem necessary or advisable.

(b) On or before the Commencement Date, any additional inventory of Equipment and Smallwares shall have been purchased and installed at the Stadium so that such Equipment and Smallwares will be available for their intended use by Concessionaire on the Commencement Date. Concessionaire agrees to advise and participate in the selection of the Equipment and Smallwares above and beyond the current inventory at the Stadium.

(c) Manager agrees and acknowledges that it will provide or cause to be provided, during the Term, designated office and storage space within the Stadium for use by Concessionaire, with such initial space being depicted in **Exhibit D** to this Agreement. The location of such office and storage space shall be in the sole discretion of Manager, and Manager may direct that the office and storage space be moved to a new location within the Stadium from time to time as it deems necessary. Should Manager exercise its right under this Section 2.1(c), Manager shall find suitable substitute alternate space for the office and storage space then occupied by Concessionaire. Concessionaire shall be responsible for dismantling Office Equipment and storage equipment, packing, carting, unpacking, re-assembly and all similar aspects of any move, with oversight and reasonable assistance from Manager.

2.2 **Concessionaire's Responsibilities**.

(a) On an ongoing basis during the Term, as requested by Manager, Concessionaire shall, and shall cause its consultants, architects and other advisors to, regularly consult, actively participate with, and assist the Authority, Manager and their respective Affiliates, architects, consultants and other advisors with respect to updating the design, construction and equipping of the Food and Beverage Facilities and other alterations to the Stadium developed from time to time after the Effective Date, including by participating in Stadium construction and improvement design reviews and related work streams.

(b) Subject to the terms of this Agreement, Concessionaire shall pay for all costs and expenses necessary to fulfill its obligations under this Agreement. Prior to the Commencement Date, Concessionaire and Manager shall determine any updates or changes necessary to the uniforms, Office Equipment and warehouse and transportation

equipment as required to perform the Food and Beverage Services pursuant to this Agreement, and Concessionaire shall be responsible for providing such mutually-approved uniforms, Office Equipment, and warehouse and transportation equipment, the cost of which shall be a Joint Operating Cost.

2.3 **Concessionaire's Transitional Services.**

During the period from the Effective Date through the Commencement Date (the "**Transitional Period**"), in order to facilitate a proper and orderly transition of the Food and Beverage Services at the Stadium to Concessionaire, Concessionaire shall perform the following services (collectively, the "**Transitional Services**"):

(a) ***Active Consultation***. Concessionaire shall, and shall cause its consultants, architects and other advisors to, actively participate and consult with Manager with respect to updates and changes to the design, construction, and equipping of the Stadium, including by participating in Stadium improvement design reviews and related work streams; attend all conferences (in person or by telephone) and teleconferences as requested by Manager; assist with and comment on (but not produce) criteria, studies, analyses, reports, comments, drawings and other documents as requested by Manager; resolve any problems that may arise concerning Concessionaire's responsibilities and work, provide clarifying details as required by Manager; and make recommendations regarding changes or updates to the design and location of areas of the Stadium for which services will be provided by Concessionaire under this Agreement. When necessary, and to the extent requested by Manager, Concessionaire shall consult with public agencies and other organizations. Concessionaire shall attend all Stadium design, development, interface and coordination meetings which may be required by the City or other governmental entities and their departments to review matters related to the Stadium, promote the mutual understanding of the work in progress, and expedite the completion of the work.

(b) ***Operating Standard.*** Concessionaire shall: (i) take all actions reasonably necessary to cause the Food and Beverage Services at the Stadium to be ready by the Commencement Date in accordance with such standards, policies, and programs as the Authority and StadCo may, in their sole discretion, choose to implement, including standards and policies applicable to all phases of operation and programs such as purchasing programs, sales, marketing and promotion programs, accounting programs and methods, and quality improvement programs; and (ii) comply with all rules, regulations and policies implemented, from time to time, by the NFL, related to use or operation of the Stadium, that is consistent with practices of Manager, StadCo, and the Authority.

(c) ***Personnel.*** Concessionaire shall perform the following responsibilities to allow the Concessionaire to satisfy its obligations hereunder:

(i) identify a Management Team and such other Concessions personnel as are necessary or advisable for the proper staffing of the Food and

Beverage Services prior to the Commencement Date in accordance with the terms and conditions of this Agreement;

(ii) obtain the prior, written consent of Manager for any and all changes to the Management Team; and, within fifteen (15) business days of the removal of a Management Team member, provide Manager with the resume of a qualified, proposed replacement, the appointment of which Manager may in its sole discretion, reject; and

(iii) if requested by Manager, arrange for other personnel with stadium experience to assist with the transition of the Food and Beverage Services at the Stadium to Concessionaire.

(d) ***Expense Reporting.*** Concessionaire shall submit a report to StadCo detailing all costs and expenses actually incurred by Concessionaire in the fulfillment of its obligations under this Section 2.3 (collectively, "**Transitional Expenses**") that are categorized as an Authority Operating Cost, a StadCo Operating Cost, or a Joint Operating Cost. Such report shall be in a form to be agreed between StadCo and Concessionaire.

(e) ***Initial Inventory; Equipment.*** Concessionaire shall cooperate with Manager to prepare an inventory of Equipment (including Portables) and Smallwares located in the Stadium, and will, as requested by Manager, develop a plan for any updates or changes thereto within sixty (60) days of the Effective Date. In addition, Concessionaire shall, as and to the extent requested by Manager, assist Manager in the acquisition of the new or updated inventory of Equipment and Smallwares, which will allow for the full operation of the Stadium by the Commencement Date. New or updated Portables, Smallwares, Point of Sale Devices, and menu boards may be purchased as required, utilizing the Renewal and Replacement Account, for the efficient performance of the Food and Beverage Services, as determined by Manager or as determined by Concessionaire and approved in writing by Manager.

(f) ***Licenses and Permits.*** Concessionaire shall apply for and procure (in the name of the party designated by Manager, unless otherwise required by the applicable governmental authority) prior to the Commencement Date all licenses and permits for providing Food and Beverage Services as required by the Santa Clara County Health Department, other governing agencies, and/or at the request of Manager. The cost to apply for and procure the licenses and permits shall be a Joint Operating Cost notwithstanding the fact that the cost is incurred during the Transitional Period.

(g) ***Computer Services***. To the extent that any of the computer services required to be provided under this Agreement are needed to be implemented, installed and/or tested during the Transitional Period to accommodate the timely and orderly transition of the Food and Beverage Services at the Stadium, Concessionaire will, as and to the extent requested by Manager, provide such services not less than thirty (30) days prior to the Commencement Date.

(h) ***Initial Budget.*** Within ninety (90) days of the Effective Date, Concessionaire shall prepare and deliver to the Manager for review, a proposed operating plan and budget for Concessionaire's initial Fiscal Year, including financial and operational goals for the Branded Products, Catered Events, Club Areas, All-Inclusive areas, General Concessions Sales, In Seat Delivery, Suites and vending machines market segments, service fees, commissions, and itemized tactics directed at meeting each such goal.

(i) ***Development of Unique Food and Beverage Services.*** Concessionaire shall use its best efforts to develop (in cooperation with Manager and such other designees and consultants for Manager that may be engaged in their discretion, including third-party chefs and food and beverage product providers) unique Stadium-specific food and beverage offerings and Food and Beverage Services concepts (collectively, "**Proprietary Stadium Concepts**"). All Proprietary Stadium Concepts shall be sufficiently documented by Concessionaire in such detail (descriptive and graphical) as shall be satisfactory to Manager, with copies filed with Manager. To the extent the Proprietary Stadium Concepts incorporate a design or slogan developed specifically for Manager or any Proprietary Stadium Concept that is unique to the Stadium, Concessionaire shall not use such design or slogan, or recreate such Proprietary Stadium Concept, for use in any other venue managed by Concessionaire. By way of example, if Concessionaire develops a speciality hot dog product called a "Faithful Frank," which such specialty hot dog contains an ingredient not typically associated with hot dogs, Concessionaire shall not recreate such speciality hot dog or use the term "Faithful Frank" in any other venue managed by Concessionaire. Notwithstanding the foregoing, nothing herein shall limit Concessionaire's right to (x) serve hot dog products at other venues or (y) serve a substantially similar speciality hot dog if (and only if) such specialty product is being reproduced, in whole or in part, legally by other similar food and beverage providers (wherever located), *provided* in no event shall Concessionaire serve a substantially similar specialty hot dog in the northern California during the Term, unless authorized by Manager. Subject to the foregoing sentence, Concessionaire hereby grants to each of the Authority and StadCo an exclusive, perpetual, transferable, sub-licensable, royalty-free and fully-paid up license to utilize, implement, copy or reproduce the Proprietary Stadium Concepts, create derivative works based on the Proprietary Stadium Concepts ("**Derivative Concepts**"), utilize and implement the Derivative Concepts, and incorporate the Proprietary Stadium Concepts and Derivative Concepts into one or more collective new concepts and reproduce the Proprietary Stadium Concepts and Derivative Concepts as incorporated into such collective concepts, in their sole discretion. The Authority, StadCo and Concessionaire further acknowledge and agree that their respective obligations set forth in the immediately preceding sentence shall survive the termination of this Agreement.

2.4 **Transitional Payments; Audit Rights.**

(a) **Payment of Transitional Expenses.** Except as provided herein, Concessionaire shall be responsible for all of its expenses and related costs necessary and advisable for Concessionaire to fulfill its obligations under Section 2.3 of this Agreement during the Transitional Period, as detailed in **Exhibit L** to this Agreement.

(b) **Audit Rights**. Manager shall, at any time prior to the Commencement Date and during the six (6) months following the Commencement Date, have the right upon reasonable prior written notice to Concessionaire, for the purpose of verifying Transitional Period expenses, to audit and verify all books and records of Concessionaire pertaining to Transitional Period expenses that are categorized as Authority Operating Costs, StadCo Operating Costs, and Joint Operating Costs. Any audit and verification pursuant to this Section shall be conducted in such a fashion as to interfere as little as reasonably practicable with Concessionaire's normal business operations and during normal business hours. Concessionaire shall cooperate with Manager and its auditors in connection with such audit and shall promptly make available to Manager and its auditors any and all information relating to the Stadium that they may reasonably request in connection with such audit.

ARTICLE III

Grant of Operating Rights and Obligations; Term

3.1 Scope of Operating Rights and Obligations; Reservation of Rights.

(a) Subject to the terms of this Agreement, Manager hereby, on behalf of the Authority and StadCo, grants Concessionaire the exclusive rights to provide, and Concessionaire hereby agrees to provide, the Food and Beverage Services in the Stadium and throughout the Outside Areas for all Events and Catered Events held at the Stadium during the Term at the levels of service identified in **Exhibit F**; and Concessionaire acknowledges that such agreement includes the requirement that, on or before the Commencement Date, Concessionaire shall have procured and secured all personnel, Refreshments, and any additional Smallwares and Equipment necessary to provide Food and Beverage Services in the Stadium and, as applicable, throughout the Outside Areas for an Event and/or Catered Event(s) occurring on the Commencement Date in a first-class manner. Notwithstanding the foregoing or anything else to the contrary in this Agreement, the grant to Concessionaire shall not (i) include any right to provide Food and Beverage Services in any Excluded Area, unless otherwise requested by the Manager or, with the consent of Manager, authorized promoters of Events or licensees or lessees of the Stadium; (ii) preclude the Authority, Manager, any of their respective Affiliates or, with the consent of Manager, other licensees or lessees of the Stadium or their sponsors from providing, from time to time, reasonably-sized free samples of Refreshments; (iii) include the right to receive any membership dues or other similar payments collected at the Stadium in respect of Club Areas, Suites, or any other services or activities; (iv) preclude or inhibit Manager from ordering Refreshments to any location in the Stadium or Outside Areas from any Third Party Caterer (as defined below), including the sale of such Refreshments to guests within such area by Manager or such Third Party Caterer at any time; and (v) preclude or inhibit, in any manner, Manager's exercise of its rights under this Section 3.1.

(b) Concessionaire shall provide a mutually agreed Event-day meal service to those employees and contractors of Concessionaire, the Authority, Manager and any of their respective Affiliates engaged in work at the Stadium (the "**Employee Meal**

Program") in a location(s) as mutually agreed upon by the parties. The Employee Meal Program shall consist of entrées and sides, which shall be prepared in an economical and efficient manner consistent with the reasonable expectations of Manager. Concessionaire shall charge the employees and contractors the fixed per-customer price for the Employee Meal Program of the cost of such meal, as mutually agreed upon the Concessionaire and Manager. In addition, Concessionaire shall provide officers and executives of Manager and any of its Affiliates Refreshments and any services in respect of a Catered Event requested by any of them at cost and shall provide Refreshments and any services in respect of a Catered Event for Team partners or sponsors at a mutually agreed upon discounted rate, and the amount of such discount will be excluded from Gross Receipts. All charges for the Employee Meal Program and Refreshments under this Section 3.1(b) shall be payable by the applicable employees and contractors by an agreed upon unique identifier (with payment assurance reasonably acceptable to Concessionaire), cash or credit card (or by such other method of payment that is then commonly accepted for any retail sale), and not the Authority, StadCo, Manager or any of their respective Affiliates (unless they elect to pay for their employees or contractors or other designated Persons). Concessionaire's charges for a Catered Event that was requested by Authority, StadCo, Manager or any of their respective Affiliates shall be invoiced to the requesting Person within two (2) days following such Catered Event; any such invoice shall set forth in reasonable detail all food and beverage items provided and the costs of each, including labor, and such invoice shall be paid within thirty (30) days of receipt. Except as may otherwise be approved by Manager, Concessionaire shall not sell Refreshments to Manager's Event-day employees or contractors at a concession stand or public outlet during any time that the Stadium is open to the general public.

(c) Concessionaire shall provide Food and Beverage Services: (i) in the Team Suites and StadCo Suite(s), (ii) for members of the media on Event days in media areas and media dining areas selected by Manager, and (iii) to the Authority, Manager, and their respective Affiliates at meetings, events and functions conducted by any of them at the Stadium. Except as otherwise provided in the definition of StadCo Suite(s) above, the Food and Beverage Services to be provided in each case under clauses (i) through (iii) shall be charged at cost. Such Food and Beverage Services shall be provided as requested by the Authority, Manager or their respective Affiliates, as the case may be, and shall be billed to (A) Manager, in the case of the Team Suites and StadCo Suite(s) and the media on the date of the Team's game following such Event, and (B) the applicable party (the Authority, Manager or the applicable Affiliate of either) conducting the meeting, event or function under clause (iii) above. All revenues received by Concessionaire pursuant to this Section 3.1(c) shall be deemed "**House Charges**" for purposes of this Agreement and shall not be included in Gross Receipts or charged separately to StadCo Operating Costs, Authority Operating Costs, or Joint Operating Costs. Manager and Concessionaire shall jointly develop a system to ensure the correct accounting for such House Charges. House Charges shall be payable to Concessionaire by the applicable Person to whom they are billed as indicated above, within thirty (30) days after billing. Concessionaire shall not offer any discounts (other than those reflected in House Charges or as part of the Discounts) to customers at the Stadium without the prior written approval of Manager.

(d) Concessionaire shall provide Food and Beverage Services in the Owners Club, West Legacy Club, East Legacy Club, and in such other areas as Manager may designate from time to time in its sole discretion (collectively, when used on an all-inclusive basis, the "**All-Inclusive F&B Service Areas**"), on an "all-inclusive" basis for designated NFL and/or Authority Events (the "**All-Inclusive F&B Services**"). Concessionaire shall, with input from and the approval of Manager, develop the menus and determine the product selection (but not Brand selection with respect to Alcoholic Beverages) and service setup for such all-inclusive services. Concessionaire and Manager shall mutually agree on the price per person for all-inclusive services at All-Inclusive F&B Service Areas operated by Concessionaire; provided, that such pricing shall be sufficient to cover Concessionaire's reasonable, direct costs of providing Food and Beverage Services to the All-Inclusive F&B Service Areas and the pricing for such All-Inclusive F&B Services shall include a profit-margin substantially similar to Concessionaire's profit-margin for the other Food and Beverage Services provided by Concessionaire at the Stadium. A separate invoice shall be rendered for such all-inclusive services after each Event, which invoice shall include such back-up cost documentation as Manager may reasonably request. Manager may elect to exclude certain Refreshments (such as Alcoholic Beverages) from the all-inclusive services, in which event Concessionaire shall provide for direct payment by customers, by cash, credit card or an agreed upon unique identifier (with payment assurance reasonably acceptable to Concessionaire), for those Refreshments specifically excluded from the all-inclusive services. Incremental revenues from all sales of Refreshments in All-Inclusive F&B Service Areas, and all revenues from sales of excluded items, shall be included in Gross Receipts. For All-Inclusive F&B Service Areas, the Employee Meal Program, House Charges, and any other "at cost" Food and Beverage Services to be provided by Concessionaire hereunder (collectively, "**Cost F&B Services**"), Concessionaire shall provide for Manager's approval, in advance of the designated Event, a proposed menu for such Cost F&B Services, detailing the specific items to be served, portion size, type and quality of product, type and level of service and Concessionaire's price for such items. The parties shall agree on the method of calculation for Concessionaire's price and reimbursement of the foregoing menu items prior to the start of each NFL season; provided, that such pricing shall be sufficient to at least cover Concessionaire's reasonable, direct cost. The parties agree and acknowledge Cost F&B Services shall not be included in Gross Receipts or subject to commissions. For purposes of illustration and clarification of the foregoing, Concessionaire's pricing of Cost F&B Services shall be calculated based on (i) the actual costs of goods sold, (ii) Concessionaire's direct on-site hourly payroll expenses, including taxes, fringe and benefits, relating to the employees providing the Cost F&B Services, (iii) a mutually agreed upon reasonable allocation of the direct on-site salaried payroll expenses for the Management Team, including taxes, fringe and benefits, to the extent directly relating to the provision of Cost F&B Services; (iv) other direct costs of providing Cost F&B Services, such as the cost of linens, napkins, flowers and other decorative items, cleaning supplies, utilities and equipment rental utilized in the provision of such Cost F&B Services. Concessionaire's pricing of Cost F&B Services shall not include any of Concessionaire's insurance costs, selling, advertising or marketing costs, depreciation or amortization or Concessionaire's general and administrative expenses. Manager shall have the right to add or change items to be

sold in Concessionaire's providing Cost F&B Services, and Concessionaire shall use commercially reasonable efforts to accommodate such additions and changes. The parties shall work in good faith to establish a written schedule and process for prior approval of the pricing of Cost F&B Services which will permit Concessionaire to operate in a commercially reasonable manner. Upon approval of Manager, including with respect to the allocation of the salaried payroll expenses for the Management Team as described in clause (iii) above, which approval shall not be unreasonably withheld, conditioned or delayed, the proposed pricing of Cost F&B Services shall be the basis for all the amounts that are billed by Concessionaire to Manager or other applicable person or entity, and Concessionaire shall provide Manager with detailed reporting of all Cost F&B Services on a monthly basis in substantially the form attached hereto as **Exhibit K** (as the same may be modified from time to time by Manager). Following each NFL season, the parties will meet and confer on the particulars of the Food and Beverage Services, including the Cost F&B Services, and shall discuss in good faith whether any adjustment in the amount paid by Manager in the menu or service provided by Concessionaire in each area is warranted for the following NFL season.

(e) Concessionaire shall, at the request of Manager and with respect to any Event or Catered Event, establish and maintain premium Food and Beverage Services ("**Premium Concessions Services**") in one or more of the Club Areas and in such other areas of the Stadium as may be designated by Manager from time to time. In connection with the provision of Premium Concessions Services, Concessionaire shall take all actions necessary to train its personnel, create menus and provide such other services as may be necessary or useful in connection therewith, including the development and ongoing operation of the Celebrity Chef Program described in Section 3.1(k). Concessionaire may be reasonably required by Manager to, or may elect to with the consent of Manager, utilize the services of a third-party catering service approved or designated from time to time by Manager ("**Third Party Caterer**") in connection with providing Premium Concessions Services; provided, that, in the event Manager requires Concessionaire to utilize a Third Party Caterer, Concessionaire shall not be held liable for the acts or omissions of such Third Party Caterer, except as such acts or omissions occur under the direction or supervision of Concessionaire. Manager may book Catered Events itself or through other Persons and may utilize (or cause to be utilized) the services of Concessionaire, Third Party Caterer, either or both of them, or any other service provider for such Catered Events or other Events at the Stadium. As necessary under the agreement for any such Event or Catered Event, Concessionaire shall provide, by renting from a third party (which rental costs may be passed on to customers), all Smallwares (not otherwise provided pursuant to this Agreement) and other supplies and equipment reasonably necessary to provide Food and Beverage Services at each such Event or Catered Event, any costs of which shall be an Authority Operating Cost or StadCo Operating Cost, as appropriate. Concessionaire shall be entitled to receive from each customer holding an Event or Catered Event fees for Food and Beverage Services provided by Concessionaire based upon a pricing schedule agreed upon by Manager and Concessionaire, which fees shall be included in Gross Receipts for purposes of this Agreement if not in connection with Cost F&B Services. All other amounts payable by the customer with respect to the Event or Catered Event to the Third Party Caterer or Manager directly, including any facility use fee, shall be determined by and payable

exclusively to Manager, Third Party Caterer, and/or approved third-party, as determined by Manager, and shall not be included in Gross Receipts.

(f) After the Commencement Date, Concessionaire shall, on an annual basis on or before February 1 present to Manager a program containing a specific proposal for financial and operational goals for the Branded Products, Licensed Products, Catered Events, Club Areas, General Concessions Sales, In Seat Delivery, Suites and vending machines segments, and such other segments as Manager may from time to time identify and designate, as well as itemized tactics directed at meeting each goal identified within a one-year period from the date designated by Manager under this Section 3.1(f). While the parties shall negotiate in good faith in establishing agreed-upon pricing for each market segment, Manager shall have the ultimate right of approval or disapproval of each and every pricing term.

(g) Concessionaire shall provide the Food and Beverage Services in a professional, first class and innovative manner and in accordance with (i) the terms of this Agreement, (ii) all applicable Legal Requirements, (iii) all standards implemented, from time to time, by Manager relating to health, safety, quality and operating issues (subject to Section 6.2 with respect to employment matters), and (iv) all rules, regulations and policies implemented, from time to time, by the NFL, related to use or operation of the Stadium, and Concessionaire acknowledges that, without limiting any other provision of this Agreement, the foregoing requirement is a "material obligation" for purposes of Section 9.1. All Refreshments served in connection with any Food and Beverage Services shall be of premium quality and freshness and shall be prepared, stored and served in a healthful and gracious manner, with due regard for providing a premium level of service. Concessionaire shall use commercially reasonable efforts in locally sourcing all Refreshments and products utilized in connection with any Food and Beverage Services.

(h) Concessionaire's performance shall be subject to review by Manager based on various forms, including surveys and customer feedback which measure the customers' satisfaction with the quality of the Refreshments and Food and Beverage Services provided at the Stadium ("**Concessionaire Surveys**"). The cost of such Concessionaire Surveys shall be a Joint Operating Cost. The content, implementation, timing, location, data gathering methodology and other terms and procedures of such Concessionaire Surveys shall be mutually agreed upon by the parties each Fiscal Year. Concessionaire and Manager shall review the Customer Surveys on an annual basis to determine whether performance level requirements mutually agreed upon by the parties have been met by Concessionaire during the previous Fiscal Year. The hard and soft copies and results of all Concessionaire Surveys shall be the property of Manager and shall be promptly surrendered to Manager upon request.

(i) All Food and Beverage Services shall be conducted from the Food and Beverage Facilities and in a manner which is consistent with the Stadium Lease and Stadium Management Agreement. In connection therewith, Concessionaire acknowledges that the use of the Stadium and Outside Areas are subject to the terms and conditions of, and Concessionaire agrees to conduct all Food and Beverage Services in

accordance with, the Stadium Lease, Stadium Management Agreement and any other applicable agreements, but only to the extent Concessionaire has been notified of the applicable provisions of such agreements.

(j) Concessionaire shall, at all times, abide by the Alcoholic Beverage Policy. The decision as to whether or not Alcoholic Beverages may be sold at an Event, at any time during the conduct of an Event, or in any particular area or areas of the Stadium shall be at the sole discretion of Manager or Manager's designee for a particular Event. Chewing gum and tobacco products, except those products sold with Manager's approval as part of a themed smoking area such as a "cigar bar", may not be sold by Concessionaire in the Stadium or Outside Areas, and Manager reserves the right during the Term to specify other products and services which may not be sold by Concessionaire and agrees to provide notice to Concessionaire of any such prohibition.

(k) Manager, and any Affiliate thereof, may from time to time during the Term, require Concessionaire to engage a chef and/or other cooking and food products and beverage personnel (each designated Person, for purposes of this Agreement, a "**Celebrity Chef**") designated by Manager to prepare meals or provide Refreshments (including Alcoholic Beverages) in the Owners Club or other Club Area (e.g., as part of a special culinary or beverage experience program; each, a "**Celebrity Chef Program**"). The Celebrity Chef Program shall be designed as a marketing and amenity program to deliver signature dishes of the Celebrity Chef's making and/or wine or other specialty beverages, as the case may be, to patrons in the designated areas. The costs of such Celebrity Chef and other personnel shall be an Authority Operating Cost if Concessionaire agrees to engage such Celebrity Chef for Authority Events or a StadCo Operating Cost if such Celebrity Chef is engaged for NFL Events, unless Manager elects to pay such costs directly, and Concessionaire shall provide kitchen facilities, implements, support personnel, and ingredients as required by Manager to facilitate said Celebrity Chef Program and such other related services. Concessionaire shall be entitled to receive fees for Food and Beverage Services provided by Concessionaire in the designated area during a Celebrity Chef Program based upon a pricing schedule agreed upon by Manager and Concessionaire, which fees shall be included in Gross Receipts for purposes of this Agreement if not in connection with Cost F&B Services. All other amounts payable by the customer/patrons with respect to the Celebrity Chef Program, including any facility use fee, shall be determined by and payable exclusively to Manager, Celebrity Chef, and/or approved third-party, as determined by Manager.

(l) Manager expressly reserves the right to reasonably require Concessionaire to modify its Food and Beverage Services (including the normal selection of and pricing for Refreshments) on an Event by Event (and Catered Event) basis or during an Event or Catered Event, and Concessionaire shall make such modifications as reasonably requested.

(m) Concessionaire shall provide to Manager, prior to every Event for Manager's approval, its proposed plan for In Seat Delivery based upon data specific to such event. Concessionaire and Manager shall meet prior to each event at which In Seat Delivery is available to discuss Concessionaire's proposed plan, provided that Manager

shall direct Concessionaire with respect to appropriate staffing levels for In Seat Delivery Sales for NFL Events and Non-NFL Events.

(n) Concessionaire shall use exclusively permanent Smallwares in the Owners Club and, to the extent reasonably practicable, in other Club Areas and Suites designated by Manager from time to time where private dining areas may be established, including, without limitation, the Team Suites, StadCo Suite(s), Naming Rights Suite and, unless specified by Manager, for all Catered Events. Concessionaire may use disposable Smallwares in the general concession areas and in all other Suites and Club Areas. All Smallwares (permanent and disposable) must be approved by Manager, and Manager may require higher quality items in certain areas. All disposable items shall meet the intent and policy of the Stadium recycling, sustainability and composting program. All items not considered permanent Smallwares will be recyclable or compostable items. Concessionaire shall provide and at all times maintain a sufficient stock of all Smallwares inventory. Concessionaire shall be responsible for setting up and tearing down Smallwares and Equipment for all Events and Catered Events, including any work tables supplied or requested by Manager.

(o) Concessionaire shall be responsible for all Food and Beverage Services operating costs, including, but not limited to: (i) the costs of Refreshment items and staffing, including all managerial and Event staff (which shall be Authority Operating Costs or StadCo Operating Costs); (ii) items used in preparation and service of food and beverages, replenishing the supply of uniforms, payment of applicable taxes not included in Sales Taxes, and the training of Concessionaire's employees (which shall be Joint Operating Costs; and (iii) replenishing the supply of Smallwares, the maintenance and repair of Equipment as described herein (which may utilize the Renewal & Replacement Account or allocated as a Joint Operating Costs, as determined by Manager in its sole discretion). As described in greater detail in Section 6.8, Concessionaire agrees to fully abide by all sustainability and reuse programs established for or applicable to the Stadium, as each may be modified from time to time following the Effective Date.

(p) Without limiting the generality of any other provision in this Agreement, Concessionaire's provision of the Food and Beverage Services shall be subject to the reasonable prior approval of Manager acting in conjunction with Concessionaire, including but not limited to staffing, number of Service Areas, menu portions, pricing, food and non-alcoholic beverage products sources of supply and brand selection, manner of Concessionaire's performance, selection of subcontractors and Concessionaire's execution of any contract or agreement with a subcontractor. Concessionaire shall not offer exclusivity to any supplier without the prior written approval of Manager. Each and every subcontractor utilized by Concessionaire in connection with the Food and Beverage Services at the Stadium shall be subject to the prior approval of Manager in writing.

(q) In order for Concessionaire to provide Manager with high quality Refreshments and in order for Concessionaire to maintain the high standards of operations that it requires, Concessionaire shall purchase inventory, equipment, and services from various sellers and vendors selected by Concessionaire (each, a "**Vendor**"), subject to Manager's prior approval through the Budget approval or other written

approval. Purchases from Vendors shall be made under such terms Concessionaire deems acceptable ("**Vendor Terms**"). The parties agree that if Concessionaire uses its usual Vendor programs, then the rebates that Concessionaire receives as part of such programs will be allocated to the applicable operations based on Concessionaire's allocation percentages, which is a percentage of food cost of goods purchased in Concessionaire's usual purchasing programs. Concessionaire covenants that the Vendor Terms will not: (i) impair the quality of the Refreshments served by Concessionaire (as compared to comparable items served at other similar venues in which Concessionaire or its affiliates provides food and beverage service), or (ii) increase the costs for such items (as compared to the Concessionaire's pricing for comparable items of similar size served at other similar venues in which Concessionaire or its affiliates provides food and beverage service). The foregoing shall be in accordance with any applicable federal, state, or local statute, law, code, regulation, or ordinance, including without limitation those pertaining to Alcoholic Beverage service. Excluding Alcoholic Beverage purchases, Alcoholic Beverage service, and upon good-faith consultation with Concessionaire, Manager shall have the right to assume responsibility of the purchase of specific inventory, equipment, and services required under this Agreement for the Food and Beverage Services that Manager determines may provide operational efficiencies or other cost savings as a result of such assumption, and shall have the right to bill Concessionaire for such items as a Joint Operating Cost, Authority Operating Cost, or StadCo Operating Cost, as appropriate.

(r) If at any time, Concessionaire fails or is otherwise prevented from providing all or any portion of the Food and Beverage Services whether due to a suspension or termination of any licenses or permits, Force Majeure or otherwise, then, in addition to any other right of Manager, Manager shall have the right, in its sole discretion, without the payment of any kind to Concessionaire, to provide through any available means the Food and Beverage Services, or any portion thereof, until such time as Concessionaire has resumed its provision of the Food and Beverage Services, or a portion thereof. In the event Manager exercises its rights pursuant to this Section 3.1(q), Concessionaire shall, and shall cause its employees and the Management Team, to cooperate and assist Manager in providing the Food and Beverage Services.

(s) Subject to Section 3.1(a), Concessionaire shall not interfere with the free distribution of reasonably-sized samples of Refreshments as authorized under this Agreement.

(t) Concessionaire shall provide a written report twenty-four (24) hours prior to each Event and Catered Event of any Equipment that will not be fully operational during such Event or Catered Event. Each report shall provide the potential mitigation programs and the estimated time that it will take for such Equipment to once again become operational.

(u) Upon the request of Manager, Concessionaire shall provide unique Food and Beverage Services which may or may not be prepared by Concessionaire and may be provided by other mutually agreed vendors or caterers, including kosher, Indian or other

ethnic and specially prepared foods, as regular specialty menu items or with respect to specified Events, Catered Events, or functions.

(v) Manager expressly reserves the right to pursue, develop, and establish a reasonable number of arrangements relating to the sale of Refreshments through select third parties within the Food and Beverage Facilities, as follows: (i) a limited number of established local/regional restaurants which in the aggregate provide for not more than twenty (20) points of sale, (ii) not more than six (6) branded franchises in connection with Stadium sponsorship arrangements, and (iii) a limited number of providers of Refreshments in which the Manager or an Affiliate has financial equity, which in the aggregate provide for not more than fifty (50) points of sale within the Food and Beverage Facilities. Manager shall have the right to select the location of such points of sale in its sole discretion. There shall be no limitation relating to the sale of Refreshments in any third-party lease space programmed on the exterior of the Stadium building. Manager may establish such third-party arrangements on its own or may require that Concessionaire accept as a third-party subcontractor any such Person, and such third-party subcontractor shall enter into a subcontractor agreement with Concessionaire that is acceptable to Manager and Concessionaire. However, Concessionaire shall not be forced to enter into franchise agreements with third parties. No off-site or subcontracting of any Food and Beverage Services shall be undertaken or permitted by Concessionaire without the prior written approval of Manager.

(w) For any third-party arrangement directly contracted between Manager and the third-party Refreshment provider for point-of-sale space with the Food and Beverage Facilities during Events, any revenues from the third-party's sale of Refreshments at the Stadium shall not be included in the calculation of Gross Receipts. Concessionaire shall provide back office support, payment processing, accounting, financial reporting to Manager, and janitorial services for the third party, and shall provide such other concessions support services as mutually agreed upon by the parties. As compensation for such services provided by Concessionaire under this section, Concessionaire shall receive seven and a half percent (7.5%) of revenues collected from the third-party's Refreshments, less Sales Taxes, gratuities, and credit card fees.

(x) Concessionaire shall establish a complete inventory of all Equipment and Smallwares and shall at all times maintain an accurate inventory of the location of these items within the Stadium. As a part of its ongoing responsibility for maintenance and repair of the Equipment, Concessionaire shall at all times maintain full and complete electronic records of maintenance and repair activities with respect to each piece of Equipment. Copies of these inventory and maintenance records shall be provided to Manager on as requested.

(y) Prior to the commencement of each Fiscal Year of the Term, Concessionaire shall coordinate in good faith with Manager to develop a marketing plan to promote Concessionaire's catering services for Catered Events at the Stadium for such Fiscal Year. Both Concessionaire and Manager (on behalf of the Authority) shall each contribute Twenty Five Thousand Dollars ($25,000.00) per Fiscal Year towards mutually agreed upon revenue-generating initiatives to improve Catered Events at the Stadium (the

"**Marketing Fund**"). The Marketing Fund shall be used exclusively for such purposes and all proposed expenditures of the Marketing Fund shall be mutually agreed upon by Concessionaire and Manager. Any unused portion of the Marketing Fund shall be rolled over into the subsequent Fiscal Year.

(z) Concessionaire shall perform such other responsibilities ancillary to Manager's operating of the Stadium as reasonably requested by Manager, to the extent permitted by applicable law and provided such performance does not result in a material and substantial increase in Authority Operating Costs. By way of example, in the event lottery ticket machines are installed at the Stadium, Concessionaire shall provide sale and redemption services for customers utilizing such machines at the Stadium, within the vicinity of such machines.

3.2 **Permission to Occupy and Use Facilities and Equipment**.

(a) Subject to the terms and conditions of this Agreement (including, without limitation, Section 3.1), and subject to any restrictions imposed by the Authority, StadCo, or any of its Affiliates, including pursuant to the Stadium Lease and Stadium Management Agreement, Manager hereby grants Concessionaire permission to occupy and use during the Term (and at such earlier time prior to the Commencement Date as Manager deems necessary) all Food and Beverage Facilities and Equipment, whether now existing or hereafter constructed or located within the Stadium, in conjunction with Concessionaire's exercise of its right to operate the Food and Beverage Services, as applicable. Concessionaire agrees to distribute the vertical transportation of the Food and Beverage Services so as to reduce and limit the transport of items through a public or premium area. Manager also hereby grants Concessionaire permission to occupy and use, during the Term and at such earlier time following the Effective Date as Manager deems necessary, all Common Areas and Service Areas, and appurtenant easements and access areas thereto, to the Food and Beverage Facilities to the extent necessary for the customary and reasonable operation of the Food and Beverage Services. Notwithstanding such use of the Service Areas, the parties hereto acknowledge that Concessionaire shall have control over such areas during Events to the extent required to enforce all laws, rules and regulations of the State of California, and the California Department of Alcoholic Beverage Control related to the service of Alcoholic Beverages, all as more particularly described in Section 6.4 below. The use by Concessionaire of all Common Areas shall be subject to all Legal Requirements and any rules, regulations and policies established by the Authority, StadCo, and/or Manager from time to time, including scheduling rules, regulations and policies.

(b) Notwithstanding the foregoing, and subject to any restrictions imposed by the Authority or StadCo, including pursuant to the Stadium Lease and Stadium Management Agreement, Manager and its designated agents reserve the right of access to all areas Concessionaire is permitted to access, use and occupy hereunder for purposes of operating, inspecting, maintaining and repairing the Stadium (and all improvements therein or thereon and all Utility Systems related thereto) and for the purpose of determining whether the terms, covenants and conditions contained in this Agreement are being fully and faithfully observed and performed by Concessionaire. Use of any space

or property Concessionaire is permitted to access, use and occupy hereunder for purposes other than the operations to be conducted under this Agreement, without prior written approval of Manager in its sole discretion, is prohibited. Concessionaire shall not interfere with any other contractor, licensee or employee of the Authority, StadCo, Manager or any other Person working at the Stadium.

(c) The location(s) of all movable or temporary tables, carts, servers or other Equipment and any auxiliary storage space required by Concessionaire, from time to time, must be approved by Manager in writing. Concessionaire shall acquire no rights to such locations if assigned, and Manager reserves the right to require Concessionaire to move such tables, carts, servers or other Equipment and to relocate items to or from any auxiliary or common storage space when Manager determines that the needs of Events, Catered Events or similar matters require the use of same. Concessionaire shall be solely responsible for packing, carting, unpacking, re-assembly and all similar aspects of any move of such tables, carts, servers or other Equipment and all costs related thereto, and each such move shall be executed within the time period reasonably prescribed by Manager and without damage to any portion of the Stadium or any Leasehold Improvements or Equipment, excepting normal wear and tear.

(d) Subject to the rights of Concessionaire as set forth in Section 3.1(a), the other Sections of this Agreement and the terms and conditions of the Stadium Lease (including the lessee's rights thereunder) and Stadium Management Agreement, the Authority shall at all times own the Leasehold Improvements constructed, installed or placed in the Stadium as specified in the Stadium Lease, regardless of when or by whom such Leasehold Improvements were constructed, placed or installed, and all Equipment, Smallwares and uniforms provided by Manager (or any Affiliate thereof), by Concessionaire or otherwise pursuant to this Agreement and/or as required by the Stadium Lease or Stadium Management Agreement. Upon the termination or expiration of this Agreement, Concessionaire acknowledges and confirms that it shall have no permission to access, occupy or use the Stadium or any part thereof and no right, easement, license, lien or other interest, by implication, constructive or otherwise, in the Stadium generally, any Leasehold Improvements, or any Equipment, Smallwares or uniforms provided by Manager (or any Affiliate thereof) or by Concessionaire and must immediately return any such property to the Manager.

3.3 **Term**.

The "**Term**" of this Agreement shall commence on the Commencement Date and terminate without the need for notice or other action by either party on the day immediately preceding the twelfth (12th) anniversary of the Commencement Date, unless sooner terminated under Article IX. Although the Term does not commence until the Commencement Date, this Agreement shall be effective, and the parties hereto shall have certain rights and obligations, from the Effective Date. Manager shall have the option, in its sole discretion, to extend the Term of the Agreement for five (5) additional two (2) year periods by notifying Concessionaire in writing of its desire to exercise said option(s) not more than one hundred twenty (120) days prior to the expiration of the then-current Term. If fewer than eight (8) Home Games occur in any Fiscal Year, the Term shall be extended by one (1) year for each such season.

ARTICLE IV

Certain Responsibilities of Manager and of Concessionaire

4.1 **Maintenance; Repair; Replacement.**

Concessionaire shall be responsible for (a) all maintenance and repair of the Food and Beverage Facilities (including Leasehold Improvements) and associated Service Areas and Equipment, and (b) the replenishment of Equipment and Smallwares in the ordinary course of providing the Food and Beverage Services, and the costs of such maintenance and repairs and of replenishing Equipment and Smallwares shall be pre-approved by Manager and payable out of the Renewal and Replacement Account. If Concessionaire determines in its reasonable judgment that the Equipment, Smallwares, or any item of Equipment, Office Equipment or warehouse or transportation equipment require replacement, it will seek Manager's approval to replace such items. With the approval of Manager, Concessionaire or Manager shall purchase such replacement items out of the Renewal and Replacement Account.

4.2 **Access.**

Concessionaire's authorized personnel who are scheduled to work at Events and Catered Events shall be provided with ingress to and egress from the Stadium through a gate or gates designated for such purpose by Manager, without charge, during all days on which Events are held and Catered Events are scheduled and at all other times necessary to enable Concessionaire to prepare for Events and Catered Events and fulfill its other responsibilities under this Agreement. Concessionaire shall be bound by and comply with all rules, policies and procedures relating to security and access rights, including requirements related to screening and identification of Concessionaire's personnel, established from time to time by Manager. Concessionaire's authorized personnel shall utilize Manager's access control systems, as implemented at the Stadium by Manager, and the costs of such use shall be a Joint Operating Cost approximately proportionate to Concessionaire's personnel utilizing the access control system. Nothing herein contained shall be held to limit or qualify the right of the Authority or Manager to a free and unobstructed use, occupation and control of the Stadium and ingress and egress for itself, its lessees and the public.

4.3 **Security.**

(a) Manager's Responsibility. Subject to Concessionaire's obligations set forth below and elsewhere in this Agreement and the obligations of the Authority and StadCo under the Stadium Lease and Stadium Management Agreement, Manager shall be responsible for implementing the Stadium Safety and Security Plan.

(b) Concessionaire's Responsibility. Concessionaire shall be responsible for (a) developing an emergency preparedness plan and a safety and security plan to secure the Food and Beverage Facilities, Equipment, Refreshments, its cash room and the transporting of all cash thereto and therefrom and its bank deposits, which security measures shall be in line with the standards and regulations set by the Department of Homeland Security and Santa Clara Police Department requirements, and which security

measures Manager may require Concessionaire to coordinate with Stadium security, and (b) the security of its own sales locations and for monitoring the acquisition, movement, storage and sale (including properly identifying customers as legal purchasers) of Alcoholic Beverages to comply with all applicable Legal Requirements and the Alcoholic Beverage Policy. All security services provided by Concessionaire pursuant to the immediately preceding sentence shall be subject to, and Concessionaire shall comply and otherwise abide by, all emergency and security procedures and protocols of the Manager, the Team, the NFL and promoters of Events as the Manager or such other Persons shall adopt from time to time. Such procedures and protocols may include, without limitation, (i) employee pat-down and screening, (ii) presentment by Concessionaire's employees of identification cards or badges issued by Manager, which may include reporting criteria such as bar codes, "Mag Stripes", "RFID" or other identifier systems; (iii) restricting access to certain parts of the Food and Beverage Facilities to employees of Concessionaire as reasonably approved by the Manager (with respect to security clearance standards); and/or (iv) conduct by Concessionaire, as a Joint Operating Cost, of mutually agreed upon background or other security screening checks on all of Concessionaire's employees as the Manager shall request from time to time, which checks may vary as to job function, to the extent allowable by law or any applicable collective bargaining agreement. The Manager shall have the right to enter the Food and Beverage Facilities at will to install any Equipment or other device designed for the purpose of protecting the Food and Beverage Facilities from theft, burglary or vandalism or for any other purpose deemed appropriate by the Manager.

4.4 **Utility Services; Telecommunications**.

(a) Utility Services to Be Provided. Concessionaire shall be provided with the use of all Utility Systems and Utility Services, including, but not limited to gas for cooking, electricity, water, heat, ventilation, air conditioning and sewer service as necessary for Concessionaire's Food and Beverage Services at the Stadium.

(b) Concessionaire's Responsibility for Utility Services. Concessionaire shall be responsible to pay, and hereby agrees to pay as a Joint Operating Cost, for Utility Services directly relating to its operations, and shall be invoiced monthly for such usage of the Utility Services. Beginning after the second Fiscal Year, in the event that the actual cost of Utility Services directly relating to Concessionaire's operations in any Fiscal Year increases at an average annual rate that exceeds ten percent (10%) over the then-completed years of the Term (from a base cost of $550,000.00) or increases by more than sixty percent (60%) in any Fiscal Year from the previous Fiscal Year (that are not attributable to additional Events at the Stadium in any such Fiscal Year in each case), the parties agree to meet and discuss, in good faith, a reasonable solution to offset the financial impact to Concessionaire. Subject to Manager's prior approval, Concessionaire shall purchase any and all special and other equipment necessary for its operations to be connected to the Utility Systems, provided that all such equipment must be compatible with the Stadium's Utility Systems, the costs of which shall be a Joint Operating Cost. Concessionaire agrees to support, promote and abide by all programs and measures implemented by Manager from time to time (including programs and measures promulgated by the Authority, the City and Santa Clara County) to reduce waste and

increase the efficiency of the Stadium. Concessionaire acknowledges that neither the Authority, StadCo nor Manager can control the availability of any Utility Service to the Stadium at any given time, and in no event shall the Authority, StadCo or Manager be liable or responsible to Concessionaire, in damages or otherwise, including for any indirect, consequential or special damages or economic or property losses, for any interruption of such services. Concessionaire shall, and shall cause its employees, agents, subcontractors and invitees to, at all times utilize prudent energy and water management. Concessionaire shall be responsible for the cost to repair or replace any Utility Service or lines damaged to the extent due to the negligence or an act or omission of Concessionaire or any of its employees or contractors under the insurance policies maintained or required to be maintained by Concessionaire under this Agreement. Grease traps used by Concessionaire within the Food and Beverage Facilities shall be maintained by Concessionaire to the satisfaction of Manager, the cost of which shall be a Joint Operating Cost. Concessionaire shall (i) take all precautionary measures necessary to assure that no grease, residue, Hazardous Substance or other by-product resulting from the provision of Food and Beverage Services is discharged into the sewer lines within the Stadium and (ii) be responsible for the removal and remediation of any grease, residue, Hazardous Substance or other by-product resulting from the provision of Food and Beverage Services discharged through the sewer lines within the Stadium notwithstanding such precautionary efforts.

(c) Telecommunications. Concessionaire shall have access to the Stadium's telephone and connectivity or broadband service. Concessionaire shall be responsible to pay, as a Joint Operating Cost, all charges for connection services and shall be invoiced monthly for usage of the Stadium's telecommunications and broadband systems, including long distance charges, loss or replacement of equipment and special services. Concessionaire shall purchase handsets and other equipment connected to the Stadium telephone service that is compatible with the Stadium system.

4.5 **Parking**.

Manager will provide parking at a rate of $30.00 per space (which amount may be reasonably increased by Manager in its sole discretion) for Concessionaire's employees scheduled to work at an Event in designated off-site parking locations. If walking time from a particular parking area (or areas) designated for Concessionaire's employees scheduled to work at an Event is reasonably estimated by Manager to exceed twenty (20) minutes, transportation to and from the site from such locations, and the cost of such transportation shall be includable in the parking rate charged for use of such area(s). Concessionaire shall adopt and enforce policies requiring its employees to park only in employee parking facilities designated by Manager and to otherwise comply with the Stadium's parking rules and regulations. Any costs for transportation shuttles for Concessionaire's employees shall be a StadCo Operating Cost or Authority Operating Cost, as appropriate.

ARTICLE V

Payments & Investments; Reports

5.1 **Payments & Investments.**

(a) In consideration of the rights granted to it under this Agreement, Concessionaire shall pay to Manager (or its designee(s)), in accordance with Section 5.1(i), for the benefit of the Authority and StadCo, as the case may be, the amounts resulting from the percentage calculations set forth on **Exhibit G** hereto (the "**Manager's Share of Net Receipts**," and the "**Authority's Commissions**").

(b) Concessionaire shall pay to Manager (for the benefit of StadCo) each Fiscal Year (or as adjusted for any partial Fiscal Year) during the Term an annual preference payment in the amount of One Million Dollars ($1,000,000.00) (the "**Annual Preference Payment**") on or before February 1 of such Fiscal Year. If fewer than ten (10) Home Games occur in any season, the Annual Preference Payment shall decrease by ten percent (10%) for each such missed Home Game.

(c) Manager shall pay to Concessionaire each Fiscal Year during the Term an annual management fee in an amount equal to the greater of (i) four percent (4%) of Gross Receipts from NFL Events, or (ii) Five Hundred Thousand Dollars ($500,000.00) (the "**Annual Management Fee**"), which shall accrue monthly and be paid by Manager to Concessionaire on or before February 1 of such Fiscal Year. Further, Manager shall pay to Concessionaire each Fiscal Year during the Term an annual preference payment in the amount of Two Hundred Thousand Dollars ($200,000.00) (the "**Concessionaire Preference Payment**"). The Concessionaire Preference Payment shall increase by two and one half percent (2.5%) per Fiscal Year and shall be paid by Manager to Concessionaire on or before February 1 of each such Fiscal Year.

(d) In the first Fiscal Year of the Term, Concessionaire shall be eligible to receive an incentive bonus payment in the amount of One Hundred Fifty Thousand Dollars ($150,000.00) if Concessionaire achieves certain mutually agreed upon performance level thresholds in the Concessionaire Surveys, such incentive bonus payment to be paid to Concessionaire within thirty (30) days after the end of the first Fiscal Year. In the second Fiscal Year and in each Fiscal Year of the Term thereafter, Concessionaire shall be eligible to receive an incentive bonus payment in the amount of One Hundred Thousand Dollars ($100,000.00) if Concessionaire achieves certain mutually agreed upon performance level thresholds in the Concessionaire Surveys, such incentive bonus payment to be paid to Concessionaire within thirty (30) days after the end of the applicable Fiscal Year.

(e) Concessionaire shall pay to Manager an initial capital investment in the amount of Five Million Dollars ($5,000,000.00) (the "**Initial Capital Investment**") after the Commencement Date, which shall be utilized for the Food and Beverage Facilities by Manager in consultation with Concessionaire.

(f) Concessionaire shall provide Manager an innovation fund of One Million Dollars ($1,000,000.00) per Fiscal Year over twelve (12) years, which totals Twelve Million Dollars ($12,000,000.00) in the aggregate, to be used to support the implementation of modern concepts and fan experiences at the Stadium (the "**Innovation Fund**"), as determined by Manager in consultation with Concessionaire.

(g) Concessionaire shall provide Manager a fund in the amount of Two Million Dollars ($2,000,000.00) (the "**Hub for Next Generation Sports Entertainment Fund**") to be used by Manager in consultation with Concessionaire for a Hub for Next Generation Sports Entertainment. The Hub for Next Generation Sports Entertainment Fund shall be depreciated and/or amortized on a straight-line basis over the Term at Concessionaire's expense, beginning once the investment is made, with such timing being after the Commencement Date and mutually agreed upon by the parties.

(h) Concessionaire shall pay to Manager, prior to the sixth (6^{th}) year of this Agreement, a refresh investment in the amount of Five Million Dollars ($5,000,000.00) (the "**Refresh Investment**"), which shall be used for ROI-producing improvements to the Food and Beverage Facilities, as determined by Manager in consultation with Concessionaire.

(i) Not later than the fifteenth (15^{th}) day after the end of each Accounting Period (including the last Accounting Period in each Fiscal Year), Concessionaire shall (i) pay Manager (or its designee(s)) by wire transfer of immediately available funds, to the account(s) designated to Concessionaire in writing by Manager, an amount equal to the Manager's expected Share of Net Receipts for the NFL Events in such Accounting Period (as mutually agreed upon in the Budget) and Authority's Commissions for Authority Events in such Accounting Period payable to Manager for such Accounting Period under Section 5.1(a); and (ii) contemporaneously deliver to Manager the accounting reports described in Section 5.3(e)(iii) below. Not later than the sixtieth (60^{th}) day after the end of each Fiscal Year (including the last Fiscal Year of the Term), Concessionaire shall contemporaneously deliver to Manager the accounting reports described in Section 5.3(c) below and shall pay Manager any outstanding balances of the Manager's Share of Net Receipts and Authority's Commissions. Concessionaire acknowledges and agrees that it shall not withhold, offset, or otherwise delay payment of the Manager's Share of Net Receipts, the Annual Preference Payment, the Authority's Commissions, or any other payments due to Manager, Authority, or StadCo hereunder in connection with any amount owed to Concessionaire by Manager, its Affiliates, or any third-party contractor of Manager or for any other reason.

(j) If Manager does not receive any undisputed payment when due, it shall have the right, in addition to its other rights and remedies as a result of non-payment, to assess a late payment charge equal to the amount of such payment multiplied by the Default Rate for the period from and including the due date through the payment date.

(k) Any and all purchases or other disbursements made utilizing the investments contained in this Section 5.1 shall be subject to the prior approval of

Manager in writing. The following amounts shall be deducted from Gross Receipts from NFL Events and retained by Concessionaire as the fee for Manager's use of the concepts developed and/or equipment purchased utilizing the the Initial Capital Investment, Innovation Fund, and Refresh Investment (the "**Investment Use Fee**"):

(i) Fiscal Year 1 – $1,416,667.00

(ii) Fiscal Year 2 – $1,416,667.00

(iii) Fiscal Year 3 – $1,416,667.00

(iv) Fiscal Year 4 - $1,416,667.00

(v) Fiscal Year 5 - $1,416,667.00

(vi) Fiscal Year 6 - $2,130,952.00

(vii) Fiscal Year 7 - $2,130,952.00

(viii) Fiscal Year 8 - $2,130,952.00

(ix) Fiscal Year 9 - $2,130,952.00

(x) Fiscal Year 10 - $2,130,952.00

(xi) Fiscal Year 11 - $2,130,952.00

(xii) Fiscal Year 12 - $2,130,952.00

(l) Manager shall establish and maintain an account for the deposit and disbursement of amounts to be deposited for the periodic repair and replacement of Equipment and Smallwares (the "**Renewal and Replacement Account**"). For each Accounting Period, Concessionaire shall deposit into the Renewal and Replacement Account the applicable portion of Renewal and Replacement Amount of Gross Receipts. If at any time the amount in the Renewal and Replacement Account is not sufficient to pay all presently incurred costs of repair and replacement of Equipment and Smallwares, Manager shall have the right to demand immediate payment from Concessionaire of the amount of such difference (and Concessionaire may be reimbursed such amount from future monthly accruals of the Renewal and Replacement Amount), and Concessionaire shall immediately make such payment (which in no event shall be greater than the projected deposits of the Renewal and Replacement Amount remaining in the then current Fiscal Year). Any funds remaining in the Renewal and Replacement Account at the end of a Fiscal Year shall be rolled forward through the Term. Monies shall be disbursed from the Renewal and Replacement Account for repair and replacement of Equipment and Smallwares, in Manager's sole discretion. Upon the termination of this Agreement, all funds remaining in the Renewal and Replacement Account shall be the property of Manager (for the benefit of the Authority and StadCo, as more particularly provided in the Stadium Management Agreement).

5.2 **Collection Responsibility.**

(a) Concessionaire shall have sole responsibility for the collection of all revenues and charges resulting from the Food and Beverage Services provided at Events and, if Concessionaire has been designated to collect therefor, Catered Events, including, without limitation, all Gross Receipts and all sales and/or use taxes attributable thereto, for the timely payment of all such taxes to the appropriate Governmental Authorities, and for the invoicing and collection of all charges for Food and Beverage Services provided to the Suites. All collection methods and procedures shall be consistent with such standards as may be established (and modified) from time to time by the Manager. Concessionaire shall not, and shall have no obligation to, extend credit to any party. Neither Concessionaire nor any of its employees, contractors or other individuals subject to its control, shall actively solicit any gratuities from customers in the Stadium (e.g., through the use of signage, tip cups or otherwise) or any other charges of any type on account of the Food and Beverage Services except the Service Charges. Except for the Service Charges, Concessionaire shall not charge a tip, gratuity, labor charge, service charge or similar charge without Manager's prior written approval. Concessionaire acknowledges and agrees that Manager shall in its sole discretion determine whether Service Charges will be reduced, waived or otherwise modified for (i) any particular Event or Catered Event, (ii) any Service Area or Service Areas or (iii) any Excluded Area or Excluded Areas where Food and Beverages Services have been requested, and Concessionaire shall abide by each such determination of Manager. Concessionaire acknowledges and agrees that it shall accept and honor all Discounts provided by or approved by Manager.

(b) Concessionaire shall use Point of Sale Devices in connection with all sales relating to the Food and Beverage Services, including, without limitation, non-stationary sales of Refreshments. Manager and Concessionaire shall periodically consult with each other about technology changes and technology-based upgrades and replacements to existing Point of Sale Devices for purposes of enhancing customer service and improving financial results, with Manager having the final right in determining the Point of Sale Devices used by Concessionaire in connection with the sale of Refreshments. Concessionaire must accept cash, all major credit cards, loyalty cards, gift cards, ApplePay, Visa Checkout, NFC, Discounts, as well as such other methods of payment that are then commonly accepted or any other methods instituted by the Manager (including payments through physical, digital, or mobile application code for loyalty point payment, member benefits, stored value and loaded value tickets), for any retail sale of Refreshments, whether at portable or permanent locations in the Stadium or Outside Areas. Concessionaire must also accept all Discounts for Refreshments (digital or otherwise) provided by Manager, StadCo, the Authority, Team, or Event promoter and approved by Manager. Concessionaire shall be responsible for the operation and maintenance of the Point of Sale Devices utilized in Food and Beverage Services.

(c) At all times during the Term, Concessionaire shall utilize the payment processing company selected by Manager in consultation with Concessionaire (taking into consideration such company's compatibility with Concessionaire's reporting systems

and any administrative burden on Concessionaire) for the Stadium for credit card, debit card, gift card and/or other digital payment transactions.

5.3 **Records; Accounting; Audits; Budgets.**

(a) Concessionaire will keep at the Stadium true and complete accounting books and records prepared in accordance with GAAP of all business and transactions conducted under this Agreement, for all periods included within the Term. Such records shall include, without limitation, the daily receipts, the daily bank deposits, the daily sales and business done by Concessionaire, the point of sale and staffing reports, and details of and documentary support for all amounts deducted in calculating Gross Receipts or included in calculating Authority Operating Costs, StadCo Operating Costs, and Joint Operating Costs, and shall preserve and make available for audit and examination by Manager all records relating to Gross Receipts, and Authority Operating Costs, StadCo Operating Costs, and Joint Operating Costs. All sales and accounting records and management reports shall be prepared and kept in mutually agreeable paper and/or electronic format directed by Manager. Such records will be maintained for a period of seven (7) years after the Fiscal Year to which they relate or such longer period as may be required to enable Manager and Concessionaire to comply with applicable Legal Requirements.

(b) Concessionaire shall maintain such accounting records on a fiscal year basis consistent with the definition of "**Fiscal Year**" in this Agreement.

(c) Concessionaire shall submit to Manager, within sixty (60) days after the end of each Fiscal Year, a report in mutually agreeable paper and/or electronic formats showing in reasonable detail all Gross Receipts and all Joint Operating Costs, StadCo Operating Costs, Authority Operating Costs, any and all expenditures or other amounts, the Annual Preference Payment, the Concessionaire Preference Payment, the Renewal and Replacement Amount, the Annual Management Fee, the Manager's Share of Net Receipts, and the Authority's Commissions. In addition, within ninety (90) days after the end of each Fiscal Year, Concessionaire shall provide a similar report of the same information to Manager, which report shall be reviewed and certified by the Chief Financial Officer of Concessionaire.

(d) The Authority, StadCo and Manager shall have the right from time to time to audit Concessionaire's books and records related in any way to Gross Receipts, Authority Operating Costs, StadCo Operating Costs, and Joint Operating Costs, Manager's Share of Net Receipts, Authority's Commissions, and any other amounts payable by or to Manager under this Agreement for the immediately preceding five (5) Fiscal Years, including full profit and loss line items of the Food and Beverage Services as applicable and reasonably requested by Manager in its sole discretion. Such audit shall be conducted by the Authority, StadCo or Manager with its internal staff or outside auditors. If a deficiency or deficiencies in payments is detected for any period, pursuant to such audit or otherwise, Concessionaire shall pay to Manager the amount of any payment deficiency, with interest thereon at the Default Rate from the date the monies were originally due until the date paid, within thirty (30) days following receipt of notice

thereof from Manager. If such payment deficiency is in excess of four percent (4.0%) of the aggregate amount reported for any Fiscal Year, the cost of the audit shall be immediately due and payable by Concessionaire.

(e) In addition to its other information obligations under this Agreement, Concessionaire must submit the following information to Manager, each in mutually agreeable paper and/or electronic formats and to the persons directed by Manager:

(i) A flash report of Gross Receipts by 12 p.m. (California time) on the day following each Event and, if Concessionaire has been designated to collect therefor, each Catered Event. Such report shall include, but not be limited to: total sales, sales by location, sales by product type, itemization of total cash, credit card and alternative method of payment sales.

(ii) A summary of each Event and, if Concessionaire has been designated to collect therefor, each Catered Event, daily sales, headcounts and estimated staffing payroll reports and a copy of deposit slips of Gross Receipts for each Event and Catered Event, within 48 hours following completion of the Event.

(iii) An Accounting Period summary showing Gross Receipts (by category and by Event and, if Concessionaire has been designated to collect therefor, by each Catered Event), Joint Operating Costs (by category), Authority Operating Costs or StadCo Operating Costs, any House Charges (by category and Event and Catered Event) or Cost F&B Services incurred by Manager, and a summary of the Renewal and Replacement Account on or before the fifteenth (15^{th}) day after the end of each Accounting Period.

(iv) All Sales Taxes paid to the State of California as a result of sales conducted at the Stadium, and all taxes paid to the State of California related to the sale of Alcoholic Beverages, in each case on a Fiscal Year basis. All such information shall be submitted to Manager on or before the sixtieth (60^{th}) day following each Fiscal Year (or, as applicable, partial Fiscal Year) during the Term. The Authority, StadCo and Manager shall have the right to audit such tax records with auditors selected by them, provided such audit is performed within thirty-six (36) months following receipt of such information.

(v) Such other daily, monthly, annual or other periodic budgets, reports or summaries as the Manager may reasonably request.

(f) Concessionaire shall at all times on and following the Commencement Date and throughout the Term (i) utilize hardware and software approved by Manager as compatible with Manager's systems and technology and fully importable into Manager's software formats, and accounting software approved by Manager as compatible with Manager systems and technology in preparing and maintaining accurate records relating to sales, inventory, costs of goods sold, shrinkage, advance sales, premium catering and Suite sales records, proposals, contracts and invoices, and for all accounting functions

relating or incidental to the Food and Beverage Services to the extent that reporting is electronic; (ii) provide Manager with near real-time computer access to accurate sales and ordering transactions with respect to Events (which shall account for any "offline" systems) and shall include dynamic updating for pricing and item names; and (iii) implement such systems and technology as are deemed necessary by Manager to afford the acceptance of any payment system reasonably directed towards providing a more efficient and expedient transactional experience, whether in existence at the Effective Date or thereafter developed, including, but not limited to systems and technology supporting loyalty programs, gift cards, loaded tickets, and payment via mobile device. Concessionaire shall also work in good faith with Manager's partners, sponsors, and other contractors to provide reasonable access to applicable data/records, at all times subject to Manager's written approval.

(g) Concessionaire shall work with due haste and in good faith with Manager to develop and implement real-time data and inventory management systems with the capacity for instantaneous inventory and pricing decisions and execution, whether in existence at the Effective Date or thereafter developed.

(h) Concessionaire shall maintain a separate depository bank account in a Manager-approved bank for all sales deposits, all credit or debit card transactions and all transactions made through other means of payment.

(i) All obligations of Concessionaire under this Article V regarding payments and reporting shall survive the expiration or termination of this Agreement with respect to periods prior to such expiration or termination.

(j) Concessionaire shall submit to Manager a minimum of sixty (60) days prior to the start of each Fiscal Year, a projected budget in mutually agreeable paper and/or electronic formats showing in reasonable detail all projected costs, expenditures or other amounts to be incurred in the operation of the Food and Beverage Services for the forthcoming Fiscal Year at the Stadium, which shall be approved by Manager in its sole discretion (the "**Budget**") as further described in Section 6.13. For the avoidance of doubt, the Budget shall include a minimum level of detail as attached hereto as **Exhibit B** and shall be separated by Authority Operating Costs, StadCo Operating Costs, Joint Operating Costs, and Excluded Expenses, if any. Any and all costs not originally included in the Budget or thereafter approved by Manager during the Fiscal Year shall be subject to approval by Manager in its sole discretion in accordance with Section 6.13 of this Agreement. The Budget shall also include reporting to Manager of any outstanding balances of the Initial Capital Investment, the Innovation Fund, the Hub for Next Generation Sports Entertainment Fund, and the Refresh Investment, and the remaining unamortized portions of the Hub for Next Generation Sports Entertainment Fund.

(k) Notwithstanding anything in this Agreement to the contrary, unless otherwise expressly agreed to in advance in writing by Manager, Concessionaire shall make no use or disclosure of any customer data, including personally identifiable information, histories and preferences generated in connection with the provision of the Food and Beverage Services (collectively, "**Customer Information**"), other than as

directed by Manager in connection with the performance of Concessionaire's obligations under this Agreement. As used herein, "personally identifiable information" shall mean any information, as regulated by the standard on credit transactions set forth in the then applicable requirements of the PCI Security Standards Council, regarding or that identifies (or that could be used to identify) any individual, including, for example and without limitation, any individual customer name, postal address, email address, age, credit, debit or other payment card information, social security numbers and any other information or combination of information that would make the identity of the individual easily traceable or that would allow for contact of that individual. Concessionaire shall store and process the Customer Information in conformance with any and all commercially reasonable policies, procedures and instructions or direction provided by Manager from time to time. As between the parties, all Customer Information shall be owned solely and exclusively by Manager (on behalf of the Authority, StadCo, their tenants and any Event promoter) and shall be deemed proprietary to, and the confidential information of, Manager, the Authority, its tenants or Event promoters, as the case may be.

ARTICLE VI

Additional Duties of Concessionaire

6.1 **Management of Operations.**

(a) Concessionaire shall manage and operate all of its operations in a first class, professional manner so as to ensure that it will provide consistent, prompt and courteous Food and Beverage Services to the public in accordance with all Legal Requirements, this Agreement, the policies and procedures issued by the Manager relating to Food and Beverage Services, the general operating procedures of the Authority, and all applicable rules, regulations and policies implemented, from time to time, by the NFL. Concessionaire shall at all times maintain a sufficient number of qualified personnel at the Stadium for the performance of all of Concessionaire's obligations under this Agreement, including but not limited to the obligations expressly set forth in this Article VI. Concessionaire shall cause the members of the Management Team to attend meetings to be scheduled by Manager at the Stadium from time to time during the Term to review the Food and Beverage Services operations at the Stadium and to implement Manager's reasonable recommendations and directives for improving such operations.

(b) Without limiting any other obligation of Concessionaire under this Agreement, for each Event, Concessionaire shall ensure that points of service are open and fully staffed as determined by Manager in consultation with Concessionaire. In the initial Fiscal Year, the parties acknowledge the anticipated staffing levels for Events at the Stadium shall include, at a minimum, (i) no less than one (1) attendant in each Owners Suite, (ii) no less than one (1) attendant for every two (2) remaining Suites, (iii) such number of attendants in the Club Areas as reasonably directed by Manager, (iv) no less than one (1) vendor selling Refreshments for every one thousand guests in the seating bowl at all Events, and (v) a ratio of total forecasted attendance to number of

open points of sale, including Clubs, of no less than one hundred ten (110) in the lower bowl and one hundred twenty (120) in the upper bowl of the Stadium. In each subsequent Fiscal Year, Concessionaire may propose to Manager modifications of such staffing levels as part of the Budget approval process. Concessionaire shall submit in writing to Manager a completed "checklist" (see **Exhibit J**) that includes the anticipated staffing levels and active points of service for each Event not less than one week prior to such Event and an updated schedule of the staffing levels not less than twenty-four (24) hours prior to such Event. Manager shall have the exclusive right to approve specific staffing levels at each location of the Stadium for Events, and Concessionaire shall make such modifications to its staffing levels as Manager may reasonably request. Staffing levels in the all-inclusive areas will be subject to mutual agreement between the parties, with regular reviews of the appropriateness of the staffing by Event by Manager.

(c) Concessionaire shall pay promptly all authorized bills, payroll and other expenses incurred in connection with its operations and pursuant to this Agreement as StadCo Operating Costs, Authority Operating Costs, or Joint Operating Costs, as applicable.

(d) Concessionaire shall pay when due all license fees, taxes and all retail Sales Taxes on the products or services which Concessionaire provides hereunder or Concessionaire's rights or interest hereunder, including all federal, state and local taxes, workers' compensation payments, social security, unemployment insurance, payroll and other taxes with respect to products or services provided under this Agreement as StadCo Operating Costs, Authority Operating Costs, or Joint Operating Costs, where applicable.

(e) Concessionaire shall provide all necessary working capital and perishable and non-durable inventory required for the Food and Beverage Services, including but not limited to Refreshments, and paper products. Notwithstanding the foregoing, if Manager requires that Concessionaire provide an inventory of premium wines in the Owners Club, other All-Inclusive F&B Service Areas or other portions of the Stadium, Concessionaire shall only be required to provide a reasonable amount of such inventory in light of the expected sales volume.

(f) Concessionaire shall comply with Stadium operating policies and directives established and as modified from time to time by the Authority, Manager, the designees of either of them, or the NFL.

6.2 **Personnel**.

(a) Concessionaire shall hire, employ, train, supervise and discipline any and all persons necessary to operate the Food and Beverage Facilities and to provide the Food and Beverage Services in accordance with the terms of this Agreement and shall use its best efforts to ensure that its employees continually practice the high standards of cleanliness, safety, courtesy and service customarily followed in the conduct of a first-class operation. Concessionaire shall use its best efforts to select qualified, competent and trustworthy employees. Any and all persons who furnish Food and Beverage Services under this Agreement, whether or not employed by Concessionaire prior to the

Effective Date, are exclusively employees, subcontractors and/or non-affiliated third parties of Concessionaire as it pertains to their furnishing of Food and Beverage Services and are not employees of the Authority, StadCo or Manager. Such persons furnishing services under this Agreement shall be subject to appearance standards mutually acceptable to the parties hereto and as permitted by Legal Requirements, and shall wear, at all times while working at the Stadium, neat and clean uniforms provided by Concessionaire and approved by Manager. Such uniforms shall bear such lettering and insignia (including the name and logo of the Stadium, the Stadium naming rights sponsor, if required, and the location of the employee's assignment (e.g., a Club Area or Suite area)) as Manager may require and shall be of a design reasonably satisfactory to Manager. Concessionaire shall cause its employees to conduct themselves in a professional and courteous manner, and not to unreasonably disturb or interfere with Events. Manager and Concessionaire acknowledge that Concessionaire is an independent contractor for all services required to be performed under this Agreement. Manager shall not have control over the method or manner in which Concessionaire's employees perform the services required under this Agreement. All liabilities that may arise as a result of Concessionaire's status as an employer shall be borne exclusively by Concessionaire, including liability relating to payments required to be made under, and documents to be filed with respect to, the Federal Insurance Contribution Act and the Federal Unemployment Tax Act or any similar federal, state, City or local legislation or other Legal Requirements. Concessionaire shall at all times maintain accurate records of the names, addresses, employment history and other legal identification of those to whom Concessionaire issues employee badges, uniforms or other identifying items to ensure the proper identification and legal working status of Concessionaire's employees at the Stadium. Concessionaire shall conduct mutually agreed upon background checks or other security screening checks on its employees as Manager shall reasonably request from time to time prior to such employees being hired for work at the Stadium, any costs of which shall be a Joint Operating Cost. Concessionaire shall not knowingly hire any person who has been previously terminated by the Authority, StadCo, Manager or any of their known respective Affiliates, contractors, or previous concessionaire. Upon Manager's reasonable request, and so long as any such action shall not be contrary to law or any applicable collective bargaining agreement, Concessionaire shall immediately remove from the Stadium any employee, agent, contractor or invitee of Concessionaire and permanently revoke such person's access credentials.

(b) Concessionaire shall employ the Management Team on a full-time, year-round basis and shall cause the members of the Management Team to perform their duties from workspaces located at the Stadium. Concessionaire shall cause the members of the Management Team to be at the Stadium during all Events and during reasonable business hours. All changes in the Management Team shall require the prior written approval of Manager. Concessionaire shall, within fifteen (15) business days of the removal of a Management Team member, provide Manager with the resumes of not less than three (3) suitable candidates to replace the removed employee. The Management Team shall, on and following the Effective Date and during the Term, be exclusively responsible for the provision of services under this Agreement and shall hold no job-related responsibilities relating to any other venue or site without Manager's prior written approval.

(c) Concessionaire shall conduct regularly scheduled employee training programs for all of its employees, including charitable or similar groups, working in the Stadium (the "**Employee Training Programs**"), a detailed summary of which appears as **Exhibit E** hereto, and any costs of which shall be considered Joint Operating Costs. The Employee Training Programs will be mandatory for all employees, agents and subcontractors of Concessionaire and, at a minimum, will include alcohol management techniques (TiPS, TEAM or state certification programs), customer service, guest interaction, cash handling, security procedures and specific job skills training, and will be conducted in such frequency as may be approved or directed by Manager. Concessionaire shall develop additional modules for each premium area position, including, at a minimum, banquet and serving technique, buffet and display arrangement, and wine and beverage service. The programs shall be prepared and conducted by personnel specialists and must be approved by Manager in advance. Concessionaire shall cause all Employee Training Programs to be periodically reviewed (no less frequently than annually) and updated to the extent necessary to maintain the standard of service required hereunder. All employees of Concessionaire shall also be required to attend such policy and procedures training sessions as may be held by the Manager, as well as the Stadium orientation tour and training conducted by the Manager. Concessionaire shall ensure Concessionaire's employees attend guest services training held by Manager and such costs shall be Joint Operating Costs. Concessionaire shall not permit any employee, agent or subcontractor to work at an Event prior to his or her completion of the prescribed training sessions and Employee Training Programs approved by Manager. Concessionaire shall also ensure that all of its employees working at the Stadium shall attend mandatory training sessions for Stadium employees conducted by Manager, Authority, StadCo, or their agents. Additional supplemental training programs may also be required by Manager for employees of Concessionaire upon the introduction or modification of Stadium programs or promotions (i.e., Rewards programs, coupons, or discount programs) by Manager. The Parties shall work in good faith to ensure all Concessionaire employees receive supplemental training on such programs and promotions prior to their introduction at the Stadium.

(d) In performing under this Agreement, Concessionaire shall comply with all applicable Legal Requirements in regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical conditions, disability, or any other reason.

(e) Concessionaire shall promptly notify Manager upon voluntary or involuntary termination of employment of its employees or contractors and ensure that each such terminated individual is immediately denied further access to the Stadium. In no event shall the Authority, StadCo or Manager be liable, and Concessionaire shall indemnify and hold the Authority, StadCo and Manager harmless, for Concessionaire's record keeping (or lack of record keeping), including records pertaining to the legal identification and working status of the Concessionaire's employees and subcontractors, or for any other matters relating to Concessionaire's employees or subcontractors.

(f) Manager, in its sole discretion, shall have the right (but not the obligation) to provide members of the Management Team additional compensation or other

consideration at the end of a Fiscal Year or other operating period as determined by Manager for Concessionaire's high performance on Concessionaire Surveys, on-time payments of amounts owed to Manager by Concessionaire, and mutually agreed upon key performance indicators.

6.3 **Licenses and Permits.**

(a) Concessionaire shall obtain on or before the Commencement Date and shall thereafter maintain throughout the Term, in its name, all licenses and permits necessary for the operation of the Food and Beverage Services and the sale of Refreshments and Alcoholic Beverages at the Stadium, and any and all other licenses and permits required to be obtained by Concessionaire by the terms of the Stadium Lease. Throughout the Term, Manager shall, at its sole cost and expense, maintain all other licenses and permits which may be required for the operation of the Stadium, and Owner shall comply with the restrictions, rules and conditions of all such licenses and permits.

(b) Manager shall cooperate with Concessionaire in connection with applications submitted by Concessionaire for any and all licenses and permits and renewals thereof. Concessionaire shall not submit any application for a permit or license without first providing Manager a reasonable opportunity to review it.

(c) Concessionaire shall furnish Manager with copies of such licenses and permits and renewals thereof as are physically maintained at the Stadium, and all other licenses or permits otherwise required under Legal Requirements or this Agreement, and shall transfer or surrender, as applicable, all licenses and permits to Manager upon termination of this Agreement.

(d) Concessionaire shall cooperate in good faith with Manager, Manager's subcontractors, and any third-parties (at Manager's direction) for the operation of food and beverage service, including distribution of alcoholic beverages, at the Stadium under the licenses and permits obtained by Concessionaire.

(e) At Manager's request, and only where allowed by applicable law, Concessionaire shall: (i) permanently surrender and/or carve out the applicable portion of its license to sell alcohol for specified concession stands or area within the Stadium, as needed, to provide a third-party the ability to sell Alcoholic Beverages from such area; or (ii) temporarily surrender its license for a specified concession stand or area within the Stadium operated by a third-party for a limited time or number of events in which the third-party chooses to sell Alcoholic Beverages.

(f) Subject to all Legal Requirements, wine provided to Concessionaire by Manager for the purpose of being served in Club Areas, certain Suites, and other mutually agreed upon spaces within the Stadium, shall be distributed by Concessionaire without charge to patrons of such spaces or Manager.

6.4 **Compliance with Laws, Policies and Programs.**

(a) In connection with the exercise of its rights and the performance of its obligations hereunder, Concessionaire shall in good faith comply and faithfully observe all Legal Requirements (including all fire, building, health, sanitation and environmental codes and regulations and liquor control laws and regulations).

(b) With respect to the sale of Alcoholic Beverages, Concessionaire shall:

(i) enforce all Legal Requirements, including all State of California, County of Santa Clara and City of Santa Clara laws, rules, regulations or orders relating to the premises licensed pursuant to this Agreement and enforce all rules, regulations or orders of the California Department of Alcoholic Beverage Control or other regulatory agencies relating to the licenses; and

(ii) take any and all actions necessary to enable and to ensure compliance with all Legal Requirements concerning the sale and consumption of Alcoholic Beverages in the Service Areas and Food and Beverage Facilities.

(c) The decision to serve or refuse service of Alcoholic Beverages to any individual at an Event and in an area at which Alcoholic Beverages may be served in accordance with the terms of this Agreement shall be the sole responsibility of Concessionaire.

(d) Notwithstanding anything contained in this Agreement to the contrary, Concessionaire shall be solely responsible for the determination of brands, quantities, pricing, shelving and display for sale of any and all Alcoholic Beverages that Concessionaire may buy or sell at the Stadium. Concessionaire acknowledges and agrees that Manager and its affiliates require all retailers, distributors/wholesalers and distillers/brewers of Alcoholic Beverages (each an "**Industry Member**") that Manager and its affiliates conduct business with, including, but not limited to, Concessionaire, to strictly comply with all local, state and federal, laws and regulations, which may be applicable to the Concessionaire and the purchase, marketing, promotion, advertising and sale of Alcoholic Beverages, including, but not limited to: Title 27 of the Federal Alcohol Administration Act (Title 27 of the United States Code) and Title 27 of the Code of Federal Regulations, and other related provisions governing "intoxicating liquors" (collectively, "**Alcohol Laws**"). Further, Manager and its affiliates shall not conduct business with any Industry Member in violation of the Alcohol Laws, and Manager shall indemnify and hold Concessionaire harmless as to any action or conduct which may be imputed to Concessionaire as a result of Manager or its affiliates' actions or conduct with Industry Members which may give rise to any alleged violation of the Federal or State laws by Concessionaire. Manager further agrees that it shall not require as a condition for the continuation of this Agreement or exercise an early termination rights or failure to renew, Concessionaire to engage in conduct which Concessionaire reasonably believes would be in violation of the Alcohol Laws.

6.5 **Failure to Maintain Licenses and Permits.**

In the event that Concessionaire fails to obtain or maintain in full force and effect any material license or permit necessary for the operation of the Food and Beverage Services (including the service of Alcoholic Beverages) or for the performance of its other obligations under this Agreement, including upon a suspension applicable to an Event or revocation thereof, (a) Manager shall have the right (but no obligation) to perform or have another Person perform the applicable obligation without compensation to Concessionaire and, whether or not Manager exercises that right or its termination rights, Concessionaire shall be responsible to Manager for the loss of income and other damages, suffered by Manager as the result of Concessionaire's breach of this Agreement; and (b) Concessionaire shall be considered in material breach of this Agreement, and Manager may, in addition to any other rights or remedies it may have, terminate this Agreement to the extent in accordance with Section 9.1.

6.6 **Hours of Operation.**

Subject to the prior approval or direction of Manager and to the provisions of Section 3.1, Concessionaire shall (a) open and operate the Food and Beverage Facilities sufficiently prior to the opening of the Stadium to the public for each Event and, as requested, each Catered Event in order to properly prepare and serve Refreshments, and (b) provide Food and Beverage Services from the time of such opening until each such Event ends, including the requirements for any pre-Event functions and post-Event functions, or such further time as may be reasonably necessary to adequately meet public demand, subject to Manager's requirements regarding the sale of Alcoholic Beverages and compliance with the Stadium Lease and Stadium Management Agreement. Concessionaire shall cooperate with Manager in the creative and efficient operation of the Food and Beverage Facilities to attract Stadium guests to participate in pre-Event and post-Event activities.

6.7 **Special Events.**

Concessionaire shall modify its operations at Manager's request to accommodate a particular Event or Catered Event when such modifications are reasonably required or requested to obtain or stage such Event or Catered Event.

6.8 **Cleaning and Refuse.**

(a) Concessionaire shall keep and maintain in a clean, sanitary, hygienic and orderly fashion, and in connection with such maintenance and repair (except with respect to capital repairs to Leasehold Improvements), consistent with prevailing policies and subject to Manager's reasonable satisfaction, procedures and standards for the Stadium, (i) all Food and Beverage Facilities, Service Areas (including all table tops, bars, and the like) and condiment stands and (ii) all uniforms, Smallwares and Equipment. In furtherance of the foregoing, Concessionaire shall, among other things, provide sterilization services for all reusable Smallwares and tabletops and other surfaces upon which Refreshments items are eaten, placed, prepared or stored. Concessionaire shall complete the cleaning of the subject areas in a reasonable time frame following an Event or Catered Event. Concessionaire shall maintain all Food and Beverage Facilities as

prescribed herein, including, but not limited to maintaining fire suppression systems, changing filters on all Equipment and air scrubbers, and cleaning the grease interceptors, stove hoods, fans, ducts and grease traps, drain systems, floor sinks and sanitary traps and its storage areas using approved and accepted maintenance and cleaning techniques, and at regularly scheduled intervals, approved or designated by Manager, and in all events to a level sufficient to comply with and protect warranties and comply with supplier agreements and otherwise promote the commercially reasonable useful life of such items. Manager may require the use of its in-house maintenance staff for such maintenance activities if the use of such personnel does not void any manufacturer or similar warranty and provided that such work can be performed in a competent manner at competitive market rates on a timely basis, and any use of Manager's in-house maintenance staff for such maintenance activities shall be charged to Concessionaire at then prevailing rates. Concessionaire shall abide by any and all labor agreements in effect at the Stadium for all applicable work performed under this Agreement.

(b) Concessionaire shall provide consistent janitorial service to the Food and Beverage Facilities, Services Areas (including all table tops, bars, and the like), condiment stands, and the Equipment, and shall otherwise keep the Food and Beverage Facilities, Services Areas, condiment stands and Equipment in a neat, clean, sanitary, hygienic and safe condition satisfactory to Manager and in compliance with all Legal Requirements. Concessionaire shall be responsible for all sanitation and maintenance of the Food and Beverage Facilities, Services Areas, condiment stands and Equipment. Concessionaire shall comply in all respects with the Santa Clara Business and Commercial Recycling Program, as the same shall be amended from time to time, and shall, in partnership with Manager, prepare and implement a plan (the "**Waste Reduction and Recycling Plan**") that targets 100% diversion of solid waste from all Events and Catered Events, including composting or other diversion of compostable organics. Concessionaire shall train its employees in the methods and objectives of the Waste Reduction and Recycling Plan and shall direct and cause its employees to not dispose of or discharge recyclables, compostables, waste, garbage, refuse or Hazardous Substances in any area in or outside the Stadium other than in areas specifically designated therefor. Concessionaire shall be responsible for expeditiously collecting, separating, recycling, bagging and delivering recyclables, compostables, trash and garbage generated within the Food and Beverage Facilities, Service Areas and within a ten (10) foot radius of such areas within the Stadium, and Concessionaire shall cause its employees to deposit such recyclables, compostables, trash and garbage in appropriate containers or equipment in the locations specified by Manager, whereupon Manager shall be responsible for the further delivery and ultimate disposal of such recyclables, compostables, trash and garbage; provided, Concessionaire shall be responsible to pay, and agrees to pay, all charges for delivery and ultimate disposal of such recyclables, compostables, trash and garbage relating to its operations, and shall be invoiced monthly for such delivery and disposal, including any extraordinary charges and costs for special services, all of which shall be a Joint Operating Cost. Concessionaire shall purchase, as a Joint Operating Cost or utilizing the Renewal and Replacement Account (as determined in Manager's sole discretion), any and all special and other equipment necessary for its operations to be connected to the Utility Systems, provided that all such equipment must be compatible with the Utility Systems and approved by Manager. In addition, Concessionaire shall

separate, compact and recycle its trash on non-Event days. Concessionaire shall take all action necessary to: (i) ensure that all such recyclables, compostables, trash and garbage are placed in bags and/or the appropriate receptacles or other containers (which receptacles and containers shall be provided by Concessionaire) that are durable for transport and not easily susceptible to breakage or leakage, (ii) notify Manager when the centralized Stadium recyclable, compostable and garbage receptacles are full and need to be emptied, (iii) prevent recyclables, compostables and trash from piling up around the outside of the receptacles and from using the Stadium receptacles in lieu of transferring the recyclables, compostables and trash to the required locations as described herein and (iv) use the Equipment in such a manner as to ensure that recyclables, compostables and trash do not spill out prior to or during transport. Concessionaire agrees to and is fully committed to participating in the separation and recycling of refuse in the Stadium and to minimize the amount of non-recyclable and non-compostable refuse to be removed from the Stadium. All recyclable, compostable, trash and garbage receptacles within the areas controlled by Concessionaire shall be provided by Concessionaire and shall be cleaned and sanitized by Concessionaire in accordance with the standards reasonably set from time to time by the Authority and/or Manager, to ensure a consistently high standard of sanitation meeting or exceeding the standards set by the Santa Clara County Public Health Department and/or the City. Concessionaire will comply with all federal, state and local recycling and composting requirements and such recycling and composting programs implemented from time to time by the Authority and/or Manager and all rules and regulations applicable to the Stadium's adherence to, and/or certification by, the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. Concessionaire shall indemnify Manager and make Manager whole for any out of pocket costs incurred by Manager which are solely attributable to any negligence or intentional act or omission of Concessionaire or any of its employees with respect to the recycling or trash removal program, including the expense of returned or rejected recyclable, compostable and trash removals due to mixing or contaminating the trash flow in violation of Legal Requirements or specific directives provided to Concessionaire in writing as part of the Stadium's sustainability and recycling, composting or trash removal programs. Manager will determine the type, appearance and location of the recyclable, compostable and trash receptacles.

(c) Concessionaire agrees not to use Hazardous Substances at the Stadium, except in accordance with applicable Legal Requirements, and agrees to indemnify, defend, and hold the Authority, StadCo, Manager, their respective Affiliates, all tenants of the Stadium and all Event promoters harmless for all Losses to the extent arising out of its use, generation or storage of Hazardous Substances at the Stadium.

(d) Concessionaire shall engage the services of an exterminator approved or designated by Manager to control vermin and pests within the Food and Beverage Facilities not less frequently than on a monthly basis, the costs of which shall be a Joint Operating Cost; provided, however, that at Manager's sole option, Manager shall have the right to assume responsibility for exterminator services in the Food and Beverage Facilities, in which case it may invoice Concessionaire for such services at the cost of such services, which shall be paid to Manager within thirty (30) days of invoice as a Joint Operating Cost.

(e) Concessionaire shall immediately clean up any spills caused by its employees in Common Areas used by Concessionaire to transport Refreshments, trash or garbage.

(f) Concessionaire shall maintain all Equipment, Smallwares, and Food and Beverage Facilities (including Leasehold Improvements) following the manufacturer suggested maintenance protocol and any requirements of the Authority or Manager, as adjusted from time to time, including the use of Computerized Maintenance Management Software ("**CMMS**") to schedule, track and memorialize the preventative and reactive maintenance on each element. Concessionaire shall train its employees to use the CMMS, all at no cost to Manager. Upon request by Manager, Management Team shall assist in the set-up of the CMMS system with respect to Concessionaire's operations, including, but not limited to the placing of inventory and coded decals on each element and the recording of all work orders and maintenance records of all work performed within Manager's master CMMS data base. Concessionaire shall maintain through the proper use and execution of the CMMS system the maintenance, service, and inspection logs/records and shall provide copies thereof to Manager upon request.

6.9 **Deliveries**.

All deliveries of Refreshments and other items used or sold by Concessionaire at the Stadium shall be made only during normal operating hours (as communicated to Concessionaire by Manager) and shall be made through a gate or gates designated by Manager. Concessionaire shall prevent the entry of any unauthorized persons into the Stadium through such gate or gates when open for purpose of such deliveries. Deliveries shall be scheduled to avoid the day or evening of, or otherwise conflicting with, an Event to the greatest extent possible. Concessionaire shall follow Manager's policies and procedures of the delivery and acceptance of goods into the Stadium, including using best efforts to recycle or return debris accumulated through deliveries to the Stadium. Concessionaire agrees to expeditiously and with commercially reasonable methods take delivery of and deliver within the Stadium the Refreshments and other items from the assigned unloading areas.

6.10 **Liens**.

Concessionaire shall at all times protect and keep the Food and Beverage Facilities and Equipment and all other areas of the Stadium free and clear of all mechanics and other liens, attachments, encumbrances, or claims arising out of Concessionaire's operations hereunder, its performance under this Agreement and/or its use of the foregoing. In the event any such lien is placed, or such attachments, encumbrances or claims created or made, Concessionaire shall cause their prompt removal, and if necessary, shall provide the party asserting such lien, attachment, encumbrance or claim, or a court of competent jurisdiction, with a performance bond or other reasonable security in scope and amounts necessary to cause such removal.

6.11 **Products and Prices**.

(a) Concessionaire agrees that it will have available at all times sufficient quantities and varieties of wholesome Refreshments. Title to the Refreshments shall

remain vested in Concessionaire. Consumables shall be first quality, wholesome, fresh and pure, and all products on hand shall be stored and handled with due regard for sanitation. Prices, portions, sources of supply, quality, product selection and specific brands of Refreshments shall be subject to Manager's prior approval, provided that the use of a particular brand does not conflict with or violate any Legal Requirements, Alcohol Laws, or Stadium Right(s). Manager shall have the right, in its sole discretion, to cause Concessionaire to change prices and to run promotions directed at consumers which may include the sale of Refreshments.

(b) Fixed menus and menu boards (static or electronic), to feature prices, graphics and theme elements for the Food and Beverage Services, will be installed in conspicuous places in or adjacent to the Food and Beverage Facilities and Service Areas. Concessionaire shall be solely responsible for programming and maintaining all Concessions-related menus, graphics, and animations used within the Stadium Internet Protocol Television ("**IPTV**") system, subject to the approval of Manager of any and all such menus, graphics, and animations. Concessionaire shall coordinate its IPTV programming with all other users of the IPTV system and as otherwise directed by Manager, including but not limited to the periodic expression of graphics, animations and other advertising material. Concessionaire shall produce and maintain in each Suite at least one printed menu (in a form approved or designated by Manager), and provide additional copies for Suite holders, and shall produce and maintain in each Club Area an appropriate number of printed menus (in a form approved or designated by Manager). Concessionaire and Manager shall discuss in good faith the best way to provide an appropriate number of printed ingredient lists to patrons in the Club Areas.

(c) Prior to each NFL season during the Term, Concessionaire shall provide a tasting of all Refreshments proposed to be offered in the Suites and Club Areas for the upcoming season at a reception for all Suite holders, media partners and a limited number of Club Area seat holders (not to exceed twenty percent (20%) of the maximum number of Club Area seat holders) to be held at a time and place in the Stadium designated by Manager. These Refreshments shall be provided by Concessionaire at no cost to seat holders, except that, if more than 1,000 Club Area seat holders participate in any such tasting, then Refreshments shall be provided by Concessionaire at no cost only to the first 1,000 Club Area seat holders, and Refreshments provided to any additional Club Area seat holders shall be provided at cost. Manager and Concessionaire shall consider modifications to the proposed menu based upon the responses of the guests at the reception.

(d) Except as otherwise provided in this Agreement, all Refreshments will be served from and in serviceware and containers approved by Manager.

6.12 **Branded Products; Licensed Products**.

(a) Manager shall have the right to require Concessionaire to sell exclusively certain designated brands of specific types of food and non-alcoholic beverage Branded Products and to otherwise take innovative action to increase sales and/or improve customer satisfaction of such Branded Products. Concessionaire shall work in good faith

with Manager to develop, design, and implement programs for Branded Products as part of the Food and Beverage Services. Concessionaire acknowledges that nothing in this Agreement grants Concessionaire any right to sell sponsorships, advertising space, or exclusivity at the Stadium or any signage related thereto or to take any action that would violate any provision of the Stadium Rights or otherwise. All sums paid or payable by the provider or supplier of a Branded Product specified by Manager shall be the sole property of Manager, for the benefit, however, of the Authority or StadCo, as applicable in accordance with the Stadium Lease. In the event that any exclusivity of a Branded Products results in a material increase in the costs of goods, Concessionaire and Manager shall work in good faith to determine modified pricing of such exclusive Branded Products for Non-NFL Events.

(b) Manager shall have the right to require Concessionaire to sell certain Licensed Products pursuant to any arrangements Manager shall make with the licensor of such Licensed Products. All sums paid or payable by the provider or sponsor of Licensed Products to Manager, if any, shall be the sole property of Manager. All revenues derived from Licensed Products, less any applicable Licensed Products Charges, shall be included in Gross Receipts. Concessionaire shall ensure that Licensed Products at all times comply with the terms of this Agreement, included the Branded Products requirements. At Concessionaire's request, Manager, in its sole discretion, may approve other "name brand" products for sale, but such products shall not be considered Licensed Products for the purpose of this Agreement, and Concessionaire shall be solely responsible for any charges related to such "name brand" products and shall ensure that such products comply with the Branded Products guidelines. All sums paid or payable by the provider or sponsor of such "name brand" products shall be the sole property of Manager.

6.13 **Annual Plans; Approval Procedure**.

Not less than sixty (60) days prior to the commencement of each Fiscal Year during the Term, Concessionaire shall provide Manager with: (i) its financial business plan, in a form reasonably acceptable to Manager, including projected Budget, which shall include operating budgets, Joint Operating Costs, Authority Operating Costs, StadCo Operating Costs, and proposed purchases of Equipment, uniforms and Smallwares, and complete profit and loss projections for the ensuing Fiscal Year for Catered Events, for Non-NFL Events, and for NFL Events, and (ii) its Food and Beverage Services plan for such Fiscal Year, including the menu, portion size, dietary information, branding and pricing schedule for the Stadium by type of location, or as otherwise directed by Manager. Manager shall notify Concessionaire of changes it desires within thirty (30) days following receipt of Concessionaire's financial business plan or Food and Beverage Service plan, as applicable, and Concessionaire shall promptly make all such changes. In the event that Manager requests a modification to Concessionaire's plans, which would result in a material and substantial deviation from Concessionaire's proposed staffing and pricing models for Non-NFL Events, then the parties agree to meet and discuss, in good faith, a reasonable solution to offset the financial impact to Concessionaire. Any anticipated variance in a budgeted line item that exceeds ten percent (10%) of the applicable line item or any purchase not included in the Budget that exceeds $10,000, shall be promptly reported to, and subject to the prior approval of, Manager.

6.14 **Alterations; No Rights in Facilities**.

(a) Concessionaire shall not alter or add to the Food and Beverage Facilities, Service Areas or Equipment or make any material installations without having first obtained the written consent of Manager. All permitted alterations and installations shall (i) be performed by qualified and experienced contractors that meet all Legal Requirements, adhere to all applicable policies and procedures of the Stadium and are reasonably acceptable to Manager, (ii) conform to and be made in accordance with all applicable Legal Requirements using first quality materials and workmanship and otherwise consistent with any standards established by the Authority, StadCo, and/or Manager, and (iii) be effected during times that do not interfere with any Events, Catered Events or other operations at the Stadium. Subject only to the Stadium Lease, Manager reserves the right to make and/or cause to be made all changes, alterations, additions, improvements, repairs or replacements to the Stadium as the Authority, StadCo and/or Manager deems necessary or desirable. Manager shall use reasonable efforts to minimize interference with Concessionaire's use of the Food and Beverage Facilities during the making of such changes, alterations, additions, improvements, repairs or replacements, provided that neither the Authority, StadCo nor Manager shall have any obligation to employ contractors or labor at overtime or other premium pay rates or to incur any other overtime costs or additional expenses whatsoever.

(b) Notwithstanding anything to the contrary in this Agreement, the location of all Food and Beverage Facilities and Service Areas, whether temporary or permanent, shall be determined by Manager and may be changed by Manager from time to time. Concessionaire shall not acquire any rights to such areas or to any Equipment, which shall remain the sole property of Manager, except as may be set forth in this Agreement.

6.15 **Advertising Restrictions**.

(a) Concessionaire acknowledges that all advertising rights, expressly including such rights at the Stadium, belong to the Authority and the tenants of the Stadium. Concessionaire shall not, without the written approval of Manager, (i) advertise any brand names in the Stadium; (ii) use the name or logo of the Stadium on any material; (iii) place advertising of any kind on Concessionaire's or a third-party's equipment; (iv) use the name or logo of Concessionaire at the Stadium or in materials that refer to the Stadium; (v) advertise in or about the Stadium in any manner or form, or elsewhere with respect to its activities at the Stadium; and (vi) provide or promise (in writing or otherwise) any exclusivity to any third-party brand as part of the Food and Beverage Services as the Stadium.

(b) Manager may require Concessionaire to use specially designed logoed uniforms, sales material, printed and IPTV menus, cups, napkins, stationary and other materials, including but not limited to concession signage, and the cost of any items deemed obsolete due to a change requested by Manager shall be a StadCo Operating Cost, Authority Operating Cost, or Joint Operating Cost, as appropriately determined by the parties. Without limiting the generality of the preceding sentence, as directed (and approved) by Manager, all Smallwares used throughout the Stadium (including Club

Areas) shall bear the name, logo or marks of the Stadium naming rights sponsor, and all Smallwares used in a particular Club Area (or other Service Area, as designated by Manager) shall bear the name, logo or marks of the applicable Club Area (or other) sponsor. Manager shall provide any required logo design to Concessionaire. Without limiting Manager's right of approval, Concessionaire shall include pre-approved references to (or as instructed by) Manager in all media or publicity relating to the Stadium or the Food and Beverages Services. Concessionaire must provide printed and IPTV Catered Event and Suite menus approved by Manager, utilizing the Authority's (for the Authority's Events), StadCo (and its Affiliates) for their Events and, for Manager (and its Affiliates') Events, Manager's (or its Affiliates') logos, used exclusively for the Stadium, in sufficient quantities for use by Manager's and Concessionaire's marketing staffs.

(c) Except as provided in Section 6.15(b), Concessionaire shall have no right to use the Stadium Rights or trademarks, symbols or trade names of the Authority, StadCo, Manager or their respective Affiliates, or Stadium tenants or their Affiliates or other Event performers directly or indirectly, in connection with any production, promotion, service or publication, without the prior written approval of Manager; provided, however, Concessionaire may, in a reasonable and tasteful fashion, including by use of relevant names and logos, promote its affiliation with the Stadium and the services provided by Concessionaire under this Agreement in Concessionaire's and its affiliates' corporate promotional materials and social media, as approved by Manager.

(d) Notwithstanding anything herein to the contrary, but subject to the terms and conditions of the Stadium Lease, the Authority, Manager, and the Stadium tenants, including StadCo, may sell advertising and sponsorship packages for the Stadium, which may include product availability rights at the Stadium, where legally permissible. Subject to Section 6.12, such rights may be granted in connection with Branded Products, Licensed Products, or otherwise. Accordingly, where legally permissible, Manager reserves the final right of approval of Concessionaire's sources of product supply, and Concessionaire shall honor all rights granted by the Authority, StadCo or Manager to their respective advertisers and sponsors.

6.16 **Website.**

Concessionaire shall assist the Authority, StadCo, Manager and their respective Affiliates and all Stadium tenants in developing and maintaining food and beverage sections in their respective websites. Such assistance shall include, without limitation, (a) creating effective means of promoting the sale of Refreshments at Events and the use of the Stadium for Catered Events, (b) providing access to menus in different areas of the Stadium, (c) providing a means to book Catered Events online and through other modes of then-current information technology, and (d) providing a means for Suite licensees to place Refreshment orders online and through other modes of then-current information technology prior to Events.

6.17 **Safety Plan.**

Not less than sixty (60) days prior to the Commencement Date, Concessionaire shall submit to Manager for its approval a written plan describing Concessionaire's procedures for the (i) transport of materials and supplies, such as carbon dioxide bottles and beer kegs, during Events, including, without limitation, the routes and locations for movement and storage, and methods of handling such materials and supplies; (ii) storage of materials and supplies in the Stadium; and (iii) use and maintenance of all motorized vehicles of any type which are owned or operated by Concessionaire in the Stadium, including, without limitation, the type of fuel used to power such vehicles, maximum speeds of operation, routes and locations of travel and storage, maintenance schedules and procedures, and training procedures for Concessionaire personnel using such vehicles. Concessionaire shall make such modifications to any written plan covered by this Section 6.17 as Manager shall reasonably request from time to time.

6.18 **Ethical Standards for Concessionaire.**

Concessionaire represents and warrants to and covenants with Manager as of the Effective Date that Concessionaire, or its legal and authorized representative charged with such matters, has: (A) read **Exhibit H**, entitled "**Ethical Standards for Concessionaire**"; and (B) in evidence of its understanding of the terms of such **Exhibit H** and in connection with the execution and delivery of this Agreement, separately executed and delivered **Exhibit I**, entitled "**Affidavit of Compliance with Ethical Standards.**"

ARTICLE VII

Indemnification and Insurance

7.1 **Indemnification.**

(a) Concessionaire shall indemnify, defend and hold harmless the Authority, Manager and the Additional Indemnitees, and their respective officers, directors, managers, members, partners, owners and employees from and against all losses, costs, suits, actions, claims, damages, amounts paid in settlement, liabilities, costs and expenses, including reasonable attorneys' fees (collectively, "**Losses**"), resulting to, imposed upon, asserted against or incurred by any of them (including in any action between the parties) to the extent in connection with or arising out of (i) any breach by Concessionaire under this Agreement, (ii) the use or occupancy of the Stadium or Outside Areas by Concessionaire or its employees, agents or contractors, (iii) any activity, inactivity, work or thing done or permitted by Concessionaire or its employees, agents or contractors in or upon the Stadium or Outside Areas, including the performance of the Food and Beverage Services, or (iv) any injury or damage to any Person or to the property of any Person caused by the action or omission of Concessionaire or its employees, agents or contractors; excepting any claims to the extent caused by the negligence or willful misconduct of Manager. For the avoidance of doubt, nothing herein is intended to limit Concessionaire's rights to seek contribution for Losses from Manager, Authority, or any other party to the extent attributable to such party's negligence or willful misconduct.

(b) Manager shall indemnify, defend and hold harmless Concessionaire and its officers, directors, managers, members, partners, owners and employees from and against all Losses resulting to, imposed upon, asserted against or incurred by any of them (including in any action between the parties) in connection with or arising out of any breach by Manager under this Agreement or injury or damage to any Person or to the property of any Person caused by the negligence or willful misconduct of Manager or its employees.

(c) If any claim, demand, action or proceeding is made or commenced by any third party (a "**Third Party Claims**") against any party that is entitled to be indemnified with respect thereto under this Section 7.1 (the "**Indemnified Party**"), the Indemnified Party shall give the party obligated to provide the indemnity (the "**Indemnifying Party**") prompt notice thereof; the failure to give such notice shall not affect the liability of the Indemnifying Party under this Agreement except to the extent the failure materially and adversely affects the ability of the Indemnifying Party to defend the Third Party Claim. The Indemnifying Party shall have the right to assume the defense and resolution of the Third Party Claim, provided that (i) the Indemnified Party shall have the right to participate in the defense of the Third Party Claim at its own expense through counsel of its choice (control of the defense will remain with the Indemnifying Party), (ii) the Indemnifying Party shall not consent to the entry of any judgment or enter into any settlement that would require any act or forbearance on the part of the Indemnified Party or which does not unconditionally release the Indemnified Party from all liability in respect of the Third Party Claim or would otherwise bring dishonor or disrepute upon Authority, Manager, any of their respective Affiliates, without the prior written consent of the Indemnified Party, and (iii) the Indemnified Party may undertake the defense of the Third Party Claim, at the Indemnifying Party's expense, if the Indemnifying Party fails to (A) assume the defense within ten (10) business days after notice from the Indemnified Party or (B) diligently prosecute the defense.

7.2 **Concessionaire's Insurance.**

(a) Throughout this Section 7.2, and as otherwise used in the Agreement, capitalized, insurance-related terms are intended to have those respective meanings as are used consistently throughout the commercial insurance industry in the United States. Except as otherwise set forth in this Section 7.2, on or within a commercially practicable time following the Effective Date and prior to commencing any work or activity at the Stadium pursuant to this Agreement, Concessionaire shall obtain and thereafter continue to maintain until the end of the Term the following insurance coverage, which shall be in form and substance reasonably satisfactory to Manager:

Type of Insurance	**Minimum Liability Limits**
1. Workers' Compensation Insurance	As required by applicable law
2. Employer's Liability Insurance	$1,000,000 per occurrence $1,000,000 per employee $1,000,000 annual aggregate

3.	Commercial Automobile Liability Insurance	$2,000,000 each accident
4.	Commercial General Liability Insurance	$1,000,000 per occurrence $10,000,000 annual aggregate
5.	Liquor Liability/Dram Shop Liability Insurance	$1,000,000 each common cause and $10,000,000 general aggregate
6.	Crime Insurance	$5,000,000 per occurrence
7.	Acts of Terror	Liability and Property coverages shall provide coverage for acts of terrorism to the broadest extent possible, as available under the Terrorism Risk Insurance Act and/or stand-alone policies providing such coverage
8.	All Risks Property Insurance	As required to replace (on a replacement cost basis) all of Concessionaire's personal property at the Stadium
9.	Umbrella Liability Insurance	$55,000,000 per occurrence and in the aggregate
10.	Business Income (Extra Expense) Insurance (included on the All Risk Property Policy)	Covering an interruption period of not less than one (1) year, with a limit of not less than twelve months of net income and continuing expenses.

The limits of liability required for Commercial General Liability, Liquor Liability and Dram Shop Liability and Umbrella Liability may be satisfied by a combination of various primary and umbrella limits. Any such combination must be fully disclosed to and approved by Manager. Approval by Manager of any such combination of policies shall not release Concessionaire from its obligations regarding required coverage and limits related thereto.

(b) Concessionaire shall deliver to Manager at least thirty (30) days prior to the Commencement Date, and again at least ten (10) days prior to the expiration date of any then existing policies, (i) a certificate or certificates evidencing that such insurance coverages are in effect for a period of not less than one (1) year from the date of such certificate, and (ii) a certificate or certificates of insurance (or copies of policies if required under an insurance claim) including Manager and each Indemnified Party (also referred to as an "**Additional Indemnitee**") as additional insureds on the commercial general liability, auto liability, liquor liability and umbrella liability, using Insurance Services Office ("**ISO**") Endorsement CG 20 10 11 85 or the combination of CG 20 10 current edition and CG 20 37 current edition, or its equivalent with respect commercial

general liability. Concessionaire workers' compensation insurance shall contain a waiver of the insurer's right of subrogation in favor of Manager and each Indemnified Party. Concessionaire shall, for any subcontractor or independent contractor engaged in furtherance of its obligations under this Agreement, provide evidence to Manager that such subcontractor or independent contractor has insurance requirements reasonably requested by Manager prior to commencement of work or delivery of services by any such party. Concessionaire agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. All policies required herein with the exception of the Terrorism policy, shall contain a clause providing that such policies shall not be cancelled unless the insurance carrier shall have endeavored to give Manager at least thirty (30) days' advance written notice of such termination, and Concessionaire shall give Manager at least thirty (30) days' advance written notice of any proposed amendment to any material provisions thereof that are adverse to the named insured. If any policy expires or is cancelled, Concessionaire shall immediately furnish a new certificate evidencing renewal or replacement.

(c) Employer's Liability Insurance, Commercial Automobile Liability Insurance, Commercial General Liability Insurance, and Liquor Liability/Dram Shop Liability Insurance shall be provided on a standalone basis.

(d) Commercial General Liability Insurance, providing coverage at least as broad as ISO form CG 00 01, including coverage for (i) bodily injury and property damage, (ii) personal and advertising injury, (iii) products and (iv) completed and premises operations, all on an occurrence basis. Such policy shall not contain any exclusions except those customarily contained in such policies. Additional insured status shall expressly apply to products and completed operations as well as to premises operations coverage. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits. There shall be no cross-liability exclusion which precludes coverage for claims or suits by one insured against another. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability per separation of insured clause.

(e) Commercial Automobile Liability Insurance, providing coverage at least as broad as ISO form CA 00 01, including bodily injury and property damage for all owned, non-owned, or hired vehicles used by Concessionaire in performing its obligations under this Agreement.

(f) Workers' Compensation Insurance provided under the terms of this Agreement shall comply with all statutes, rules and regulations of the State of California, and shall cover employees. To the extent permitted by law, an Alternate Employer Endorsement shall be included in the policy and shall be evidenced on any required Certificate of Insurance. The indemnification and hold harmless obligations of Concessionaire included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Concessionaire or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).

(g) Employer's Liability Insurance provided under the terms of this Agreement shall cover all employees per policy terms and conditions and per statutes, rules and regulations of the State of California.

(h) Crime Insurance provided under the terms of this Agreement shall apply to acts of employee dishonesty and theft both inside and outside the Stadium, and shall provide coverage to funds and property held by Concessionaire on behalf of Manager, StadCo and/or the Authority. Manager, StadCo and the Authority shall be included as loss payees on Concessionaire's Crime Insurance to the extent of such funds and property as their interest may appear.

(i) Environmental Liability Insurance, if applicable, provided under the terms of this Agreement shall include bodily injury, property damage, and clean-up costs, including coverage for any claim, suit, or demand brought by any third party or on behalf of any governmental agency or authority, as a result of the actual, alleged, or threatened discharge, disposal, seepage, migration, release, or escape of any Hazardous Substance or pollutant due to Concessionaire. Any self-insured retention amounts shall be the sole responsibility of Concessionaire. The policy shall name Concessionaire, Manager, and Authority as additional insureds.

(j) All Risks Property Insurance provided under the terms of this Agreement shall include coverage in an amount sufficient to replace Concessionaire's personal property, including but not limited to: furniture, fixtures, Equipment, and inventory, and shall include coverage against the perils of, but not be limited to, earthquake, flood, windstorm or other insurable weather event, and acts of terrorism, whether committed by domestic or foreign entities, available under the Federal Terrorism Risk Insurance Act ("**TRIA**") and/or purchased under standalone policies; provided, however, that earthquake coverage and terrorism risk coverage shall only be required to be obtained to the extent that either such coverage is available on commercially reasonable terms.

(k) Umbrella or Excess Liability insurance provided under the terms of this Agreement will provide limits above the required Commercial General Liability, Commercial Automobile Liability, Liquor Liability/Dram Shop Liability and Employer's Liability primary limits.

(l) The commercial general liability, liquor liability and umbrella liability insurance required by Section 7.2(a) shall be primary and non-contributory to any other insurance coverage held by Manager or the Additional Indemnitees.

(m) Neither the Authority nor Manager, nor any Additional Indemnitee, shall be liable to Concessionaire, and Concessionaire waives all claims and rights of recovery it or any party claiming by, through or under Concessionaire may have against the Authority, Manager, the Additional Indemnitees by subrogation or otherwise, for any Loss suffered or incurred by Concessionaire or such other party to the extent of any proceeds actually received by Concessionaire from any insurance policy that Concessionaire is required to have in effect at the time of the Loss with the exception of the standalone terrorism, pollution liability and crime policies. Concessionaire shall not

be liable to Manager or to the Team and their Affiliates, and Manager waives (and will cause its Affiliates to waive and will use commercially reasonable efforts to cause the Authority to waive) all claims and rights of recovery it or any party claiming by, through or under Manager or its Affiliates or, to the extent possible, the Authority, may have against Concessionaire and its officers, directors, managers, members, partners, owners, employees and agents, by subrogation or otherwise, for any Loss suffered or incurred by Manager or its Affiliates or, to the extent possible, the Authority, or such other party to the extent such Loss is actually paid from proceeds under any insurance policy that Manager or its Affiliates or the Authority has in effect or is required to have in effect at the time of the Loss. Concessionaire and Manager shall cause their insurance carriers to include provisions in the applicable policies, with the exception of the standalone terrorism, pollution liability and crime policies, authorizing the foregoing waivers, and Manager will use commercially reasonable efforts to cause the Authority to cause its insurance carrier(s) to include provisions in the applicable policies authorizing the foregoing waiver.

(n) All insurance carriers providing the above coverage for Concessionaire must be authorized to do so in the State of California. All such carriers must also be rated no lower than A-VII by the most recent Best's Key Rating Guide or Best's Agent's Guide or must be otherwise acceptable to Manager.

(o) It is expressly understood and agreed by Concessionaire that the insurance requirements specified above require the use of occurrence liability forms with the exception of the pollution liability and where applicable and available.

(p) Each party agrees that the other party, shall not be liable for, and hereby releases the other party from, all claims for damage to property or business sustained resulting from any act or omission of any other tenants, licensees, permittees, or other occupants of the Stadium. The foregoing waiver and release is intended by Manager and Concessionaire to be absolute, unconditional and without exception.

(q) All of the limits of insurance required hereunder shall be subject to review by Manager and, in connection therewith, Concessionaire shall carry or cause to be carried such commercially reasonable and available additional amounts as Manager may reasonably require from time to time (whether by reason of changes in the consumer price index, claims made under certain insurance policies or otherwise).

(r) Should Concessionaire fail to procure, maintain, or pay for the insurance coverage required under this Section 7.2, the Authority and Manager, individually, shall have the right, but not the duty or obligation, to procure such insurance and pay the subject premiums. Concessionaire shall have the obligation to repay the Authority or Manager, as the case may be, immediately upon demand for all sums so paid by the Authority or Manager, including any interest, costs, and expenses associated with such payments by the Authority or Manager.

7.3 **Manager's Insurance.**

Throughout the Term of this Agreement (including any extensions thereof), Manager shall maintain in full force and effect the policies of insurance set forth hereinafter.

(a) Commercial General Liability insurance with limits not less than $1,000,000 each occurrence and $5,000,000 in the aggregate. Each of the occurrence limit and annual aggregate limit may be satisfied by using a combination of primary and umbrella (excess) insurance coverages. Such insurance shall include coverage for products-completed operations liability, personal injury, property damage and bodily injury liability;

(b) Automobile Liability insurance covering liability arising out of Manager's use, operation and/or maintenance of any auto, whether owned, non-owned, leased, hired or borrowed, with limits not less than $1,000,000 combined single limit each accident for bodily injury and property damage;

(c) Workers' Compensation insurance covering all of Manager's employees who are engaged in furnishing the Services under this Agreement. Such insurance shall provide coverage and limits as required by statutory law, including Employer's Liability coverage with limits not less than $500,000 each accident, $500,000 disease-each employee and $500,000 disease-policy limit;

(d) Property Damage Insurance. Manager shall be responsible for maintaining all insurance for all of the furniture, fixtures and equipment utilized in connection with the Operations against property damage for one hundred percent (100%) of the replacement value of such assets.

ARTICLE VIII

Assignment

8.1 **Concessionaire's Assignment**.

Concessionaire shall not, without the prior written consent of Manager, directly or indirectly transfer (as defined in Section 8.2) or permit any transfer of this Agreement or any of its rights, duties or obligations hereunder, and any purported or attempted transfer in violation of this provision shall be void; provided, that Concessionaire may, with thirty (30) days' prior written notice to Manager and Manager's consent, which consent may not be unreasonably withheld, conditioned or delayed, pledge, assign or transfer this Agreement to an Affiliate, or to an assignee or transferee of all or substantially all of the business of Concessionaire, or any part thereof, whether by contract (upon acceptance of such assignee's creditworthiness, such acceptance not to be unreasonably withheld, conditioned or delayed) or by operation of law, so long as there is no change in Concessionaire's executive leadership, in connection with, or as a result of said pledge, assignment, or transfer.

8.2 **Manager Assignment.**

Manager may sell, assign, pledge and otherwise transfer or encumber (each, a "**Transfer**") this Agreement and any or all of its rights and obligations hereunder to any other Person, including any source of or guarantor or insurer of financing or any trustee, collateral agent or other Person appointed in connection with such financing (each, a "**Manager Assignee**"), whether by security agreement, collateral assignment, transfer or otherwise; provided, that such transfer shall not relieve Manager of its obligations under this Agreement unless such Manager Assignee assumes in writing Manager's obligations under this Agreement. Upon reasonable prior notice from Manager, Concessionaire shall make any payments due hereunder to such Manager Assignee and shall execute and deliver any documents that Manager or any Manager Assignee may reasonably request to acknowledge and confirm that upon any such transfer, this Agreement will remain in full force and effect, will continue to be a legal, valid and binding obligation of Concessionaire enforceable in accordance with its terms (subject to applicable bankruptcy or insolvency laws and general principles of equity), and that (to the extent accurate and correct) neither Concessionaire, nor to Concessionaire's knowledge, Manager is in material breach or violation of this Agreement.

8.3 **Replacement of Manager.**

Concessionaire acknowledges and agrees that, in the event the Stadium Management Agreement is terminated for any reason, the Authority and StadCo shall, in accordance with the Stadium Lease, employ a replacement manager for the Stadium, who shall, following the effective date of such employment, constitute the "Manager" for all purposes under this Agreement.

ARTICLE IX

Termination

9.1 **Termination by Manager.**

In addition to any other rights or remedies Manager may have, including without limitation under the provisions of Section 6.18 and the Exhibits relating thereto, Manager may terminate this Agreement by written notice to Concessionaire if: (a) Concessionaire fails to remit, for a period of thirty (30) days after receipt of written notice of demand therefor, any undisputed sums due and owing to Manager under this Agreement; (b) Concessionaire fails to correct to the reasonable satisfaction of Manager any condition created or controlled by Concessionaire that, in Manager's reasonable judgment, poses a hazardous condition to occupants of the Stadium or the Outside Areas within twenty-four (24) hours after receipt of written notice from Manager; (c) subject to the last sentence of this Section 9.1, Concessionaire fails to perform any material obligation under this Agreement and such failure continues unremedied for a period of thirty (30) days after receipt of written notice from Manager of the particular failure to perform; (d) Concessionaire is placed into bankruptcy either voluntarily or involuntarily (and such involuntary proceeding is not dismissed within sixty (60) days), becomes financially insolvent, takes the benefit of any present or future insolvency statute, makes a general assignment for the benefit of creditors, or consents to the appointment of a receiver,

trustee, or liquidator of all or substantially all of its property; (e) Concessionaire transfers or permits a transfer of this Agreement in violation of Section 8.1; (f) Concessionaire fails to obtain and/or maintain required licenses and permits under Section 6.3; (g) Concessionaire does not meet mutually agreed upon satisfactory performance level in two (2) consecutive Concessionaire Surveys reviews; or (h) the Stadium Management Agreement has been terminated. Concessionaire and Manager acknowledge and agree that, except for the circumstances described in clause (h) of the immediately preceding sentence, termination of this Agreement by Manager pursuant to this Section 9.1 shall be "for cause." If any failure that would otherwise entitle Manager to terminate this Agreement under Section 9.1(c) is the result of a Force Majeure, Manager shall not have a termination right under such Section 9.1(c) unless the failure continues unremedied until the earlier of (i) thirty (30) days after the condition constituting the Force Majeure has terminated or (ii) one hundred eighty (180) days from the commencement of such Force Majeure.

9.2 **Termination by Concessionaire.**

In addition to any other rights or remedies Concessionaire may have, Concessionaire may terminate this Agreement by written notice to Manager if: (a) Manager fails to remit, for a period of thirty (30) days after receipt of written notice of demand therefor, any undisputed sums due and owing to Concessionaire under this Agreement; (b) subject to the last sentence of this Section 9.2, Manager fails to perform any material obligation under this Agreement and such failure continues unremedied for a period of thirty (30) days after receipt of written notice from Concessionaire of the particular failure to perform; or (c) Manager is placed into bankruptcy either voluntarily or involuntarily (and such involuntary proceeding is not dismissed within sixty (60) days), becomes financially insolvent, takes the benefit of any present or future insolvency statute, makes a general assignment for the benefit of creditors, or consents to the appointment of a receiver, trustee, or liquidator of all or substantially all of its property. Concessionaire and Manager acknowledge and agree that termination of this Agreement by Concessionaire pursuant to this Section 9.2 shall be "for cause." If any failure that would otherwise entitle Concessionaire to terminate this Agreement under Section 9.2(b) is the result of a Force Majeure, Concessionaire shall not have a termination right under such Section 9.2(b) unless the failure continues unremedied sixty (60) days after the condition constituting the Force Majeure has terminated.

9.3 **Effect of Termination or Expiration.**

(a) Upon the termination or expiration of this Agreement, for any reason whatsoever, (i) Concessionaire shall immediately surrender possession of the Food and Beverage Facilities (including all Leasehold Improvements and any other improvements therein), Smallwares, uniforms, Customer Surveys and Equipment (and related manuals and software) to Manager, (ii) Concessionaire shall immediately assign to Manager or its designee(s) all right, title and interest of Concessionaire in and to all customer deposits and agreements relating to Catered Events and, subject to clause (iii) below, all other items purchased by Concessionaire in connection with the Food and Beverage Services (including uniforms, Smallwares, Office Equipment and warehouse and transportation equipment), (iii) Manager or its designee shall purchase from Concessionaire all Refreshments, paper products and other supplies purchased by Concessionaire in connection with the Food and Beverage Services that Manager reasonably determines are

saleable or usable in the ordinary course, at Concessionaire's cost, (iv) Concessionaire shall make all payments required to be made by Concessionaire under this Agreement, (v) to the extent permitted by applicable law, Concessionaire shall immediately surrender possession of and assign to Manager (or its designee) all permits and licenses acquired by Concessionaire in compliance with Section 6.3 and any Legal Requirements, (vi) all matters, rights and liabilities existing on the date of termination between the parties hereto shall be determined as of such termination date (except as described above), and discharged as promptly as possible thereafter, including any known claims for damages either party may have against the other for breach of the terms and conditions hereof; any such surrender shall require delivery of possession in good condition, reasonable and ordinary wear and tear excepted and otherwise in compliance with the terms of this Agreement, and (vii) Manager shall pay to Concessionaire the unexpensed portion (from the Investment Use Fee) of the Innovation Fund, Initial Capital Investment, and Refresh Investment paid to Manager prior to termination/expiration and the unamortized portion of the Hub for Next Generation Sports Entertainment Fund, in a single lump sum payment. The parties acknowledge and agree that Authority shall be the sole owner of any property purchased or created as a result of the Initial Capital Investment, the Innovation Fund, the Hub for Next Generation Sports Entertainment Fund, and the Refresh Investment. Concessionaire acknowledges and agrees that any unspent amounts of the Innovation Fund, Initial Capital Investment, and Refresh Investment paid to Manager prior to termination/expiration, and any unspent amounts of the Hub for Next Generation Sports Entertainment Fund and the Renewal and Replacement Account shall be retained by Manager and used in Manager's sole discretion upon termination/expiration of this Agreement.

(b) Upon Manager's receipt of notice that the Authority or StadCo intends to terminate the Stadium Management Agreement, Manager shall notify Concessionaire.

(c) Notwithstanding any termination or expiration of this Agreement, all liabilities and obligations of the parties will survive until they are fully satisfied.

(d) Manager hereby expressly agrees that, during the Term (including any extensions thereof) and for a period of twelve (12) months following either the expiration or earlier termination of this Agreement, none of Manager, Team, StadCo, or the Authority, nor any of their respective Affiliates, or any subsequent concessionaire at the Stadium or any agent of such parties shall directly solicit any current salaried or management-level employee of Concessionaire or its Affiliates (including, but not limited to, Concessionaire's current director of operations, chefs, sous chefs and the managers of the various areas of the Food and Beverage Facilities) learned about solely due to the Food and Beverage Services to work in or in connection with the Stadium or the Food and Beverage Facilities as an employee, without Concessionaire 's prior written approval, which approval can be granted or denied in Concessionaire's sole and absolute discretion. Concessionaire hereby expressly agrees that, during the Term (including any extensions thereof) and for a period of twelve (12) months following either the expiration or earlier termination of this Agreement, none of Concessionaire nor any of its Affiliates or agents shall directly solicit any current salaried or management-level employee of Manager learned about solely due to the Food and Beverage Services to work for or in

connection with Concessionaire as an employee, without Manager's prior written approval, which approval can be granted or denied in Manager's sole and absolute discretion. Any public announcements made upon the expiration or earlier termination of this Agreement shall be reasonably agreed upon in advance by Manager and Concessionaire.

ARTICLE X

Casualty Event

10.1 If the Stadium is destroyed or otherwise rendered unusable for more than thirty (30) days for any reason (a "**Casualty Event**"), Manager shall give Concessionaire a notice within ninety (90) days after the Casualty Event stating that the Authority intends to rebuild or restore the Stadium. If the notice states that the Authority will not rebuild or restore the Stadium, this Agreement shall be terminated. If the notice states that the Authority intends to rebuild or restore the Stadium, the parties' obligations hereunder shall be abated during the rebuilding or restoration period. If such notice states that the Authority reasonably believes that it will take longer than two (2) years to restore or rebuild the Stadium or, if a shorter amount of time, such amount of time is longer than the remainder of the Term, either party shall have the option of terminating this Agreement by written notice to the other at any time within one hundred and eighty (180) days after Manager gives such notice, and such termination shall be effective one hundred twenty (120) days after the other party's receipt of such notice. Concessionaire shall not be entitled to any monetary or other damages or compensation from Manager in the event of a Casualty Event.

ARTICLE XI

Miscellaneous

11.1 **Applicable Law.**

(a) This Agreement shall be governed by the laws of the State of California applicable to agreements made and to be performed entirely in the State of California.

(b) The federal and state courts located in Santa Clara County, California (together, the "**Designated Courts**") shall have exclusive jurisdiction over the parties with respect to any dispute or controversy between them arising under or in connection with this Agreement and by execution and delivery of this Agreement, each of Manager and Concessionaire submits to the exclusive jurisdiction of those courts, including the in personam jurisdiction of those courts, waives any objection to such jurisdiction on the grounds of venue or forum non conveniens or the absence of in personam jurisdiction and any similar grounds, consents to service of process on its registered agent by mail (in accordance with Section 11.7 or any other manner permitted by law), and irrevocably agrees to be bound by any judgment rendered thereby, subject to all applicable rights of appeal. So far as is permitted under Legal Requirements, this consent to personal jurisdiction shall be self-operative and no further instrument or action, other than service of process in the manner specified in this Section 11.1(b) or as otherwise permitted by

law, shall be necessary in order to confer personal jurisdiction over Manager or Concessionaire in any of the Designated Courts. Each party agrees that any final judgment against it from which it has not or may not appeal or further appeal in any suit, action or proceeding brought in a Designated Court of competent subject matter jurisdiction may, so far as permitted under Legal Requirements, be enforced in the courts of any jurisdiction of which such party is subject by a suit upon such judgment. Service of any process, summons or notice upon a party shall be sufficient if made in accordance with Section 11.7 below. Nothing in this Section 11.1(b) shall affect the right of any party to serve legal process in any other manner sufficient under law. Each party further agrees that it shall not commence any legal action against any other party relating to or arising under this Agreement in any court that is not one of the Designated Courts, unless the Designated Courts shall have determined that they lack subject matter jurisdiction to hear such action.

11.2 **No Waiver**.

No provision of this Agreement shall be deemed to have been waived by either party hereto unless such waiver is in writing and is signed by the party hereto against whom such waiver is asserted, and any such waiver shall be effective only for the specific purpose and in the specific instance in which given. The failure of either party hereto to seek redress for violation of, or to insist upon the strict performance of, any covenant or condition of this Agreement, shall not be construed as a waiver or relinquishment for the future performance of such obligations of this Agreement or of the right to exercise such election, but the same shall continue and remain in full force and effect with respect to any subsequent breach, act or omission.

11.3 **No Brokers**.

Concessionaire and Manager represent and warrant to each other that they have not dealt with any brokers or similar parties in connection with this Agreement and each party hereby indemnifies, defends and holds the other harmless from all costs, expenses or liabilities resulting from a breach by such party of its foregoing representation.

11.4 **Binding Effect**.

Subject to Article VIII, this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

11.5 **Whole Agreement; Captions**.

This Agreement, the recitals hereto, and the exhibits attached hereto contain all of the covenants, promises and agreements between the parties concerning the subject matter hereof. It supersedes all prior agreements, arrangements or understandings, whether written or oral. This Agreement may not be amended or modified except in writing signed by the parties. Except as set forth in this Section 11.5, all prior agreements between the parties are hereby superseded and terminated in all respects. The term "including", whenever used in any provision of this Agreement, means including but without limiting the generality of any description preceding or succeeding that term. Captions and titles in this Agreement are for convenience of reference only and shall not be deemed part of this Agreement or used in its interpretation.

11.6 **No Joint Venture**.

Concessionaire is an independent contractor. Nothing in this Agreement shall be deemed to create a co-employer, partnership, joint venture or principal agent relationship between Manager and Concessionaire, or any of their respective Affiliates. Neither party hereto shall hold itself out to be anything other than an independent contractor, and neither party hereto shall incur or purport to incur liability on behalf of the other.

11.7 **Notices; Approvals**.

(a) Any and all notices, requests, demands, consents, approvals or other communications required to be given pursuant to this Agreement by any party shall be in writing and shall be validly given or made to the other party if served personally, sent by certified or registered mail, sent by facsimile transmission (with confirmation of successful transmission), sent by electronic mail or such other electronic means then currently available to both parties that permits confirmation of delivery, or sent by recognized national courier service. If the notice, request, demand or other communications are served personally, or by nationally recognized courier service, service shall be conclusively deemed to be made at the time of service. If the notice, request, demand or other communications are sent by electronic mail or such other electronic means then available, service shall be conclusively deemed to be made at the time confirmation of delivery is received by the sender. If the notice, request, demand or other communications are sent by facsimile transmission, service shall be conclusively deemed made the first business day following successful transmission. If the notice, demand or other communications are given by certified or registered mail, service shall be conclusively deemed made four (4) business days after deposit in the United States mail, addressed to the party to whom the notice, demand or other communication is to be given. Notices shall be provided to the following addresses (any of which may be changed upon like notice to the other parties to this Agreement that would require notice hereunder):

If to Manager, to:

Forty Niners Stadium Management Company LLC
4900 Marie P. DeBartolo Way
Santa Clara, CA 95054
Attention: Jim Mercurio, General Manager

with a copy (which shall not constitute notice) to:

Forty Niners Stadium Management Company LLC
4900 Marie P. DeBartolo Way
Santa Clara, CA 95054
Attention: Legal Affairs

Forty Niners Stadium Management Company LLC
4900 Marie P. DeBartolo Way

Santa Clara, CA 95054
Attention: Al Guido, President

Forty Niners Stadium Management Company LLC
4900 Marie P. DeBartolo Way
Santa Clara, CA 95054
Attention: Moon Javaid

If to Concessionaire, to:

Levy Premium Foodservice Limited Partnership
980 N. Michigan Avenue, Suite 400
Chicago, IL 60611
Attention: Andrew Lansing, President

With a copy to (which shall not constitute notice):

Levy Premium Foodservice Limited Partnership
980 N. Michigan Avenue, Suite 400
Chicago, IL 60611
Attention: General Counsel

(b) Where consent or approval of or authorization (each, a "**Consent**") from Manager is required hereunder, such Consent shall mean a Consent in writing executed by an officer of Manager. Where Consent of Concessionaire is required hereunder, such Consent shall mean a Consent in writing executed by an officer of Concessionaire. To the extent that any Consent of a proposed action is required to be reasonable or commercially reasonable, the party whose Consent is sought shall give consideration to the views and financial needs of the other party and shall act in a timely and non-capricious manner.

11.8 **Invalidity**.

If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, such provision shall, as to such jurisdiction, be ineffective to the extent of such prohibition or invalidity without affecting the validity of the remaining provisions of this Agreement. It is the intention of the parties that if any provision would be deemed invalid or unenforceable as written, that it be construed to apply to the greatest extent that would permit it to be valid and enforceable.

11.9 **No Third-Party Beneficiary**.

This Agreement shall not confer any third-party beneficiary rights on any other party except for the Authority, StadCo, its Affiliates, Manager's Affiliates and, where expressly so provided, the Additional Indemnitees and tenants of the Stadium.

11.10 **Limitation of Liability.**

Neither Party's, nor their Affiliates', officers, directors, partners, members, managers, shareholders, consultants, agents or employees shall be liable in any manner or to any extent under or in connection with this Agreement, and each party and its successors and assigns shall look solely to the assets of the other for the satisfaction of any claims or judgments it may have. Neither Manager nor Concessionaire shall be entitled to seek, claim or collect damages in excess of the actual and direct damages actually incurred or sustained as a result of a breach or violation of this Agreement, except as expressly provided in Section 6.5 or as a result of a material, uncurable breach of either (x) Paragraph C of Exhibit F or a (y) health or safety code violation by Concessionaire, provided such breach does not result from a Force Majeure event. This shall not limit Concessionaire's right to recover the unexpensed amounts of the Innovation Fund, Initial Capital Investment and Refresh Investment or the unamortized portion of the Hub for Next Generation Sports Entertainment Fund from Manager as provided under Section 9.3.

11.11 **Specific Performance.**

Concessionaire hereby acknowledges and confirms that the remedies of Manager at law for a breach or threatened breach of any of the provisions of this Agreement would be inadequate and, in recognition of that fact, hereby further acknowledges and confirms that, in the event of a breach or threatened breach by Concessionaire of the provisions of this Agreement, in addition to any remedies at law, Manager shall, without posting any bond, be entitled to obtain equitable relief in the form of specific performance, a temporary restraining order, a temporary or permanent injunction or any other equitable remedy which may then be available. In the event that Manager initiates such a claim for specific performance and fails to receive final injunctive relief, Manager shall be responsible for the reasonable costs (including without limitation reasonable outside attorneys' fees) incurred by Concessionaire in its defense of such claim.

11.12 **Subordination.**

This Agreement shall be subject and subordinate at all times to the terms and conditions of the Stadium Lease and the Stadium Management Agreement, and to the lien of any mortgage or deed of trust or other lien, heretofore or hereafter placed by the Team, Manager or their respective Affiliates upon any interest in the Stadium that any of them shall hold or own, and of all renewals, modifications, consolidations, replacements and extensions thereof (all of which are hereinafter referred to collectively as a "**Mortgage**"), all automatically and without the necessity of any further act on the part of Concessionaire or Manager to effectuate such subordination. Concessionaire shall, at the request of the Authority, Manager or the holder of (or trustee under) any Mortgage, bond indenture or other security agreement upon foreclosure thereof or termination of the Stadium Lease, attorn to such holder or trustee, as the case may be. Concessionaire shall also execute, seal, acknowledge and deliver, within fifteen (15) days after Concessionaire's receipt of demand, such further instrument or instruments evidencing such subordination of Concessionaire's right, title and interest under this Agreement.

11.13 **Information Technology.**

In connection with the services being provided hereunder, Concessionaire may need to

operate certain information technology systems not owned by the Manager ("**Non-Manager Systems**"), which may need to interface with or connect to Manager's networks, internet access, or information technology systems ("**Manager Systems**"). Concessionaire shall be responsible for all Non-Manager Systems, and Manager shall be solely responsible for Manager Systems, including taking the necessary security and privacy protections as are reasonable under the circumstances. If Concessionaire serves as the merchant-of-record for any credit or debit card transactions in connection with any of the services provided hereunder, then Concessionaire will be responsible for complying with all applicable laws, regulations and payment card industry data security standards related to the protection of cardholder data ("**Data Protection Rules**"). If Non-Manager Systems interface with or connect to Manager Systems, then Manager agrees to implement forthwith, upon request from Concessionaire, the changes to the Manager Systems that Concessionaire reasonably requests and believes are necessary or prudent to ensure Concessionaire's compliance with the Data Protection Rules, which such costs shall be charged to Concessionaire as a Joint Operating Cost if such systems are intended to directly benefit the Food and Beverage Services at the Stadium or a StadCo Operating Cost if such systems are intended to solely benefit Manager's operations at the Stadium, as mutually agreed upon the parties. Each party shall indemnify, defend and hold harmless the other party from all claims, liabilities, damages and costs (including reasonable attorneys' fees) to the extent caused by the indemnifying party's failure to comply with its obligations in this paragraph.

11.14 **Further Acts**.

The parties hereto agree to execute and deliver such instruments, and take such other actions, as may reasonably be required to carry out the terms of this Agreement and to consummate the transactions contemplated hereby.

11.15 **Confidentiality**

Each party agrees to hold the other party's Confidential Information in strict confidence and not to disclose such Confidential Information to any third-parties. Each party shall use industry leading standards and practices to protect Confidential Information provided or disclosed to the other party. "**Confidential Information**" as used in this Agreement shall mean all information disclosed by one party to the other party that is not generally known in the trade or industry and shall include, without limitation, (a) all information relating to the employees, staff, management, or other representatives of the other party (and in the case of Manager, also including StadCo, Authority, and Team) and its Affiliates, or the business operations and sales of the other party (and in the case of Manager, also including Team, StadCo, or the Authority) or its Affiliates, (b) any other sensitive or private information learned while providing the Food and Beverage Services, including Customer Information any and all financial information developed, produced, or created in association with the Food and Beverage Services, (c) trade secrets, drawings, schematics, inventions, know-how, software programs, and software source documents and information regarding plans for search, development, new service offerings or products, marketing and selling, business plans, business forecasts, budgets and unpublished financial statements, licenses and distribution arrangements, prices and costs, suppliers and customers of the other party or its Affiliates; (d) existence of any business discussions, negotiations or agreements between the parties; (e) any information regarding the skills and compensation of employees, contractors or other agents of the other party or its Affiliates; (f)

Confidential Information of any third-party who may disclose such information to either party in the course of business; and (g) the terms of this Agreement. Each party's obligations set forth in this Section 11.15 shall not apply with respect to any portion of the Confidential Information to the extent it can be documented that: (a) it was in the public domain at the time it was communicated; (b) it entered the public domain subsequent to the time it was communicated through no fault of the other party; (c) it was in the other party's possession free of any obligation of confidence at the time it was communicated; (d) it was rightfully communicated to the other party free of any obligation of confidence subsequent to the time it was communicated; (e) it was developed by employees or agents of the other party independently of and without reference to any information communicated. In addition, either party may disclose the other party's Confidential Information in response to a valid order by a court or other governmental body, as otherwise required by law, provided that the applicable party provides the other party with written notice prior to making such disclosure in sufficient time for the other party to investigate and prevent such disclosure. Each party agrees to promptly deliver to the other party the original and any copies of the Confidential Information upon the expiration or termination of this Agreement or as may be required by either party in its sole discretion. Upon request by either party, the other party further agrees to execute documentation as necessary to perfect the requesting party's right and title in such Confidential Information.

11.16 **Survival.**

The provisions set forth in Sections 2.3(i), 5.3(c), and 9.3(c), and the relevant provisions that are referred to therein, and Concessionaire's reporting and payment obligations resulting from Food and Beverage Services performed during the Term shall survive the expiration or termination of this Agreement

11.17 **Arbitration**

(a) Disputes Subject to Arbitration. Any dispute arising under or relating to this Agreement shall be resolved exclusively by arbitration under the Commercial Arbitration Rules of the American Arbitration Association, with the venue of any such arbitration proceeding to be in Santa Clara, California or such other location as may be agreed by the Parties.

(b) Arbitrator. The arbitrator for any dispute shall be selected according to the Commercial Arbitration Rules of the American Arbitration Association.

(c) Arbitration Award. The award rendered by the arbitrator shall be final, shall identify a winning Party, and judgment may be entered upon the award in accordance with applicable law in any court having jurisdiction thereof.

(d) Expenses; Attorneys' Fees and Costs . The fees and expenses of the arbitrators shall be paid by the non-winning party. In addition, the winning party's reasonable attorneys' fees and costs shall be paid by the non-winning party.

11.18 **Effectiveness of this Agreement.**

The Manager and Concessionaire acknowledge and agree that the effectiveness of this Agreement is expressly conditioned upon the acceptance and approval of this Agreement by the Authority and StadCo within ninety (90) days of the Effective Date, as evidenced by their respective signatures where indicated below. If for any reason the Authority and StadCo do not both execute this Agreement where indicated below on or before such date, then this Agreement shall be of no force or effect unless such date is extended by the mutual agreement of the parties.

[Signatures appear on next page]

IN WITNESS WHEREOF, this Agreement has been duly executed as of the day and year first above written.

MANAGER:

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC, a Delaware limited liability company

By:_____
Name: Al Guido
Title: President

CONCESSIONAIRE:

LEVY PREMIUM FOODSERVICE LIMITED PARTNERSHIP, an Illinois limited partnership

By:_____
Name: Andrew J. Lansing
Title: President and CEO

ACCEPTANCE AND APPROVAL OF
THIS CONCESSIONS OPERATING AGREEMENT
BY THE SANTA CLARA STADIUM AUTHORITY
AND FORTY NINERS SC STADIUM COMPANY, LLC

By execution of this Concessions Operating Agreement (this "**Agreement**") where indicated below, the Santa Clara Stadium Authority (the "**Authority**") and Forty Niners SC Stadium Company, LLC ("**StadCo**") hereby accept and approve the terms, covenants and conditions set forth in this Agreement and hereby approve LEVY PREMIUM FOODSERVICE LIMITED PARTNERSHIP, as the Stadium concessions operator.

SANTA CLARA STADIUM AUTHORITY,
a joint exercise of powers entity,
created through Government Code Sections 6500 *et seq.*

APPROVED AS TO FORM:

Name:
Authority General Counsel

Name:
Executive Director

1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Facsimile: (408) 241-6771

ATTEST:

Name:
Authority Secretary

6/6/2018
Date

FORTY NINERS SC STADIUM COMPANY, LLC,
a Delaware limited liability company

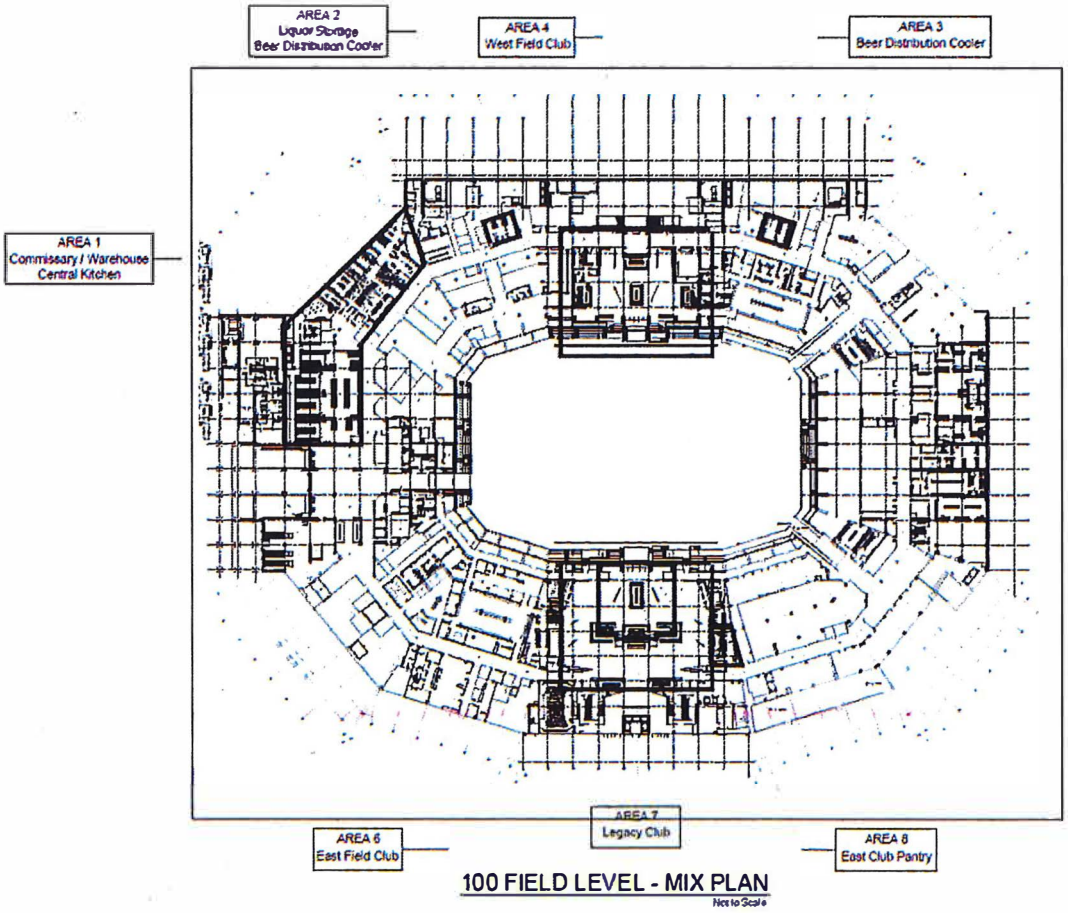
By:
Name: Al Guido
Title: President

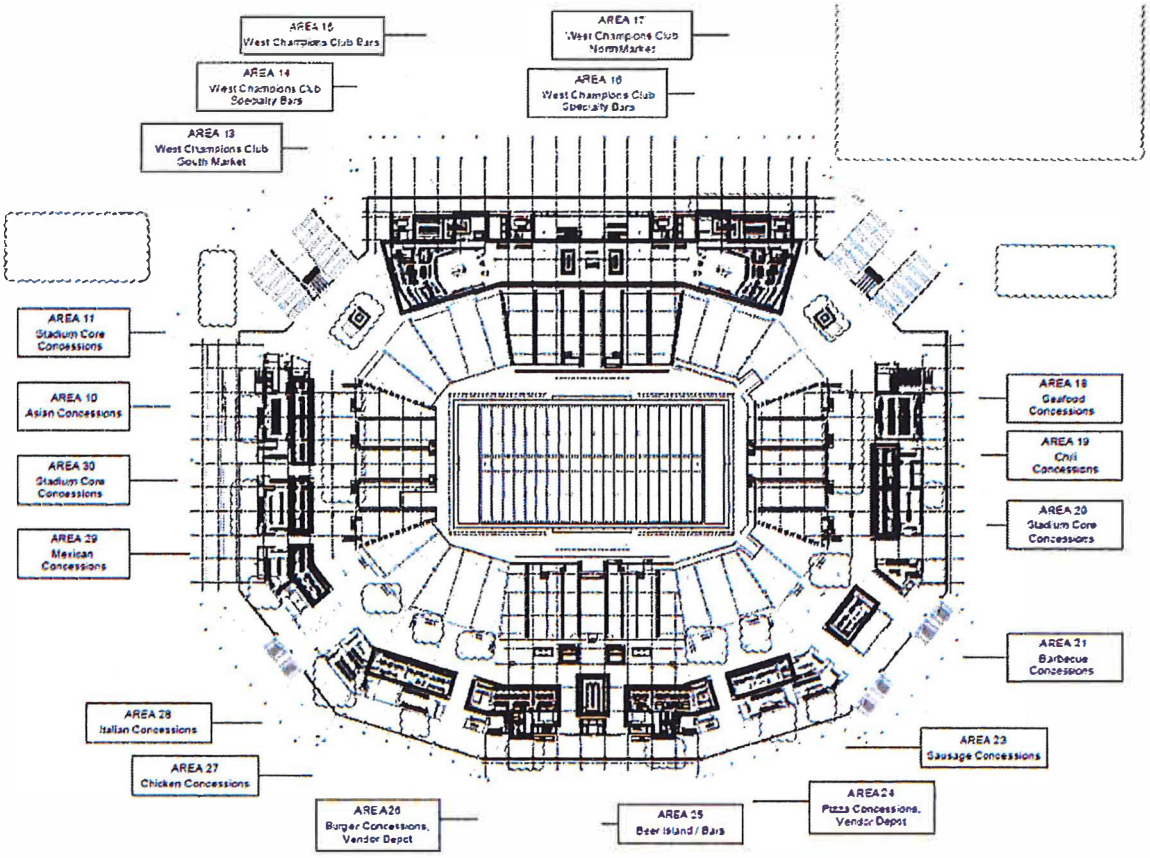
4949 Marie P DeBartolo Way
Santa Clara, CA 95054
Telephone: (408) 562-4949
Fax Number: (408) 727-4937

EXHIBIT A

Drawings and Plans

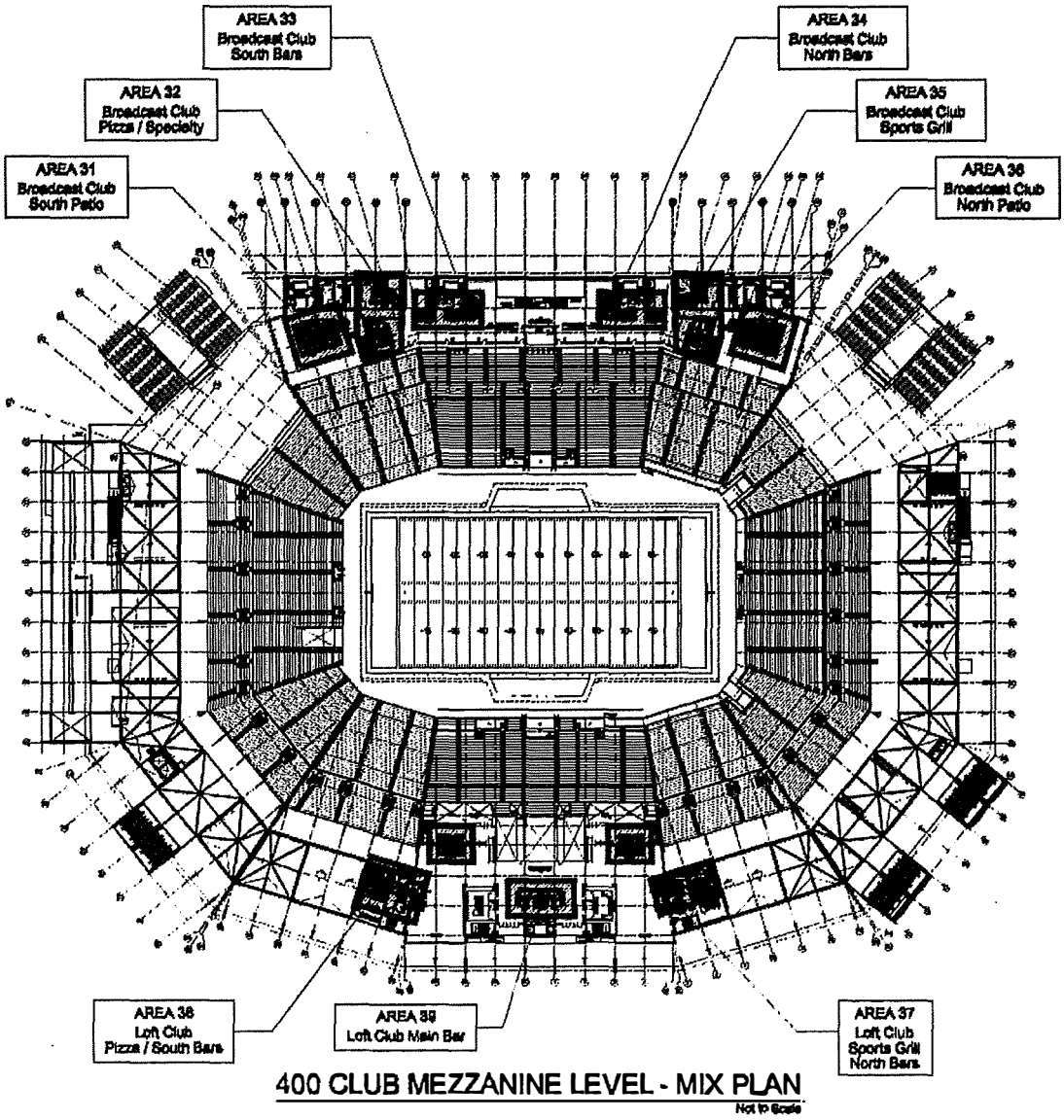
The Food and Beverage Facilities, the Leasehold Improvements and the Equipment shall be as shown in the following drawings or plans:





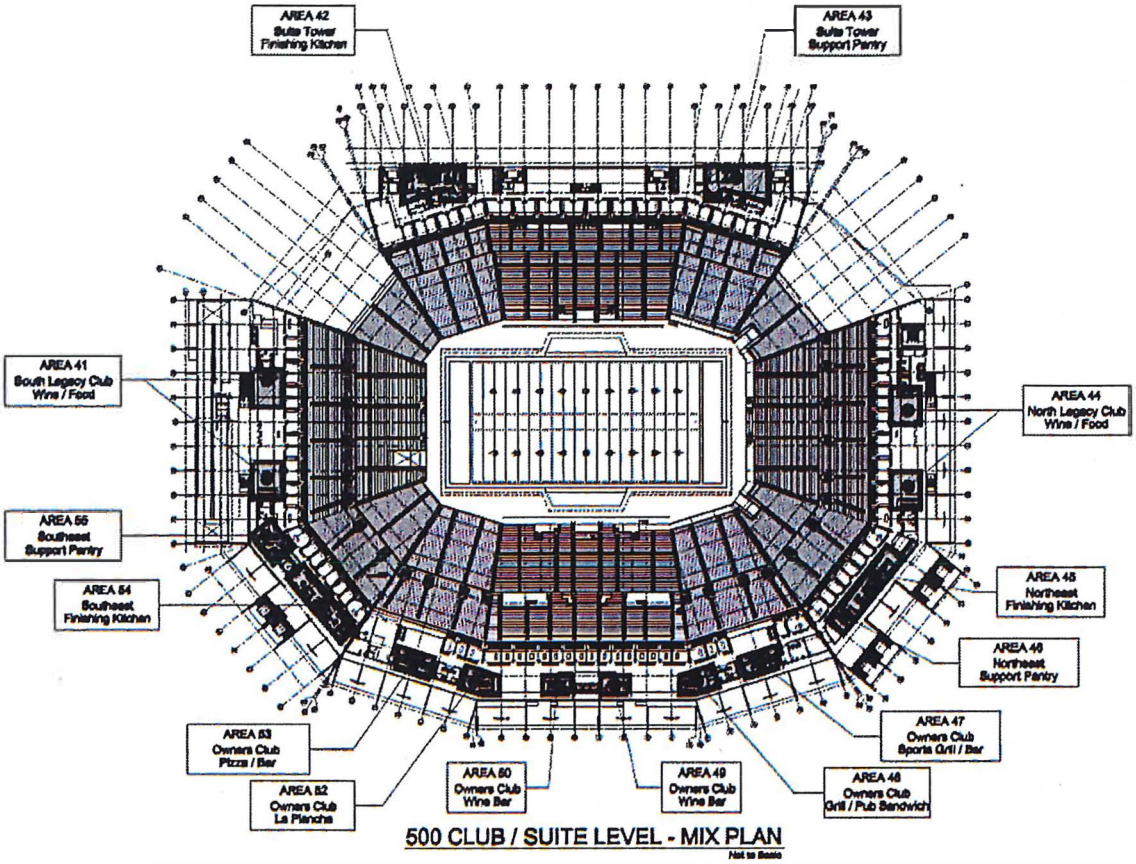
300 MAIN CONCOURSE LEVEL - MIX PLAN

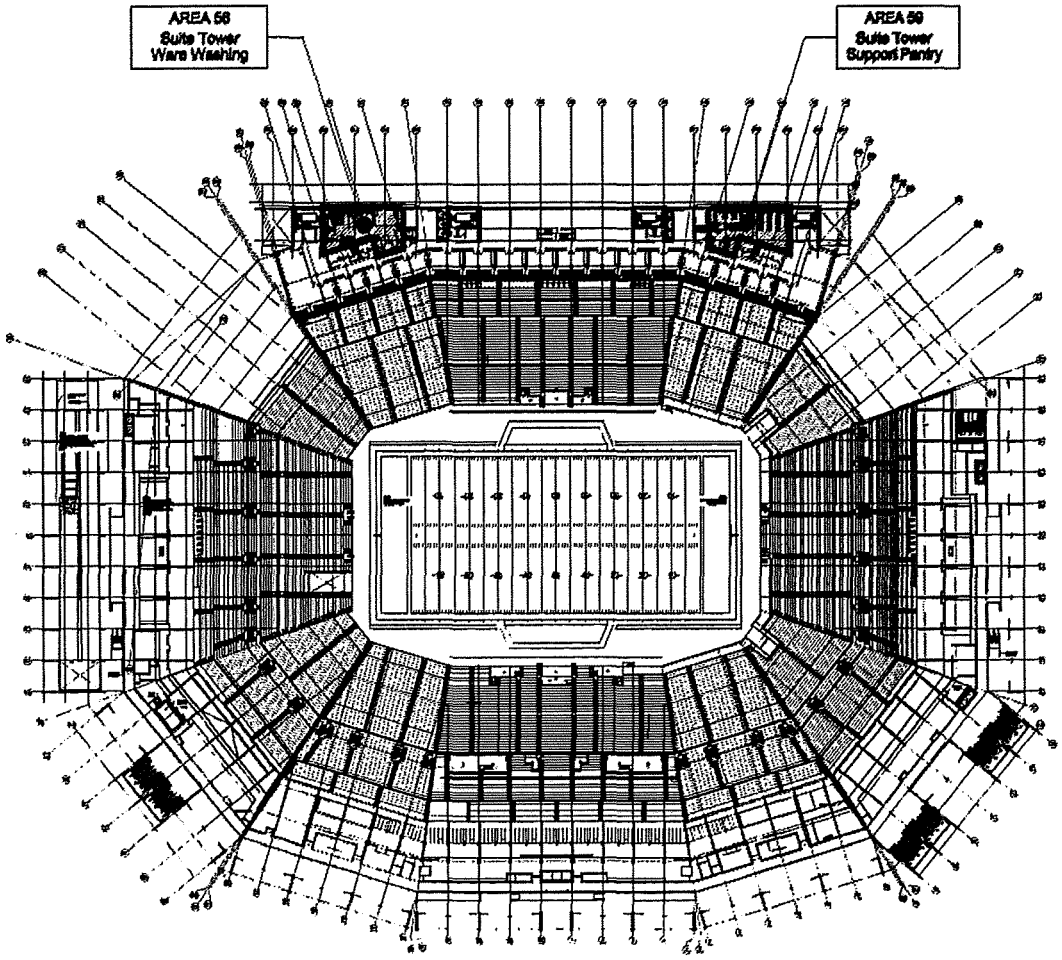
Not to Scale



400 CLUB MEZZANINE LEVEL - MIX PLAN

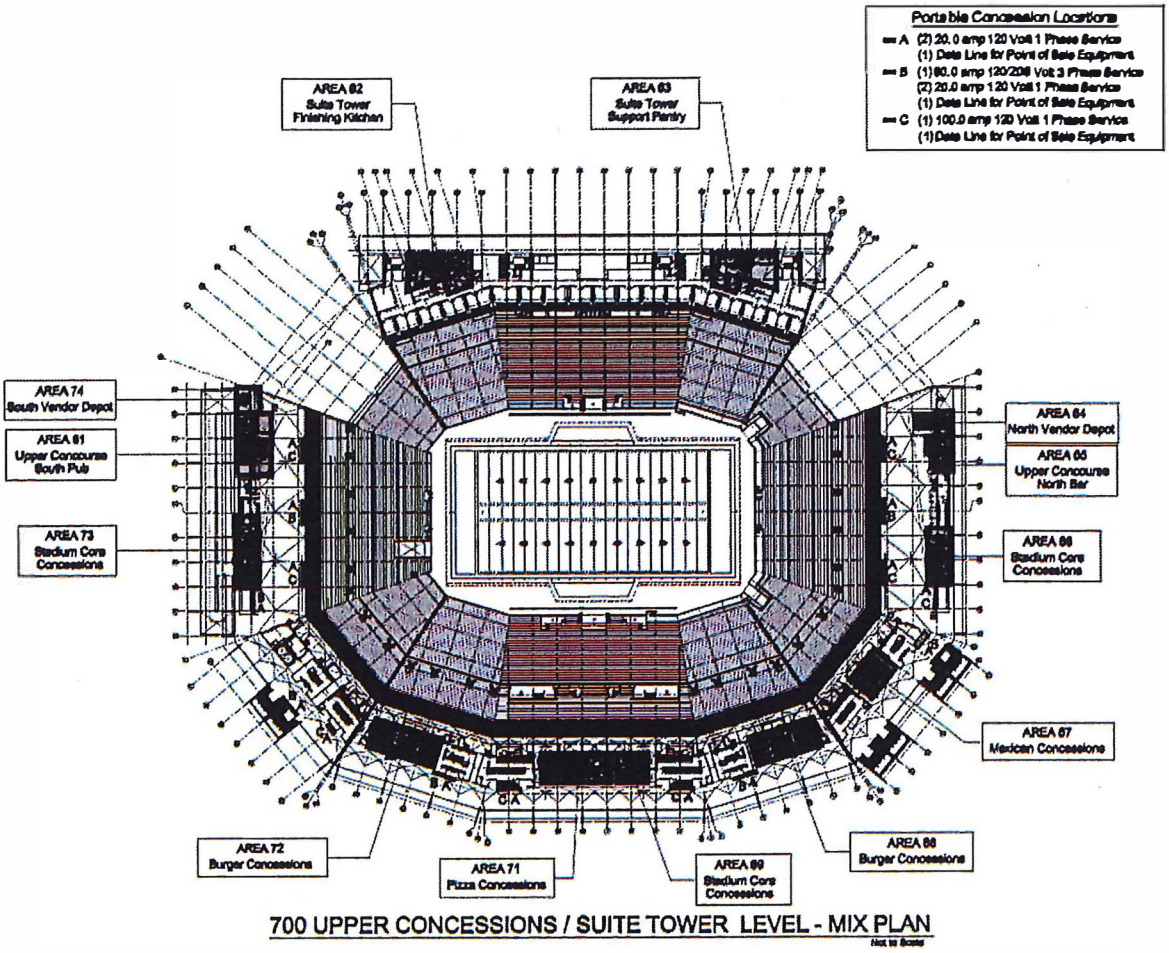
Not to Scale


AREA 42
Suite Tower
Finishing Kitchen
AREA 43
Suite Tower
Support Pantry
AREA 41
South Legacy Club
Wine / Food
AREA 44
North Legacy Club
Wine / Food
AREA 55
Southeast
Support Pantry
AREA 54
Southeast
Finishing Kitchen
AREA 45
Northeast
Finishing Kitchen
AREA 46
Northeast
Support Pantry
AREA 47
Owners Club
Sports Grill / Bar
AREA 53
Owners Club
Pizza / Bar
AREA 52
Owners Club
La Plancha
AREA 50
Owners Club
Wine Bar
AREA 49
Owners Club
Wine Bar
AREA 48
Owners Club
Grill / Pub Sandwich
500 CLUB / SUITE LEVEL - MIX PLAN



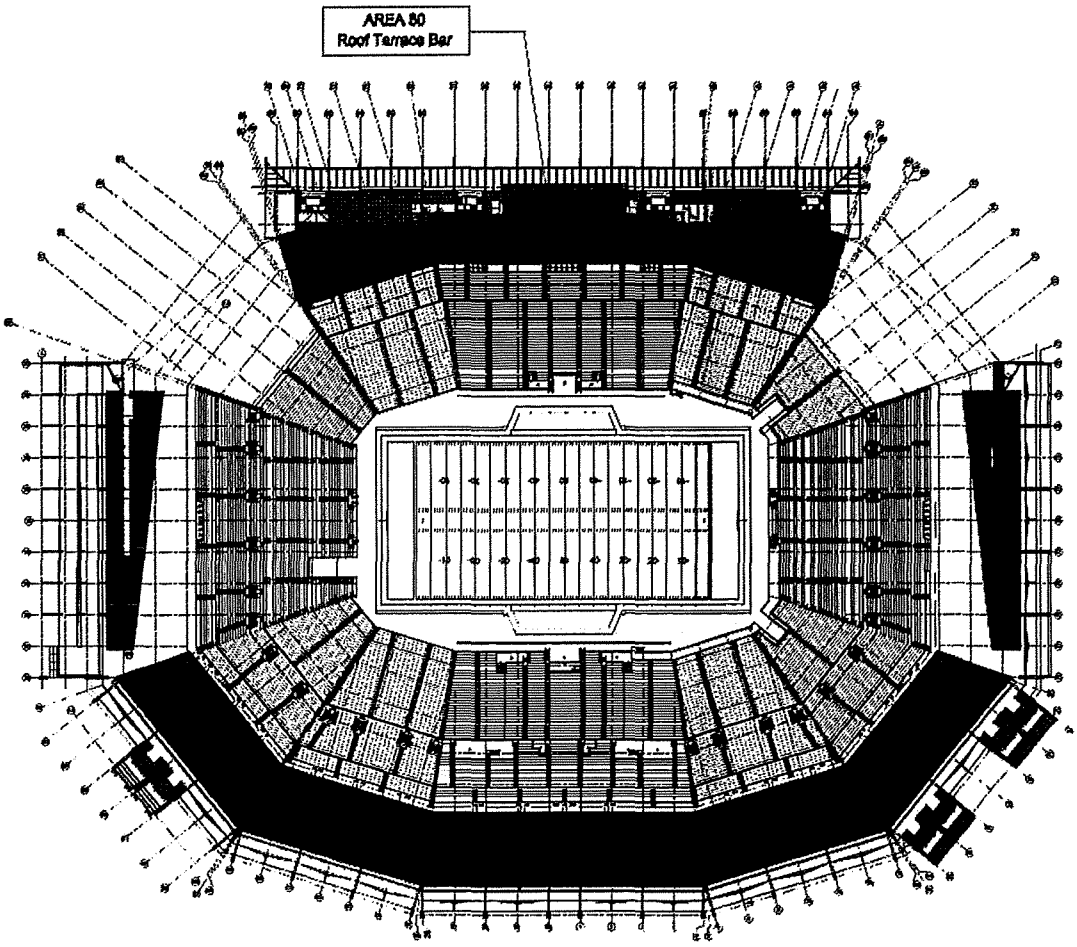
600 SUITE LEVEL - MIX PLAN

Not to Scale

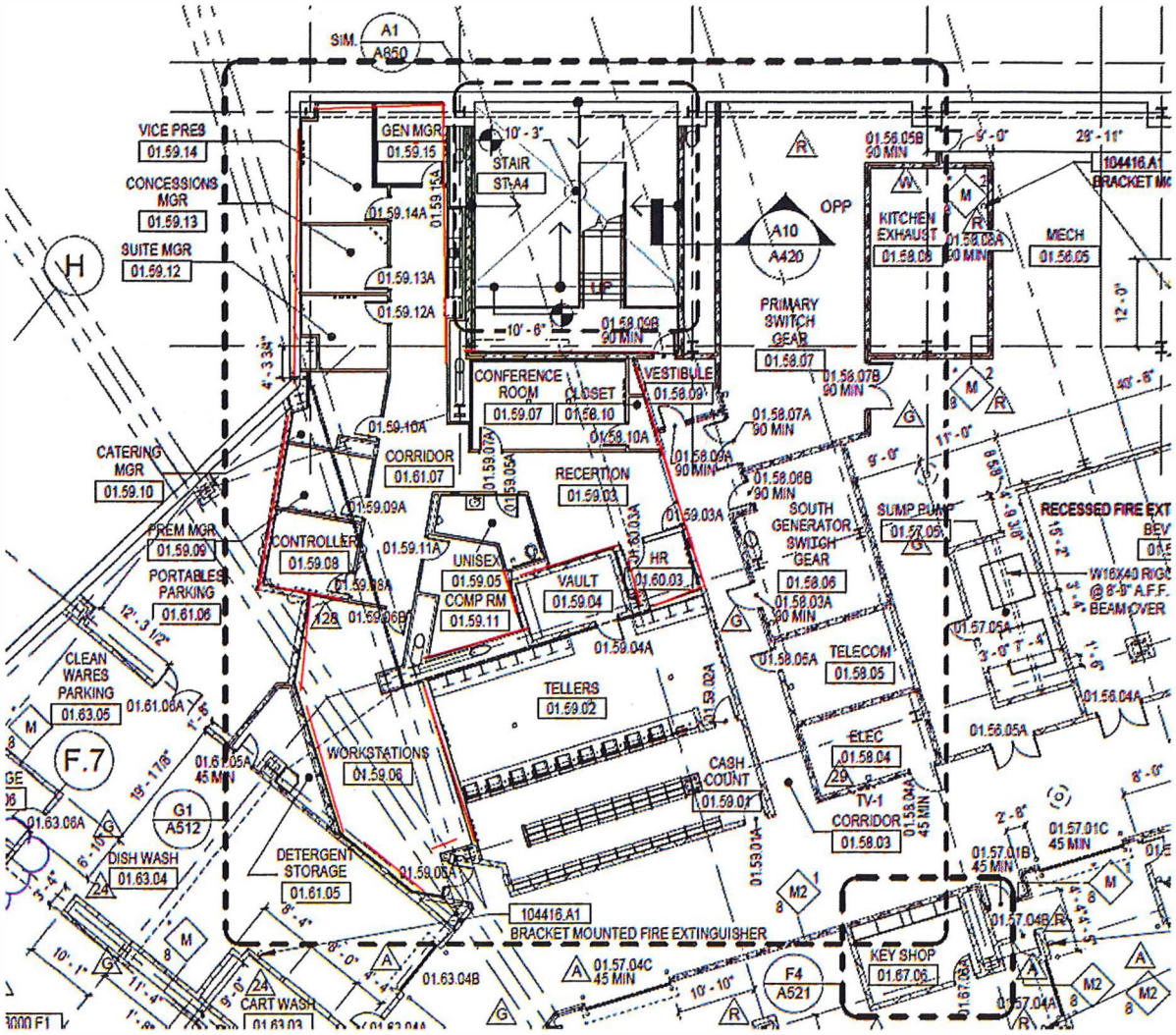


700 UPPER CONCESSIONS / SUITE TOWER LEVEL - MIX PLAN

Not to Scale



900 ROOF TERRACE LEVEL - MIX PLAN
Not to Scale



Pictured above: Concessionaire administrative offices.

EXHIBIT B

Sample Budget/Operating Costs Report

OPERATING INCOMES TATEMENT	PROFORMA								
LEVI'S STADIUM									
	NFL		CITY					TOTAL	
Gross Sales									
Concessions	$	%	$	%				$	%
Clubs	$	%	$	%				$	%
Net Subcontractors	$	%	$	%				$	%
InSeat	$	%	$	%				$	%
Suites	$	%	$	%				$	%
Catering	$	%	$	%				$	%
	$	%	$	%				$	%
Sales Total	$	%	$	%				$	%

Other Income	NFL		CITY					TOTAL	
Service Charges and Gratuities	$	%	$	%				$	%
Other Income Total	$	%	$	%				$	%

Adjustments to Gross Sales	NFL		CITY					TOTAL	
Sales Taxes									
Gratuiities									
Cost F&B services									
Service Charges (paid to employees)									
Credit Card Fees									
Other									
Adjustments to Gross Sales Total	$	%	$	%				$	%

Total Gross Receipts	$	%	$	%				$	%

Product Cost	NFL		CITY					TOTAL	
Concessions	$	%	$	%				$	%
Clubs	$	%	$	%				$	%
Net Subcontractors	$	%	$	%				$	%
InSeat	$	%	$	%				$	%
Suites	$	%	$	%				$	%
Catering	$	%	$	%				$	%
Product Cost Total	$	%	$	%				$	%

	Directly Attributable Costs				Joint Expenses		Total Joint	
Payroll	NFL		CITY		NFL	CITY		TOTAL	
Management	$	%	$	%				$	%
Hourly Labor	$	%	$	%				$	%
Service Charge	$	%	$	%				$	%
Taxes, Benefits, Workmen's Compensation &Union	$	%	$	%				$	%
Payroll Cost	$	%	$	%				$	%

	Directly Attributable Costs				Joint Expenses		Total Joint Expenses		
Operating Expenses	NFL		CITY		NFL	CITY		TOTAL	
Advertising and Classifieds (Recruiting)	$	%	$	%				$	%
Alarm	$	%	$	%				$	%
Armored Car Service	$	%	$	%				$	%
Audit Fees	$	%	$	%				$	%
Bank Charges	$	%	$	%				$	%
Bond Expense	$	%	$	%				$	%
Brand Franchise / Royalty Fees	$	%	$	%				$	%
Cleaning Supplies	$	%	$	%				$	%
Computer/Software Fees	$	%	$	%				$	%
Customer Survey Costs	$	%	$	%				$	%
Dues/ Subscriptions	$	%	$	%				$	%
Entertainment	$	%	$	%				$	%
Equipment Rental	$	%	$	%				$	%
Flowers/ Music	$	%	$	%				$	%
Ice	$	%	$	%				$	%
Insurance	$	%	$	%				$	%
Laundry / Linen	$	%	$	%				$	%
Licenses and Permits	$	%	$	%				$	%
Menus	$	%	$	%				$	%
Office Expenses	$	%	$	%				$	%
Paper Supplies	$	%	$	%				$	%
Pest Control	$	%	$	%				$	%
Postage / Freight	$	%	$	%				$	%
Printing	$	%	$	%				$	%
Professional Fees	$	%	$	%				$	%
Recruiting Expense	$	%	$	%				$	%
Relocation Expense	$	%	$	%				$	%
Smallwares	$	%	$	%				$	%
Telephone	$	%	$	%				$	%
Trash Removal	$	%	$	%				$	%
Travel and Meals	$	%	$	%				$	%
Utilities	$	%	$	%				$	%
Uncollectible Amounts	$	%	$	%				$	%
Uniforms	$	%	$	%				$	%
Vehicle Expense/Shuttle	$	%	$	%				$	%
Other	$	%	$	%				$	%
[illegible]	$	%	$	%	$	$		$	%
[illegible]	$		$	%					
Total Operating Costs	$	%	$	%				$	%

PROFITS AVAILABLE FOR DISTRIBUTION	$	%	$	%				$	%
Concessionaire Preference Payment	$	%	$	%				$	%
Investment Use Fee	$	%	$	%				$	%
Renewal and Replacement Amount	$	%	$	%				$	%
Annual 49ers Preference	$	%	$	%				$	%
Commissions to City	$	%	$	%				$	%
Levy Management Fee	$	%	$	%				$	%
NET RECEIPTS	$	%	$	%				$	%
49ers Share of Net Receipts	$	%	$	%				$	%
PROFITS PAYABLE TO 49ERS	$	%	$	%				$	%

EXHIBIT C

Outside Areas

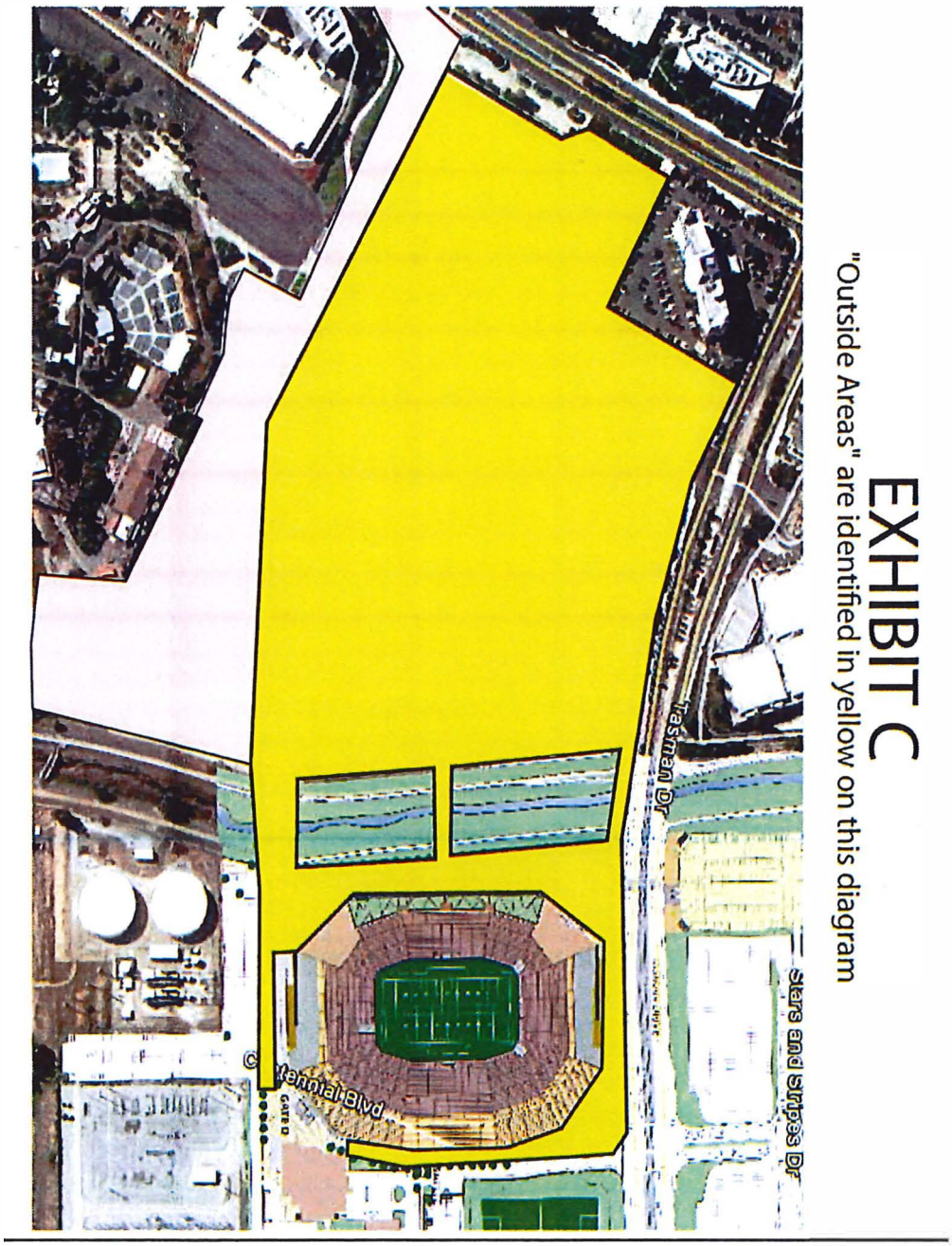
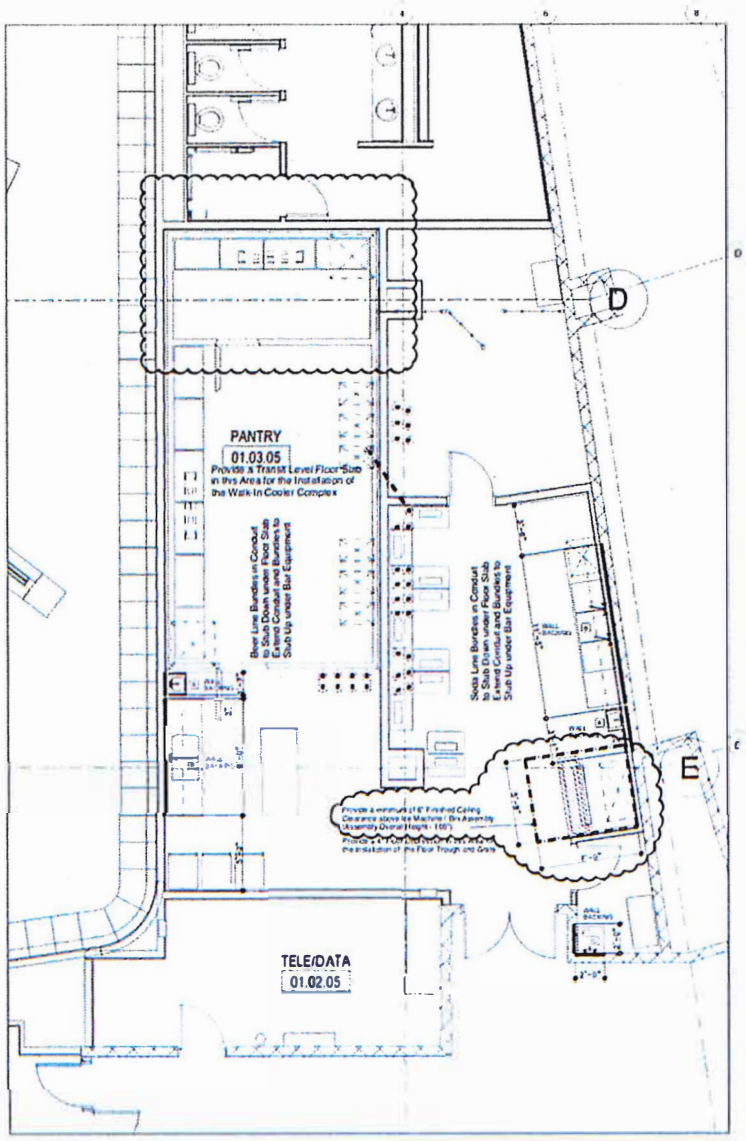


EXHIBIT D

Office and Storage Space





BUILDING CONDITIONS

FLOOR DEPRESSION

MASONRY END

NON-COMBUSTIBLE WALL MATERIAL (Verify Requirements with Local Codes)

FINISHED WALL OPENING

SLEEVE through WALL

WALL BACKING

CONDUIT STUB and RUN

WALL BACKING SCHEDULE

Type	Installation Height	Equipment Description
A	30" to 34" AFF	HAND SINK ASSEMBLY
B	48" to 72" AFF	WALL MOUNTED SHELF
C	30" to 42" AFF	MOP SINK FAUCET
D	40" to 52" AFF	FIRE SUPPRESSION PULL BOX
E	36" to 72" AFF	PRE-RINSE FAUCET, MOP HOOK
F	48" to 80" AFF	WATER FILTER ASSEMBLY
G	from Finished CEILING down 48"	FIRE SUPPRESSION SYSTEM
H	34" to 44" AFF	SOAP/TOWEL DISPENSER

WALL BACKING MATERIAL TO BE 2" x 12" WOOD MEMBER or EQUAL

THE INTENT OF WALL BACKING IS TO PROVIDE SUPPORT FOR ALL WALL MOUNTED EQUIPMENT. LENGTHS SHOWN ON THE SCHEDULE ARE MINIMUMS. ALWAYS EXTEND THE WALL BACKING TO THE NEXT STUD at EACH DIRECTION. WALL BACKING MAY BE OMITTED ON WALLS TO BE CONSTRUCTED OF CONCRETE BLOCK AND ENTERPRISE WALL BACKING MAY NOT BE REQUIRED

Area 8 - East Club Pantry Plan

Level 100 Scale: 1/4" = 1'-0"

EXHIBIT E

Example Employee Training Program(s)

Concessionaire is committed to provide a highly motivated, very professional and truly inspired on-site service team for the Stadium. First, we seek to hire people who are eager to serve others. It is then our obligation to provide them the tools to successfully cater to Stadium guests. At the core of this effort is Concessionaire's training program is a series of modules that provides our team the foundation to succeed. Our mandatory training sessions for all employees and not-for-profit volunteers include, but are not limited to the following topics:

Orientation

Extraordinary Guest Service

Job Task

Employee and Food Safety

Responsible Service of Alcohol

Each training session is aided by an audio/visual presentation and is sensitive to individual learning styles to maximize success. Concessionaire conducts written tests on the material presented in the session to ensure full understanding, and to identify areas that may need reinforcement, and we provide a certificate for each module completed.

ORIENTATION. As one would expect, orientation welcomes the new employee to Concessionaire's and to the Stadium. In addition to providing an overview of policies and procedures, we introduce them to their responsibility and role in providing you extraordinary experiences.

EXTRAORDINARY GUEST SERVICE. The goal of Concessionaire's guest service training is to provide our employees the tools and motivation to provide "Craveable Experiences" for our guests. Throughout the training process employees are taught to understand their role in our overall guest service and loyalty strategy and how their department and each individual contributes to guest enjoyment.

JOB SKILLS TRAINING. All employees receive skills training in the tasks specific to their position. For instance, our quick service department training materials include sessions for cashiers, stand managers, culinary personnel, and our service attendants.

RESPONSIBLE SERVICE OF ALCOHOL: "TEAM OR TIPS TRAINING." Where alcohol is served, Concessionaire requires all managers and service staff to attend ongoing training in alcohol awareness programs (TiPS, TEAM or state certification programs). All new hires must complete alcohol awareness training within 30 days of hire and attend updates every six months. If an employee fails to complete the program within the mandated time frames, he

or she will not be eligible to work until completion of the coursework can be verified. All participants must pass a test at the end with a grade of ninety percent or better to become certified. Employees who fail are not allowed to work in Alcoholic Beverage serving positions.

SAFE FOOD HANDLING: "SERVSAFE TRAINING." All employees who handle food including front-of-house and our culinary team are required to attend a ServSafe quality assurance program. An industry expert performs an interactive training program, designed to educate employees regarding critical food safety. During this training program participants receive valuable information regarding safe food practices and are given the tools and information to apply critical food safety practices to everyday situations.

TRAINING FREQUENCY. Each new employee must complete at minimum 5 of the applicable training courses before serving guests. This process is typically 5 to 6 hours with a quiz session for each. This formal training is supported by continuous pre-service training refreshers, a poster program, and ongoing communications. Each subsequent season, the veteran employee must re-take all courses (less orientation).

EXHIBIT F

Service Levels

A. Concessionaire shall provide all Food and Beverage Services in a professional, "First Class" manner ("First Class," as used in this Agreement, means that Concessionaire's services shall be of the highest quality offered in NFL stadiums, commensurate with the current standards at three (3) top-quality NFL stadiums and in accordance with 1) the terms of this Agreement; 2) all applicable legal requirements; 3) all reasonable standards established from time to time by the Manager relating to health, safety, quality, design, operating matters, and customer satisfaction (i.e. fans) and; 4) all rules and regulations imposed by the Manager relating to the use of the Stadium.

B. All Refreshments provided by Concessionaire hereunder shall be of premium quality and shall be prepared, stored and served in a healthy and gracious manner, with due regard for the level of First Class service required under the preceding Paragraph A. Concessionaire shall cause its roving vendors to comply with any and all standards or requirements that may be promulgated by the Manager from time to time.

C. Concessionaire shall maintain sufficient inventory of Refreshments at the Stadium (and at each point-of-sale within the Stadium operated by Concessionaire) in order to fulfill Concessionaire's obligations to provide the Food and Beverage Services for the entirety of each Event at the Stadium. Without limitation, Concessionaire acknowledges and agrees that Concessionaire shall maintain inventory (at all times, at each location selling such items) of the top five revenue generating items in each of the Food, Alcoholic Beverages, and Non-Alcoholic Beverages categories, as determined by the previous year's sales for similar event types or as selected by Manager in its sole discretion.

Service Areas Cheat Sheet

Room	Position	Level	Capacity	Payment	Serviceware
BNY Mellon Club East	East	1	510	All Inclusive	China*
Brocade Club	East	1	1,326	Cash	Disposable
BNY Mellon Club West	West	1	442	All Inclusive	China*
United Club	West	3	3,338	Cash	Disposable
Levi's 501 Club	East	3	2,422	Cash	Disposable
General Concessions	Varied	3 & 7	55,006	Cash	Disposable
Yahoo! Fantasy Football Lounge	West	4	1,314	Cash	Disposable
Citrix Owners Club and Owners Club Suites	East	5	586	All Inclusive	China
Executive Suites	West	TBD	412	Cash	China*
Team Suites	TBD			Cost	China*
Naming Rights Suite	TBD			Cost	China*
Black Oak Casino Resort Suites	North/South			Cash	China*
Black Oak Casino Resort Club	North/South			Cash	China*
Verizon Press Level	West	8	912	Cost	Disposable
StadCo Suite(s)	TBD	TBD	TBD	Cost	Disposable
Plazas				Cash	Disposable
Parking Lots				Cash	Disposable
Catering	Varied	TBD	TBD	Cash	TBD
Employee Meal	TBD	TBD	TBD	Cost	Disposable

**** Serviceware to be china, glass and silver, to the extent reasonably practicable***

EXHIBIT G

Manager's Share of Net Receipts[1]

Concessionaire shall pay to Manager the following percentages of Net Receipts (which is calculated based on NFL Events):

Total Amount of Annual Net Receipts	Manager's Share of Net Receipts	Concessionaire's Share of Net Receipts
$0 - $3,000,000	90%	10%
$3,000,001 - $3,500,000	87.5% (on the increment)	12.5% (on the increment)
Greater than $3,500,000	85% (on the increment)	15% (on the increment)

By way of example, Net Receipts totaling $4,000,000.00 would be split as follows:

Total Amount of Annual Net Receipts	Manager's Share of Net Receipts	Concessionaire's Share of Net Receipts
$0 - $3,000,000	$2,700,000	$300,000
$3,000,001 - $3,500,000	$437,500	$62,500
Greater than $3,500,000	$425,000	$75,000

Authority's Commissions

Concessionaire shall pay to Manager the following percentages of Gross Receipts from Authority Events:

Gross Receipts	Large Events (>25,000)	Small Events (<25,000)
Concessions	48%	40%
Clubs	35%	35%
In Seat	48%	40%
Suites	20%	20%
Catering and Catered Events	25%	25%
Net Subcontractors	50%	50%

[1] This Agreement is contingent upon the Team playing the majority of its Home Games at the Stadium.

EXHIBIT H

Ethical Standards for Concessionaire

Termination of Agreement for Certain Acts.

A. Manager may terminate this Agreement in the event any one or more of the following occurs:

1. If the Concessionaire[2] does any of the following:

   a. Is convicted of operating a business in violation of any Legal Requirements;

   b. Is convicted[3] of a crime punishable as a felony involving dishonesty[4];

   c. Is convicted of an offense involving dishonesty or is convicted of fraud or a criminal offense in connection with: (1) obtaining; (2) attempting to obtain; or, (3) performing a commercial contract or subcontract;

   d. Is convicted of any offense which indicates a lack of business integrity or business honesty which seriously and directly affects the present responsibility of a Concessionaire; and/or,

   e. Made (or makes) any false statement(s) or representation(s) with respect to this Agreement.

2. If fraudulent, criminal or other seriously improper conduct of any officer, director, shareholder, partner, employee or other individual associated with Concessionaire can be imputed to Concessionaire when the conduct occurred in connection with the individual's performance of duties for or on behalf of Concessionaire, with Concessionaire's knowledge, approval or acquiescence, Concessionaire's acceptance of the benefits derived from the conduct shall be evidence of such knowledge, approval or acquiescence.

---

2 For purposes of this Exhibit H, "Concessionaire" means Levy Premium Foodservice Limited Partnership, and any person who controls or who has the power to control Levy Premium Foodservice Limited Partnership, or a primary corporate stockholder (i.e., a person who owns more than ten percent (10%) of the outstanding stock (or membership interests, as the case may be) of Levy Premium Foodservice Limited Partnership), and who is active in the day to day operations of Levy Premium Foodservice Limited Partnership.

3 For purposes of this Agreement, the words "convicted" or "conviction" mean a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere within the past five (5) years.

4 As used herein, "dishonesty" includes, but is not limited to, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, failure to pay tax obligations, receiving stolen property, collusion or conspiracy.

EXHIBIT I

Affidavit of Compliance with Ethical Standards

I, Rob Ellis, hereby state that I am Executive Vice President and Chief Financial Officer of Levy Premium Foodservice Limited Partnership and that I have read and understand the language, entitled "Ethical Standards for Concessionaire" set forth in **Exhibit H** to this Agreement. I have the authority to make these representations on my own behalf or on behalf of the legal entity identified herein. I have examined appropriate business records, and I have made appropriate inquiry of those individuals potentially included within the definition of "Concessionaire" contained in the Ethical Standards for Concessionaire at footnote 1.

Based on my review of the appropriate documents and my good-faith review of the necessary inquiry responses, I hereby state that neither the business entity nor any individual(s) included in the definition of "Concessionaire" in **Exhibit H** to this Agreement has been convicted of any one or more of the crimes identified in the Ethical Standards for Concessionaire within the past five (5) years.

The above assertions are true and correct and are made under penalty of perjury under the laws of the State of California.

LEVY PREMIUM FOODSERVICE LIMITED PARTNERSHIP
an Illinois limited partnership

By: _____
Name: Rob Ellis
Title: Executive Vice President/CFO
Address: 980 N. Michigan Ave., Suite 400
Telephone Number: 312-664-8200

EXHIBIT J

Sample Event Checklist
(To be completed before every Event)

Pre-Event

Staffing

- ☐ Anticipated Attendance and Staffing Ratios below:

Area	Attendance	Staff	Ratio
Lower Bowl			
Upper Bowl			
Clubs			
Field			
Total			

- ☐ All staff have undergone appropriate training
- ☐ Confirm Suite Attendants (3/Team Suite, 1/Owners, 1/Every 2 Remaining Suites)

Menu

Confirm All-Inclusive Service Tier Menu:

	Tier A	Tier B	Tier C	Tier D
BNY East	☐	☐	☐	☐
BNYWest	☐	☐	☐	☐
Citrix	☐	☐	☐	☐
Trophy	☐	☐	☐	☐

- ☐ Number of Pre-Orders: _____
- ☐ Number of Runners (In-Seat): _____
- ☐ List of Closed Concessions:

NFL Events Only:

- ☐ Confirm food truck attendance

Truck 1 _____

Truck 2 _____

Truck 3 _____

- ☐ Free Snack Offering:

Brocade _____

Levi's _____

United _____

Yahoo _____

Post Event

Improvements needed for next event:

Exhibit K

Cost F&B Services Reporting

	House Charges	All Inclusive	Total
Service Area 1: (for example, Owner's Club)			
Sales			
Direct COGS			
Labor			
Management			
Hourly Labor			
Service Charges			
Taxes, Benefits, Workmen's comp, and Union			
Total Labor			
Other (Please add detail)			
Direct Expenses			
Net			
Service Area 2: (for example, BNY East)			
Sales			
Direct COGS			
Labor			
Management			
Hourly Labor			
Service Charges			
Taxes, Benefits, Workmen's comp, and Union			
Total Labor			
Other (Please add detail)			
Direct Expenses			
Net			
Service Area 3: (for example, BNY West)			
Sales			
Direct COGS			
Labor			
Management			
Hourly Labor			
Service Charges			
Taxes, Benefits, Workmen's comp, and Union			
Total Labor			
Other (Please add detail)			
Direct Expenses			
Net			

EXHIBIT L

Transitional Expenses

Position	# Nights - Assuming a 90 Day Transition	Lodging Estimate Based on 150/Night	Estimated Flight Cost - Avg. Flight 400.	Transportation ($45/day rental car)	Meals	Total
Culinary	20	$3,000.00	$1,600.00	$900.00	$1,000.00	$6,500.00
HR	50	$7,500.00	$2,000.00	$0.00	$2,500.00	$12,000.00
Training & Development	15	$2,250.00	$1,200.00	$0.00	$750.00	$4,200.00
Purchasing	30	$4,500.00	$1,600.00	$1,350.00	$1,500.00	$8,950.00
E15/Curiology	15	$2,250.00	$800.00	$675.00	$750.00	$4,475.00
Operational Support	50	$7,500.00	$2,000.00	$2,925.00	$1,250.00	$13,675.00
TAL						**$49,800.00**

FIRST AMENDMENT TO CONCESSIONS OPERATING AGREEMENT

THIS FIRST AMENDMENT TO CONCESSIONS OPERATING AGREEMENT (this "**First Amendment**") is made and entered into effective as of ____ , 2021 (the "**Effective Date**"), by and between Forty Niners Stadium Management Company, LLC, a Delaware limited liability company ("**Manager**"), and Levy Premium Foodservice Limited Partnership, an Illinois limited partnership ("**Concessionaire**").

RECITALS

WHEREAS, the parties entered into that certain Concessions Operating Agreement, dated February 20, 2018 (the "**Agreement**"), under which Manager granted Concessionaire the right to provide certain food and beverage service at the multi-purpose stadium, currently known as "Levi's Stadium," located at 4900 Marie P DeBartolo Way, Santa Clara, CA 95054 (the "**Stadium**"); and

WHEREAS, the parties desire to amend the Agreement as described below.

NOW, THEREFORE, in consideration of the mutual covenants herein granted and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Due to the COVID-19 global pandemic, the related stay-at-home, shelter-in-place, and social distancing orders and directives, the Team played fewer than eight (8) Home Games at the Stadium during the 2020-2021 Fiscal Year (i.e., April 1, 2020-March 31, 2021). Thus, as required under Section 3.3 of the Agreement, Manager and Concessionaire have agreed to extend the Term by one (1) Fiscal Year. Section 3.3 of the Agreement is hereby amended and restated in its entirety as follows:

"3.3 **Term**.

The "**Term**" of this Agreement shall commence on the Commencement Date and terminate without the need for notice or other action by either party on the day immediately preceding the thirteenth (13th) anniversary of the Commencement Date, unless sooner terminated under Article IX. Although the Term does not commence until the Commencement Date, this Agreement shall be effective, and the parties hereto shall have certain rights and obligations, from the Effective Date. Manager shall have the option, in its sole discretion, to extend the Term of the Agreement for five (5) additional two (2) year periods by notifying Concessionaire in writing of its desire to exercise said option(s) not more than one hundred twenty (120) days prior to the expiration of the then-current Term. If fewer than eight (8) Home Games occur in any Fiscal Year, the Term shall be extended by one (1) year for each such season."

2. Section 5.1(f) of the Agreement is hereby amended and restated as follows:

"(f) Each Fiscal Year throughout the Term, except for the 2020-2021 Fiscal Year (i.e., April 1, 2020 - March 31, 2021), Concessionaire shall provide Manager an innovation fund

of One Million Dollars ($1,000,000.00) (the "**Innovation Fund**"). The Innovation Fund will total Twelve Million Dollars ($12,000,000.00) in the aggregate for the duration of the Term and will be used to support the implementation of modern concepts and fan experiences at the Stadium, as determined by Manager in consultation with Concessionaire."

3. Effective April 1, 2020, the schedule of the Investment Use Fee in Section 5.1(k) of the Agreement has been amended and restated in its entirety as follows:

"(i) Fiscal Year 1 – $1,416,667.00

(ii) Fiscal Year 2 – $1,416,667.00

(iii) Fiscal Year 3 - $0.00

(iv) Fiscal Year 4 – $1,416,667.00

(v) Fiscal Year 5 - $1,416,667.00

(vi) Fiscal Year 6 - $2,041,667.00

(vii) Fiscal Year 7 - $2,041,667.00

(viii) Fiscal Year 8 - $2,041,667.00

(ix) Fiscal Year 9 - $2,041,667.00

(x) Fiscal Year 10 - $2,041,667.00

(xi) Fiscal Year 11 - $2,041,667.00

(xii) Fiscal Year 12 - $2,041,667.00

(xiii) Fiscal Year 13 - $2,041,667.00"

4. As a result of the foregoing extension of the Term though April 15, 2031, the parties hereby acknowledge and agree that as of April 1, 2020: (i) the Initial Capital Investment and Innovation Fund will stop amortizing from April 1, 2020 through March 31, 2021; (ii) effective April 1, 2021, the Initial Capital Investment and Innovation Fund will continue to amortize on a straight-line basis through the end of the extended Term; (iii) the Refresh Investment will amortize on a straight-line basis through the extended Term, as indicated in Section 5.1(k) of the Agreement; and (iv) the amortization of the Hub for Next Generation Sports Entertainment Fund will re-spread and continue to amortize on a straight-line basis through the end of the extended Term.

5. Except as specifically modified by this First Amendment, the terms and conditions of the Agreement shall remain in full force and effect. This First Amendment supersedes all prior oral or written agreements with respect to the subject matter hereof. All terms used herein and not otherwise defined shall have the meanings ascribed to them in the Agreement.

6. This First Amendment may be executed in counterparts, each of which will constitute an original instrument and all of which together will constitute the same instrument. Facsimile and electronically transmitted copies of signatures to this First Amendment shall be deemed authentic and original for all purposes.

* * * * *

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the day and year first written above.

FORTY NINERS STADIUM MANAGEMENT COMPANY, LLC	LEVY PREMIUM FOODSERVICE LIMITED PARTNERSHIP
By: _____	By: _____
Name: _____	Name: _____
Its: _____	Its: _____

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[1] Changes made by Stadium Authority Counsel.

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6. This First Amendment may be executed in counterparts, each of which will constitute an original instrument and all of which together will constitute the same instrument. Facsimile and electronically transmitted copies of signatures to this First Amendment shall be deemed authentic and original for all purposes.

* * * *

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the day and year first written above.

FORTY NINERS STADIUM MANAGEMENT COMPANY, LLC	LEVY PREMIUM FOODSERVICE LIMITED PARTNERSHIP
By:_____	By:_____
Name:_____	Name:_____
Its: _____	Its: _____

21-745 **Agenda Date: 5/25/2021**

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT
Request from the Stadium Manager for Approval to Add Stadium Builder's Licenses to Temporary Field Seats in the North and South Endzones of Levi's Stadium

BOARD PILLAR
Ensure Compliance with Measure J and Manage Levi's Stadium

DISCUSSION
On May 10, 2021, the Forty Niners Stadium Management Company LLC (Stadium Manager) Stadium Manager submitted a request to add $10,000 Stadium Builder's Licenses (SBLs) to 64 temporary field seats in the North and South endzones of Levi's Stadium along with a document that outlines their revenue projections over the span of 30 years. This proposal has been previously presented to the Stadium Authority Board and at the time was denied with Board direction for additional information/modifications to the Stadium Manager's proposal.

ATTACHMENTS
1. Stadium Manager's Email Request

From: Mercurio, Jim
To: Christine Jung; Compliance Manager; Deanna Santana
Cc: Brian Doyle; Ruth Shikada
Subject: RE: Field Seats and Levy Agreement
Date: Monday, May 10, 2021 5:43:33 PM
Attachments: image001.png
image002.png
image004.png
First Amendment to Concessions Operating Agreement Levy Premium Foodserv....pdf
2021 Field Seats SCSA Revenue.pdf

Deanna:

As we discussed in our most recent quarterly meeting, Stadium Manager is seeking approval from the SCSA of (1) the setting of SBL pricing for field seating in the north and south endzones of Levi's Stadium and (2) an amendment to the Stadium's Concessions Agreement as a result fewer than 8 games being played at Levi's Stadium during the 2020 NFL season.

For the Field Seats, these seats continue to be popular with fans and present a significant financial opportunity to drive additional revenue directly to the SCSA. Although we have not yet received final approval for the seats from the NFL for the 2021 season, we would like to proceed with finalizing the price point so that when approval is received, we are prepared to go to market with the seats.

While in the past we have presented multiple options for pricing, we believe that the optimal price point for these seats is an SBL of $10,000 per seat. At this price level, we anticipate full sell-through of the field seating within 18 months, generating a projected $1,172,980.00 in total revenue to the SCSA over the life of the seats.

Further, as we discussed in the quarterly meeting, the 49ers have committed to covering any food and beverage credits associated with these SBLs. Thus, the SCSA will not be obligated to fund any buffets associated with the seats.

I have attached our revenue projections for the seats to this email. The projections assume pricing approval at the May 25 SCSA Board meeting, and approval from the NFL prior to June 1.

The other item that requires approval at the May 25 SCSA Board meeting is the attached First Amendment to the Stadium's Concessions Agreement. Under Section 3.3 of the original Concessions Agreement, the parties agreed to the extension of the term of the agreement by one year in the event that fewer than 8 home games are played at the Stadium in any fiscal year. Because only 5 home games were played in Levi's Stadium during the 2020 NFL season, the parties are obligated to extend the term for one additional year.

In addition to extending the term of the agreement, the attached amendment contains limited financial housekeeping to ensure Levy's back-end accounting aligns with their investment commitment and the new 13-year term. These modifications have no impact on the revenues or costs to the SCSA.

We are happy to answer any additional questions that you or your staff may have ahead of the May

25 meeting.

Thanks,

JIM

JIM MERCURIO
Executive Vice President & General Manager
Forty Niners Stadium Management Company
T 408.562-4944 | M 650 642-4909
Levi's® Stadium
4900 Marie P. DeBartolo Way
Santa Clara, CA 95054



_____

#FTTB
49ers.com

From: Christine Jung <CJung@SantaClaraCA.gov>
Sent: Thursday, April 29, 2021 9:04 AM
To: Mercurio, Jim <jim.mercurio@49ers.com>; Compliance Manager <compliancemanager@49ers-smc.com>
Cc: Deanna Santana <DSantana@SantaClaraCA.gov>; Brian Doyle <BDoyle@SantaClaraCA.gov>; Ruth Shikada <RShikada@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>
Subject: Field Seats and Levy Agreement

Hi Jim,

We have not yet received any information from the Stadium Manager on the proposed field seats and amendment to the Levy agreement which were discussed during our April 15 staff meeting. At this point, the Stadium Authority will not have sufficient time to review and analyze information the Stadium Manager submits and draft corresponding agenda reports on its behalf for the May 11 Stadium Authority Board meeting.

We can plan on bringing these two items forward for the Board's consideration at the May 25 meeting if the Stadium Manager is able to submit the written requests and supporting information/documentation by Monday, May 10, 2021. As requested during our April 15 meeting, we ask that the Stadium Manager send whatever information it currently has on the two items as soon as possible so that staff can start preparing the agenda reports and plug in the missing information/documents when received (e.g., NFL approval of the field seats).

Thank you,
Christine Jung | Assistant to the Executive Director
1500 Warburton Avenue | Santa Clara, CA 95050
D: 408.615.2218 | www.santaclaraca.gov/scsa

21-736 **Agenda Date: 5/25/2021**

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT
Stadium Authority Response Regarding the Stadium Manager's Proposal to Add Stadium Builder's Licenses to Temporary Field Seats in the North and South Endzones of Levi's Stadium

BOARD PILLAR
Ensure Compliance with Measure J and Manage Levi's Stadium

BACKGROUND
The Forty Niners Stadium Management Company LLC (Stadium Manager) has presented a proposal to add Stadium Builder's Licenses (SBLs) to temporary field seats in the North and South Endzones of Levi's Stadium which provides for possible additional Stadium Authority revenue for debt repayment by the Santa Clara Stadium Authority (Stadium Authority). This proposal has been previously presented to the Stadium Authority Board and was denied with Board direction for additional modifications to the Stadium Manager's proposal.

This section of the report summarizes the various relevant legal provisions of multiple agreements, NFL approval, and a summary of SBLs for temporary field seats.

Relevant Provisions in the Lease, Management and/or SBL Agreements
When considering the Stadium Manager's proposal, it is important to take all of the following provisions from multiple Stadium Agreements into consideration, as well as options available to the Stadium Authority to minimize risk and maximize revenue for the purpose of debt repayment (e.g., Lease, Credit, Management, Operations, Non-Relocation, and SBL Agreements).

Lease Agreement -- Stadium Lease Agreement with the Forty Niners SC Stadium Company LLC (StadCo) provides that the Stadium Authority has the sole and exclusive right to sell, license, or transfer SBLs and similar instruments for the seats located in Levi's Stadium, with the exception of those seats located in, or accessible through, the Suites. Specifically, the relevant Agreement section reads:

> **STADIUM LEASE AGREEMENT 4.6.1 STADIUM BUILDER'S LICENSES.**
> As owner of the Stadium, ***the Stadium Authority possesses the sole and exclusive right to sell, license, or otherwise transfer SBLs and similar instruments and rights with respect to any and all of the manifested seats located in the Stadium*** (i.e., seats available and intended for sale to the general public), but excluding seats located in, or accessible through, the Suites. Prior to the Effective Date of this Lease, the Stadium Authority commenced marketing of SBLs and has entered into various SBL Agreements. The Stadium Authority specifically reserves the right to enter into SBL Agreements over the Term of this Lease with respect to any and all seats located in the Stadium, including the right to resell any SBLs that are terminated in accordance with the provisions of the SBL Agreement. Tenant agrees that, in the marketing and sale of Tickets to NFL Games and, following the Tenant Season Expansion Date, Non-NFL Events, ***Tenant will offer such Tickets to the SBL Holders, as and to the extent provided in the SBL Agreement***. Subject to the terms and conditions of the

Stadium Lease Documents, including without limitation, the provisions of Paragraph 7.3.1 of this Lease, Tenant shall also be responsible to make available to SBL Holders the amenities described in Exhibit D to each such SBL Agreement to the extent applicable to NFL Events, including providing a complimentary buffet to certain SBL Holders during NFL Games; provided, however, that the Stadium Authority shall, within thirty (30) days following receipt of an invoice therefor, reimburse Tenant for all costs and expenses incurred by Tenant in providing any such complimentary buffets***. In no event shall Tenant have any obligations under any seat licenses sold, transferred or licensed by the Stadium Authority other than licenses issued to Persons pursuant to the SBL Agreement ("Other Seat Licenses"),*** nor shall any Other Seat Licenses affect Tenant's rights or increase Tenant's obligations under this Lease, nor shall Tenant be bound by the agreements made by the Stadium Authority in any such Other Seat Licenses, without Tenant's prior written approval, which approval may be granted or withheld in Tenant's sole and absolute discretion.

Credit Agreement -- As the Borrower, Stadium Authority is required to use SBL proceeds to pay down debt, currently the Term A Loan, relevant section reads:

CREDIT AGREEMENT. 2.14 MANDATORY PREPAYMENTS (D) SBL PROCEEDS.
On or after the date of receipt by Borrower of any net Cash proceeds relating to the sale of SBLs, Borrower shall prepay the Term Loans, and the remaining Term Loan Commitment shall be permanently reduced, as set forth in Section 2.15(b) in an aggregate amount equal to 100% of such proceeds.

Operations Agreement -- Stadium Operations Agreement provides that StadCo, as the Tenant, can sell tickets for seats that don't have SBLs by May 31 of each calendar year for the immediately following NFL Season, the relevant provision reads:

STADIUM OPERATIONS AGREEMENT. 13. Annual SBL Cutoff Date.
As provided in Paragraph 4.6.1 of the Stadium Lease, Tenant Agreements that, in the marketing and sale of Tickets to NFL Games, Tenant will offer such Tickets to the SBL Holders, as and to the extent provided in their respective SBL Agreement. However, ***the Stadium Authority and Tenant agree that, with respect to any seats in the Stadium not subject to a binding SBL Agreement as of May 31 of any calendar year, Tenant shall have the unencumbered right to sell Tickets for such seats for the immediately following NFL Season, and any SBL Agreement applicable to such seats entered into after May 31 of any calendar year shall be effective only for Non-NFL Events and, unless the Parties otherwise agree, subsequent NFL Seasons.***

Management Agreement -- Marketing and sales of SBLs are managed by the Stadium Manager with the relevant section stating:

STADIUM MANAGEMENT AGREEMENT 2.6.18
On behalf of the Stadium Authority and not on behalf of StadCo, make recommendations to the Stadium Authority with respect to facilitation of a secondary market for SBLs, monitor and manage any agreements entered into by the Stadium Authority with respect thereto, and coordinate with Legends to transition responsibility from Legends to the Stadium Manager for managing both sold and unsold SBLs upon termination of the SBL Sales Agreement.

Non-Relocation Agreement -- Non-Relocation Agreement defines "NFL Ticket Surcharge" as a surcharge on the price of admission to all NFL Surcharge Games in an amount equal to ten percent (10%) of the Ticket Receipts from such NFL Surcharge Games. The Agreement also defines "Surcharge Term" as the period commencing on the Sublease Commencement Date and ending on the earlier of (i) the last day of the 25th Sublease Year, (ii) the Tenant Season Expansion Date (as defined in the Stadium Lease), or (iii) the termination of the Non-Relocation Agreement. The Agreement states that the NFL Ticket Surcharge payable to Stadium Authority is 10% of the Ticket Receipts from the NFL Surcharge Games. It is important to note that the Ticket Receipts do not include any of StadCo's revenues that are described in Article IV of the Team Sublease, including "Premium Seating Premiums". The Non-Relocation Agreement section reads as follows:

5.1 NFL TICKET SURCHARGE
During the Surcharge Term, Team shall collect, on the Stadium Authority's behalf, the NFL Ticket Surcharge for all NFL Surcharge Games and shall deliver to Stadium Authority all collected NFL Ticket Surcharges for each such NFL Surcharge Game within ten (10) days after the game is played. Team shall have the right to provide complimentary Tickets to NFL Surcharge Games and any such complimentary Tickets shall not be subject to the NFL Ticket Surcharge. For the avoidance of doubt, Ticket Receipts shall not include, and no NFL Ticket Surcharge shall be required to be collected with respect to, any of StadCo's Revenues as described in ARTICLE IV of the Team Sublease.

Team Sublease - StadCo's revenues are defined as the following:

4.1.2 StadCo's Revenues.
Subject to the terms of the Stadium Lease, StadCo shall exclusively own and possess all StadCo's Concession Revenues, **Premium Seating Premiums**, StadCo's Advertising Revenue, parking revenues from Forty Niners Events and other Forty-Niners related activities and expressly included in Forty Niners Revenues pursuant hereto (collectively, "StadCo's Revenues".) **As used herein, "Premium Seating Premiums" means the premiums received pursuant to and/or in connection with the sale of tickets for any Premium Seating for any Forty Niners Event and/or other Forty Niners-related activities, as determined in accordance with NFL Rules and Regulations.** The non-premium portion of the revenues received from the sale of such tickets shall constitute Forty Niners Revenues.

SBL Agreement -- By entering into an SBL Agreement, an SBL holder has exclusive right to purchase 49ers season tickets and priority access to other events at the Levi's Stadium. Additionally, the SBL Agreement between the Stadium Authority, Stadium Manager, and SBL Holder provides guarantees in the event that the seats are not available due to various circumstances. In short, the SBL Agreement requires the Stadium Authority to either assign the SBL Holder a comparable seat or return the unamortized portion of the SBL if there was no comparable seat in the case that their original seat was made unavailable. The SBL Agreement section reads as follows:

5. RIGHTS RESERVED BY LICENSOR.
The Stadium Authority expressly reserves the following rights:

(c). The right to improve, alter, restore, expand or enlarge the Stadium, any amenity area, any seating area or any other portion of the Stadium, as determined by the Stadium Authority in its sole discretion. If, in connection with any such action, the Stadium Authority relocates or reconfigures the Stadium seating or any amenity area(s), the Stadium Authority reserves the right to re-designate the specific locations of seats and to modify the assignment of specific seats to SBLs. If the Stadium Authority determines that any such modification is necessary ***, the Stadium Authority will endeavor to assign to an affected SBL a seat that is comparable to, in terms of field vantage point and access to amenities, the seat that was assigned to the SBL prior to the relocation or reconfiguration, all as determined by the Stadium Authority in its sole discretion and without regard to the original License Fee amount (each such Seat, a "Comparable Seat").*** In the event the Stadium Authority notifies Licensee that there is no Comparable Seat(s), then Licensee shall have the right to terminate this License Agreement upon notice to the Stadium Authority, in which event the Stadium Authority shall, within sixty (60) days following such notice of termination return to the Licensee the Unamortized Portion of the License Fee. For purposes of this License Agreement, an SBL will be assumed to have a life of thirty (30) years and the applicable amortization will be straight-line (e.g., if an SBL with an initial cost of $20,000 (paid in full) is terminated after three (3) years, the Licensee would receive a refund in the amount of $18,000; such amount, the "Unamortized Portion of the License Fee").

NFL Approval

When the Stadium Authority first initiated discussion about the application of a revenue generating instrument on the field seating, the Stadium Manager represented that the NFL held full authority to annually approve the installation of the field seats. The Stadium Manager previously shared a

February 25, 2019 letter from the NFL, which states that temporary seating structures are subject to annual review and approval from the NFL prior to each season (Attachment 1). At the time of writing this report, the Stadium Manager has not yet received the NFL's approval for the seats. In their May 10, 2021 request, they noted that the revenue projections they submitted assume approval for the seats from the NFL prior to June 1, 2021. The Stadium Manager confirmed via email that they have not pre-sold tickets for the temporary seats.

Summary of Field Seats SBL Proposals

The Stadium Authority first initiated the discussion of assigning SBLs to the field seats in the North and South Endzones during the 2018 NFL season when the Stadium Manager installed the field seats without Stadium Authority approval or opportunities to discuss how to maximize revenue for the Stadium Authority. At the time, the Stadium Authority inquired why the field seats did not have assigned SBLs, which the Stadium Manager responded that the temporary nature of the seats did not make for optimal conditions to assign SBLs. The Stadium Manager stated that this was due to the NFL's requirement to approve annually the installation of the field seats, not the Stadium Manager or Stadium Authority. The potential assignment of SBLs to temporary field seats was also discussed during Summer 2019 when the Stadium Manager submitted permit applications for temporary field seats on the playing field for NFL games during the 2019 NFL season and, separately, proposed developing an SBL pricing plan for the seats. In the end, the seats were installed by the Stadium Manager without SBLs.

In April 2020, the Stadium Manager submitted a similar proposal to the one from 2019 and requested that the proposal be submitted to the Stadium Authority Board for consideration in May 2020. While SBL revenue allows the Stadium Authority to repay its debt, this proposal significantly differs from other SBLs in that the Stadium Authority controls the permanency of other seats, which is not the case in this proposal. Stadium Authority staff expressed the following concerns to the Stadium Authority Board and Stadium Manager regarding the proposal:

1. The Stadium Manager proposes the sale of a product, of a temporary nature, that is amortized over the Life of the Stadium (30 years), but cannot guarantee its availability each year
2. Annual renewal of the temporary field seats entirely depends on the NFL's annual approval
3. Stadium Authority must guarantee the replacement of a comparable option to make the SBL Holder whole if the seats are not approved in any given year or return the unamortized portion of the SBL.

As an alternative option to the SBLs in 2019, the Executive Director requested that the Stadium Manager develop a "similar instrument" as permitted by the Stadium Lease Agreement that would mitigate the unnecessary burden placed on the Stadium Authority. The Executive Director requested for the similar instrument again in 2020, one that would address the goal of: maximizing revenue, addressing the required annual NFL approvals, removing the burden to make the SBL Holder whole if the NFL did not approve the seats, and removed the sale of a product, that by nature is temporary, and amortized over 30 years. Stadium Authority staff expressed there was interest in a year-to-year sale of the seats through a "similar instrument" that coincides with the NFL annual approval process. This approach would allow the Stadium Authority to generate more revenue for debt repayment, remove the risk, and add transparency for the customer that the seats are temporary in nature and, therefore, the season sale of rights to the seats matches the product.

On May 14, 2020, the proposal was presented to the Stadium Authority Board while the regional and

state Stay at Home Orders were in full effect. The Stadium Authority Board took no action on the Stadium Manager's proposal and was waiting for further information from Santa Clara County and State of California on the status of large sports gatherings during the 2020 NFL Season and directed the Stadium Manager to continue to develop a "similar instrument" proposal that addressed the Stadium Authority's concerns.

DISCUSSION

On May 10, 2021, the Stadium Manager sent Stadium Authority staff a proposal to add SBLs priced at $10,000 per seat to 64 seats in the North and South Endzones of Levi's Stadium, as well as a table that outlines the Stadium Manager's SBL revenue projections over the span of 30 years (Attachment 2). Stadium Authority staff sent questions to the Stadium Manager regarding their submittal, which the Stadium Manager provided responses (Attachment 3).

Table 1 summarizes the Stadium Manager's May 10, 2021 proposal and SBL revenue projections (based on noted assumptions).

Table 1: Summary of Stadium Manager's Field Seats SBL Revenue Projections

	$10,000 SBLs	**SCSA Comments**
Assumptions	-- Annual NFL approval -- Sale of all 64 SBLs in 18 months (46 SBLs sold in 2021 and 18 sold in 2022) -- 10% of the 46 SBLs sold in 2021 (4.6 SBLs) and 11% of 18 SBLs sold in 2022 (2 SBLs) are paid in full, with no interest earnings. -- Financed SBLs have 10% down, 8.5% Annual Interest Rate, paid over 10 years -- 3% annual increase in ticket revenue until Year 18 (2038) which is when the Surcharge Term ends	
Interest Rate	8.5%	This is the interest rate applied to all SBLs that are financed long term over 10 years
(A) Interest Earnings Over 30 Yrs	$270,738	Maximum Interest Earnings/SBL based on the sale of all 64 SBLs within 18 months (as assumed). Assumes all are sold and financed per schedule.
(B) Ticket Surcharge Revenue Over 30 Yrs	$262,242	Amount Stadium Manager provided in 2021 SBL Revenue Chart. Reflects 10% surcharge on Reserve Ticket Price, which changes every year, until Year 18 (2038).
(C) SBL Revenue Over 30 Yrs	$640,000	Amount is equal to 64 SBLs priced at $10,000
TOTAL REVENUE OVER 30 Yrs (A+B+C)	$1,172,980	Maximum Average Revenue/Year: $39,099. Of the $39,0999/yr, the principal totals $21,333 and the remaining $17,766 is associated interest (assuming all SBLs are sold and financed per schedule) and does not include any ticket premium costs that may be placed on SCSA or administrative costs by the SCSA or Stadium Manager to absorb handling these SBLs.

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Below is Stadium Authority staff's analysis of the Stadium Manager's 2021 proposal, their SBL projections for the field seats, and responses to the Stadium Authority's questions about the proposal:

1. **Stadium Authority's Previous Concerns Still Remain Relevant:**
    a. **The Stadium Manager proposes the sale of a product, of a temporary nature, that is amortized over the Life of the Stadium (30 years), but cannot guarantee its availability each year**
    b. **Annual renewal of the temporary field seats entirely depends on the NFL's annual approval**
    c. **Stadium Authority must guarantee the replacement of a comparable SBL option to make the SBL Holder whole if the seats are not approved in any given year or refund the unamortized portion of the SBL.**

Staff Analysis: At the time of writing this report, the Stadium Manager is still waiting for the NFL to approve the field seats for the 2021 NFL Season. While the anticipated revenue from the SBLs totaling $1.17M will help with additional debt repayment, the **maximum** average revenue per year over the span of 30 years is $39,099 based on the assumptions outlined in the Stadium Manager's SBL revenue chart (less costs to provide SCCA/Stadium Manager administration of these SBLs, costs not absorbed by StadCo for premium ticket amenities, and refund on unanticipated unamortized funds if seats are not approved by NFL or available at the Stadium).

It is the SBLs themselves that present a financial risk for the Stadium Authority as the seats are not permanent in nature, subject to annual approval by the NFL, and generally provided premium ticket amenities that may exceed the maximum annual revenue of $39,099/year. If the temporary field seats are not approved, the Stadium Authority would be responsible for either (1) finding comparable seats for the SBL Holders (which is unlikely) or (2) absorbing the costs of issuing refunds for the unamortized portion of the SBLs if the seats are not available in any given year. Despite the Board's May 2020 direction to develop a "similar instrument" to mitigate concerns, the Stadium Manager has not developed options for the Board to consider, as requested.

2. **In their response to the Stadium Authority's question as to how the Stadium Manager has implemented the Stadium Authority's Board May 2020 direction, the Stadium Manager states:**

    "*As explained in Mr. Beauchman's letter dated 8.20.2019 (attached), the SCSA's desire to create a new "seat license" product for these temporary seats -- with no customer refunds if the seats are removed -- is a dead-end.*

    The SBL Agreement grants the consumer rights to their seats for the "Life of the Stadium", and includes a provision for a prorated refund to the consumer if those seats are removed. This is an important consumer protection included in every single SBL that has been sold for Levi's Stadium. Your request to "remove the (SCSA's) burden to make the SBL holder whole" would eliminate this protection from the SBL Agreement, and the consumer would be rightly concerned that they would purchase an SBL for a

specific seat, and that seat could simply be eliminated next year with no refund to the consumer. If the SCSA doesn't want to commit to consumer refunds as is required under the SBL Agreement, then it should simply not sell SBLs for temporary seats.

As background, we explained to the SCSA in 2019 that we don't think it is prudent to require SBLs for these particular seats because they are temporary seats that have the potential for being eliminated for NFL games in the future (as was the case for the 2020 season). However, we have attempted to accommodate your request for an SBL plan for these seats in order to prevent this matter from becoming another issue that needs to be sorted out by an arbitrator.

There was a discussion in the City Staff's report to the Board dated 5.12.2020 that suggested creating a "year to year" SBL product. That is not an SBL or a similar instrument. That is a season ticket."

Staff Analysis: The Stadium Manager's response validates the Stadium Authority's concerns about conditional future approvals from the NFL. In fact, they state that the Stadium Authority should not sell SBLs for temporary seats if it doesn't want to commit to the related risks, but did not provide other options for the Board to consider. Instead, they agree that an SBL was not a good option and that this offer is to prevent arbitration (which the Stadium Authority has not even mentioned as part of this discussion).

Given that the term "similar instrument" was included in the Stadium Lease, it makes sense that there would be options under this category known to industry experts. Their response demonstrates that the Stadium Manager did not consider developing a "similar instrument" per the Board's request.

The Board should be concerned that the Stadium Manager is not addressing its direction and has allowed for insufficient time for the Board to act on this matter. Further, the response is silent on any potential financial benefits to StadCo by: (1) not obtaining timely approval from the NFL despite planning for a sold-out stadium since January 2021, (2) not resolving the Board's concerns by creating options under a "similar instrument" to maximize revenue and minimize risk, (3) creating the optic of trying to collaborate in good faith without offering real solutions to Board's previously expressed concerns, and (4) submitting the proposal late, thus, not allowing for sufficient time for further Board to review given the pending May 31 date that allows for StadCo to sell the tickets unencumbered. Even with a 30 day potential extension, the ability to resolve the SCSA's concerns and sell the SBLs according to their projections is unlikely.

3. **The Stadium Operations Agreement allows StadCo, as the Tenant, to sell tickets for seats that don't have SBLs by May 31 of each calendar year for the immediately following NFL Season. Any SBL Agreement applicable to such seats entered into after May 31 of any calendar year shall be effective only for Non-NFL Events and, unless the Parties otherwise agree, subsequent NFL Seasons. When asked whether they would be willing to sell SBLs for the field seats beyond the May 31 cutoff date for this upcoming 2021 NFL Season, the Stadium Manager response was:**

"***Yes. As a showing of good faith, the Stadium Manager will commit to ensuring that SBLs for field seats sold through June 30 will have access to the full slate of tickets for the upcoming 2021 NFL Season. We believe that this additional 30-day exclusive window will allow the SBL sales team to achieve the revenue figures contained in our projections, subject to pricing and NFL approval prior to June 1. Beginning July 1, the tickets for unsold field seats will be made available to the public on a first-come, first-served basis."***

Staff Analysis: While the additional 30 days to sell the SBLs is to the benefit of the Stadium Authority, it is a small window for the Stadium Manager to sell the 46 SBLs to meet the proposed revenue projections. This offer comes without addressing any of the valid concerns expressed by the Board and provides for the Stadium Manager to sell the tickets unencumbered by July 1 and months before the season begins. The combination of a late submittal with no Board modifications, and small extension of time, is designed overall to favor the Stadium Manager.

4. **Section 5.1 of the Non-Relocation Agreement states that the NFL Ticket Surcharge payable to Stadium Authority is 10% of Ticket Receipts from such NFL Surcharge Games, which does not include any of StadCo's revenues described in Article IV of the Team Sublease, including "Premium Seating Premiums." Premium Seating Premiums are the premiums received pursuant to and/or in connection with the sale of tickets for any Premium Seating for any Forty Niners Event and/or other Forty Niners-related activities, as determined in accordance with NFL Rules and Regulations.**

   As part of last year's proposal discussion, the Stadium Manager verbally communicated during a meeting that the season ticket prices for field seats for 2020 will be $10,000 - $12,500 ($1,000 - $1,250 per ticket per game). The revenue projection the Stadium Manager provided shows the NFL Ticket Surcharge is applied to a Reserve Ticket Price of $175 per ticket per game for Year 1. This means that the Ticket Premium the 49ers are charging, and receiving, is between $825 and $1,075 per ticket per game (up to $25.1M -$32.7M over the span of 30 years assuming a 3% increase on total ticket sales price and Reserve Ticket Price).

   When asked about the actual ticket price, the Stadium Manager responded that *"there are two components to the pricing for NFL premium seating (including these Field Seats): The "ticket" portion, which <u>is</u> subject to the 10% surcharge, and "premium" portion, which <u>is not</u> subject to the 10% surcharge. Total ticket pricing will be finalized following SBL pricing approval, but is likely to be in line with pricing in previous seasons."*

   Additionally, the Stadium Manager referenced the Stadium Authority's May 2020 agenda report and said, "*it appears that you developed your own estimate of the "premium" charges associated with the tickets for these seats (i.e. the portion of the price that is excluded from the calculation of Ticket Receipts and the NFL Ticket Surcharge). The details of those premium revenues are confidential tenant financial information, but your estimates appeared fairly reasonable to us based on publicly available information*." - thus confirming the Stadium Authority's estimates of their revenue. The referenced pricing from 2020 was $10,000 - $12,500 for season tickets, or $1,000 - $1,250 per ticket

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per game.

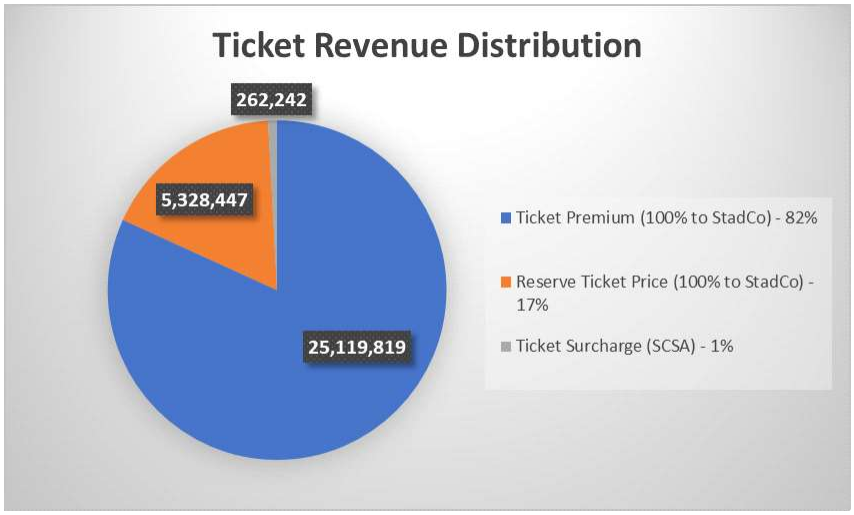
It is also important to note that the Stadium Authority was concerned about absorbing complimentary buffet costs for last year's proposal. The Stadium Manager confirmed at an April 15, 2021 meeting with Stadium Authority staff that the Stadium Authority will not be responsible for those costs as part of the proposal.

Staff Analysis: The Stadium Manager's response confirms that the temporary seats, with or without SBLs, generate significant revenue for StadCo. The chart below shows the portion of revenue allocated to StadCo and Stadium Authority based on the full ticket sales price of the ticket, assuming the price is set at $1,000 per ticket by StadCo and a 3% year over year increase. In this example, the ticket pricing is broken down as follows (Assumes the Year 1 Reserve Ticket Price provided by Stadium Manager):

Reserve Ticket Price (StadCo Revenue)	$ 175.00
Ticket Premium (StadCo Revenue)	$ 825.00
Ticket Sales Price	**$1,000.00**
10% Ticket Surcharge (Stadium Authority Revenue)	$ 17.50
TOTAL	**$1,017.50**

If we extend this revenue structure for 64 seats, assuming 10 games per season over the span of 30 years with a 3% year to year increase, the Ticket Premium received by StadCo totals approximately $25.1M and the portion of the Reserve Ticket Price that StadCo receives totals $5.3M. Stadium Authority's portion of the Reserve Ticket Price, a 10% Ticket Surcharge, totals $262,242.

Table 2: 30 Year Ticket Revenue Distribution



The chart above assumes a $1,000 priced ticket with a Reserve Ticket Price of $175 over 30 years with a 3% year over year escalator. SCSA is only entitled to the Ticket Surcharge for the first 18 years (Year 2038).

5. **As part of last year's proposal, Stadium Authority staff requested that the Stadium Manager provide a report of the total revenue generated from the ticket sales related to these seats in recent years. The Stadium Manager provided the following tables, which date back to 2018, when the seats were first installed, for only ticket revenue (excluding**

premium).

2018 Season

Game #	Ticket Price	Tickets Sold	Total
#1	$111	62	$ 6,882
#2	$111	64	$ 7,104
#3	$111	64	$ 7,104
#4	$111	64	$ 7,104
#5	$155	64	$ 9,920
#6	$300	64	$ 19,200
#7	$136	64	$ 8,704
#8	$155	64	$ 9,920
#9	$155	64	$ 9,920
#10	$155	64	$ 9,920
Total			$ 95,778

2019 Season

Game #	Ticket Price	Tickets Sold	Total
#1	$124	0	$ -
#2	$124	0	$ -
#3	$214	58	$ 12,412
#4	$172	61	$ 10,492
#5	$124	61	$ 7,564
#6	$140	64	$ 8,960
#7	$124	64	$ 7,936
#8	$214	64	$ 13,696
#9	$124	64	$ 7,936
#10	$140	64	$ 8,960
Total			$ 77,956

Staff Analysis: The tables demonstrate that StadCo/Stadium Manager are able to change the Reserve Ticket Price (for which the SCSA's 10% Ticket Surcharge is derived) to an arbitrary amount, which can increase or decrease revenue for the Stadium Authority. The tables also underscore the importance of StadCo absorbing any costs associated with adding on special premiums for these tickets that can easily result in no revenue or at an added cost for the Stadium Authority, such as: buffet, food and beverages, and any other premium seat amenities. At this time, the Stadium Managers' position is that it will absorb these costs; however, it is unknown and not documented whether that offer is good for the full term (e.g., 30 years). **It is only under the circumstance of StadCo absorbing any expenditures for premium seat amenities that this proposal becomes financially advantageous: but, yet, still does not resolve the other risks already stated.**

There are still many unknowns to achieve the maximum revenue assumed in the proposal: NFL's approval of this year's seats and future seats over 30 years, StadCo's commitment to allow maximum amount of time to sell SBLs for these seats, StadCo's commitment to absorb all premium seat amenities (e.g., food and beverage) over 30 years to maximize revenue for the Stadium Authority, and a "similar instrument" that minimizes risk and maximizes revenue. The opportunity to timely review and have Board input could have advanced this proposal and satisfied the needs of the Stadium Authority; however, this did not occur.

If all the assumptions under Table 1 are correct, the Stadium Authority would receive a maximum of $1.17M in revenue for debt repayment over the span of 30 years, averaging $39,099 per year.

However, there are administrative costs for both the Stadium Manager and Stadium Authority to administer these SBLs, which are likely to reduce or come close to the $39,099 per year. As such, the costs to Stadium Authority will likely outweigh the projected revenue and, definitely, if StadCo does not agree to absorb future costs of premium ticket amenities for these temporary field seats.

Given the Stadium Manager's own expressed position regarding the SBLs for these seats validate the Stadium Authority concerns, it is recommended that the Board "take no action" on the proposal presented by the Stadium Manager and that the Board direct the Stadium Manager to follow previous direction by providing revenue options for the Board to consider. If the Board would like to approve the sale of SBLs for the temporary field seats, then the Board should require:

a) Stadium Manager absorb the administrative cost of managing these SBLs which could require special handling if the NFL does not approve the installation of these seats in any given season
b) Stadium Manager absorb the administrative cost of identifying comparable seats if the need should arise
c) StadCo absorb all costs for the full term (e.g., 30 years) of any premium ticket amenities (e.g., buffet access, food and beverage, and any other premiums such as swag, etc.) to ensure that this proposal does not result in added expenditures to the Stadium Authority
d) SCSA work with the Stadium Manager when it is required to refund the unamortized value of the SBLs when a comparable seat cannot be located

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

See Table 1 for potential fiscal impact. No action results in receipt of the Ticket Surcharge value as noted in Table 1.

COORDINATION

This report has been coordinated with the Treasurer and Stadium Authority Counsel.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

ALTERNATIVES

1. Take no action on the Stadium Manager's proposal to add Stadium Builder Licenses to the 64 temporary field seats in the North and South endzones of Levi's Stadium;
2. Direct the Stadium Manager to present revenue options, based on previous direction, within three months for the Board to consider;

3. Approve the Stadium Manager's proposal to add Stadium Builder Licenses at a $10,000 price point to the 64 temporary field seats in the North and South endzones of Levi's Stadium with the following terms:
   a) Stadium Manager absorb the administrative cost of managing these SBLs which could require special handling if the NFL does not approve the installation of these seats in any given season
   b) Stadium Manager absorb the administrative cost of identifying comparable seats if the need should arise
   c) StadCo absorb all costs for the full term (e.g., 30 years) of any premium ticket amenities (e.g., buffet access, food and beverage, and any other premiums such as swag, etc.) to ensure that this proposal does not result in added expenditures to the Stadium Authority
   d) SCSA work with the Stadium Manager when it is required to refund the unamortized value of the SBLs when a comparable seat cannot be located; or
4. Any other direction from the Board.

RECOMMENDATION

Alternatives 1 and 2:

1. Take no action on the Stadium Manager's proposal to add Stadium Builder Licenses to the 64 temporary field seats in the North and South endzones of Levi's Stadium; and
2. Direct the Stadium Manager to present revenue options, based on previous direction, within three months for the Board to consider.

Prepared by: Christine Jung, Assistant to the Executive Director
Approved by: Deanna J. Santana, Executive Director

ATTACHMENTS

1. February 25, 2019 Letter from NFL Regarding Annual Approval of Temporary Seats
2. 2021 Field Seats SBL Revenue Projection Chart Submitted by Stadium Manager
3. Email Correspondence with Stadium Manager Regarding Proposal

FOOTBALL OPERATIONS
T. David Gardi | Sr. Vice President

February 25, 2019

VIA EMAIL

Scott Sabatino
SAN FRANCISCO 49ERS
SAP Performance Facility
4949 Marie P. DeBartolo Way
Santa Clara, CA 95054

Dear Scott:

Due to various reasons, including safety and operational impacts on the field of play, temporary seating structures on the field level are subject to annual review and approval prior to each season, in accordance with the Game Operations Manual, Stadium Facilities, Section U – Field Seats.

Sincerely,

T. David Gardi

T. DAVID GARDI

345 Park Avenue, New York, New York 10154 Tel 212.450.2275

Field Seats
SCSA Revenue Projection
$10k SBL Price

	Levi's Stadium Yr -->	*8*	*9*	*10*	*11*	*12*	*13*	*14*	*15*	*16*	*17*	*18*	*19*	*20*	*21*	*22*	*23*
Year		**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**
Season	**30-Years**	**2021**	**2022**	**2023**	**2024**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**2036**
SBL Price		$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000
SBLs Sold		46	18	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SBL Revenue	**$ 640,000**	**$ 460,000**	**$ 180,000**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
SBL Cash Flow:																	
Annual Finance Payments		56,787	78,734	78,734	78,734	78,734	78,734	78,734	78,734	78,734	78,734	21,947	-	-	-	-	-
Paid in Full SBLs		46,000	20,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Down Payment (10% of Financed amt)		41,400	16,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SBL Cash Flow	**$ 910,738**	**$ 144,187**	**$ 114,734**	**$ 78,734**	**$ 78,734**	**$ 78,734**	**$ 78,734**	**$ 78,734**	**$ 78,734**	**$ 78,734**	**$ 78,734**	**$ 21,947**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
SBL First 5-yr Cash Flow	**$ 495,122**																
Reserve Ticket Price (49ers)		175	180	186	191	197	203	209	215	222	228	235	242	250	257	265	273
Sold Seats		64	64	64	64	64	64	64	64	64	64	64	64	64	64	64	64
Ticket Revenue		112,000	115,360	118,821	122,385	126,057	129,839	133,734	137,746	141,878	146,135	150,519	155,034	159,685	164,476	169,410	174,492
SCSA Ticket Surcharge (10%)	**$ 262,242**	**$ 11,200**	**$ 11,536**	**$ 11,882**	**$ 12,239**	**$ 12,606**	**$ 12,984**	**$ 13,373**	**$ 13,775**	**$ 14,188**	**$ 14,613**	**$ 15,052**	**$ 15,503**	**$ 15,969**	**$ 16,448**	**$ 16,941**	**$ 17,449**
Non-NFL Ticket Revenue																	
Ticket Price (College Football)																	
Sold Seats																	
Ticket Revenue (Non-NFL Rev)	**$ -**	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total SCSA Cash Flow	**$ 1,172,980**	**$ 155,387**	**$ 126,270**	**$ 90,616**	**$ 90,972**	**$ 91,340**	**$ 91,718**	**$ 92,107**	**$ 92,508**	**$ 92,922**	**$ 93,347**	**$ 36,999**	**$ 15,503**	**$ 15,969**	**$ 16,448**	**$ 16,941**	**$ 17,449**
Total First 5-yr Cash Flow	**$ 554,585**																

Field Seats
SCSA Revenue Projection
$10k SBL Price

	24	*25*	*26*	*27*	*28*	*29*	*30*	*31*	*32*	*33*	*34*	*35*	*36*	*37*	
Year	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**	**26**	**27**	**28**	**29**	**30**	**Total**
Season	**2037**	**2038**	**2039**	**2040**	**2041**	**2042**	**2043**	**2044**	**2045**	**2046**	**2047**	**2048**	**2049**	**2050**	30-Yrs
SBL Price	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000	
SBLs Sold	0	0	0	0	0	0	0	0	0	0	0	0	0	0	64
SBL Revenue	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 640,000**
SBL Cash Flow:															
Annual Finance Payments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Paid in Full SBLs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Down Payment (10% of Financed amt	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
SBL Cash Flow	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 910,738**
SBL First 5-yr Cash Flow															
Reserve Ticket Price (49ers)	281	289	298	307	316	326	335	345	356	366	377	389	400	412	
Sold Seats	64	64	64	64	64	64	64	64	64	64	64	64	64	64	
Ticket Revenue	179,727	185,119	-	-	-	-	-	-	-	-	-	-	-	-	**$ 2,622,417**
SCSA Ticket Surcharge (10%)	**$ 17,973**	**$ 18,512**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 262,242**
Non-NFL Ticket Revenue															
Ticket Price (College Football)															
Sold Seats															
Ticket Revenue (Non-NFL Rev)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	**$ -**
Total SCSA Cash Flow	**$ 17,973**	**$ 18,512**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 1,172,980**

Total First 5-yr Cash Flow

From: Mercurio, Jim
To: Christine Jung; Compliance Manager
Cc: Deanna Santana; Brian Doyle; Ruth Shikada; Kenn Lee
Subject: Re: Field Seats and Levy Agreement
Date: Tuesday, May 18, 2021 6:33:17 AM
Attachments: image002.png
image005.png
image001.png

Hi Christine

No, we have not pre-sold any field seats for the 2021 season at this time.

Jim

Get Outlook for iOS

From: Christine Jung <CJung@SantaClaraCA.gov>
Sent: Monday, May 17, 2021 3:45 PM
To: Mercurio, Jim; Compliance Manager
Cc: Deanna Santana; Brian Doyle; Ruth Shikada; Kenn Lee
Subject: RE: Field Seats and Levy Agreement

Hi Jim,

Thanks for sending the letter.

We have an additional follow up question regarding the field seats. Has the Stadium Manager pre-sold any of the field seats?

Please let us know, thank you.

Christine

From: Mercurio, Jim <jim.mercurio@49ers.com>
Sent: Monday, May 17, 2021 10:20 AM
To: Christine Jung <CJung@SantaClaraCA.gov>; Compliance Manager <compliancemanager@49ers-smc.com>
Cc: Deanna Santana <DSantana@SantaClaraCA.gov>; Brian Doyle <BDoyle@SantaClaraCA.gov>; Ruth Shikada <RShikada@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>
Subject: RE: Field Seats and Levy Agreement

Christine:

Attached is the letter Mr. Beauchman sent in August 2019.

Thanks,

JIM

JIM MERCURIO
Executive Vice President & General Manager
Forty Niners Stadium Management Company
T 408.562-4944 | M 650 642-4909
Levi's® Stadium
4900 Marie P. DeBartolo Way
Santa Clara, CA 95054



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From: Christine Jung <CJung@SantaClaraCA.gov>
Sent: Sunday, May 16, 2021 4:53 PM
To: Mercurio, Jim <jim.mercurio@49ers.com>; Compliance Manager <compliancemanager@49ers-smc.com>
Cc: Deanna Santana <DSantana@SantaClaraCA.gov>; Brian Doyle <BDoyle@SantaClaraCA.gov>; Ruth Shikada <RShikada@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>
Subject: RE: Field Seats and Levy Agreement

Hi Jim,

Your email below refers to an attached letter from Mr. Beauchman, which was not included in the email thread. Please send a copy.

Thank you,
Christine

From: Mercurio, Jim <jim.mercurio@49ers.com>
Sent: Thursday, May 13, 2021 9:56 AM
To: Christine Jung <CJung@SantaClaraCA.gov>; Compliance Manager <compliancemanager@49ers-smc.com>
Cc: Deanna Santana <DSantana@SantaClaraCA.gov>; Brian Doyle <BDoyle@SantaClaraCA.gov>; Ruth Shikada <RShikada@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>
Subject: RE: Field Seats and Levy Agreement

Hi Christine. Below are the responses to your questions (***bold & italic).***

Hi Jim,

Thanks for sending the two requests along with corresponding documentation. We are still in the process of

reviewing the Levy agreement amendment but wanted to share the following questions regarding the field seat proposal as soon as possible so that both sides have time to respond and we have enough information to prepare the corresponding agenda report:

- On May 12, 2020, the Board directed the Stadium Manager to continue to develop a "similar instrument" proposal that addresses the Stadium Authority's concerns (similar instrument goals: maximizes revenue, addresses the required annual NFL approvals, removes the burden to make the SBL Holder whole if the NFL did not approve the seats, and removes the sale of a product, that by nature is temporary, and amortized over 30 years). How has the Stadium Manager implemented the Board's May 12, 2020 direction when the issue was last brought up before the Board for consideration?

  As explained in Mr. Beauchman's letter dated 8.20.2019 (attached), the SCSA's desire to create a new "seat license" product for these temporary seats -- with no customer refunds if the seats are removed -- is a dead-end.

  The SBL Agreement grants the consumer rights to their seats for the "Life of the Stadium", and includes a provision for a prorated refund to the consumer if those seats are removed. This is an important consumer protection included in every single SBL that has been sold for Levi's Stadium. Your request to "remove the (SCSA's) burden to make the SBL holder whole" would eliminate this protection from the SBL Agreement, and the consumer would be rightly concerned that they would purchase an SBL for a specific seat, and that seat could simply be eliminated next year with no refund to the consumer. If the SCSA doesn't want to commit to consumer refunds as is required under the SBL Agreement, then it should simply not sell SBLs for temporary seats.

  As background, we explained to the SCSA in 2019 that we don't think it is prudent to require SBLs for these particular seats because they are temporary seats that have the potential for being eliminated for NFL games in the future (as was the case for the 2020 season). However, we have attempted to accommodate your request for an SBL plan for these seats in order to prevent this matter from becoming another issue that needs to be sorted out by an arbitrator.

  There was a discussion in the City Staff's report to the Board dated 5.12.2020 that suggested creating a "year to year" SBL product. That is not an SBL or a similar instrument. That is a season ticket.

- This year's SBL revenue chart assumes that SCSA will receive SBL revenue in 2021 but the Stadium Operations Agreement allows StadCo, as the Tenant, to sell tickets for seats that don't have SBLs by May 31 of each calendar year for the immediately following NFL Season. Any SBL Agreement applicable to such seats entered into after May 31 of any calendar year shall be effective only for Non-NFL Events and, unless the Parties otherwise agree, subsequent NFL Seasons. Will the Stadium Manager be willing to sell SBLs for the field seats beyond the May 31 cutoff for this upcoming 2021 NFL Season?

  Yes. As a showing of good faith, the Stadium Manager will commit to ensuring that SBLs for field seats sold through June 30 will have access to the full slate of tickets for the upcoming 2021 NFL Season. We believe that this additional 30-day exclusive window will allow the SBL sales team to achieve the revenue figures contained in our projections, subject to pricing and NFL approval prior to June 1. Beginning July 1, the tickets for unsold field seats will be made available to the public on a first-come, first-served basis.

- This year's SBL revenue chart shows SCSA's ticket revenue surcharge stopping at Year 18 (2038) with a total of $262,242. It is unclear why there is this stop when last year's ticket revenue surcharge stopped at Year 30 (2049) and had a much higher projected ticket revenue ($539,559). Please explain the stop at Year 18 for this year's revenue chart vs. Year 30 for last year's chart, and the significant difference between the projected ticket revenue surcharge amounts.

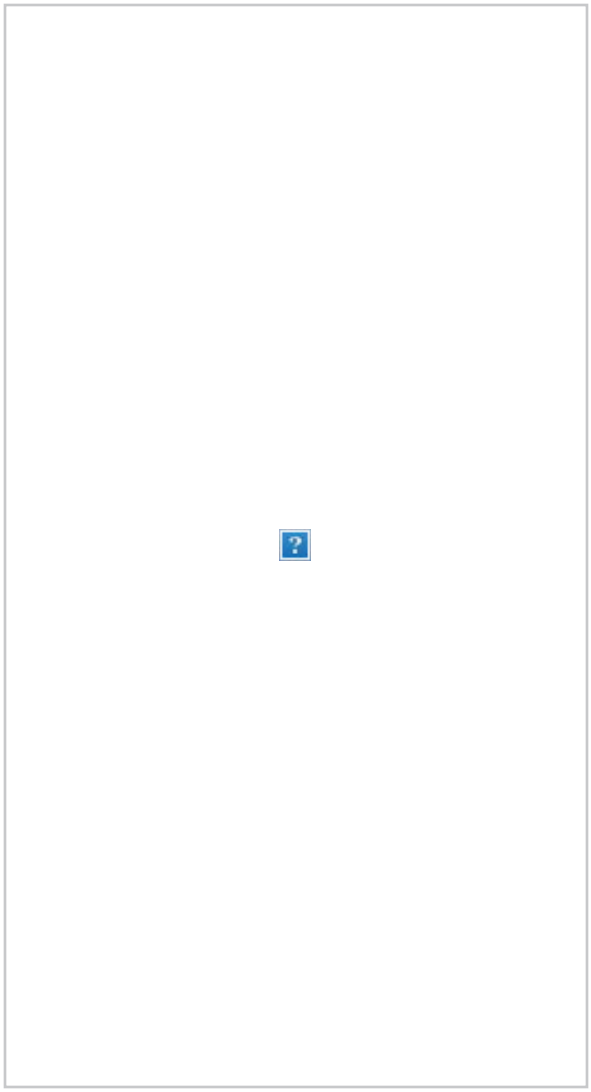
  The NFL Ticket Surcharge is collected on the Stadium Authority's behalf during the "Surcharge Term" as defined in the Non-Relocation Agreement between the Team and the Stadium Authority. The Surcharge Term expires following the 2038 NFL Season, or as otherwise provided in the Non-Relocation Agreement.

- Please confirm that the ticket price for a seat is equal to "Ticket Revenue" divided by "Sold Seats". Ex. For Year 1: $112,000 Ticket Revenue / 64 seats = $1,750. Is $1,750 the actual ticket price and SCSA receives $175 as the 10% ticket surcharge?

  The NFL Ticket Surcharge is computed in accordance with Section 5.1 of the Non-Relocation Agreement, which expressly excludes StadCo "premium" revenues. In other words, there are two components to the pricing for NFL premium seating (including these Field Seats): The "ticket" portion, which <u>is</u> subject to the 10% surcharge, and "premium" portion, which <u>is not</u> subject to the 10% surcharge. Total ticket pricing will be finalized following SBL pricing approval, but is likely to be in line with pricing in previous seasons.

- Last year, SCSA requested a report of the total revenue generated from the ticket sales related to these seats in recent years, which we have not yet received. Please submit the requested report.

  Here is the detail of ticket revenue (excluding premium) from the Field Seats since 2018, which is the first year they were installed:



In your 5.2020 staff report it appears that you developed your own estimate of the "premium" charges associated with the tickets for these seats (i.e. the portion of the price that is excluded from the calculation of Ticket Receipts and the NFL Ticket Surcharge). The details of those premium revenues are confidential tenant financial information, but your estimates appeared fairly reasonable to us based on publicly available information.

JIM

JIM MERCURIO
Executive Vice President & General Manager
Forty Niners Stadium Management Company
T 408.562-4944 | M 650 642-4909
Levi's® Stadium
4900 Marie P. DeBartolo Way
Santa Clara, CA 95054



_____

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From: Christine Jung <CJung@SantaClaraCA.gov>
Sent: Tuesday, May 11, 2021 3:13 PM
To: Mercurio, Jim <jim.mercurio@49ers.com>; Compliance Manager <compliancemanager@49ers-smc.com>
Cc: Deanna Santana <DSantana@SantaClaraCA.gov>; Brian Doyle <BDoyle@SantaClaraCA.gov>; Ruth Shikada <RShikada@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>
Subject: RE: Field Seats and Levy Agreement

Hi Jim,

Thanks for sending the two requests along with corresponding documentation. We are still in the process of reviewing the Levy agreement amendment but wanted to share the following questions regarding the field seat proposal as soon as possible so that both sides have time to respond and we have enough information to prepare the corresponding agenda report:

- On May 12, 2020, the Board directed the Stadium Manager to continue to develop a "similar instrument" proposal that addresses the Stadium Authority's concerns (similar instrument goals: maximizes revenue, addresses the required annual NFL approvals, removes the burden to make the SBL Holder whole if the NFL did not approve the seats, and removes the sale of a product, that by nature is temporary, and amortized over 30 years). How has the Stadium Manager implemented the Board's May 12, 2020 direction when the issue was last brought up before the Board for consideration?

- This year's SBL revenue chart assumes that SCSA will receive SBL revenue in 2021 but the Stadium Operations Agreement allows StadCo, as the Tenant, to sell tickets for seats that don't have SBLs by May 31 of each calendar year for the immediately following NFL Season. Any SBL Agreement applicable to such seats entered into after May 31 of any calendar year shall be effective only for Non-NFL Events and, unless the Parties otherwise agree, subsequent NFL Seasons. Will the Stadium Manager be willing to sell SBLs for the field seats beyond the May 31 cutoff for this upcoming 2021 NFL Season?

- This year's SBL revenue chart shows SCSA's ticket revenue surcharge stopping at Year 18 (2038) with a total of $262,242. It is unclear why there is this stop when last year's ticket revenue surcharge stopped at Year 30 (2049) and had a much higher projected ticket revenue ($539,559). Please explain the stop at Year 18 for this year's revenue chart vs. Year 30 for last year's chart, and the significant difference between the projected ticket revenue surcharge amounts.

- Please confirm that the ticket price for a seat is equal to "Ticket Revenue" divided by "Sold Seats". Ex. For Year 1: $112,000 Ticket Revenue / 64 seats = $1,750. Is $1,750 the actual ticket price and SCSA receives

$175 as the 10% ticket surcharge?

- Last year, SCSA requested a report of the total revenue generated from the ticket sales related to these seats in recent years, which we have not yet received. Please submit the requested report.

Please provide the Stadium Manager's responses to these questions and the requested report as soon as possible but no later than 10am this Thursday, May 13 so that we can prepare the agenda report.

Thank you,
Christine Jung | Assistant to the Executive Director
1500 Warburton Avenue | Santa Clara, CA 95050
D: 408.615.2218 | www.santaclaraca.gov/scsa

From: Mercurio, Jim <jim.mercurio@49ers.com>
Sent: Monday, May 10, 2021 5:43 PM
To: Christine Jung <CJung@SantaClaraCA.gov>; Compliance Manager <compliancemanager@49ers-smc.com>; Deanna Santana <DSantana@SantaClaraCA.gov>
Cc: Brian Doyle <BDoyle@SantaClaraCA.gov>; Ruth Shikada <RShikada@SantaClaraCA.gov>
Subject: RE: Field Seats and Levy Agreement

Deanna:

As we discussed in our most recent quarterly meeting, Stadium Manager is seeking approval from the SCSA of (1) the setting of SBL pricing for field seating in the north and south endzones of Levi's Stadium and (2) an amendment to the Stadium's Concessions Agreement as a result fewer than 8 games being played at Levi's Stadium during the 2020 NFL season.

For the Field Seats, these seats continue to be popular with fans and present a significant financial opportunity to drive additional revenue directly to the SCSA. Although we have not yet received final approval for the seats from the NFL for the 2021 season, we would like to proceed with finalizing the price point so that when approval is received, we are prepared to go to market with the seats.

While in the past we have presented multiple options for pricing, we believe that the optimal price point for these seats is an SBL of $10,000 per seat. At this price level, we anticipate full sell-through of the field seating within 18 months, generating a projected $1,172,980.00 in total revenue to the SCSA over the life of the seats.

Further, as we discussed in the quarterly meeting, the 49ers have committed to covering any food and beverage credits associated with these SBLs. Thus, the SCSA will not be obligated to fund any buffets associated with the seats.

I have attached our revenue projections for the seats to this email. The projections assume pricing

approval at the May 25 SCSA Board meeting, and approval from the NFL prior to June 1.

The other item that requires approval at the May 25 SCSA Board meeting is the attached First Amendment to the Stadium's Concessions Agreement. Under Section 3.3 of the original Concessions Agreement, the parties agreed to the extension of the term of the agreement by one year in the event that fewer than 8 home games are played at the Stadium in any fiscal year. Because only 5 home games were played in Levi's Stadium during the 2020 NFL season, the parties are obligated to extend the term for one additional year.

In addition to extending the term of the agreement, the attached amendment contains limited financial housekeeping to ensure Levy's back-end accounting aligns with their investment commitment and the new 13-year term. These modifications have no impact on the revenues or costs to the SCSA.

We are happy to answer any additional questions that you or your staff may have ahead of the May 25 meeting.

Thanks,

JIM

JIM MERCURIO
Executive Vice President & General Manager
Forty Niners Stadium Management Company
T 408.562-4944 | M 650 642-4909
Levi's® Stadium
4900 Marie P. DeBartolo Way
Santa Clara, CA 95054



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From: Christine Jung <CJung@SantaClaraCA.gov>
Sent: Thursday, April 29, 2021 9:04 AM
To: Mercurio, Jim <jim.mercurio@49ers.com>; Compliance Manager <compliancemanager@49ers-smc.com>
Cc: Deanna Santana <DSantana@SantaClaraCA.gov>; Brian Doyle <BDoyle@SantaClaraCA.gov>; Ruth Shikada <RShikada@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>
Subject: Field Seats and Levy Agreement

Hi Jim,

We have not yet received any information from the Stadium Manager on the proposed field seats and amendment to the Levy agreement which were discussed during our April 15 staff meeting. At this point, the Stadium Authority will not have sufficient time to review and analyze information the Stadium Manager submits and draft corresponding agenda reports on its behalf for the May 11 Stadium Authority Board meeting.

We can plan on bringing these two items forward for the Board's consideration at the May 25 meeting if the Stadium Manager is able to submit the written requests and supporting information/documentation by Monday, May 10, 2021. As requested during our April 15 meeting, we ask that the Stadium Manager send whatever information it currently has on the two items as soon as possible so that staff can start preparing the agenda reports and plug in the missing information/documents when received (e.g., NFL approval of the field seats).

Thank you,
Christine Jung | Assistant to the Executive Director
1500 Warburton Avenue | Santa Clara, CA 95050
D: 408.615.2218 | www.santaclaraca.gov/scsa



FORTY NINERS
SC STADIUM
COMPANY LLC

August 21, 2019

Via Email
Executive Director Deanna Santana
Santa Clara Stadium Authority
1500 Warburton Ave.
Santa Clara, CA 95050

Re: Temporary Field Seats for 49ers Games

Dear Executive Director Santana:

I am responding to your August 20, 2019 letter on this subject. In sum, I disagree with your factual assertions, and the Forty Niners will not agree to pay amounts that they are not legally obligated to pay.

The permit request for that design for field seats is hereby withdrawn. We do not expect to re-submit a permit for the field seats as previously designed for the current 2019 season or in future NFL seasons. For the 2019 season only, we will utilize modified temporary seats on gamedays that are not subject to your approval. Following the season, we intend re-evaluate the nature of seating in that area and will consider other options available to Tenant. As a result of your actions, the Authority will forgo over one million dollars of revenue.

In addition, I disagree with the assertions in your August 20 letter. I first contacted you on July 22 to discuss any remaining, outstanding issues on the field seats. You did not respond. I made additional requests for discussion on August 2 and August 13. You finally responded on August 20, and listed four reasons why you have been unwilling to respond. None of them is correct.

1. You state that the "District Attorney's Office confirmed [field seat] tickets were being conditionally sold pending Stadium Authority Board approval." I addressed this directly in my July 22 email, but will repeat it here: we have not sold tickets to these seats for the 2019 season. If you have any evidence of a sale for tickets in these seats for the 2019 season, please provide it.
2. Your letter asserts that I should provide you with written legal advice. The Authority is already represented by counsel. For its part, Stadium Manager would not recommend incorporating additional language to restrict refunds for field seating because it is anti-consumer, and not consistent with the market realities within which stadiums like this one operate. However, the issue is moot, because the permit has been withdrawn and SBLs will not be sold.
3. You contend that I have not provided you with updated revenue projections. Please note that updated projections were attached to my July 22 email. As I noted at that time, the expected lifetime cash flow from SBL sales at the $20K price level was $1,176,332.00. This is the projected revenue that Stadium Authority will forgo as a direct result of your actions.
4. You contend that we have not acted in good faith by conditioning disclosure of confidential Tenant information. We offered to provide information the Authority is not entitled to receive – if the Authority actually intended to sell SBLs. There is no other reason why the Authority would

FORTY NINERS
SC STADIUM
COMPANY LLC

have a need to see confidential information. I have nevertheless been available to discuss this issue with you at any time during the past month, so it is surprising that you are now accusing me of bad faith.

Finally, there are two points from your July 15 email that I wanted to address directly as they pertain to your more recent assertion that we have not responded to the Board's requests.

First, you requested confidential 49ers revenue information for the field seats from 2018 and demanded the Forty Niners pay a portion of that revenue to the Stadium Authority. In exchange for that payment, Stadium Authority would purportedly allow the City's Building Department to process the routine permit for the field seats. But processing the permit application is a ministerial task that the Building Department is supposed to perform, in exchange for a set fee. It is not a task that the Stadium Authority can block, subject to the Forty Niners' agreement to pay additional fees, not charged to any other applicant.

Second, you continue to use the term "other instrument" in quotes without any context. Such term does not appear in the Lease. Section 4.6.1 of the Lease reserves the Stadium Authority's right to sell "SBLs and *similar* instruments." This right does not allow the Stadium Authority (or require Tenant) to devise a new tax on San Francisco 49ers season tickets, which is not in any way similar to an SBL. The San Francisco 49ers maintains complete control over the pricing of its tickets, and will not agree to the Stadium Authority asserting any revenue rights not expressly granted by contract.

Nothing herein is intended to waive any rights Tenant may have to pursue other legal action concerning this matter.

Sincerely,

Jihad Beauchman
Vice President, Deputy General Counsel

Cc: Brian Doyle

Attachments: July 22 email
August 2 email
August 13 email

21-155 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Public Hearing: Adoption of a Resolution of Formation of the Santa Clara Tourism Improvement District under the Property and Business Improvement District Law of 1994

COUNCIL PILLAR
Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND
The existing Santa Clara Tourism Improvement District (TID) was formed in 2005 pursuant to the Parking and Business Improvement Area Law of 1989 (1989 Law). On January 11, 2005, City Council approved Ordinance No. 1797 (the "Ordinance") amending the Santa Clara Municipal Code and establishing TID. The Ordinance established the boundaries of the TID, which currently includes 11 hotels near the Santa Clara Convention Center: AC Hotel Santa Clara, Avatar Hotel, Biltmore Hotel & Suites, Element Santa Clara, Embassy Suites, Hilton Santa Clara, Hyatt House, Hyatt Regency, Marriott Santa Clara, The Plaza Suites, and TownePlace Suites by Marriott.

On January 26, 2021, Council consented to the Santa Clara Tourism Improvement District's request to pursue the formation of the district under the 1994 Law. Additionally, Council concurred with the TID's requested approach to change the TID assessment method from $1.00 per occupied room night to 1.5% of gross short-term room rentals, with the option to increase the assessment to 2% in year two.

Petitions in favor of SCTID formation were submitted by six (6) lodging businesses, which represented 76.51% of the total TID assessment. This majority petition allowed the Council to initiate proceedings for the SCTID formation.

On April 6, 2021, Council approved Resolution No. 21-8955 declaring the City's intent to establish the Santa Clara Tourism Improvement District (SCTID) under the 1994 Law. A summary of the key provisions of the SCTID are as follows:

- Location: The proposed Santa Clara Tourism Improvement District (SCTID) includes all lodging businesses with ten (10) rooms or more located within the District boundaries.
- Services: The SCTID is designed to provide specific benefits directly to payors by increasing room night sales. Convention sales, incentives, and services and marketing and communication programs will increase overnight tourism and market payors as tourist, meeting, and event destinations, thereby increasing room night sales.
- Budget: The total SCTID annual budget for the initial year is anticipated to be approximately $610,936.

- Cost: The annual assessment rate is one and one-half of one percent (1.5%) of gross short-term room rental revenue. After the initial year of the SCTID's five (5) year term the assessment rate may be increased in any year by the Owners' Association's Board to a maximum of two percent (2%) of gross short-term room rental revenue.
- Collection: Each lodging business located in the boundaries of the SCTID shall be responsible for remitting the assessments to the City in accordance with the Management District Plan (MDP). The City will be responsible for collecting the assessment on a quarterly basis or at the close of any shorter reporting period as established by the Director of Finance (including any delinquencies, penalties and interest) from each lodging business located in the boundaries of the SCTID. The City shall take all reasonable efforts to collect the assessments from each lodging business.
- Duration: The proposed SCTID will have a five (5) year life, beginning July 1, 2021 through June 30, 2026. Once per year, beginning on the anniversary of SCTID formation, there is a thirty (30) day period in which owners paying fifty percent (50%) or more of the assessment may protest and initiate a City Council hearing on SCTID termination.
- Management: Silicon Valley/Santa Clara DMO, Inc. (DMO) will serve as the SCTID's Owners' Association. The Owners' Association is charged with managing funds and implementing programs in accordance with this Plan and must provide annual reports to the City Council.

On April 7, 2021, the City mailed written notices to the owners of all businesses proposed to be within the SCTID. Mailing the notice began the mandatory forty-five (45) day period in which owners may protest the SCTID formation.

On April 20, 2021, City Council conducted a public meeting to allow for public testimony on the formation of the SCTD and levy of assessments. There were no public comments and no Council action required at that time.

After the approval of the Resolution of Intention and the public meeting, Council must conduct a public hearing to receive any written or oral protests against the formation of the new district.

DISCUSSION

A public hearing is being held to *allow businesses subject to the assessment* an opportunity to submit comments, voice concerns, and to protest the assessment. If written protests are received from the owners of businesses in the proposed SCTID which will pay more than fifty percent (50%) of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than fifty percent (50%), no further proceedings to levy the proposed assessment against such businesses shall be taken for a period of one (1) year from the date of the finding of a majority protest by the Council. At the time of this publication, no protests had been submitted to the City Clerk.

At the conclusion of the public hearing, the Council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing them (i.e., the Council cannot increase the proposed assessment). Additionally, Council may adopt a Resolution establishing the Santa Clara Tourism Improvement District.

Included with this staff report is the TID's Annual Report and the DMO's FY 2021/22 Proposed Budget. Additionally, the FY 2020/21 detailed expense report ending April 28, 2021 is attached. Per

the Management District Plan, as the SCTID's Owners' Association, Silicon Valley/Santa Clara DMO, Inc. will manage funds and implement programs and will provide annual reports to the City Council.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

If the new SCTID is established, the levy will be effective July 1, 2021. The projected assessment for Fiscal Year 2021/22 is $610,936.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

ALTERNATIVES

1. Adopt a Resolution of Formation to establish the Santa Clara Tourism Improvement District (SCTID) for five years starting July 1, 2021 if there is no legally sufficient protest.
2. Do not adopt a Resolution of Formation to establish the Santa Clara Tourism Improvement District (SCTID) for five years starting July 1, 2021.

RECOMMENDATION

Alternative 1: Adopt a Resolution of Formation to establish the Santa Clara Tourism Improvement District (SCTID) for five years starting July 1, 2021 if there is no legally sufficient protest.

Reviewed by: Ruth Mizobe Shikada, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Resolution No. 21-8955
2. Resolution of Formation
3. Management District Plan
4. TID Annual Report and FY 2021/22 Proposed Budget
5. FY 2020/21 Expense Report Ending April 28, 2021

RESOLUTION NO. 21-8955

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA DECLARING ITS INTENTION TO ESTABLISH THE SANTA CLARA TOURISM IMPROVEMENT DISTRICT (SCTID) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the Property and Business Improvement Law of 1994, Streets and Highways Code § 36600 et seq., authorizes the City to establish business improvement districts for the purposes of promoting tourism;

WHEREAS, Silicon Valley/Santa Clara DMO, Inc., lodging business owners, and representatives from the City of Santa Clara have met to consider the formation of the SCTID;

WHEREAS, Silicon Valley/Santa Clara DMO has drafted a Management District Plan (Plan) which sets forth the proposed boundary of the SCTID, a service plan and budget, and a proposed means of governance; and,

WHEREAS, lodging business who will pay more than fifty percent (50%) of the assessment under the SCTID have petitioned the City Council to establish the SCTID.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct by reference make them a part hereof.

2. That the City Council finds that lodging businesses that will pay more than fifty percent (50%) of the assessment proposed in the Plan have signed and submitted petitions in support of the formation of the SCTID. The City Council accepts the petitions and adopts this Resolution of Intention to establish the SCTID and to levy an assessment on certain lodging businesses within the SCTID boundaries in accordance with the Property and Business Improvement District Law of 1994.

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3. That the City Council finds that the Plan satisfies all requirements of Streets and Highways Code § 36622.

4. That the City Council declares its intention to establish the SCTID and to levy and collect assessments on lodging businesses within the SCTID boundaries pursuant to the Property and Business Improvement District Law of 1994.

5. That the SCTID shall include all lodging businesses with ten (10) rooms or more located within the boundaries of a portion of the City of Santa Clara, as shown in the map attached as Exhibit A.

6. That the name of the district shall be Santa Clara Tourism Improvement District (SCTID).

7. That the annual assessment rate is one and one-half of one percent (1.5%) of gross short-term room rental revenue. After the initial year of the SCTID's five (5) year term, the assessment rate may be increased by the Owner's Association's Board to a maximum of two percent (2%) of gross short-term room rental revenue. Based on the benefit received, assessments will not be collected on stays by any officer or employee of a foreign government who is exempt by reason of express provision of Federal law or international treaty. Additionally, assessments will not be collected on stays by any Federal or State of California officer or employee on official business who shall provide one of the following; a warrant or check drawn on the Treasury of the United States; a copy of the official travel orders indicating the issuing governmental agency and the employee's full name; or, a copy of a letter on the official letterhead of an exempt governmental agency requesting exemption and listing the employee's name and stating that the stay is for official government business. The dates of occupancy must also be included. These requirements must be demonstrated by the guest at the time of registration. Failure to satisfy these requirements will result in no assessment exemption. Copies of the documentation for each exemption claimed must be submitted to the Director of Finance with each remittance of assessments.

//

8. That the assessments levied for the SCTID shall be applied toward conventions sales, incentives and services and marketing and communication programs to market assessed lodging businesses in Santa Clara as tourist, meeting, and event destinations, as described in the Plan. Funds remaining at the end of any year may be used in subsequent years in which SCTID assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.

9. That the proposed SCTID will have a five (5) year term, beginning July 1, 2021 through June 30, 2026, unless renewed pursuant to Streets and Highways Code § 36660.

10. That bonds or any debt obligation shall not be issued.

11. That the time and place for the public meeting to hear testimony on establishing the SCTID and levying assessments are set for April 20, 2021 at 4:00 PM, or as soon thereafter as the matter may be heard, at , Virtual Zoom Meeting: Zoom information: https://santaclara.legistar.com/Calendar.aspx.

12. That the time and place for the public hearing to establish the SCTID and the levy of assessments are set for May 25, 2021 at 4:00 PM, or as soon thereafter as the matter may be heard, at , Virtual Zoom Meeting: Zoom information: https://santaclara.legistar.com/Calendar.aspx. The City Clerk is directed to provide written notice to the lodging businesses subject to assessment of the date and time of the meeting and hearing, and to provide that notice as required by Streets and Highways Code § 36623, no later than April 10, 2021.

13. That at the public meeting and hearing the testimony of all interested persons for or against the establishment of the SCTID may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the lodging businesses within the proposed SCTID that will pay more than fifty percent (50%) of the estimated total assessment of the entire SCTID, no further proceedings to establish the SCTID shall occur for a period of one (1) year.

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14. That the complete Plan is on file with the City Clerk and may be reviewed upon request.

15. Effective date. This resolution shall become effective immediately.

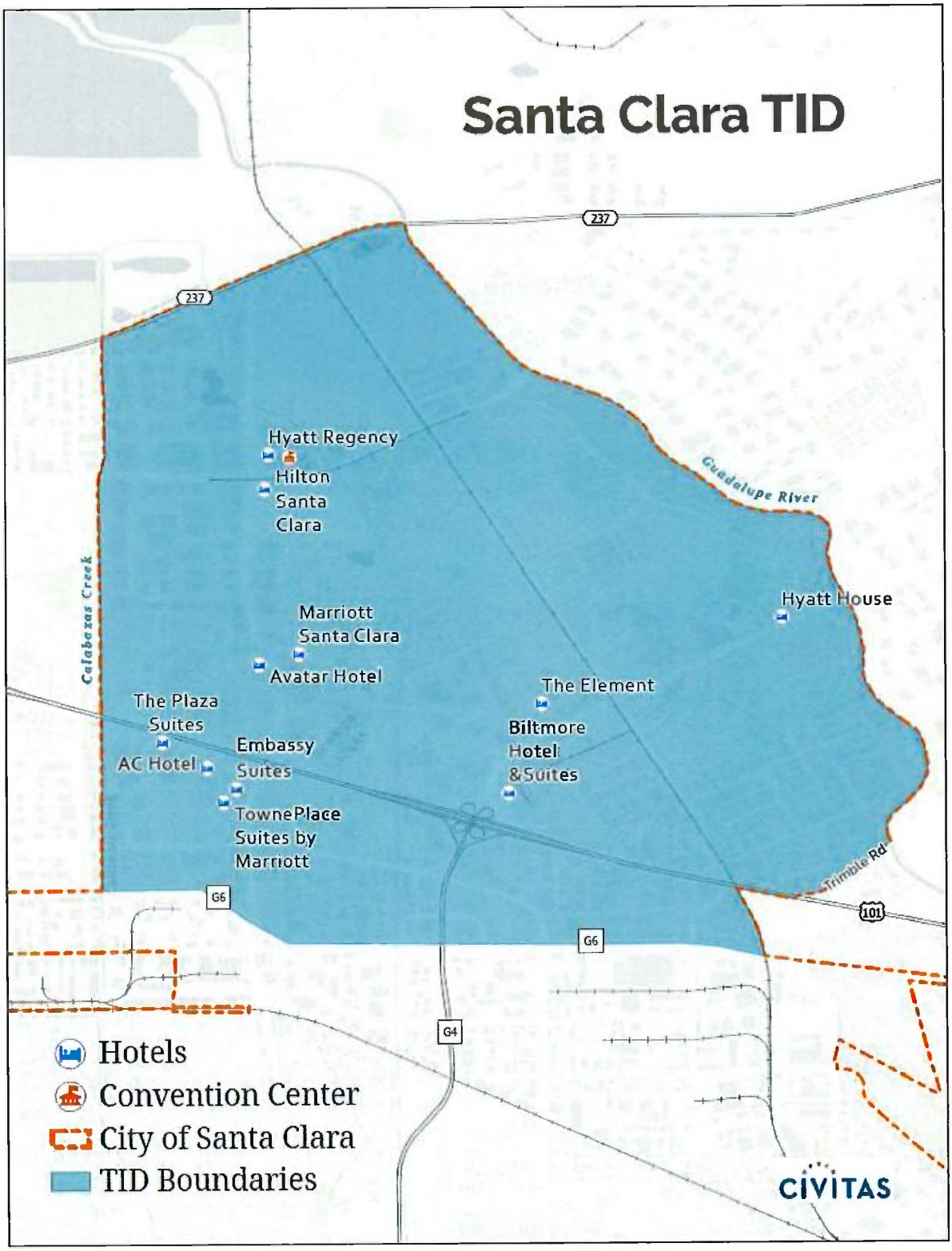
I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 6TH DAY OF APRIL, 2021, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Park, and Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Exhibit A – District Boundaries

EXHIBIT A
District Boundaries



RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA DECLARING RESULTS OF THE MAJORITY PROTEST PROCEEDINGS AND ESTABLISHING THE SANTA CLARA TOURISM IMPROVEMENT DISTRICT (SCTID)

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the Property and Business Improvement District Law of 1994 (Streets and Highways Code §36600 et. seq.) authorizes the City to establish business improvement districts upon petition by a weighted majority of the business owners located within the boundaries of the district; and

WHEREAS, lodging business owners who will pay more than fifty percent (50%) of the proposed assessment, as weighted according to the amount of the assessment to be paid by the petitioner, within the boundaries of the SCTID have petitioned the City Council to establish the SCTID; and

WHEREAS, included with the petitions was a Management District Plan (Plan) summary that describes the proposed assessment to be levied on lodging businesses within the SCTID to pay for sales, marketing, communications, and other improvements and activities set forth in the Plan; and

WHEREAS, the assessed lodging businesses within the SCTID will receive a specific benefit from the activities and improvements set forth in the Plan; and

WHEREAS, on April 6, 2021 at 4:00 PM or as soon thereafter at 1500 Warburton Avenue, Santa Clara, CA 95050, the City Council adopted a Resolution of Intention, Resolution No. 21-8955 and

WHEREAS, the public meeting and public hearing to consider the establishment of the SCTID have been properly noticed in accordance with Streets and Highways Code §36623; and

WHEREAS, on April 20, 2021 at 4:00 PM or as soon thereafter at 1500 Warburton Avenue, Santa Clara, CA 95050, the City Council held a public meeting regarding the establishment of

the SCTID, and the City Council heard and received objections and protests, if any, to the establishment of the SCTID and the levy of the proposed assessment; and

WHEREAS, on May 25, 2021 at 4:00 PM or as soon thereafter at 1500 Warburton Avenue, Santa Clara, CA 95050, the City Council held a public hearing regarding the establishment of the SCTID, and the City Council heard and received all objections and protests, if any, to the establishment of the SCTID and the levy of the proposed assessment; and

WHEREAS, the City Clerk has determined that there was no majority protest. A majority protest is defined as written protests received from owners of businesses in the proposed SCTID which would pay fifty percent (50%) or more of the assessments proposed to be levied. Protests are weighted based on the assessment proposed to be levied on each lodging business; and

WHEREAS, the City bears the burden of proving by a preponderance of the evidence that an assessment imposed for a specific benefit or specific government service is not a tax, that the amount is no more than necessary to cover the costs to the City in providing the specific benefit or specific government service, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the specific benefits or specific government services received by the payor.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the recitals set forth herein are adopted by the City Council as findings and they are true and correct.

2. That the SCTID is hereby established for a five (5) year term beginning July 1, 2021 through June 30, 2026.

3. That the Plan dated January 6, 2021 is hereby adopted and approved.

4. That the activities to be provided to benefit businesses in the SCTID will be funded by the levy of the assessment. The revenue from the assessment levy shall not be used: to provide activities that directly benefit businesses outside the SCTID; to provide activities or

improvements outside the SCTID; or for any purpose other than the purposes specified in this Resolution, the Resolution of Intention, and the Plan. Notwithstanding the foregoing, improvements and activities that must be provided outside the SCTID boundaries to create a specific benefit to the assessed businesses may be provided but shall be limited to marketing or signage pointing to the SCTID.

5. That the City Council finds as follows:

A. The activities funded by the assessment will provide a specific benefit to assessed businesses within the SCTID that is not provided to those not paying the assessment.

B. The assessment is a charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.

C. The assessment is a charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.

D. Assessments imposed pursuant to the SCTID are levied solely upon the assessed business, and the business owner is solely responsible for payment of the assessment when due. If the owner chooses to collect any portion of the assessment from a transient, that portion shall be specifically called out and identified for the transient in any and all communications from the business owner as the “SCTID Assessment” or “Tourism Assessment” as specified in the Plan. As an alternative, the disclosure may include the amount of the SCTID assessment and the amount of the assessment imposed pursuant to the California Tourism Marketing Act, Government Code §13995 et seq. and shall be disclosed as the “Tourism Assessment.”

6. That the assessments levied for the SCTID shall be applied towards sales, marketing, and communications to market City of Santa Clara lodging businesses as tourist, meeting and event destinations, and other improvements and activities as set forth in the Plan.

7. The annual assessment rate is one and one-half of one percent (1.5%) of gross short-term room rental revenue. Based on the benefit received, assessments will not be collected on stays by any officer or employee of a foreign government who is exempt by reason of express provision of Federal law or international treaty. Additionally, assessments will not be collected on stays by any Federal or State of California officer or employee on official business who shall provide one of the following; a warrant or check drawn on the Treasury of the United States; a copy of the official travel orders indicating the issuing governmental agency and the employee's full name; or, a copy of a letter on the official letterhead of an exempt governmental agency requesting exemption and listing the employee's name and stating that the stay is for official government business. The dates of occupancy must also be included. These requirements must be demonstrated by the guest at the time of registration. Failure to satisfy these requirements will result in no assessment exemption. Copies of the documentation for each exemption claimed must be submitted to the Director of Finance with each remittance of assessments. After the initial year of the SCTID's five (5) year term the assessment rate may be increased in any year by the SCTID Owners' Association's Board to a maximum of two percent (2%) of gross short-term room rental revenue.

8. That assessments levied on lodging businesses pursuant to this resolution shall be levied on the basis of benefit. Because the services provided are intended to increase room rentals, an assessment based on room rentals is the best measure of benefit.

9. That the assessment for the entire SCTID will total approximately $610,936 in year one (1).

10. That bonds shall not be issued to fund the SCTID.

11. That the SCTID shall include all lodging business comprised of ten (10) rooms or more located within the boundaries of the City of Santa Clara. A boundary map is attached hereto and incorporated herein by reference.

12. That the assessments shall be used for the purposes set forth above and any funds remaining at the end of any year may be used in subsequent years in which the SCTID assessment is levied as long as they are used consistent with the requirements set forth herein.

13. That the assessments to fund the activities and improvements for the SCTID will be collected by the City on a quarterly basis or at the close of any shorter reporting period as established by the Director of Finance, and in accordance with Streets and Highways Code §36631.

14. That the City Council, through adoption of this Resolution and the Plan, has the right pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the SCTID as defined in Streets and Highways Code §36612. The City Council has determined that Silicon Valley/Santa Clara DMO, Inc. shall be the SCTID Owners' Association.

15. Silicon Valley/Santa Clara DMO, Inc., pursuant to Streets and Highways Code §36650, shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvement and activities described in the report. The first report shall be due after the first year of operation of the SCTID.

16. That the SCTID established pursuant to this Resolution will be subject to any amendments to the Property and Business Improvement District Law of 1994 (California Streets and Highways Code §36600 et. seq.).

17. That the City Clerk, or his or her designee, is directed to take all necessary actions to complete the establishment of the SCTID and to levy the assessments.

18. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2021, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

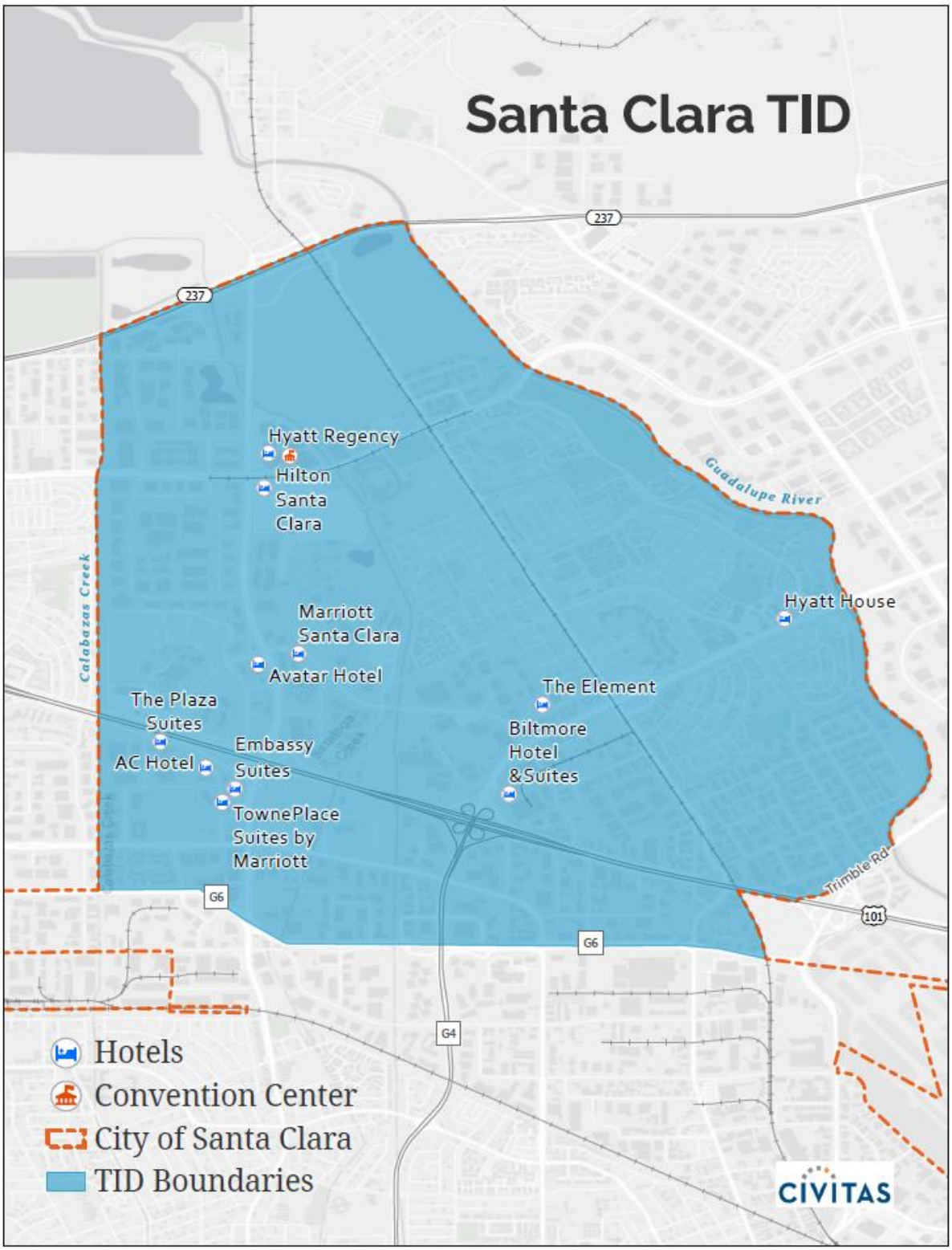
ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Exhibit A – District Boundaries

EXHIBIT A
District Boundaries



2021-2026



SANTA CLARA TOURISM IMPROVEMENT DISTRICT MANAGEMENT DISTRICT PLAN

Prepared pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq.

January 6, 2021

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Prepared by
Civitas

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I. OVERVIEW

The Santa Clara Tourism Improvement District (SCTID) is an assessment district proposed to provide specific benefits to payors, by funding convention sales, incentives, and services and marketing and communication programs for assessed businesses. This approach has been used successfully in other destination areas throughout the country to provide the benefit of additional room night sales directly to payors.

Location: The proposed SCTID includes all lodging businesses with ten (10) rooms or more located within the boundaries of a portion of the City of Santa Clara, as shown on the map in Section III.

Services: The SCTID is designed to provide specific benefits directly to payors by increasing room night sales. Convention sales, incentives, and services and marketing and communication programs will increase overnight tourism and market payors as tourist, meeting and event destinations, thereby increasing room night sales.

Budget: The total SCTID annual budget for the initial year of its five (5) year operation is anticipated to be approximately $610,936.

Cost: The annual assessment rate is one and one-half of one percent (1.5%) of gross short-term room rental revenue. After the initial year of the SCTID's five (5) year term the assessment rate may be increased in any year by the Owners' Association's Board to a maximum of two percent (2%) of gross short-term room rental revenue as described in Section V. Based on the benefit received, assessments will not be collected on stays by any officer or employee of a foreign government who is exempt by reason of express provision of Federal law or international treaty. Additionally, assessments will not be collected on stays by any Federal or State of California officer or employee on official business who shall provide one of the following; a warrant or check drawn on the Treasury of the United States; a copy of the official travel orders indicating the issuing governmental agency and the employee's full name; or, a copy of a letter on the official letterhead of an exempt governmental agency requesting exemption and listing the employee's name and stating that the stay is for official government business. The dates of occupancy must also be included. These requirements must be demonstrated by the guest at the time of registration. Failure to satisfy these requirements will result in no assessment exemption. Copies of the documentation for each exemption claimed must be submitted to the Director of Finance with each remittance of assessments.

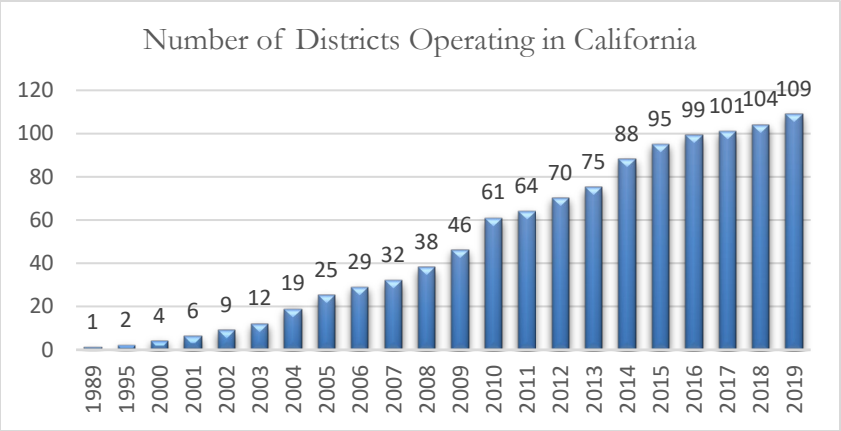
Collection: Each lodging business located in the boundaries of the SCTID shall be responsible for remitting the assessments to the City in accordance with this Management District Plan. The City will be responsible for collecting the assessment on a quarterly basis or at the close of any shorter reporting period as established by the Director of Finance (including any delinquencies, penalties and interest) from each lodging business located in the boundaries of the SCTID. The City shall take all reasonable efforts to collect the assessments from each lodging business.

Duration: The proposed SCTID will have a five (5) year life, beginning July 1, 2021 through June 30, 2026. Once per year, beginning on the anniversary of SCTID formation, there is a thirty (30) day period in which owners paying fifty percent (50%) or more of the assessment may protest and initiate a City Council hearing on SCTID termination.

Management: Silicon Valley/Santa Clara DMO, Inc. (DMO) will serve as the SCTID's Owners' Association. The Owners' Association is charged with managing funds and implementing programs in accordance with this Plan and must provide annual reports to the City Council.

II. BACKGROUND

TIDs are an evolution of the traditional Business Improvement District. The first TID was formed in West Hollywood, California in 1989. Since then, over 100 California destinations have followed suit. In recent years, other states have begun adopting the California model – Montana, South Dakota, Washington, Colorado, Texas and Louisiana have adopted TID laws. Several other states are in the process of adopting their own legislation. The cities of Wichita, Kansas and Newark, New Jersey used an existing business improvement district law to form a TID. And, some cities, like Portland, Oregon and Memphis, Tennessee have utilized their home rule powers to create TIDs without a state law.



California's TIDs collectively raise over $275 million annually for local destination marketing. With competitors raising their budgets, and increasing rivalry for visitor dollars, it is important that Santa Clara lodging businesses invest in stable, lodging-specific marketing programs.

TIDs utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TIDs allow lodging business owners to organize their efforts to increase room night sales. Lodging business owners within the TID pay an assessment and those funds are used to provide services that increase room night sales.

In California, TIDs are formed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a benefit assessment district to raise funds within a specific geographic area. *The key difference between TIDs and other benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.*

There are many benefits to TIDs:

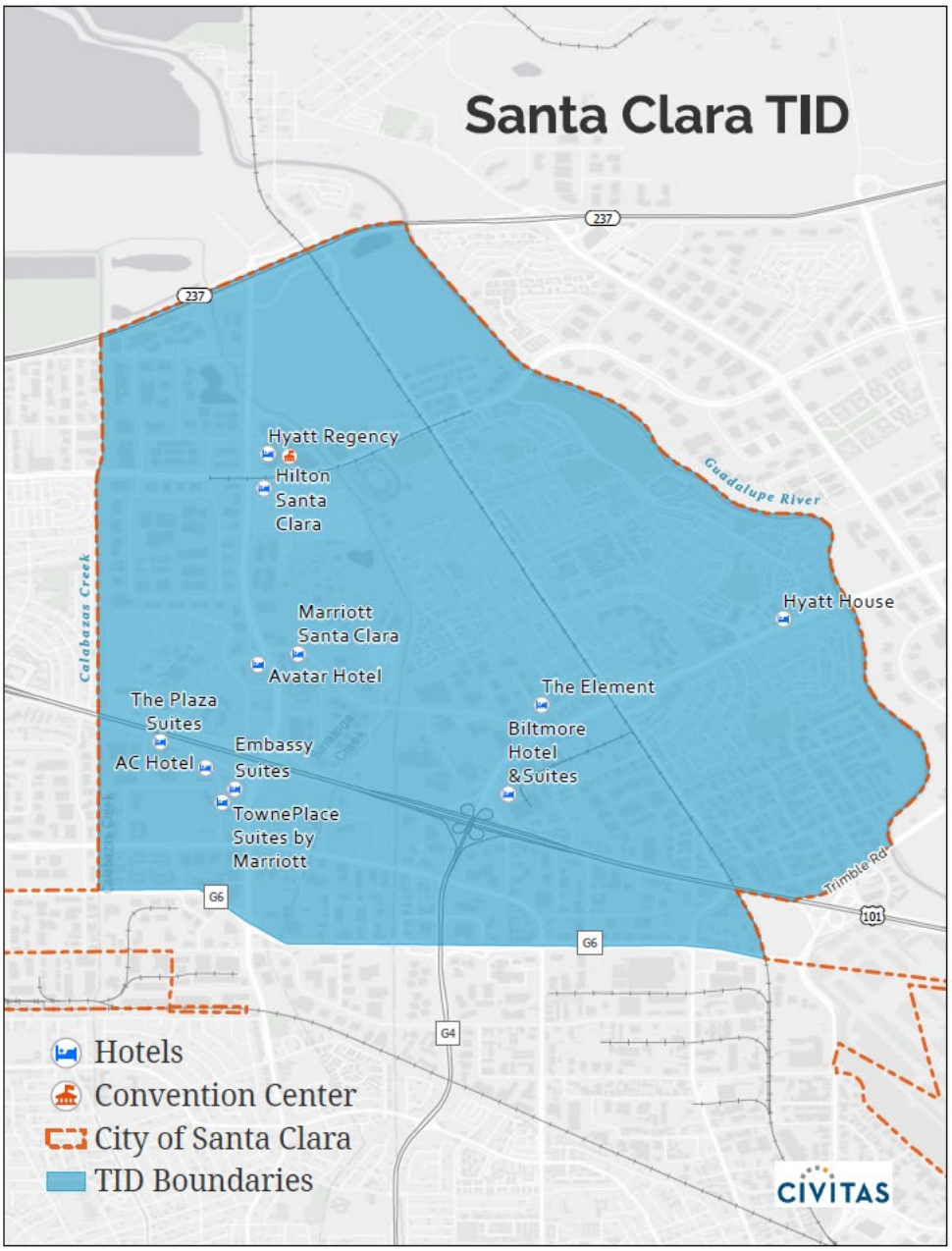
- Funds must be spent on services and improvements that provide a specific benefit only to those who pay;
- Funds cannot be diverted to general government programs;
- They are customized to fit the needs of payors in each destination;
- They allow for a wide range of services;
- They are ***designed, created and governed by those who will pay*** the assessment; and
- They provide a stable, long-term funding source for tourism promotion.

III. BOUNDARY

The SCTID will include all lodging businesses with ten (10) rooms or more, existing and in the future, available for public occupancy within the boundaries of a portion of the city of Santa Clara.

Lodging business means: any structure, or any portion of any structure, that is occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and includes, but is not limited to, any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home, or house trailer at a fixed location, or other similar structure or portion thereof.

The boundary, as shown in the map below, currently includes eleven (11) lodging businesses. A complete listing of lodging businesses within the proposed SCTID can be found in Appendix 2.

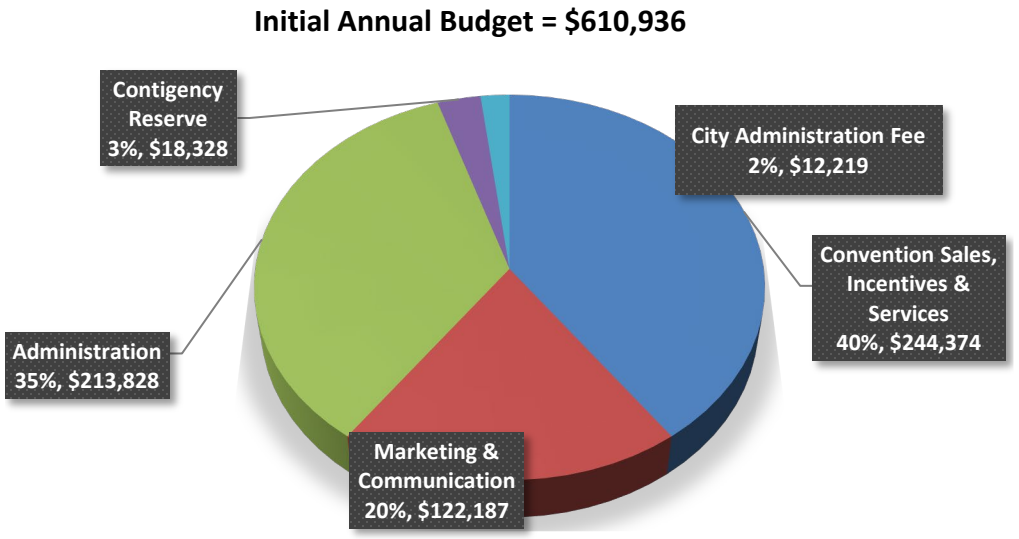


IV. BUDGET AND SERVICES

A. Annual Service Plan

Assessment funds will be spent to provide specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits or granting the privileges. The privileges and services provided with the SCTID funds are convention sales, incentives, and services and marketing and communication programs available only to assessed businesses within the SCTID.

A service plan budget has been developed to deliver services that benefit the assessed businesses within the SCTID. A detailed annual budget will be developed and approved by the DMO. The table below illustrates the initial annual budget allocations. The total initial budget is $610,936.



Although actual revenues will fluctuate due to market conditions, the proportional allocations of the budget shall remain the same. However, the City and the DMO Board shall have the authority to adjust budget allocations between the categories by no more than twenty percent (20%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the SCTID, any and all assessment funds may be used for the costs of defending the SCTID. In the first year of operation, the costs of creating the SCTID may be repaid by deducting repayment funds proportionally from budget categories. All assets/funds collected by the District established under the 1989 Law will be transferred to the new 1994 District and additional funds may be allocated to each program as deemed necessary by the DMO Board and City Council during the budget development and approval process.

Each budget category includes all costs related to providing that service, in accordance with Generally Accepted Accounting Procedures (GAAP). For example, the marketing and communications budget includes the cost of staff time dedicated to overseeing and implementing the marketing and communications program. Staff time dedicated purely to administrative tasks is allocated to the administration portion of the budget. The costs of an individual staff member may be allocated to multiple budget categories, as appropriate in accordance with GAAP. The staffing

levels necessary to provide the services below will be determined by the DMO on an as-needed basis.

Convention Sales, Incentives, and Services
The Convention Sales, Incentives, and Services Program will promote sales activity for the booking of Convention Center events and increased room night sales of Convention Center attendees. The budget will be dedicated to sales activities to attract new meetings, conventions, sporting, and other events that have a significant impact on assessed lodging business room demand in the SCTID. The Program may include the provision of subsidies to attract new marquee events and conventions that have not previously hosted an event at the Convention Center. Program activities may include, but is not limited to, the following activities:

- Engage in sales activity for the effective booking of the Convention Center, for increased room night sales to Convention Center attendees and commensurate revenue for the Convention Center.
- Sell and coordinate the booking and reservation of convention, meeting and/or trade show space, hotel rooms and other off-site venues as necessary in connection with such convention, meeting, trade show or other group leisure events at the Convention Center and Santa Clara hotels in order to facilitate the seamless booking and servicing processes for space, food and beverage, audio/visual, and other group needs.
- Conduct targeted sales calls to potential convention, tradeshow, and conference planners to generate prospects.
- Host exhibits at various targeted conference shows and special events as deemed necessary by Contractor to promote economic development and the visitor industry.
- Conduct familiarization tours and product development tours and activities for agreed upon prospective clients.
- Host prospective meeting planners and other prospective clients in the City to promote business and industry development and the tourism industry.
- Provide an incentive program in conjunction with the Convention Center and TID lodging businesses to generate new group or convention bookings.

Marketing & Communication
The Marketing and Communication Program will promote assessed lodging businesses as convention, meeting, and event destinations. The Program will have a central theme of promoting the destination as a desirable place for overnight meeting and convention attendees The program will have the goal of increasing overnight visitation and room night sales at assessed lodging businesses, and may include, but is not limited to, the following activities:

- Promote and market the Convention Center and Santa Clara, as a premier destination for conventions, meetings and trade shows, including utilization of digital media, online presence and social networks.
- Develop, produce, and distribute promotional convention sales materials specific to the Convention Center, Santa Clara lodging businesses, restaurants, entertainment and other amenities located in the City, and distribute said materials to event planners or coordinators.
- Conduct coordinated advertising, publicity and promotion campaigns emphasizing attractions offered in the City for meetings and conventions groups.

- Participate in appropriate convention and destination marketing association's events and trade shows so that favorable and targeted publicity about the City and the Convention Center is continued and expanded.
- Solicit appropriate convention, tradeshow and meeting organizations to use the Convention Center and other venues throughout the City.
- Support destination planning services to associations, businesses, organizations and groups convening or holding conventions, meetings or events in the City.
- Maintain a master set of bookings and schedules (and other related books and records) for conventions, tradeshows and other events at the Convention Center.
- Create and maintain strategic relationships for the coordination of sales and services with the City and its business partners, including but not limited to the TID lodging businesses, Convention Center operator, and food and beverage service provider among others.
- Engage in such other sales, marketing and promotion activities as Contractor deems appropriate and necessary to increase sales activity for conventions, meetings, trade shows and other events at the Convention Center.
- Maintain and continue to develop an appealing website that is designed to showcase the attributes of Santa Clara and market Santa Clara as a desirable destination.

Administration
Administration provides management, coordination and support to all organizational services and functions. Administration is responsible for the general oversight and fiscal health of the organization and budget will be used to support administrative staffing costs, office costs, policy development, and other general administrative costs such as insurance, legal, and accounting.

Contingency/Reserve
The budget includes a contingency line item to account for uncollected assessments, if any. If there are contingency funds collected, they may be held in a reserve fund or utilized for other program, administration or renewal costs at the discretion of the DMO Board. Policies relating to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of monies from the reserve fund shall be set by the DMO Board. Contingency/reserve funds may be spent on District programs or administrative and renewal costs in such proportions as determined by the DMO Board. The reserve fund may be used for the costs of renewing the SCTID.

City Administration Fee
The City of Santa Clara shall be paid a fee equal to 2% of the amount of assessment collected to cover its costs of collection and administration which may include but are not limited to: staffing costs, legal services, and operational costs for rent, telephone, supplies, postage, and other general office expenses.

B. Annual Budget

The total five (5) year improvement and service plan budget is projected at approximately $610,936 annually, or $5,525,122 through 2026 if the maximum assessment rate increases are adopted. This budget is expected to fluctuate as room sales change and if the assessment rate is increased. If the maximum annual assessment increases are adopted by the DMO's Board, the annual budget may increase to an estimated $1,174,623 in 2022-23.

The initial annual assessment rate is one and one-half of one percent (1.5%) of gross short-term room rental revenue. After the initial year, the DMO Board may propose to increase the assessment

up to a maximum increment of one-half of one percent (0.50%), to a maximum assessment rate of two percent (2%) of gross short-term room rental revenue. If the DMO's Board votes to increase the assessment, the DMO shall propose the assessment increase to the City of Santa Clara for City Council approval.

The table below demonstrates the maximum with the assumption that the rate will be increased in 2022-23 as it is a required disclosure, it may not be the final course of action. Additionally, a three percent (3%) annual increase in the total budget is shown to account for estimated increased room night sales as a result of SCTID efforts. This three percent (3%) annual increase is a conservative estimate based on the effects of similarly sized TID budgets. Finally, it is anticipated revenues will increase by forty percent (40%) as the economy begins to recover from the COVID-19 pandemic. Due to the unprecedented nature of the COVID-19 pandemic, this is an estimation based on available data and may be subject to change. This anticipated forty percent (40%) increase has been implemented in the year 2022-23 in the chart below, in addition to the anticipated three percent (3%) annual increases and the assessment increase. This amount may fluctuate as sales and revenue increase at assessed businesses but is not expected to change significantly over the term.

Estimated Annual Budget If Maximum Assessment Rates Are Adopted
2021-2026

Year	Convention Sales, Incentives, and Services	Marketing & Communication	Administration	Contingency / Reserve	City Administration Fee	Total
2021-22	$244,374	$122,187	$213,828	$18,328	$12,219	$610,936
2022-23	$469,849	$234,925	$411,118	$35,239	$23,492	$1,174,623
2023-24	$483,945	$241,972	$423,452	$36,296	$24,197	$1,209,862
2024-25	$498,463	$249,232	$436,155	$37,385	$24,923	$1,246,158
2025-26	$513,417	$256,709	$449,240	$38,506	$25,671	$1,283,543
Total	$2,210,049	$1,105,024	$1,933,793	$165,754	$110,502	$5,525,122

The table below illustrates the annual improvement and service plan budget with the assumption that the rates will not be increased during the district's five (5) year term. Additionally, a three percent (3%) annual increase in the total budget is shown, to account for estimated increased room night sales as a result of SCTID efforts. Finally, the aforementioned projection of a forty percent (40%) increase in revenue due to economic recovery from the COVID-19 pandemic is reflected in the chart below for year 2022-23.

Estimated Annual Budget If Maximum Assessment Rates Are Not Adopted
2021-2026

Year	Convention Sales, Incentives, and Services	Marketing & Communication	Administration	Contingency / Reserve	City Administration Fee	Total
2021-22	$244,374	$122,187	$213,828	$18,328	$12,219	$610,936
2022-23	$352,388	$176,194	$308,339	$26,429	$17,619	$880,970
2023-24	$362,960	$181,480	$317,590	$27,222	$18,148	$907,399
2024-25	$373,848	$186,924	$327,117	$28,039	$18,692	$934,621
2025-26	$385,064	$192,532	$336,931	$28,880	$19,253	$962,659
Total	$1,718,634	$859,317	$1,503,805	$128,898	$85,932	$4,296,585

C. California Constitutional Compliance

The SCTID assessment is not a property-based assessment subject to the requirements of Proposition 218. Courts have found Proposition 218 limited the term 'assessments' to levies on real property.[1] Rather, the SCTID assessment is a business-based assessment, and is subject to Proposition 26. Pursuant to Proposition 26 all levies are a tax unless they fit one of seven exceptions. Two of these exceptions apply to the SCTID, a "specific benefit" and a "specific government service." Both require that the costs of benefits or services do not exceed the reasonable costs to the City of conferring the benefits or providing the services.

1. Specific Benefit

Proposition 26 requires that assessment funds be expended on, "a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege."[2] The services in this Plan are designed to provide targeted benefits directly to assessed businesses, and are intended only to provide benefits and services directly to those businesses paying the assessment. These services are tailored not to serve the general public, businesses in general, or parcels of land, but rather to serve the specific businesses within the SCTID. The activities described in this Plan are specifically targeted to increase room night sales for assessed lodging businesses within the boundaries of the SCTID and are narrowly tailored. SCTID funds will be used exclusively to provide the specific benefit of increased room night sales directly to the assessees. Assessment funds shall not be used to feature non-assessed lodging businesses in SCTID programs, or to directly generate sales for non-assessed businesses. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed businesses.

The assessment imposed by this SCTID is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in room night sales. The specific benefit of an increase in room night sales for assessed lodging businesses will be provided only to lodging businesses paying the district assessment, with marketing and sales programs promoting lodging businesses paying the SCTID assessment. The Marketing and Sales Program will be designed to increase room night sales at each assessed lodging businesses. Because they are necessary to provide the Convention Sales, Incentives, and Services and Marketing and Communication programs that specifically benefit the assessed lodging businesses, the administration and contingency/reserve services also provide the specific benefit of increased room night sales to the assessed lodging businesses.

Although the SCTID, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, "A specific benefit is not excluded from classification as a 'specific benefit' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor."[3]

2. Specific Government Service

[1] *Jarvis v. the City of San Diego* 72 Cal App. 4th 230
[2] Cal. Const. art XIII C § 1(e)(1)
[3] Government Code § 53758(a)

The assessment may also be utilized to provide, "a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product."[4] The legislature has recognized that marketing and promotions services like those to be provided by the SCTID are government services within the meaning of Proposition 26[5]. Further, the legislature has determined that "a specific government service is not excluded from classification as a 'specific government service' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific government service to the payor."[6]

3. Reasonable Cost

SCTID services will be implemented carefully to ensure they do not exceed the reasonable cost of such services. The full amount assessed will be used to provide the services described herein. Funds will be managed by the DMO, and reports submitted on an annual basis to the City. Only assessed lodging businesses will be featured in marketing materials, receive sales leads generated from SCTID-funded activities, be featured in advertising campaigns, and benefit from other SCTID-funded services. Non-assessed lodging businesses will not receive these, nor any other, SCTID-funded services and benefits.

The SCTID-funded programs are all targeted directly at and feature only assessed businesses. It is, however, possible that there will be a spill over benefit to non-assessed businesses. If non-assessed lodging businesses receive incremental room nights, that portion of the promotion or program generating those room nights shall be paid with non-SCTID funds. SCTID funds shall only be spent to benefit the assessed businesses and shall not be spent on that portion of any program which directly generates incidental room nights for non-assessed businesses.

D. Assessment

The annual assessment rate is one and one-half of one percent (1.5%) of gross short-term room rental revenue. Based on the benefit received, assessments will not be collected on stays by any officer or employee of a foreign government who is exempt by reason of express provision of Federal law or international treaty. Additionally, assessments will not be collected on stays by any Federal or State of California officer or employee on official business who shall provide one of the following; a warrant or check drawn on the Treasury of the United States; a copy of the official travel orders indicating the issuing governmental agency and the employee's full name; or, a copy of a letter on the official letterhead of an exempt governmental agency requesting exemption and listing the employee's name and stating that the stay is for official government business. The dates of occupancy must also be included. These requirements must be demonstrated by the guest at the time of registration. Failure to satisfy these requirements will result in no assessment exemption. Copies of the documentation for each exemption claimed must be submitted to the Director of Finance with each remittance of assessments.

After the initial year, the assessment rate may be increased by the DMO's Board, subject to City Council approval, to a maximum of two percent (2%) of gross short-term room rental revenue. If the assessment rate is increased, it may subsequently be decreased but shall not be decreased below a minimum of one and one-half of one percent (1.5%) of gross short-term room rental revenue. The

[4] Cal. Const. art XIII C § 1(e)(2)
[5] Government Code § 53758(b)
[6] Government Code § 53758(b)

assessment may be increased up to a maximum increment of one half of one percent (0.50%) and may be decreased down to a maximum increment of one-half of one percent (0.50%).

The term "gross room rental revenue" as used herein means: the consideration received, whether or not actually charged by the lodging business, for the occupancy of space in a lodging business valued in money, whether said gross room rental revenue is received in money, goods, labor, or otherwise, including all receipts, cash, credits, and property and services of any kind or nature. A lodging business may provide complimentary non-assessable rooms for employee use, guest satisfaction or charitable purposes (by a qualified 501(c)(3) charity) and a lodging business shall detail all complimentary non-assessable rooms in its regular reporting. Failure to accurately report complimentary rooms shall result in assessment of the rooms in question. Gross room rental revenue shall not include any federal, state or local taxes collected, including but not limited to transient occupancy taxes.

The assessment is levied upon and a direct obligation of the assessed lodging business. However, the assessed lodging business may, at its discretion, pass the assessment on to transients. The amount of assessment, if passed on to each transient, shall be disclosed in advance and separately stated from the amount of rent charged and any other applicable taxes, and each transient shall receive a receipt for payment from the business. If the SCTID assessment is identified separately it shall be disclosed as the "SCTID Assessment." As an alternative, the disclosure may include the amount of the SCTID assessment and the amount of the assessment imposed pursuant to the California Tourism Marketing Act, Government Code §13995 et seq. and shall be disclosed as the "Tourism Assessment." The assessment is imposed solely upon and is the sole obligation of the assessed lodging business even if it is passed on to transients. The assessment shall not be considered revenue for any purpose, including calculation of transient occupancy taxes.

Bonds or any debt obligation shall not be issued.

E. Penalties and Interest

The SCTID shall reimburse the City of Santa Clara for any costs associated with collecting unpaid assessments. If sums in excess of the delinquent SCTID assessment are sought to be recovered in the same collection action by the City, the SCTID shall bear its pro rata share of such collection costs. Assessed businesses which are delinquent in paying the assessment shall be responsible for paying:

1. *Delinquency Interest:* Any lodging business that fails to remit any assessment imposed within the time required shall pay interest as described in subparagraph 3 below.
2. *Penalty for Willful Noncompliance or Repeated Delinquencies:* If the City determines that the nonpayment of any remittance due is due to willful noncompliance or repeated delinquencies, a penalty of twenty-five percent (25%) of the amount of the assessment shall be added thereto in addition to the interest as required by subparagraph 3 below.
3. *Calculation of Interest:* In addition to the penalties imposed, any lodging business that fails to remit any assessment imposed shall pay interest at the rate of the United States government T-Bills sold at the latest sale prior to the date of the delinquency plus three percent (3%) prorated per month or fraction thereof on the amount of the assessment, exclusive of penalties, from the date on which the remittance first became delinquent until paid.
4. *Penalties and Interest Merged with Assessment:* Except for the purpose of calculation of interest and penalties, every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the assessment herein.

F. Time and Manner for Collecting Assessments

The SCTID assessment will be implemented beginning July 1, 2021 and will continue for five (5) years through June 30, 2026. On or before the last day of the month following the close of each calendar quarter, or at the close of any shorter reporting period as established by the Director of Finance, each assessed business shall remit to the City all assessments collected through the last day of the previous quarter, including any delinquencies, penalties, and interest, which have not previously been remitted to the City. Each lodging business located in the boundaries of the SCTID shall be responsible for remitting the assessments to the City in accordance with this Management District Plan. The City will be responsible for collecting the assessment on a quarterly basis or at the close of any shorter reporting period as established by the Director of Finance (including any delinquencies, penalties and interest) from each assessed lodging business. The City shall take all reasonable efforts to collect the assessments from each assessed lodging business. The City shall forward the assessments collected to the Owners' Association.

V. GOVERNANCE

A. Owners' Association

The City Council, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the SCTID as defined in Streets and Highways Code §36612. The City Council has determined that Silicon Valley/Santa Clara DMO, Inc. (DMO), a nonprofit corporation, will serve as the Owners' Association for the SCTID.

B. Brown Act and California Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the DMO Board and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

C. Annual Report

The DMO shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for that fiscal year.
- An estimate of the cost of providing the improvements and the activities for that fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

APPENDIX 1 – LAW

*** THIS DOCUMENT IS CURRENT THROUGH THE 2018 SUPPLEMENT ***
(ALL 2017 LEGISLATION)

STREETS AND HIGHWAYS CODE
DIVISION 18. PARKING
PART 7. PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

CHAPTER 1. General Provisions

ARTICLE 1. Declarations

36600. Citation of part

This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."

36601. Legislative findings and declarations; Legislative guidance

The Legislature finds and declares all of the following:

(a) Businesses located and operating within business districts in some of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.

(b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.

(c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.

(d) Assessments levied for the purpose of conferring special benefit upon the real property or a specific benefit upon the businesses in a business district are not taxes for the general benefit of a city, even if property, businesses, or persons not assessed receive incidental or collateral effects that benefit them.

(e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:

(1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.

(2) Job creation.

(3) Business attraction.

(4) Business retention.

(5) Economic growth.

(6) New investments.

(f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.

(g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.

(h) The act amending this section is intended to provide the Legislature's guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.

(1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.

(2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed.

Therefore, for special benefits to exist as a separate and distinct category from general benefits, the incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.

(3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5. Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

ARTICLE 2. Definitions

36606. "Activities"

"Activities" means, but is not limited to, all of the following that benefit businesses or real property in the district:

(a) Promotion of public events.

(b) Furnishing of music in any public place.

(c) Promotion of tourism within the district.

(d) Marketing and economic development, including retail retention and recruitment.

(e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.

(f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

36606.5. "Assessment"

"Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. "Business"

"Business" means all types of businesses and includes financial institutions and professions.

36608. "City"

"City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. "City council"

"City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. "Clerk"

"Clerk" means the clerk of the legislative body.

36609.5. "General benefit"

"General benefit" means, for purposes of a property-based district, any benefit that is not a "special benefit" as defined in Section 36615.5.

36610. "Improvement"

"Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

(a) Parking facilities.
(b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
(c) Trash receptacles and public restrooms.
(d) Lighting and heating facilities.
(e) Decorations.
(f) Parks.
(g) Fountains.
(h) Planting areas.
(i) Closing, opening, widening, or narrowing of existing streets.
(j) Facilities or equipment, or both, to enhance security of persons and property within the district.
(k) Ramps, sidewalks, plazas, and pedestrian malls.
(l) Rehabilitation or removal of existing structures.

36611. "Management district plan"; "Plan"

"Management district plan" or "plan" means a proposal as defined in Section 36622.

36612. "Owners' association"

"Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), for all records relating to activities of the district.

36614. "Property"

"Property" means real property situated within a district.

36614.5. "Property and business improvement district"; "District"

"Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.

36614.6. "Property-based assessment"

"Property-based assessment" means any assessment made pursuant to this part upon real property.

36614.7. "Property-based district"

"Property-based district" means any district in which a city levies a property-based assessment.

36615. "Property owner"; "Business owner"; "Owner"

"Property owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. "Business owner" means any person recognized by the city as the owner of the business. "Owner" means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. "Special benefit"

"Special benefit" means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

36616. "Tenant"

"Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

ARTICLE 3. Prior Law

36617. Alternate method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

CHAPTER 2. Establishment

36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceedings; Petition of property or business owners in proposed district

(a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.

(b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:

(1) A map showing the boundaries of the district.

(2) Information specifying where the complete management district plan can be obtained.

(3) Information specifying that the complete management district plan shall be furnished upon request.

(c) The resolution of intention described in subdivision (a) shall contain all of the following:

(1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.

(2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:

(a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.

(b) The name of the proposed district.

(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.

(d) The improvements, maintenance, and activities proposed for each year of operation of the district and the maximum cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities and a statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.
(e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.
(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.
(g) The time and manner of collecting the assessments.
(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.
(i) The proposed time for implementation and completion of the management district plan.
(j) Any proposed rules and regulations to be applicable to the district.
(k) (1) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.
(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.
(l) In a property-based district, the total amount of all special benefits to be conferred upon the properties located within the property-based district.
(m) In a property-based district, the total amount of general benefits, if any.
(n) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.
(o) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.
(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each

written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

(1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district. Notwithstanding the foregoing, improvements and activities that must be provided outside the district boundaries to create a special or specific benefit to the assessed parcels or businesses may be provided, but shall be limited to marketing or signage pointing to the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by

the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.

(8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36626. Resolution establishing district

If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in Section 36625.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625 or Section 36626, the clerk shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

CHAPTER 3. Assessments

36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and

penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.
(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.
(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:
(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.
(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.
(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

CHAPTER 3.5. Financing

36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a)The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

CHAPTER 4. Governance

36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.

(2) The improvements, maintenance, and activities to be provided for that fiscal year.

(3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.

(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.

(5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners' association to provide improvements, maintenance, and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

CHAPTER 5. Renewal

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.
(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.
(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

CHAPTER 6. Disestablishment

36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:
(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.
(2) During the operation of the district, there shall be a 30-day period each year in which assessees may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.
(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district

is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.
(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES

Lodging Business Name	Lodging Business Address	City, State, ZIP
AC Hotel	2970 Lakeside Dr	Santa Clara, CA 95054
Avatar Hotel	4200 Great America Pkwy	Santa Clara, CA 95054
Biltmore Hotel &Suites	2151 Laurelwood Rd	Santa Clara, CA 95054
Embassy Suites	2885 Lakeside Dr	Santa Clara, CA 95054
Hilton Santa Clara	4949 Great America Pkwy	Santa Clara, CA 95054
Hyatt House	3915 Rivermark Plaza	Santa Clara, CA 95054
Hyatt Regency	5101 Great America Pkwy	Santa Clara, CA 95054
Marriott Santa Clara	2700 Mission College Blvd	Santa Clara, CA 95054
The Element	1950 Wyatt Dr	Santa Clara, CA 95054
The Plaza Suites	3100 Lakeside Dr	Santa Clara, CA 95054
TownePlace Suites by Marriott	2877 Lakeside Dr	Santa Clara, CA 95054

April 28, 2021

EXECUTIVE SUMMARY

This is the annual report for FY 2020/21 prepared on behalf of the participating hotel properties in Santa Clara's Tourism Improvement District (TID) and in collaboration with the newly formed Destination Marketing Organization (DMO) – Silicon Valley/Santa Clara DMO, Inc. on the use of revenues collected from the TID.

Background

The existing TID was formed in 2005 pursuant to the Parking and Business Improvement Law of 1989. City Council approved the establishment of the TID and the levy of a $1.00 assessment fee on each occupied hotel/motel room in the established district boundaries. The TID now includes 11 hotels near the Santa Clara Convention Center: AC Santa Clara (joined 2019), Avatar Hotel, Biltmore Hotel & Suites, Element (joined 2019), Embassy Suites, Hilton Santa Clara, Hyatt House, Hyatt Regency, Marriott Santa Clara, The Plaza Suites, and TownePlace Suites by Marriott.

- The intent of the TID is to serve as a vehicle of funding with the participating hotels self-assessing a fee in order to effectivity market Santa Clara as a convention and visitors' destination.
- The hotels began collecting the TID assessment on February 14, 2005
- Collection FY 2019/20: $718,616
- Forecasted Collection FY 2020/21: $150,000
- Estimated fund balance at year-end FY 2020/21: $1.40 million

Actual FY 2018/19	Actual FY 2019/20	Estimated FY 2020/21*	Forecasted FY 2021/22
$660,711	$718,616	$150,000	$610,936

*FY 2020/21 collections is an estimate based on collections through March 31, 2021; demonstrates the continued effects of COVID-19.

The TID Advisory Board, upon Council approval of a TID budget, currently directs the spending of the TID funds, in collaboration with the newly created DMO "Silicon Valley/Santa Clara DMO, Inc." (SVSC DMO). The SVSC DMO is the official designated Destination Marketing Organization for the City of Santa Clara. The attached report outlines the results for FY 2020/21.

The Honorable Mayor and City Council City of Santa Clara
1500 Warburton Ave
Santa Clara, CA 95050

April 28, 2021

CC:
Deanna J. Santana, City Manager
Ruth Mizobe Shikada, Assistant City Manager
Nancy Thome, Assistant to the City Manager
Kenn Lee, Director of Finance
City Clerks' Office

The following is a report on the Santa Clara Tourism Improvement District's (TID) FY 2020/21 activities and FY 2021/22 goals.

To support the newly formed Destination Marketing Organization (DMO) with selling and marketing Santa Clara to high impact convention center groups, the TID is now the primary funding source for the convention sales and marketing efforts.

There are currently 11 hotels in the TID. The hotels surround the Santa Clara Convention Center and include AC Santa Clara, Avatar Hotel (re-branding), Biltmore Hotel & Suites, Element, Embassy Suites, Hilton Santa Clara, Hyatt House, Hyatt Regency, Marriott Santa Clara, The Plaza Suites, and TownePlace Suites by Marriott. Each participating hotel is currently assessed $1.00 per occupied room night and is excited to have Council's support for the conversion process to establish the district under the Property and Business Improvement District Law of 1994. This conversion along with changing to a percent assessment, 1.5% of gross revenue with the possibility to increase to 2% of gross revenue in year two pending Council's approval, only strengthens the DMO's efforts to successfully market and sell Santa Clara as a destination and the Convention Center as a premier meetings venue. The new funding model will provide for increased funding to directly support sales, marketing, and promotional efforts with the goal of increasing hotel occupancy in the district, generating revenue for the Convention Center and driving overall spending into the local Santa Clara economy.

Below is a recap of FY 2020/21 year-to-date efforts through April 17, 2021.

Key Accomplishments

The current fiscal year has been dedicated to launching the newly formed DMO "Silicon Valley/Santa Clara DMO, Inc." including establishing nine (9) KPI's, systems of governance, establishing new policies, finalizing the most impactful marketing approach, hiring a sales contractor and administrative assistant to launch the sales efforts targeting high impact conventions, and, in collaboration with the TID hotels, Spectra, Levy and the City, proposing a FY 2021/22 Operating Budget that will help set the DMO up for future success.

The following are key accomplishments of FY 2020/21:

1. Established a highly functional Board of Directors with strategic representation and professional knowledge base.
2. Performed a risk assessment and identified and contracted for insurance coverage for the DMO operation.
3. Solicited, identified, and contracted accounting services for the DMO operation.

4. Contracted and implemented a Customer Relationship Management software platform for all of the group sales efforts including Spectra, Levy and the DMO. This also includes direct access and transparency for the TID Hotels.
5. Reconfirmed, through a hotel survey, the number of hotel rooms the TID hotels will allocate for conventions coming to Santa Clara. This will guide sales strategies as it relates to securing high impact conventions for the Santa Clara Convention Center and Santa Clara hotels.
6. Hired a President & CEO on November 16, 2020.
7. Developed a COVID-19 based strategy for securing conventions in the near term. This was developed in collaboration with the DMO, Spectra, Levy and the TID hotels. This will be followed, as we collectively navigate through the pandemic. This strategy sets the course for the DMO to selling the Santa Clara Convention Center for high impact conventions into the years ahead while the Spectra sales efforts focus on shorter lead time users.
8. Collaborated with above mentioned partners in the development of the DMO's FY 2020/21 Proposed Budget.
9. Developed an industry specific Profit and Loss (P&L) reporting format for the current operating year FY 2020/21.
10. Gathered support for the conversion of the district and the development of the TID Management District Plan which allowed the TID hotels to devise and "vote" for a future funding solution to properly fund the future marketing efforts of the newly formed DMO in support of the City of Santa Clara and Santa Clara Convention Center.
11. Developed Santa Clara focused position descriptions and recruitment strategies for proposed Sales Manager and Director of Sales positions in the upcoming year.
12. Initiated a bi-weekly sales meeting and reporting structure that integrates the activities of the DMO, Spectra (Center) and Levy (Food Service provider at the Center).
13. Initiated the development of a new customer focused high impact Convention Proposal Presentation for key decision makers.
14. Contracted and engaged with Destinations International, the nationally recognized DMO association, for support and use of a recognized economic impact reporting tool.
15. Evolved the DMO organizational chart to reflect a new approach to marketing with position-by-position descriptions to support a sustainable DMO operation into the future.
16. Conducted research and identified the new DMO naming standard "Discover Santa Clara" that aligns well with launching our new direction and reaching new audiences. We have initiated the official registration of this new name (wordmark/trademark).
17. Created an industry tradeshow calendar with a targeted list of client-based tradeshows to attend in the upcoming year. Participation in these shows will attract new prospective high-profile convention clients.
18. Developed new approaches to engage Levi's Stadium and California's Great America in the selling process to attract new, prospective convention business.
19. Developed an approach with a nationally recognized meetings search engine (CVENT) to raise awareness and uncover new business for Santa Clara as a meetings and convention destination.
20. Completed a targeted framework for future success in marketing Santa Clara as a meetings and convention destination to be utilized by a marketing firm. An RFP process was launched to identify a marketing firm with specific experience and knowledge in the convention and meetings industry.
21. Successfully launched efforts to identify new opportunities to attract high impact conventions and gain invaluable insight from clients on how we position our services and unique seamless approach to differentiate us from others.

This is the 16th year of operation for the TID and we are very energized over the direction that we have helped to develop. This direction emphasizes focus and accountability from the DMO in collaboration with Spectra, Levy, the City and the TID hotels. Our work over the past years has been successful in developing a highly competitive customer-focused model and we are pleased with the early results. Future years and the sustainability of this model will be highly dependent on the successful conversion of the TID including the proposed percent model funding structure.

Sincerely,

Eron Hodges
TID Advisory Board Chair
SVSC DMO Board Chair

Attachment:

A. DMO FY 2021/22 Proposed Budget

City of Santa Clara
The Center of What's Possible

City Manager's Office

Memorandum

Date: April 28, 2021

To: Silicon Valley/Santa Clara DMO, Inc. Board of Directors

From: Nancy Thome, Assistant to the City Manager

Subject: Silicon Valley/Santa Clara DMO, Inc. FY 2021/22 Proposed Budget (Revised)

This summary has been prepared for the Silicon Valley/Santa Clara DMO, Inc. Board of Directors to provide an overview of the FY 2021/22 proposed budget and the proposed changes from the current year adopted budget.

Background

The Silicon Valley/Santa Clara DMO, Inc. (DMO) is funded by the lodging business of the Santa Clara Tourism Improvement District (TID) pursuant to the Parking and Business Improvement Law of 1989. The existing TID was formed in 2005 and hotels located with the TID boundaries assess $1.00 from lodging guests for each occupied room night. The TID currently includes 11 hotels near the Santa Clara Convention Center: AC Hotel Santa Clara, Avatar Hotel, Biltmore Hotel & Suites, Element Santa Clara, Embassy Suites, Hilton Santa Clara, Hyatt House, Hyatt Regency, Marriott Santa Clara, The Plaza Suites, and TownePlace Suites by Marriott. TID funds are collected and maintained by the City. The City distributes funds to the TID/DMO exclusively for activities and costs related to the establishment of the DMO including but not limited to legal services, insurance, hiring staff and related administrative program costs. The diagram below demonstrates the approved governance structure and relationship between the City, TID and DMO.



The FY 2020/21 beginning TID fund balance was $1.66 million, and the current year adopted budget is $1,321,060. As of April 28, 2021, the DMO is approximately 21% expended and is estimated to be approximately 27% expended by the end of the fiscal year. Of the four positions included in the budget, only the CEO vacancy was filled (November 2020) and funds were expended as needed for costs related to legal, fiscal, IT and payroll, insurance, CEO salary and benefits, equipment, memberships, and office supplies, website maintenance and sales management software, and professional contract costs related to the TID conversion process (Civitas) and continued DMO organizational development (JLL). The FY 2020/21 year-end fund balance is estimated at $1.4 million.

Revenues for the FY 2021/22 were conservatively estimated at $610,936 as the economy begins to recover from the COVID-19 pandemic. Due to the unprecedented nature of the COVID-19 pandemic, this is an estimation based on available data and may be subject to change.

FY 2020/21 Estimated Fund Balance	FY 2021/22 Projected Revenue	FY 2021/22 Available Funds
$1,400,000	**$610,936**	**$2,010,936**

Budget Summary

The current year adopted budget includes funds for on-going operating expenditures and for one-time expenditures. One-time expenditures include: TID hotel reimbursements for FY 2018/19 for consultant costs related to the incorporation of Visit Santa Clara and updating its bylaws, start-up costs related to the purchase of computers and hardware, and contract services related to the TID conversion process. The current year adopted budget also includes four full-time equivalent (FTE) staff: 1.0 Chief Executive Officer, 1.0 Director of Sales, 1.0 Sales Manager and 1.0 Marketing Manager.

The proposed FY 2021/22 budget does not differentiate any one-time expenditures, includes the addition of 1.0 FTE and adjustments in personnel and non-personnel costs primarily due to identified need for administrative support and a realigned approach in engaging a marketing firm. The overall increase in the FY 2021/22 budget dollars from the current operating budget is $42,942.

Position	FY 2020/21 Adopted	FY 2021/22 Proposed	Change
Chief Executive Officer	1	1	0
Director of Sales	1	1	0
Sales Manager	1	2	1
Marketing Manager	1	0	(1)
Administrative Assistant	0	1	1
TOTAL FTE	4	5	1

	FY 2020/21 Adopted	FY 2021/22 Proposed	Variance +/(-)	FY 2021/22 Change %
Personnel	$769,900	$725,627	($44,273)	(5.75%)

Non-Personnel	$477,160	$564,375	$87,215	18.28%
Total Operating Budget	**$1,247,060**	**$1,290,002**	**$42,942**	**3.44%**

FY 2020/21 One-Time Expenditures	FY 2021/22 One-Time Expenditures	Variance +/(-)	FY 2021/22 Change %
$74,000	$-	($74,000)	(100%)

The DMO budget is organized into five program areas: Convention Sales, Incentives & Services, Marketing & Communications, Administration, Contingency and City Administration.

Convention Sales, Incentives & Services

The Convention Sales, Incentives, and Services Program promotes sales activity for the booking of high-profile Convention Center events, generation of Convention Center revenue and increased room night sales from Convention Center attendees. The budget is dedicated to sales activities to attract new meetings, conventions, sporting, and other events that have a significant impact on the Center's fiscal performance and assessed lodging business room demand in the TID. This program also includes client incentives/subsidies to attract new marquee events and conventions that have not previously hosted an event at the Convention Center.

Budget Item	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Variance
CONVENTION SALES, INCENTIVES & SERVICES			
Positions			
Director of Sales	1	1	0
Sales Manager	1	2	1
Personnel	**$325,000**	**$397,255**	**$72,255**
Salary	$152,500	$277,500	$125,000
Incentives	$97,500	$69,375	($28,125)
Benefits	$75,000	$27,060	($47,940)
Payroll Taxes	$ -	$22,000	$22,000
Other-Cell Phone Stipend	$-	$1,320	$1,320
Convention Sales, Incentives & Services Expenses	**$164,160**	**$155,698**	**($8,624)**
Memberships	$ -	$2,825	$2,825
Subscription Services	$2,500	$31,473	$28,973
Business Development	$64,160	$50,000	($14,160)
Conferences and Tradeshows	$25,000	$8,900	($16,100)
Support Services	$57,500	$42,500	($15,000)
Travel & Entertainment	$15,000	$20,000	$5,000
TOTAL	**$489,160**	**$552,953**	**$63,793**

Proposed Personnel budget changes:

- 1.0 Sales Manager was added to further support sales efforts and proposed sales performance targets.
- Salary budget per sales position was increased to provide a competitive industry wage and to reflect the additional Sales Manager position. Both Sales Manager positions will

begin July 1. The Director of Sales will not be brought on until October 2021 and is budgeted at 75% of proposed annual base salary.

- Incentives budget was reduced by $28k to help offset the increase in salary costs and will include a maximum payout of 25% of the employee base salary. A detailed sales performance plan will also be developed and approved by the Board prior to the adoption of an incentive plan and the expenditure of any incentive funds.
- Benefits budget was reduced by $48k as only health benefits are recognized. Payroll taxes and workers compensation are accounted for separately.
- $23k was added for Payroll Taxes and employee cell phone stipends.

Proposed Non-Personnel budget changes:

- $2,825 was added for six employee industry organization memberships: Professional Convention Management Association (PCMA), Meeting Professional International (MPI), and California Society of Association Executives (CalSAE).
- $31k was added to support CVENT marketing and lead generation subscription services. The CVENT subscription was approved by the Board on April 15th.
- Business Development (previously Client Incentives) budget was reduced by $14k. Business Development budget will be used per the established TID subsidy process for in the year for the year spending for business development and/or customer event support such as transportation.
- Conferences & Tradeshows budget was reduced by $16k. This budget will cover costs for registration, exhibitor/booth and set-up, shipping, etc. at five client-based association events: PCMA, MPI, CalSAE, and CONNECT as exhibitors and IMEX as a participant. Per the IMEX website, attendee registration is free of charge.
- Site Tours budget was reduced by $14k and is used for bringing potential clients to tour the Santa Clara, TID hotels and the Convention Center. Budget would cover costs related costs: local transportation, food and beverage, venue rental, etc.
- $5k was added to the Travel & Entertainment budget to support employee travel costs to attend the five conferences/tradeshows mentioned above: PCMA, MPI, CalSAE CONNECT and IMEX, and for sales trips. This includes airfare, hotel, per diem food costs, mileage, and client entertainment.

Marketing & Communication

The Marketing & Communication Program will promote Santa Clara, the Convention Center and the assessed lodging businesses as a convention, meeting, and event destination. The Program will have a central theme of promoting the destination as a desirable place for overnight meeting and convention attendees and will have the goal of increasing overnight visitation, Convention Center revenue, and room night sales at assessed lodging businesses,

Budget Item	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Variance
MARKETING & COMMUNICATIONS			
Positions			
Marketing Manager	1	0	(1)
Personnel	**$90,000**	**$-**	**($90,000)**

Salary	$63,000	$-	($63,000)
Benefits	$27,000	$-	($27,000)
Marketing Expenses	**$110,000**	**$175,000**	**$65,000**
Contract Services	$60,000	$150,000	$90,000
Advertising & Promotions	$-	$25,000	$25,000
Website	$50,000	$-	($50,000)
TOTAL	**$200,000**	**$175,000**	**($25,000)**

Proposed Personnel budget changes:

- Elimination of 1.0 Marketing Manager position reducing Personnel budget by $90k. Funds were moved to non-personnel budget to support Contract Services for a Marketing firm.

Proposed Non-Personnel budget changes:

- Budget categories were restructured, and marketing services, branding and website development are included within the Contract Services budget.
- $90k from the elimination of 1 FTE was added to Contract Services.
- $25k budget was added for marketing collateral, give-away items, advertising, banners.

Administration

Administration provides management, coordination and support to all organizational services and functions. Administration is responsible for the general oversight and fiscal health of the organization and budget will be used to support CEO and administrative staffing costs, office costs, policy development, and other general administrative costs such as insurance, legal, accounting and IT.

Budget Item	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Variance
ADMINSTRATION			
Positions			
Chief Executive Officer	1	1	0
Administrative Assistant	0	1	1
Personnel	**$354,900**	**$328,372**	**($26,528)**
Salary	$210,000	$285,000	$75,000
Incentives	$63,000	$-	($63,000)
Benefits	$81,900	$20,806	($61,094)
Payroll Taxes	$-	$21,606	$21,606
Other-Cell Phone Stipend	$-	$960	$960
Administrative Expenses	**$150,000**	**$206,458**	**$56,458**
Contract Services	$80,000	$155,876	$75,876
Operating Supplies	$20,000	$24,400	$4,400
Insurance	$50,000	$8,610	($41,390)
Memberships	$-	$1,047	$1,047
Subscription Services	$-	$16,525	$16,525
TOTAL	**$504,900**	**$534,830**	**$29,930**

Proposed Personnel budget changes:

- Addition of 1.0 Administrative Assistant to provide full-time administrative support the organization increasing the Salary budget by $70k. The DMO currently contracts with a temp. agency for a part-time Administrative Assistant and has been determined as a much-needed support function for the organization.
- $5k was added to the CEO salary to reflect the current CEO salary.
- The CEO Incentive budget for FY 2021/22 was eliminated as a recognition of the challenges associated with COVID-19. The CEO position will continue focus on sales efforts and performance targets and the continued development of organization policies and processes. The Incentives budget will be re-evaluated for FY 2022/23. The Administrative Assistant does not earn incentive.
- Benefits budget was reduced by $61k as only health benefits are offered at this time.
- $23k was added for Payroll Taxes and employee cell phone stipends.

Proposed Non-Personnel budget changes:

- Contract Services includes budget for HR, fiscal, legal, payroll, professional, IT and audit services. Overall, the Payroll budget was reduced by $11k which helped to offset a $4k increase for legal and the addition of $60k for a new professional services contract with JLL. $5k was added to the Audit budget and moved from Operating Supplies to Contract Services.
- Operating supplies budget includes costs to purchase four new computers. In the current adopted budget, these costs were approved as one-time expenditures rather than included in the operating budget.
- $17k was added to Subscription Services for the DMO current Customer Relationship Management (CRM) system and Destination Internationals Event Impact Calculator.

Contingency

The DMO budget includes a contingency line item to account for uncollected assessments, if any. If there are contingency funds collected, they may be held in a reserve fund or utilized for other program, administrative or renewal costs at the discretion of the DMO Board. Policies relating to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of monies from the reserve fund will be developed and set by the DMO Board. Contingency funds may be spent on unanticipated short-term district programs or administrative and renewal costs in such proportions as determined by the DMO Board and may be used for the costs of renewing the SCTID.

Budget Item	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Variance
Contingency	**$50,000**	**$15,000**	**($35,000)**

City Administration

In FY 2021/22, the City of Santa Clara will be paid a fee equal to 2% of the amount of the assessment collected to cover its costs of collection and administration which may include but are not limited to: staffing costs, legal services, and operational costs for rent, telephone, supplies, postage, and other general office expenses.

Budget Item	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Variance
City Administration Fee	**$3,000**	**$12,219**	**$9,219**

The proposed budgeted was calculated using the FY 2021/22 projected revenue amount of $610,936 as indicated in the SCTID Management District Plan. This amount will vary depending on the actual revenue received.

Attachments:
A. DMO FY 2021/22 Proposed Budget
B. DMO FY 2021/22 Proposed Budget Detail

ATTACHMENT A

DMO FY 2021/22 Proposed Budget			
Budget Item	**FY 2020/21 Adopted**	**FY 2021/22 Proposed**	**FY 2021/22 Variance**
CONVENTION SALES, INCENTIVES & SERVICES			
Personnel	**$ 325,000**	**$ 397,255**	**$ 72,255**
Salary	$ 152,500	$ 277,500	$ 125,000
1.0 FTE Director of Sales	$ -	$ 97,500	$ 97,500
1.0 FTE Sales Manager	$ -	$ 90,000	$ 90,000
1.0 FTE Sales Manager	$ -	$ 90,000	$ 90,000
Incentives	$ 97,500	$ 69,375	$ (28,125)
Benefits	$ 75,000	$ 27,060	$ (47,940)
Health	$ 75,000	$ 26,400	$ (48,600)
401K Fee	$ -	$ 660	$ 660
Payroll Taxes	$ -	$ 22,000	$ 22,000
Other-Cell Phone Stipend		$ 1,320	$ 1,320
Convention Sales, Incentives & Services Expenses	**$ 164,160**	**$ 155,698**	**$ (8,462)**
Memberships	$ -	$ 2,825	$ 2,825
Professional Convention Management Association (PCMA)	$ -	$ 1,000	$ 1,000
Meeting Professional International (MPI)	$ -	$ 1,125	$ 1,125
California Society of Association Executives (Cal SAE)	$ -	$ 700	$ 700
Subscription Services	$ 2,500	$ 31,473	$ 28,973
CVENT	$ -	$ 31,473	$ 31,473
Client Incentives	$ 64,160	$ 50,000	$ (14,160)
Conferences and Tradeshows	$ 25,000	$ 8,900	$ (16,100)
MPI ACE/WEC	$ -	$ 1,500	$ 1,500
CALSAE	$ -	$ 2,400	$ 2,400
CONNECT	$ -	$ 5,000	$ 5,000
IMEX	$ -	$ -	$ -
Support Services	$ 57,500	$ 42,500	$ (15,000)
Site Tours	$ 19,000	$ 5,000	$ (14,000)
Familiarization Trips	$ 19,500	$ 20,000	$ 500
Client Events	$ 19,000	$ 17,500	$ (1,500)
Travel & Entertainment	$ 15,000	$ 20,000	$ 5,000
TOTAL CONVENTION SALES, INCENTIVES & SERVICES	**$ 489,160**	**$ 552,953**	**$ 63,793**
MARKETING & COMMUNICATIONS			
Personnel	**$ 90,000**	**$ -**	**$ (90,000)**
Salary	$ 63,000	$ -	$ (63,000)
Benefits	$ 27,000	$ -	$ (27,000)
Marketing Expenses	**$ 110,000**	**$ 175,000**	**$ 65,000**
Contract Services	$ 60,000	$ 150,000	$ 90,000
Marketing Services	$ -	$ 100,000	$ 100,000
Branding	$ -	$ 28,000	$ 28,000
Website	$ -	$ 22,000	$ 22,000
Advertising & Promotions	$ -	$ 25,000	$ 25,000
Website	$ 50,000	$ -	$ (50,000)
Website maintenance	$ 24,000	$ -	$ (24,000)
Development	$ 26,000	$ -	$ (26,000)
TOTAL MARKETING & COMMUNICATIONS	**$ 200,000**	**$ 175,000**	**$ (25,000)**
ADMINSTRATION			
Personnel	**$ 354,900**	**$ 328,372**	**$ (26,528)**
Salary	$ 210,000	$ 285,000	$ 75,000
1.0 FTE CEO	$ 210,000	$ 215,000	$ 5,000
1.0 FTE Administrative Assistant	$ -	$ 70,000	$ 70,000

DMO FY 2021/22 Proposed Budget			
Budget Item	**FY 2020/21 Adopted**	**FY 2021/22 Proposed**	**FY 2021/22 Variance**
Incentives	$ 63,000	$ -	$ (63,000)
Benefits	$ 81,900	$ 20,806	$ (61,094)
Health	$ 81,900	$ 20,366	
401K Fee	$ -	$ 440	$ 440
Payroll Taxes	$ -	$ 21,606	$ 21,606
Other-Cell Phone Stipend	$ -	$ 960	$ 960
Administrative Expenses	**$ 150,000**	**$ 206,458**	**$ 56,458**
Contract Services	$ 80,000	$ 155,876	$ 75,876
Human Resources	$ 30,000	$ 30,000	$ -
Fiscal	$ 15,000	$ 17,000	$ 2,000
Legal	$ 20,000	$ 24,000	$ 4,000
Payroll	$ 15,000	$ 4,500	$ (10,500)
Professional Services	$ -	$ 60,000	$ 60,000
IT	$ -	$ 5,376	$ 5,376
Audit	$ -	$ 15,000	$ 15,000
Operating Supplies	$ 20,000	$ 24,400	$ 4,400
Audit	$ 10,000	$ -	$ (10,000)
Network Support	$ 5,000	$ -	$ (5,000)
Purchased Goods & Services	$ 5,000	$ -	$ (5,000)
Office supplies	$ -	$ 5,000	$ 5,000
Software Licenses	$ -	$ 3,500	$ 3,500
Postage	$ -	$ 300	$ 300
Computers-Hardware	$ -	$ 15,600	$ 15,600
Insurance	$ 50,000	$ 8,610	$ (41,390)
Workers Comp	$ -	$ 3,078	$ 3,078
Business Owners Liability & Property	$ -	$ 1,597	$ 1,597
Professional Cyber Liability	$ -	$ 1,839	$ 1,839
Management Liability	$ -	$ 2,096	$ 2,096
Memberships	$ -	$ 1,047	$ 1,047
Destinations International	$ -	$ 1,047	$ 1,047
Subscription Services	$ -	$ 16,525	$ 16,525
CRM System (Simpleview)	$ -	$ 8,200	$ 8,200
Annual Subscription	$ -	$ 6,000	$ 6,000
Add-Ons	$ -	$ 2,200	$ 2,200
Destinations International	$ -	$ 7,725	$ 7,725
Trade Journals/Newspapers	$ -	$ 600	$ 600
TOTAL ADMINISTRATION	**$ 504,900**	**$ 534,830**	**$ 29,930**
Contingency	**$ 50,000**	**$ 15,000**	**$ (35,000)**
City Administration Fee	**$ 3,000**	**$ 12,219**	**$ 9,219**
TOTAL OPERATING BUDGET	**$ 1,247,060**	**$ 1,290,002**	**$ 42,942**

ATTACHMENT B

DMO FY 2021/22 Proposed Budget - Detail

Budget Item	FY 2020/21 Adopted	FY 2021/22 Proposed	FY 2021/22 Variance	
CONVENTION SALES, INCENTIVES & SERVICES				
Personnel	**$ 325,000**	**$ 397,255**	**$ 72,255**	
Salary	$ 152,500	$ 277,500	$ 125,000	Addition of 1.0 sales manager to further support sales efforts and proposed sales performance targets.
1.0 FTE Director of Sales	$ -	$ 97,500	$ 97,500	This position would start in October. Full year salary is $130,000.
1.0 FTE Sales Manager	$ -	$ 90,000	$ 90,000	This position would start July 1 and a higher base with lower incentives. This is a competitive industry base salary and incentive pay is also an industry standard for sales positions.
1.0 FTE Sales Manager	$ -	$ 90,000	$ 90,000	This position would start July 1 and a higher base with lower incentives. This is a competitive industry base salary and incentive pay is also an industry standard for sales positions.
Incentives	$ 97,500	$ 69,375	$ (28,125)	Incentives are capped at 25% of base salary - Incentives process, performance based incentives/sales performance plans to be developed and approved by the Board prior to the expenditure of any Incentive funds. Incentives are not paid out to employees until KPIs are met.
Benefits	$ 75,000	$ 27,060	$ (47,940)	Benefits were previously budget at approximately 30%. The proposed budget only recognizes health benefits.
Health	$ 75,000	$ 26,400		Benefits were previously budget at approximately 30%. The proposed budget only recognizes health benefits.
401K Fee	$ -	$ 660	$ 660	This is a fee to set up 401K plan, budgeted in preparation for potential employee offering in FY 2021/22.
Payroll Taxes	$ -	$ 22,000	$ 22,000	
Other-Cell Phone Stipend		$ 1,320	$ 1,320	$40/month x 2 staff x 12 months = $960; $40/month x 1 staff x 9 months = $360
Convention Sales, Incentives & Services Expenses	**$ 164,160**	**$ 155,698**	**$ (8,462)**	
Memberships	$ -	$ 2,825	$ 2,825	Employee professional memberships.
Professional Convention Management Association (PCMA)	$ -	$ 1,000	$ 1,000	$485/person x 2 (CEO, DOS) + 3% = $999.10
Meeting Professional International (MPI)	$ -	$ 1,125	$ 1,125	$545/person x 2 (DOS, SM) + 3% = $1,122.70
California Society of Association Executives (Cal SAE)	$ -	$ 700	$ 700	$379 & $299/person x 2 (DOS, SM) + 3% = $698.34
Subscription Services	$ 2,500	$ 31,473	$ 28,973	
CVENT	$ -	$ 31,473	$ 31,473	For 2-Diamond listing lead generation system.
Business Development	$ 64,160	$ 50,000	$ (14,160)	To be used used per the established TID subsidy process. In the year for the year spending / for business development, customer event support such as transportation.
Conferences and Tradeshows	$ 25,000	$ 8,900	$ (16,100)	List of conference and tradeshows were reviewed and prioritized for the year.
MPI ACE/WEC	$ -	$ 1,500	$ 1,500	Costs for staff registration as attendees to MPI events, not to host booth.
CALSAE	$ -	$ 2,400	$ 2,400	Costs of registration, booth costs, set-up costs, shipping costs, etc.
CONNECT	$ -	$ 5,000	$ 5,000	Costs of registration, booth costs, set-up costs, shipping costs, etc. (registration is $4,450/per attendee for a show in Tampa, FL in late August, there is no expense for exhibiting as this is a reverse trade show/appointment show; attended by 1-person for year one.)
IMEX	$ -	$ -	$ -	Staff participation as attendee. Per www.imexamerica.com/register, attendee registration is free of change and open to industry professionals who work in meetings, events and incentive travel industry.
Support Services	$ 57,500	$ 42,500	$ (15,000)	
Site Tours	$ 19,000	$ 5,000	$ (14,000)	Costs to bring in clients to tour the Center: local transportation, food and beverage, venue rental, etc.
Familiarization Trips	$ 19,500	$ 20,000	$ 500	Fam Trip: Hosted DMO events. DMO brings a select amount of customers, from a specific vertical/customer segment to the market where they can experience Santa Clara hotels, the Center, venues and attractions and to entertain and educate them on the destination. Estimate 2 events x 5 to 10 clients/event. Rooms and food & beverage are generally also hosted by the hotels and or attractions they are visiting. Additional contributions by hotels, attractions, etc. is an industry standard.
Client Events	$ 19,000	$ 17,500	$ (1,500)	Client Event: Hosted DMO event at a location that customers come to; usually with a primary purpose to entertain and thank clients for their business/future business; estimated 1 event x < 20 clients.
Travel & Entertainment	$ 15,000	$ 20,000	$ 5,000	Covers costs for employee and client entertainment for attendance at the four tradeshows as listed above and for sales trips as needed - Including airfare, hotel, food per diem, mileage, and related client per diem business entertainment costs.
TOTAL CONVENTION SALES, INCENTIVES & SERVICES	**$ 489,160**	**$ 552,953**	**$ 63,793**	

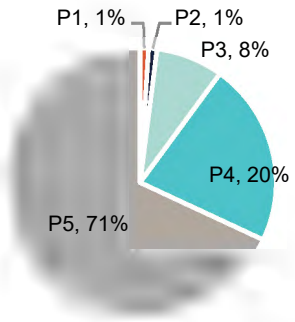
DMO FY 2021/22 Proposed Budget - Detail				
Budget Item	**FY 2020/21 Adopted**	**FY 2021/22 Proposed**	**FY 2021/22 Variance**	
MARKETING & COMMUNICATIONS				
Personnel	**$ 90,000**	**$ -**	**$ (90,000)**	Elimination of 1 FTE marketing manager in exchange for increase in Contract Services.
Salary	$ 63,000	$ -	$ (63,000)	
Benefits	$ 27,000	$ -	$ (27,000)	
Marketing Expenses	**$ 110,000**	**$ 175,000**	**$ 65,000**	
Contract Services	$ 60,000	$ 150,000	$ 90,000	
Marketing Services	$ -	$ 100,000	$ 100,000	In the process of identifying professional marketing firm. Levy and Spectra will contribute to the agreement cost ($30,000 and $36,000) for a total amount of $166,000 available annually.
Branding	$ -	$ 28,000	$ 28,000	Branding development costs for "Discover Santa Clara".
Website	$ -	$ 22,000	$ 22,000	Costs related to update current and/or create new "Discover Santa Clara" website.
Advertising & Promotions	$ -	$ 25,000	$ 25,000	Hard costs for collateral expenses related to marketing, giveaways, advertising, banners, digital marketing, etc., translation, design services, etc.
Website	$ 50,000	$ -	$ (50,000)	Line item moved under Contract Service
Website maintenance	$ 24,000	$ -	$ (24,000)	Line item moved under Contract Service
Development	$ 26,000	$ -	$ (26,000)	Line item moved under Contract Service
TOTAL MARKETING & COMMUNICATIONS	**$ 200,000**	**$ 175,000**	**$ (25,000)**	
ADMINSTRATION				
Personnel	**$ 354,900**	**$ 328,372**	**$ (26,528)**	
Salary	$ 210,000	$ 285,000	$ 75,000	
1.0 FTE CEO	$ 210,000	$ 215,000	$ 5,000	Proposed budget is the current CEO's base salary.
1.0 FTE Administrative Assistant	$ -	$ 70,000	$ 70,000	Addition of 1 FTE Administrative Assistant position.
Incentives	$ 63,000	$ -	$ (63,000)	Forgo CEO for FY 2021/22 and re-evalute for FY 2022/23; Administrative Assistant does not have incentives.
Benefits	$ 81,900	$ 20,806	$ (61,094)	Benefits were previously budget at approximately 30%. The proposed budget only recognizes health benefits.
Health	$ 81,900	$ 20,366		Benefits were previously budget at approximately 30%. The proposed budget only recognizes health benefits.
401K Fee	$ -	$ 440	$ 440	This is a fee to set up 401K plan, budgeted in preparation for potential employee offering in FY 2021/22.
Payroll Taxes	$ -	$ 21,606	$ 21,606	
Other-Cell Phone Stipend	$ -	$ 960	$ 960	$40/month x 2 staff x 12 months = $960
Administrative Expenses	**$ 150,000**	**$ 206,458**	**$ 56,458**	
Contract Services	$ 80,000	$ 155,876	$ 75,876	
Human Resources	$ 30,000	$ 30,000	$ -	HR-related administrative functions: recruitment, hiring and on-boarding coordination, policy development, compliance, etc.
Fiscal	$ 15,000	$ 17,000	$ 2,000	Fugate Business Solutions = $6,800; City Fiscal Sponsorship amount = $9,487.20 (FY 2020/21 Rate) x 3% = $9771.82; Total = $16,572
Legal	$ 20,000	$ 24,000	$ 4,000	Current service agreement with Thoits Law.
Payroll	$ 15,000	$ 4,500	$ (10,500)	Paid directly out of Wells Fargo account - Employees for ADP payroll & HR plus; Employees 3-4 = $150.95/pay period, additional = $3.25/pay period: $154.20 x 26 pay periods = $4,009.20, plus W-2 fees, etc.
Professional Services	$ -	$ 60,000	$ 60,000	JLL Agreement for ongoing organzational and leadership development.
IT	$ -	$ 5,376	$ 5,376	Smart City
Audit	$ -	$ 15,000	$ 15,000	Costs related to completion of annual audit requirements.
Operating Supplies	$ 20,000	$ 24,400	$ 4,400	Line item was previously labelled Miscellaneous.
Audit	$ 10,000	$ -	$ (10,000)	Line item was moved under Contract Services.
Network Support	$ 5,000	$ -	$ (5,000)	
Purchased Goods & Services	$ 5,000	$ -	$ (5,000)	
Office supplies	$ -	$ 5,000	$ 5,000	
Software Licenses	$ -	$ 3,500	$ 3,500	Microsoft Office 365 = $600; Adobe, Copytrans = $640; Zoom = $2,000
Postage	$ -	$ 300	$ 300	
Computers-Hardware	$ -	$ 15,600	$ 15,600	Estimated cost of $3,900 x 4 staff
Insurance	$ 50,000	$ 8,610	$ (41,390)	CEO confirmed FY 2021/22 costs with Vantreo.
Workers Comp	$ -	$ 3,078	$ 3,078	
Business Owners Liability & Property	$ -	$ 1,597	$ 1,597	
Professional Cyber Liability	$ -	$ 1,839	$ 1,839	

DMO FY 2021/22 Proposed Budget - Detail				
Budget Item	**FY 2020/21 Adopted**	**FY 2021/22 Proposed**	**FY 2021/22 Variance**	
Management Liability	$ -	$ 2,096	$ 2,096	
Memberships	$ -	$ 1,047	$ 1,047	
Destinations International	$ -	$ 1,047	$ 1,047	Supports cost for currently existing organizational membership.
Subscription Services	$ -	$ 16,525	$ 16,525	
CRM System (Simpleview)	$ -	$ 8,200	$ 8,200	Supports costs for centralized Customer Relations Management (CRM) System used/accessible to DMO, Spectra, Levy and TID Hotels.
Annual Subscription	$ -	$ 6,000	$ 6,000	CRM monthly user fee: $200/month for 1st user; $100/month for additional users: 4 users.
Add-Ons	$ -	$ 2,200	$ 2,200	Ongoing EIC and CVENT Integration costs.
Destinations International	$ -	$ 7,725	$ 7,725	Event Impact Calculator (EIC) - industry standard tool for measuring the economic impact - the level of the direct spending mipact by groups attending events at the Center. Economic Impact is a KPI.
Trade Journals/Newspapers	$ -	$ 600	$ 600	Silicon Valley Business Journal, LinkedIn, as needed.
TOTAL ADMINISTRATION	**$ 504,900**	**$ 534,830**	**$ 29,930**	
Contingency	**$ 50,000**	**$ 15,000**	**$ (35,000)**	Use of contingency funds for unanticipated program needs or other purposes requires Board approval.
City Administration Fee	**$ 3,000**	**$ 12,219**	**$ 9,219**	This amount will vary as it is dependent on the amount collected.
TOTAL OPERATING BUDGET	**$1,247,060**	**$1,290,002**	**$ 42,942**	

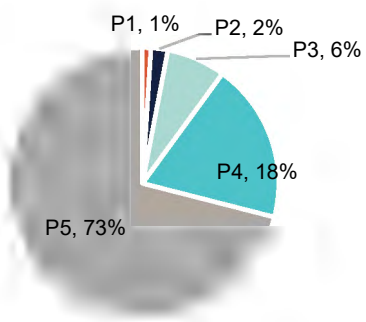
Silicon Valley/Santa Clara DMO Inc.		
Performance Measures		
	2021/22 Target	**2022/23 Target**
1. Event Mix *(Consumed)*		
Percent of P1 Events[1]	1%	2%
Number of P1 Events	1	3
Percent of P2 Events[2]	2%	4%
Number of P2 Events	2	6
2. Number of Definite Events Booked *(booked in the year for future years)*		
Number of P1 Events	3	5
Number of P2 Events	6	11
3. Convention Center Gross Revenue *(P1& P2)*	$876,000	$2,850,000
4. Number of Room Nights Booked *(for future years)*	9,375	16,438
5. Number of Room Nights Consumed	3,125	9,375
6. Number of Weeks Impacted *(Consumed)*	3	9
7. Customer Service Survey Results *(overall satisfaction)*	85%	85%
8. Number of Prospects[3] *(active)*	770	300
9. Economic Impact[4] *(Consumed P1 and P2 events)*	$2,010,649	$6,031,943

Santa Clara Convention Center Event Mix

FY 2021/22 (211 events)



FY 2022/23 (374 events)



[1] Priority 1 (P1) event – Large multi-day convention and/or conference that utilizes all venue space at the Convention Center, utilizes significant venue services such as food and beverage, audio-visual and information technology, and draws a substantial number of out of town visitors that stay in multiple Santa Clara hotels.

[2] Priority 2 (P2) event – Primarily large multi-day convention and/or conference that utilizes most of the venue space at the Convention Center, utilizes venue services such as food and beverage, audio-visual and information technology, and draws out of town visitor that stay in multiple Santa Clara hotels.

[3] A prospect is a potential customer who has been contacted and qualified by the sales team as having desirable criteria for an event in Santa Clara such as: size of event fits in the venue, there is a history of hotel needs that can be provided by Santa Clara hotels, and they have expressed interest in holding an event in Santa Clara.

[4] Economic impact is the amount of additional direct spending that occurs in the community by out of town and local attendees of events at the Convention Center. For example, when Convention Center event attendees come to Santa Clara, they create economic activity through spending on items such as hotels, restaurants, retail stores and visitor attractions.

SILICON VALLEY/SANTA CLARA DMO, INC. - DETAILED EXPENSE REPORT ENDING APRIL 28, 2021

2021Jul			Notes
DESTINATION ADVANTAGE LLC	**$**	**2,000.00**	
JUNE 2020 WEBSITE SUPPORT	$	2,000.00	
GOODWIN CONSULTING GROUP INC	**$**	**1,500.00**	
PREPARATION OF BOUNDARY MAP	$	1,500.00	
JULY TOTAL	**$**	**3,500.00**	
2021Ago			
BANK OF AMERICA PROCUREMENT	**$**	**89.10**	
RMG REGUS - Purchase	$	89.10	Virtual office monthly fee. This is the last month of service.
Total	**$**	**89.10**	
TID Mailing	$	6.05	TID notice mailer FY 2019/20
AUGUST TOTAL	**$**	**95.15**	
2021Sep			
DESTINATION ADVANTAGE LLC	**$**	**2,000.00**	
JULY 2020 WEBSITE SUPPORT	$	2,000.00	
LEVY SANTA CLARA CONVENTION CENTER	**$**	**1,175.55**	
LUNCH-CEO INTERVIEWS	$	1,175.55	Catering x 13 - CEO interviews 06/24/2020
THOITS LAW	**$**	**16,429.50**	
PROFESSIONAL SVCS THRU APR20	$	2,211.00	Legal services - FY 2019/20 Expense -Delayed billing
PROFESSIONAL SVCS THRU FEB20	$	735.00	Legal services - FY 2019/20 Expense -Delayed billing
PROFESSIONAL SVCS THRU JAN20	$	2,952.50	Legal services - FY 2019/20 Expense -Delayed billing
PROFESSIONAL SVCS THRU JUL20	$	1,207.50	
PROFESSIONAL SVCS THRU JUN20	$	5,775.00	Legal services - FY 2019/20 Expense -Delayed billing
PROFESSIONAL SVCS THRU MAR20	$	1,365.00	Legal services - FY 2019/20 Expense -Delayed billing
PROFESSIONAL SVCS THRU MAY20	$	2,183.50	Legal services - FY 2019/20 Expense -Delayed billing
SEPTEMBER TOTAL	**$**	**19,605.05**	
2021Oct			
AVATAR HOTEL	**$**	**500.00**	
REIMBURSEMENT FOR CIVITAS PMT	$	500.00	TID incorporation and by-law update FY 2018/19
BILTMORE HOTEL AND SUITES	**$**	**500.00**	
REIMBURSEMENT FOR CIVITAS PMT	$	500.00	TID incorporation and by-law update FY 2018/19
DESTINATION ADVANTAGE LLC	**$**	**2,000.00**	
AUGUST 2020 WEBSITE SUPPORT	$	2,000.00	
EMBASSY SUITES SANTA CLARA	**$**	**500.00**	
REIMBURSEMENT FOR CIVITAS PMT	$	500.00	TID incorporation and by-law update FY 2018/19
HILTON HOTEL (SANTA CLARA)	**$**	**500.00**	
REIMBURSEMENT FOR CIVITAS PMT	$	500.00	TID incorporation and by-law update FY 2018/19
HYATT HOUSE SANTA CLARA	**$**	**500.00**	
REIMBURSEMENT FOR CIVITAS PMT	$	500.00	TID incorporation and by-law update FY 2018/19
HYATT REGENCY SANTA CLARA	**$**	**500.00**	
REIMBURSEMENT FOR CIVITAS PMT	$	500.00	TID incorporation and by-law update FY 2018/19
SILICON VALLEY/SANTA CLARA DMO, INC	**$**	**100,000.00**	
START UP FOR DMO	$	100,000.00	For CEO payroll costs - tracked separately - see attached statements
THOITS LAW	**$**	**1,980.00**	
PROFESSIONAL SVCS THRU SEP2020	$	1,980.00	
VANTREO INSURANCE BROKERAGE	**$**	**3,381.00**	
INSURANCE PKG 7/18/20-7/18/21	$	3,381.00	
Total	**$**	**110,361.00**	
City Administration Fee		$750.00	
OCTOBER TOTAL	**$**	**111,111.00**	

2021Nov			
DESTINATION ADVANTAGE LLC	**$**	**2,000.00**	
SEPT 2020 WEBSITE SUPPORT	$	2,000.00	
SANTA CLARA MARRIOTT HOTEL	**$**	**500.00**	
TID REIMBURSEMENTS CIVITAS	$	500.00	TID incorporation and by-law update FY 2018/19
THE HANOVER INSURANCE COMPANY	**$**	**61.00**	
BUS OWNERS POLICY 7/20-7/21	$	122.00	
THE PLAZA SUITES	**$**	**500.00**	
HOTEL CONTR TO CIVITAS FOR TID	$	500.00	TID incorporation and by-law update FY 2018/19
THOITS LAW	**$**	**8,580.50**	
PROFESSIONAL SVCS THRU OCT2020	$	8,580.50	Legal services
Total	**$**	**11,641.50**	
City of Santa Clara Business License	**$**	**94.00**	
NOVEMBER TOTAL	**$**	**11,735.50**	
2021Dec			
CIVITAS ADVISORS	**$**	**3,300.00**	
Assist the City in completing	$	3,300.00	City consultant costs for TID Conversion process.
DESTINATION ADVANTAGE LLC	**$**	**4,000.00**	
NOV 2020 WEBSITE SUPPORT	$	2,000.00	
OCT 2020 WEBSITE SUPPORT	$	2,000.00	
DESTINATIONS INTERNATIONAL	**$**	**1,046.67**	
MEMBERSHIP DUES 20-21	$	1,046.67	
SIMPLEVIEW LLC	**$**	**2,500.00**	
SIMPLEVIEW IMPLEMENTATION FEE	$	2,500.00	Customer Relationship Management (CRM) System
THOITS LAW	**$**	**2,420.97**	
PROFESSIONAL SVCS THRU NOV2020	$	2,420.97	
VANTREO INSURANCE BROKERAGE	**$**	**2,096.00**	
2020 MGMT LIAB POLICY	$	2,096.00	
XRX INC	**$**	**10,590.00**	
TID ROOM NIGHT SUBSIDY	$	10,590.00	
Total	**$**	**25,953.64**	
Hanover Correction	**$**	**(61.00)**	
DECEMBER TOTAL	**$**	**25,892.64**	
2021Jan			
CIVITAS ADVISORS	**$**	**6,240.00**	
Assist the City in completing	$	6,240.00	City consultant costs for TID Conversion process.
DESTINATION ADVANTAGE LLC	**$**	**2,000.00**	
Website Support December 2020	$	2,000.00	
DESTINATIONS INTERNATIONAL	**$**	**6,590.00**	
EVENT IMPACT CALCULATOR SUB	$	6,590.00	
LYNCH, MICHAEL	**$**	**4,000.00**	
SALES CONSULT DEC2020	$	4,000.00	
SMART CITY NETWORKS, L.P.	**$**	**3,625.99**	
NON-TAXABLE	$	989.53	
SET UP FOR MATT STEWART	$	2,636.46	
STEWART, MATTHEW THOMAS	**$**	**119.99**	Reimbursement for subscr: Business journal and LinkedIn
(blank)	$	119.99	
TOTAL	**$**	**22,575.98**	
City Administration Fee	**$**	**750.00**	
Smart City Taxes	**$**	**237.27**	

Staples/Office Supplies	**$**	**93.76**	
JANUARY TOTAL	**$**	**23,657.01**	
2021Feb			
BANK OF AMERICA PROCUREMENT	**$**	**2,112.47**	
STAPLES DIRECT - Purchase	$	124.47	
THE HANOVER INSU CE - Purcha	$	1,988.00	DMO insurance
CALIFORNIA SOCIETY OF ASSOC EXECUTIVE	**$**	**379.00**	
CALSAE MEMBERSHIP THRU 6/30/22	$	379.00	CEO membership
CIVITAS ADVISORS	**$**	**6,240.00**	
Assist the City in completing	$	6,240.00	City consultant costs for TID Conversion process.
DESTINATION ADVANTAGE LLC	**$**	**2,000.00**	
JAN 21 WEBSITE PROGRAM SUPPORT	$	2,000.00	
MEETING PROFESSIONALS INTERNATIONAL	**$**	**545.00**	
MPI MEMBERSHIP	$	545.00	CEO membership
PCMA	**$**	**485.00**	
MEMBERSHIP FEE	$	485.00	CEO membership
SIMPLEVIEW LLC	**$**	**400.00**	
MONTHLY LICENSE FEE	$	400.00	
SMART CITY NETWORKS, L.P.	**$**	**448.50**	
IT MONTHLY CHARGES	$	448.50	
STEWART, MATTHEW THOMAS	**$**	**379.87**	Reimbursement for program software.
ADOBE ACROBAT PRO REIMBURSEMEN	$	359.88	
REIMB COMPUTER APPL COPYTRANS	$	19.99	
FEBRUARY TOTAL	**$**	**12,989.84**	
2021Mar	**$**	**21,659.16**	
AB PRESS, INC	**$**	**101.88**	CEO business cards
DESIGN	$	35.00	
PRINT	$	66.88	
BANK OF AMERICA PROCUREMENT	**$**	**27.78**	Office supplies
LEEDSWORLDREFILL.COM - Purchas	$	18.28	
STAPLES DIRECT - Purchase	$	9.50	
CALIFORNIA PEOPLE SEARCH INC	**$**	**3,069.00**	
ADMINISTRATIVE ASSISTANCE	$	3,069.00	Temporary position - P/T Administrative Assistant
CIVITAS ADVISORS	**$**	**6,240.00**	
Assist the City in completing	$	6,240.00	City consultant costs for TID Conversion process
FUGATE BUSINESS SOLUTIONS	**$**	**1,797.00**	Financial report development and book-keeping services
Jan Accounting Serv	$	399.00	
Setup Fee+ Jan Accounting Serv	$	1,398.00	
LYNCH, MICHAEL	**$**	**4,000.00**	
SALES CONSULTING SERVICES 1/21	$	4,000.00	
SIMPLEVIEW LLC	**$**	**400.00**	
MONTHLY LICENSING 2/21-1/24	$	400.00	
SMART CITY NETWORKS, L.P.	**$**	**448.50**	
IT MONTHLY SERVICE FEE	$	448.50	
THOITS LAW	**$**	**5,575.00**	
PROF SVCS THRU DEC 31 2020	$	1,935.00	Legal services
PROFESSIONAL SERVICES FOR 1/21	$	3,390.00	Legal services
TRADEMARK APPLICATION FEE	$	250.00	
TOTAL	**$**	**21,659.16**	
Finance - City Fiscal Services	**$**	**790.60**	
MARCH TOTAL	**$**	**22,449.76**	

2021Apr	**$**	**52,270.19**	
CALIFORNIA PEOPLE SEARCH INC	**$**	**2,277.00**	Temporary position - P/T Administrative Assistant
ADMINISTRATIVE ASSISTANCE	$	2,277.00	
CIVITAS ADVISORS	**$**	**6,240.00**	
Assist the City in completing	$	6,240.00	City consultant costs for TID Conversion process.
DESTINATION ADVANTAGE LLC	**$**	**2,000.00**	
VISIT SC MONTHLY SERVIES	$	2,000.00	
FUGATE BUSINESS SOLUTIONS	**$**	**399.00**	
MARCH ACCOUNTING SERVICES	$	399.00	
JONES LANG LASALLE AMERICAS INC	**$**	**10,000.00**	
DMO: Consulting Services for t	$	10,000.00	
LYNCH, MICHAEL	**$**	**6,000.00**	
SALES CONSULTING SVCS FEBRUARY	$	6,000.00	
SILICON VALLEY/SANTA CLARA DMO, INC	**$**	**25,000.00**	
ADVANCE FUNDS DMO PAYROLL	$	25,000.00	For CEO payroll costs - tracked separately - see attached statements
SMART CITY NETWORKS, L.P.	**$**	**354.19**	
MARCH SERVICES	$	354.19	IT network services
Grand Total	**$**	**52,270.19**	
Finance - City Fiscal Services	**$**	**790.60**	
APRIL TOTAL	**$**	**53,060.79**	

Beginning FY 2020/21 TID Assessment Balanc	$	1,664,558.00
TID Revenue YTD through 4/28/2021	$	129,337.00
Total Revenue YTD	$	1,793,895.00
YTD Expenditures	$	284,096.74
TID Fund Balance (Unaudited)	$	1,509,798.26

SILICON VALLEY/SANTA CLARA DMO, INC. - PAYROLL EXPENSES ENDING APRIL 28, 2021

CEO Payroll/ DMO Checking Account	Deposits/ Credits	Withdrawals/ Debits	Checking Account Balance
October 2020	**$ 100,000.00**	**$ 54.89**	
December 2020	**$ -**	**$ 21,257.73**	
Salary	$ -	$ 11,630.69	
Taxes	$ -	$ 9,337.14	
ADP Payroll Fees	$ -	$ 289.90	
January 2021	**$ 200.00**	**$ 26,179.85**	
Salary	$ -	$ 17,569.42	
Taxes	$ -	$ 8,044.68	
ADP Payroll Fees	$ 200.00	$ 565.75	
February 2021		**$ 19,304.37**	
Salary	$ -	$ 11,459.14	
Taxes	$ -	$ 7,685.33	
ADP Payroll Fees	$ -	$ 159.90	
March 2021		**$ 19,282.84**	
Salary	$ -	$ 11,449.37	
Taxes	$ -	$ 7,673.57	
ADP Payroll Fees	$ -	$ 159.90	
April 2021	**$ 25,000.00**	**$ 19,347.84**	
Salary	$ -	$ 11,449.36	
Taxes	$ -	$ 7,673.58	
ADP Payroll Fees	$ -	$ 159.90	
Wire Transfer Fee	$ -	$ 30.00	
NSF Fee	$ -	$ 35.00	
TOTALS	**$ 125,200.00**	**$ 105,427.52**	**$ 19,772.48**

21-701 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT

Adopt a Resolution Approving the Proposed Charter Amendment to enact Council District elections and Introduction of an Ordinance Establishing District Boundaries to conduct By-District Elections in Santa Clara

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

A court order mandated that the City be divided into six City Council Districts through the November 2020 election and that only residents of each district vote for one Councilmember to represent them. While the Court ruling implemented district-based elections with six Council Districts and enjoined holding at-large elections of City Councilmembers, it did not amend the language of the City Charter, which currently states City Councilmembers are to be elected "at-large." The City has now entered into a Settlement Agreement with the plaintiffs in the *Yumori-Kaku* lawsuit which requires the City Council to adopt a resolution to place a measure on the ballot to amend the Charter to be in conformance with the six district election process ordered by the Court for the election of Councilmembers. The Settlement Agreement requires that the resolution proposing the ballot measure for the charter amendment measure be adopted by June 1, 2021.

At its May 4th meeting, Council considered alternatives that would be included in the Charter amendment and directed that staff bring back a resolution to approve a ballot measure in accordance with the Settlement Agreement.

DISCUSSION

1. Ballot Measure

The attachment shows the changes to the current Charter language that would be made in order to eliminate language to the current at-large by-numbered seat system and to clearly indicate the requirement to hold Council District elections for the election of members of the City Council and to have an at-large election of the Mayor.

The proposed charter amendment would include the following language:

Sec. 700.1 Elections - City Council Districts.

Members of the City Council, excepting the Mayor, shall be elected by district.
For the election to be held in November 2022 and each election thereafter, there shall be 6

(six) districts as such districts are designated on that certain map adopted by judgment of the Superior Court dated July 24, 2018, as set forth in Resolution No. 18-8585 of the City Council, as the boundaries of such districts shall be amended through a redistricting process following each decennial United States Census. Council District elections shall be conducted as follows:

a. Each District shall be represented by one (1) Council Member.

b. In the election to be held in November 2022 and in each Council District election held thereafter the Council District elections shall be conducted as follows:

1. the voters of Districts 2 shall nominate and elect one (1) Council Member for a four-year term; and

2. the voters of District 3 shall nominate and elect one (1) Council Member for a four-year term.

c. In the election to be held in November 2024 and in each Council District election held thereafter the Council District elections shall be conducted as follows:

1. the voters of District 1 shall nominate and elect one (1) Council Member for a four-year term;

2. the voters of District 4 shall nominate and elect one (1) Council Member for a four-year term; and

3. the voters of District 5 shall nominate and elect one (1) Council Member for a four-year term.

4. the voters of District 6 shall nominate and elect one (1) Council Member for a four-year term.

On May 4, 2021 Council also approved including a 30-day residency requirement prior to the filing deadline for all candidates for elected office. The proposed Ballot Language is as follows:

No person shall be eligible to hold the elective office of Mayor, Chief of the Police Department or City Clerk, unless he or she is a resident and a qualified registered elector of the City. No person shall be eligible to hold the elective office of City Council Member, excepting the Mayor, unless he or she is a qualified registered elector of the City and a resident in the district represented by the Council Member office.

In order to hold the elective office of Mayor, Chief of the Police Department or City Clerk a person must have been a resident of the City of Santa Clara for at least thirty (30) days immediately preceding the last day specified by law for the filing of nomination papers with the City Clerk for such office or, if appointed, preceding the date of the person's appointment to fill a vacancy.

In order to hold the elective office of Council Member, excepting the Mayor, a person must have been a resident of the City of Santa Clara and of the District represented by the

person as a Council Member for at least thirty (30) days immediately preceding the last day specified by law for the filing of nomination papers with the City Clerk for such office or, if appointed, preceding the date of the person's appointment to fill a vacancy.

2. Map Ordinance

As a result of a court order issued in July 2018, the City adopted the City Council District map, Resolution 18-8585, defining the six districts within Santa Clara for the 2018 and 2020 City elections. However, this resolution did not extend the use of the map beyond 2020. In addition, every ten years, after the U.S. Census is conducted, city council district lines must be reviewed and possibly adjusted to ensure each council district contains the same number of residents. The adoption of this ordinance will allow for the City to use this map for elections beyond 2020 and allow the City to proceed with the redistricting process.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

The City Clerk's office has requested a cost estimate for placing a ballot measure on the primary June 2022 election from the Registrar of Voters office (ROV). The ROV has not gotten back to the city and estimates a response within six weeks. There are a few factors the ROV takes into consideration when calculating the cost (i.e. how many other cities are having an election and how many other ballot measures there will be) At this time staff can only estimate the cost to be between $108,831 and $200,000 based on prior ballot measures.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

RECOMMENDATION

Staff recommends:

1. Adopt Resolution directing the City Clerk to bring back a resolution to call for a Special Municipal Election on June 7, 2022 for the purpose of placing one measure on the ballot that, if passed, would amend the Santa Clara City Charter sections 600, 700.1 and 700.2, as set forth in Exhibit A, in accordance with the requirements of section 10403 of the California Elections Code; and
2. Approve introduction of an Ordinance for the Council District Boundary Map for Councilmember elections as the map to be used for elections beyond 2020,subject to changes required by the redistricting process.

Approved by: Hosam Haggag, City Clerk
Brian Doyle, City Attorney

ATTACHMENTS

1. Resolution
2. Resolution Exhibit A - Charter Amendment
3. Resolution No. 18-1885
4. Introduction of Ordinance No
5. Ordinance Exhibit A

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, CALLING FOR THE PLACEMENT OF ONE BALLOT MEASURE THAT, IF PASSED, WOULD AMEND SECTIONS 600 and 700.1 OF THE SANTA CLARA CITY CHARTER AT THE NEXT STATEWIDE DIRECT PRIMARY ELECTION

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on December 5, 2017, the certain Santa Clara voters (Plaintiffs) filed a Complaint against the City in the Santa Clara County Superior Court (Complaint);

WHEREAS, on December 27, 2017, the Plaintiffs filed an Amended Complaint against the City in the Santa Clara County Superior Court (Amended Complaint);

WHEREAS, the Amended Complaint alleged, among other things, that the City's method of electing Councilmembers violated the California Voting Rights Act (CVRA);

WHEREAS, the Liability Phase of the trial was held between April 23, 2018, and April 26, 2018, and the Superior Court, Hon. Thomas E. Kuhnle, presiding, issued a decision dated June 6, 2018, finding the City's election system in violation of the CVRA;

WHEREAS, the Remedies Phase of the trial was held between July 18, 2018, and July 20, 2018, after which Judgment was entered on July 24, 2018 in favor of the Plaintiffs;

WHEREAS, the Judgment enjoined the City and the Registrar of Voters from holding at-large elections for any City Council members, other than the position of Mayor, and ordered that Council Members be elected by district under the map ordered by the Court;

WHEREAS, the Court retained jurisdiction over the parties and the action pursuant to California Code of Civil Procedure section 664.6;

WHEREAS, the City filed a Notice of Appeal on August 15, 2018;

WHEREAS, following briefing and oral argument the Court of Appeal rendered its decision on December 30, 2021, affirming the Amended Judgment of the Superior Court, and the Remittitur issued on March 2, 2021;

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WHEREAS, Plaintiffs and the City acknowledged that the 2018 and 2020 City Council elections were conducted in accordance with the provisions of the Judgment;

WHEREAS, on April 21, 2021, the Plaintiffs and the City entered into a Settlement Agreement in which the City agreed that on or before June 1, 2021, the City Council, shall enact a resolution calling an election to seek voter approval of an amendment to the City Charter that shall require the election of all City Council members, except the Mayor, from single-member districts with a requirement that candidates reside within their respective districts in accordance with the Judgment. The election system included in the proposed Charter Amendment shall in all respects comply with applicable governing provisions of State law;

WHEREAS, in accordance with the terms of the Settlement Agreement the City Council desires to require the placement of a ballot measure that, if passed, would amend Charter Sections 600 and 700.1 of the Santa Clara City Charter;

WHEREAS, pursuant to the requirements of the City Charter, the City is required to call and order to be held in the City of Santa Clara, California a special municipal election placing the ballot measure on the ballot;

WHEREAS, pursuant to California Elections Code section 1201, the next Statewide Direct Primary election will be held on June 7, 2022; and,

WHEREAS, in accordance with Elections Code Section 1415 the City can only call for a Special Municipal Election with the Statewide general or primary election occurring not less than 88 days after the order of the election for a charter proposal that proposes to amend a charter related to federal or state voting rights laws.

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NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby proposes to amend Santa Clara City Charter Sections 600 and 700.1, as set forth in Exhibit A, attached hereto and incorporated herein by reference (with additions to and deletions from the current text indicated thereon); and the City Council hereby approves and orders the proposed measure to be submitted to the qualified electors of the City of Santa Clara at a special municipal election on June 7, 2022. If the measure is approved by a majority of voters, City Charter Sections 600 and 700.1 shall be amended, as set forth in the measure, and the amendment shall be effective on the date that the City Council declares the results of the special municipal election.

2. That in accordance with Elections Code sections 13247 and 9051, and in order to submit the proposed measure described herein to the voters, the City Council hereby approves and orders the following ballot question to be submitted to the qualified electors of the City of Santa Clara at the special municipal election on June 7, 2022:

Measure 1

DISTRICT COUNCIL ELECTIONS. Shall the City Charter be amended to elect city council members by district, excepting the mayor, to establish six districts for the election of one council member to represent each district; and to establish a 30-day residency requirement for all elected officials?	Yes	
	No	

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3. The City Clerk is directed to place a resolution on a City Council agenda not less than 88 days prior to the statewide primary election, requesting that the Board of Supervisors of the County of Santa Clara consent and agree to the consolidation of a Special Municipal Election with the Statewide Direct Primary Election on Tuesday, June 7, 2022, for the purpose of placing the measure approved in this resolution on the ballot in accordance with the requirements of section 10403 of the California Elections Code,

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF ____ 2021, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Exhibit A

EXHIBIT A

The Charter of the City of Santa Clara shall be amended as follows:

Section 600 of the Charter of the City of Santa Clara is amended to be entitled and to read as follows:

Sec. 600 City elected officers.

No person shall be eligible to hold ~~any~~ the elective office ~~in the City including~~ of Mayor~~,~~ ~~City Council~~, ~~or~~ Chief of the Police Department ~~and~~ or City Clerk, unless he or she is a resident and a qualified registered elector of the City. No person shall be eligible to hold the elective office of City Council Member, excepting the Mayor, unless he or she is a qualified registered elector of the City and a resident in the district represented by the Council Member office.

In order to hold the elective office of Mayor, Chief of the Police Department or City Clerk a person must have been a resident of the City of Santa Clara for at least thirty (30) days immediately preceding the last day specified by law for the filing of nomination papers with the City Clerk for such office or, if appointed, preceding the date of the person's appointment to fill a vacancy.

In order to hold the elective office of Council Member, excepting the Mayor, a person must have been a resident of the City of Santa Clara and of the District represented by the person as a Council Member for at least thirty (30) days immediately preceding the last day specified by law for the filing of nomination papers with the City Clerk for such office or, if appointed, preceding the date of the person's appointment to fill a vacancy.

The elective officers of the City shall consist of a City Council composed of seven members, the Chief of the Police Department and the City Clerk. The ~~members of the City Council, (which includes the office of the~~ Mayor~~)~~ and the Chief of the Police Department and the City Clerk shall be elected from the City at large at the times and in the manner provided in this Charter. Except as otherwise herein provided, a person elected to an office for other than an unexpired term shall serve a term of four years and shall serve until a successor is elected and qualified. The term shall commence on the date the City Council certifies the canvass of the election returns submitted to it by the County Registrar of Voters.

The person receiving the most votes cast for a particular City office shall be declared duly elected. Ties shall be broken as provided from time to time by ordinance.

The office of Mayor shall be separately voted upon and is a separate office. The person elected at any election to the office designated "Mayor" shall be deemed elected, both as a Mayor and as a member of the Council. Although the Mayor is a Council member, his or her election does not change the number of Council members from seven.

No person shall be a candidate for both Mayor and a City Council office ~~seat~~ at the same election. However, an incumbent member of the City Council may run for the elective office of Mayor, and the Mayor may run for the separate office of Mayor or other City Council office. However, at no time shall a member of the Council, including the Mayor, hold more than one City elective office. Except as otherwise provided elsewhere in this Charter, no incumbent member of the City Council while serving in such office with an unexpired term of more than six months shall be a candidate for any ~~numbered~~ Council office ~~seat~~ other than the one which he or she holds.

Section 700.1 of the Charter of the City of Santa Clara is amended to be entitled and to read as follows:

~~Sec. 700.1 Elections – Designation of seats.~~

~~For purposes of City Council elections, each Council office shall be designated by an appropriate descriptive designation, as follows: The Council seat which on the effective date of this Section is occupied by the Mayor shall continue to be designated as "Mayor"; each of the other six seats, respectively, shall be designated as "Council Member Seat No. 2," "Council Member Seat No. 3," "Council Member Seat No. 4," "Council Member Seat No. 5," "Council Member Seat No. 6" and "Council Member Seat No. 7" respectively, and shall continue to be designated by the respective designation. The designation so given to each such office shall thereafter be used in all election, nomination papers, certificates of election, and other election papers pertaining or referring to such office, and to designate incumbency in such office.~~

Sec. 700.1 Elections – City Council Districts.

Members of the City Council, excepting the Mayor, shall be elected by district.

For the election to be held in November 2022 and each election thereafter, there shall be 6 (six) districts as such districts are designated on that certain map adopted by judgment of the Superior Court dated July 24, 2018, as set forth in Resolution No. 18-8585 of the City Council, as the boundaries of such districts shall be amended through a redistricting process following each decennial United States Census.

Council District elections shall be conducted as follows:

a. Each District shall be represented by one (1) Council Member.

b. In the election to be held in November 2022 and in each Council District election held thereafter the Council District elections shall be conducted as follows:

1. the voters of Districts 2 shall nominate and elect one (1) Council Member for a four-year term; and

2. the voters of District 3 shall nominate and elect one (1) Council Member for a four-year term.

c. In the election to be held in November 2024 and in each Council District election held thereafter the Council District elections shall be conducted as follows:

1. the voters of District 1 shall nominate and elect one (1) Council Member for a four-year term;

2. the voters of District 4 shall nominate and elect one (1) Council Member for a four-year term; and

3. the voters of District 5 shall nominate and elect one (1) Council Member for a four-year term.

4. the voters of District 6 shall nominate and elect one (1) Council Member for a four-year term.

RESOLUTION NO. 18-8585

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA CALLING A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, FOR THE ELECTION OF TWO CITY COUNCIL MEMBERS AND MAYOR AND REQUESTING THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA CONSOLIDATE A GENERAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2018

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on July 24, 2018, Judge Thomas E. Kuhnle of Santa Clara County Superior Court issued an "Amended Statement of Decision: Remedies Phase of Trial; Judgment" in a lawsuit filed against the City under the California Voting Rights Act (CVRA);

WHEREAS, in its Amended Statement of Decision dated July 24, 2018 in *Yumori-Kaku et al. v. City of Santa Clara*, Santa Clara County Superior Court Case No. 17CV319862, a copy of which is attached hereto as Attachment 1, the Superior Court of the State of California for the County of Santa Clara ordered the City to adopt district-based elections based on the lines shown on Draft Plan 3, a copy of which is attached hereto as Attachment 2, that was submitted by the City, and ordered the Santa Clara County Registrar of Voters to immediately begin implementing district-based elections for the November 2018 election;

WHEREAS, the Court ordered, further, that elections be held for each district in the following sequence: Mayor and Districts Two and Three up in November 2018 and Districts One, Four, Five and Six in November 2020. The Mayor shall continue to be elected at-large pursuant to the Court's Order and City Charter section 600;

WHEREAS, the City and the Registrar of Voters are obligated to conduct the elections consistent with the Court's orders and, therefore, the City hereby calls a general municipal election for Districts Two and Three, and the Mayor, for the election on November 6, 2018.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That pursuant to the requirements of the Amended Statement of Decision, there is called to be held, on Tuesday, November 6, 2018, a General Municipal Election in the City of Santa Clara for the purpose of electing the following officers of the City of Santa Clara: Council Member, District 2; Council Member, District 3; and Mayor.

2. That in accordance with Section 700 of the City Charter and Section 12101 of the California Elections Code, the Acting City Clerk is hereby directed on behalf of the City Council to cause notice of the time and place of the holding of the election to be published in an official newspaper of the City in the time, form and manner as required by law.

3. That in accordance with the provisions of California Elections Code Sections 10403, the Board of Supervisors of the County of Santa Clara is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election to be held on Tuesday, November 6, 2018, to elect two members of the City Council (Council Member, District 2 and Council Member, District 3) and the Mayor each for a four-year term of office and that the election will be held and conducted in accordance with the provisions of law regulating the statewide election, and the Amended Statement of Decision .

4. That the consolidated election shall be held and conducted, the election officers appointed, the voting precincts designated, the returns canvasses, and all other applicable proceedings to be performed in connection with the above consolidated election, be regulated and performed by the Registrar of Voters of the County of Santa Clara in accordance with the provisions of applicable laws regulating consolidating elections and the Amended Statement of Decision. The City Council consents to such consolidation.

5. The Registrar of Voters is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

6. The Board of Supervisors is requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

7. The City of Santa Clara recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs, provided that no payment shall be made for services that the Registrar of Voters is otherwise required by law to perform.

8. The Acting City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Registrar of Voters.

9. The Acting City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

10. This Resolution supersedes Resolution No. 18-8558 and Resolution No. 18-8559 in their entirety.

11. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A SPECIAL MEETING THEREOF HELD ON THE 7th DAY OF AUGUST, 2018, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Davis, Kolstad, Mahan, O'Neill, and Watanabe and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST: _____
JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1 - Amended Statement of Decision dated July 24, 2018
2 - Map - Draft Plan 3

**Electronically Filed
by Superior Court of CA,
County of Santa Clara,
on 7/24/2018 12:18 PM
Reviewed By: R. Walker
Case #17CV319862
Envelope: 1756464**

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SANTA CLARA

LADONNA YUMORI KAKU et al., Plaintiffs, vs. CITY OF SANTA CLARA, and DOES 1 to 50, Defendants.	Case No. 17CV319862 **AMENDED STATEMENT OF DECISION RE: REMEDIES PHASE OF TRIAL; JUDGMENT**

Plaintiffs allege the at-large method of election used by defendant City of Santa Clara ("City") violates the California Voting Rights Act ("CVRA"). In the liability phase of trial the Court found that Plaintiffs proved by a preponderance of the evidence that the at-large method of election used by the City impairs the ability of Asians to elect candidates as a result of the dilution and abridgment of their rights as voters. Having found the City liable under the CVRA, "the court shall implement appropriate remedies, including the imposition of district-based elections that are tailored to remedy the violation." (Elec. Code § 14029.) On July 18-20, 2018, the remedies phase was tried before the Honorable Thomas E. Kuhnle without a jury.

I. PROCEDURAL ISSUES

As directed by the CVRA, this action was tried in two phases – liability and remedies. In their pretrial submissions, both sides stated that additional proceedings may be necessary to

address implementation issues. Consequently, both sides stipulated that the Court would have continuing jurisdiction in case later disputes arise.[1] In addition, for the remedies phase both sides stipulated that the reference to "eight hours" in Rule 3.1590(n) of the California Rules of Court would be changed to "twelve hours"; that a request for a statement of decision would be deemed made; and that the statement of decision could be issued in writing immediately following the completion of trial. Total trial time turned out to be about ten hours.

Plaintiffs filed a motion seeking that the Santa Clara County Registrar of Voters be joined as a necessary party pursuant to Code of Civil Procedure section 389(a)(1). That statute provides that "[a] person who is subject to service of process and whose joinder will not deprive the court of jurisdiction over the subject matter of the action shall be joined as a party in the action if in his absence complete relief cannot be accorded among those already parties." The Registrar of Voters, Shannon Bushey, was present in the courtroom and was represented by counsel. Counsel agreed on behalf of her client that the Registrar of Voters could be joined as a necessary party, subject to certain conditions. A stipulation and order joining the Registrar of Voters as a necessary party was signed by the Court on July 20, 2018.

II. EVIDENCE PRESENTED AT TRIAL

Plaintiffs presented four witnesses: Wesley Kazuo Mukoyama, Dr. Jose Moreno, Shannon Bushey, and David Ely. Defendants presented one witness: Dr. Jeanne Gobalet. Mr. Ely and Dr. Gobalet were tendered as experts without objection. While the Court's analysis of the controverted issues is based on all of the evidence presented at trial, key evidence is highlighted below.

A. Fact Witness Testimony

1. Wesley Kazuo Mukoyama

Mr. Mukoyama is one of the plaintiffs in this action. He has lived in the City for more than four decades. He is Asian. Mr. Mukoyama testified that at no time while he has resided in the City has an Asian be elected or appointed to the City Council. In addition, he testified that

[1] Initially the parties agreed to trifurcate the proceedings. Later in trial the agreement was modified to allow for continuing jurisdiction.

candidates for City Council rarely, if ever, knock on his door or call him or otherwise seek his input on matters concerning the City. Mr. Mukoyama is in favor of Plaintiffs' proposal to adopt seven districts within which City Council members would be elected.

2. Dr. Jose Moreno

Dr. Moreno, a Latino, is currently serving on the Anaheim City Council, where he is the mayor pro tem. Dr. Moreno participated in a lawsuit, which was filed in 2012, that alleged Anaheim's at-large election system violated the CVRA. He ran for an at-large seat on the City Council in 2014 and lost. Anaheim settled the CVRA lawsuit and adopted a system with an at-large mayor and individual council member districts. Dr. Moreno was elected to represent District 3 in central-north Anaheim in 2016.

Dr. Moreno testified about the benefits of district-based elections. He testified that prior to 2016 many city council members lived in the Anaheim hills, while few lived in the western parts of Anaheim. He testified that only three Latino candidates had ever been elected to the Anaheim city council. He also testified that at-large campaigns were costly, and that most candidates had to focus on "high propensity" voters – voters who are most likely to turn out on election day – and pay much less attention to other voters. In his district campaign in 2016 Dr. Moreno testified that he knocked on the doors of nearly all district residents; that he was able engage all voters and not just high-propensity voters; that voters in his district appeared to be more energized; and that he believed that district-based elections will allow council members to address the needs of all residents.

3. Shannon Bushey

Ms. Bushey is the Santa Clara County Registrar of Voters. She testified in great detail about the steps the Registrar of Voters must take to provide timely and accurate voting materials to the cities it serves. Based on her long-time employment in the Registrar of Voters's office, including serving as the Registrar of Voters since 2013, she discussed an almost day-to-day timetable for the tasks that lead up to the November 2018 election. Ms. Bushey testified that her office could provide timely and accurate election materials to voters in the City – even with newly formed districts – as long as district-based information was provided by July 23, 2018. In

particular, she testified that she needed district-specific geographic information system ("GIS") data, accessor parcel numbers and addresses.

Ms. Bushey also testified that ranked-choice-voting that has been previously proposed by the City cannot be implemented without the Secretary of State approving the voting technology, which may take six to eighteen months.[2]

Ms. Bushey discussed the importance, in all elections, of cooperation between the City and the Registrar of Voters. In this regard she described a significant number of tasks on which the City and the Registrar of Voters must work together.

During the City's cross-examination, Ms. Bushey testified that sometimes mistakes happen. She was asked questions about events related to recent elections, including materials printed by a vendor that omitted portions of a candidate statement. Ms. Bushey was asked if district-based elections are more complicated, and thus might lead to more errors. She agreed that district-based elections are more complicated and require more work, but in her experience they do not necessarily lead to more errors.

B. Expert Testimony

1. David Ely

Mr. Ely testified for the Plaintiffs. He is an expert demographer with decades of experience working for cities and various districts, and attorneys in litigation, to draw district boundaries. He is familiar with the requirements of the CVRA and the federal Voting Rights Act ("FVRA").

In preparing his proposed district maps for the City, Mr. Ely testified that he began by collecting, organizing and reviewing data from the 2010 census. He also reviewed data generated through the Census Bureau's American Community Survey ("ACS"), State of California ethnicity reports, voter turnout reports, actual voting data, Google maps, Google

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[2] The Court permitted FairVote to file a pretrial *amicus* brief on the disputed issues. FairVote argued that the Court should adopt multi-member districts and order a single non-transferable voting process be used. Neither party advocated in favor of a map with multi-member districts. Exhibit 68, which showed prior voting patterns in one election, also suggested a north/south division of the City for multi-member districts could be divisive.

Earth, and detailed City maps. In addition, Mr. Ely drove around the City and met with residents.

Mr. Ely testified that in drawing the districts he sought to bring together residents with similar community interests. He examined major thoroughfares to determine if they divide or pull together local residents; he examined housing stock to assess socio-economic conditions; he identified City infrastructure such as parks, libraries and schools; and he reviewed materials prepared by the City's expert, Dr. Gobalet, and compilations of City resident comments about voting methods and processes, including their views on at-large voting and district voting.

To address the remedial requirements of the CVRA and the FVRA, Mr. Ely took into account the distribution and concentrations of Asian, Latino, black and white residents.[3] These data includes the percent of citizens who can vote, which is referred to as the Citizen Voting Age Population ("CVAP").

Based on all of this information, Mr. Ely presented four maps – two showing seven districts (Exhibits 54 & 55), and two showing six districts (Exhibits 69 & 70). For each map Mr. Ely calculated numerous statistics, including CVAP percentages, by district, for each Census classification.

Mr. Ely assured the Court he could provide GIS data, assessor parcel numbers, and addresses for each district by the July 23, 2018 deadline prescribed by Ms. Bushey.

2. Jeanne Gobalet, Ph.D.

Dr. Gobalet testified for the City. She is an expert demographer with decades of experience. She has worked as a consultant for the City since 2011.

The focus of Dr. Gobalet's testimony was on the City's "Draft Plan 3" which was shown on page 6 of Exhibit 60. This map reflected Dr. Gobalet's knowledge of, and experience in, the City. Her high-level approach was create districts that reflected City neighborhoods and other communities with common interests. Like Mr. Ely, she started by identifying obvious dividing

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[3] The CVRA and FVRA rely on United States Census data. Those data recognizes six racial categories: White American, Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and Other Pacific Islander. It also classifies Americans as "Hispanic or Latino" and "Not Hispanic or Latino," which identifies Hispanic and Latino Americans as an ethnicity (not a race) distinct from others.

lines such as thoroughfares, railroad tracks, and creeks. She then identified neighborhoods in numerous ways, including taking into account information from "Nextdoor" – a social network for neighborhood communities. Dr. Gobalet also took into account information from community members who have spoken at public meetings that she has attended for many years.

Dr. Gobalet testified that Draft Plan 3 was presented at recent public meetings that were held in conformity with the requirements of Elections Code section 10010. Consistent with the purpose of that statute, Draft Plan 3 was slightly modified as a result of public comments. Dr. Gobalet testified that the City's Ad-Hoc Districting Advisory Committee, which has a mandate of determining which voting maps to recommend to the City Council, concluded that Draft Plan 3 was the best alternative. Dr. Gobalet calculated numerous statistics for Draft Plan 3, including CVAP percentages.

III. DISCUSSION

A. Legal Requirements for Selecting a Remedy

CVRA remedies must address the dilution and abridgment of voting rights. It directs courts "to implement appropriate remedies, including the imposition of district-based elections, that are tailored to remedy the violation." (Elec. Code § 14029.) "District-based elections," in turn, "mean a method of electing members to the governing body of a political subdivision in which the candidate must reside within an election district that is a divisible part of the political subdivision and is elected only by voters residing within that election district." (*Id.* § 14026(b).)

Remedies must address election practices that impair the ability of members of a protected class to elect candidates of their choice and their ability to influence the outcome of an election. (Elec. Code § 14027.) Remedies may take into account "that members of a protected class are not geographically compact or concentrated." (*Id.* § 14028(c).) Lines drawn to form voting districts may also take into account "(a) topography, (b) geography, (c) cohesiveness, contiguity, integrity, and compactness of territory, and (d) community of interests of the council districts." (Gov't Code § 34884; Elec. Code § 21601.) Federal law states that districts cannot be drawn with race as a predominate factor. (See, e.g., *Miller v. Johnson* (U.S. Supreme Ct. 1995) 515 U.S. 900, 917-19.)

B. The District Lines Shown in Draft Plan 3 Properly Remedy the CVRA Violations

Based on the evidence presented at trial, the Court finds the adoption of district-based elections based on the district lines shown in Draft Plan 3 will adequately remediate the City's violations of the CVRA and best serve its residents. This conclusion is based on numerous considerations, though four stand out.

First, the districts drawn in Draft Plan 3 reflect communities of interest, topography, geography and integrity. Dr. Gobalet described at trial her process of identifying neighborhoods, and then drawing district lines around them using significant geographic features.

Second, the statistics generated for Draft Plan 3 indicate it will remedy the dilution and abridgment of voting rights of Asians who reside in the City. The Asian CVAP percentage for District One is 51%. This is a proper remedy under both the CVRA and the FVRA. The lines drawn for District Two also enhance the voting power of Latino voters. The Latino CVAP percentage in that district is 27%, which allows for greater voting influence, including the possibility of forming voting coalitions to elect preferred candidates.[4]

Third, the City is a charter city that currently elects an at-large mayor. Draft Plan 3 results in having six district-based elections for city council members, plus an at-large election for the mayor who has now, and will continue to have, the same powers as city council members.[5] The Court was initially concerned that having an at-large mayor would not provide remediation to the extent required under the CVRA, which can trump charter city rights. (*Jauregui v. City of Palmdale* (2014) 226 Cal.App.4th 781, 802.) But the Court is also sensitive to the rights of people in California to form charter cities, and the greater degree of autonomy charter cities provide. At trial, counsel for the City made an important point. He acknowledged the Court's view that eliminating the at-large mayor would provide additional CVRA

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[4] It should be noted that after the 2020 federal census the City will need to consider modifications to the district boundaries. (Elec. Code § 21601.)

[5] At present the mayor has several non-substantive powers that are different than City Council members. Section 704 of the City Charter provides that "[t]he Mayor shall be the presiding officer. The Mayor shall have a voice and vote in all its proceedings. He/she shall be the official head of the City for all ceremonial purposes." Section 704.3 sets forth other powers of the mayor, such as presiding over the council meetings and making "recommendations to the City Council on matters of policy and programs."

remediation. But he noted that Draft Plan 3 provides sufficient remediation to comply with law even with a mayor elected by the entire City electorate. That fact, combined with the comments made at public meetings that expressed a preference for an at-large mayor, caused the Court to conclude that all City voters should continue to elect the City's mayor.

Fourth, the Court recognizes the risk of implementing a new voting method relatively close to the November 2018 elections. Throughout this case the Court has carefully balanced the need to address the dilution and abridgement of voting rights on the one hand, and the need to ensure the election process is not compromised. Both sides have worked diligently to resolve the contested issues, including working with the Registrar of Voters to ensure a remedy can be timely implemented. At the remedies trial three promises were made. The Registrar of Voters said the election will run smoothly as long as the GIS, assessor parcel number, and address information is provided by July 23, 2018. Both sides said their teams could provide the data for their maps by that deadline. And the City promised to cooperate with the Registrar of Voters to make sure all subsequent voting deadlines are met. Based on those promises, the Court has every reason to believe this decision can be successfully implemented for the November 2018 elections.

It should be noted that the Court has considered Elections Code section 12262, which states that precinct boundaries cannot be changed less than 125 days before an election.[6] The Court believes Draft Plan 3 does not violate that statute. But even if it did, in balancing the hardships the Court would find the actions necessary to remedy the CVRA violations are so fundamental that a procedural statute should not stand in the way of implementing Draft Plan 3. In part this is because if an appropriate remedy is not implemented for the November 2018 elections, those elections would be jeopardized. (*Jauregui v. City of Palmdale* (2014) 226 Cal.App.4th 781, 791 [the certification of city council election results was enjoined based on CVRA violations].)

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[6] The Article that includes Election Code sections 12260-62 is titled "Precinct Boundary Changes." Section 12262 uses the undefined phrase "jurisdictional boundaries." The Court finds that the phrase "jurisdictional boundaries" refers to precinct boundary changes as indicated in the title of the Article within which section 12262 appears.

IV. THE REMEDIES PHASE DISPOSITION

Having concluded the remedies phase of trial, the Court ORDERS the City to adopt district-based elections based on the lines shown on Draft Plan 3 (Ex. 60 at page 6) that was submitted by the City. Further, the Court ORDERS the Registrar of Voters to immediately begin implementing district-based elections for the November 2018 election. The Court further ORDERS that elections be held for each district in the sequence shown below:

District Number	Election Month and Year
District One	November 2020
District Two	November 2018
District Three	November 2018
District Four	November 2020
District Five	November 2020
District Six	November 2020
Mayor	November 2018

Consistent with this requirement, the City and the Registrar of Voters are enjoined from holding at-large elections for any City Council members, other than the position of Mayor.

The Court does not intend to abrogate City Charter provisions except the reference to "at large" in Section 600 as it applies to City Council members (excluding the mayor) and the first sentence of Section 700.1, which is titled "Designation of Seats." The Court does not believe other City Charter provisions are affected by the Court's ruling, including provisions governing term length, term limits, compensation, vacancies, and the powers and duties of the mayor. Further, the Court does not intend to change other election procedures for this year, including the last day of the nominations period, which is set on August 10, 2018.

V. JUDGMENT

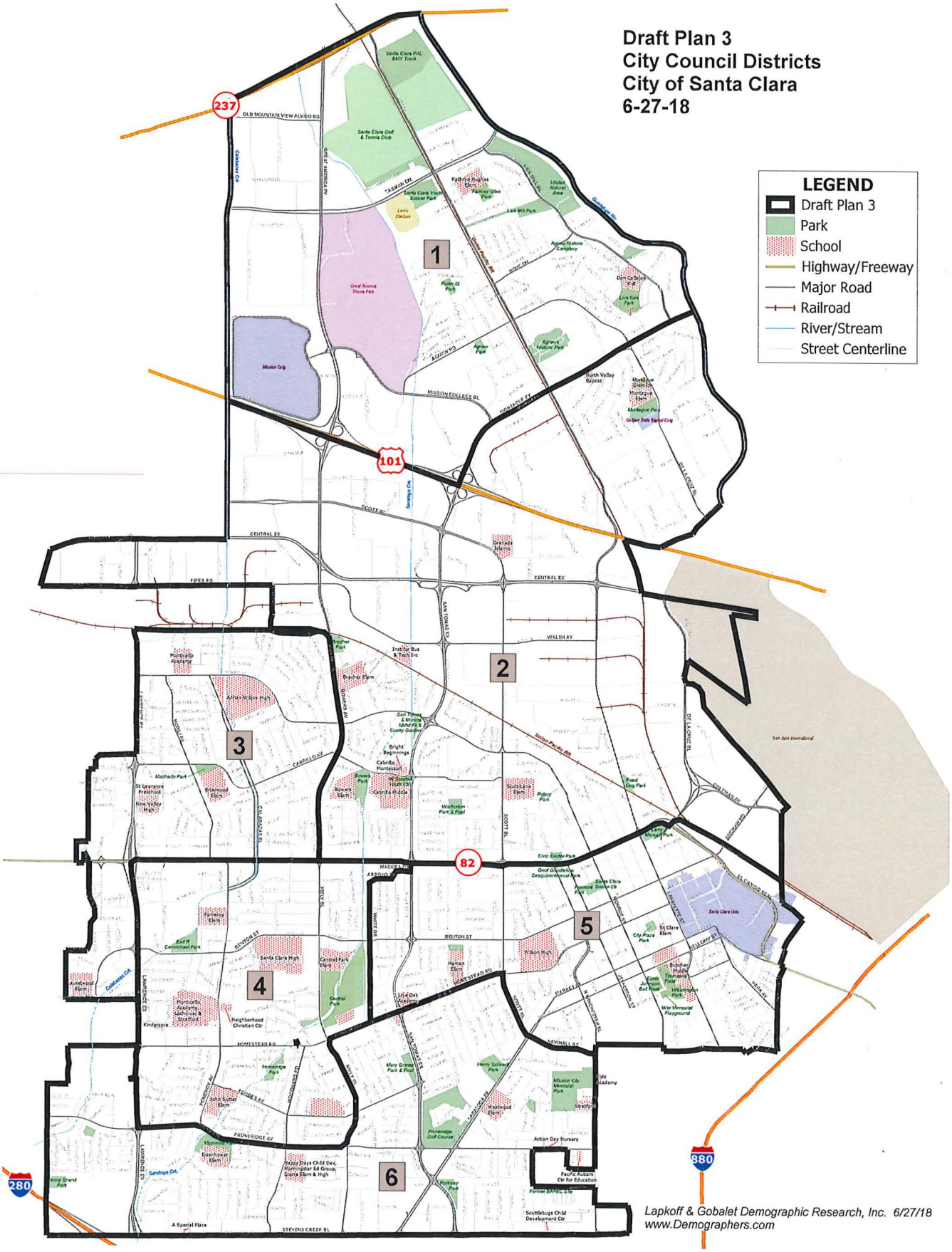
This action was tried in two phases. At the liability phase, Plaintiffs proved Defendant the City of Santa Clara ("City") violated the California Voting Rights Act by showing by a preponderance of the evidence that the at-large method of election used by the City impaired the ability of Asians to elect candidates as a result of the dilution and abridgment of their rights as voters. At the conclusion of the remedies phase, the Court ordered that six City Council members be elected in district-based elections, and the City mayor be elected in an at-large

election. The Court's findings and conclusions were set forth in two Statements of Decision. Based on the outcome of the two-phase trial:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Judgment shall be entered for Plaintiffs Ladonna Yumori Kaku, Wesley Kazuo Mukoyama, Umar Kamal, Michael Kaku, and Herminio Hernando and against Defendant the City of Santa Clara in accordance with the Statements of Decision issued after the liability and remedies phases of trial. Plaintiffs shall be entitled to recover attorneys' fees and costs as permitted under law. FURTHER, pursuant to the parties' agreement, the Court shall retain jurisdiction over the parties and this action pursuant to California Code of Civil Procedure section 664.6.

Dated: July 24, 2018

Thomas E. Kuhnle
Judge of the Superior Court


Draft Plan 3
City Council Districts
City of Santa Clara
6-27-18
LEGEND
Draft Plan 3
Park
School
Highway/Freeway
Major Road
Railroad
River/Stream
Street Centerline
1
2
3
4
5
6
237
101
82
280
880
Lapkoff & Gobalet Demographic Research, Inc. 6/27/18
www.Demographers.com

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, ADOPTING A MAP DESCRIBING DISTRICT BOUNDARIES OF "THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA"

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on July 24, 2018, Judge Thomas E. Kuhnle of Santa Clara County Superior Court issued an "Amended Statement of Decision: Remedies Phase of Trial; Judgment" in a lawsuit filed against the City under the California Voting Rights Act (CVRA);

WHEREAS, in its Amended Statement of Decision dated July 24, 2018 in Yumori-Kaku et al. v. City of Santa Clara, Santa Clara County Superior Court Case No. 17CV319862, the Superior Court of the State of California for the County of Santa Clara ordered the City to adopt district-based elections based on the lines shown on Draft Plan 3, a copy of which is attached hereto as Exhibit A, that was submitted by the City, and ordered the Santa Clara County Registrar of Voters to immediately begin implementing district-based elections for the 2018 and 2020 elections;

WHEREAS, as result of the above referenced litigation, the City Council entered into a settlement agreement and agreed to continue district-based elections and submit a ballot measure to the voters at a special municipal election to formally amend the City Charter to establish six council districts;

WHEREAS, following the release of the 2020 decennial census data, all local governments that elect by district must redraw their district lines to assure that all district have nearly equal population;

WHEREAS, the California Elections Code section 21622 requires that the City complete

its redistricting process by April 17, 2022; and

WHEREAS, the City of Santa Clara desires to adopt an Ordinance to adopt the City Council Electoral District Map to facilitate the decennial census redistricting process.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

SECTION 1: For the election of members of the City Council, except for the Mayor, to be held in November 2022 and for each election thereafter, there shall be 6 (six) districts each of which shall be represented by one Council Member. Such districts shall be as designated on that certain map adopted by judgment of the Superior Court dated July 24, 2018, as set forth in Resolution No. 18-8585 of the City Council, as the boundaries of such districts shall be amended through a redistricting process following each decennial United States Census. A copy of the map is attached hereto as Exhibit A.

SECTION 2: **Effective date**. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of "The Charter of the City of Santa Clara, California."

PASSED FOR THE PURPOSE OF PUBLICATION this XX day of XXXXXX, 2021, by the following vote:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

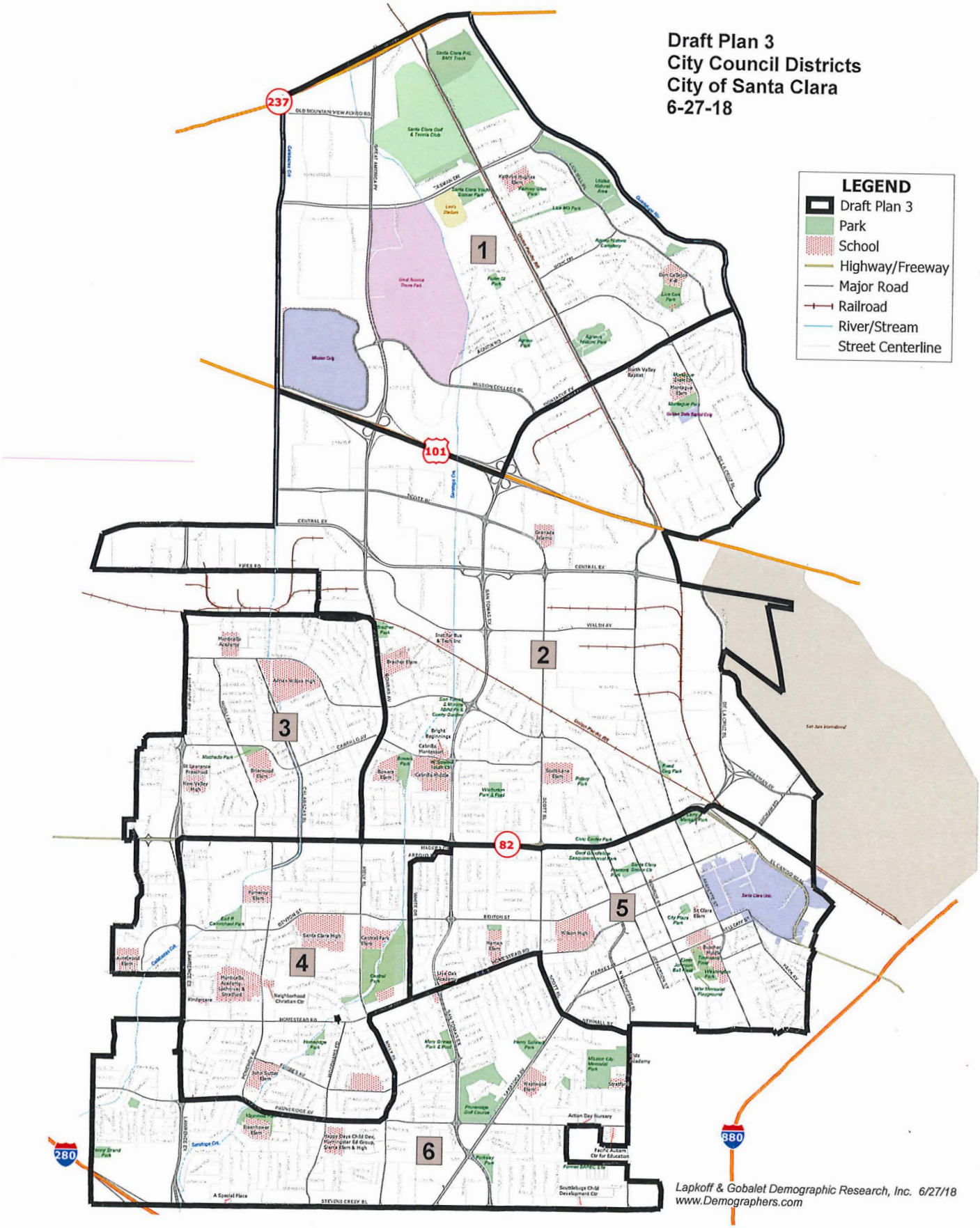
ATTEST:

_____

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: (type None here or type brief description below)
1. Exhibit A - Map

EXHIBIT A


Draft Plan 3
City Council Districts
City of Santa Clara
6-27-18
LEGEND
Draft Plan 3
Park
School
Highway/Freeway
Major Road
Railroad
River/Stream
Street Centerline
1
2
3
4
5
6
237
101
82
280
880
Lapkoff & Gobalet Demographic Research, Inc. 6/27/18
www.Demographers.com

21-1163 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Public Hearing: Adoption of a Resolution Setting Rates for Overall Solid Waste Services and Annual Clean-up Campaign in the Exclusive Franchise Area

COUNCIL PILLAR
Deliver and Enhance High Quality Efficient Services and Infrastructure; Sustainability

EXECUTIVE SUMMARY
The City has entered into new agreements for the collection and processing of garbage and recyclables. The Contractors' scope of services and compensation rates were negotiated and approved by Council on December 10, 2019. On March 10, 2021, staff presented a Solid Waste Rate Study to Council which included proposed Fiscal Year (FY) 2021/22 solid waste rates. The purpose of the Solid Waste Rate Study was to assure that the program was cost recovery and costs were being spread equitably amongst all garbage container types. In general, the proposed rate increases are below previously forecasted rate increases with the exception of the 20-gallon cart, which was expected. Staff anticipated that the Solid Waste Rate Study would show the cost for the 20-gallon cart was not equitable and would need to be increased more than the other garbage cart types. Council approved moving forward with implementing the increased rates specified in Table A of the Resolution (Attachment 1) to enable the Solid Waste Enterprise Fund to maintain cost recovery for the coming FY 2021/22. Council also moved forward with increasing the low-income rate assistance program for Solid Waste by $7 per month so those qualifying would receive a greater reduction in their bill.

Notices (Attachment 2) were sent to all 34,875 solid waste rate payers on April 7, 2021 informing them of the proposed rate increases and date of the Public Hearing to approve the rates, as required by Article XIII D of the California Constitution. Following the close of the Public Hearing, staff recommends that Council adopt the subject Resolution, which establishes the solid waste rates effective for the utility bills issued for services rendered on and after July 1, 2021.

BACKGROUND
In November 1996, California voters approved Proposition 218, which amended the state Constitution and imposed new substantive and procedural requirements for imposing or increasing property-related fees and charges. Under these requirements, water, sewer, and solid waste service fees or charges may only be increased if a majority of rate payers does not protest the increase. The City must mail a written notice of the proposed increases and hold a public hearing on the proposed increase not less than 45 days after mailing the notice. At the public hearing, all protests against the proposed fees or charges are tabulated and if the number of protests by a majority of rate payers totals 50 percent plus one, the fees or charges cannot be imposed. The public hearing for the City's FY 2021/22 solid waste rates is scheduled for May 25, 2021. If there is not a majority protest, the

Council can adopt the rate increase contained in Table A of the Resolution (Attachment 1).

The City sets rates and collects bundled charges from customers to fund the solid waste program. The bundled solid waste rate is comprised of one or more of the following components. Customers are only charged for the specific components for which they receive service.

- Garbage
- Yard trimmings
- Residential recycling
- Annual Clean-up Campaign (CUC)

In 2019, City Council approved moving forward with new 15-year solid waste agreements with Recology South Bay (Recology), Mission Trail Waste Systems (MTWS), and GreenWaste Recovery, Inc. (GWR). An existing agreement with Republic Services (Republic) for landfill disposal and composting of yard trimmings is in place and expires on December 31, 2024. The services provided under these agreements enable the City to comply with the new organic waste diversion requirements for the purpose of reducing greenhouse gas emissions from landfills mandated by Senate Bill 1383 (SB 1383), which will be enforceable starting in 2022.

Staff appreciates that solid waste rates have been a focal point for both the community and Council. Staff also notes that several factors outside the City's control contribute to the need to increase rates, such as:

- Additional costs to comply with organics collection and processing under SB 1383
- Large decline in the international recyclables commodities markets due to China's National Sword Policy
- Increased regional labor costs
- Replacement fleets for both MTWS and Recology due to age

The new agreements incorporated the changes in market conditions and predicted rate increases. It was communicated to both the public and Council that rates would be increasing approximately 57 percent over the three-year period starting July 2020. These increases are necessary to ensure that the Solid Waste Program continues to be cost recovery.

Following the execution of the new solid waste agreements, R3 Consulting, Inc. (R3) performed a Solid Waste Rate Study (Rate Study, Attachment 3) to ensure that the rates being proposed for FY 2021/22 are based on the true costs of service and are equitable. Each rate for garbage, yard trimmings, residential recycling and CUC service was developed to equitably incorporate the following cost elements:

- Compensation paid to service providers to collect and transport solid waste
- Compensation paid to process, compost, and/or dispose of solid waste
- City program costs (billing and internal costs, street sweeping, household hazardous waste, leaf vacuum, and holiday tree collection services, franchise fees, and landfill post closure costs)

Staff presented the Rate Study including the proposed solid waste rates to the City Council on March 10, 2021. In general, the proposed rate increases are below previously forecasted rate increases with the exception of the 20-gallon cart, which was expected. Staff anticipated that the Rate Study would

show the cost for the 20-gallon cart was not equitable and would need to be increased more than the other garbage cart types. Following the presentation, Council approved moving forward with increasing garbage rates to meet cost recovery for FY 2021/22 with no replenishment of rate stabilization reserves, and approved transferring funds from the General Fund Budget Stabilization Reserve to permanently increase the low income solid waste rate assistance program discount from $3 to $10 per month.

DISCUSSION

Cost Adjustments Required by the Franchise Agreements with Recology, Mission Trail Waste Systems (MTWS), GreenWaste Recovery (GWR), and Republic Services (Republic)

The primary reason for rate increases is to raise additional revenue to cover the contractually obligated compensation adjustments paid to service providers for the collection, processing, recycling, composting, and disposal of solid waste in compliance with new state laws and current market conditions. The current agreements with Recology and MTWS contain negotiated compensation increases spread over the first three years to gradually incorporate the increased costs (labor, National Sword Policy, new fleet of collection vehicles) that were not captured by the annual compensation methodology in the previous agreements. Below are summaries of the compensation adjustments for Recology and MTWS over the first three years of the successor agreements.

Recology
July 1, 2020: $2,837,000 annual compensation
July 1, 2021: $3,194,000 annual compensation
July 1, 2022: $3,635,000 annual compensation

MTWS
July 1, 2020: +6.0% increase to schedule of tariffs
July 1, 2021: +9.0% increase to schedule of tariffs
July 1, 2022: +9.0% increase to schedule of tariffs

Beginning July 1, 2023, the annual compensation adjustment for both Recology and MTWS shifts to the year over year change in the Water, Sewer Trash Index that is compiled and published by BLS, with a cap of 5 percent and floor of 2 percent.

GWR
In 2019 Council made a policy decision to move forward with mixed waste processing to comply with SB 1383 and approved entering into an agreement with GWR. As of January 2, 2021, the contents of garbage carts and bins started being delivered to GWR for mixed waste processing (processing) and organics composting so the current rates in place are only based on six months of processing and composting. FY 2021/22 will be the first full year of processing and composting through GWR so the rates will be increasing from the current year to account for this. The annual compensation adjustment in the GWR agreement is based on the year over year change in the CPI-U. The GWR compensation adjustment will be +2.01 percent for FY 2021/22.

Republic
The agreement with Republic contains an annual compensation adjustment based on the weighted year over year change in the CPI-U (80 percent), Gross National Product Implicit Price Deflator (10 percent) compiled and published by the United States Bureau of Economic Analysis (BEA), and

Employment Cost Index - Compensation by Occupation and Industrial Group, Non-Manufacturing (10 percent) compiled and published by BLS. The Republic compensation adjustment will be approximately +2.0 percent for FY 2021/22.

Bundled Solid Waste Rates

The individual garbage, yard trimmings, recycling and CUC components are bundled together to create the overall solid waste rates that are charged to residential cart customers. R3 calculated FY 2021/22 rates for each service based on the cost to provide collection, disposal, processing and/or composting, and City program costs. The table below summarizes the individual rate component increases for residential cart customers.

Service Type	FY 2020/21 Rate	FY 2021/22 Rate	Change in Rate
20-gallon garbage cart	$12.50	$17.37	$4.87
32-gallon garbage cart	$20.80	$24.15	$3.35
64-gallon garbage cart	$38.60	$44.91	$6.31
96-gallon garbage cart	$56.50	$65.59	$9.09
Yard trimmings	$11.80	$13.04	$1.24
Recycling	$5.30	$5.58	$0.28
CUC	$5.90	$6.28	$0.38

Each customer pays a different rate that is dependent on cart size subscription and whether they pay for yard trimmings or CUC services. Below is a summary of FY 2021/22 bundled monthly rates for single-family residential and townhouse cart customers to achieve cost recovery for the Solid Waste Fund.

Garbage Cart Size	Garbage Rate	Yard Trimmings Rate	Recycling Rate	CUC Rate	**FY 21/22 Bundled**
20-gallon single-family	$17.37	$13.04	$5.58	$6.28	**$42.27**
20-gallon townhouse	$17.37	$0.00	$5.58	$6.28	**$29.23**
32-gallon single-family	$24.15	$13.04	$5.58	$6.28	**$49.05**
32-gallon townhouse	$24.15	$0.00	$5.58	$6.28	**$36.01**
64-gallon single-family	$44.91	$13.04	$5.58	$6.28	**$69.81**
64-gallon townhouse	$44.91	$0.00	$5.58	$6.28	**$56.77**
96-gallon single-family	$65.59	$13.04	$5.58	$6.28	**$90.49**
96-gallon townhouse	$65.59	$0.00	$5.58	$6.28	**$77.45**

Townhouse residential cart customers rates are the FY 2021/22 bundled rate for garbage cart size less the $13.04 yard trimmings rate since they do not receive this service. Monthly rates for cart

customers that do not participate in the CUC are $6.28 less than the bundled rates shown in the table above. The current $0.30 per month HHW charge will be removed from customer bills in FY 2021/22. HHW costs have been programmed into the garbage service charges through the FY 2021/22 Rate Study.

As discussed with Council and the public during the agreement negotiation process for solid waste contracts, rates will need to be increased by an estimated 57 percent over the course of the next three fiscal years in order to remain at cost recovery. During those discussions it was projected that rates for FY 2021/22 would be increased by 19.7 percent. The FY 2021/22 bundled rates generated by this Rate Study are on average approximately 12.6 percent higher than the current bundled rates for cart customers, which is well below the estimated increase of 19.7 percent that was previously presented to Council and the public. The only anomaly is the 20-gallon cart which has an increase of 18.1 percent for single family and 21.8 percent for townhomes, which was anticipated because those size carts were not cost recovery and were being subsidized by the larger carts.

It should be noted that the City is the only jurisdiction in Santa Clara County that offers a townhouse service in which customers that do not utilize the yard trimmings service do not have to pay for it.

The table below shows the increase in each residential cart bundled rate.

Garbage Cart Size	FY 20/21 Bundled Rate	FY 21/22 Bundled Rate	Change in Rate	Percentage Change
20-gallon single-family	$35.80	$42.27	$6.47	18.1%
20-gallon townhouse	$24.00	$29.23	$5.23	21.8%
32-gallon single-family	$44.10	$49.05	$4.95	11.2%
32-gallon townhouse	$32.30	$36.01	$3.71	11.5%
64-gallon single-family	$61.90	$69.81	$7.91	12.8%
64-gallon townhouse	$50.10	$56.77	$6.67	13.3%
96-gallon single-family	$79.80	$90.49	$10.69	13.4%
96-gallon townhouse	$68.00	$77.45	$9.45	13.9%

Garbage Bin and Commercial Garbage Cart Rates

Garbage bin and commercial garbage cart rates for FY 2021/22 were developed by adding the compensation paid to MTWS for collection, GWR mixed waste processing and Republic disposal costs, and City program costs. The FY 2021/22 commercial garbage cart rates are shown in Section II.A of Attachment 1. The garbage bin rates are shown in Section II.D of Attachment 1.

Services Billed by MTWS

The City sets the rates and bills for residential and commercial cart and bin garbage service. Under the current exclusive franchise agreement, MTWS bills customers directly for commercial business recycling and voluntary commercial organics collection, and roll-off and compacted front loader bin garbage collection services that it provides. The methodology for determining the rates that MTWS charges customers for the services that it provides billing for is prescribed in the exclusive franchise agreement. The City needs to notice the rate increases in accordance with Proposition 218 requirements and approve the rates at the Public Hearing for the rate increases to take effect. If the

proposed rate increases for services that are billed by MTWS are not approved by the City Council, the City is contractually obligated to pay MTWS the increased compensation and has to absorb the shortfall between cost of service and revenue collected.

Commercial Recycling
MTWS is required to provide up to 96-gallons of free commercial recycling services to businesses at no charge under the agreement. The rates for additional service above 96-gallons per week are based on container size and frequency of service, plus 10 percent markup for billing and franchise fees. Commercial recycling service rates charged to garbage cart and garbage bin customers will increase by 9 percent in FY 2021/22 (Sections IIB and IIE of Attachment 1).

MTWS remits 5 percent of the markup to the City as franchise fees that get deposited in the General Fund for all services that it provides billing for, which includes the services described below.

Voluntary Food Scraps and Organic Waste Service
MTWS provides voluntary source separated food scraps and organic waste service to commercial business customers under the agreement. The rates for collection and processing are based on container size and frequency of service, plus 10 percent markup for billing and franchise fees. Collection and processing rates charged to customers will be increasing by 9 percent in FY 2021/22 (Section IIC of Attachment 1).

Loose and Compacted Roll-Off Debris Bin Service
MTWS provides scheduling, collection, and billing for loose and compacted roll-off debris bin service in the exclusive franchise area. The collection rate component is based on container size and frequency of service, plus 10 percent markup for billing and franchise fees. MTWS will be receiving a 9 percent increase to its tariffs in FY 2021/22. Customers are also billed the actual charges incurred for the disposal, processing, and/or recycling of collected contents plus 10 percent markup for billing and franchise fees. Section IIG of Attachment 1 contains rates these services.

Countywide Rate Comparison
The Santa Clara County Residential Cart Rate Comparison (Attachment 4) provides a comparison of solid waste rates for residential collection services in Santa Clara County (County). Most jurisdictions have indicated they will also be seeking rate increases in FY 2021/22 but were unable to share that information at this time. **As a result, the comparison is based on comparing Santa Clara's proposed FY 2021/22 rates to the current FY 2020/21 rates in other jurisdictions**. The survey is for bundled solid waste services that include garbage, yard trimmings, and recycling services. Santa Clara is the only city in the county that offers a townhouse service rate in which customers do not subscribe to yard trimmings service. The townhouse rates are lower than countywide averages for the same size container across the board. It should also be noted that the City's rates that are presented for comparison do not include the proposed $6.28 per month charge for the CUC because no other jurisdiction in the County has a comparable program.

	20-gallon	32-gallon	64-gallon	96-gallon
FY 2020/21 countywide average	$30.17	$37.46	$64.89	$96.03

FY 2021/22 Santa Clara single-family rate	$35.99	$42.77	$63.53	$84.21
FY2021/22 Santa Clara townhouse rate**	$22.95	$29.73	$50.49	$71.17

*Excludes CSC Clean-up Campaign Cost
**No other city offers reduced townhouse rates

The Santa Clara County Commercial Bin Rate Comparison (Attachment 5) provides a comparison of solid waste rates for commercial bin collection services in the County. Santa Clara's weekly FY 2021/22 garbage bin rates will remain slightly lower than the FY 2020/21 countywide average. Most jurisdictions in the County have indicated that rate increases will be occurring in FY 2021/22. Santa Clara multi-family and commercial business customers that subscribe to frontload bin garbage service will not be required to subscribe to an additional organics container to meet SB 1383 requirements because the contents of the garbage bins will be taken to the GWR mixed waste processing facility to recover the organics for composting. This is not the case for some other jurisdictions. The cost savings of not subscribing to an additional container for organics is not captured in the countywide comparison, which only shows the cost to subscribe to a specific garbage service level.

Rate Assistance Program

Under the current agreement, MTWS provides the City with a $3 per month decrease in tariff for residential accounts that qualify through the Silicon Valley Power (SVP) low income Rate Assistance Program. On March 10, 2021 the City Council approved to increase the rate discount to $10 per month. MTWS will continue to fund $3 per month and a transfer from the General Fund in the amount of $33,600 will be necessary to fund the additional $7 per month for 400 qualifying customers in order to comply with Proposition 218 in FY 2021/22.

CUC Alternatives

The City Council expressed interest in identifying alternatives to the current CUC format. Some of the alternatives to the current format include:

- Annual on-call bulky item collection program provided by MTWS through exclusive franchise agreement (cost would be incorporated into garbage cart rates)
- On-call bulky item collection program for a fee (only customers that use the program get charged)
- Annual on-street collection of unlimited yard waste (follow same format as current CUC, but only compostable yard waste is accepted)
- Neighborhood clean-up days in which residents can dispose of unwanted waste in debris bins staged at strategic locations
- Provide residents with free disposal coupons for the MTWS Transfer Station or other disposal facility (self-haul)
- Combination of multiple programs

Staff will need to bring on a consultant to help develop a slate of alternatives that includes cost data, service level options in terms of frequency and what types of material is accepted, and analysis of advantages and disadvantages of each alternative along with public outreach and presentations. After the alternatives are developed, the consultant will work with staff to develop a survey to collect feedback from customers. Surveys will be made available online and sent to a specified number of customers, as recommended by the consultant. The consultant will prepare a report summarizing the alternatives and customer survey results, which will be presented to Council upon completion. It is anticipated that the budget required for consultant services to perform this effort could cost approximately $75,000 to complete, with a target Council presentation by late Spring 2022. Funds to develop alternatives to the CUC and conduct a customer survey have not been included in the current proposed FY 2021/22 Solid Waste Fund operating budget. In order to move forward, Council would need to direct staff to incorporate funds from the Solid Waste Fund balance into the FY 2021/22 operating budget to procure a consultant to develop alternatives, conduct a survey of customers, and draft a final report.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of California Environmental Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it has not potential for resulting in either a direct change in the environment, or as a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

In total, the solid waste customer charges will generate approximately $33,148,000 of revenue in FY 2021/22. These revenues have been incorporated into the proposed Biennial FY 2021/22 and FY 2022/23 Operating Budget. A transfer from the General Fund to the Solid Waste Fund in the amount of $33,600 has also been programmed to fund the additional $7 per month for 400 qualifying customers in the Rate Assistance Program for FY 2021/22.

If Council chooses to approve the recommendation to develop alternatives to the CUC and conduct a customer survey, an additional $75,000 will need to be allocated from the Solid Waste Fund unrestricted ending fund balance in the FY 2021/22 Operating Budget for Materials, Services, and Supplies for contractual services to procure a consultant.

COORDINATION

This report has been coordinated with the Finance Department and City Attorney’s Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov>.

ALTERNATIVES

1. Adopt a Resolution setting the overall rates to be charged to rate payers for the collection and disposal of garbage, refuse, yard trimmings, recycling, annual Clean-up Campaign, and Household Hazardous Waste in the exclusive franchise area, effective for the utility bills issued for services

rendered on and after July 1, 2021; or
2. Do not adopt a Resolution to increase the proposed rates to be charged to rate payers for collection and disposal of garbage, refuse, yard trimmings, recycling, annual Clean-up Campaign, and Household Hazardous Waste in the exclusive franchise area and subsidize FY 2021/22 expenditures with funds from the General Fund;
3. Authorize the City Manager to incorporate the transfer of $33,600 from the General Fund to the Solid Waste Fund into the Biennial FY 2021/22 and FY 2022/23 Operating Budget and each subsequent operating budget.
4. Direct the City Manager to bring forward an amendment to the Proposed Biennial FY 2021/22 and 2022/23 Operating Budget that allocates $75,000 from the Solid Waste Fund unrestricted ending fund balance in FY 2021/22 to hire a consultant to develop alternatives to the current annual Clean-up Campaign format and conduct a customer survey.

RECOMMENDATION

1. Adopt a Resolution setting the overall rates to be charged to rate payers for the collection and disposal of garbage, refuse, yard trimmings, recycling, annual Clean-up Campaign, and Household Hazardous Waste in the exclusive franchise area, effective for the utility bills issued for services rendered on and after July 1, 2021;
3. Authorize the City Manager to incorporate the transfer of $33,600 from the General Fund to the Solid Waste Fund into Biennial FY 2021/22 and FY 2022/23 Operating Budget and each subsequent operating budget; and
4. Direct the City Manager to bring forward an amendment to the Proposed Biennial FY 2021/22 and 2022/23 Operating Budget that allocates $75,000 from the Solid Waste Fund unrestricted ending fund balance in FY 2021/22 to hire a consultant to develop alternatives to the current annual Clean-up Campaign format and conduct a customer survey.

Reviewed by: Craig Mobeck, Director of Public Works
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Resolution
2. Notice
3. Rate Study Report Prepared by R3 Consulting, Inc.
4. Santa Clara County Residential Cart Rate Comparison
5. Santa Clara County Commercial Bin Rate Comparison

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA SETTING RATES FOR OVERALL SOLID WASTE SERVICES AND ANNUAL CLEANUP CAMPAIGN SERVICES IN THE EXCLUSIVE FRANCHISE AREA

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City Council of the City of Santa Clara ("City") has provided, by contract or with its own forces, certain garbage collection and disposal services, yard trimming and recycling collection, and the Annual Cleanup Campaign ("Solid Waste Services") within the corporate limits of the City of Santa Clara;

WHEREAS, City entered into an agreement entitled the "Agreement for Disposal of Municipal Solid Waste, dated March 7, 1989, with International Disposal Corporation of California (a wholly owned subsidiary of Browning Ferris Industries (BFI))", ("Disposal Agreement") as amended by Amendment No. 1 dated February 10, 1998, for cost of disposing of garbage and refuse collected in the City at Newby Island Landfill for a term commencing March 7, 1989, and terminating on December 31, 2024;

WHEREAS, City entered into an agreement entitled "Agreement for Services Between the City of Santa Clara, California and GreenWaste Recovery, Inc." ("Solid Waste Processing Agreement"), dated April 27, 2020, to process solid waste from the exclusive franchise area to recover recyclables and organic waste for a term commencing July 1, 2020, and terminating on June 30, 2036;

WHEREAS, City entered into an agreement entitled "Agreement for Services Between the City of Santa Clara, California and Mission Trail Waste Systems, Inc." ("Refuse Franchise Agreement"), April 27, 2020, to collect and transport solid waste from customers in the exclusive franchise area, excluding residential recyclables for a term commencing July 1, 2020, and terminating on June 30, 2036;

WHEREAS, City entered into an agreement entitled "Agreement for Services Between the City

of Santa Clara, California, and Recology South Bay DBA Recology Santa Clara" ("Residential Recycling Services Agreement"), February 5, 2020, for residential recycling collection services for a term commencing July 1, 2020, and terminating on June 30, 2036;

WHEREAS, the overall adjustments to the monthly rates charged to customers for Solid Waste Services made by this Resolution do not in any way modify the rates of compensation which Mission Trail Waste Systems, Inc., GreenWaste Recovery, Inc., and Recology Santa Clara are entitled to under the Refuse Franchise and Residential Recycling Services Agreements;

WHEREAS, on March 9, 2021 the City Council directed staff to prepare monthly rates charged to customers for Solid Waste Services to meet cost recovery in Fiscal Year 2021-22 as detailed in the Rate Study that was presented;

WHEREAS, on April 7, 2021, the City timely mailed notices of a public hearing to property owners and rate payers of Solid Waste Services that detailed proposed rate adjustments in accordance with Article XIIID §6 of the California Constitution (Proposition 218); and,

WHEREAS, on May 25, 2021, the City held a public hearing on the proposed adjustments to fees for Solid Waste Services, and there was no majority protest.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. In accordance with Article XIIID § 6 of the California Constitution and as set forth in the accompanying staff report, incorporated herein by reference:

A. The revenues derived from the Solid Waste Services rates, as stated in Table A, attached hereto and incorporated herein, do not exceed the funds required to provide solid waste programs.

B. The revenues derived from the Solid Waste Services rates will not be used for any purpose other than solid waste programs.

C. The Solid Waste Services rates charged will not exceed the cost of solid waste programs per parcel.

D. The Solid Waste Services rates are only charged for solid waste programs that are currently available.

E. The Solid Waste Services rates are not charged for general governmental services.

2. Notice of the proposed Solid Waste Services rates was mailed on April 7, 2021, more than 45 days prior to the public hearing on this matter, in compliance with Proposition 218.

3. A public hearing was conducted on May 25, 2021, regarding the proposed rates to be charged and all protests and other comments were considered.

4. The number of written protests by owners of parcels within the City against the increased rates were tabulated by City staff at the hearing and did not constitute a majority protest.

5. That following the public hearing, the City Council approves and adopts the rates for collection and disposal of garbage, yard trimming and recycling collection, and the Annual Cleanup Campaign, as set forth in Table A, incorporated here by reference.

6. That any and all amounts by which the fees set forth in Table A exceed monies paid to contractors that provide Solid Waste Services in accordance with their respective agreements, shall solely belong to City and shall constitute cost recovery for Solid Waste Services rendered by City.

7. That a true and correct copy of this Resolution shall be kept on file in the Office of the City Clerk and in the Billing Division of the City Finance Department at all times in which the rates are operable or until replaced with any future adjusted monthly charges by the City Council and shall be open to public inspection during the regular hours of such offices.

8. That the adjusted monthly charges for Solid Waste Services described herein are ordered to be effective for utility bills issued for services rendered on and after July 1, 2021 and thereafter.

9. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2021, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Table A – City of Santa Clara Rates for Collection and Disposal of Garbage, Yard Trimming and Recycling Collection, and the Annual Cleanup Campaign for Utility Bills Issued For Services Rendered On and After July 1, 2021

TABLE A
CITY OF SANTA CLARA
RATES FOR COLLECTION AND DISPOSAL OF GARBAGE,
YARD TRIMMING AND RECYCLING COLLECTION, AND THE ANNUAL CLEANUP CAMPAIGN,
(Effective for utility bills issued for services rendered on and after July 1, 2021)

I. RESIDENTIAL USERS:

A. All Occupancy Classes (separate line billing)

1. Annual Cleanup Campaign	$6.28/month[1]
2. Extra Bag Tag Pre-Paid Sticker Program for extra garbage bag setouts	$6.04/bag tag

B. Single Occupancy (includes Multi-Family Complexes of 4 or Less Units)[2 & 3]

1. Regular service, (includes Yard Trimming Collection Service, and Recycling Services) single collection weekly:

a. One (1) thirty-two-gallon capacity garbage can or Small Cart	$42.77/month
b. One (1) twenty-gallon capacity super saver can or Super Saver Cart	$35.99/month
c. Two (2) thirty-two-gallon capacity garbage cans or Medium Cart	$63.53/month
d. Three (3) thirty-two-gallon capacity garbage cans or Large Cart	$84.21/month
e. Additional thirty-two (32) gallon container	$24.15/month

C. Multi-Family Occupancies where Yard Trimming Collection Services Provided: Regular service, single collection weekly:

1. First dwelling unit (includes Yard Trimming and Recycling Collection Services):

a. One (1) thirty-two-gallon capacity garbage can or Small Cart	$42.77/month
b. One (1) twenty-gallon capacity Super Saver Cart. Only for duplexes with individual billing and where carts are set out at each residence.	$35.99/month

[1] Exemption with no charge to residence with limited space based on determination by Deputy Director of Public Works.
[2] Last two weeks of each year, encompassing the Christmas holiday and the week following, single occupancy customers may set out up to four (4) extra thirty-two (32) gallon garbage bags total (two per week) at no extra charge.
[3] Low income rate discount of $10.00 per month for single-family and townhouse customers that qualify for Silicon Valley Power's Rate Assistance Program.

c. Two (2) thirty-two-gallon capacity garbage cans or Medium Cart	$63.53/month
d. Three (3) thirty-two-gallon capacity garbage cans or Large Cart	$84.21/month
2. Each additional dwelling unit exceeding one (1) unit (includes recycling charge, but not Yard Trimming Collection Service charge)	$29.73/month
3. For each additional thirty-two-gallon capacity container	$24.15/month
4. Recycling Service: (first unit includes recycling charge automatically) All residential dwellings are required to have recycling services. The monthly charge is unbundled for additional units after the first unit.	$5.58/month/unit weekly lift
5. Each additional weekly lift of recycling container.	$5.58/month/unit weekly lift

D. Townhouses – garbage and recycling provided (recycling not bundled into rate, but billed as a separate line item on utility bill); no Yard Trimming Collection Services:

1. Regular service, single collection weekly:	
a. One (1) thirty-two-gallon capacity garbage can or Small Cart	$24.15/month
b. One (1) twenty-gallon capacity super saver garbage can or Super Saver Cart only where can setout and billed individually at each residence	$17.37/month
c. Two (2) thirty-two-gallon capacity garbage cans or Medium Cart	$44.91/month
d. Three (3) thirty-two-gallon capacity garbage cans or Large Cart	$65.59/month
e. Additional thirty-two (32) gallon capacity container	$24.15/month
2. Recycling Service, single collection weekly, additional charge per participating dwelling unit	$5.58/month/unit weekly lift

E. Yard Trimming Collection Service	$13.04/month/unit

II. COMMERCIAL AND INSTITUTIONAL ESTABLISHMENTS; AND RESIDENTIAL APARTMENT COMPLEXES (WHERE DWELLING UNITS NOT SERVED SEPARATELY)

A. Regular Garbage Cart Service: Variable

CONTAINER SIZE (CAPACITY)	***ONE TO SIX COLLECTIONS PER WEEK[4]***					
	ONE	***TWO***	***THREE***	***FOUR***	***FIVE***	***SIX***
One 32-gallon capacity can, or Small Cart	$24.49	$48.99	$73.49	$97.96	$122.51	$146.97
Two 32-gallon capacity cans, or Medium Cart	$45.59	$91.11	$136.74	$182.34	$227.87	$273.44
Three 32-gallon capacity cans, or Large Cart	$66.68	$133.34	$200.02	$266.67	$333.32	$400.01
Each additional 32-gallon capacity container	$24.28	$48.55	$72.81	$97.09	$121.41	$145.64
Rates shown applicable where no Recycling or Clean Green collection services provided. Notwithstanding the above, in no event will the minimum charge for service for commercial and institutional establishments be less than $24.49.						

B. Regular Recycling Cart Service: Variable

Contractor bills customers for commercial recycling services directly, not the City. Per Exhibit A, Section 3.C.v. of Agreement, if a commercial customer requires more than 96 gallons of recycling service per week, Contractor shall charge customer up to a maximum of the corresponding tariff level for the specific container and service level, plus ten percent (10%) for billing and franchise fees. Contractor shall retain five percent (5%) for billing and remit five percent (5%) to City on a quarterly basis, along with its non-exclusive franchise fees. Rates below include the ten percent (10%) markup.

CONTAINER SIZE (CAPACITY)	***ONE TO SIX COLLECTIONS PER WEEK***					
	ONE	***TWO***	***THREE***	***FOUR***	***FIVE***	***SIX***
First 96-gallon container	None	$66.76	$100.14	$133.49	$166.85	$200.24
Each additional 96-gallon container	$33.13	$66.76	$100.14	$133.49	$166.85	$200.24

[4] For complexes with recycling services, add $5.58 per unit per month charge.

C. Source Separated Food Scrap and Organic Waste Service

CONTAINER SIZE (CAPACITY)	***FOOD SCRAP RECYCLING COLLECTIONS PER WEEK***				
	ONE	***TWO***	***THREE***	***FOUR***	***FIVE***
First 64-gallon container (collection rate)	$24.60	$49.10	$73.72	$98.33	$122.85
Each additional 64-gallon container (collection rate)	$24.30	$48.57	$72.84	$97.14	$121.50
Processing cost per container	$6.93	$13.63	$20.32	$27.02	$33.71

Contractor bills customers for food scrap recycling services (collection and processing) directly. Collection rates above are based on the corresponding tariff for each level of service and include ten percent (10%) for billing and franchise fees. Contractor shall retain five percent (5%) for billing and remit five percent (5%) to City on a quarterly basis, along with its non-exclusive franchise fees. Contractor shall invoice City on a monthly basis for processing costs. Processing cost per container include ten percent (10%) for billing and franchise fees.

D. Front Load Bin Garbage Service: Variable, for commercial, institutional, and residential multi-family occupancy customers; monthly charge (for weekly collections) with container furnished by Contractor.

BIN SIZE (Cubic Yards)	***ONE TO SIX COLLECTIONS PER WEEK[4]***					
	ONE	***TWO***	***THREE***	***FOUR***	***FIVE***	***SIX***
1	$149.93	$297.42	$442.56	$585.30	$728.04	$868.38
1½	$209.41	$417.37	$618.57	$815.48	$1013.92	$1208.20
2	$268.87	$533.02	$797.17	$1052.02	$1306.37	$1565.76
3	$389.02	$768.01	$1137.97	$1498.70	$1864.40	$2227.30
4	$506.10	$1002.40	$1490.58	$1960.87	$2437.54	$2884.63
6	$725.84	$1442.16	$2127.47	$2812.75	$3498.05	$4184.26
8	$941.39	$1879.06	$2820.51	$3664.57	$4558.56	$5482.05

E. Front Load Bin Recycling Service: Variable, for commercial, and institutional customers; monthly charge (for weekly collections) with container furnished by Contractor.

Contractor bills customers for commercial recycling services directly, not the City. Per Exhibit A, Section C. (v.) of Agreement, if a commercial customer requires more than 96 gallons of recycling service per week, Contractor may charge customer up to a maximum of the corresponding tariff level for the specific container and service level, plus 10% for billing and franchise fees. Contractor shall retain five percent (5%) for billing and remit five percent (5%) to City on a quarterly basis, along with its non-exclusive franchise fees. Rates below include the ten percent (10%) markup.

BIN SIZE (Cubic Yards)	***ONE TO SIX COLLECTIONS PER WEEK***					
	ONE	***TWO***	***THREE***	***FOUR***	***FIVE***	***SIX***
1	$75.27	$147.57	$217.00	$283.48	$349.97	$413.52
1½	$108.49	$215.23	$313.67	$406.89	$501.97	$591.99
2	$141.69	$277.61	$413.52	$538.07	$662.01	$792.12
3	$209.57	$406.89	$593.16	$768.16	$949.26	$1126.90
4	$273.71	$535.45	$787.26	$1017.20	$1254.94	$1456.53
6	$384.36	$757.09	$1091.90	$1426.70	$1761.51	$2097.43
8	$489.90	$975.24	$1465.19	$1836.12	$2268.08	$2736.09

F. Front Load Bin Source Separated Food Scrap and Organic Waste Service

BIN SIZE (CAPACITY)	***FOOD SCRAP RECYCLING COLLECTIONS PER WEEK***				
	ONE	***TWO***	***THREE***	***FOUR***	***FIVE***
One (1) cubic yard (collection rate)	$75.27	$147.57	$217.00	$283.48	$349.97
Processing cost per one (1) cubic yard container	$21.61	$42.74	$63.86	$84.99	$106.12
Three (3) cubic yards (collection rate)	$209.57	$406.89	$593.16	$768.16	$949.26
Processing cost per three (3) cubic yard container	$64.11	$127.49	$190.87	$254.25	$317.64

Contractor bills customers for food scrap recycling services directly. Collection rates above are based on the corresponding tariff for each level of service and include ten percent (10%) for billing and franchise fees. Contractor shall retain five percent (5%) for billing and remit five percent (5%) to City on a quarterly basis, along with its non-exclusive franchise fees. Contractor shall invoice City on a monthly basis for processing costs. Processing cost per container includes ten percent (10%) for billing and franchise fees.

G. Roll-Off Bin Garbage and Construction and Demolition Service: Per collection with roll-off container furnished by Contractor and front loader compactor bin furnished by customer. The rates specified below do not include recycling/disposal costs. Customer shall be billed by Contractor for the actual charges incurred by the Contractor for recycling and/or disposal of collected contents plus ten percent (10%) markup for billing and franchise fees. This 10% markup is included in the rates below.

BIN SIZE/CAPACITY	***OPEN (Loose) CONTAINER (per cubic yard)***	***COMPACTED (Closed) CONTAINER (per cubic yard)***
10 cubic yards or less	$33.98	$44.76
11 to 15 cubic yards	$33.98	$38.84
16 to 20 cubic yards	$31.01	$35.49
21 to 29 cubic yards	$28.40	$35.49
30 cubic yards	$23.94	$35.49
31 to 39 cubic yards	$22.65	$35.49
40 cubic yards & over	$21.93	$35.49
Demurrage charge (one-week extension without collection)	$59.36week	$59.36/week

III. SPECIAL CHARGES

A. Provided by Mission Trail Waste Systems and Billed to Customer by City:

1. Manual Front-Load Bin Push/Pull Charges

RATE LEVEL	***ONE-WAY DISTANCE***	***RATE***
L-1	6 to 20 feet	$27.32
L-2	21 to 40 feet	$35.65
L-3	41 to 60 feet	$53.13
L-4	61 to 80 feet	$63.38
L-5	81 to 100 feet	$88.44
L-6	101 to 120 feet	$116.15
L-7	121 to 140 feet	$143.49
L-8	141 to 160 feet	$169.27
L-9	161 to 180 feet	$196.60
L-10	181 to 200+ feet	$220.52

2. Lock Bar/ Lock Jam Front Load Services
One-time installation fee, including one (1) lock: $80.46

3. Purchase of Lock
Per each, includes delivery of lock: $37.95

4. Front-Load Bin Steam Cleaning - Per occurrence, not include once per year annual cleaning: $96.42

B. Provided by Mission Trail Waste Systems and Billed to Customer by Contractor:

1. Roll-Off Bin Steam Cleaning - Per occurrence not including once per year annual cleaning: $472.59*

2. Saturday Service Roll-Off Bin - Per occurrence: $514.36*

3. "Emergency" Roll-Off Load Collection on a Weekday- Per driver hour with one (1) hour minimum charge: $275.55*

4.	Relocation of Roll-Off Bin - Per driver hour with one (1) hour minimum charge:	$275.55*
5.	Roll-Off Driver Time - Per driver hour with one (1) hour minimum charge:	$275.55*
6.	Counter-balance Front-Load Covered Bin (Premium charge paid by Customer – availability limited to 100 bins total)	$10.90/unit/month
7.	Special Charges for return trips, non-scheduled collections, overages, and contamination:	Monthly collection charge for cart or bin size multiplied by 12, divided by 52, and multiplied by 1.5 per occurrence
8.	Illegal bin removal and storage fee:	$299.53* plus disposal cost per occurrence

* Roll-off bin special services charges include markup of ten percent (10%) for billing and franchise fees. Contractor shall retain five percent (5%) for billing and remit five percent (5%) to City on a quarterly basis.

C. Provided by Recology for Residential Recycling Customers:

1.	Manual Push/Pull Charges (first 10 feet complimentary):	$1.00 per foot moved
2.	Front Loading Bin Cleaning Charge:	$125.00 per cleaning
3.	Driver-time Reimbursement:	$95.00 per hour
4.	Lock-Jam Bin Installations:	$75.00 flat fee
5.	Charge to Service Contaminated Toter:	$125.00 flat fee per container
6.	Charge to Service Contaminated Front-Loading Bins:	$125.00 flat fee per container
7.	Charge to haul compactor:	$512 per haul **

** Contractor provides billing and collection for compactor hauling services.

Name
Street Address
City, State Zip

IMPORTANT NOTICE

IMPORTANT INFORMATION REGARDING PROPOSED FY 2021/2022 SOLID WASTE RATES.

Department of Public Works
City of Santa Clara
1700 Walsh Avenue
Santa Clara, CA 95050

YOU CAN PARTICIPATE IN THE PROCESS

A public hearing on these proposed increases will be held during the Santa Clara City Council Meeting scheduled for Tuesday, May 25, 2021 at 4 p.m. This meeting will be held virtually via Zoom, consistent with State of California Executive Order N-29-20.

Meeting access:
https://santaclara.zoom.us/j/99706759306
Meeting ID: 997-0675-9306
Phone: 669-900-6833 or 877-853-5257 (Toll Free)

Proposed rate increases for the Solid Waste Program (Garbage, Yard Trimmings, Recycling and Annual Cleanup Campaign) will be considered for adoption at the public hearing.

To formally protest the proposed increases you must do so in writing, as protests cannot be accepted via email or telephone. Written protests must be received before the close of the public hearing. To be counted, protests must be mailed or dropped off to:

City Clerk's Office - Utility Rate Comments
City of Santa Clara
1500 Warburton Avenue
Santa Clara , CA 95050

Written protests must include your name, your signature, the address of the property for which you are the owner or utility customer, and the rate (s) you are protesting. If protests are received from a majority of the parcels affected by the proposed rate increase by the close of public hearing, the City Council will not impose the increase.

If you have questions, please call the Department of Public Works at 408-615-3080.

NOTICE OF PUBLIC HEARING AND PROPOSED SOLID WASTE RATE INCREASES FOR UTILITY BILLS ON AND AFTER JULY 1, 2021

The City provides customers with dependable, efficient, safe, and cost-effective solid waste services for residents and businesses that call Santa Clara home.

The proposed solid waste rates have been generated through a recent rate study to ensure that each service rate equitably captures the cost of service. Each proposed solid waste rate was developed to include the sum of the following cost elements:

1) Collection costs;
2) Processing and disposal or composting costs; and
3) City program costs.

Rate increases are necessary to fund the contractually obligated cost-of-living adjustments paid to the City's solid waste service providers.

The City will continue to implement appropriate and prudent cost-saving and cost-controlling measures to maintain the affordability of these basic services.

For more information about the City's rates, visit SantaClaraCA.gov/SolidWasteRates

PROPOSED SOLID WASTE RATES FISCAL YEAR 2021-2022

Residential, Commercial and Institutional Customers Only

The proposed rates shown below generate revenues to cover solid waste programs, which include garbage collection, processing and disposal, yard trimmings collection and processing, recyclables collection and processing, the Annual Cleanup Campaign, street sweeping, and other solid waste program overhead and functions. The proposed rates also fund landfill post-closure maintenance and monitoring and financial system software Capital Improvement Projects. These rate increases do not apply to customers in areas zoned for industrial use.

Monthly Residential Rates: Total Monthly Rate is sum of Garbage Subscription (A1-4) plus Yard Trimmings (B), Annual Cleanup Campaign (C), and Recycling (D).	Current Rate	Proposed Rate
A1. 20-gallon Garbage Cart Charge	$12.50	$17.37
A2. 32-gallon Garbage Cart Charge	$20.80	$24.15
A3. 64-gallon Garbage Cart Charge	$38.60	$44.91
A4. 96-gallon Garbage Cart Charge	$56.50	$65.59
B. Yard Trimmings Per Unit Charge (not charged to townhomes)	$11.80	$13.04
C. Annual Cleanup Campaign Charge	$5.90	$6.28
D. Recycling Charge Per Unit Based on Once Weekly Pickup (also applied to each additional pickup)	$5.30	$5.58
E. Extra Garbage Bag Tags	$5.70	$6.04
F. Rate Assistance Program Discount for Qualifying Customers[1]	$10.00	$10.00

1. For qualifications and to apply, visit SantaClaraCA.gov/Assist.

Proposed Monthly Commercial Business and Multi-Family Garbage Bin Rate Billed by City						
Container Size	1/week	2/week	3/week	4/week	5/week	6/week
1 Cubic Yard	$149.93	$297.42	$442.56	$585.30	$728.04	$868.38
1.5 Cubic Yards	$209.41	$417.37	$618.57	$815.48	$1,013.92	$1,208.20
2 Cubic Yards	$268.87	$533.02	$797.17	$1,052.02	$1,306.37	$1,565.76
3 Cubic Yards	$389.02	$768.01	$1,137.97	$1,498.70	$1,864.40	$2,227.30
4 Cubic Yards	$506.10	$1,002.40	$1,490.58	$1,960.87	$2,437.54	$2,884.63
6 Cubic Yards	$725.84	$1,442.16	$2,127.47	$2,812.75	$3,498.05	$4,184.26
8 Cubic Yards	$941.39	$1,879.06	$2,820.51	$3,664.57	$4,558.56	$5,482.05

Proposed Monthly Commercial Business Garbage Cart Rate Billed by City						
Container Size	1/week	2/week	3/week	4/week	5/week	6/week
32-gallon	$24.49	$48.99	$73.49	$97.96	$122.51	$146.97
64-gallon	$45.59	$91.11	$136.74	$182.34	$227.87	$273.44
96-gallon	$66.68	$133.34	$200.02	$266.67	$333.32	$400.01
Each Additional 32-gallon	$24.28	$48.55	$72.81	$97.09	$121.41	$145.64

Monthly Commercial Services Billed by Mission Trail Waste Systems	Proposed Increase
A. Commercial Recycling[2]	9%
B. Voluntary Commercial Food Scraps and Organics	9%
C. Roll-off compactor and debris box per pull charges	9%
D. Roll-off debris box and compactor disposal charges	Up to $231.00/ton
E. Mission Trail Waste Systems special charges[3]	9%

2. 96-gallons of recycling service included in base garbage rates, additional service available for an extra charge. All charges based on once weekly pickup.

3. All other charges including, but not limited to push/pull, driver-time, lock installation, extra pickups and Saturday service.

R3 CONSULTING GROUP, INC.
RESOURCES · RESPECT · RESPONSIBILITY

www.r3cgi.com

1512 Eureka Road, Suite 220, Roseville, CA 95661
Tel: 916-782-7821 | Fax: 916-782-7824

February 8, 2021

Mr. Dave Staub
Deputy Director of Public Works
City of Santa Clara Public Works Department
1700 Walsh Avenue
Santa Clara, CA 95050

Subject: Solid Waste Rate Study for Fiscal Year 21/22

Dear Mr. Staub:

R3 Consulting Group, Inc. (R3) is engaged by the City of Santa Clara (City) to conduct a solid waste rate study (Rate Study) for solid waste rates to be effective July 1, 2021. This report describes the methodology used for preparing the Rate Study and presents solid waste rates which will meet the projected costs of the City's solid waste services for the coming for fiscal year (FY) 21/22.

R3 has been actively engaged as the City's solid waste contracting and rate consultant since December 2018 and assisted the City in successfully completing contract negotiations and cost projections for three of its largest four solid waste contracts: Mission Trail Waste Systems (MTWS), Recology South Bay (Recology), and GreenWaste Recovery (GWR). Costs for services provided by these three service providers, as well as costs for landfilling and composting services for Republic Services at the Newby Island Landfill and Recyclery (Newby) comprise 80% of the City's costs for solid waste services. The remaining 20% includes other costs necessary to deliver the Solid Waste Program for Santa Clara residents.

Summary

Draft FY 21/22 solid waste rates have been calculated to meet the anticipated increased costs for solid waste services resulting from new operating contracts and services with MTWS, Recology, GWR and Republic Services (Republic). The purpose of the Rate Study was to analyze all costs and expenditures and develop a plan for distributing costs equitably amongst all the service options. The analysis included reviewing the various components of the City rates which include garbage, recycling, yard waste, and the clean-up campaign. The majority of bundled rates for residential cart customers are projected to increase between 11.2% to 13.9% (depending on subscription type) and the 20-gallon cart is projected to increase between 18.1% to 21.8%. This was anticipated because prior to the Rate Study staff already knew that the existing 20-gallong rate was most likely not equitable. Projected rates for FY 21/22 are less than previously shared with the City Council in 2019 and 2020. Please note than all per ton rates are rounded to the nearest whole dollar and all payments to contractors are rounded to the nearest hundred dollars. Budgeted City expenses are shown to the nearest dollar for consistency with the City's draft budget process currently underway.

Overall, while the projected FY 21/22 solid waste rates will be sufficient to meet the City's costs for providing solid waste services. Further increases in solid waste rates should be expected in FY 22/23 and FY 23/24, in accordance with approved increases in compensation to MTWS and Recology, other program adjustments, and general cost-of-living adjustments.

Based on current assumptions, overall solid waste rates will need to increase by approximately 7.3% in FY 22/23, approximately 4.2% in FY 23/24, and by approximately 5.2% in FY 24/25. However, it should be noted that projections for future years past FY 21/22 are subject to change as they include assumptions regarding garbage processing residual, annual tonnages, subscription levels, and rates of escalation per contracts with MTWS, GWR, Recology and Republic. Additionally, the overall projected changes in rate revenues for future years as described above does not necessarily apply equally to cart and bin customers, and there may be further variations in increases for those customers in future years. Future Rate Study updates will model the impacts of resultant cost changes effective in those years once more information is known.

R3's calculations of the City's FY 21/22 residential solid waste rates (Table 1, below) are below prior projections, are based on the Council-approved contracts with the City's solid waste service providers and the City's draft FY 21/22 solid waste budgets and are further informed by a detailed review of the City's current solid waste rate revenues and expenses.

Table 1: Summary of FY 21/22 Monthly Residential Solid Waste Rates

Cart Size	Garbage Collection	Recyclable Collection	Yard Trimming Collection	Clean-up Campaign	Total Bundled Rate
Super Saver (20-gallon) Garbage Cart Charge	$17.37	$5.58	$13.04	$6.28	**$42.27**
Small (32-gallon) Garbage Cart Charge	$24.15	$5.58	$13.04	$6.28	**$49.05**
Medium (64-gallon) Garbage Cart Charge	$44.91	$5.58	$13.04	$6.28	**$69.81**
Large (96-gallon) Garbage Cart Charge	$65.59	$5.58	$13.04	$6.28	**$90.49**

COVID-19 Impacts

The COVID-19 pandemic has impacted solid waste operations in the City, resulting in reduced bin subscriptions to solid waste services, reduced bin solid waste tonnages, and changes in residential solid waste tonnages. This Rate Study projects City solid waste expenses and revenues for FY 21/22 based on solid waste subscription levels and tonnages from July through November 2020, meaning that projections take into account current impacts resulting from COVID-19. While subscription levels and tonnages changed as a result of COVID-19 starting in March 2020, the City's subscription levels and tonnages have remained static and consistent in recent months. Based on these trends, R3 does not project changes in subscription levels and tonnages in FY 21/22.

Overall, 80% of the City's solid waste costs are contracted expenses with MTWS (for garbage and yard trimming collection), Recology (for recycling collection), GWR (for garbage and recyclables processing), and Republic (for garbage landfilling and yard trimming composting). These costs are variable and will increase or decrease in relative proportion to the increases or decreases in solid waste subscription levels, meaning that increases or decreases in subscription levels and revenues will trigger increases or decreases in 80% of the City's costs.

If solid waste subscription levels increase in the coming year compared to the baseline (July through November 2020) projections, solid waste rate revenues will increase based on the increase in subscription levels. Because solid waste rates are calculated based on the cost of services, increases in revenues from

increased subscription levels will enable to the City to cover increased costs for providing solid waste services. Additionally, because calculated 2021/22 rates are also set to cover the City's 20% fixed costs (see discussion on City Programs, below), increases in subscription levels will result in surplus revenues above fixed costs. Surplus revenues would be deposited in the solid waste rate stabilization reserve fund and would be available to offset rates in the future.

Likewise, if solid waste subscription levels decrease below current trends, then revenues will generally decrease commensurate with decreases in City's costs. However, decreases in subscription levels would also limit the City's ability to cover its 20% fixed costs, and the City would need to draw on the solid waste rate stabilization fund to make up the difference between needed rate revenues for fixed costs, and actual rate revenues received after paying MTWS, Recology, GWR and Republic. The City has existing rate stabilization reserve funds that would be used to pay a revenue shortfall resulting from further decreases in solid waste subscriptions, should that become necessary. Further decreases in subscription levels below current trends are unlikely, given the relative stability of subscription levels during recent months of the pandemic.

City Program Costs Detail

In addition to funding the City's solid waste costs with MTWS, Recology, GWR and Republic, the City's solid waste rates also fund the City's solid waste programs. These programmatic costs include operating supplies, utilities, conferences and trainings, contractual services, staffing costs, street sweeping, franchise fees, transfers to other funds, and the City's Cost-Allocation-Plan (CAP). City Program costs are allocated to garbage rates, recycling rates, yard trimming rates, and clean-up campaign rates based on the City's budgets.

Budgeted amounts for the City's program costs for recycling, yard trimmings and the clean-up campaign are included in their entirety for those specific rate elements, while budgeted amounts for the City's program costs for garbage are allocated between cart and bin customers based on the following allocations.

- Street Sweeping – 72% carts and 28% bins, based on proportion of street sweeping miles for 2019 through mid-2020.
- Leaf-Vac and Christmas Tree Campaigns and Household Hazardous Waste (HHW) – 59% carts and 41% bins, based on California Department of Finance's 2020 figures for the number of Santa Clara housing units that are under 5 units vs. 5 units and over.
- Administrative and Internal Costs and Management and Billing Costs – 49% carts and 51% bins based on the weighted average of:
    - Number of accounts (93% carts vs. 7% bins) – 20% weighting.
    - Weekly cubic yardage of garbage (36% carts vs. 64% bins – 20% weighting.
    - Projected annual garbage revenues (39% carts vs. 61% bins) – 60% weighting.
- Franchise Fees – 39% carts and 61% bins, based on projected annual garbage revenues.
- Landfill Post-Closure Maintenance Costs – 36% carts and 64% bins, based on weekly cubic yardage of garbage.
- Household Hazardous Waste (HHW) – 59% carts and 41% bins, based on the housing unit split between single-family dwelling homes and multi-family dwelling homes.

Projected FY 21/22 City program costs for garbage based on the above allocations are shown below. Note that prior draft allocations for FY 20/21 were based on assumptions regarding residential and commercial accounts, and thus are not directly comparable to the results of this analysis. For the purposes of this Rate Study, allocations of costs are made with available information of cart accounts vs. bin accounts.

Table 2: Allocations of City Program Costs for Garbage Rates

Category	Cart Allocation	Bin Allocation	Total
Street Sweeping	$697,767	$271,354	$969,121
Leaf-Vac and Trees	$110,920	$77,080	$188,000
Admin and Internal	$901,739	$933,425	$1,835,164
Management and Billing	$701,216	$725,856	$1,427,072
Franchise Fees	$275,734	$431,738	$707,472
Landfill Post-Closure	$162,473	$287,527	$450,000
HHW	$28,788	$20,006	$48,794
Total	**$2,878,642**	**$2,746,981**	**$5,625,623**

Rate Study Methodology and Findings

In the course of completing the Rate Study, R3 reviewed several years of financial information, including the City's revenues and costs for solid waste services, agreed on compensation to the City's solid waste contractors per agreements, solid waste tonnages, and City budgets.

Garbage Bin Rates

Garbage Bin MTWS Costs

MTWS provides collection of garbage bins in the City. Projected FY 21/22 costs for garbage bin collection were developed based on City's payment to MTWS's in October and November 2020 (at current subscription levels), multiplied by the 9% contractually owed escalation in MTWS's per unit compensation effective July 1, 2021. This amount is estimated to be **$6,719,600** in FY 21/22.

Garbage Bin Allocated City Costs

Projected City program costs attributed to garbage bins are **$2,746,981** as show in Table 2.

Garbage Bin Processing Costs

Starting January 1, 2021, all garbage collected in the City will be processed via contract with GWR to recover organics and recyclables. Costs for processing of garbage collected in bins are based on a volume-based allocation of garbage tonnage. For the period July through October 2020, there were approximately 3,550 tons of garbage generated by City customer per month, of which 65% by volume are attributed to the garbage bins.

Based on this allocation, R3 projects 27,100 tons of garbage collected in bins in FY 21/22. Taking this amount multiplied by the projected FY 21/22 tip GWR tip fee of $184 per ton (which is projected at a 4%

increase in the initial contract rate of $177 per ton for bin waste) yields an annual cost of garbage bin processing of **$4,986,400**.

Garbage Bin Residual Disposal Costs

Non-recoverable residual materials remaining after GWR processing of garbage will be continued directed to Republic's Newby Island Landfill (Newby) through December 31, 2024. At present, it is assumed that 50% of the 27,100 tons of garbage collected in bins will remain as residual after processing by GWR; however, it should be noted that this residual percentage is an estimate based on prior discussions and contract negotiations with GWR.

The actual residual percentages for the City's garbage streams (both bin and cart streams) will be verified in 2021 (and annually thereafter) via audits that will seek to determine actual amounts of residual for the City's garbage streams. Results from the first of such audits is anticipated by mid-2021 and may be used to refine projections for FY 21/22 and future years once City-specific residual information becomes available. If the residual percentage is lower than 50%, the costs of residual disposal at Newby will be less than projected (assuming the same 27,100 tons of inbound bin garbage to GWR); if the residual percentage is higher than 50%, costs to Newby will more than projected.

At the 50% residual estimate, residual tonnage from bins to Newby is estimated to be 13,550 in FY 21/22. The projected per ton rate for disposal at Newby is $53, an assumed 4% escalation over the current rate of $50.65. Based on these figures, projected disposal of bin residual is **$718,200**.

Garbage Bin Total Projected Costs

Projected total costs for garbage bins in FY 21/22 is the sum of MTWS costs ($6,719,600), allocated City costs ($2,746,981), GWR processing costs ($4,986,400), and Newby residual disposal costs ($718,200), yielding **$15,171,181** in projected total revenue need in FY 21/22.

Garbage Bin Rate Adjustment

Projected annual garbage bin revenues at current rates (effective February 2021) and current subscription levels (November 2020) are projected at **$11,961,015.** This figure represents the revenues that the City could expect to collect in FY 21/22 if no adjustments to garbage bin rates were made and is $3,210,351 less than the total projected cost of $15,171,015.

In order to meet the projected cost of service for FY 21/22, the City's garbage bin rate revenues need to increase by $3,210,166. Garbage bin rates were developed with components to meet this increased revenue need. As described below:

- MTWS Tariff – (less the 10% Billing and Franchise Fee due to the City).
- Processing and Disposal Costs – Bin rates are based on the annual processing and disposal cost per cubic yard.
- City Program Costs – Bin rates are based on a split between a costs per lift (33.2% split) and a volumetric cost per cubic yard (66.8% split), with the split being based on the proportion of those City Program costs that are generally fixed vs. those that are variable with changes in volume, subscription level, and other variable factors.

The following table show the components that make up the 2021/22 rates:

Table 3: Bin Rate Components

	MTWS Tariff FY (Less 10% Billing and Franchise Fee)	**Processing and Disposal** (Volumetric)	**City Program Costs** (Lift Rate and Volumetric)	**Total Garbage Rate**
1 Cubic Yard 1/week	$61.59	$48.88	$39.46	**$149.93**
3 Cubic Yards 1/week	$171.47	$146.64	$70.91	**$389.02**

Garbage Cart Rates

Garbage Cart MTWS Costs

MTWS provides collection of garbage carts in the City. Projected FY 21/22 costs for garbage cart collection were developed based on City's payment to MTWS's in October and November 2020 (at current subscription levels), multiplied by the 9% contractually owed escalation in MTWS's per unit compensation effective July 1, 2021. This amount is estimated to be $3,714,300 in FY 21/22.

Garbage Cart Allocated City Costs

Projected City program costs attributed to garbage cart are **$2,878,642** as show in Table 2.

Garbage Cart Processing Costs

Starting January 1, 2021, all garbage collected in the City will be processed via contract with GWR to recover organics and recyclables. Costs for processing of garbage collected in cart are based on a volume-based allocation of garbage tonnage. For the period July through October 2020, there were approximately 3,550 tons of garbage generated by City customer per month, of which 35% by volume are attributed to garbage carts. This material will be directed to the processed garbage stream effective January 1, 2021.

Based on this allocation, R3 projects 15,600 tons of garbage collected in cart in FY 21/22. Taking this amount multiplied by the projected FY 21/22 tip GWR tip fee of $172 per ton (which is projected at a 4% increase in the initial contract rate of $165 per ton for cart waste) yields a projected annual cost of garbage cart processing of **$2,683,200**.

Garbage Cart Residual Disposal Costs

Non-recoverable residual materials remaining after GWR processing of garbage will continue to be directed to Republic's Newby through December 31, 2024. At present, it is assumed that 50% of the 15,600 tons of garbage collected in cart will remain as residual after processing by GWR; however, it should be noted that this residual percentage is an estimate based on prior discussions and contract negotiations with GWR.

The actual residual percentages for the City's garbage streams (both bin and cart streams) will be verified in 2021 (and annually thereafter) via audits that will seek to determine actual amounts of residual for the City's garbage streams. Results from the first of such audits is anticipated by mid-2021 and may be used to refine projections for FY 21/22 and future years once City-specific residual information becomes available. If the residual percentage is lower than 50%, the costs of residual disposal at Newby will be less than projected (assuming the same 15,600 tons of inbound cart garbage to GWR); if the residual percentage is higher than 50%, costs to Newby will more than projected.

At the 50% residual estimate, residual tonnage from carts to Newby is estimated to be 7,800 in FY 21/22. The projected per ton rate for disposal at Newby is $53, an assumed 4% escalation over the current rate of $50.65. Based on these figures, projected disposal of garbage cart residual is **$413,400**.

Garbage Cart Total Projected Costs

Projected total costs for garbage carts in FY 21/22 is the sum of MTWS costs ($3,714,300), allocated City costs ($2,878,642), GWR processing costs ($2,683,200), and Newby residual disposal costs ($413,400), yielding **$9,689,542** in projected total revenue need in FY 21/22.

Garbage Cart Rate Adjustment

Projected annual garbage cart revenues at current rates (effective February 2021) and current subscription levels (November 2020) are projected at **$8,262,568.** This figure represents the revenues that the City could expect to collect in FY 21/22 if no adjustments to garbage cart rates were made and is less than the total projected cost of $9,689,542.

In order to meet the projected cost of service for FY 21/22, the City's garbage cart rate revenues need to increase by $1,426,974 Garbage cart rates were developed with components to meet this increased revenue need. As described below:

- MTWS Tariff – (less the 10% Billing and Franchise Fee due to the City).
- Processing and Disposal Costs – Cart rates are based on the annual processing and disposal cost per cubic yard.
- City Program Costs – Cart rates are based on a split between a costs per lift (33.2% split) and a volumetric cost per gallon (66.8% split) as described in the prior section.

Table 4, on the following page, shows the components that make up the 2021/22 rates:

Table 4: Residential and Commercial Cart Rate Components

Cart Size	MTWS Tariff FY (Less 10% Billing and Franchise Fee)	Processing and Disposal (Volumetric)	City Program Costs (Lift Rate and Volumetric)	Total Garbage Rate
Residential				
20 Gallon	$6.65	$4.65	$6.07	**$17.37**
32 Gallon	$8.91	$7.44	$7.80	**$24.15**
64 Gallon	$17.61	$14.88	$12.42	**$44.91**
96 Gallon	$26.23	$22.32	$17.04	**$65.59**
Commercial (Once Weekly Collection)				
32 Gallon	$9.25	$7.44	$7.80	**$24.49**
64 Gallon	$18.29	$14.88	$12.42	**$45.59**
96 Gallon	$27.32	$22.32	$17.04	**$66.68**

Recycling Rates

Recology Recycling Costs

Recology provides collection of residential recyclables in the City,[1] with the City charging customers for this service and paying Recology contractually owed compensation. Recology's compensation set per contract is **$3,194,000** for FY 21/22 and includes the cost of recyclables processing through December 31, 2021. This is a set amount per contract and is inclusive of all of Recology's services.

City Recycling Program Costs

The City incurs expenses related to the provision of recycling programs, primarily for staffing to manage the City's recycling programs. The City's initial FY 21/22 budget for these expenses is $291,615, however the AB 939 Fee Revenues ($250,000) and the CalRecycle Beverages Container Funds ($30,000) reduce the City costs to **$11,615**.

Recyclables Processing Costs

Starting January 1, 2022, the City will become responsible for the cost of processing recyclable materials collected by Recology. Based on recent tonnage information provided by Recology to the City, R3 estimates annual recycling tonnages of approximately 8,200 tons, of which only half (4,100 tons) will be the responsibility for the City to pay in FY 21/22 (because the City's obligation will start mid-year). Over the prior 12 months, Recology's costs of processing the City's recyclables was $23.15 per ton (which was included in the compensation paid to Recology).

[1] Note that MTWS provides collection of commercial recyclables, but directly charges customers for that service via rates that are set based on MTWS's agreement (and as a result recycling expenses for commercial customers are not the responsibility of the City).

Because the cost of processing recyclables is tied to market conditions for the sale of recyclable commodities, and because markets can and do fluctuate, R3 conservatively projects that the per ton rate for recyclables processing starting January 1, 2022 may be a 25% increase over the recent $23.15 per ton, for an estimated $29 per ton. Multiplying the 4,100 tons of projected recyclable tons (for the latter half of FY 21/22) times $29 per ton yields **$118,900** in recyclables processing costs. There is no residual disposal cost associated with recycling tons.

Recycling Total Projected Costs

Projected total costs for recycling in FY 21/22 are the sum of Recology costs ($3,194,000), City costs ($11,615), and processing costs ($118,900), yielding **$3,324,515** in projected total revenue need in FY 21/22.

Recycling Rate Adjustment

Projected annual recycling revenues at current rates (effective February 2021) and current subscription levels (November 2020) are projected at **$2,917,777**. This figure represents the revenues that the City could expect to collect in FY 21/22 if no adjustments to recycling rates were made and is less than the total projected cost of $3,324,515.

In order to meet the projected cost of service for FY 21/22, the City's recycling rate revenues need to increase by $406,738. Recycling rates were developed with components to meet this increased revenue need. As described below:

- Recology Collection – Cost paid to Recology for collection of recycling, divided by the projected number of billing units (496,627 including those units charged for multiple weekly lifts) divided by 12 months, yielding $5.36 per unit per month.
- Processing Costs – Projected processing cost of $118,900 divided by the number of billing units, divided by 12 months, yielding $0.20 per month.
- City Program Costs – City expenses of $11,615 divided by the number of billing units, divided by 12 months, yielding $0.02 per month.
- Total Recycling Rate – Sum of the above, yielding **$5.58** per unit-lift per month.

Yard Trimming Rates

Yard Trimmings MTWS Costs

MTWS provides collection of yard trimmings in the City. Projected FY 21/22 costs for yard trimmings collection were developed based on City's payment to MTWS's in October and November 2020 (at current subscription levels), multiplied by the 9% contractually owed escalation in MTWS's per unit compensation effective July 1, 2021. This amount is estimated to be **$2,443,300** projected for FY 21/22.

City Yard Trimmings Program Costs

The City incurs expenses related to the provision of yard programs. The City's initial FY 21/22 budget for these expenses is **$40,110**.

Yard Trimmings Processing Costs

Yard trimmings will continue to be directed to and composted at Newby (which has a composting facility) through December 31, 2024. Based on tonnage information from July through October 2020, it is estimated that there will be 10,900 of yard trimmings collected for composting in FY 21/22. The projected

per ton rate for disposal at Newby is $44, an assumed 4% escalation over the current rate of $42.09. Based on these figures, projected disposal of bin residual is **$479,600**.

Yard Trimmings Total Projected Costs

Projected total costs for yard trimmings in FY 21/22 are the sum of MTWS costs ($2,443,300), City costs ($40,110), and processing costs ($479,600), yielding **$2,963,010** in projected total revenue need in FY 21/22.

Yard Trimmings Rate Adjustment

Projected yard trimmings revenues at current rates (effective February 2021) and current subscription levels (November 2020) are projected at **$2,681,479**. This figure represents the revenues that the City could expect to collect in FY 21/22 if no adjustments to yard trimmings rates were made and is less than the total projected cost of $2,963,010.

In order to meet the projected cost of service for FY 21/22, the City's yard trimmings rate revenues need to increase by $281,531. Yard trimming rates were developed with components to meet this increased revenue need. As described below:

- MTWS Tariff – Less 10% paid to City for billing and franchise fees, $10.75.
- Processing Costs – Projected processing cost of $479,600 divided by the number of yard trimmings billing units (18,937), divided by 12 months, yielding $2.11 per month.
- City Program Costs – City expenses of $40,110 divided by the number of billing units, divided by 12 months, yielding $0.18 per month.
- Total Recycling Rate – Sum of the above, yielding **$13.04** per month.

Clean-up Campaign Rates

MTWS Costs

MTWS provided support to the City in conducting the annual Clean-up Campaign. It is estimated that the City's costs for MTWS's service in support of the Clean-up Campaign in FY 21/22 will be **$570,000**, based on prior amounts paid and per unit compensation to MTWS set by contract.

City Costs

The City incurs expenses related to the provision of the Clean-up Campaign, primarily for labor and overhead costs, trucking costs, staffing costs, equipment rental, and technical services for the campaign. The City's initial FY 21/22 budget for these expenses is **$1,573,564**.

$1,176,564 of these costs are directly related to the cost of collection and are therefore included in the summary of collection costs shown in the "Clean-up Campaign Rate Adjustment" section below along with the $570,000 in MTWS collection costs shown above. The remaining $397,000 are for City costs for administration, materials, service supplies, and general overhead.

Disposal Costs

Clean-up Campaign materials will continue to be directed to Newby through December 31, 2024. Based on tonnage information from prior clean-up campaigns, it is estimated that there will be 6,000 tons of clean-up campaign materials in FY 21/22. The projected per ton rate for disposal at Newby is $53, an

assumed 4% escalation over the current rate of $50.65. Based on these figures, projected disposal of bin residual is **$318,000**.

Clean-up Campaign Total Projected Costs

Projected total costs for the Clean-up Campaign in FY 21/22 are the sum of MTWS costs ($570,000), City costs ($1,573,564), and disposal costs ($318,000), yielding **$2,461,564** in projected total revenue need in FY 21/22.

Clean-up Campaign Rate Adjustment

Projected annual Clean-up Campaign revenues at current rates (effective February 2021) and current subscription levels (November 2020) are projected at **$2,313,319**. This figure represents the revenues that the City could expect to collect in FY 21/22 if no adjustments to recycling rates were made and is less than the total projected cost of $2,461,564.

In order to meet the projected cost of service for FY 21/22, the City's Clean-up Campaign rate revenues need to increase by $148,245. The Clean-Up Campaign rate was developed with components to meet this increased revenue need. As described below:

- Collection – Based on sum of the payment to MTWS, the labor costs for collection crews loading trucks, and the Clean-Up Campaign trucking services (totaling $1,746,564), divided by the number of Clean-up Campaign billing units (32,674), divided by 12 months, yielding $4.46.
- Processing Costs – Based on the cost for paid to Republic for disposal at Newby Island ($318,000), divided by the number of billing units, divided by 12 months, yielding $0.81.
- Remaining City Program Costs – City expenses for administration, materials, service supplies, and general overhead (which are not otherwise included in Collection above and total to $397,000) divided by the number of billing units, divided by 12 months, yielding $1.01.
- Total Recycling Rate – Sum of the above, yielding $6.28 per month.

Financial Rate Assistance Program Option

The City currently has a Financial Rate Assistance Program which provides for a $3 per month discount in monthly rates for eligible customers, and which is funded by reductions in MTWS compensation for those customers. If the City were to increase the discount to a total amount of $10 per month, the annual additional costs to the City would be approximately $33,000 per year. This is based on a total of 394 customers currently enrolled in the program, times an additional $7 per month of funding (above the $3 per month covered by MTWS), times twelve months.

Rate Study Limitations

Projections included in this report are based on currently available information provided by the City and its contractors. There will naturally be variances between projections made herein and the City's actual expenses and revenues based on variations in subscription levels and tonnages. Additionally, variations in projections to actuals should be expected as this report includes assumptions regarding residual percentages, implementation of new "unit-lifts" recycling charges, and other factors. R3 recommends that the City continue to update this Rate Study annually as new information becomes available over the course of the next few years.

* * * * * *

R3 appreciates the opportunity to be of service to the City. Should you have any questions or need any additional information please contact me by phone at (510) 292-0853 or by email at gschultz@r3cgi.com.

Sincerely,

R3 CONSULTING GROUP



Garth Schultz | Principal

Attachment 4
Monthly Bundled Single-Family Residential Cart Service Rates in Santa Clara County

CITY	Supersaver (or 20-gal cart)	Small (or 32-gal cart)	Medium (or 64-gal cart)	Large (or 96-gal cart)	Anticipates Rate Increases in FY 21/22
CAMPBELL (20/21)	$26.38	$33.33[1]	$62.80	$92.28	✓
CUPERTINO (20/21)	N/A	$30.50	$58.71	$86.91	✓
GILROY (20/21)	N/A	$34.87	$50.04	$65.60	✓
LOS ALTOS (20/21)	$36.07	$38.86	$77.69	$116.56	✓
LOS GATOS (20/21)	$27.69	$35.16[1]	$66.46	$97.77	✓
MILPITAS (20/21)	$34.08 (64-gallon split-cart with 19 gal for garbage and 19 gal for food scraps = 38-gal total)	$37.04 (64-gallon split-cart with 26 gal for garbage, 19 gal for food scraps = 45-gal total)	$43.56 (64-gallon split-cart with 45 gal for garbage, 19 gal for food scraps = 64-gal total)	$50.05 (96-gallon split-cart with 67 gal for garbage, 29 gal for food scraps = 96-gal total)	Undetermined
MORGAN HILL (20/21)	N/A[2]	N/A[2]	N/A[2]	N/A[2]	✓
MOUNTAIN VIEW (20/21)	$24.45	$35.65	$71.30	$106.95	✓
PALO ALTO (20/21)	$27.81	$50.07	$100.15	$150.22	
SAN JOSE (20/21)	N/A	$39.12	$78.24	$117.36	Undetermined
SANTA CLARA (20/21)	$29.60	$37.90	$55.70	$73.60	✓
SARATOGA (20/21)	$28.11	$35.58[1]	$67.31	$99.04	✓
SUNNYVALE (20/21)	$37.36 (27-gallon split-cart)	$41.47 (43-gallon split-cart)	$46.67 (64-gallon split-cart)	N/A	✓
AVERAGE	**$30.17**	**$37.46**	**$64.89**	**$96.03**	
SANTA CLARA (21/22) does not include $6.28 monthly CUC charge	$35.99	$42.77	$63.53	$84.21	

[1]Rates are for 35-gallon carts. These jurisdictions do not provide 32-gallon carts.

[2]Basic Single-Family Rate with Street Sweeping – unlimited basic solid waste service and garbage toter rental – flat rate of $37.05/month for hillside and $34.06/month for flat areas.

Attachment 5
Monthly Garbage Bin Service
Rates in Santa Clara County

CITY	1 CUBIC YD BIN SERVICE 1 Time/Week	1 CUBIC YD BIN SERVICE 3 Times/Week	1 CUBIC YD BIN SERVICE 5 Times/Week	3 CUBIC YD BIN SERVICE 1 Time/Week	3 CUBIC YD BIN SERVICE 3 Times/Week	3 CUBIC YD BIN SERVICE 5 Times/Week	Separate Charge for Organics Collection Service	Anticipates Rate Increases in FY 21/22
CAMPBELL (20/21)	$157.55[1]	$477.22[1]	$796.89[1]	$315.11	$954.44	$1,593.78		✓
CUPERTINO (20/21)	$179.97[1]	$539.96[1]	$899.96[1]	$287.98	$863.91	$1,439.90	✓	✓
GILROY (20/21)	N/A	N/A	N/A	$336.73	$932.41	$ 1,528.10	✓	✓
LOS ALTOS (20/21)	$152.43	$457.31	$762.18	$457.29	$1,371.93	$2,286.54		✓
LOS GATOS (20/21)	$192.18[1]	$582.24[1]	$972.31[1]	$384.35	$1,164.48	$1,944.62		✓
MILPITAS (20/21)	$122.91	$302.68	$455.49	$279.14	$790.21	$1,273.44	✓	Undetermined
MORGAN HILL (20/21)	N/A	N/A	N/A	$374.68	$1,052.44	$1,730.08	✓	✓
MOUNTAIN VIEW (20/21)	$109.10	$370.50	$631.70	$326.70	$1,023.90	$1,721.00	✓	✓
PALO ALTO (20/21)	$219.49	$590.31	$959.98	$504.40	$1,455.48	$2,408.85	✓	
SAN JOSE (20/21)	$153.51	$439.61	$727.87	$214.41	$613.18	$1,014.11	✓	✓
SANTA CLARA (20/21)	$114.98	$332.69	$537.26	$322.03	$914.01	$1,465.26		✓
SARATOGA (20/21)	$222.29[1]	$673.68[1]	$1,125.07[1]	$444.57	$1,347.36	$2,250.14		✓
SUNNYVALE (20/21)	$172.79	$485.22	$797.65	$429.37	$1,251.50	$2,073.62	✓	✓
AVERAGE	**$164.02**	**$477.40**	**$786.94**	**$389.73**	**$1,144.60**	**$1,894.12**		
SANTA CLARA (21/22)	$149.93	$442.56	$728.04	$389.02	$1,137.97	$1,864.40		

[1]Rates are for 1.5 cubic yard bins. These jurisdictions do not provide 1 cubic yard bins.

21-760 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT

Public Hearing: Action on a Resolution Establishing the Average Per-Acre Land Values and Updating the Parkland In-Lieu Fee Schedule for FY2021/22 for New Residential Development

COUNCIL PILLAR

Enhance Community Sports, Recreational and Arts Assets

BACKGROUND

In July 2014, the City Council adopted Ordinance No.1928 which added Chapter 17.35 "Park and Recreational Land" to the Santa Clara City Code (Code) that requires new residential developments to provide developed park and recreational land, and/or pay a fee in-lieu of dedication ("In-Lieu Fees") pursuant to the Quimby Act ("Quimby") and/or the Mitigation Fee Act ("MFA"). The Code requires that land values be used in the calculation of the In-Lieu Fees. The City completes its annual land valuation study in accordance with City Code Section 17.35.040 and Supplemental Instructions approved by Council June 7, 2016. The appraisal reports have a valuation date of December 31 (full calendar year January 1 to December 31) and include the average value of an acre of land for each of the three residential ZIP Code areas of the City (95050, 95051, and 95054). The land valuation report is posted on the City website for a two-week public comment period and persons interested in this subject are notified. The purpose of this memorandum is to share the findings of the land valuation report and recommend corresponding updates to the Parkland In-Lieu Fee Schedule for FY2021/22.

DISCUSSION

In March 2021, the City of Santa Clara completed its annual land valuation study by Frank Schmidt & Associates with a valuation date December 31, 2020 (Attachment 1). Table 1 below provides the 2020 valuation for the City's three residential zip code areas along with prior years' values for comparison.

Table 1 Average Land Value per Acre

Area	*12-31-2020*	12-31-2019	% Diff	12-31-2017*	12-31-2016	12-31-2015
95050	*$4,720,000*	$4,385,000	*+7.6*	$3,738,000	$3,315,000	$3,620,000
95051	*$5,120,000*	$4,630,000	*+10.6*	$3,993,000	$3,583,000	$3,800,000
95054	*$4,830,000*	$4,495,000	*+7.5*	$4,035,000	$3,669,000	$3,685,000

*2017 values are used in existing fee schedule for FY2020/21.

Proposed Fees

This report proposes Council adoption of a Resolution (Attachment 2) to establish the Parkland In-Lieu Fee Schedule for FY2021/22. The proposed fees are in conformance with Council Resolution No.19-8769 (Attachment 3), adopted on October 29, 2019 which directed staff to "phase in the park improvement cost increase of $2,664 ($3,471 - $807) per capita over a four-year period increasing 25% ($666) per year and continue to adjust the land valuation (increase/decrease) fee component each year based on the annual land appraisal at 100% cost recovery."

The *proposed* In-Lieu Fees are calculated based on the 2020 cost of land ($4.720 million per acre in 95050, $5.120 million per acre in 95051, and $4.495 million per acre in 95054), and 75% of the approved per capita cost for park construction/improvement ($2,805). If adopted, the In-Lieu Fees would increase between 21% and 29% depending upon the area, housing type (single family/multifamily), and whether the residential project is subject to Quimby or MFA. Table 2 below provides a comparison of current and proposed fees.

Table 2 Proposed In-Lieu Fees

Housing		**Quimby**			**MFA**		
Area	Type	Current	*Proposed*	% Diff.	Current	*Proposed*	% Diff.
95050	SF	$40,588	*$51,567*	27%	$36,044	*$45,828*	27%
	MULTI	$32,688	*$41,530*		$29,028	*$36,908*	
95051	SF	$42,913	*$55,214*	28.7%	$38,059	*$48,989*	28.7%
	MULTI	$34,561	*$44,468*		$30,651	*$39,454*	
95054	SF	$43,296	*$52,570*	21.4%	$38,390	*$46,697*	21.6%
	MULTI	$34,869	*$42,338*		$30,918	*$37,609*	

Developer/Appraiser Comments

The Annual Land Valuation appraisal report was posted on the City website for review from March 30, 2021 to April 16, 2021. Members of the public and development community were invited to review and comment. The comments/questions received (Attachment 4) are paraphrased in *"italics"* followed by appraiser response below.

- *The report assumes the land value increased to $4,830,000 which represents approximately 7.5% increase from prior appraisal.*
    - Due to the COVID pandemic in 2020, the uncertainty in the market caused nearly all facets of the market to be reevaluated. However, beginning in about the third quarter, buyer demand for residential increased. The primary reason for the value increase from one-year prior was due to an increase in residential sales transactions in 2020 from 44% in 2019 to 57% in 2020. Based on the Supplemental Appraisal Instructions using the weighted average, the increase in residential transactions resulted in a higher percentage of residential land component for the hypothetical 1-acre lot in each zip code; since residential land values are higher than commercial and industrial, the average price per acre increased.
- *The appraisal assumes many factors, including economic rebound and increase in sales comparables from another zip code region within Santa Clara. Commercial and*

Commercial/industrial land values have decreased. For example, the 4590 Patrick Henry tenant filed for bankruptcy in 2020 and subtenant vacated and down-sized outside of 95054. Most properties are not achieving rental asking prices.

- Yes, commercial land values decreased in 2020, but industrial overall actually increased. This was likely due to the work-from-home dynamic that kept pressure on delivery services and data centers to keep up with the increased demand, which increased the need for more industrial space to accommodate rising demand.

- *Using a 95% adjustment factor for residential is too high when rental residential has been decreasing by 15% from prior year. New land value per acre in 95054 should consider using values prior to pandemic.*
  - The appraisal report uses the General Standards for Appraisal and the Supplemental Instructions for Appraisal adopted by Council. It sets the average per acre value, not a value for a specific property. The City Code allows individual property owners to have a property-specific appraisal completed for their residential project following the same standards and methodology. Using values over three years old would not account for changes in value from 2018, 2019 and 2020.

- *Impacts on real estate are yet to be realized, construction costs are rising, rents are declining, vacancies and capitalization rates are increasing.*
  - Yes, rents declined but the rental property land component is only a small portion of residential. The vast majority of the City's residential is "for sale" housing, and this housing type increased the most in value in 2020. While some of the impacts from the pandemic may not be realized, we must keep in mind that the concluded values were as of December 31, 2020 and through the market lens as of that date. Whatever market risks there were moving forward were, in theory, factored into the data as of that valuation date. In addition, low interest rates and strong housing demand continue to fuel the for-sale and rental housing market.

- *The City should set aside the 2020 appraisal and instead use the 2017 Appraisal to set the land value component of the fees. The fee increase adopted by Council in November 2019 included park improvement cost escalators built into the fee.*

  - The fee increase adopted by Council in November 2019 did NOT include a park improvement cost escalator, but rather a phase-in of the improvements' value increase over a four-year period (see Resolution No. 19-8769). The land valuation is set at 100% cost recovery. If Council sets the fees lower than cost recovery, a source for additional funds to acquire the 2.6-3.0 acres of developed parkland per 1,000 new residents would need to be identified or the City would not be able to meet the park standard.

Fee Implementation

In conformance with State law, the proposed Resolution provides the required findings and implementation dates of fees for projects subject to Quimby (immediately after adoption of the Parkland In-Lieu Fee Resolution), and projects subject to MFA (no sooner that 60 days after adoption of the Parkland In-Lieu Fee Resolution).

Based on a public hearing date of May 25, 2021, the Quimby In-Lieu Fees would apply to new

residential housing projects with applications deemed complete on or after May 26, 2021; and, the MFA In-Lieu Fees would apply to new residential projects with applications deemed complete on or after July 25, 2021.

Summary

In March 2021, the City of Santa Clara completed its annual land valuation study for 2020. This report follows the process Council has previously approved and simply updates the land values used in the Parkland In-Lieu Fee calculations to reflect changes in the market. The land values have not been updated since 2017. The continued use of lower (older) land values results in cost recovery of less than 100% and a financial subsidy for new housing development and the inability to acquire and develop new parkland and recreational amenities to maintain the current park system standards of 2.6 to 3.0 acres per 1,000 residents. The pandemic has heightened the public's awareness of the importance of parks to their quality of life. The proposed resolution contains all of the required findings for the Quimby Act and Mitigation Fee Act and the recommendations are in line with the Council Pillar to enhance community sports, recreation and art assets.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve commitment to a specific project which may result in potential significant impact on the environment. In addition, the requirement of parkland dedication or collection of fees in-lieu may assist in the mitigation of impacts on the environment from new housing development projects.

FISCAL IMPACT

The actual amount of Parkland In-Lieu Fee revenue collected will vary based on the project application type (Quimby/MFA), the area of the City (95050, 95051, 95054), the density of housing units (multifamily versus single family), the amount of public parkland dedicated, and the amount of financial credit developers receive for eligible on-site private open space and recreation amenities (which reduces remaining fees due by 50%-65%). Since the exact number and type of new housing units to be built in any particular year is unknown, an exact amount of In-Lieu Fees revenues cannot be calculated at this time. However, when the In Lieu Fee Policy is set at 100% cost recovery, the In-Lieu Fee program will recover 100% of the costs to provide new residents developed public parkland and recreational amenities at the same level of service as provided to existing residents. If fees are set at less than 100% cost recovery, then additional funds from the General Fund or other sources of capital will be needed to fill the funding gap, or the level of service will decline.

In August and October of 2019, Council approved Resolution Nos. 19-8749 and 19-8769 which maintained the use of 2017 land valuation data and phased in over four years the 2018 park improvement values. Over the same period, construction cost escalation has increased an average of 3.2% per year (10 years average is 3%/year). The estimated impact of the maintaining the land values and improvements at artificially low values has resulted in a net reduction of approximately $4,583,000 of Park In-Lieu Fees collected based on actual projects.

As noted above, land valuation has not been updated since 2017. The continued use of lower (older) land and park construction values yields cost recovery rates of less than 100% and a financial subsidy for new housing development. Over time, the City will need to identify other funding sources for acquisition and development of new parkland in order to maintain current park system standards

of 2.6 to 3.0 acres per 1,000 residents of adequately developed parkland and sufficient recreational facilities. Without sufficient parkland and facilities, there is increased demand on existing, older facilities which causes additional wear, earlier/more frequent repair/renewal, and higher maintenance and capital replacement costs.

COORDINATION

This agreement has been coordinated with the Finance Department and the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

Public Notice of the May 25, 2021 Council hearing was published in the *Weekly*, a newspaper of general circulation, on May 5, 2021 and on May12, 2021, and an E-notify email sent to individuals whom have opted in to receive information about this topic. A copy of this report was posted on May 21, 2021 on the City website and in the City Clerk's Office.

RECOMMENDATION

Adopt a Resolution to Establish the Parkland In-Lieu Fee Schedule for New Residential Development for FY2021/22 In Accordance with Title 17 ("Development") Chapter 35 ("Park and Recreational Land") of the City Code using the December 31, 2020 land valuation report.

Prepared by: James Teixeira, Director of Parks & Recreation
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Land Valuation Appraisal Report December 31, 2020
2. Resolution - Fees In-Lieu of Parkland Dedication FY2021/22
3. Resolution No. 19-8769
4. Developer Communications on Land Valuation Report 2020

ANNUAL LAND VALUATION APPRAISAL REPORT

VALUATION OF

The Average per Acre Land Value of High-Density Residential, Medium-Density Residential, Low-Density Residential, Very Low-Density Residential, Commercial, & Industrial Properties Located in Three Zip Codes (95050, 95051, and 95054)
City of Santa Clara, California
Santa Clara County

PREPARED FOR

Mr. James Teixeira, Director of Parks and Recreation
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

PREPARED BY

Frank E. Schmidt, MAI, SRA
Frank Schmidt & Associates

EFFECTIVE DATE OF VALUE OPINION

December 31, 2020

DRAFT

March 26, 2021

Mr. James Teixeira, Director of Parks and Recreation
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Re: Annual Land Valuation Appraisal Report
Average Value of Three Hypothetical 1-Acre Lots,
One for Each Zip Code Comprising 95050, 95051, and 95054
Santa Clara, California, U.S.A.

Dear Mr. Teixeira:

Pursuant to your request, I have completed the annual land valuation appraisal to aid the City of Santa Clara in establishing park impact fees. Following this letter of transmittal is my appraisal and analysis opining the value of a hypothetical 1-acre lot in each of the City's three zip codes.

In June 2016 the City of Santa Clara City Council approved Supplemental Instructions for the Appraisal of the Fair Market Value of land used in the Parkland Dedication In-Lieu Fee. These supplemental instructions and guidelines for the Appraisal are displayed in the Addenda. One of the supplemental instructions was that the valuation date occurs each year on December 31. Since the date of my opinion of value, December 31, 2020 precedes the date I wrote and transmitted this appraisal by about 2½ months, this is considered a retrospective appraisal as defined by the Uniform Standards of Professional Appraisal Practice. Since this is a retrospective value, it is important to note that I only considered data that was available and/or public as of the date of value. The exception to this was the 2020 land area data provided by Old Republic Title Company which was not available until February 2021, and some brokerage reports published in January 2021, but containing 2020 data.

I have appraised the subject of this appraisal numerous times since 2014, and most recently with a date of opinion of December 31, 2019. Based on land area, in 2019 about 55% of all the transactions sold in the preceding 12 months were categorized as industrial and commercial, and the other 45% were categorized as residential. In 2020, approximately 43% of all transactions sold in the preceding 12 months were industrial and commercial, while 57% were categorized as residential. Because residential unit values are greater than commercial and industrial, this resulted in higher concluded values for each zip code in 2020 compared to 2019.

DRAFT

To complete this appraisal, I conducted an investigation, gathered data, and made the analyses necessary to enable me to fulfill the purpose of this assignment, which was to estimate the fair market value of a hypothetical 1-acre lot comprising components of high-density residential, medium-density residential, low-density residential, very low-density residential, commercial, and industrial, to form and report the average value per acre of land in the three existing Zip Codes in the City of Santa Clara consisting of 95050, 95051, and 95054. The average value was established using the weighted average of these different property types, based on the percentage of total land area associated with the different property types that sold in the City of Santa Clara in the 12 months prior to the date of value and based on land area data provided by Old Republic Title Company.

I understand that this Appraisal Report is intended for use by the Client, the City of Santa Clara, for assistance in determining park impact fees.

The COVID-19 pandemic had various affects on local real estate markets in 2020. Following a general shutdown of the economy in mid-March and April 2020, the remainder of the year experienced a fairly strong bounce-back for many real estate sectors, particularly housing and industrial. However, retail showed mixed signs and office markets appear to be in a holding pattern as office-workers have adapted to working from home. Some small market segments, notably hospitality and leisure/entertainment faced sharp declines in demand. Two vaccine manufacturers received FDA approvals for emergency use authorization in mid-December 2020. By the close of 2020 (and the effective date of value for this appraisal) the vaccine began being administered to health care workers and the elderly. Economists believe the vaccine roll-out will aid in getting the economy moving again. If, and when, schools reopen, many parents will be able to work more and possibly return to offices or into the workforce. Already, unemployment improved significantly from spring 2020. Further discussion of the COVID-19 effects are presented throughout this report.

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Hypothetical Conditions, Extraordinary Assumptions, and Contingencies

Hypothetical Condition is defined as "a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis."[1] I supposed the following hypothetical conditions:

- The fair market value was estimated based on different land value components applied to a hypothetical lot. It was a hypothetical condition of this appraisal that the subject lot was a finished lot and rated average in all other physical, locational, and legal aspects.

[1] *2020-2021 Uniform Standards of Professional Appraisal Practice* (USA, The Appraisal Foundation, 2020)

- Since the hypothetical lot will be comprised of different land value components and it is unlikely the City's land use ordinances would allow the different property types on the same lot, it was necessary to apply a hypothetical condition that each of the following uses would be permitted on the subject lot: high-density residential, medium-density residential, low and very low-density residential, commercial, and industrial.

Extraordinary Assumption is defined as "an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions."[2]

- In this appraisal, land areas provided by Old Republic Title Company were used to estimate the weighted average of all the sale transactions that occurred in the City of Santa Clara in 2020. It was an extraordinary assumption of this appraisal that the land areas provided by Old Republic were accurate.

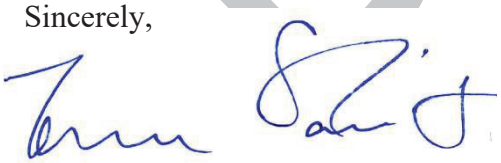
The use of these hypothetical conditions and extraordinary assumption might have affected the assignment results.

There are general assumptions and limiting conditions set forth in this report.

Based on the investigation and analyses undertaken, I formed the opinion that the average value per acre on December 31, 2020, the effective date of opinion, for each zip code was:

Zip Code	Average Value
95050	$4,720,000
95051	$5,120,000
95054	$4,830,000

Sincerely,



Frank E. Schmidt, MAI, SRA
California Certified General Real Estate Appraiser No. AG005421

[2] *2020-2021 Uniform Standards of Professional Appraisal Practice* (USA, The Appraisal Foundation, 2020)

DRAFT

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EXECUTIVE SUMMARY

CLIENT : City of Santa Clara

LOCATION : City of Santa Clara, California

PROPERTY TYPES : Very Low-Density Residential, Low-Density Residential, Medium-Density Residential, High-Density Residential, Commercial, and Industrial Land

SITE AREA : Each Hypothetical Lot is One Acre

FLOOD HAZARD STATUS : Zone X; the hypothetical lots are outside any flood zones

EARTHQUAKE FAULT ZONE : The hypothetical lots are not located in an Earthquake Fault Zone as designated under the Alquist-Priolo Earthquake Fault Zoning Act.

GENERAL PLAN, & HIGHEST AND BEST USE :

Use of Hypothetical Lot	General Plan	Highest & Best Use
Very Low Density Residential	Very Low Density Residential	Very Low Density Residential
Low Density Residential	Low Density Residential	Low Density Residential
Medium Density Residential	Medium Density Residential	Medium Density Residential
High Density Residential	High Density Residential	High Density Residential
Commercial	Regional Commercial	Hold for Development of a Commercial Building
Industrial	Light Industrial	Light Industrial Building

EFFECTIVE DATE OF VALUE : December 31, 2020

PROPERTY RIGHTS APPRAISED : Fee Simple Estate

AVERAGE VALUE CONCLUSIONS :

Zip Code	Average Value
95050	$4,720,000
95051	$5,120,000
95054	$4,830,000

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GENERAL ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal and report were made applying these **general assumptions**:

1. No responsibility was assumed for the legal description or for matters including legal or title considerations. Title to the hypothetical properties was assumed to be good and marketable and free and clear of all liens, encumbrances, easements, and restrictions except those specifically addressed in this report;

3. Responsible ownership and competent property management were assumed;

4. The information furnished by the Client and others was believed to be reliable. However, no warranty is given for its accuracy;

5. All engineering was assumed correct. Plot plans or any other illustrative material in this report were included only to assist the reader in visualizing the property;

6. It was assumed that there are no hidden or unapparent conditions in the hypothetical properties that render them more or less marketable or valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them;

7. Unless otherwise stated in this report, the existence of hazardous material, toxic waste, and/or other environmental impairments which may or may not be present on or in the hypothetical properties, was not investigated by this consultant.

   As real estate consultants, we are not qualified to properly investigate this property for any discharge, spillage, uncontrolled loss, seepage, filtration, or storage of hazardous substances which may adversely affect the value of this property. Neither are we qualified to detect the presence of substances such as asbestos, urea-formaldehyde foam insulation, nor other materials that could create an environmental impairment to the subject property or to other property caused by conditions present at the subject property. Our opinion(s) were predicated on the assumption that there is no such material on or in the property that would affect market value. No responsibility was assumed for any such conditions or for any expertise or engineering knowledge required to discover and/or correct them;

8. It was assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless non-compliance is stated, defined, and considered in the report;

9. It was assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal and reported in the report; and

DRAFT

10. It was assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimate or other opinion contained in this report are based;

This report has been made with the following **limiting conditions**:

1. Possession of the report, or a copy thereof, does not carry with it the right of publication or use. It may not be used for any purpose by any person other than the Client(s), for the Intended Use specified in the engagement agreement and/or report;

2. The consultant is not required to give further consultation, testimony, or attend court for matters involving the subject property unless arrangements have been previously made; and

3. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the Consultant, or the firm with which the Consultant is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the Consultant.

Reader Note:

There may be other appropriate and more specific limitations on our opinions or conclusions identified in the cover letter or report as *Hypothetical Conditions, Extraordinary Assumptions, or Contingencies.*

DRAFT

CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.

2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

3. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

4. I previously appraised the subject of this report for the same Client on several occasions, most recently in a draft appraisal report transmitted June 11, 2020 and having a date of value of December 31, 2019.

5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

6. My engagement in this assignment was not contingent upon developing or reporting predetermined results.

7. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

8. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice* (USPAP).

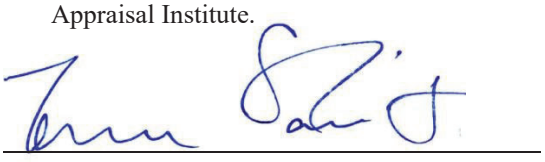
9. I have not inspected the property that is the subject of this report since the subject lots are hypothetical.

10. Under my direction, Mr. Matthew Watson, MAI verified the comparable data, performed analysis, and wrote the first draft of the appraisal report.

11. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Practice of the Appraisal Institute.

12. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

13. As of the date of this report, I have completed the continuing education program for Designated Members of the Appraisal Institute.



March 26, 2021

Frank E. Schmidt, MAI, SRA — Date

California Certified General Real Estate Appraiser, No. AG005421

DRAFT

SCOPE OF THE ASSIGNMENT

Information Provided to the Appraisers

The Client provided excerpts from the Parks and Recreation Facilities Fee Study completed by Willdan Financial Services. Old Republic Title Company provided Santa Clara sales statistics of land areas to assist us in estimating the weighted average of all the sale transactions that occurred in the City of Santa Clara in the 12 months preceding the date of value. We were also provided the "Supplemental Instructions for Appraisal" approved by Santa Clara City Council on June 7, 2016, which are displayed in the Addenda. Lastly, in previous appraisals, City Parks provided us the Park Impact Fee Ordinance (No. 1928).

Extent of Research into Physical Factors

We drove several streets throughout Santa Clara over the past several years including various times in 2016, 2017, 2020, and 2021. We note changes that are occurring or have occurred, particularly regarding new development. We gathered data about land use ordinances for each hypothetical lot and the comparables from the websites of the appropriate municipalities.

Extent of Research Into Economic Factors

We gathered, analyzed, and applied macro-economic information gleaned from many sources, including:

- The Wall Street Journal
- 12th District Beige Book
- GlobeSt.com
- CoStar News
- The Kiplinger Letter
- CoreLogic

We gathered, analyzed, and applied data about market conditions and other micro-economic information from:

- Websites of Commercial Brokerages
- Commercial and/or residential multiple listing services
- Silicon Valley Business Journal
- San Jose Mercury News
- Discussions with agents active in the subject market

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We talked to the buyers, sellers, and agents whose names we discovered on signage in the neighborhood and during comparable verification. We learned about additional market data from these people.

Extent of Comparable Data Research

We used a variety of sources and subscription services to gather comparable data, including:

- Verified Data Files from Other Appraisals
- CoStar Group
- DataTree
- MLSlistings.com
- LoopNet
- Commercial Real Estate Brokerage Websites

Verification

The most appropriate data that we discovered was verified with a party to the transaction. When that was not possible, we discuss and/or state the verification source(s), using public record data, subscription services, MLS, etc. in the Analysis section.

Among the comparables selected we studied copies of the assessor's parcel maps, public record summary, aerial maps, records of survey, and other data such as structural, geological, or environmental reports, subdivision maps, title reports, etc. We also reviewed planning proposals/approvals and permit histories where appropriate.

Type and Extent of Analysis Applied

The data is summarized on spreadsheets displayed in the Analysis sections following. The analysis was comparative, iterative, qualitative, and quantitative.

Compliance

It was the intent of this appraisal to comply with the requirements of:

- The Uniform Standards of Professional Appraisal Practice (USPAP) including the Ethics and Competency Provisions as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

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- The Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute.

- The City of Santa Clara's "Supplemental Instructions for Appraisal"

DEFINITIONS

According to the California Code of Civil Procedure, Section 1263.320 defines **Fair Market Value** as:

> "(a) the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
>
> (b) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable."

Revised federal definitions in the Uniform Act identify the definitions of "market value" and "fair market value" as one and the same. These terms are used interchangeably in this report.

Weighted Average means an average resulting from the multiplication of each component by a factor reflecting its importance or contribution.

Average Value means a value that is calculated by adding values together and then dividing the total by the number of values.

Fee Simple Estate means absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat." [3]

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[3] Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 6th ed., (Chicago: Appraisal Institute, 2015)

REAL PROPERTY, REAL ESTATE, AND PERSONAL PROPERTY APPRAISED

Real Property is defined as all of the interests, benefits, and rights in the ownership of the physical real estate, that is, the bundle of rights with which the ownership of the real estate is endowed. Real estate is defined as physical land and appurtenances attached to the land.

Real Property Rights Appraised

The subject properties are hypothetical unimproved lots and the fee simple estate is appraised.

Real Estate Appraised

It is an assumption of this appraisal that the subject's hypothetical finished lot is graded and level, all utilities and services are stubbed to the site, is ready for building improvement, and defined as follows:

Area	:	One acre
Shape & Frontage	:	Shape is rectangular with typical frontage along one street.
Topography	:	Level, at street grade
Drainage	:	Adequate
Utilities & Services	:	The municipality provides water, electrical, and sewer service. A private contractor provides garbage service. Local utility companies provide telephone and cable. All utilities are piped and wired onto the hypothetical lot.
Easements	:	Typical public utility easements along frontage presumed.
Soil Conditions	:	It is a general assumption of this appraisal that the hypothetical site is suitable for any legally permissible and physically possible use.
Environmental Impairment Issues	:	It is a general assumption of this appraisal that there are no environmental issues that affect the market value of the hypothetical lots.

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Off-Site Improvements : Street is fully improved and maintained by the City; it is asphalt paved with streetlights, curbs, gutters, and sidewalks.

Street Access : Rates average in comparison to competing properties.

Exposure/Visibility : Rates average in comparison to competing properties for each hypothetical use.

Flood Hazard Status : Hypothetical lot is presumed to be within Zone X, which denotes areas of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level.

Earthquake Fault Zone : The hypothetical lot is not located in an Earthquake Fault Zone as designated under the Alquist-Priolo Earthquake Fault Zoning Act.

Improvements : None

Personal Property Appraised

We did not appraise any personal property.

PREVIOUS APPRAISALS

The author previously appraised the subject(s) of this report for the City of Santa Clara on several occasions, most recently in an Appraisal Report transmitted June 11, 2020 with an effective date of opinion of December 31, 2019. The next most recent appraisal of the subject was transmitted February 22, 2018 with an effective date of opinion of December 31, 2017. The intended use of all appraisals was the same: to assist the City in determining park impact fees.

REGION & CITY DESCRIPTION

The County of Santa Clara is located at the southern end of San Francisco Bay. It encompasses about 1,304 square miles of land with 15 incorporated cities and towns. According to California Department of Finance (CDF), on July 1, 2020, the county had a population of 1,962,251, an increase of 0.07 percent from the July 2019 estimate. Over the past several years, Santa Clara County had been experiencing strong employment conditions. Prior to the COVID-19 pandemic,

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unemployment was at historical lows and essentially reflected full employment conditions. According to statistics published by the State of California Employment Development Department (EDD), the Santa Clara County unemployment rate was 5.9% in December 2020, based on a labor force of 1,040,900. This is a steep increase from the March 2020 unemployment rate of 3.4%, prior to COVID-19. It is also higher compared with the one-year prior unemployment rate of 2.2%, based on a labor force of 1,058,900 jobs. However, the County's unemployment rate peaked at 11.7% in April 2020 and has gradually declined since.

Santa Clara County, which makes up the bulk of Silicon Valley, is highly dependent on technology employment, including Adobe, Apple, Applied Materials, Cisco, eBay, Flextronics, Google (Alphabet), HP, Intel, Intuitive Surgical, Lockheed Martin Space Systems, Microsoft, Netapp, Oracle, PayPal, and Tesla.

The City of Santa Clara covers about 18.4 square miles and is surrounded by San Jose on the north, east, and south, and is adjacent to Sunnyvale and Cupertino on the west. The City of Santa Clara's population estimate was 129,104 as of January 1, 2020, according to the CDF, about 1.3% higher than 12 months earlier. Employment conditions in Santa Clara followed a similar trend as seen in Santa Clara County. Unemployment, according to the EDD, was reported at a rate of 5.3% in Santa Clara as of December 2020, based on a labor force of 70,600. The unemployment rate has generally followed a downward trend since peaking in April 2020 at 9.5%. Still, the current rate is far above the year ago rate of 2.0 percent in December 2019.

An aerial of the City of Santa Clara (outlined in red) and surrounding areas is shown below:



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The two largest employers in the City of Santa Clara are Intel and Applied Materials. Other high-tech companies, such as AMD, Nvidia, Palo Alto Networks, Sun Microsystems, ServiceNow, and Agilent Technologies have headquarters in the City. Other large employers include California's Great America, Avaya Inc., Santa Clara City Hall, EMC Corporation, Macy's, and Santa Clara University. The City of Santa Clara is the supplier for the City's water and electric power, which it claims can save small industries almost 50% on their utility costs.

Levi's Stadium, the home of the San Francisco 49ers, opened over the summer of 2014 in the northern portion of the city, adjacent to Great America Theme Park and the existing 49ers practice facility. The Santa Clara Convention Center is also nearby and offers about 302,000 square feet of meeting space.

The opening of Levi's Stadium spurred an increase in demand for nearby properties. There are several projects under construction throughout the city and several proposals in progress that are anticipated to add thousands of square feet of new retail, office and residential. The largest proposal is from Related California and is named Related Santa Clara. The project is a 240-acre mixed use development located across from the street from Levi's Stadium. It would include 5.4 million SF of office, 1,680 residential units, 700 hotel rooms, and 1 million SF of retail, food and beverage, and entertainment. The first development phase will begin later in 2021 after being delayed by the pandemic. The Gateway Crossings project has received approvals for 1,565 residential units, 225 hotel rooms, 45,000 square feet of commercial uses, and 2.6 acres of parkland at 1205 Coleman Ave. Additional development in the City includes several new structures on the Santa Clara University campus, an expansion at Valley Fair Mall, and continued residential build-out of the Lawrence Station area.

The City's median household income was estimated by the U.S. Census Bureau at $126,006 in 2019 and the per capita income was about $53,986. The United States Census Quick Facts for 2015-2019 indicated the following demographics in Santa Clara:

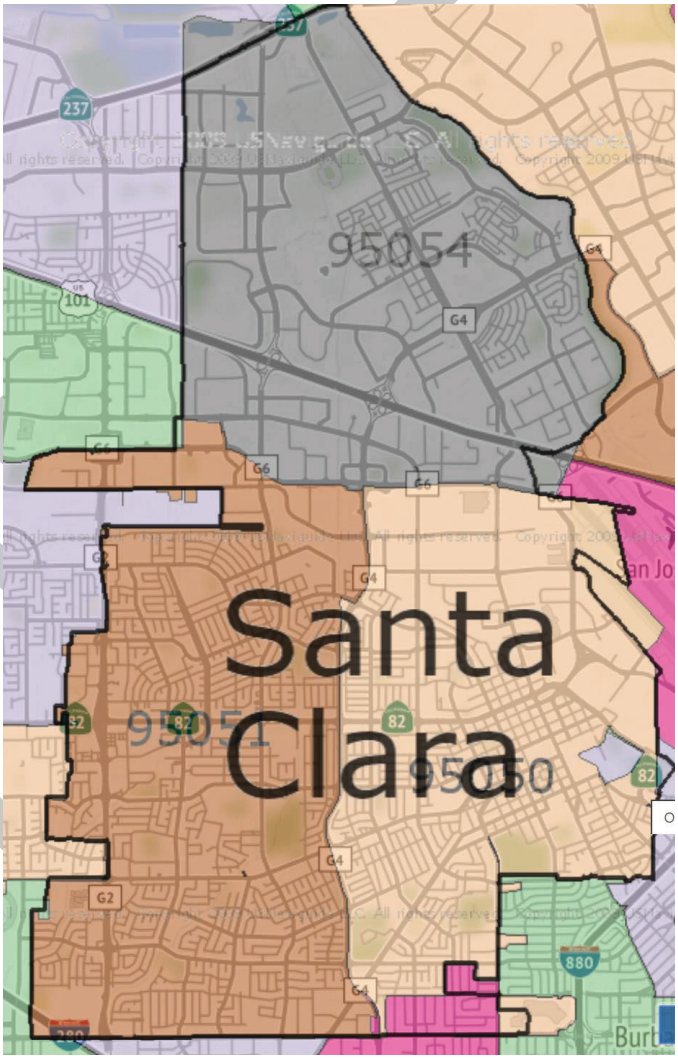
Total Households	44,669
Owner Occupied Housing Unit Rate	42.9%
Average Household Size	2.74
Bachelor's Degree or Higher	59.9%
In Civilian Labor Force	69.2%

The City is home to Santa Clara University, Mission College, a junior college, and Golden State Baptist College. The City is primarily served by Santa Clara Unified School District, which includes 19 schools spanning transitional kindergarten through high school. The southwest corner of the City is served by Cupertino schools.

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The City of Santa Clara and Santa Clara County benefit from a number of freeways, arterials, and expressways that provide access to most areas of the region, including three interstate highways, I-280, I-880, and I-680 in addition to several federal and state highways, US-101, CA-85, CA-87, CA-17, and CA-237. Caltrain, Amtrak, and ACE rail transportation, light rail, and VTA bus services provide mass transit for the city, connecting Santa Clara to the greater Bay Area. Located adjacent the City's eastern border is the Norman Y Mineta San Jose International Airport, with service to about 30 destinations.

There are three primary zip codes within the city, which are shown on the following map as the color-coded areas within the black-outlined city limit boundaries. Note that the 95053 zip code applies to Santa Clara University, which is located within the Santa Clara city limits, but was not included as part of this appraisal.



Source: zipmap.net

Conclusion

All locations within Santa Clara are proximate to nearby job centers, retail, housing, and linkages, contributing to the long-term demand for sites within the city.

MARKET CONDITIONS

The December 9, 2020 *UCLA Anderson Forecast* expects encouraging economic news to be forthcoming. "The December Forecast offers hope of a robust recovery from the current recession, based on the assumption that mass vaccinations would clear a path toward a new, productive normalcy for many industries. However, that good news is tempered by predictions of a rough winter, as economic growth remains stalled by measures intended to prevent rising spread of virus cases until vaccines become widely available."

"But a vaccine would help release pent-up consumer demand over the next year, leading to a strong recovery. The forecast anticipates that a surge in services consumption and continued strength in housing markets will propel the economy forward. Senior Economist Leo Feler expects the housing market to remain hot through at least 2023, with housing starts already at their highest levels since 2007."

"The reopening of the economy is directly related to the population's ability to safely return to work. As a result, the latest UCLA Anderson Forecast report, written by senior economist Leo Feler, anticipates two more quarters of slow growth — seasonally adjusted annual rates of 1.2% for the fourth quarter of 2020 and 1.8% for the first quarter of 2021 — before robust growth of 6% in the second quarter of 2021. After that, growth rates should remain above 3.0% well into 2023."

The *Winter 2021 Allen Matkins/UCLA Anderson Forecast California Commercial Real Estate Survey* "shows that the current pandemic-related economic recession is having a mixed effect on California commercial real estate sectors, as this particular downturn is not characterized by a slackening in housing markets or a stock market crash. While office space markets are in a holding pattern and retail markets are on a downward trajectory, multi-family housing and industrial space instead remain in the growth portion of their business cycles."

Following we present some statistics and comments regarding the market conditions for each land use we are appraising. Land market conditions for each of these uses are not typically tracked by any firms that we are aware of; it has been my experience and historically as reported by market participants that the land market for these uses typically shadow the improved markets, oftentimes leading. We report on the sale, rental, and construction trends of the

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respective markets, in estimating the appropriate market conditions adjustments used in our following analysis.

Regional Economic Conditions

The commercial brokerage firm Cushman & Wakefield's *Bay Area Investment Marketbeat* for the fourth quarter of 2020, dated January 2021, notes that the San Francisco Bay Area investment market "witnessed nearly $7.1 billion in total sales in the fourth quarter of 2020 and finished the year with $19.2 billion in total sales. From 2015-2019, the market saw an average of $25.3 billion in sales. Since the third quarter, average price per square foot (psf) (excluding multi-family) increased to $553 psf across 107 property sales. The 2020 annual average was $434 psf, which is down from $521 psf in 2019, but higher than the previous five-year average of $383 psf. The office sector remains the most expensive sector finishing 2020 at $683 psf with a historic high of $817 psf during the fourth quarter. The average cap rate for all products increased to 5.4% by the end of the fourth quarter, bringing the 2020 cap rate to 4.9%, which is 10 basis points lower than the 2019 average."

"Numerous transactions were pending at the end of the third quarter and closed in the fourth quarter as investors focused on durable income streams and the sectors most likely to benefit from the disruptions of COVID - distribution, industrial, data centers, and life science. Government-backed loans for multi-family product have pushed interest rates to record lows, enabling many multi-family investment sales to close at cap rates below pre-Covid levels. The San Francisco Bay Area market had a particularly exceptional fourth quarter as it was the home of many large transactions and nearly $2.0 billion in sales volume."

CoStar Group, Inc. is a multinational provider of information, analytics, and marketing services to the commercial real estate industry. According to a CoStar Group report on economic conditions in the greater San Jose/Silicon Valley market area:

> *The coronavirus pandemic abruptly ended what had been the longest economic expansion in U.S. history, and disrupted San Jose's streak of above-average job growth. California and Bay Area counties including Santa Clara are taking a cautious approach to reopening economic activity, and businesses are suffering from the downturn in commerce.*
>
> *Employment in the San Jose metropolitan statistical area encompassing Santa Clara and San Benito Counties fell roughly 13% immediately following the coronavirus outbreak, and the market has slowly regained roughly a quarter of those losses. Employment is still down roughly 60,000 from its pre-pandemic peak, representing a 5.2% decline as of the latest jobs report from the Bureau of Labor Statistics covering November. While stark,*

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job losses were even more pronounced across the state of California and the nation overall. San Jose, perhaps due to its concentration of employment stemming from mature tech giants, saw slightly fewer job losses than even San Francisco or the East Bay did, and it is on a slightly stronger recovery trajectory.

As expected, leisure and hospitality were the hardest hit sector, while retail trade is also down significantly. Employment in typical office-using sectors did not fall as sharply, but also declined. Professional and business services, which account for over a fifth of all jobs in the metro, has nearly recovered its initial coronavirus pandemic losses, registering less than 2% below its February 2020 peak now, while employment in information is 11% lower, and financial activities employment remains 4% lower. Manufacturing employment is down 6%. Construction employment fell by 31% but has already regained all of its losses and is up to a new high.

While San Jose's employment losses have been comparatively subdued, the tech industry's ability to adopt a remote-based workforce poses an acute threat to local demand for commercial real estate. Major Silicon Valley employers are now reevaluating their use of physical space and location, and if a wealth of existing locally-based positions become remote-based permanently, an outflow from commercial space and apartments could ensue.

Moving forward, Oxford projects San Jose's economic recovery will rank among the strongest across the country due to its unique industry makeup. The thriving tech industry drove San Jose's economic growth coming out of the Great Recession and is expected to do so again in the post-pandemic recovery. Unemployment registered just above 2% as 2019 ended, and employment opportunities outnumbered qualified workers. E-commerce was growing around 17% annually and has seen a recent spike due to social distancing measures.

Employee compensation at large tech companies is relatively high, but while income levels in San Jose rank among the strongest in the country, they do not necessarily support the market's rising costs of living. Home purchase affordability declined over the past decade as housing prices skyrocketed above the pace of income growth. As a result, many higher-income residents who would typically purchase a home are virtually locked into renting and paying a hefty percentage of their incomes on rent. If given the opportunity to maintain their jobs, a significant share of local workers recently surveyed said they would move out of town to work remotely on a permanent basis from a cheaper area.

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Given the nature of how the coronavirus and social distancing measures are affecting the economy, some of the lowest risk sectors locally have proven to be healthcare and professional services, as employees have adapted to work remotely. Put together, these two employment sectors make up over a third of San Jose's employment, making San Jose one of the more insulated metros in the country. Harder hit sectors like leisure & hospitality and retail make up only around 20% of San Jose's employment base.

Overall, the long-term economic prospects in San Jose remain strong. Despite the market's high cost of living and transportation challenges, the world's most valuable companies are already committed to the South Bay/San Jose market. While there is near term uncertainty in the economy, long-term growth prospects for the metro are strong, and demand for commercial real estate and housing should remain high in conjunction with San Jose's robust economic base.

According to San Jose think-tank Joint Venture Silicon Valley (JVSV), job losses in Silicon Valley were most acute in the community infrastructure and services sector (retail, hotels, arts, entertainment, personal services, food services, and transportation). These jobs declined about 15.4% over the 12-month period ended June 2020, while overall employment over the same period fell 8.9%. Tech companies, however, increased job totals by 1.8% in Silicon Valley. "Silicon Valley city revenues are expected to decline by an average of 5% due primarily to the effects of the pandemic, with the most dramatic declines expected in transient occupancy taxes," the JVSV report stated. Furthermore, JVSV expects the economic rebound to be swift.

Some new construction may not occur in this market due to soaring prices for lumber and steel. Softwood lumber prices increased by 73% year-over-year, and iron and steel prices are up by 15.6%, according to data from the Associated Builders and Contractors. Part of this increase is delivery delays caused by congestion at the Port of Oakland and other ports nationwide.

Commercial Market Conditions

Commercial properties typically include office and retail uses. We discovered that office properties are generally being built in the central business districts and in light industrial locations. Research and development (R&D) properties have historically been a subcategory of industrial. However, R&D can rival office space in terms of finishes and quality and we elected to include a discussion of the R&D submarket as part of the commercial market. Many of the traditional retail corridors in this region, El Camino Real in particular, have land use ordinances that allow for residential mixed-uses.

In this market, real estate brokerages track office and retail statistics by city or submarket; they are not broken out by zip code. Following we present the relevant statistics pertaining to the

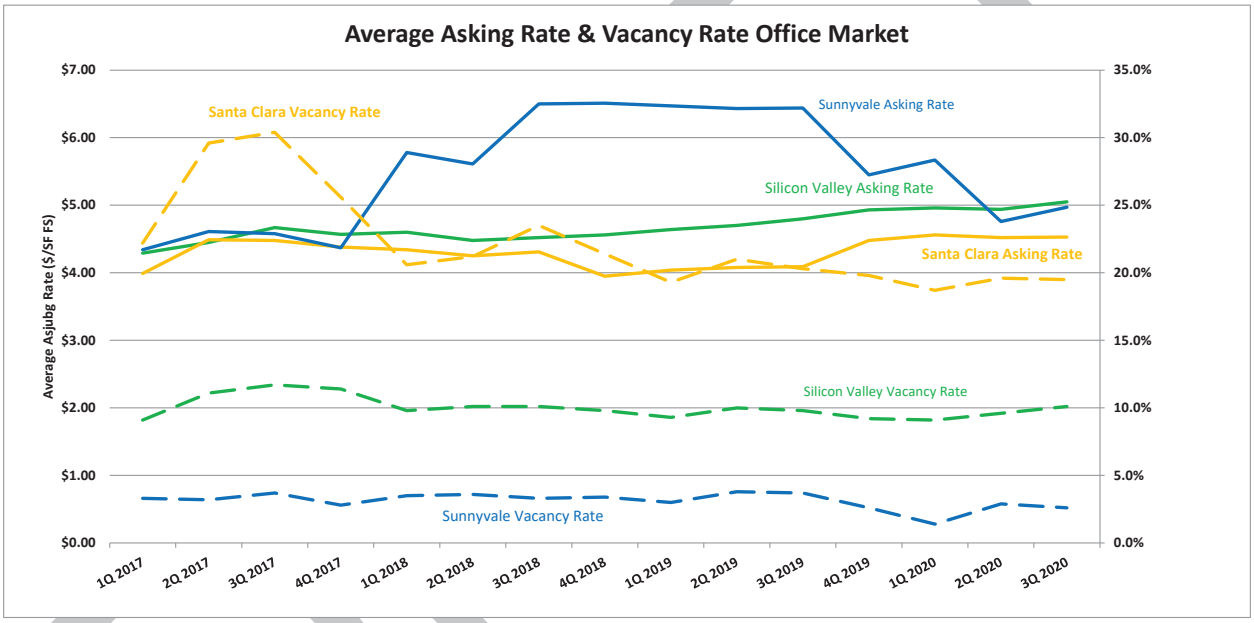
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Santa Clara market and provide comments from market participants regarding the perceived differences in each of the Santa Clara zip codes that the three hypothetical lots being appraised are located.

Office Market

The Silicon Valley office market from early 2017 through 3Q-2020 was generally characterized by stable vacancy rates, positive net absorption, and overall increasing average asking rental rates. The next table displays data from the Cushman & Wakefield's 3Q-2020 Silicon Valley Marketbeat Office Snapshot and predecessor reports and includes statistics from the Silicon Valley market, the subject's submarket (Santa Clara), and the adjacent Sunnyvale submarket.

OFFICE STATISTICS



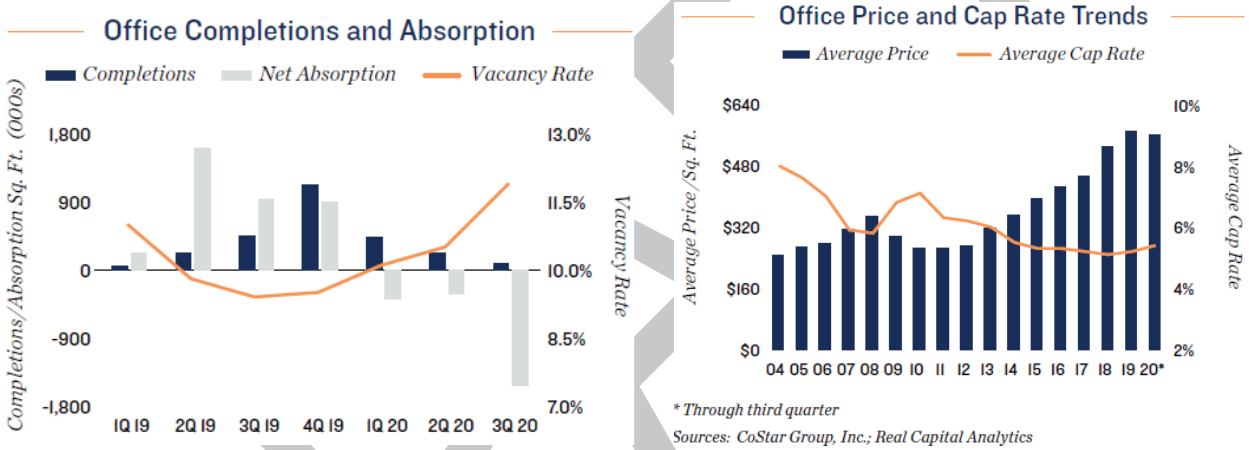
Source: Cushman & Wakefield Marketbeat Office Snapshot

The data indicates that the office vacancy rate in Santa Clara generally declined from Q3-2017 through Q1-2020; it has remained just below 20% for four straight quarters. This elevated vacancy rate is due to several large office buildings in the Great America Pkwy, Bunker Hill Ln, and Scott Blvd corridors having significant vacancy. The Silicon Valley market has been overall more stable with vacancy reported at 10.1% for Q3-2020 and this rate has been within about 200 basis points during the last four years. However, it is the first time the rate has exceeded ten percent since Q4-2017. The region's availability represents 8.8 million square feet following just 84,069 square feet of net absorption in 3Q-2020. Cushman & Wakefield reports that the City of Santa Clara has some of the largest subleases on the market including Citrix and Avaya. The City of Santa Clara's experienced 8,978 square feet of net absorption in Q3-2020 aided by a 59,078 square foot renewal by KPMG at 3975 Freedom Circle.

The average asking rent in 3Q-2020 for the City of Santa Clara was $4.53/SF/Month on a Full Service expense basis, whereby taxes, insurance, maintenance, utilities, and janitorial expenses are bundled into the base rent. This is more than the $4.09/SF/Month asking rate from one year ago, but about the same as the asking rate from 3Q-2017 ($4.48/SF/Mo).

Marcus & Millichap's 4Q-2020 Market Report stated that in the San Jose Metro area, which includes Santa Clara, office vacancies increased 140 basis points in the third quarter to 11.9%; the largest jump was in Milpitas. Asking rents in the San Jose Metro decreased just 1.4% year-over-year to $4.11/SF/Month.

Marcus & Millichap reported the following trends in the San Jose Metro:



Marcus & Millichap's report states that "Over the past 12 months, developers added 1.8 million square feet of space, up from 950,000 square feet the prior year. Another 9.3 million square feet is underway, which is nearly 80 percent pre-leased. The average price per square foot was $559 during the 12-month period ending in September, unchanged from the prior year. The average cap rate was 5.4 percent in the last 12 months, up from a cyclical low of 5.1 percent"

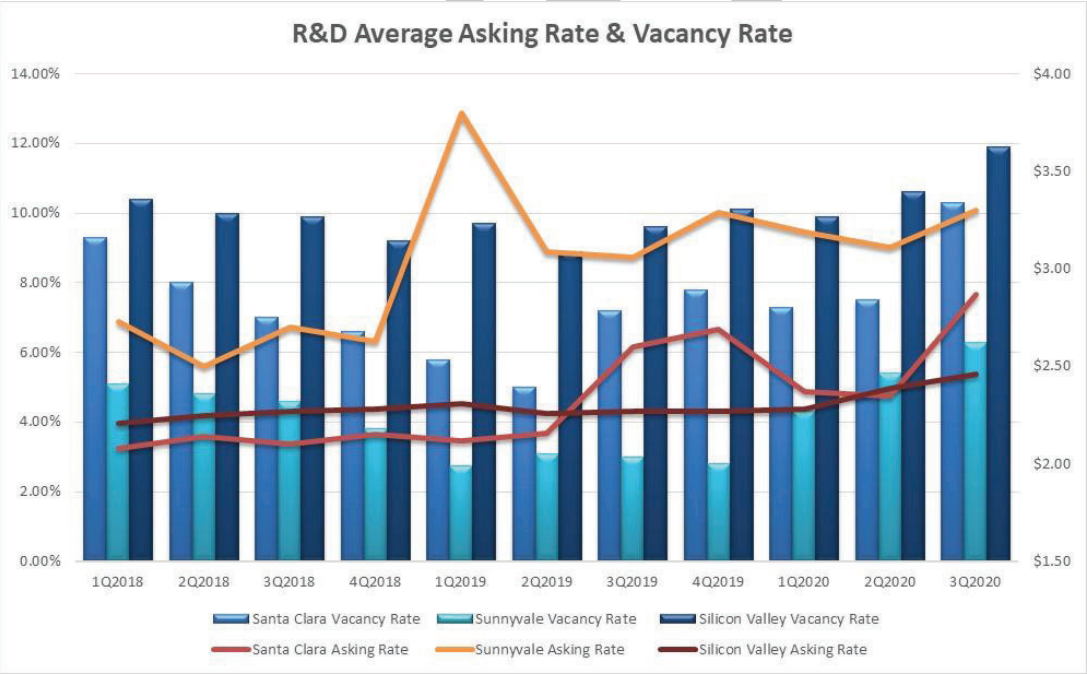
There are several office developments under construction in Silicon Valley and Santa Clara. Notable developments in the City of Santa Clara include: a 6-story, 230,500 SF office building and a five-level garage under construction at 3200 Scott; an approved 6-story, 237,107 square foot office building at 3375 Scott Blvd; an approved 4-story, 1500,000 square foot office building at 3001 Tasman Drive; a five-story, 175,163 SF office building under construction at 3607 Kifer Rd; a proposal for a 12-story office building totaling 1,031,957 SF on a 10.1 acre site at 2901 Tasman Drive; and a proposal for two 8-story office buildings totaling 695,435 SF at 3625 Peterson Way that is pending review. Additionally, there is a large mixed-use development at 3905 Freedom Circle under construction which will include more than 1,000 residential units, 606,968 SF of office, and about 18,653 SF of commercial space.

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It is still too soon to tell whether the work-from-home movement will have a long-lasting impact on office occupancy. Although many large tech companies have embraced the idea, and it appeared to be working for several months in 2020, towards the end of 2020, there were many reports of workers experiencing Zoom fatigue and missing the collaboration/comradery of an office environment. Office building developers remain bullish on downtown San Jose as evidenced by several office towers that remain under construction. Discussions with market participants revealed a consensus that the demand will pick up again with vaccine roll-out. The office market should improve given that some new construction has ceased. Locally, professional and business services employment, comprising more than one-fifth of all metro-area jobs, has recovered nearly all job losses incurred during the early stages of the pandemic. Long-term, office workers are expected to return in some form to the office, but lower space requirements due to workers working from home more are likely.

Research and Development (R&D) Market

The next table displays data from Colliers International's 3Q-2020 Silicon Valley R&D Market Snapshot and its predecessor reports:



Source: Colliers International

As shown above, Silicon Valley's R&D market experienced an overall stable vacancy rate within about 100 basis points of 10.0% from 1Q-2018 to 2Q-2020 before increasing to 11.9% in 3Q-2020. Meanwhile, asking rents have increased from $2.27/SF/month in 3Q-2019 to

$2.46/SF/month in 3Q-2020, an increase of about 0.70%/month on a NNN expense basis, despite the pandemic. A NNN expense basis in this market means the landlord is only paying for management of the account and reserves for replacement, while the tenant pays all other operating expenses.

Since 3Q-2018 the average asking rate in the City of Santa Clara increased from $2.10/SF/month NNN to $2.87/SF/Mo ending the 3Q-2020 or 0.99%/month. Over the last twelve months the asking rental rate increased 0.87%/month. Investor demand for R&D and office product remains above average, especially for well-located, modern buildings with long-term tenants in place. However, the vacancy rate trend shows a different narrative as in Santa Clara the vacancy rate experienced a cycle low of 5.0% in 2Q-2019 before registering 10.3% in 3Q-2020, the highest since Q4-2017. Part of the jump was due to the renovations at Mission Tech campus (at 2421-2451 Mission College Blvd), which resulted in 426,255 SF of vacancy coming online. The vacancy rate would be closer to eight percent without the Mission Tech vacancy.

Colliers International reported in their *2020 Q3 Silicon Valley Research and Forecast Report* a net absorption of negative 1,941,636 SF of R&D space in 3Q-2020 within Silicon Valley and a year-to-date total of negative 3,010,150 SF. The report notes that there is no new R&D product under construction throughout all of Silicon Valley and that none has been completed over the past four quarters.

Retail Market

According to Marcus & Millichap's Fourth Quarter 2020 San Jose Market Report, the expected impact of COVID on the retail market remains unknown while investors continue to be cautious. The report states that "In the yearlong period ending in the third quarter, developers added 690,000 square feet of retail space in San Jose. During the previous 12-month period, builders completed 180,000 square feet. Vacancy was 4.6 percent in September, up 10 basis points from the same period in 2019. The rate has been trending higher since the end of 2017 when it fell to a cyclical low of 3.0 percent. Although the impact of the health crisis is only slowly emerging in vacancy, rents are already declining. In the third quarter, average asking rent decreased 1.1 percent to $34.12 per square foot. Single-tenant prices jumped 10 percent to $629 per square foot during the 12-month period ending in October as buyers gravitated toward high-quality assets during the health crisis. The average cap rate was in the high-4 percent range. Multi-tenant assets changed hands at an average cap rate of 5.2 percent during the last 12 months, up 30 basis points year over year. The average price was $549 per square foot during the period."

Some retail categories have managed well during the pandemic while others have not. Drive-thru fast food and fast-casual restaurants generally did fine, particularly those with drive-throughs. Sit-down restaurants, particularly those without outdoor seating have not done as well. Essential

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services, such as grocery, drug, and convenience stores have been stable. More than 5% of U.S. bank branches closed between 2017 and June 2020, and the coronavirus accelerated the trend as more people bank digitally. Fitch Ratings reported that "leisure and entertainment properties could experience a loan default rate of 30% this year as the coronavirus continues to challenge the sector…Liquidity is down for movie theaters as they remain closed in many states. Fitness centers also face liquidity issues, with revenue expected to be down again this year, but recover to pre-pandemic levels in 2022."

Within Santa Clara, Westfield Valley Fair Mall completed a $1.1 billion expansion in 2020, and 18,653 square feet of retail was recently completed at 2020 Wyatt Drive, anchored by Orangetheory Fitness. Most of the new retail being proposed in this market is part of larger mixed-use projects.

Spending Patterns

General market conditions for the retail real estate segment can be indicated by taxable retail sales. Typically, a market where taxable retail sales are increasing would be supportive of additional retail development as existing retailers are willing to expand and new retailers are interested in entering the market. The converse is true when taxable retail sales are declining.

Over the course of 2019 (the most recent statistics available), taxable retail sales in Santa Clara County totaled approximately $47,001,964,265, or more than $47 billion dollars. This represents an increase of approximately 3.9 percent over the total taxable retail sales reported over the course of 2018.

Within the City of Santa Clara, total taxable sales in Q3-2020 were $1,000,178,865. This represents a notable decrease over the prior third quarter reported total taxable sales of $1,120,643,861. However, it shows a quick reversal from the $841 million reported in Q2-2020 as the pandemic first emerged. On an annual basis, the total taxable sales in Santa Clara decreased about 1.6 percent from $4.707 billion in 2018 to $4.63 billion in 2019.

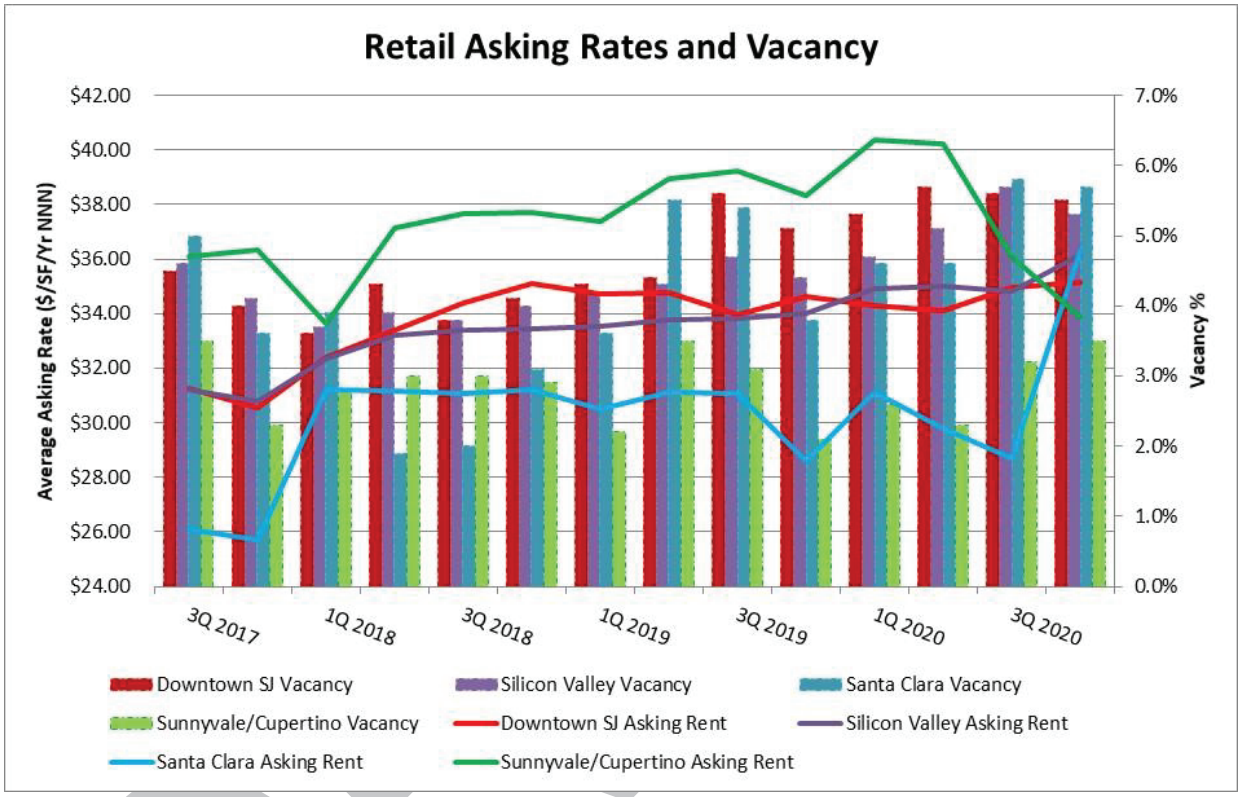
Average Asking Retail Rental Rates and Vacancy Rates

Cushman & Wakefield is a brokerage firm that publishes quarterly reports for the retail market in the San Jose metro area. They reported in their Q4-2020 *Marketbeat Silicon Valley Retail* that 137,500 SF of retail space was added to the metro in 2020, and that the vacancy rate increased from 4.8% in 4Q-2019 to 5.3% in 4Q-2019. However, the vacancy rate was down 30 basis points from 3Q-2020. Total net absorption for 4Q-2020 was 207,174 SF; however, year to date net absorption was negative 42,110 square feet. Cushman & Wakefield reports "the main contributors to the positive retail absorption in the fourth quarter were the openings of 52,700-SF

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Whole Foods Market and 51,300-SF AMC DINE-IN Sunnyvale 12 in the CityLine Sunnyvale mixed-use complex."

The chart below displays the average asking rental rate and vacancy for the Santa Clara submarket, Sunnyvale/Cupertino submarket, and Santa Clara County taken from Cushman Wakefield and its predecessor retail reports from 3Q-2017 onwards:



As indicated in the table above, the Santa Clara County retail market had an average asking rent of $3.01/SF/Mo NNN in 4Q-2020, an increase of 8.3% from one year ago. Cushman & Wakefield reports "Higher quality space returning to the market has lifted the overall average rents in the region despite the increase of vacancy rate. We expect a rent correction in line with a rise in vacancies in the near term, given the current economic backdrop." Neighborhood and community centers account for most of the vacancies in the market.

In 4Q-2020 asking rents averaged $3.02/SF/Mo NNN in the subject's Santa Clara submarket, an increase of 26.9% from 4Q-2019. Again, this is the result from higher quality space coming to the market. In 4Q-2020 the retail vacancy rate in Santa Clara was reported at 5.7% with no new retail under construction. Vacancy rates in the subject's submarket declined from 5.0% in Q3-2017 to 1.9% in Q2-2018, before climbing again to 5.7% as of Q4-2020. Asking rental rates in Santa Clara had generally been stable since Q1-2018 before a sharp increase in Q4-2020.

According to Marcus & Millichap's Hospitality Report for Third Quarter 2020, the hotel sector "began to see rising foot traffic in late spring as many cities initiated phased reopenings of their local economies. After bottoming out at 21 percent during the week ended April 11, average weekly hotel occupancy for the U.S. has improved to over 47 percent in late July. The pace of growth is slowing, however, as many metros, particularly those in the Sunbelt, have reported surges in coronavirus cases. Amplified health concerns have prompted rollbacks in reopenings, with markets such as Miami, Nashville, and Phoenix reporting modest occupancy contractions in July. Even in settings where the infection rate is dropping, hotel performance remains well below historical averages, driven by COVID-19's profound impact on travel." Hotel room demand has shown more resilience among economy and mid-scale hotels; full service establishments have had more difficult challenges. San Jose led the nation in supply growth through the first half of 2020 based on percentage. The report notes "The share of CMBS hotel loans in delinquency rose from 1.6 percent in February to 24.3 percent in June before dipping to 23.8 percent in July. That is still the largest jump among property types, however. Real Capital Analytics has also reported an increase in the number of distressed hotel sales, representing about 4 percent of deal volume last quarter." Lodging has been among the hardest hit real estate segments as business travel sharply declined. Leisure travel was also affected due to shelter-in-place policies.

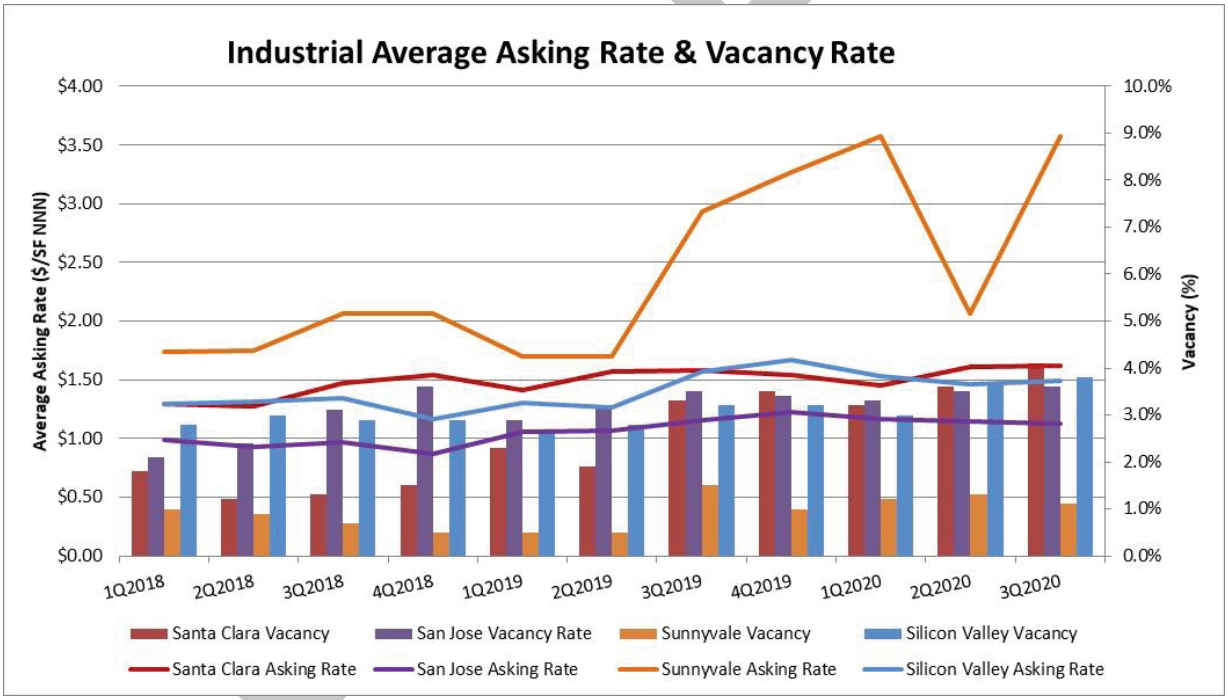
Industrial Market Conditions

We referenced industrial (manufacturing) and warehouse market data from brokerages Cushman & Wakefield and Colliers International; we also interviewed local market participants for this report. Cushman & Wakefield reported in its *Marketbeat Silicon Valley Industrial Q4-2020*, that vacancy for industrial product in Silicon Valley increased in 4Q-2020 to 5.3% from 3.8% in 3Q-2019. Most of this increase was due to the delivery of 1.1 million square feet of vacant new construction delivered. Warehousing vacancy increased to 6.1%, up 50 basis points year over year. The vacancy rate for manufacturing increased from 2.4% to 4.8% over the last 12 months. The Central Silicon Valley industrial submarket, which includes Santa Clara, San Jose, Campbell, and Sunnyvale, had an overall vacancy rate of 3.8% and an average asking rate of $1.20/SF/Month NNN at the end of 4Q-2020. The average asking rental rate in the subject's Santa Clara submarket was reported at $1.33/SF/Month NNN and a vacancy rate of 3.9% was reported. Year-over-year, the average asking rent declined 7 percent in Santa Clara and 3.3 percent in Central Silicon Valley, but increased 0.9 percent in Silicon Valley. The subject's Santa Clara submarket represents a moderate sized industrial submarket in the region with a total industrial inventory reported at approximately 15,506,816 square feet, or roughly 13 percent of the total Silicon Valley industrial inventory. As of fourth quarter 2020, Cushman & Wakefield reported the subject's Santa Clara industrial submarket had an overall vacancy rate of 3.9%, higher than the 3.1% vacancy rate reported one year prior.

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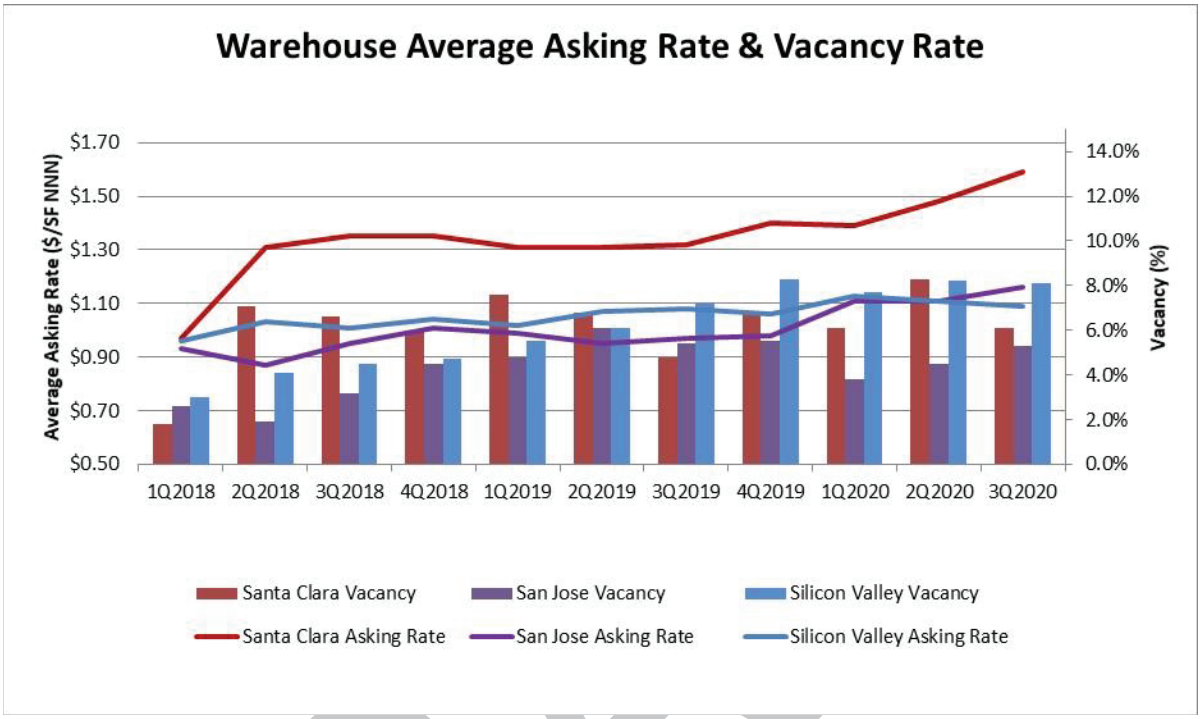
In their *Q3 2020 San Jose Silicon Valley Research & Forecast Report* for industrial/warehouse properties, Collier's International reported *Leasing in the Valley's industrial-warehouse sector accelerated in the third quarter with more than 1.5 million square feet. However, just two build-to-suit completions accounted for 35.4 percent of quarterly absorption. On top of this boost from pre-Covid commitments, new activity swelled pushing net absorption back into positive territory. The industrial-warehouse market was the sole sector in Silicon Valley with occupancy gains, which registered at 59,484 square feet. The quarter saw two newly inked deals above 100,000 square feet: In Milpitas, KZ Kitchen Cabinets and Stone signed a 122,000-square-foot lease at 875 Cadillac Drive and in Santa Clara, Tesla took 103,500 square feet at 700 Laurelwood Road.* Average asking rates decreased 10.4% from the previous year to $1.21/SF/Month NNN, or about 0.86%/SF/Month.

The next chart shows industrial rental rate and vacancy trends since 1Q-2018 based on data from Colliers International. The chart shows generally stable to increasing vacancy rates and stable rental rates, Sunnyvale being the exception.



Vacancy rates for manufacturing were generally stable in Silicon Valley between the start of 2015 and 1Q-2020, before increasing to the high-three percent range. A similar trend has played out in the Santa Clara submarket with a generally increasing trend in manufacturing vacancy rates since 2Q-2018. However, manufacturing rental rates in Santa Clara continue to increase; the asking rental rate rose from $1.47/SF/month NNN in 3Q-2018 to $1.62/SF/month in 3Q-2020, or an average increase of 0.43%/month. Within Silicon Valley, the average asking rate for warehouse increased 0.47% over the last two years but decreased 0.4% over the last year.

Warehouse data collected from Colliers International's *Silicon Valley Research & Forecast Report Q3 2020* and its predecessor reports are displayed in the next chart:



Warehouse vacancy rates in Silicon Valley had been declining for several years before increasing in 2018 and 2019, and then stabilizing in 2020. Warehouse rental rates in Santa Clara continue to increase; the asking rental rate rose from $1.32/SF/month NNN in 3Q-2019 to $1.59/SF/month in 3Q-2020, or an average increase of 1.69%/month. Within Silicon Valley, the average asking rate for warehouse increased 0.33% over the last two years and 0.1% over the last year.

Data centers are one of the largest industrial occupancy groups in Santa Clara, due mostly to Silicon Valley Power, which has lower rates than elsewhere in the Bay Area. The rise of remote working reinforced the need and demand for data centers. We discovered several expansion plans and construction occurring on existing sites, notably from CoreSite Realty Corp., RagingWire, and Vantage Data Centers. There have been several land sales in recent years in Santa Clara that are proposed for new data centers. Market participants report that data center operators will pay a premium for a larger site in Santa Clara and that the ideal site will be about six acres; several operators are building on sites as small as 1.7 acres. A few additional (data center) sites in Santa Clara are reportedly in contract as of the date of this opinion of value. *CBRE's* U.S. Data Center Trends report for the 1H 2020 indicated the following market changes in Silicon Valley's data center market:



The CBRE report notes that since 2015 the Silicon Valley Market has increased its data supply inventory 92.5% to about 279.6 MW. The current vacancy rate stands at 4.8 percent, according to CBRE, which is the lowest rate among all primary markets. An additional 24.6 MW remains under construction in Silicon Valley. Over the next two years, a significant amount of new capacity is expected due to developments by NTT Global Data Centers, Cyrus One, Digital Realty, EdgeCore, and Stack Infrastructure.

CBRE reported that *absorption among primary U.S. data center markets (Atlanta, Chicago, Dallas/Ft. Worth, New York Tri-State, Northern Virginia, Phoenix and Silicon Valley) totaled 134.9 MW in H1 2020. Hyperscale companies, large cloud service providers and content providers leased space in wholesale colocation facilities to meet a spike in demand from their customers during the COVID-19 pandemic. Hyperscale activity likely will level out in 2021 as demand drivers that spiked in 2020 begin to plateau, including enterprise clients leveraging hybrid IT solutions to accommodate remote working mandates. This trend likely will continue, albeit at a slower pace than in 2020. With more than 373 MW of wholesale colocation currently under construction across the seven primary markets, data center supply is expected to grow next year.*

Investor interest in the data center sector has increased based on the success of the five core data center REITs, which have recorded more than 28% revenue growth year-to-date. Most investors are looking for high-quality assets from providers with strong credit ratings that offer facilities with high client retention and low churn rates. Many enterprise users continue to leverage partial-sale leasebacks as they reevaluate their IT spend next year.

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Residential Market Conditions

The *Housing Market Index*, based on a survey by the National Association of Home Builders, reported a builder sentiment of 86 in December 2020, its second highest level in 35 years of tracking, and bested only by the November 2020 index of 90. Any reading above 50 signals expansion and that home builders feel very confident about the housing market. The index dipped from 72 in March 2020 to 30 in April 2020, but had risen to 58 by June 2020 and back to 72 in July 2020.

The California Association of Realtors (C.A.R.) published their December Home Sales and Price Report in mid-January 2021. The report notes that "despite a global pandemic that lingered most of the year, two lockdowns and a struggling economy, California's housing market closed out 2020 on a high note, recording solid sales and a fifth record-high median price in December. Closed escrow sales of existing, single-family detached homes in California totaled a seasonally adjusted annualized rate of 509,750 units in December, according to information collected by C.A.R. from more than 90 local REALTOR® associations and MLSs statewide. The statewide annualized sales figure represents what would be the total number of homes sold during 2020 if sales maintained the December pace throughout the year. It is adjusted to account for seasonal factors that typically influence home sales.

December home sales ticked up 0.2 percent from 508,820 in November and were up 28 percent from a year ago, when 398,370 homes were sold on an annualized basis. The year-over-year, double-digit sales gain was the fifth consecutive and the largest yearly gain since May 2009. For the year as a whole, annual home sales rose to a preliminary 411,870 closed escrow sales in California, up 3.5 percent from 2019's pace of 397,960.

"It's a testament to the strength of the market that even after the pandemic effectively shut down the spring home-buying season in 2020, the market still was able to recover the substantial sales lost in the first half of the year and even top 2019's levels," said C.A.R. President Dave Walsh, vice president and manager of the Compass San Jose office. "With mortgage rates expected to stay near the lowest in history, demand for homeownership will continue to be strong, so home sales should remain elevated into the first half of 2021, as motivated buyers take advantage of the increased purchasing power."

The statewide median home price rose 2.7 percent on a month-to-month basis to $717,930 in December, up from November's $698,890. Home prices continued to gain on a year-over-year basis with the statewide median price surging 16.8 percent from $614,880 recorded last December. The double-digit increase from last year was the fifth in a row, and the month-to-month gain was higher than the long-run average of 0.8 percent observed between 1979 and

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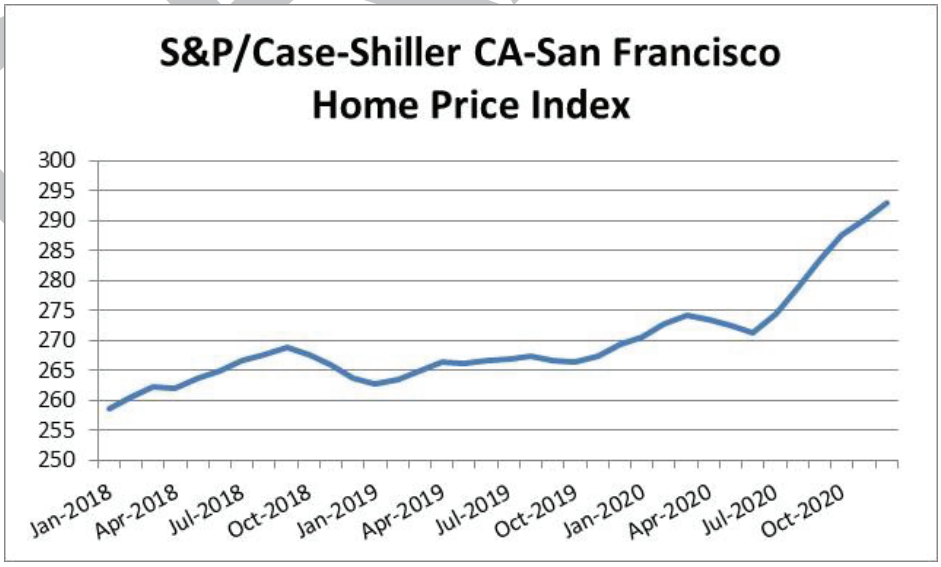
2019. The statewide median home price for the entire year was $659,380, an increase of 11.3 percent from a revised $592,230 in 2019.

Perhaps due to increasing home prices, more consumers said it is a good time to sell, according to C.A.R.'s monthly Consumer Housing Sentiment Index. Conducted in early January, the poll found that 59 percent of consumers said it is a good time to sell, up from 55 percent a month ago, and up from 56 percent a year ago. Meanwhile, low interest rates continue to fuel the optimism for homebuying; one-fourth of the consumers who responded to the poll believed that now is a good time to buy a home, unchanged from last year."

Within the San Francisco Bay Area region, the median price increase 16.4% over the past 12 months ended December 2020, while sales increased a whopping 40.2%. The County of Santa Clara experienced a median price increase of 12.2% year-over-year, with sales increasing 31.0% from a year ago, according to C.A.R.

Regional Housing Market

The Standard & Poor/Case-Shiller Home Price Index measures the average change in value of residential real estate given a constant level of quality and reflects single-family housing. It is sometimes referred to as a repeat sale index. The next chart indicates that the index for the subject's San Francisco Metropolitan Area increased about 11% from 263.868 in December 2018 to 292.993 in December 2020, or about 0.46%/month. Over the twelve months between December 2019 and December 2020 the increase was about 0.73%/month, echoing the builder confidence evident in the Housing Market Index.



Source: S&P Dow Jones Indices LLC

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The State of California Department of Finance (DOF) compiles statistics on total housing units in both the cities and counties of California. Based on DOF statistics, Santa Clara County had a total housing supply of 674,558 units as of January 1, 2020. This represents an increase of 6,588 units over the 667,970 total units reported in January 2018 and about 3,119 more units than in 2019. Extending further back in time, the DOF estimates the total supply of housing units in Santa Clara County at 631,920, as of January 2010. This indicates that over the ten-year period between 2010 and 2020, the housing supply in Santa Clara County increased by a total of 42,638 units, equivalent to a compounded annual increase of 0.655 percent or an average of 4,264 units per year.

According to the Association of Bay Area Governments (ABAG) [4] Projections 2040 report (most recent report), in 2015, Santa Clara County had a total of 648,900 households. ABAG projects that in 2030, the number of Santa Clara County households will have increased by a compounded annual increase of 1.04 percent, to 757,690 or an average of 7,253 households per year. As such, the demand for housing (i.e. households) is projected to increase at a considerably higher pace than that of housing supply.

In the City of Santa Clara, the DOF reported a total of 48,975 housing units as of January 2020. This represents an increase of 831 units from the 48,144 housing units recorded in January 2018, and an increase of approximately 3,828 housing units from the 45,147 housing units recorded in January 2010. Over the past ten years this is equivalent to a compounded annual increase of about 0.817% and an average annual increase of 383 units per year. Housing is being built at a faster rate in Santa Clara than the County as a whole.

According to ABAG's Projections 2040 report, in 2015, the City of Santa Clara had a total of 49,685 housing units. This statistic is projected to increase to 52,675 housing units by 2030, a compounded annual rate of 0.39%, or an average increase of 199 housing units per year. Based on the most recent two year and 10-year periods, the City has exceeded ABAG's projections.

Local Multifamily Market

According to Integra Realty Resources Viewpoint 2020 San Jose Multifamily Mid-Year Report, the *apartment market in the San Jose metro has benefited from strong economic expansion, and particularly a steady increase in population primarily employed in high-paying tech jobs. The lack of new single-family home construction has resulted in increased apartment demand, and the region has been in an expansion stage of the apartment market, and particularly, Class A luxury projects. Strong demand has led to quick lease-up of new units, stable, low vacancy rates and steadily increasing rental rates. The multifamily residential market appears to be less*

[4] Association of Bay Area Governments is the official comprehensive planning agency for the San Francisco Bay Area region.

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affected by the global COVID-19 pandemic than other segments of commercial real estate. With low overall capitalization rates, continual upward trend in rental rates and pricing, most markets across the nation were still viewed as being in an expansion mode leading into 2020. Historically speaking, the apartment market in the Silicon Valley has typically maintained relatively low vacancy. Over the last decade, the region's average vacancy rate has generally hovered in the 4-5% range. The exception was in 2016 when vacancy rose to 6% as supply from new development outpaced net absorption. Over the past 24-30 months, the vacancy rate has been stable, even with significant new construction deliveries and the beginning of a slowdown in the economy.

Despite the recent upward spike in unemployment, vacancies have not been severely impacted by the pandemic, which may be due, in part, to a temporary moratorium on evictions in California. As the stay at home orders and non-essential business closures have begun to relax and employees are returning to work, demand is expected to remain strong and, although a moderate increase is likely, vacancy levels are not expected to change significantly over the balance of the year. However, some tenants will continue to struggle due to income loss. This may bode well for Class B/C properties as some tenants will be forced to relocate from the more expensive Class A properties.

Values for multifamily properties are projected to increase between 2% and 2.9% over the next 12 months, according to Integra's report. An estimated 6,304 units will be delivered and Integra indicates that the multifamily market remains in and expansion stage of the market cycle. However, asking rents over the next 36 months are projected to increase just 0.32%.

According to a CoStar report on the local multifamily market, the "Santa Clara submarket is an important job center, with some prominent companies making the city their home. The submarket is the second largest in the metro, with nearly 20,000 units in its inventory. The economic effects of the coronavirus pandemic and changing demand trends are weighing on submarket occupancy rates. Vacancies are increasing, and continued supply pressure will likely lead to an elevated vacancy rate for an extended period. Prior to the pandemic, job growth around the metro had kept demand high, and absorption was able to keep pace with rapid supply increases over the past decade. Average asking rents have declined in conjunction with slowing demand, and year-over-year growth is expected to remain negative for several quarters. Strong demand for housing, particularly near transit, was a driving force for rent gains in recent years. The coronavirus pandemic has quickly changed market trends and created significant uncertainty in the market. Local owners have appeared content to hold their higher rated assets recently, with only a small number of deals taking place the past several years. Overall sales volume has averaged over $120 million annually over the past five years. But the expectation is for transaction activity to pull back as market participants take stock of the changing economic and commercial real estate landscape."

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"Vacancy in Santa Clara has been volatile since 2016, with large scale construction projects driving the variability. In total, the submarket has added over 3,700 units since 2010. The submarket had previously been able to absorb the new units at a healthy rate, with the vacancy rate consistently normalizing just a few quarters after project deliveries. But the economic effects of the coronavirus are stressing near term occupancy rates. Remote working trends have allowed renters to look further afield to meet housing needs, reducing demand, and job losses are putting further pressure on apartment occupancies. As a result of the reduced apartment demand, existing units are experiencing move-outs, and new projects are facing longer lease-up times."

"The coronavirus pandemic has halted positive rent growth trends that had persisted for over a decade in the Santa Clara submarket. Renters in many of the more expensive and central submarkets in San Jose, including Santa Clara, have taken advantage of remote working trends to seek alternative housing options. As a result, demand for apartments has slowed considerably in the near term. CoStar's daily asking rent series showed the quick response landlords have had to the pandemic. And year-over-year rent growth has turned negative, currently measuring -10.0%, with the expectation for continued declines in rental rates over the next several quarters. Rents in Santa Clara are just above the metro average at $2,610/unit. Overall, rent gains in Santa Clara were robust in the economic expansion, as landlords took advantage of the submarket's healthy fundamentals."

The report notes that about 395 units are under construction in Santa Clara as of fourth quarter 2020 but that no new units were delivered in 2020. The average monthly rent in 2020 for multifamily units ranged from $2,224 in 95050 to $2,765 in 95054, bracketing $2,502 in 95051. This range of rents is partly reflective of the greater number of newer multifamily units constructed in 95054 and 95051 over the last decade.

Local Single-Family Market

According to the City of Santa Clara General Plan, an estimated 28,500 new jobs will be created and the population will grow by 32,135 people in the City between 2010 and 2035. The General Plan forecasts that 13,222 new housing units will be needed during that same period, based on an estimated household size of 2.5 people. The General Plan also states that household growth in the City has been much slower than the rest of Santa Clara County due to the lack of vacant residential land. Therefore, in order to meet future housing needs, construction of new housing will primarily occur through the redevelopment of existing sites.

Among the 48,975 households in Santa Clara, as reported by the DOF, the single-family (attached and detached) market represents about 23,923 or about 49% of the total households in Santa Clara.

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CoreLogic is a national real estate, mortgage, consumer, and specialized business data provider. They tracked the annual median home price for all homes (single-family, condo, and townhouse), including new construction, in the City's three ZIP code areas through 2020:

2018 Year End Summary Sales							
Zip	Sales	% Chg	Median Price	% Chg	High Price	$/SqFt	% Chg
95050	380	-0.5%	$1,184,500	24.4%	$2,609,000	$887	25.0%
95051	484	-16.6%	$1,358,000	17.0%	$2,800,000	$934	14.7%
95054	185	-25.4%	$1,250,000	23.3%	$2,400,000	$799	13.9%

2019 Year End Summary Sales							
Zip	Sales	% Chg	Median Price	% Chg	High Price	$/SqFt	% Chg
95050	332	-12.6%	$1,200,000	1.3%	$2,350,000	$837	-5.6%
95051	461	-4.8%	$1,300,000	-4.3%	$2,400,000	$860	-7.9%
95054	162	-12.4%	$1,140,000	-8.8%	$2,450,000	$748	-6.3%

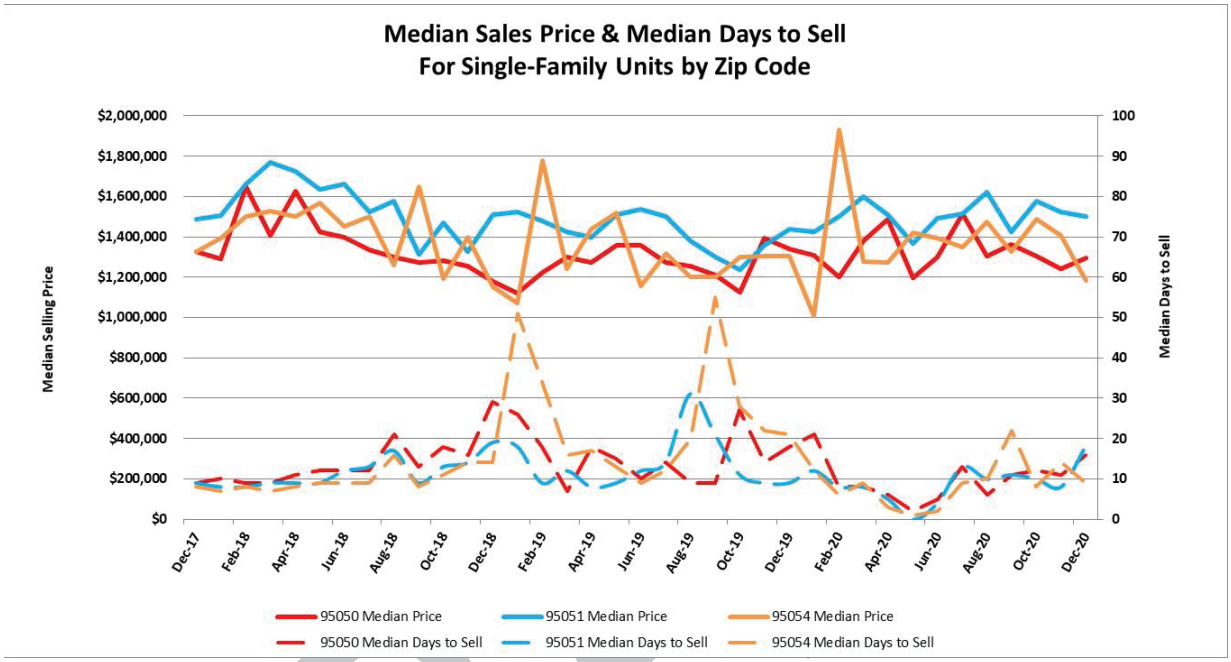
2020 Year End Summary Sales							
Zip	Sales	% Chg	Median Price	% Chg	High Price	$/SqFt	% Chg
95050	301	-9.3%	$1,200,000	0.0%	$2,780,000	$834	-0.4%
95051	614	33.2%	$1,400,000	7.7%	$2,200,000	$869	1.0%
95054	160	-1.2%	$1,175,000	3.1%	$2,090,000	$774	3.5%

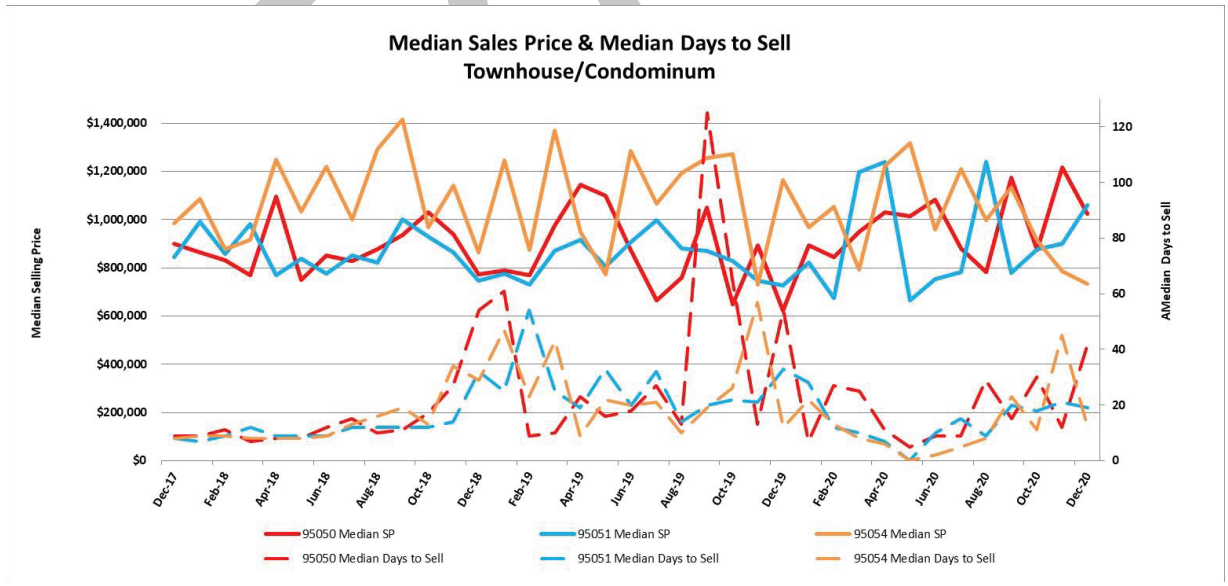
The data above indicates that zip code 95051 consistently has the highest median price among Santa Clara's zip codes. Zip code 95050 had the second highest median in two of the last three years. The $/SF indicator shows that 95051 has higher prices than 95050, which both have higher prices than 95054. The data indicates that median prices were increasing in 2018 before stabilizing in 2019 and 2020. Overall median prices were higher in 2020 than 2018 by about 1.3% in 95050 and 3.1% in 95051, but about 6.4% lower in 95054. Based on the data above, median prices were increasing between 1.4% per month and 2.0% per month in 2018. By the end of 2019 median prices were generally flat in 95050 and had declined slightly between 0.36% per month and 0.73% per month in 95051 and 95054. By the end of 2020, median prices remained flat in 95050, but had increased about 0.64% per month in 95051 and about 0.26% per month in 95054.

The $/SF indicators showed an overall decreasing trend from 2018 to 2019, but a more stable to increasing rate from 2019 to 2020. The total number of sales indicator showed a declining rate from 2018 to 2020 in 95050. In the 95051 zip code, the total number of sales declined slightly between 2018 and 2019 but then jumped 33.2% between 2019 and 2020. In the 95054 zip code, the total number of sales decreased between 2018 and 2019, but recorded only two fewer sales between 2019 and 2020. Total citywide sales were 1,049 in 2018, 955 in 2019, and 1,075 in 2020. Overall, more sales transacted in Santa Clara in 2020 compared to 2018 and 2019, suggesting an increase in demand during the pandemic.

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The following tables depict the median price trend by zip code over the 37 months ending December 2020 for single family homes and common interest developments (townhouse/condos) in the three zip codes of the City of Santa Clara using closed sale data obtained by MLSlistings.com:





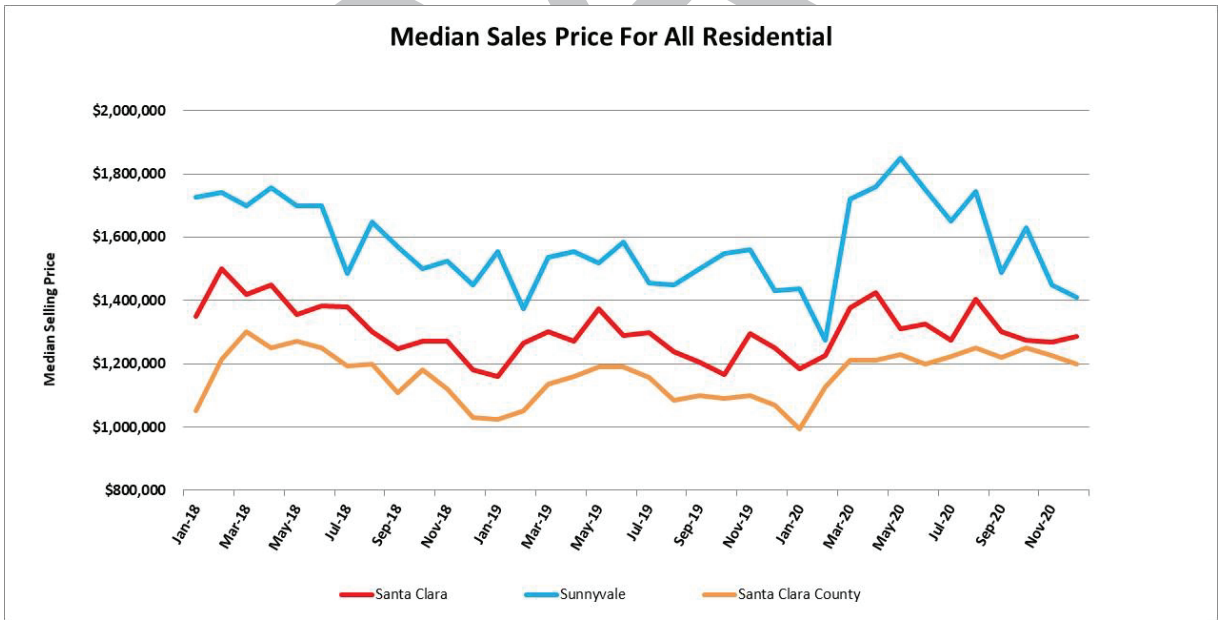
As shown above, market data derived from the local MLS shows that prices were trending downward in 2018, and oscillated up and down in 2019 and 2020.

We note that CoreLogic data includes resales and new construction, while MLS typically does not include all new construction. This is because builders often do not use MLS to market their homes. The following tables show the annual and 2-year change for all housing types over the last three Decembers, according to the MLS:

Housing Type	Zip Code	December-18	December-19	December-20	% Change per Month Last 12 Months	% Change per Month Last 2 Years
SFR. Condo & Townhouse	95050	$1,074,000	$1,210,000	$1,265,000	0.38%	0.74%
	95051	$1,275,000	$1,425,000	$1,415,000	-0.06%	0.46%
	95054	$1,025,000	$1,202,500	$1,128,000	-0.52%	0.42%
Source Local MLS						

The data in the above table supports the opinion that 95050 and 95054 generally rate inferior to 95051. The data also indicates that median selling prices are higher over the past two years, but fairly stable in 95051, lower in 95054, and higher in 95050 over the last 12 months. The median throughout the entire city, encompassing all zip codes, increased 2.8% over the 12 months ended December 2020 from $1,250,000 to $1,285,149.

The next table using MLS statistics shows the monthly median change in selling prices in Santa Clara, adjacent Sunnyvale, and the larger Santa Clara County market since the start of 2018:



As the table above indicates, median selling prices peaked in the spring of 2018, receded until early 2019, were more stable through the end of 2019, but then increased sharply in the early part of 2020 through the spring of 2020. Prices were generally stable over remainder of 2020 in Santa Clara and Santa Clara County but declined in Sunnyvale.

Conclusions

The overall economy was in a healthy place in the first few weeks of 2020 prior to the coronavirus being declared a pandemic. Beginning in mid-March some of the nation's first stay-out-home orders began and the economy quickly fell into a recession as the unemployment rate skyrocketed in the spring. The uncertainty in the market caused nearly all facets of real estate to be reevaluated. However, beginning in the third quarter, some restrictions began loosening and there was a better understanding of the virus. The unemployment rate began declining and detached single-family buyers showed greater interest in the market as they fled more urban areas such as San Francisco and smaller housing types and were looking for more space in less dense environments. The work-from-home dynamic kept pressure on delivery services and data center operators to keep up with demand, which in turn kept up demand for industrial properties storing product. Essential retailers generally fared okay during 2020, particularly grocery stores, home improvement stores, drive-thru fast food, and quick serve restaurants. However, fine dining, hospitality, entertainment, and shopping malls, to name a few, suffered greatly. As the vaccine is distributed in the community and businesses open, employment numbers are expected to improve and demand for most real estate is forecast to continue to return to pre-pandemic levels.

Commercial (retail and office) properties exhibited mixed indications due to the pandemic in 2020. Some retail is doing fine, but the hospitality/leisure/entertainment industries remain depressed. Office demand appears in limbo as many employees may or may not fully return to offices, particularly among tech companies. During 2020 office buildings experienced stable to increasing vacancy despite increasing asking rental rates. The rental rate increases were due in part to newer, better space becoming available as tenants migrated from nearby higher cost markets. The trend was generally the same for retail, whereby vacancy ticked up slightly over the second half of 2020, but average asking rents were also higher at the end of the year. There is limited new retail construction occurring; most is part of mixed-use developments. Office construction is occurring, but it is mostly located in downtown San Jose and the Bayside portions of the county where larger blocks of land can be found and generally comprises high-intensity, 4 or more story buildings. Based on discussions with market participants, general market conditions and the sales data we analyzed, we applied a market conditions rate of change to the commercial land sale comparables used following of negative 0.75% per month from the start of April 2020 through 4Q-2020. From the date of sale through 1Q-2020 prices were more stable for commercial and did not warrant adjustment.

Over the past couple of years, industrial (and warehouse) market statistics indicated that rental rates have been trending upwards, while vacancy rates generally stabilized near 5%. Market participants opined that selling prices are also increasing, especially for large sites suitable for

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data centers, although we point out to the reader that the subject's 1 acre site is too small for a data center. The increase in industrial value is supported by an improved paired sale at 3600 Peterson Way in Santa Clara that sold in October 2016 for $30 million and again in June 2019 for $37 million, which indicates a straight-line increase of about 0.72% per month for this 75,800 square foot building on an approximate 5.42-acre site. Industrial Land Comparable 2 used following was also a paired sale: it sold for $3,000,000 in August 2018 and again for $3,801,000 in October 2020, indicating a straight-line increase of about 1.0% per month. Based on increasing rents and prices, we concluded that competing industrial land prices were increasing at the rate of about 0.75% per month from the date of sale of the comparables through December 2020, the date of value.

Santa Clara (and the Bay Area in general) is an undersupplied housing market. Demand for housing is expected to continue in the long-term, with increased demand for higher density housing options, a result of the scarcity of developable land and the more affordable nature for prospective buyers/renters.

Market data and market participants report that residential prices declined in the latter part of 2018 and were stable overall during 2019. In 2020, the residential market showed different trends depending on property type. The market generally saw greater demand for detached residential over the course of 2020 as buyers looked to have more indoor/outdoor space since they began spending a greater proportion of time at home. Meanwhile, condominiums and apartments experienced a slower market during 2020. Based on the market reports cited above, sales data analyzed, and market participant interviews, for the very low-density residential land sales used in the following analysis we applied no rate of change during 2019 and an increasing rate of change of 0.25% per month from the start of 2020 through the fourth quarter 2020. For the high-density land sales, median sale prices oscillated somewhat and multifamily rents stagnated or declined during 2020. So, no market change is applied during 2019 and 2020 for this property type.

LAND USE ORDINANCES

Since we are analyzing hypothetical lots, we supposed that each use would be based on its appropriate General Plan designation. The appropriate zoning category for each hypothetical use was not a critical factor as the General Plan is the long-term planning tool used by the City. Furthermore, comparable land sale transactions typically sell based on their intended use, which is supported by the General Plan in almost all cases. The City's Phase II Land Use map is in effect and is intended to guide land uses for the years 2015-2025. Compared to Phase I, it expands the areas within the city where mixed-uses and higher-density residential is allowed. We supposed the following General Plan designations for each hypothetical use:

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Use of Hypothetical Lot	General Plan
Very Low Density Residential	Very Low Density Residential
Low Density Residential	Low Density Residential
High Density Residential	High Density Residential
Medium Density Residential	Medium Density Residential
Commercial	Regional Commercial
Industrial	Light Industrial

HIGHEST AND BEST USE

We studied the legally permissible, physically possible, financially feasible, and maximally productive uses of each hypothetical lot. We considered prevailing market conditions and recent development trends. As indicated in the market conditions section, except for retail/hospitality/office, each product type is generally experiencing increasing or stable prices and stabilizing vacancy rates. These are indications that the highest and best use is to construct the legally permissible product for each respective property type. However, for the commercial use, since many retail and office projects are on hold, construction would not likely be undertaken until the market improves, unless preleased or a build-to-suit is procured. Therefore, the highest and best use for the hypothetical commercial use would be to hold for future development of a commercial building until the market improves, unless preleased or a build-to-suit. We concluded to the following components of property uses for the highest and best use of the hypothetical lot based on the overall market and the instruction of the Client:

Use of Hypothetical Lot	Highest & Best Use
Very Low Density Residential	Very Low Density Residential
Low Density Residential	Low Density Residential
Medium Density Residential	Medium Density Residential
High Density Residential	High Density Residential
Commercial	Hold for Development of a Commercial Building
Industrial	Light Industrial Building

We applied a hypothetical condition that each of these uses was allowed on the hypothetical subject lot.

For this analysis and based on the market and the City's General Plan, we concluded the most reasonable density to support the residential uses was about the midpoint or nearer the high end of the allowed density ranges (based on ever-increasing density proposals/approvals):

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- 13 dwelling units per gross acre (DU/AC) for Low-Density Residential;
- 26-30 DU/AC for Medium-Density Residential; and
- 45 DU/AC for High-Density Residential.

For Very Low-Density Residential, which allows up to 10 DU/AC, we concluded that the most likely subdivision for a hypothetical one acre of land would support a subdivision at the high of this range, or 10 DU/AC. This is because the scarcity of land requires ever increasing densities to make projects financially feasible.

The likely commercial use would be an office building, but only if preleased or a build-to-suit. The likely industrial use would be a flex or light industrial building or some type of interim contractor storage yard with minimal building improvements.

APPRAISAL PROCESS

The appraisal profession has generally relied upon three traditional approaches in estimating the market value of real property. These are the *Income Capitalization Approach*, the *Sales Comparison Approach*, and the *Cost Approach*. While all three approaches are always considered in a valuation assignment, all three are not always applied. The quantity and quality of available data and the applicability of each approach relative to the value being sought are important factors in reconciling to an opinion of value.

Market value was estimated using the sales comparison approach. The income capitalization approach is seldom used when valuing land. The cost approach did not offer substantial insight into this estimate of market value since there are no building improvements. Sellers, buyers, and our peers in this market rarely rely on the cost and income capitalization approaches when offering, purchasing, or valuing properties similar to the hypothetical subject lots. Therefore, we did not undertake a cost or income capitalization approach.

Following we estimated the value of a hypothetical one-acre lot under each use scenario described above, as if located within the 95050 zip code, since the most data was discovered in this zip code. Next, we applied the weighted average of the highest and best land use component, based on the percentage of total land area associated with the different property types (as described above) that sold in the City of Santa Clara in the 12 months prior to the date of value (as reported by Old Republic Title Company). Lastly, we applied any necessary locational differences from the 95050 zip code conclusion to arrive at the appropriate average lot value in the 95051 and 95054 zip codes.

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AVERAGE VALUE ESTIMATE IN 95050 ZIP CODE

Very Low-Density Land Value

The writers examined data that was discovered by: talking to brokers, agents, property owners, and market participants from within the subject market; reviewing DataTree.com, MLSlistings.com, and CoStar.com databases for recent sales; and searching Loopnet.com and broker databases for current listings. We also reviewed development reports provided by the planning departments of Santa Clara and other nearby cities.

As stated above, for the very low-density value component, we assumed a density of 10 dwelling units per acre, at the high end of the allowed range under the Very Low-Density General Plan designation, which allows up to 10 dwelling units per acre. We searched for competing sales and listings of properties throughout Santa Clara and adjacent cities which were intended for development with residential densities less than 25 dwelling units per acre and that closed escrow over the last three years. We first analyze the subject hypothetical one-acre site located in zip code 95050 since more appropriate sales from this zip code were discovered. The sales we found most comparable are displayed on the following adjustment grid. The adjustment grid serves two purposes. First, it presents data, analysis, and conclusions about the subject and comparables in a way that facilitates comparison. Second, it presents the data in a format whereby the reader can follow the writers' adjustment process.

A parcel map for each comparable sale is displayed in the Addenda. Selling prices were verified using our summary transcript of the public record and conversations with selling and listing brokers/agents, sellers, and buyers. We were unable to confirm the details of Comparable 6 with a party to the transaction. We relied on published data, city records, subscription service data, and information available from a summary transcript of the public record for transaction details regarding this comparable. A map showing the location of these comparables is displayed in the Addenda.

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VERY LOW DENSITY COMPARABLE LAND SALES

ELEMENT OF ADJUSTMENT	SUBJECT	COMPARABLE 1	COMPARABLE 2	COMPARABLE 3	COMPARABLE 4	COMPARABLE 5	COMPARABLE 6
ADDRESS	95050 Santa Clara	4254 Cheeney St Santa Clara	159 Brookside Avenue Santa Clara	3159 Butte Street Santa Clara	972 Elm Street San Jose	124 Brookside Avenue Santa Clara	1433-1493 El Camino Real Santa Clara
APN		104-12-031	303-22-028	290-04-044	230-41-025	303-22-023	224-48- (004, 005, 006)
SELLER		Lawrence L Fargher Trust	Domingo 1992 Revocable Trust	Wallis 1983 Family Trust	Okano Trust	Hui C Chiang	Santa Clara De Asis LLC
BUYER		B S & L S Schulman Trust	Ranjan Trust, et al	Cheng C & Tsai L Chen	CN One Investment LLC	Van Le Loc & Le Song D Trust	Landsea Homes of Calif. Inc
DOCUMENT NUMBER		24770884	24597855	24420940	24408526	24349494	24291267
SALE / *LISTING* PRICE		**$925,000**	**$1,325,000**	**$1,600,000**	**$2,360,000**	**$1,200,000**	**$22,425,000**
SALE / OFFERING PRICE PER SF		**$123.33**	**$96.72**	**$110.92**	**$122.61**	**$87.59**	**$302.47**
TRANSACTIONAL ADJUSTMENTS		$308,333	$662,500	$800,000	$262,222	$600,000	
REAL PROPERTY RIGHTS CONVEYED	Fee Simple	Fee Simple (M-t-M leases)	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
ADJUSTMENT		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
FINANCING TERMS		All Cash	Conventional	All Cash	All Cash	All Cash	All Cash
ADJUSTMENT		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
CONDITIONS OF SALE		Motivated Seller	Arm's-Length	Arm's-Length/Improvement Value	Arm's-Length	Arm's-Length	Arm's-Length/Building on Adj.
ADJUSTMENT		10.00%	0.00%	-9.38%	0.00%	0.00%	-10.00%
EXPENDITURES AFTER SALE		Demolition Offset	Demolition Offset	None	Demolition Offset	Demolition	None Known
ADJUSTMENT		0.00%	0.00%	0.00%	0.00%	0.83%	0.00%
CLOSE OF ESCROW		December 31, 2020	September 2, 2020	March 4, 2020	February 20, 2020	December 5, 2019	September 27, 2019
TIME OF SALE / MARKET CONDITION	December 31, 2020	November 2020	August 2020	February 2020	December 2019	October 2019	Est. July 2019
MONTHS FROM START 1Q-2020 THROUGH 4Q-2020		1	4	10	12	12	12
ADJUSTMENT @ % PER MONTH	0.25%	0.25%	1.00%	2.50%	3.00%	3.00%	3.00%
ADJ PRICE PER SF AFTER TRANSACTIONAL ADJS		**$136.01**	**$97.68**	**$103.03**	**$126.29**	**$90.97**	**$280.39**
LOCATIONAL ADJUSTMENTS							
EXPOSURE / VISIBILITY	Average	Similar	Similar	Similar	Similar	Similar	Similar
ACCESS	Average	Similar	Similar	Similar	Similar	Similar	Similar
APPEAL/SITE INFLUENCES	Average	Inferior	Inferior/San Tomas Expy	Superior	Inferior	Similar	Similar
ZIP CODE	95050	95054	95050	95051	95126	95050	95050
OVERALL LOCATIONAL RATING		Inferior	Inferior	Superior	Inferior	Similar	Similar
PHYSICAL ADJUSTMENTS							
SITE SIZE (ACRES)	1.00	0.17	0.31	0.33	0.44	0.31	1.70
SITE SIZE (SF)	43,560	7,500	13,700	14,425	19,248	13,700	74,139
UTILITY/TOPOGRAPHY	Rectangular / 1 Street Front	Rectangular / 1 Street Front	Rectangular / 1 Street Front	Sl Irregular / 1 Street Front	Rectangular / 1 Street Front	Rectangular / 1 Street Front	Mostly Rectangular/2 Frontages
USE/ZONING ADJUSTMENTS							
ZONING		R3-18D	R1-8L	R1-6L	A(PD)	R1-8L	PD
GENERAL PLAN	Very Low Density Res	Very Low Density Res	Very Low Density Res	Very Low Density Res	Mixed Use Neighborhood	Very Low Density Res	Community Mixed Use
NUMBER OF UNITS	10	3	1	1	9	1	39
ESTIMATED / PROPOSED DU/ACRE	*10.0*	17.4	3.2	3.0	20.4	3.2	22.9
INTENDED USE	Residential	Triplex	SFD + ADU	Residential + ADU	SFR Court Homes	SFD	Townhomes
AFFORDABLE HOUSING COMPONENT	Yes / 1 Unit (10%)	No	No	No	15% or in-lieu	No	Yes / 4 Units (10%)
PARK FEE COMPONENT PER UNIT	$40,588	Superior/None	Superior/None	Superior/None	$32,000	Superior/None	$24,567
ENTITLEMENT STATUS	Has Zoning & GP	Had Zoning and GP	Had Zoning and GP	Had Zoning and GP	Had Zoning and GP	Had Zoning and GP	Entitled 6/2019
OVERALL PHYSICAL & USE/ZONING RATING		Superior	Inferior	Inferior	Superior	Inferior	Far Superior
SUBJECT PRICE PER SQUARE FOOT IS:		**LESS**	**MORE**	**A LITTLE MORE**	**LESS**	**MORE**	**MUCH LESS**

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Adjustment Process

Transactional adjustments were made sequentially for property rights conveyed, financing terms, conditions of sale/motivation of participants, expenditures incurred by the buyer after the sale, i.e. demolition costs, and market conditions since the sale date.

Comparable 1 is the recent closing of a parcel in an off-market transaction. Based on a conversation with the buyer, the seller was in poor health and was motivated to sell. The existing rents for this triplex were well below market and the agreed upon selling price was close to land value. The buyer is a builder who may renovate or demolish; he has not yet decided. If demolished, he estimated that another triplex would be built, but possibly a fourplex. After making all other adjustments first, an upward adjustment is concluded for motivation on the part of the seller, as shown above. Since this comparable is expected to support three units again, the developer of this comparable will not pay park impact fees since there will be no net new units.

Comparables 2 and 5 are the sales of single-family lots improved with older homes. The buyer of Comparable 2 intends to demolish the home and construct a new two-story dwelling and add a 748 square foot detached additional dwelling unit (ADU). This comparable will not pay park impact fees since ADU's are exempt under the Santa Clara City Code (17.35.090). The buyer of Comparable 5 demolished the old improvements and has begun construction on a new single-story dwelling; there will be no park fee for this comparable because there are no net new dwellings, i.e., the new dwelling replaces the demolished structure.

Comparable 3 was the sale of an improved lot that could support two lots or a SFD and an ADU. The listing broker opined that the existing improvements needed a lot of work, but that the buyer intended to move into the home, which dated from the 1940s. Based on the expected utilization of the improvements, we concluded that a downward adjustment was warranted for their contributory value. The amount of adjustment was estimated based on our observations, input from the listing broker, and a good fit for the data. A downward adjustment of $150,000 for this element of comparison was applied to the comparable on the Conditions of Sale line.

Comparable 6 sold to a builder who was building on the adjacent property and who had previously acquired the adjacent site from the same seller in 2018. As this entitled comparable represents the second phase with similar product, motivation on the part of the buyer was concluded to be present. The buyer will be able to realize greater efficiencies by constructing a second phase adjacent to the original phase, thereby reducing overall costs. After making all other adjustments first, a downward adjustment is concluded for motivation on the part of the buyer, as shown above. This comparable was selected to help bracket size.

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Comparables 1 and 4 continued to be rented following close of escrow; we concluded that the cost of demolition was offset by the rents that could continue to be received. The seller of Comparable 2 was given some time to lease back following close of escrow; again, we concluded that the cost of demolition would be offset by rental income. Comparable 5 requires a demolition adjustment, which was estimated at $10,000 for this 1,500 square foot dwelling. This is shown as an upward adjustment.

As discussed in the preceding material, market conditions adjustments are applied from the start of the first quarter 2020 through the end of the fourth quarter 2020.

Locational adjustments were broken into elements that reflect the property's identity to potential tenants or buyers (exposure, visibility), access (to freeways and amenities), and overall desirability of the location based on neighborhood factors such as age and condition of nearby properties, proximity to enhancing or detrimental factors, or an identifiable valuation element relating to address (locational appeal, zip code). Locational adjustments were warranted for the elements of comparison as summarized on the grid. As will be discussed in the following material, residential land values in the 95050 zip code rated superior to the 95054 zip code but inferior to the 95051 zip code; thus, the 95054-located comparable is adjusted upward and the 95051-located comparable is adjusted downward. Although Comparable 2 backs to a public park, beyond the park is San Tomas Expy, which is within about 200 feet of this comparable and is not separated by a sound wall, rating inferior to the subject; an overall upward adjustment is concluded for this element of comparison.

Physical and Use/Zoning adjustments were broken into elements that reflect property size, utility/topography, allowed land uses and density, intended use/development density, affordable housing component, park fees, and entitlement status.

Comparable 3 is located at the elbow of two streets and thus has an irregular pie-slice shape; an upward adjustment is concluded for inferior utility. Comparable 6 warranted downward adjustments for having two street frontages, which rates superior utility. Comparables 1, 4, and 6 supported higher densities, rating superior, and warranting downward adjustment. ADUs are an accessory use for the purposes of calculating allowable density under the general plan and zoning. For this analysis, upward adjustment was warranted for the lower densities of Comparables 2, 3, and 5. Comparable 6 had entitlement approvals in place, warranting a downward adjustment for this element of comparison. Each comparable warrants downward adjustment for having either no park fees or for having lower park fees than the hypothetical subject lot.

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Conclusion

Following adjustment for the elements summarized on the grid, we concluded to the overall ratings displayed at the bottom of the sales grid. Bracketed by the comparable ratings, giving most weight to the 2020 sale comparables located in Santa Clara, we concluded to the following unit value of unentitled very low-density residential land in the 95050 zip code:

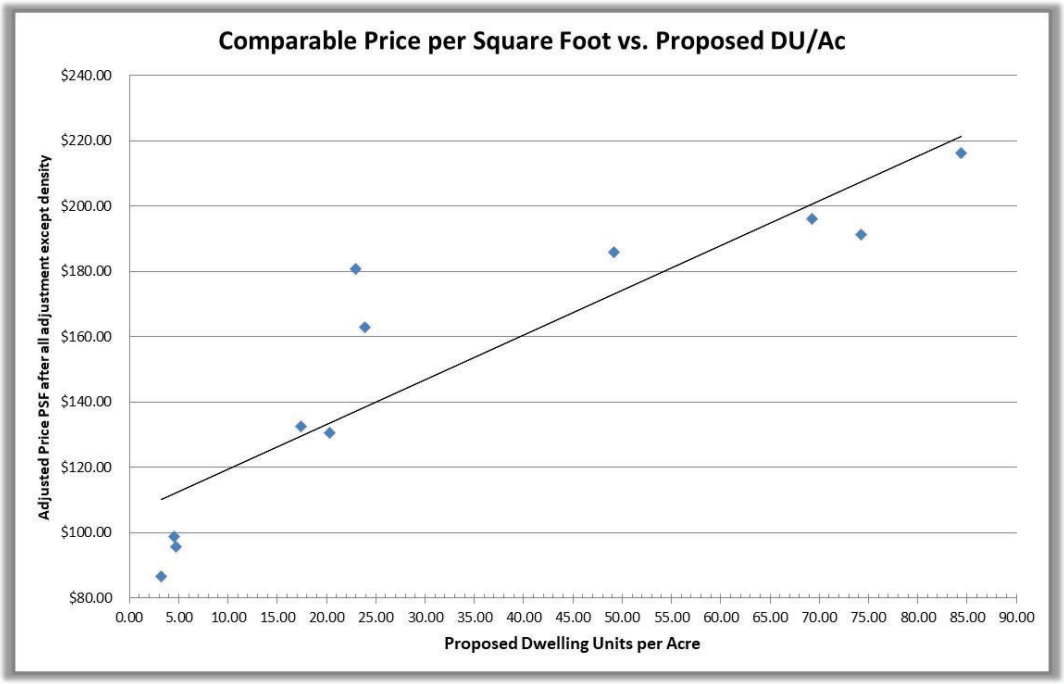
Unit $/SF	x	Land Area (SF)	=	Indicated Value
$110	x	43,560	=	$4,791,600

Estimated Market Value of a 1-Acre
Very Low-Density Residential Lot in 95050 Zip Code: $4,791,600

Low Density Land Value

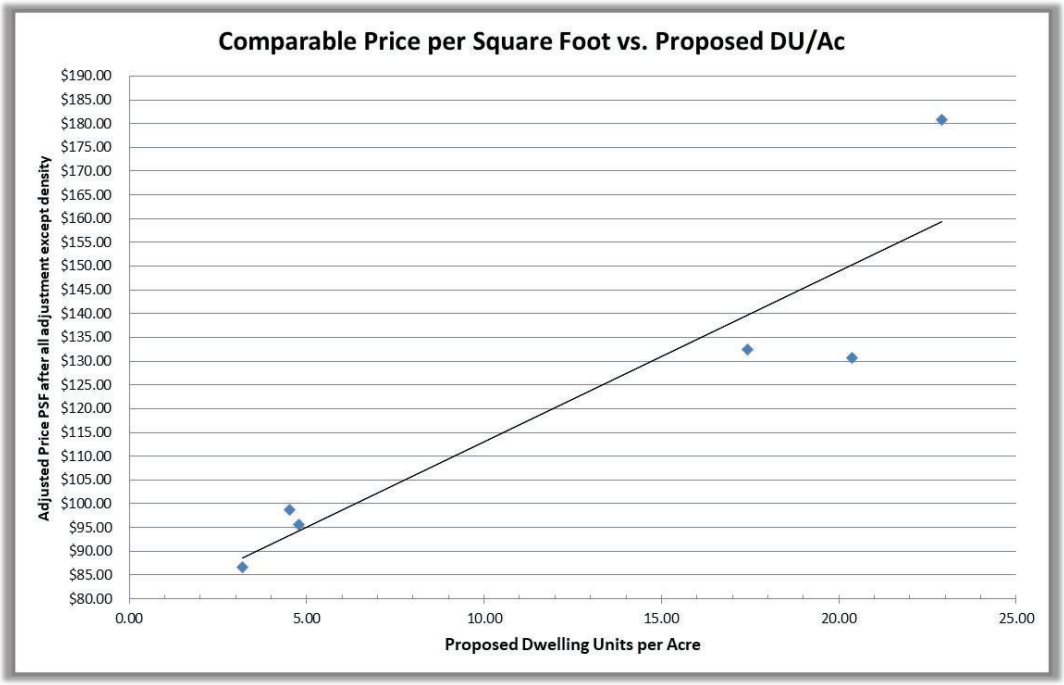
For the low-density value component, the City's land use classification cites a low-density range of 8-19 dwelling units/acre (DU/Acre), which is greater than the maximum 10 DU/Acre allowed in the very low-density classification. We assumed a density of 13 DU/Acre, about the mid-point of the density range. In the market, the primary value difference between very low and low-density land relates to density. The density adjustment was estimated based on the relationship between price per SF and density, as evidenced by the comparables. In the chart below, we plotted the preceding very-low density comparables and the high-density comparables used in the following high-density value scenario.

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As shown in the chart above, the price per square foot of land increases with increasing density. This is congruent with our observations in the market that as density increases, price per SF of land typically increases. The difference in pricing for changing densities is clear when comparing the lowest to the higher densities. And the price/SF difference is less when comparing the median to higher densities. We concluded there is a difference in value/SF between the preceding very low density and low-density residential which has a higher density. The trendline in the chart above indicates that the appropriate unit value based on a density of 13 dwelling units per acre would be about $125 per square foot. By graphing only the very low density sales, the following occurs:

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The chart above showing just the low density comparables indicates that the appropriate unit value based on a density of 13 dwelling units per acre would be in the range of about $120 to $125 per square foot.

Based on the comparable data, with a density of 13 dwelling units per acre for the low-density residential land use, we concluded to **$125/SF**.

Conclusion

We concluded to the following Low-Density residential value in the 95050 zip code for 1-acre of land:

Unit $/SF	x	Land Area (SF)	=	Indicated Value
$125	**x**	43,560	=	$5,445,000

Estimated Market Value of a 1-Acre
Low-Density Residential Lot in 95050 Zip Code: $5,445,000

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High Density Land Value

Similar to the preceding very low-density land search, we searched data sources for high and medium-high density residential land transactions and examined data that was discovered by talking to brokers, agents, property owners, and market participants from within the subject market. We also reviewed development reports provided by the planning departments of Santa Clara and other nearby cities.

As stated above, for the high-density value component, we assumed a density of 45 dwelling units per acre, a little higher than the midpoint of the allowed range under the High Density General Plan designation, which allows 37 - 50 dwelling units per acre. The sales we found most comparable are displayed on the next grid. A map showing the location of these comparables is displayed in the Addenda. A parcel map for each comparable sale is also displayed in the Addenda. Selling prices were verified using our summary transcript of the public record and conversations with selling and listing brokers/agents, sellers, and buyers. We were unable to confirm the details of Comparables 1 and 4 with a party to the transaction. We relied on published data, city records, subscription service data, news articles, and information available from a summary transcript of the public record for transaction details regarding these comparables.

Several parcels near the intersection of Calle De Luna and Lafayette St were purchased by various buyers in 2018, 2019, and 2020. These sites are generally proposed for residential development of more than 100 dwelling units per acre on sites ranging from about ½ to 2 acres. These sales transacted in the range of about $150 to $260 per square foot of land area. Due to the very high-density nature of these sales, they were not considered appropriate for use in this analysis.

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HIGH DENSITY COMPARABLE LAND SALES

ELEMENT OF ADJUSTMENT	SUBJECT	COMPARABLE 1	COMPARABLE 2	COMPARABLE 3	COMPARABLE 4	COMPARABLE 5
ADDRESS	95050 Santa Clara	425 Winchester Blvd San Jose	925 S Wolfe Rd Sunnyvale	950 Monroe St Santa Clara	1601 Civic Center Drive Santa Clara	3337 Kifer Road Santa Clara
APN		303-39-044	211-14-034	269-20-086	224-49-006	216-33-035
SELLER		Rhee Joint Management Team	Summerhill 925 S Wolfe Road LLC	Von Raesfeld Family Partnership	K & K Outdoor Advertising LLC	Kdvu LLC
BUYER		Olin Avenue, LLC	Arroyo Cap II-3 LLC	Lamb Partners LLC	CIVIC Center LP	Allied Housing Inc
DOCUMENT NUMBER		24760924	24725875	24395084	24380714	24359208
SALE / *LISTING* PRICE		**$7,600,000**	**$68,500,000**	**$4,700,000**	**$12,100,000**	**$4,700,000**
SALE / OFFERING PRICE PER SF		**$317.99**	**$294.09**	**$207.73**	**$197.03**	**$205.52**
TRANSACTIONAL ADJUSTMENTS						
REAL PROPERTY RIGHTS CONVEYED	Fee Simple	Fee Simple (Short Term Lease)	Fee Simple (Short Term Lease)	Fee Simple (Short Term Leases)	Fee Simple	Fee Simple
ADJUSTMENT		0.00%	0.00%	0.00%	0.00%	0.00%
FINANCING TERMS		Conventional	Conventional	Conventional	Conventional	All Cash
ADJUSTMENT		0.00%	0.00%	0.00%	0.00%	0.00%
CONDITIONS OF SALE		Arm's-Length	Arm's-Length	Assemblage	Arm's-Length	Arm's-Length/Entitled Adjacent
ADJUSTMENT		0.00%	0.00%	-5.00%	0.00%	0.00%
EXPENDITURES AFTER SALE		Demolition Offset	None	Demolition Offset	Demolition of 30k SF Office Bldng	Demolition Offset
ADJUSTMENT		0.00%	0.00%	0.00%	1.65%	0.00%
CLOSE OF ESCROW		December 23, 2020	November 25, 2020	February 3, 2020	January 15, 2020	December 17, 2019
TIME OF SALE / MARKET CONDITION	December 31, 2020	Dec. 2019	Est. Sept 2020	December 2018	Est. Sept 2019	Est. July 2019
MONTHS FROM START 1Q-2020 THROUGH 4Q-2020		12	3	12	12	12
ADJUSTMENT @ % PER MONTH	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
ADJ PRICE AFTER TRANSACTIONAL ADJS		**$317.99**	**$294.09**	**$197.35**	**$200.29**	**$205.52**
LOCATIONAL ADJUSTMENTS						
EXPOSURE / VISIBILITY	Average	Similar/Corner	Similar	Similar/Corner	Similar	Similar
ACCESS	Average	Superior/Freeway	Similar	Similar	Similar	Similar
APPEAL/SITE INFLUENCES	Average	Superior/Synergies	Superior	Similar	Similar	Superior
ZIP CODE	95050	95128	94086	95050	95050	95051
OVERALL LOCATIONAL RATING		Superior	Superior	Similar	Similar	Superior
PHYSICAL ADJUSTMENTS						
SITE SIZE (ACRES)	1.00	0.55	5.35	0.52	1.41	0.53
SITE SIZE (SF)	43,560	23,900	232,925	22,625	61,411	22,869
UTILITY/TOPOGRAPHY	Rectangular / 1 Street Front	Mostly Rectangular	Mostly Rectangular	Mostly Rectangular/2 Frontages	Mostly Rectangular/Deed Rest	Rectangular / 1 Street Front
USE/ZONING ADJUSTMENTS						
ZONING		CG (General Commercial)	R-3	CC (Community Commercial)	OG	ML
GENERAL PLAN	High Density Residential	Mixed Use Commercial	Residential Medium Density	Community Mixed Use	Community Commercial	Very High Density Residential
ALLOWED DENSITY (dwelling units per acre)	37-50	N/A	24	N/A	N/A	51-100
NUMBER OF UNITS	45	27	128	36 (Pro Rata)	119	39
ESTIMATED / PROPOSED DU/ACRE	45.0	49.2	23.9	69.3	84.4	74.3
INTENDED USE	Residential	Mixed-Use Retail/Office/Res	TH's & Stacked Flats	Mixed-Use Condos and Retail	Affordable Housing	Residential
AFFORDABLE HOUSING COMPONENT	10% or in-lieu	In-lieu Fee	20 BMR Units	10% or in-lieu	Yes / 100%	10% or in-lieu
PARK FEE COMPONENT PER UNIT	$32,688	$16,000	None	$32,688	$31,058	$31,058
ENTITLEMENT STATUS	Has Zoning & GP	Entitled	Entitled	Had General Plan	Needs Zoning and General Plan	Has GP & Specific Plan
OVERALL PHYSICAL & USE/ZONING RATING		Superior	Superior	Slightly Superior	Similar	Superior
SUBJECT PRICE PER SQUARE FOOT IS:		**MUCH LESS**	**MUCH LESS**	**LESS**	**SIMILAR**	**LESS**

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Adjustment Process

Transactional adjustments were made sequentially for property rights conveyed, financing terms, conditions of sale/motivation of participants, expenditures incurred by the buyer after the sale, i.e. demolition costs, and market conditions since the sale date.

Comparable 3 was purchased as part of an assemblage—the buyer had recently purchased two adjacent properties. Based on the data, a downward adjustment is warranted for motivation on the part of the buyer.

Comparables 1, 3, and 5 required the demolition of existing improvements before their new, intended use could be realized. We concluded this expense was offset by the interim income from the improvements. So, no additional adjustment was warranted for this element of comparison.

Comparable 4 is a closed transaction of an infill site improved with a vacant 30,000 square foot office building. This building will require demolition prior to redevelopment, estimated at $200,000, based on our observation and cost data. This element of comparison is shown as an upward adjustment on the Expenditures After Sale line.

Locational adjustments were broken into elements that reflect the property's identity to potential tenants or buyers (exposure, visibility), access (to freeways and amenities), and overall desirability of the location based on neighborhood factors such as age and condition of nearby properties, proximity to enhancing or detrimental factors, or an identifiable valuation element relating to address (locational appeal, zip code). Locational adjustments were warranted for the elements of comparison summarized on the grid.

Comparable 1 is across the street from Santana Row and in the vicinity of new office construction and two freeways, rating superior synergies and freeway access, warranting downward adjustments for these elements of comparison. Comparables 2 and 5 are located in areas commanding higher median selling prices and rents, supported by data in the market conditions chapter, each warranting downward adjustment.

Physical and Use/Zoning adjustments were broken into elements that reflect property size, utility/topography, allowed land uses and density, intended use/development density, affordable housing component, park fees, and entitlement status. Physical and use/zoning adjustments were warranted as summarized on the grid.

Larger properties tend to command lower unit values and vice versa. Within the range of the comparables, we concluded that larger Comparable 2 warranted an upward adjustment for larger

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size. Comparable 3 had two street frontages, allowing for greater design flexibility, rating superior utility, and warranting downward adjustment. The comparables proposed building densities/acre bracket the subject; the highest densities warrant downward adjustment and the lower densities warrant an upward adjustment. Comparables 3 and 4 will require a zoning change or general plan amendment to allow for residential and an upward adjustment is warranted for this element of comparison. The comparables with approved entitlements rated superior to the subject's unentitled status and are adjusted downward. Park impact fees varied somewhat based upon the use and timing of the fee. Within the range of the comparables a downward adjustment is applied to Comparables 1, 2, and 5 based on their lower park fees per unit or for having none.

Conclusion

Following adjustment for the elements summarized on the grid, we concluded to the overall ratings displayed at the bottom of the grid. Although Comparable 1 required significant adjustment, it was selected because it was a recently closed sale at a similar density as the hypothetical subject lot. The comparables were analyzed based on a price per square foot and a price per unit units of comparison. The range of adjusted values is more consistent on a price/SF basis rather than a price/density unit basis; therefore, the price/SF is utilized as the primary comparison of value. Bracketed by the comparable ratings, the following value of unentitled high-density 45 DU/Acre residential land in the 95050 zip code is concluded:

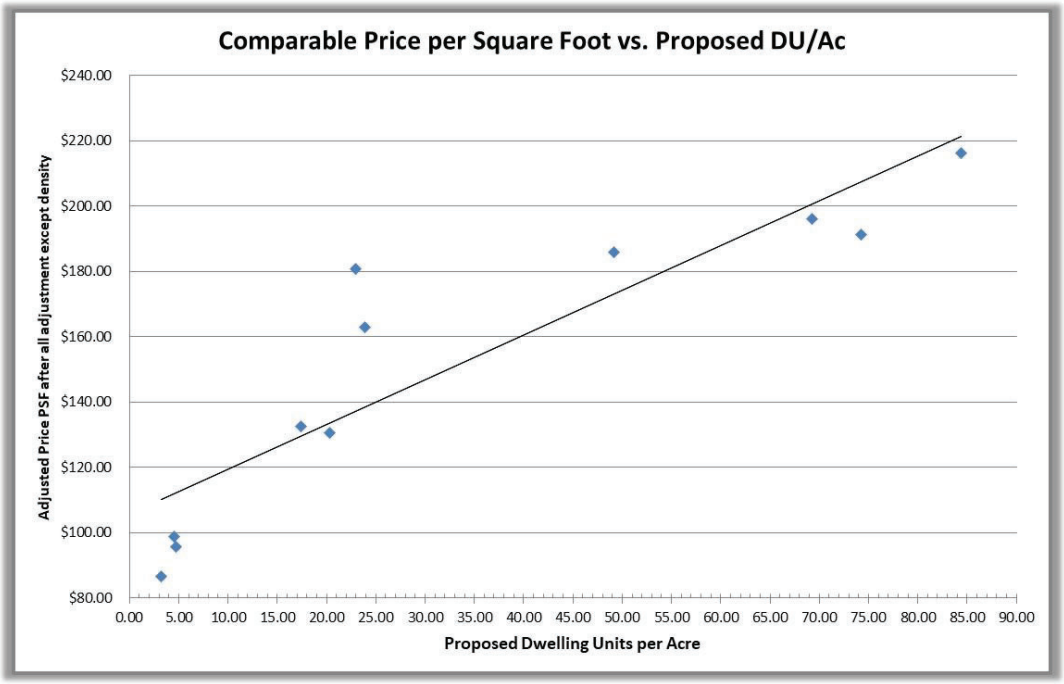
Unit $/SF	x	Land Area (SF)	=	Indicated Value
$185	**x**	43,560	=	$8,058,600

Estimated Market Value of a 1-Acre
High-Density Residential Lot in 95050 Zip Code: $8,058,600

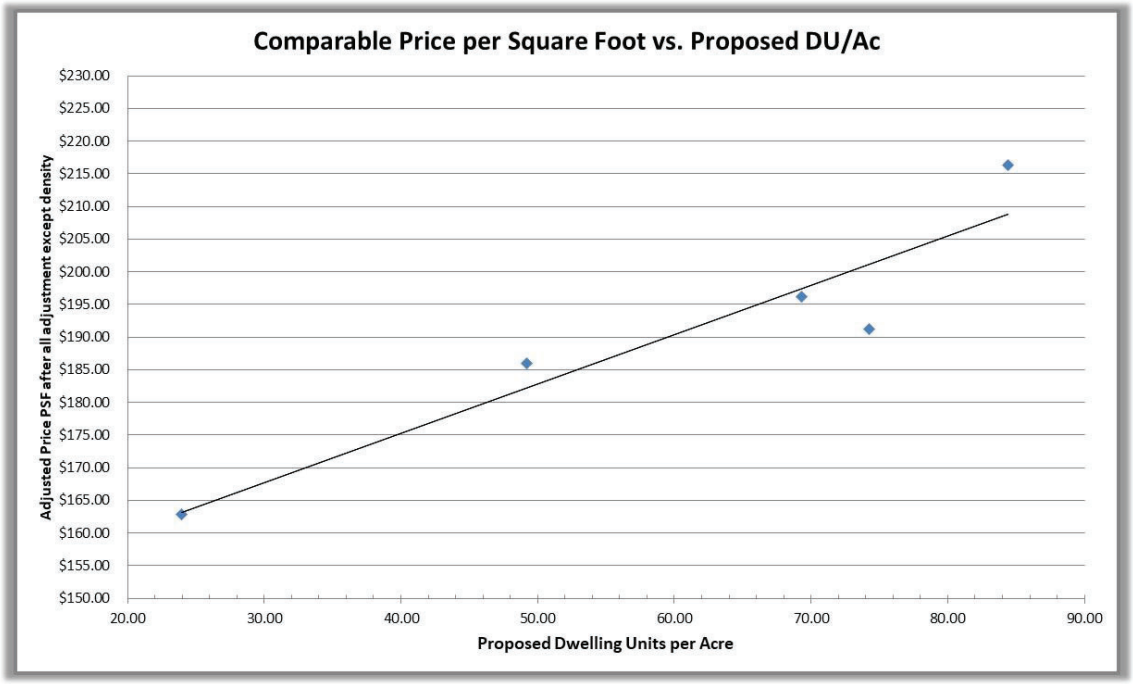
Medium Density Land Value

For the medium-density value component, a density of 30 dwelling units per acre is assumed, slightly above the midpoint of the allowed range under the Medium Density General Plan designation, which allows 19-36 dwelling units per acre, because buyers typically build to the higher end of allowed density. In the market, the primary difference between the medium-density land value and high-density land value relates to density. The density adjustment was estimated based on the relationship between price per SF and density, as evidenced by the comparables. In the chart below, we plotted the preceding high-density comparables and the very-low density comparables used in the preceding low-density value scenario. We graphed the change in land value per square foot versus the change in density.

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As stated in the preceding material, the data shows the price per square foot of land increases with increasing density, which is congruent with our observations in the market. The difference in pricing for changing densities is clear when comparing the lowest to the higher densities. The chart above indicates that at a density of about 30 dwelling units per acre, the indicated price per square foot is about $145 to $150. The next chart removes the low density comparables and includes only the higher density comparables:



The chart above indicates that at a density of about 30 DU/acre, the indicated price per square foot is about $165 to $170 per square foot. We also graphed the five most similar density comparable sales, which indicated a price per square foot range of about $160 to $165. Based on the preceding comparable data, giving greater weight to the more comparable similar density range and the higher density sales chart above, with a density of 30 DU/acre for the medium-density land use, a unit value of **$165/SF** is concluded.

Conclusion

We concluded to the following medium-density value in the 95050-zip code for 1-acre of land:

Unit $/SF	X	Land Area (SF)	=	Indicated Value
$165	x	43,560	=	$7,187,400

Estimated Market Value of a 1-Acre
Medium-Density Residential Lot in 95050 Zip Code: $7,187,400

Commercial Land Value

Like the search for residential land sales data, we searched similar data sources and examined data that was discovered by talking to brokers, agents, property owners, and market participants from within the subject market. We searched for recent sales of competing retail and office properties throughout Santa Clara and nearby cities. Those we found most comparable are displayed on the grid on a following page. A map showing the location of these comparables is displayed in the Addenda.

In addition to the comparables depicted on the next grid, we are aware of two commercial transactions and one listing in Santa Clara but did not select them as comparables:

- There was an office building at 1850 Warburton Avenue in Santa Clara that closed escrow in February 2020. This was an improved two-story building of about 10,104 square feet on a 0.6-acre site. The purchase price of $3.2 million equates to a unit value of about $122 per square foot of land area [$3,200,000 / 26,136 SF], which includes any improvement value. It was zoned and general planned community commercial. Based on a discussion with the listing broker, he believed that the improvements still contributed value and one reason the selling price appeared low was due to the building occupancy being at about one-third. Because the improvements were still being utilized and contributed value, this sale was not utilized as a comparable. Even so, the indicated land

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value for the subject would be less than $122 per square foot, and supports our following conclusion below.

- A 4.965-acre land sale at 3710 El Camino Real in Santa Clara transacted in October 2019. Based on the seller's previous bankruptcy litigation, they previously sold 50% of the fee title in this property in 2011. The 2019 sale was recorded at a selling price of $10,806,500 and reflects the buyback of those rights, which means less than the 100% fee title transferred. As this transaction was not arm's-length, it was not selected as a comparable.

- There is an offering of a vacant 0.691-acre site at 2035 White Oak Drive in Santa Clara. The asking price is $4,000,000, equivalent to about $133 per square foot of land area. This property fronts onto Lawrence Expressway and is adjacent a 7-11. Based on the listing nature and superior exposure/traffic volume, the hypothetical subject lot would be expected to have a lower unit value. This property is not included as a comparable since it is not a closed sale.

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COMMERCIAL LAND COMPARABLE SALES						
ELEMENT OF ADJUSTMENT	**SUBJECT**	**Comparable 1**	**Comparable 2**	**Comparable 3**	**Comparable 4**	**Comparable 5**
ADDRESS	95050	3375 El Camino Real	3378 El Camino Real	1125 Coleman Avenue	2103 Scott Blvd	3246 Mckinley Drive
	Santa Clara	Santa Clara	Santa Clara	San Jose	Santa Clara	Santa Clara
APN		220-02-049	290-02-102	230-46-093	224-30-006	296-21-014
SELLER		Norma E Rice, Trustee	An S Shin	Cap Phase 1 LLC	Weidert-Lohner LLC	Jacqueline C Smith Trust
BUYER		3375 Camino City Square LLC	Veguard USA LLC	San Jose Hotel Investments LLC	Eager 1031 LLC	HMRE LLC
SALE PRICE		$9,925,000	$5,340,000	$9,800,000	$2,375,000	$2,202,000
PARCEL SIZE (Acres)	1.00	1.630	0.877	1.873	0.407	0.580
PARCEL SIZE (SF)	43,560	71,003	38,211	81,588	17,745	25,265
SALES PRICE/SQUARE FOOT		**$139.78**	**$139.75**	**$120.12**	**$133.84**	**$87.16**
DOCUMENT NUMBER		24595053	24569843	24339364	24188588	24172903
EXPOSURE TIME		2 Months	Off Market (6 Months in 2019)	Unknown	2 Months	Marketed for Lease
TRANSACTIONAL ADJUSTMENTS						
REAL PROP. RIGHTS CONVEYED		F. Simple (Short-term Leases)	F. Simple (Short-term Leases)	Fee Simple	Fee Simple (Short-term Ls)	Fee Simple
FINANCING TERMS $		All Cash	All Cash	Construction Loan	All Cash	Conventional
CONDITIONS OF SALE		Arm's-Length/Improved	Arm's-Length/Improved	Arm's Length	Arm's Length/Improved	Arm's Length/Assemblage
ADJUSTMENT		-15.0%	-11.0%	0.0%	-16.0%	-5.0%
EXPENDITURES AFTER PURCHASE		None	None	None	None	Demolition Offset by Income
ADJUSTMENT		0.0%	0.0%	0.0%	0.0%	0.0%
CONTRACT DATE / MKT CONDITIONS	**December 31, 2020**	July 2020	June 2020	Est. September 2019	April 2019	February 2019
RECORDING DATE		August 31, 2020	August 10, 2020	November 22, 2019	May 28, 2019	May 7, 2019
MONTHS FROM END 1Q-20 THROUGH 4Q-20		5	7	9	9	9
Adjustment rate per month	-0.75%	-3.75%	-5.25%	-6.75%	-6.75%	-6.75%
ADJ. PRICE/SF WITH TRANS. ADJ.		**$114.36**	**$117.85**	**$112.01**	**$104.84**	**$77.21**
LOCATIONAL ADJUSTMENTS						
EXPOSURE	Average	Superior/Corner	Similar	Corner/Inferior Traffic	Superior/Corner	Corner/Inferior Traffic
APPEAL/SITE INFLUENCES/ACCESS	Average	Similar	Similar	Superior/Access	Similar	Similar
ZIP CODE	95050	Similar	Similar	95110	95050	95051
LOCATIONAL COMPARISON		Superior	Similar	Similar	Superior	Inferior
PHYSICAL & USE/ZONING ADJUSTMENTS						
PARCEL SIZE (Acres)	1.000	1.630	0.877	1.873	0.407	0.580
UTILITY	Average	Similar	Similar	Similar	Similar	Similar
OFF-SITE IMPROVEMENTS	Finished Lot	Similar	Similar	Similar	Similar	Similar
ZONING/GENERAL PLAN	CT / Regional Commercial	CT / Community Mixed-Use	CT / Community Mixed-Use	A(PD)/ Combined Ind/Comm	CN/ Neighborhood Comm.	OA/ Regional Commercial
PROPOSED USE(S)	Commercial	Retail in Near-Term	Retail in Near-Term	Hotel/Entitled	Retail	Medical Office
PHYSICAL & USE/ZONING COMPARISON		Superior	Superior	Superior	Similar	Inferior
SUBJECT PRICE PER SQUARE FOOT IS:		**MUCH LESS**	**MUCH LESS**	**LESS**	**A LITTLE LESS**	**MORE**

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Adjustment Process

The adjustment methodology was similar as above for the residential land sales.

Transactional adjustments were warranted. As described above, due to a lack of commercial land sales, some improved sales were utilized for which the improvements contributed little to the overall selling price. Comparables 1, 2, and 4 were improved.

Comparable 1 was marketed as a development site; the eventual buyer planned to continue the retail uses. Based on a discussion with the listing broker, our observations, and the age and condition of these improvements, which comprised about 25,150 SF, the contributory value was estimated at about $60 per square foot of building area, or about 15% of the selling price as shown on the adjustment grid. This is shown as a downward adjustment. Similarly, the sale of Comparable 2 included about 7,800 square feet of improvements dating from the late 1950s and the sale of Comparable 4 included about 5,000 square feet of improvements dating from 1961; each contributed to the overall selling prices. Based on our observations and discussions with the broker, the contributory value for each of these buildings was estimated at about $75 per square foot of building area, or about 11% and 16%, respectively of the selling prices as shown on the adjustment grid. These are shown as downward adjustments. Comparable 5 sold to a buyer who was under contract for an adjacent property; the data suggests that a downward adjustment for motivation on the part of the buyer is warranted, shown on the grid as an assemblage adjustment. Comparable 5 had operating tenants at the time of sale creating income to the new buyer, offsetting the need for any demolition costs, while the buyers worked on entitlements for their new intended use.

Market conditions adjustments were applied from the contract date through the date of opinion using the degree of adjustment(s) discussed in the Market Conditions section.

Locational adjustments were broken into elements that reflect the hypothetical property's identity to potential tenants, buyers, or occupants (exposure, visibility), access (to freeways and amenities), and overall desirability of the location based on neighborhood factors such as age and condition of nearby properties, proximity to enhancing or detrimental factors, or an identifiable valuation element relating to address (locational appeal). Locational adjustments were warranted as summarized on the grid. Note that Comparable 3 does not face Coleman Ave despite its Coleman Ave address.

Physical and Use/Zoning adjustments were considered for size, utility, off-site improvements, zoning/General Plan, and planning/entitlement status. Within the range of the comparables, larger Comparables 1 and 3 warranted upward adjustment. Among the differences in land use ordinances, those of Comparables 1 and 2 were more favorable and warranted a downward adjustment. The land use ordinances of Comparable 5 are more restrictive and an upward

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adjustment is warranted. Comparable 3 sold entitled for a hotel development and warranted a downward adjustment for this element of comparison.

Conclusion

Bracketed by the comparables, we concluded to the following for commercial land in zip code 95050:

Unit $/SF	x	Land Area (SF)	=	Indicated Value
$100		43,560		$4,356,000

Estimated Market Value of a 1-Acre Commercial Lot in Zip Code 95050: $4,360,000

Industrial Land Value

We searched the same databases listed above and reviewed other data discovered by talking to brokers, agents, property owners, and market participants from within the industrial market. We searched for recent sales of competing industrial properties throughout Santa Clara and nearby cities with similar industrial markets. We also searched for recent improved sales with improvements that were nearing the end of their economic lives or that contributed little to the overall sale price. Those we found most comparable are displayed on the following grid. A map showing the location of these comparables is displayed in the Addenda.

We are aware of additional sales data in this market described below but were not selected as comparables:

- The Fujitsu campus at 1200-1280 E. Arques Avenue on the Santa Clara border with Sunnyvale sold in October 2020 to Lane Partners. This campus includes six buildings on about 26 acres. The purchase price was recorded at $104 million, but we discovered that there was an additional $15 million spent on lease buyouts. Based on a total purchase of about $119 million, the equivalent land value is indicated at about $104 per square foot. The site is expected to be redeveloped and allowed uses could include R&D, office, and data center. The large size precluded use as a comparable.

- There was an improved sale at 2170 Martin Avenue that closed escrow in November 2020, but based on a discussion with the listing and buying broker this was effectively a distressed sale as the seller's business had dried up due to the pandemic. Furthermore, the buyer and seller had a previous relationship and the broker represented both sides. For these reasons, it was not appropriate to use as a comparable.

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INDUSTRIAL LAND COMPARABLE SALES

ELEMENT OF ADJUSTMENT	SUBJECT	COMPARABLE 1	COMPARABLE 2	COMPARABLE 3	COMPARABLE 4	COMPARABLE 5
ADDRESS	95050 Santa Clara	365 Reed St Santa Clara	1623 S 10th Street San Jose	1125 Mabury Road San Jose	980 Martin Avenue Santa Clara	1131 Auzerais Ave San Jose
APN		230-47-105	477-09-010	254-39-008	224-62-010	264-14-010
SELLER		Reed Street Associates	Mary Tran	Collishaw Holdings LLC	980 Martin Avenue LLC	Cps Holding Co
BUYER		Prosperous Corgi Holdings 1 LLC	Ta Phong	Lam Group International LLC	Mark & Kelly Verni LLC	Ed Auzerais LLC
SALE PRICE		$5,358,000	$3,800,888	$6,500,000	$2,200,000	$2,800,000
DOCUMENT NUMBER		24721853	24670054	24414732	24381016	24044871
BONDS ASSUMED / SF		$0.00	$0.00	$0.00	$0.00	$0.00
TOTAL COST TO BUYER / SF		**$104.70**	**$84.75**	**$74.61**	**$108.37**	**$66.12**
TRANSACTIONAL ADJUSTMENTS						
REAL PROPERTY RIGHTS CONVEYED	Fee Simple	Fee Simple	Fee Simple (Sh Term)	Fee Simple	Fee Simple	Fee Simple
ADJUSTMENT		0.00%	0.00%	0.00%	0.00%	0.00%
FINANCING TERMS		All Cash	SBA	Conventional	Conventional	All Cash
ADJUSTMENT		0.00%	0.00%	0.00%	0.00%	0.00%
CONDITIONS OF SALE		Arm's-Length	Arm's-Length	Arm's-Length	Purchase by Tenant	Motivated Buyer
ADJUSTMENT		0.00%	0.00%	0.00%	-10.00%	-10.00%
ADDITIONAL COSTS TO BUYER		None	None	Demolition	None	None
ADJUSTMENT		0.00%	0.00%	1.21%	0.00%	0.00%
CONTRIBUTORY VALUE OF IMPROVEMENTS		Yes/24,145 SF	Yes/5 WH's 14,000 SF	None	Yes/4,000 SF	None
ADJUSTMENT		-22.53%	-11.05%	0.00%	-13.64%	0.00%
CLOSE OF ESCROW		11/24/2020	10/23/2020	2/26/2020	1/15/2020	10/18/2018
TIME OF SALE / MARKET CONDITION	December 31, 2020	September 2020	August 2020	December 2019	November 2019	August 2018
MONTHS FROM SALE THROUGH DATE OF VALUE		3	4	12	13	28
ADJUSTMENT @ % PER MONTH	0.75%	2.25%	3.00%	9.00%	9.75%	21.00%
ADJUSTED PRICE / SF		**$82.94**	**$77.65**	**$82.31**	**$92.45**	**$72.00**
LOCATIONAL ADJUSTMENTS						
EXPOSURE/VISIBILITY	Average	Similar	Similar	Similar	Similar	Similar
ACCESS	Average	Similar	Similar	Similar	Similar	Similar
NEIGHBORHOOD APPEAL	Average	Similar	Inferior	Inferior	Similar	Inferior
ZIP CODE	95050	95050	95112	95133	95050	95126
OVERALL LOCATIONAL RATING		Similar	Inferior	Inferior	Similar	Inferior
PHYSICAL & USE/ZONING ADJUSTMENTS						
PARCEL SIZE (ACRES)	1.00	1.17	1.03	2.00	0.47	0.97
PARCEL SIZE (SF)	43,560	51,174	44,846	87,120	20,300	42,350
UTILITY	Average	Similar	Similar	Superior/2 Frontages	Similar	Inferior/Deep/Narrow
OFF-SITES	Finished Lot	Similar	Similar	Similar	Similar	Inferior
INTENDED USE		Industrial	Industrial	Corporation Yard	Contractor Yard	Yard
ZONING	Heavy Industrial	Light Industrial	Heavy Industrial	Light Industrial	Heavy Industrial	Light Industrial
GENERAL PLAN	Light Industrial	Light Industrial	Heavy Industrial	Heavy Industrial	Heavy Industrial	Combined Ind/Comm
OVERALL PHYSICAL & USE/ZONING RATING		Similar	Inferior	Superior	Superior	Inferior
SUBJECT PRICE PER SQUARE FOOT IS:		**SIMILAR**	**MORE**	**SIMILAR**	**LESS**	**MORE**

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Adjustment Process

Adjustments were considered for and applied in a similar manner as above for the commercial sales. Because there are few industrial land sales in this market, we used three sales that were improved with buildings that contributed value to the selling price: Comparables 1, 2, and 4. To estimate the residual land value of these transactions, we estimated and deducted the contributory value of the building improvements based on our observations, feedback from the verifying broker(s), and the adjustment that was a good fit for the data.

Comparable 3 was purchased by an owner user and improved with a building that will be demolished prior to redevelopment; a demolition amount estimated at $5 per square foot of building area is included on the adjustment grid as an additional cost to the buyer.

Comparable 4 was purchased by the tenant and based on the data, a downward adjustment was warranted for buyer motivation. Comparable 5 was purchased by the adjacent property owner as part of an assemblage. After making all other adjustments first, a downward adjustment was warranted for motivation on the part of the buyer.

Market conditions adjustments were applied at the rate concluded to in the Market Conditions section. As stated in the preceding material, industrial property in the City of Santa Clara (and Silicon Valley in general) continues to be in demand, supported by rising asking rental rates, generally stable vacancy rates, and the opinions of market participants.

Like the commercial sales grid, locational adjustments were considered for exposure, visibility, access (to freeways and amenities), and overall desirability of the location, including zip code. Locational adjustments are warranted as summarized on the grid. Comparable 2 afforded greater exposure to higher traffic streets. However, this is not typically an important consideration for industrial users and based on the data no adjustment was warranted for exposure/visibility. Comparables 2, 3, and 5 are in competing San Jose neighborhoods and within differing zip codes. Based on discussions with market participants, these areas of San Jose rate inferior, supported by lower rents and the subject's more attractive electricity rates; upward adjustments are warranted for the inferior locations of Comparable's 2, 3, and 5.

Physical and use/zoning adjustments were considered for size, utility, intended use, zoning, general plan land use designation, and off-site improvements. Within the range of the comparables, only Comparable 4 rated superior for its smaller site size, warranting a downward adjustment. Comparable 3 offers multiple street frontages, allowing for greater utility and warranted downward adjustment. Any other warranted adjustments are summarized on the grid.

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Conclusion

Following the adjustments discussed above and considering the overall rating comparison for each comparable, the unit values of the comparables suggested a land value in the $80 to $85 per square foot range, with a median of about $83 per square foot.

We concluded to the following for industrial land in the 95050 zip code:

Unit $/SF	x	Land Area (SF)	=	Indicated Value
$83		43,560		$3,615,480

Estimated Market Value of a 1-Acre Industrial Lot in Zip Code 95050: $3,615,480

Average Value Estimate in 95050 Zip Code

The average value was estimated by applying a weighted average based on the land area of the total sales in Santa Clara in 2020 by property type. The information was obtained from Old Republic Title Company (ORTC). *It was an extraordinary assumption of this appraisal that the land areas provided by Old Republic Title Company were accurate.*

ORTC reported a total of 922 sale transactions in Santa Clara in calendar year 2020. These included 15 commercial sales, 16 industrial sales, 576 residential single-family sales, 26 2-4 residential unit sales, and 289 medium to high-density residential sales which comprised residential unit sales greater than 5 units, condominiums, and townhomes. This compares to 945 total transactions reported in 2019 by ORTC.

Residential transactions included single family, townhomes, and condominiums, 2 to 4 unit, and residential units greater than 5 units. Of the total residential sales, and similar to the 2016, 2017, and 2019 data, single family transactions comprised the most land area, as shown in the next table, in 2020. In 2019, commercial and industrial sales comprised about half of the total land area in the city by area; by 2020, a greater percentage of land area sold in the city was residential. This will result in higher 2020 values for the hypothetical 1-acre lot because residential land in this market transacts at higher unit prices than commercial and industrial. This is congruent with overall market trends over the last year.

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The total number of land square feet (SF) sales (broken out by property type) is reflected in the next table:

2020 City of Santa Clara Sales		
Sale Type	**Land SF**	**Total Percent**
Commercial	2,095,401	27.29%
Industrial	1,197,222	15.59%
Very Low Density Residential	3,584,306	46.68%
Low Density Residential	229,563	2.99%
Medium to High Density Residential	572,151	7.45%
Total	**7,678,643**	**100.00%**
Source: Old Republic Title Company		

Old Republic Title Company provided the data depicted in the preceding table, segregated by property type. The single-family sales were grouped into very low density, 2-4 residential sales were grouped into low-density, the townhome and condominium data were grouped into the medium to high-density residential, retail and office was grouped into commercial, and industrial, R&D, and manufacturing was designated industrial. As shown in the table, within the city limits of Santa Clara, commercial/industrial sales accounted for about 42.9% of the total while residential sales accounted for about 57.1% of the total.

Conclusion

The Total Percent in the previous table was applied to the appropriate categories for each property type. Since the data provided by the title company did not segregate medium and high-density residential, we split the total percentage evenly between the two densities (7.45% / 2 = 3.725% to each). As shown in the next table, the appropriate weighted values are summed to produce the average value of a hypothetical 1-acre lot in the 95050 zip code:

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2020 VALUES FOR 95050 ZIP CODE SUMMARY						
Land Use	Price per SF	Price per Acre	x	Weighted Average	=	Weighted Value
Very Low Density Residential	$110	$4,791,600	x	46.68%	=	$2,236,719
Low Density Residential	$125	$5,445,000	x	2.99%	=	$162,806
Medium Density Residential	$165	$7,187,400	x	3.725%	=	$267,731
High Density Residential	$185	$8,058,600	x	3.725%	=	$300,183
Commercial	$100	$4,356,000	x	27.29%	=	$1,188,752
Industrial	$83	$3,615,480	x	15.59%	=	$563,653
				TOTAL AVERAGE VALUE		$4,719,844

Average Value of a Hypothetical 1-Acre Lot in the 95050 Zip Code: $4,720,000 (Rounded)

AVERAGE VALUE ESTIMATE IN 95051 ZIP CODE

We estimated the value of 1 acre of land for zip code 95050 above. Following we apply any differences in value between the 95051 and 95050 zip codes to estimate the average value of one acre of land in 95051.

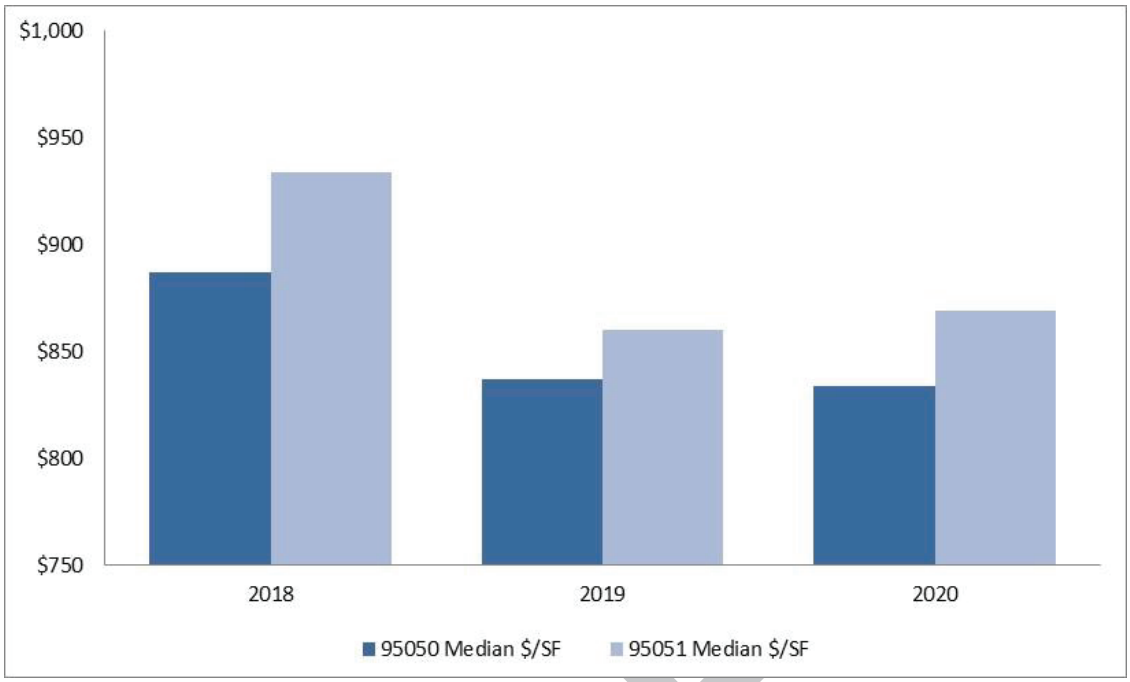
Estimating Differences Between Zip Codes

Differences between the 95050 and 95051 zip code for each use was based upon market feedback and anecdotal information. We also considered differences in values/rents for the commercial and industrial uses, and compared median selling prices and rents for the residential uses.

Residential Difference

Market participants and selling prices provided support that residential prices in the 95051 zip code are generally higher compared to the 95050 zip code. Some brokers believed that the 95050 area was slightly better due to Santa Clara University and a larger upper-middle class. Others pointed to the fact that the 95051 includes an area of the city close to Apple's headquarters and also within the Cupertino Union School District, a higher rated school district, which commands residential price premiums. Several brokers reported that some of the nicest neighborhoods in the City are in and around San Tomas Expressway, which bisects 95050 and 95051. One market participant opined that the neighborhoods in 95051 were generally safer and that insurance premiums were lower rendering 95051 to be more desirable. Recent residential yearly-summary median prices/SF and Year End 2020 median prices/SF between the 95050 and 95051 zip codes, as reported by CoreLogic, indicated the following:

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The chart above indicates that the median selling price/SF has historically been higher in zip code 95051, corroborating the general consensus among market participants. In 2018 the median price per square foot was about 5.3% higher in 95051. In 2019, the difference was about 2.7% and it was 4.1% in 2020. The CoreLogic data indicated that the aggregate median selling price in 95051 was 14.6% higher than 95050 in 2018, 8.3% higher in 2019 and 16.7% higher in 2020. This data supports the opinions of market participants that 95050 rates inferior to 95051.

In the next table, based on data reported by MLS the median price in 95051 has historically been higher than zip code 95050. In the most recent year 95051 was about 10% higher than 95050. However, unlike CoreLogic which reports all recorded sales transaction, MLS only reports listings marketed on MLS, which often does not include all new construction. This is because builders, in the current market environment, often market their product in-house without using MLS, which is probably more cost effective and garners more marketing control to the builder.

Housing Type	Zip Code	December-18	December-19	December-20
SFR, Condo, & Townhouse	95050	$1,074,000	$1,210,000	$1,265,000
	95051	$1,275,000	$1,425,000	$1,415,000
	95054	$1,025,000	$1,202,500	$1,128,000
Source: Local MLS				

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Based on market feedback, historical norms, and giving most weight to the CoreLogic data, which includes all recorded transactions, supported by MLS data, we concluded 2020 residential prices in zip code 95051 were 12.5% higher than zip code 95050.

Commercial Difference

We discovered that commercial land values are generally similar among commercial uses located along El Camino Real and Stevens Creek Blvd. within the 95050 and 95051 zip codes, which are the primary commercial corridors in Santa Clara. A comparison of the 3-year average asking rental rate, as compiled by CoStar, revealed that the average rents (for office and retail combined) between these zip codes were $4.53/SF/Month in 95050 vs. $3.49/SF/Month in 95051, or a difference of about 29.8% higher in 95050. This metric is skewed somewhat by newer retail construction over the last several years in 95050. A comparison of the 3-year average asking rental rate among office properties as reported by CoStar was $3.70/SF/Month in 95050 vs. $3.83/SF/Month in 95051, or about 3.5% higher in 95051. Additionally, CoStar reported a lower vacancy rate in 95051 over the same period (2.14% vs. 6.00% among all office and retail). The average selling price per square foot among these two zip codes was within 6% of each other over the last three years, $451 in 95050 vs $478 in 95051 for both office and retail properties. Based on market data, rental rates differences, selling price differences, and vacancy rate differences we concluded that commercial land values in 95051 rated similar to 95050.

Industrial Difference

Among industrial properties, much of the product in the 95051 zip code is built as, or allows for R&D and higher intensity office uses, and greater floor area ratios, rating superior to 95050. Furthermore, about 65 acres of industrial lands in the 95051 zip code, around Kifer Rd and Lawrence Expy., are converting to residential uses, reducing the supply of industrial properties, and pushing increasing demand and value for industrial at the same time. A comparison of the 3-year average rental rate per SF, as compiled by CoStar, showed that the average rental rates were more in 95051 during the past 3 years ($2.13/SF vs. $1.72/SF). The rental rates are partly skewed because there are a greater number of older buildings in 95050 and many of those buildings are more warehouse in nature, which command lower rental rates. The average selling price per square foot among these two zip codes was within about 6% over the last three years, $325 in 95050 vs $345 in 95051, according to CoStar. Again, this difference is partly explained by the type of product within each zip code, with 95050 having older and generally lower quality finishes/build-out. A discussion with a local industrial broker felt that all areas of the city were generally comparable. After consideration for differences in asking rents, sale prices, and the opinions of the market, we concluded that industrial land prices rated about 5% superior in 95051 compared to 95050.

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Conclusion of Value in 95051 Zip Code

Based on the above, we concluded residential uses in zip code 95051 rated 12.5% superior, while commercial values rated similar, and industrial values rated 5% superior. In the next table, the adjusted price per acre for each land use in the 95051 zip code was adjusted and the appropriate weighted values are summed to produce the average value of a hypothetical 1-acre lot in the 95051 zip code:

95051 ZIP CODE LAND USE VALUES & AVERAGE VALUE PER ACRE					
Land Use	95050 Average Price/Acre Weighted	x	Adjustment Factor	=	95051 Average Price per Acre
Very Low Density Residential	$2,236,719	x	112.5%	=	$2,516,309
Low Density Residential	$162,806	x	112.5%	=	$183,157
Medium Density Residential	$267,731	x	112.5%	=	$301,197
High Density Residential	$300,183	x	112.5%	=	$337,706
Commercial	$1,188,752	x	100.0%	=	$1,188,752
Industrial	$563,653	x	105.0%	=	$591,836
			TOTAL AVERAGE VALUE PER ACRE		**$5,118,957**

Average Value of Hypothetical 1-Acre Lot in the 95051 Zip Code: $5,120,000 (Rounded)

AVERAGE VALUE ESTIMATE IN 95054 ZIP CODE

We utilize the same weighted land values from zip code 95050 and apply any differences in value between the 95054 and 95050 zip codes.

Estimating Differences Between Zip Codes

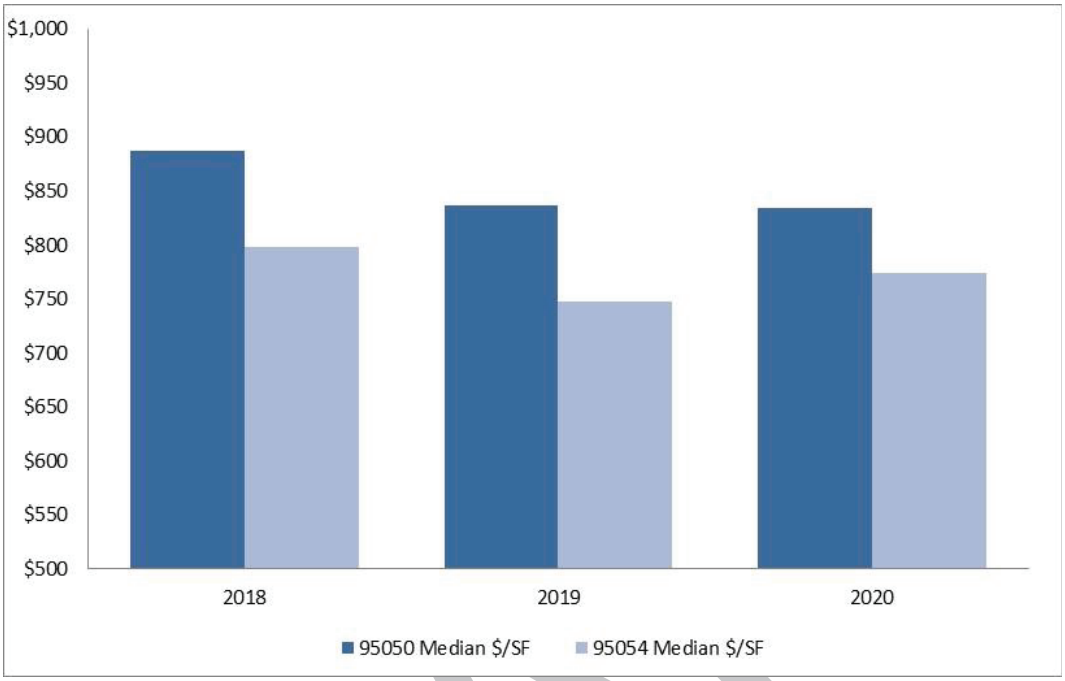
For 95054 value conclusions, we applied the same methodology used above to estimate the value differences between the 95050 and 95051 zip codes.

Residential Difference

Median and average selling prices provided support that the residential prices in the 95054 zip code were generally similar or a little inferior when compared to the 95050 zip code. Brokers active in the market reported a range of opinions, that generally these two zip codes are not much different, but that 95054 tends to rate a little inferior. The 95054 is affected by airport noise and has a higher concentration of higher-density housing units; there is less single-family selection and therefore fewer traditional residential neighborhoods with detached units. Recent yearly-

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summary median prices/SF for the 95050 and 95054 zip codes, as reported by CoreLogic, indicated the following:



The median selling prices/SF has been historically higher in the 95050 zip code. The CoreLogic data indicated that the aggregate median price in 95054 was 5.0% *lower* in 2019 and about 2.1% *lower* in 2020. This data supports the opinions of market participants that 95054 generally rates inferior to 95050.

The next table is the same MLS data displayed above. In this data set the median price in 95050 ranged from about 0.6% to about 12.1% more than in 95054 in the most recent year. Again, unlike CoreLogic which reports all recorded sales transaction, MLS only reports listings marketed on MLS, which often does not include all new construction.

Housing Type	Zip Code	December-18	December-19	December-20
SFR, Condo, & Townhouse	95050	$1,074,000	$1,210,000	$1,265,000
	95051	$1,275,000	$1,425,000	$1,415,000
	95054	$1,025,000	$1,202,500	$1,128,000
Source Local MLS				

Based on market data, the opinions of market participants, and giving more weight to the CoreLogic price differences, which includes new and resale residential construction, we

concluded that residential land prices in zip code 95054 were lower than zip code 95050, on the order of 5%.

Commercial Difference

Most of the new commercial planned or proposed for the 95054 zip code comprises office and hotel uses, however, there are several mixed-use projects in process, notably Related Santa Clara. This area of Silicon Valley includes the Golden Triangle and has historically supported higher intensity uses and properties offering freeway visibility (U.S. 101 and CA-237). The addition of Levi's Stadium and the draw of Great America theme park and the Santa Clara Convention Center create additional synergies for this zip code. The greatest concentration of Class A office is located within this zip code and more is planned. As noted above, there are several mixed-use projects in process, which if built-out, will add both retail and new residential customers.

A comparison of the 3-year average rental rate compiled by CoStar, revealed that the average rents between these zip codes was slightly lower in 95054, $4.33/SF vs. $4.53/SF in 95050, a difference of about 4.4% based on office and retail uses. As before, the 95050 rental rate is influenced by newer retail construction which typically commands higher rental rates. A comparison of office rents indicates that the 3-year average of $4.35/SF/Month in 95054 is about 14.9% higher than the $3.70/SF/Month in 95050. And the average selling price per square foot in the 95054 zip code was 15.5% higher over the last three years compared to 95050 ($451 in 95050 vs $521 in 95054) for office and retail sales. Based on the data, including broker estimates and rental rate differences in each zip code, and considering that there is a greater proportion of office uses compared to retail uses, we concluded that an upward adjustment of 15% was warranted for 95054 for higher commercial land value.

Industrial Difference

Among industrial properties, much of the product in the 95054 zip code is built as, or allows for R&D and higher intensity office uses, rating superior to 95050. This also allows for greater floor area ratios in 95054. Most market participants reported higher prices in 95054 due primarily to superior freeway access and fewer heavy-industrial uses. A comparison of the 3-year average rent per SF, as compiled by CoStar, showed that rents averaged $1.72/SF in the 95050 zip code vs. $2.26/SF in the 95054 zip code, about a 31% premium. The average selling price per square foot in the 95054 zip code was about 26% higher over the last three years compared to 95050 ($325 in 95050 vs $410 in 95054) based on industrial sales reported by CoStar. Again, the difference in rental rates and selling prices is partly explained by the type of product within each zip code, with 95050 having older and generally lower quality finishes/build-out compared to 95054. A local broker estimated that there was a 15-25% premium in the 95054 zip code area

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compared to 95050. Bracketed by the data, including rental rate differences, sale prices/SF, and broker opinions, we concluded to a 15.0% premium for industrial land within the 95054 zip code compared to 95050.

Conclusion of Value in 95054 Zip Code

Based on the above data and analysis, the adjusted price per acre for each land use in the 95054 zip code was adjusted and the appropriate weighted values are summed to produce the average value of a hypothetical 1-acre lot in the 95054 zip code:

95054 ZIP CODE LAND USE VALUES & AVERAGE VALUE PER ACRE					
Land Use	95050 Average Price/Acre Weighted	x	Adjustment Factor	=	95054 Average Price per Acre
Very Low Density Residential	$2,236,719	x	95.0%	=	$2,124,883
Low Density Residential	$162,806	x	95.0%	=	$154,666
High Density Residential	$267,731	x	95.0%	=	$254,344
Medium Density Residential	$300,183	x	95.0%	=	$285,174
Commercial	$1,188,752	x	115.0%	=	$1,367,065
Industrial	$563,653	x	115.0%	=	$648,201
			TOTAL AVERAGE VALUE PER ACRE		**$4,834,333**

Average Value of a Hypothetical 1-Acre Lot in the 95054 Zip Code: $4,830,000 (Rounded)

RECONCILIATION AND OPINION OF AVERAGE VALUES

The sales comparison approach was the appropriate value approach for each land use. Total sales statistics revealed that about 43% of the total sales in the city by land area were commercial and industrial transactions and the other 57% were residential. This represents a greater percentage of residential sales than in 2019. Because residential unit values are greater than commercial and industrial, this resulted in higher concluded values for each zip code in 2020 compared to 2019. Industrial sales in 2020 comprised 15.59% of the total land sold, much lower than the 43.47% reported in 2019 and the 34.93% reported in 2017 by Old Republic Title Company. All these factors resulted in higher 2020 values for the hypothetical one-acre lots.

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We concluded to the following average value for each zip code on December 31, 2020, the effective date of value opinion:

Opinion of Average Value of a 1-Acre Lot in the 95050 Zip Code: $4,720,000

(Four Million Seven Hundred Twenty Thousand Dollars)

Opinion of Average Value of a 1-Acre Lot in the 95051 Zip Code: $5,120,000

(Five Million One Hundred Twenty Thousand Dollars)

Opinion of Average Value of a 1-Acre Lot in the 95054 Zip Code: $4,830,000

(Four Million Eight Hundred Thirty Thousand Dollars)

ADDENDA

- Old Republic Title Company 2020 Sales data in City of Santa Clara (on file)
- City of Santa Clara Supplemental Instructions for the Appraisal of the Fair Market Value of Land
- Maps of the Sale Comparables
- Land Sale Comparable Parcel Maps
- Brokerage Reports (on file)
- Qualifications of Appraiser

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA TO ESTABLISH THE PARKLAND IN LIEU FEE SCHEDULE FOR NEW RESIDENTIAL DEVELOPMENT IN ACCORDANCE WITH CHAPTER 17.35 ("PARK AND RECREATIONAL LAND") OF TITLE 17 ("DEVELOPMENT") OF THE CODE OF THE CITY OF SANTA CLARA

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara is the Government entity responsible for providing public parks, recreation and open space facilities within the City of Santa Clara; and,

WHEREAS, the 2010-2035 General Plan includes a goal that new parks, open space and recreation be provided with new development so that existing facilities are not overburdened; and,

WHEREAS, the report entitled "Public Facilities Impact Fee Study" dated June 25, 2014 ("Nexus Study"), was prepared by Willdan Financial Services, Inc. and approved by Council in June 2014; and,

WHEREAS, on July 15, 2014, the City Council adopted Ordinance No. 1928, which added Chapter 17.35 to the City Code, and requires new residential development to provide adequate community and neighborhood park land for active recreational uses, and/or under certain conditions to pay a fee in lieu of parkland dedication; and,

WHEREAS, on February 24, 2015, the City Council adopted Ordinance No. 1937, adding duplex dwellings to the types of developments subject to the parkland dedication requirement, and removing the one (1) acre minimum parkland dedication prior to a developer being able to receive financial credit for private recreational amenities and open space; and,

WHEREAS, on August 27, 2019, Council approved Resolution No. 19-8749 which included the statutory findings required pursuant to the California Quimby Act (Quimby) and Mitigation Fee Act (MFA), including the report entitled "Santa Clara Park and Recreation Facilities Impact Fee Update Study" dated April 9, 2019 ("Nexus Study Update") prepared by Willdan Financial

Services, Inc., and the professional land valuation appraisal report with a valuation date of December 31, 2017, and the park improvements replacement costs with values as of 2017; and,

WHEREAS, on October 29, 2019 Council approved Resolution No. 19-8769 to establish the Parkland In Lieu Fee Schedule for New Residential Development in Accordance with Chapter 17.35 of the Code of the City of Santa Clara, and directed staff to phase in the Park Improvement Costs over four years and to use the annual Land Valuation Appraisal Report in the calculation of annual fees; and,

WHEREAS, pursuant to SCCC Chapter 17.35, the City has surveyed land values and sales records, conducted a professional appraisal with a valuation date of December 31, 2020 to determine the fair market value of property in the City, and the City posted the Appraisal Report on the City website from March 30, 2021 to April 16, 2021 for public review and comment; the Council now wishes to use the applicable values for calculating the fees due in lieu of parkland dedication and to adopt the updated fee schedule for parkland in lieu fees; and,

WHEREAS, on May 5, 2021 and on May 12, 2021, a notice of the May 25, 2021 public hearing to consider a Resolution to establish the Parkland In Lieu Fee Schedule for New Residential Development in Accordance with Chapter 17.35 of the Code of the City of Santa Clara was published in the Weekly, a newspaper of general circulation; and,

WHEREAS, on May 21, 2021, a copy of the Report supporting this resolution and all supporting data were placed on file at the City Clerk's Office and the City website;

WHEREAS, the fees established by this resolution are derived from, are based upon, and do not exceed the costs of providing capital park and recreation land and facilities necessitated by the new residential development for which fees are levied; and,

WHEREAS, on May 25, 2021, the City Council held a public hearing to consider the proposed fee schedule and draft resolution, at which time all interested persons were given an opportunity to give testimony and provide evidence, both in support of and in opposition to the proposed resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS

FOLLOWS:

1. Findings and Purpose. That the City Council hereby finds and declares that:

A. New residential subdivisions and new non-subdivided residential projects generate impacts and demands for public services, facilities, and neighborhood and community parkland, and have a significant effect on the use and availability of park and recreation space and facilities, and that the limited open space and recreation amenities provided by these residential developments are insufficient to meet demands.

B. It is the City's intent and desire (General Plan Goals & Policies: 5.9.1-G3, -G4; 5.9.1-P14, -P18, -P20) to require that such developments contribute their fair share of land, facilities, or amenities or contribute public costs toward the purchase, development and/or improvement of park and recreational facilities.

C. The imposition of impact fees is one of the customary methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development in order to promote and protect the public health, safety and welfare.

D. The provisions of this Resolution are enacted pursuant to the Charter, the City of Santa Clara General Plan and sections 66000-66025, 66477, and 66479 of the California Government Code (the "Mitigation Fee Act" and the "Quimby Act"), as may be applicable.

E. The report entitled "Public Facilities Impact Fee Study" ("Nexus Study") dated June 25, 2014, prepared by Willdan Financial Services, Inc. and reviewed by Council in June 2014, set forth a reasonable methodology and analysis for the determination of the impact of development on the need for and costs for additional capital parks and recreation facilities improvements in the City.

F. The report entitled "Santa Clara Park and Recreation Facilities Impact Fee Update Study" ("Nexus Study Update") dated April 9, 2019, prepared by Willdan Financial Services, Inc. and reviewed by Council on May 21 and August 27, 2019, set forth a reasonable

methodology and updated analysis for the determination of the impact of development on the need for and the costs for additional capital parks and recreation facilities improvements in the City.

G. Pursuant to Government Code Section 66016, the City made data available regarding the costs, or estimated costs, to provide services and proposed parkland dedication standards for the public facility impact fees by posting the Nexus Study Update prepared by Willdan Financial Services, Inc., on the City's Website on April 9, 2019 and the park improvement replacement costs contained in the Facility Condition Assessment Report ("Kitchell 2017") on the City Website in January 2018, and provided the land valuation Appraisal Report prepared by Frank Schmidt & Associates dated December 31, 2020 ("Appraisal Report") on the City's website on March 30, 2021, all of which dates were all at least ten (10) days before the Council public hearing on May 25, 2021.

H. After careful consideration, including review of documentary evidence and additional information submitted in the administrative review process, the City Council finds the imposition of impact fees to finance major public park and recreational land acquisition, development and rehabilitation, as revised using the values set forth in the Nexus Study Update Report, is in the public interest and general welfare of the City and its residents, is equitable, and does not impose an undue burden on new development.

2. Calculation of Fees.

A. The Nexus Study Update calculates the parks fees that would fund the fair share cost to new development for additional capital parks and recreational facilities and improvements. The Nexus Study is based on the General Plan planning horizon of 2010-2035 and estimates the future residential population needs for parkland and recreational facilities. The Nexus Study Update determines a fair share of future planned public facilities using the "system plan" method to assure that new development doesn't pay for existing service deficiencies. The Nexus Study Update uses the

"existing inventory demand standard" translated into facility costs per capita to determine new development's fair share of planned facility costs and to calculate the maximum parks fee. The cost standard provides a reasonable method for converting disparate types of facilities, in this case parkland and special use recreational facilities, into a single measure of demand (capital cost per capita). The cost standard is based on the existing inventory of parks and recreation facilities. New development will fund the expansion of facilities at the same rate that existing development has provided facilities. This method sets the fee that will fund the expansion of park facilities at the same standard that currently serves existing residents. The Nexus Study Update provides a reasonable methodology to determine the impacts and costs of new residential development. The City may adopt development impact fees up to the legally justified amounts in the Nexus Study Update (100% cost recovery).

B. Pursuant to Ordinances Nos. 1928 and 1937, projects subject to the Quimby Act and the Mitigation Fee Act, will provide for parkland (and/or its corresponding fee calculated and due in lieu of land dedication) according to the Quimby Act and/or Mitigation Fee Act as appropriate, and will provide for park improvements (and/or its corresponding fee calculated and due in lieu of improvements) according to the Mitigation Fee Act or its corresponding fee due in lieu of improvements.

C. Pursuant to Santa Clara City Code Chapter 17.35, the maximum amount of the fees due in lieu of required parkland dedication shall be determined by the fair market value of the amount of land that would otherwise be required to be dedicated and using the average per acre land value for property in the City of Santa Clara for each of the three existing ZIP Codes in the City (95050, 95051, 95054), for each of the Dwelling Unit Categories (Single Family, Multi-family) on an annual basis in a Council resolution.

D. Parkland Dedication Standard. In calculation of parkland dedication or fees due in lieu thereof, new residential developments subject to the Mitigation Fee Act will use the existing parkland ratio of 2.6 acres per thousand residents; and, new residential subdivisions subject to the Quimby Act

will use the City parkland standard of 3.0 acres of property for each one thousand residents for public park and recreational facilities.

E. Dwelling Unit Categories and Density. In calculation of parkland dedication or fees due in lieu thereof, the types of dwelling units and average density factors (U.S. Census Bureau, 2017 American Community Survey) are: (1) Multiple Family Dwelling equals 2.40 persons per household; and, (2) Single-Family Dwelling equals 2.98 persons per household.

F. In conformance with City Code Section 17.35.050, in subdivisions of over fifty (50) parcels of land, in condominium developments of more than fifty (50) dwelling units, and in residential developments not involving a subdivision, a combination of land dedication and fee payment may be required. Developments of fifty (50) units or less will be required to pay an in-lieu fee.

G. In conformance with City Code Section 17.35.070, developers will submit a written request with the project application for any eligible credits requested against the amount of parkland dedication or the amount of the in-lieu fee. The developer will work with the Director of Parks & Recreation on the proposed credits and project's park, recreation and green space conditions. The Approving Authority must make findings that the on-site parks and recreation amenities meet the Code's standards. For housing developments of which 100% of the units are affordable or for senior citizens authorized by the California Civil Code or the Federal Fair Housing Amendments Act, the Approving Authority must make findings that the development complies with all other provisions of the section and that providing the additional credit would serve the public interest.

H. The land valuation component will be subject to the updated annual land value appraisal report and supplemental instructions as adopted by Council June 7, 2016 with valuation dates of December 31 of each calendar year for use in calculating the following (next) fiscal year's fee update.

1. Land Valuation Appraisal. An independent real estate appraisal firm, Frank Schmidt & Associates, was retained to provide a "Fair Market Value" opinion (valuation date of

December 31, 2019) conforming to Uniform Standards of Professional Appraisal Practice and using the City's Supplemental Instructions for an average acre of land (hypothetical, rectangular, useable site) for property in each of the three existing City of Santa Clara Zip Codes 95050, 95051, 95054. The data set included all property types: Single Family (low and very low density), High Density Residential, Medium Density Residential, Commercial/Retail, Industrial, Lots and Land. Excluded were transactions considered not "arms-length", having encumbered or clouded title, environmentally impaired sites, or more than three (3) years old. An inflation factor was computed and applied to comparable sales over one year old based on reasonable and rational considerations such as sales and rental trends or other appropriate methods. The weighted average of each property type was based on the percentage of land area in the sales transactions.

2. Land Valuation Appraisal Findings. Based on the findings of the Appraisal Report, the average per acre land value for each ZIP Code area as of December 31, 2020, is: $4.720 million per acre ($108.36/sf) in 95050; $5.120 million per acre ($117.54/sf) in 95051; and, $4.495 million per acre ($110.88/sf) in 95054. If a developer objects to this determination of fair market value, the developer may elect to have the value established by appraisal, in conformance with City Code Section 17.35.040(b)(2).

3. Park Improvement Value Findings. In 2017, an independent asset inventory evaluation firm, Kitchell CEM, was retained by the City to provide a complete asset inventory and facility condition assessment of all parks and recreation assets in the City for inclusion in the City's Enterprise Asset Management System and geo-database for lifecycle asset management (GIS-Lucity), and conforming to the industry standards used a reasonable methodology to determine the replacement cost for all existing assets and from which a condition index could be calculated (Kitchell Report dated February 21, 2018). The report was available on the City website, reported at the Parks & Recreation Commission, and noted and filed by the City Council on April 24, 2018. The total replacement cost of park assets inventoried

in existing parks is the basis from which the system determines a reasonable estimate of the average per acre value of existing park improvements. The cost to provide an asset or set of assets in a park ("park improvements") is found to be the same as the current replacement cost of an asset such that a new park will provide the same level of service to new residents as received by existing residents in the park system as a whole, but no greater. Following stakeholder meetings on June 11, 2018 and June 27, 2018, adjustments were made (subtracted) in the inventory's costs for non-standard park facilities and buildings. The City then further reviewed actual construction bid prices for recent park construction projects in the City of Santa Clara, and the City contracted with an independent construction cost estimator to review the existing park inventory cost data. Based on these analyses and findings, the reasonable average cost per acre for park improvements was determined and found to be $1.335 million per acre ($3,471 per capita).

4. Park Improvement Value Phase-in & Fee Direction. On October 29, 2019, Council adopted Resolution No. 19-8769 which directed staff to "phase in" the 2018 per capita improvement value over four years (i.e. for FY2019/20 use $1,473 per capita, for FY2020/21 use $2,139 per capita, for FY2021/22 use $2,805 per capita, and for FY2022/23 use $3,471 per capita). In the Resolution No 19-8769, Council also directed staff to use 100% of the land valuations from December 31, 2017. Council also directed staff to revisit the use of the California Construction Cost Index (increase/decrease) to adjust the park improvement cost basis of $3,471 per capita in the calculation of fees due in lieu of parkland dedication.

3. <u>Schedule of Fees.</u>

A. Fee Policy History. On October 14, 2014, Council adopted Resolution No. 14-8174 that set fees due in lieu of parkland dedication for Fiscal Year (FY) 2014/15 at 100% cost recovery based on land valuation from calendar year 2013 and park improvement value as of 2014. In FY2015/16, fees remained unchanged due to the recent adoption of the ordinance and fees. On June 7, 2016, Council adopted supplemental instructions for land valuation to be used in the land

appraisal process. On August 23, 2016, Council adopted Resolution No. 16-8358 that set fees due in lieu of parkland dedication for FY2016/17 at 100% of cost recovery based upon the land valuation date of December 31, 2015 and park improvement value as of 2014. On May 8, 2017, Council adopted Resolution No. 17-8427 that set fees due in lieu of parkland dedication for FY2017/18 at 100% of cost recovery based upon the land valuation date of December 31, 2016 and park improvement value as of 2014. In FY 2018/19, fees remained unchanged due to an extensive review and public comment periods regarding the Nexus Study Update. On October 29, 2019, Council adopted Resolution No. 19-8769 that set fees due in lieu of parkland dedication for FY2019/20 at less than 100% cost recovery based on the land valuation date of December 31, 2017 and the use of the park improvement value as of 2014 plus 25% ($666) of 2018 park improvement value increase. On April 28, 2020 Council adopted Resolution No. 20-8839 which set fees for FY2020/21 at less than 100% cost recovery based on the use of the land valuation date of December 31, 2017 and the park improvement value as of 2014 plus 50% ($1,332) of the 2018 improvement value increase; due to impacts of the COVID19 global pandemic the land valuation appraisal was not available for use in the fee calculation at that time. Council direction in 2019 was to adjust the land valuation (increase/decrease) fee component each year based on the annual land appraisal at 100% cost recovery.

B. Pursuant to Ordinances Nos. 1928 and 1937, fees subject to the Quimby Act and the Mitigation Fee Act are calculated and provided for each Zip Code Area of the City (95050, 95051, and 95054) in Attachment 1, attached hereto and incorporated herein by this reference. The fees in this resolution are calculated using 100% cost recovery for the average per acre land value for each ZIP Code area as of December 31, 2020 (i.e.: $4.720 million per acre ($108.36/sf) in 95050; $5.120 million per acre ($117.54/sf) in 95051; and, $4.830 million per acre ($110.88/sf) in 95054) and 75% of the 2018 per capita improvement value (i.e. for FY2021/22 use $2,805 per capita) in conformance with previous Council direction on October 29, 2019.

C. Implementation Schedule. For development projects subject to the Quimby Act, the

proposed fees will be imposed on development projects with applications deemed complete on or after May 25, 2021 (immediately). For development projects subject to the Mitigation Fee Act, the proposed fees will be imposed on development projects with applications deemed complete on or after July 25, 2021 (60 days after adoption of this Resolution). For development project applications “deemed complete” prior to this date, the existing fees will apply as adopted in Resolution No. 20-8839.

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2021, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Fee Schedule - Fiscal Year 2021/22

S:\Attorney\RESOLUTIONS\Form Resolution-City.doc

Attachment 1

Table A Parkland Dedication In-Lieu Fee Schedule - FY2021/22 95050			
Applicable Fee Type	*Calculation*	**MFA**	**Quimby**
$/Acre (12-31-2020)	*A*	$4,720,000	$4,720,000
Park Acres/1000 Pop. LOS Standard	*B*	2.6	3
Total Cost per 1,000	*C = A x B*	$12,272,000	$14,160,000
Cost per capita	*D = C/1000*	$12,272	$14,160
Density Single Family (Census)	*D x 2.98*	$36,570	$42,197
Improvements (@75%)	*$2,805 x 2.98*	$8,359	$8,359
Admin Charge	*0.02*	$899	$1,011
Total Single Family (SF) Dwelling Fee		**$45,828**	**$51,567**
Density Multi Family (Census)	*D x 2.4*	$29,452	$33,984
Improvements (@75%)	*$2805 x 2.4*	$6,732	$6,732
Admin Charge	*0.02*	$724	$814
Total Multi Family (MF) Dwelling Fee		**$36,908**	**$41,530**

Attachment 1 (continued)

Table B Parkland Dedication In-Lieu Fee Schedule - FY2021/22 95051			
Applicable Fee Type	*Calculation*	**MFA**	**Quimby**
$/Acre (12-31-2020)	*A*	$5,120,000	$5,120,000
Park Acres/1000 Pop. LOS Standard	*B*	2.6	3
Total Cost per 1,000	*C = A x B*	$13,312,000	$15,360,000
Cost per capita	*D = C/1000*	$13,312	$15,360
Density Single Family (Census)	*D x 2.98*	$39,669	$45,772
Improvements (@75%)	*$2,805 x 2.98*	$8,359	$8,359
Admin Charge	*0.02*	$961	$1,083
Total Single Family (SF) Dwelling Fee		**$48,989**	**$55,214**
Density Multi Family (Census)	*D x 2.4*	$31,948	$36,864
Improvements (@75%)	*$2,805 x 2.4*	$6,732	$6,732
Admin Charge	*0.02*	$774	$872
Total Multi Family (MF) Dwelling Fee		**$39,454**	**$44,468**

Attachment 1 (Continued)

Table C Parkland Dedication In-Lieu Fee Schedule - FY2021/22 95054			
Applicable Fee Type	*Calculation*	**MFA**	**Quimby**
$/Acre (12-31-2020)	*A*	$4,830,000	$4,830,000
Park Acres/1000 Pop. LOS Standard	*B*	2.6	3
Total Cost per 1,000	*C = A x B*	$12,558,000	$14,490,000
Cost per capita	*D = C/1000*	$12,558	$14,490
Density Single Family (Census)	*D x 2.98*	$37,422	$43,180
Improvements (@75%)	*$2,805 x 2.98*	$8,359	$8,359
Admin Charge	*0.02*	$916	$1,031
Total Single Family (SF) Dwelling Fee		**$46,697**	**$52,570**
Density Multi Family (Census)	*D x 2.4*	$30,139	$34,776
Improvements (@75%)	*$2,805 x 2.4*	$6,732	$6,732
Admin Charge	*0.02*	$738	$830
Total Multi Family (MF) Dwelling Fee		**$37,609**	**$42,338**

RESOLUTION NO. 19-8769

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA TO AMEND RESOLUTION No. 19-8749 TO ESTABLISH THE PARKLAND IN LIEU FEE SCHEDULE FOR NEW RESIDENTIAL DEVELOPMENT IN ACCORDANCE WITH CHAPTER 17.35 ("PARK AND RECREATIONAL LAND") OF TITLE 17 ("DEVELOPMENT") OF THE CODE OF THE CITY OF SANTA CLARA AND TO DETERMINE THE PARK IMPROVEMENT COST TO BE USED IN THE FEE CALCULATIONS

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara is the Government entity responsible for providing public parks, recreation and open space facilities within the City of Santa Clara; and,

WHEREAS, the 2010-2035 General Plan includes a goal that new parks, open space and recreation be provided with new development so that existing facilities are not overburdened;

WHEREAS, the report entitled "Public Facilities Impact Fee Study" ("Nexus Study") dated June 25, 2014, prepared by Willdan Financial Services, Inc. was reviewed by Council in June 2014;

WHEREAS, on July 15, 2014, the City Council adopted Ordinance No. 1928, which added Chapter 17.35 to the City Code, and requires new residential development to provide adequate community and neighborhood park land for active recreational uses, and/or under certain conditions to pay a fee in lieu of parkland dedication;

WHEREAS, on February 24, 2015, the City Council adopted Ordinance No. 1937, adding duplex dwellings to the types of developments subject to the parkland dedication requirement, and removing the one (1) acre minimum for a developer to receive credit for private open space;

WHEREAS, on August 14, 2019 and on August 21, 2019, a notice of the August 27, 2019 public hearing to consider a Resolution to Establish the Parkland In Lieu Fee Schedule for New Residential Development in Accordance with Chapter 17.35 of the Code of the City of Santa Clara was published in the Weekly, a newspaper of general circulation;

WHEREAS, on August 27, 2019, Council approved Resolution No. 19-8749 which included the statutory findings required pursuant to the California Quimby Act (Quimby) and Mitigation Fee

Act (MFA), and related information to be used in the calculation of the fees due in lieu of parkland dedication including the report entitled "Santa Clara Park and Recreation Facilities Impact Fee Update Study" ("Nexus Study") dated April 9, 2019, prepared by Willdan Financial Services, Inc., the professional land valuation appraisal report with a valuation date of December 31, 2017, and the 2018 park improvements replacement costs data, as well as additional documents and public testimony;

WHEREAS, on August 27, 2019, Council voted not to include an implementation schedule in Resolution 19-8749, and directed staff to provide additional policy alternatives for phasing in the increased cost of the park improvement portion of the in-lieu fee calculation to "longer than three years", and to provide pros and cons associated with these alternatives, and directed that all development project applications currently on file would be subject to the existing fees as adopted in FY2017-18 (Resolution No. 17-8427);

WHEREAS, on October 16, 2019 and on October 23, 2019, a notice of the October 29, 2019 public hearing to consider a Resolution to Amend Resolution No. 19-8749 to establish the Parkland In Lieu Fee Schedule for New Residential Development in Accordance with Chapter 17.35 of the Code of the City of Santa Clara and to determine the Park Improvement Costs to be used in the Fee Calculations was published in the *Weekly*, a newspaper of general circulation;

WHEREAS, the fees established by this resolution are derived from, are based upon, and do not exceed the costs of providing capital park and recreation land and facilities necessitated by the new residential development for which fees are levied; and

WHEREAS, on October 29, 2019 the City Council held a public hearing to consider the proposed fee schedule and draft resolution, at which time all interested persons were given an opportunity to give testimony and provide evidence.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. Findings and Purpose. That the City Council hereby finds and declares that:

A. New residential subdivisions and new non-subdivided residential projects generate impacts and demands for public services, facilities, and neighborhood and community parkland, and have a significant effect on the use and availability of park and recreation space and facilities, and that the limited open space and recreation amenities provided by these residential developments are insufficient to meet the needs.

B. It is the City's intent and desire (General Plan Goals & Policies: 5.9.1-G3, -G4; 5.9.1-P14, -P18, -P20) to require that such developments contribute their fair share of land, facilities, or amenities or contribute public costs toward the purchase, development and/or improvement of park and recreational facilities.

C. The imposition of impact fees is one of the customary methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development in order to promote and protect the public health, safety and welfare.

D. The provisions of this Resolution are enacted pursuant to the Charter, the City of Santa Clara General Plan and sections 66000-66025, 66477, and 66479 of the California Government Code (the "Mitigation Fee Act" and the "Quimby Act"), as may be applicable.

E. The report entitled "Public Facilities Impact Fee Study" ("Nexus Study") dated June 25, 2014, prepared by Willdan Financial Services, Inc. and reviewed by Council in June 2014, set forth a reasonable methodology and analysis for the determination of the impact of development on the need for and costs for additional capital parks and recreation facilities improvements in the City.

F. The report entitled "Santa Clara Park and Recreation Facilities Impact Fee Update Study" ("Nexus Study Update") dated April 9, 2019, prepared by Willdan Financial Services, Inc. and reviewed by Council on May 21 and August 27, 2019, set forth a reasonable methodology and updated analysis for the determination of the impact of development on the

need for and the costs for additional capital parks and recreation facilities improvements in the City.

G. Pursuant to Government Code Section 66016, the City made data available regarding the costs, or estimated costs, to provide services and proposed parkland dedication standards for the public facility impact fees by posting the draft Nexus Study Update prepared by Willdan Financial Services, Inc., on the City's Website on April 9, 2019 and previously provided the land valuation appraisal report and addenda prepared by the Schmidt-Prescott Group dated February 22, 2018 ("Appraisal Report") on the City's website on March 9, 2018, and the park improvement replacement costs contained in the Facility Condition Assessment Report ("Kitchell 2017") on the City Website in January 2018, which dates were all at least ten (10) days before the Council public hearing on August 27, 2019. In addition, a copy of a report analyzing the potential options for a gradual phase-in of the fees and the use of a cost escalator for parkland improvement costs was placed on file with the City Clerk on October 18, 2019, and a copy was posted on the City's website also on October 18, 2019, which dates were at least ten (10) days before the Council public hearing on October 29, 2019.

H. After careful consideration, including review of documentary evidence and additional information submitted in the administrative review process, the City Council finds the imposition of impact fees to finance major public park and recreational land acquisition, development and rehabilitation, as revised using the values set forth in the Nexus Study Update Report, is in the public interest and general welfare of the City and its residents, is equitable, and does not impose an undue burden on new development.

2. Calculation of Fees.

A. The Nexus Study Update calculates the parks fees that would fund the fair share cost to new development for additional capital parks and recreational facilities and improvements. The Nexus Study is based on the General Plan planning horizon of 2010-2035 and estimates the future

residential population needs for parkland and recreational facilities. The Nexus Study Update determines a fair share of future planned public facilities using the "system plan" method to assure that new development doesn't pay for existing service deficiencies. The Nexus Study Update uses the "existing inventory demand standard" translated into facility costs per capita to determine new development's fair share of planned facility costs and to calculate the maximum parks fee. The cost standard provides a reasonable method for converting disparate types of facilities, in this case parkland and special use recreational facilities, into a single measure of demand (capital cost per capita). The cost standard is based on the existing inventory of parks and recreation facilities. New development will fund the expansion of facilities at the same rate that existing development has provided facilities. This method sets the fee that will fund the expansion of park facilities at the same standard that currently serves existing residents. The Nexus Study Update provides a reasonable methodology to determine the impacts and costs of new residential development. The City may adopt development impact fees up to the legally justified amounts in the Nexus Study Update (100% cost recovery).

B. Pursuant to Santa Clara City Code Chapter 17.35, the maximum amount of the fees due in lieu of required parkland dedication shall be determined by the fair market value of the amount of land that would otherwise be required to be dedicated and using the average per acre land value for property in the City of Santa Clara for each of the three existing ZIP Codes in the City (95050, 95051, 95054), for each of the Dwelling Unit Categories (Single Family, Multi-family) on an annual basis in a Council resolution.

C. An independent real estate appraisal firm, The Schmidt-Prescott Group, was retained to provide a "Fair Market Value" opinion (valuation date of December 31, 2017) conforming to Uniform Standards of Professional Appraisal Practice and using the City's supplemental instructions for an average acre of land (hypothetical, rectangular, useable site) for property in each of the three existing City of Santa Clara Zip Codes 95050, 95051, 95054. The data set included all property types: Single Family (low and very low density), High Density Residential, Medium Density

Residential, Commercial/Retail, Industrial, Lots and Land. Excluded were transactions considered not "arms-length", having encumbered or clouded title, environmentally impaired sites, or more than three (3) years old. An inflation factor was computed and applied to comparable sales over one year old based on reasonable and rational considerations such as sales and rental trends or other appropriate methods. The weighted average of each property type was based on the percentage of land area in the sales transactions.

D. Based on the findings of the Appraisal Report, the average per acre land value for each ZIP Code area as of December 31, 2017, is: $3.738 million per acre ($85.81/sf) in 95050; $3.993 million per acre ($91.67/sf) in 95051; and, $4.035 million per acre ($92.63/sf) in 95054. If a developer objects to this determination of fair market value, the developer may elect to have the value established by appraisal, in conformance with City Code Section 17.35.040(b)(2).

E. Per acre Park Improvement Value. In 2017, an independent asset inventory evaluation firm, Kitchell CEM, was retained by the City to provide a complete asset inventory and facility condition assessment of all parks and recreation assets in the City for inclusion in the City's Enterprise Asset Management System and geo-database for lifecycle asset management (GIS-Lucity), and conforming to the industry standards used a reasonable methodology to determine the replacement cost for all existing assets and from which a condition index could be calculated (Kitchell Report dated February 21, 2018). The report was available on the City website, reported at the Parks & Recreation Commission, and noted and filed by the City Council on April 24, 2018. The total replacement cost of park assets inventoried in existing parks is the basis from which the system determines a reasonable estimate of the average per acre value of park improvements. The cost to provide an asset or set of assets in a park ("park improvements") is found to be the same as the current replacement cost of an asset such that a new park will provide the same level of service to new residents as received by existing residents in the park system as a whole, but no greater. Following stakeholder meetings on

June 11, 2018 and June 27, 2018, adjustments were made (subtracted) in the inventory's costs for non-standard park facilities and buildings. The City then further reviewed actual construction bid prices for recent park construction projects in the City of Santa Clara, and contracted with an independent construction cost estimator to review the existing park inventory cost data. Based on these analyses and findings, the reasonable average cost per acre for park improvements was determined and found to be $1.335 million per acre ($3,471 per capita).

F. Impact of Future Park Improvement Cost Escalation. The average cost per acre for park improvements/construction of $1.335 million per acre is based on 2018 data and does not account for potential future annual construction cost escalation (increase/decrease). Over time, the actual costs of park development may exceed the 2018 cost per capita limit used to calculate annual fees and may impact the ability of the City to provide new parks at the same standard as provided in the existing park inventory. One objective, historical (retrospective), measure is provided by the California Department of Government Services annual (December through December) California Construction Cost Index (CCCI) and is based upon the Building Cost Index for the San Francisco and Los Angeles areas as produced by Engineering News Record (ENR BCI). Over the past eleven years, historical annual construction costs have typically increased on average 2.3%, and are documented to have been within a range of negative (decrease) 1.1% to positive (increase) 6.8%. The application of a Construction Cost Index on an annual basis (whether increase or decrease) to the park improvement cost basis of $3,471 per capita (or, $1.335 million per acre) would provide an additional reasonable cost adjustment and address the measurable annual changes, up or down, in park improvement/construction costs.

G. Parkland Dedication Standard. In calculation of parkland dedication or fees due in lieu thereof, new residential developments subject to the Mitigation Fee Act will use the existing parkland ratio of 2.6 acres per thousand residents; and, new residential subdivisions subject to the Quimby Act will use the City parkland standard of 3.0 acres of property for each one thousand residents for public park and recreational facilities.

H. Dwelling Unit Categories and Density. In calculation of parkland dedication or fees due in lieu thereof, the types of dwelling units and average density factors (U.S. Census Bureau, 2017 American Community Survey) are: (1) Multiple Family Dwelling equals 2.40 persons per household; and, (2) Single-Family Dwelling equals 2.98 persons per household.

I. In conformance with City Code Section 17.35.050, in subdivisions of over fifty (50) parcels of land, in condominium developments of more than fifty (50) dwelling units, and in residential developments not involving a subdivision, a combination of land dedication and fee payment may be required. Developments of fifty (50) units or less will be required to pay an in-lieu fee.

J. In conformance with City Code Section 17.35.070, developers will submit a written request with the project application for any eligible credits requested against the amount of parkland dedication or the amount of the in-lieu fee. The developer will work with the Director of Parks & Recreation on the proposed credits and project's park, recreation and green space conditions. The Approving Authority must make findings that the on-site parks and recreation amenities meet the Code's standards. For housing developments of which 100% of the units are affordable or for senior citizens authorized by the California Civil Code or the Federal Fair Housing Amendments Act, the Approving Authority must make findings that the development complies with all other provisions of the section and that providing the additional credit would serve the public interest.

3. Schedule of Fees.

A. Fee Policy History. On October 14, 2014, Council adopted Resolution No. 14-8174 that set fees due in lieu of parkland dedication at 100% cost recovery for Fiscal Year (FY) 2014-15 based on land valuation from calendar year 2013 and park improvement value from 2014. In FY2015-16, fees remained unchanged due to the recent adoption of the ordinance and fees. On June 7, 2016 Council reviewed and adopted supplemental land valuation instructions for use in the calculation of the fees. On August 23, 2016 Council adopted Resolution No. 16-8358 that set fees due in lieu of parkland dedication at 100% of cost recovery based upon land valuation date of

December 31, 2015 for FY2016-2017 and park improvement value from 2014. On May 8, 2017, Council adopted Resolution No. 17-8427 that set fees due in lieu of parkland dedication at 100% of cost recovery based upon land valuation date of December 31, 2016 for FY2017-18 and park improvement value from 2014. In FY 2018-19, fees remained unchanged due to an extensive review and public comment periods. In FY2019-20, on August 27, 2019 Council adopted Resolution No. 19-8749 that made the statutory findings to be used in the calculation of fees due in lieu of parkland dedication at 100% cost recovery including, but not limited to the MFA parkland standard of 2.6 acres per thousand residents, the Quimby parkland standard of 3.0 acres per thousand residents, the Multiple Family Dwelling Unit average density of 2.40 persons per household, the Single-Family Dwelling unit average density of 2.98 persons per household, the average per acre land value for each ZIP Code area as of December 31, 2017 of $3.738 million per acre in 95050, $3.993 million per acre in 95051, and $4.035 million per acre in 95054 to be annually undated according to City Code 17.35; and the average per acre value for park improvements/construction as of February 2018 of $1.335 million per acre ($3,471 per capita). However, Council requested additional policy alternatives to phase in the increase in park improvements cost to more than three years. Furthermore, Resolution No. 19-8749 maintained that for all development project applications currently on file, the existing fees would apply as adopted in FY2017-18 (Resolution No. 17-8427), i.e. no change in fees.

B. Phase-In Policy. After considering the alternatives, Council has selected the following phase-in policy for the change in fees to achieve 100% cost recovery over an extended period of time: Phase in the park improvement cost increase of $2,664 ($3,471 - $807) per capita over a four-year period increasing 25% ($666) per year and continue to adjust the land valuation (increase/decrease) fee component each year based on the annual land appraisal at 100% cost recovery.

C. Construction Cost Index. In order to continue to achieve, but not exceed, 100% cost recovery, the City shall in two years, revisit the use of the California Construction Cost Index (increase/decrease) to adjust the park improvement cost basis of $3,471 per capita in the

calculation of future fees due in lieu of parkland dedication.

D. The land valuation component will be subject to the updated annual land value appraisal report and supplemental instructions as adopted by Council June 7, 2016 with valuation dates of December 31 of each calendar year for use in calculating the following (next) fiscal year's fee update. Pursuant to Ordinances Nos. 1928 and 1937, projects subject to the Quimby Act and the Mitigation Fee Act, will provide for parkland (and/or its corresponding fee calculated and due in lieu of land dedication) according to the Quimby Act or Mitigation Fee Act as appropriate, and will provide for park improvements (and/or its corresponding fee calculated and due in lieu of improvements) according to the Mitigation Fee Act or its corresponding fee due in lieu of improvements.

E. Pursuant to Ordinances Nos. 1928 and 1937, fees subject to the Quimby Act and the Mitigation Fee Act are calculated and provided for each Zip Code Area of the City (95050, 95051, and 95054) in Attachment 1, attached hereto and incorporated herein by this reference.

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F. Implementation Schedule. For development projects subject to the Quimby Act, the proposed fees will be imposed on development projects with applications deemed complete on or after October 29, 2019 (immediately). For development projects subject to the Mitigation Fee Act, the proposed fees will be imposed on development projects with applications deemed complete on or after December 28, 2019 (60 days after adoption of Resolution). For development project applications "deemed complete" prior to this date, the existing fees will apply as adopted in FY2017-18 (Resolution No. 17-8427).

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 29TH DAY OF OCTOBER, 2019, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Chahal, Davis, Hardy, Mahan, O'Neill, and Watanabe, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Fee Schedule - Four Year Phase-In (25% annually)

Attachment 1

Four Year Phase-In (25% annually)

Table A
Park and Recreation Facilities Fee Schedule - Zip Code Area 95050

Year			1			2			3			4		
			2019			2020			2021			2022		
park improvement value increase=			*0.25*	*$3,471*	*$ 1,473*	*0.5*	*$3,471*	*$ 2,139*	*0.75*	*$3,471*	*$ 2,805*	*1*	*$3,471*	*$ 3,471*
formula	*A*	*B*	*C=AxB*	*D=Cx0.02*	*E=C+D*	*C=AxB*	*D=Cx0.02*	*E=C+D*	*C=AxB*	*D=Cx0.02*	*E=C+D*	*C=AxB*	*D=Cx0.02*	*E=C+D*
Land Use	Cost Per Capita	Density	BaseFee	Admin Charge	Total Fee	BaseFee	Admin Charge	Total Fee	BaseFee	Admin Charge	Total Fee	BaseFee	Admin Charge	Total Fee
Quimby Act														
Single Family														
Parkland	$11,214	2.98	$33,418	$ 668	$ 34,086	$33,418	$ 668	$34,086	$ 33,418	$ 668	$ 34,086	$ 33,418	$ 668	$34,086
Improvements	$ 3,471	2.98	$ 4,390	$ 88	$ 4,477	$ 6,374	$ 127	$ 6,502	$ 8,359	$ 167	$ 8,526	$ 10,344	$ 207	$10,550
Total	$14,685		$37,807	$ 756	**$ 38,563**	$39,792	$ 796	**$40,588**	$ 41,777	$ 836	**$ 42,612**	$ 43,761	$ 875	**$44,637**
Multi-Family														
Parkland	$11,214	2.4	$26,914	$ 538	$ 27,452	$26,914	$ 538	$27,452	$ 26,914	$ 538	$ 27,452	$ 26,914	$ 538	$27,452
Improvements	$ 3,471	2.4	$ 3,535	$ 71	$ 3,606	$ 5,134	$ 103	$ 5,236	$ 6,732	$ 135	$ 6,867	$ 8,330	$ 167	$ 8,497
Total	$14,685		$30,449	$ 609	**$ 31,058**	$32,047	$ 641	**$32,688**	$ 33,646	$ 673	**$ 34,319**	$ 35,244	$ 705	**$35,949**
Mitigation Fee Act														
Single Family														
Parkland	$ 9,719	2.98	$28,963	$ 579	$ 29,542	$28,963	$ 579	$29,542	$ 28,963	$ 579	$ 29,542	$ 28,963	$ 579	$29,542
Improvements	$ 3,471	2.98	$ 4,390	$ 88	$ 4,477	$ 6,374	$ 127	$ 6,502	$ 8,359	$ 167	$ 8,526	$ 10,344	$ 207	$10,550
Total	$13,190		$33,352	$ 667	**$ 34,019**	$35,337	$ 707	**$36,044**	$ 37,322	$ 746	**$ 38,068**	$ 39,306	$ 786	**$40,092**
Multi-Family														
Parkland	$ 9,719	2.4	$23,326	$ 467	$ 23,792	$23,326	$ 467	$23,792	$ 23,326	$ 467	$ 23,792	$ 23,326	$ 467	$23,792
Improvements	$ 3,471	2.4	$ 3,535	$ 71	$ 3,606	$ 5,134	$ 103	$ 5,236	$ 6,732	$ 135	$ 6,867	$ 8,330	$ 167	$ 8,497
Total	$13,190		$26,861	$ 537	**$ 27,398**	$28,459	$ 569	**$29,028**	$ 30,058	$ 601	**$ 30,659**	$ 31,656	$ 633	**$32,289**

Four Year Phase-In (25% annually)

Table B
Park and Recreation Facilities Fee Schedule - Zip Code Area 95051

Year			1			2			3			4		
			2019			2020			2021			2022		
park improvement value increase=			*0.25*	*$3,471*	***$ 1,473***	*0.5*	*$3,471*	***$ 2,139***	*0.75*	*$3,471*	***$ 2,805***	*1*	*$3,471*	***$ 3,471***
formula	*A*	*B*	*C=AxB*	*D=Cx0.02*	*E=C+D*	*C=AxB*	*D=Cx0.02*	*E=C+D*	*C=AxB*	*D=Cx0.02*	*E=C+D*	*C=AxB*	*D=Cx0.02*	*E=C+D*
Land Use	**Cost Per Capita**	**Density**	**BaseFee**	**Admin Charge**	**Total Fee**	**BaseFee**	**Admin Charge**	**Total Fee**	**BaseFee**	**Admin Charge**	**Total Fee**	**BaseFee**	**Admin Charge**	**Total Fee**
Quimby Act														
Single Family														
Parkland	$11,979	2.98	$35,697	$ 714	$ 36,411	$35,697	$ 714	$36,411	$ 35,697	$ 714	$ 36,411	$ 35,697	$ 714	$36,411
Improvements	$ 3,471	2.98	$ 4,390	$ 88	$ 4,477	$ 6,374	$ 127	$ 6,502	$ 8,359	$ 167	$ 8,526	$ 10,344	$ 207	$10,550
Total	$15,450		$40,087	$ 802	**$ 40,889**	$42,072	$ 841	**$42,913**	$ 44,056	$ 881	**$ 44,937**	$ 46,041	$ 921	**$46,962**
Multi-Family														
Parkland	$11,979	2.4	$28,750	$ 575	$ 29,325	$28,750	$ 575	$29,325	$ 28,750	$ 575	$ 29,325	$ 28,750	$ 575	$29,325
Improvements	$ 3,471	2.4	$ 3,535	$ 71	$ 3,606	$ 5,134	$ 103	$ 5,236	$ 6,732	$ 135	$ 6,867	$ 8,330	$ 167	$ 8,497
Total	$15,450		$32,285	$ 646	**$ 32,930**	$33,883	$ 678	**$34,561**	$ 35,482	$ 710	**$ 36,191**	$ 37,080	$ 742	**$37,822**
Mitigation Fee Act														
Single Family														
Parkland	$10,382	2.98	$30,938	$ 619	$ 31,557	$30,938	$ 619	$31,557	$ 30,938	$ 619	$ 31,557	$ 30,938	$ 619	$31,557
Improvements	$ 3,471	2.98	$ 4,390	$ 88	$ 4,477	$ 6,374	$ 127	$ 6,502	$ 8,359	$ 167	$ 8,526	$ 10,344	$ 207	$10,550
Total	$13,853		$35,328	$ 707	**$ 36,034**	$37,313	$ 746	**$38,059**	$ 39,297	$ 786	**$ 40,083**	$ 41,282	$ 826	**$42,108**
Multi-Family														
Parkland	$10,382	2.4	$24,917	$ 498	$ 25,415	$24,917	$ 498	$25,415	$ 24,917	$ 498	$ 25,415	$ 24,917	$ 498	$25,415
Improvements	$ 3,471	2.4	$ 3,535	$ 71	$ 3,606	$ 5,134	$ 103	$ 5,236	$ 6,732	$ 135	$ 6,867	$ 8,330	$ 167	$ 8,497
Total	$13,853		$28,452	$ 569	**$ 29,021**	$30,050	$ 601	**$30,651**	$ 31,649	$ 633	**$ 32,282**	$ 33,247	$ 665	**$33,912**

Four Year Phase-In (25% annually)

Table C

Park and Recreation Facilities Fee Schedule - Zip Code Area 95054

Year			1			2			3			4		
			2019			2020			2021			2022		
park improvement value increase=			*0.25*	*$3,471*	*$ 1,473*	*0.5*	*$3,471*	*$ 2,139*	*0.75*	*$3,471*	*$ 2,805*	*1*	*$3,471*	*$ 3,471*
formula	*A*	*B*	*C=AxB*	*D=Cx0.02*	*E=C+D*	*C=AxB*	*D=Cx0.02*	*E=C+D*	*C=AxB*	*D=Cx0.02*	*E=C+D*	*C=AxB*	*D=Cx0.02*	*E=C+D*
Land Use	**Cost Per Capita**	**Density**	**BaseFee**	**Admin Charge**	**Total Fee**	**BaseFee**	**Admin Charge**	**Total Fee**	**BaseFee**	**Admin Charge**	**Total Fee**	**BaseFee**	**Admin Charge**	**Total Fee**
Quimby Act														
Single Family														
Parkland	$12,105	2.98	$ 36,073	$ 721	$ 36,794	$ 36,073	$ 721	$ 36,794	$ 36,073	$ 721	$ 36,794	$ 36,073	$ 721	$36,794
Improvements	$ 3,471	2.98	$ 4,390	$ 88	$ 4,477	$ 6,374	$ 127	$ 6,502	$ 8,359	$ 167	$ 8,526	$ 10,344	$ 207	$10,550
Total	$15,576		$ 40,462	$ 809	**$ 41,272**	$ 42,447	$ 849	**$ 43,296**	$ 44,432	$ 889	**$ 45,320**	$ 46,416	$ 928	**$47,345**
Multi-Family														
Parkland	$12,105	2.4	$ 29,052	$ 581	$ 29,633	$ 29,052	$ 581	$ 29,633	$ 29,052	$ 581	$ 29,633	$ 29,052	$ 581	$29,633
Improvements	$ 3,471	2.4	$ 3,535	$ 71	$ 3,606	$ 5,134	$ 103	$ 5,236	$ 6,732	$ 135	$ 6,867	$ 8,330	$ 167	$ 8,497
Total	$15,576		$ 32,587	$ 652	**$ 33,239**	$ 34,186	$ 684	**$ 34,869**	$ 35,784	$ 716	**$ 36,500**	$ 37,382	$ 748	**$38,130**
Mitigation Fee Act														
Single Family														
Parkland	$10,491	2.98	$ 31,263	$ 625	$ 31,888	$ 31,263	$ 625	$ 31,888	$ 31,263	$ 625	$ 31,888	$ 31,263	$ 625	$31,888
Improvements	$ 3,471	2.98	$ 4,390	$ 88	$ 4,477	$ 6,374	$ 127	$ 6,502	$ 8,359	$ 167	$ 8,526	$ 10,344	$ 207	$10,550
Total	$13,962		$ 35,653	$ 713	**$ 36,366**	$ 37,637	$ 753	**$ 38,390**	$ 39,622	$ 792	**$ 40,415**	$ 41,607	$ 832	**$42,439**
Multi-Family														
Parkland	$10,491	2.4	$ 25,178	$ 504	$ 25,682	$ 25,178	$ 504	$ 25,682	$ 25,178	$ 504	$ 25,682	$ 25,178	$ 504	$25,682
Improvements	$ 3,471	2.4	$ 3,535	$ 71	$ 3,606	$ 5,134	$ 103	$ 5,236	$ 6,732	$ 135	$ 6,867	$ 8,330	$ 167	$ 8,497
Total	$13,962		$ 28,714	$ 574	**$ 29,288**	$ 30,312	$ 606	**$ 30,918**	$ 31,910	$ 638	**$ 32,549**	$ 33,509	$ 670	**$34,179**

4590 Patrick Henry LLC

April 15, 2021

Via Email
Gina Saporito
City of Santa Clara
Parks and Recreation Department
1500 Warburton Avenue
Santa Clara, California 95050

Re: Comments to Annual Land Valuation Appraisal Report, December 31, 2020

Dear Ms. Saporito,

4590 Patrick Henry LLC owns 4590 Patrick Henry Drive in Santa Clara, CA. I am commenting on the draft Annual Land Valuation Appraisal Report prepared by Frank Schmidt & Associates effective December 31, 2020.

For zip code 95054, the report assumes the land value increased to $4,830,000 which represents approximately 7.5% increase from prior appraisal. This appraisal assumes many factors, including economic rebound and increase in sales comparatives from another zip code region within Santa Clara.

As a property owner in zip code 95054, I have not seen this economic rebound nor do I believe commercial and industrial land values have increased, rather I believe it has decreased. For example, commercial/industrial tenant that was in the property filed California's version of bankruptcy during 2020 and its subtenant has vacated and downsized into a new premises outside of zip code 95054. The neighboring tenant next door to 4590 Patrick Henry has put majority of its space on the sublease market as well. If one does visit the 95054 zip code area, most properties are not achieving the asking rental rates referenced by the appraiser and many for lease signs are noticeable. Asking rental rates are currently inflated so that property owners can do workouts with its existing lenders.

Also, if there are not substantiated sales comparatives in zip code 95054, it appears using a 95% adjustment factor for residential is too high when asking rates for rental residential has been decreasing by approximately 15% from prior year.

While future development has been referenced for zip code 95054, most are on hold unless GMP was negotiated and was in midst of development. I believe even Related project has not broken ground as today. The ones that are continuing to be built, these projects would be in default with its lender if the sponsor did not proceed and complete the projects.

With the general references above, the new land value per acre especially for zip code 95054 appears too high and may want to consider using prior values prior to COVID-19.

Thank you for your consideration.

Sincerely,

4590 Patrick Henry LLC,
a Delaware limited liability company

By: 
Name: Jimmy Park
Its: Authorized Signatory

SARES REGIS

April 16, 2021

The Honorable Mayor Lisa Gillmor
City Manager Deanna Santana
City of Santa Clara
1500 Warburton Avenue, Santa Clara, CA 95050
VIA EMAIL

Re: Request to defer ANNUAL LAND VALUATION APPRAISAL REPORT and ACTION ON A PARK FEE INCREASE

Dear Mayor Gillmor and City Manager Santana,

On behalf of Clarion Partners, I am writing to request the City of Santa Clara defer action to update the land value component of the parks in lieu fees based the Annual Land Valuation Appraisal Report Effective December 31, 2020 (Appraisal). Similar to our letter from last August, and due to the unprecedented nature of COVID-19 we are in uncharted territory with impacts on real estate yet to be realized. In addition, construction costs are not abating; rents are declining, and vacancies and capitalization rates are increasing.

If the City decides to pursue parks in lieu fee adjustments, we recommend that the City set aside the 2020 Appraisal and instead rely on the 2017 Appraisal to set the land value component of the fees and not increasing land values in the parks in lieu fee calculation for the upcoming year. This is a reasonable and responsible approach to take considering the current economic crisis to promote COVID-19 economic recovery efforts and not further disincentivize the construction of much needed market rate housing and affordable housing.

The park fee increase adopted in November 2019 was the result of significant work and compromise between the home building industry and City of Santa Clara and there are park improvement cost escalators built into the fee. We request that no land value fee increase also be adopted at this time and wait until there is more visibility as to the ramifications of COVID-19 and its impact on both commercial and residential markets as well as property values.

Thank you for your time and consideration on this important matter.

Sincerely,



Jeff Smith, Director, Sares Regis

CC: Manuel Pineda
James Teixeira

Sares Regis Group of Northern California, LLC

901 Mariners Island Boulevard, Suite 700, San Mateo, CA 94404

T: 650-378-2800 F: 650-570-2233

21-717 **Agenda Date: 5/25/2021**

REPORT TO COUNCIL

SUBJECT
Update on City Council and Stadium Authority Staff Referrals

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND AND DISCUSSION
During Council and Stadium Authority meetings, the City Council or Stadium Authority Board provide direction on policy issues or refer information requests to staff for follow-up.

The purpose of the City Council and Stadium Authority Referrals Update is to provide the City Council/Stadium Authority Board and the public a current status report. Completion of the referrals may be communicated by various means such as: Report to Council, Information Memorandum provided through a Council Agenda, City Manager Biweekly Report/Blog, or a City Manager/Executive report out during a future Council meeting.

The Referrals list will be published in the Council agenda packet under the “City Manager/Executive Director Report” section of the Council Agenda. Reports will include both open and closed referrals.

City of Santa Clara
The Center of What's Possible

CITY COUNCIL AND STADIUM AUTHORITY STAFF REFERRALS FOR FOLLOW-UP/ACTION

Updated 5/18/21

SCSA
SANTA CLARA STADIUM AUTHORITY

	Date Assigned	Source	Referral Description	Assigned Department	Projected Completion	Completed
1.	5/4/21	Council Meeting	Return to City Council for a discussion of potential actions to achieve more efficient administration of the City's HUD PSA grants	Community Development	TBD	
2.	5/4/21	Council Meeting	Parking Maintenance District No. 122 – Engage with property owners to discuss options for increasing their share of the annual O&M costs and potential for dissolving the district	Public Works	TBD	
3.	4/20/21	Council Meeting	Parking Maintenance District No. 122 – Franklin Square – return with information regarding the Maintenance District and possibly absolving it	Public Works/ City Attorney	5/4/21	**5/4/21**
4.	4/6/21	Council Meeting	Regarding the 2021 Annual Street Maintenance and Rehabilitation Project – return with a communication plan on the pavement timelines and status	Public Works	TBD	**5/7/21**
5.	3/9/21	Council Meeting	Action on Tasman East Specific Plan – continue item and return with a full presentation on Tasman East Specific Plan	Community Development	6/22/21	
6.	3/10/21	Council Meeting	Referred to Governance Committee – return to Council with a Council Policy regarding eligibility list for Boards and Commissions	City Manager	5/4/21	**5/4/21**
7.	3/10/21	Council Meeting	Council to submit work schedules to Assistant City Manager Nader; staff to prepare a report regarding options for Council meeting start time	City Manager	6/7/21	
8.	2/23/21	Council Meeting	Return with information in 6 months on a cost analysis on City's undertaking of responsibility of sewer laterals on and options for potential grant program and/or insurance policies	Water & Sewer	August 2021	
9.	1/12/21	Council Meeting	Provide a Study Session on pros/cons lifecycle cost/benefits of artificial surfacing including turf (staff will return to Council with an Information Memo)	Parks & Rec	Summer 2021	
10.	1/12/21	Council Meeting	Defer approval of the 1205 Coleman Gateway neighborhood park design to work with the developer within current project approvals to receive additional community input including the Old Quad on park design	Parks & Rec	TBD	
11.	10/13/20	Stadium Authority	Stadium Bills and Claims – Return on a future agenda with an informational report on the on the Stadium Authority's responsibility of unfunded liability	Finance	September 2021	
12.	10/13/20	Council Meeting	Community Benefits Policy – Return to the Governance Committee with potential models of a Community Benefits Policy with feedback from various Community groups (i.e. CatalyzeSV) and best practices from other Cities	Community Development	TBD	
13.	10/29/19	Council Meeting	Provide options for the $750,000 commitment from Levy for community enrichment	City Manager	5/19/21	
14.	9/24/19	Council Meeting	Staff to review the Ordinance and enforcement of illegal street food vendors. At the 9/25/20 Council meeting, Council asked staff to review enforcement of vendors outside of Levi's Stadium	Police	Summer 2021	

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CITY COUNCIL AND STADIUM AUTHORITY STAFF REFERRALS FOR FOLLOW-UP/ACTION

Updated 5/18/21

SCSA
SANTA CLARA STADIUM AUTHORITY

	Date Assigned	Source	Referral Description	Assigned Department	Projected Completion	Completed
15.	4/30/19	Council Meeting	Number of public transit riders for large stadium events	49ers Stadium Manager	TBD	
16.	4/30/19	Council Meeting	Ask Stadium Manager for analysis to support their position that reducing the cost of parking would likely adversely impact public transit ridership, resulting in more cars on the roads	49ers Stadium Manager	TBD	
17.	10/9/18	Council Meeting	Dedicate Jerry Marsalli Community Center at grand opening of the facility	Parks & Rec	Summer 2021	
18.	10/2/18	Council Meeting	Amend sign ordinance to prohibit signs on public property	Parks & Rec/ City Attorney	TBD	
19.	3/13/18	Council Meeting	Develop a Stadium Authority Financial Reporting Policy in conjunction with the Stadium Authority Auditor and the external auditor	Finance	Summer 2021	

City of Santa Clara
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COMPLETED 2021
CITY COUNCIL AND STADIUM AUTHORITY STAFF REFERRALS FOR FOLLOW-UP/ACTION
Updated 5/5/21

SCSA
SANTA CLARA STADIUM AUTHORITY

	Date Assigned	Source	Referral Description	Assigned Department	Projected Completion	Completed	Resolution
1.	1/26/21	Council Meeting	Regarding a written petition on Franklin mall Maintenance District Number 22 – staff to agendize this item for a future Council meeting after receiving a response back from the FPPC	Public Works/ City Attorney	TBD	4/20/21	Reported at Council Meeting
2.	1/26/21	Council Meeting	Annual Investment Policy Statement – continue this item and return to Council with an analysis on investments, including sustainability investments	Finance	3/23/21	3/23/21	Reported at Council Meeting
3.	1/12/21	Council Meeting	Provide quarterly information reports on progress of Task Force on Diversity, Equity and Inclusion	City Manager	3/23/21	3/23/21	Reported at Council Meeting
4.	1/26/21	Council Meeting	Regarding a written petition on Loyalton Ranch Property – staff to agendize this item for a Council meeting in March	SVP	3/23/21	3/16/21	Reported at Council Meeting
5.	1/28/20	Council Meeting	VTA Transit Oriented Communities referred to Council Priority Setting Session on 1/30 and 1/31 to provide information on staff impact. (At the Priority Setting Session, Council requested that staff schedule a study session.)	City Manager/ Public Works	TBD	3/10/21	VTA staff may request to present this at a future Council meeting but that time frame is unknown, therefore this item has been removed from the open referral list
6.	7/9/19	Council Meeting	Update on age-friendly activities per commission annual Work Plan	Parks & Rec	TBD	3/10/21	Staff communicates regarding age-friendly activities on an ongoing basis; therefore, this item has been removed from the open referral list
7.	7/9/19	Council Meeting	Add Lawn Bowl Clubhouse Project to a future agenda and return with information on costs of installation of module. Staff to notify Lawn Bowl Club of Council meeting date so they may update Council on their fundraising efforts.	Parks & Rec	TBD	3/10/21	Lawn Bowl Clubhouse is in the Central Park Master Plan; project

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COMPLETED 2021
CITY COUNCIL AND STADIUM AUTHORITY STAFF REFERRALS FOR FOLLOW-UP/ACTION
Updated 5/5/21

SCSA
SANTA CLARA STADIUM AUTHORITY

	Date Assigned	Source	Referral Description	Assigned Department	Projected Completion	Completed	Resolution
							prioritization will depend on funding and completion of other higher-priority projects, therefore this item has been removed from the open referral list
8.	7/14/20	Council Meeting	Garbage Rates – explore long-term rate assistance programs for solid waste	Public Works	3/9/21	3/9/21	Reported at Council Meeting
9.	1/26/21	Council Meeting	Council Committee Assignments – Council established an ad hoc committee comprised of Mayor Gillmor, Councilmember Park and Councilmember Jain to review committee assignments and return to Council with a revised plan (current committee assignments will remain in place until a new appointment list is approved by Council	Council Ad Hoc Committee	TBD	2/23/21	Reported at Council Meeting
10.	10/13/20	Council Meeting	Noise Monitoring at Levi's Stadium – Return to Council with a revised scope of work that includes a monthly consultant report with data related to all noise, including airplane noise by Levi's Stadium. Report should include data on peak noise, how many days we exceed the noise ordinance, etc. and notify Council regarding excessive noise complaints.	Community Development	2/23/21	2/23/21	Reported at Council Meeting
11.	1/12/21	Council Meeting	Staff to provide opinions from Chamber, DMO, TID and others on the need for of the services provided in the agreement and having the infrastructure in place. What would it cost to do it themselves and how would they envision this moving forward if City did not approve the agreement.	City Manager	2/9/21	2/9/21	Reported at Council Meeting
12.	1/12/21	Council Meeting	Provide Incremental Milestone Completion Reports from JLL regarding project milestones from previous agreements	City Manager	2/9/21	2/9/21	Reported at Council Meeting
13.	1/12/21	Council Meeting	Provide Council with previously completed TAP audit of Convention Center Visitors Bureau	City Manager	2/9/21	2/9/21	Reported at Council Meeting
14.	1/26/21	Council Meeting	Conflict of Interest Code – continue this item to 2/9/21 to provide Stadium Management Company attorney the opportunity to provide the City/Stadium Authority information on why the Stadium Management	City Manager/ City Attorney	2/9/21	2/9/21	Reported at Council Meeting

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COMPLETED 2021
CITY COUNCIL AND STADIUM AUTHORITY STAFF REFERRALS FOR FOLLOW-UP/ACTION
Updated 5/5/21

SCSA
SANTA CLARA STADIUM AUTHORITY

	Date Assigned	Source	Referral Description	Assigned Department	Projected Completion	Completed	Resolution
			Company individuals listed in the staff report should not be included in the Conflict of Interest Code				
15.	1/12/21	Council Meeting	Staff to return with an Information Memo regarding the legal process of increasing utility rates	SVP	TBD	2/4/21	Memo to Council emailed to Council from City Manager on 2/4/21
16.	12/16/20	Council Meeting	Regarding a written petition from Sam Liu concerning a 10' CMU wall with project at 3200 Scott Blvd., staff to return on 1/26/21 with possible options for Council consideration	Community Development	1/26/21	1/26/21	Reported at Council Meeting
17.	1/12/21	Council Meeting	Communicate to the State Historic Preservation Office the City Council's conditional support for the nomination of the Pomeroy Green Townhouses contingent upon completion of the following conditions: signed petition from a majority of Pomeroy Green Co-op members; provision of resolution of support from the Co-op board; completion of an analysis by a qualified historian, preferably local; City Attorney review and comments on the application; notification of all shareholders and owners of neighboring homes within a 200 foot radius including information on the process to object to the nomination	Community Development	TBD	1/22/21	Staff sent letter to SHPO on 1/22/21; on 3/29/21 received confirmation the property is now listed on National and CA Historic Registers
18.	8/25/20	Council Meeting	Staff to return on 12/15/20 regarding a written petition from Joseph Ducato requesting changes to the sewer ordinance whereby the City reassumes responsibility for maintenance and or/replacement of the sewer laterals located in the public right-of-way. (The Report to Council for this item was scheduled to be presented to Council on 12/15/20, however, due to a very heavy agenda it was moved to 1/12/21.)	Water & Sewer	1/12/21	1/12/21	Reported at Council Meeting