City of Santa Clara
Agenda
Council and Authorities Concurrent Meeting
Call and Notice of Special
Santa Clara Stadium Authority Meeting

Tuesday, November 9, 2021 **5:00 PM** **Virtual Meeting**
5:00 PM Closed Session
6:00 PM Open Session

Pursuant to California Government Code section 54953(e) and City of Santa Clara Resolution 21-9013, the City Council meeting will be held by teleconference only. No physical location will be available for this meeting; however, the City of Santa Clara continues to have 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 November 9, 2021, at 5:00 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.

5:00 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 **21-1565** 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

1.B **21-1566** Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. WESCO Properties, Inc., et al., Santa Clara County Superior Court Case Number 21CV380278

Convene to Closed Session

6:00 PM COUNCIL REGULAR AND SPECIAL STADIUM AUTHORITY MEETING

**Open Session is to begin at 6:00 PM or shortly thereafter*

Pledge of Allegiance and Statement of Values

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

2. **21-1567** Proclamation of United Against Hate Week 2021

STUDY SESSION

3. **21-1320** Study Session on the City Activity to Address an Unhoused Population: California Department of Housing and Community Development's (HCD) Project HomeKey and Provision of Basic Services for the City's Unhoused

Recommendation: The purpose of this report is to support a Study Session on this topic and to receive input from the City Council on further policy development. Possible next steps for Council consideration are discussed in the report.

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.]

4.A **21-22** Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:

Bicycle and Pedestrian Advisory Committee - August 23, 2021
Planning Commission - September 22, 2021
Planning Commission - October 13, 2021
Cultural Commission - October 4, 2021

4.B **21-6847** Action on Bills and Claims Report (CC) for the Period August 28, 2021 - September 24, 2021

Recommendation: Approve the list of Bills and Claims for August 28, 2021 - September 24, 2021.

4.C **21-1173** Action on Monthly Financial Status and Investment Report for July and August 2021 and Approve Related Budget Amendments

Recommendation: Note and file the Monthly Financial Status and Investment Reports for July 2021 and August 2021 as Presented and Approve Related 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,"* as noted for each individual item in Attachment 5.

4.D **21-1539** Action on a Budget Amendment for Revisions to the El Camino Real Specific Plan

Recommendation: 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*," approve the FY 2021/22 budget amendment in the General Fund to increase the Community Development Department appropriation by $1,000,000 and decrease the Land Sale Reserve by $1,000,000 (**five affirmative Council votes required for the use of unused balances**).

4.E **21-1370** Action on Amendment No. 3 to the Agreement with Mintier Harnish, LP, for Preparation of the Zoning Code Update

Recommendation: Approve and authorize the City Manager to execute Amendment No. 3 to the Agreement for the Performance of Services with Mintier Harnish, LP, for preparation of the Zoning Code Update to extend the termination date to December 31, 2022.

4.F **21-1470** Action on an Agreement Containing Covenants and Restrictions with SANTANA TERRACE SENIORS, LLC for Project Located at 190 N. Winchester Boulevard

Recommendation:
1. Approve and authorize the City Manager to execute the Agreement Containing Covenants and Restrictions with SANTANA TERRACE SENIORS, LLC for the Project located at 190 N. Winchester Boulevard; and
2. Authorize the recordation thereof.

4.G **21-1268** Action on an Agreement with Maze & Associates Accounting Corporation for Audit of the City's Annual Financial Report

Recommendation: 1. Authorize the City Manager to execute an agreement and engagement letters with Maze & Associates Accounting Corporation to audit the City's Annual Financial Report for five fiscal years, with the initial year ending on June 30, 2022, with maximum compensation not-to-exceed $703,427 and subject to the appropriation of funds; and
2. Authorize the City Manager to negotiate and execute amendments to the Agreement to provide additional services as required, subject to the appropriation of funds.

4.H **21-1135** Action on a Memorandum of Understanding Between the City of Santa Clara and the Silicon Valley Central Chamber of Commerce for a Partnership to Support Small Businesses in Santa Clara

Recommendation: Authorize the City Manager to execute a Memorandum of Understanding between the City of Santa Clara and the Silicon Valley Central Chamber of Commerce for a partnership to support small businesses in Santa Clara.

4.I **21-1351** Action on the Task Force on Diversity, Equity, and Inclusion's Recommended Appointment to Current Member Vacancy

Recommendation: Appoint Gustavo Rangel to the current member vacancy on the Task Force on Diversity, Equity, and Inclusion (Task Force) as recommended by the Task Force.

4.J **21-512** Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations

Recommendation: Adopt a Resolution authorizing the use of City Electric Forces at 2233 Calle de Mundo, 1550 Space Park Drive, 714 Valley Way, 2375 Pilot Knob, 3234 Martin Avenue, 2870 El Camino Real, 2415 Armstrong Place, 687 Fallon Avenue, 653 Park Court, 2517 Brannan Place, Lawson Lane, 2478 Moraine Drive, 2233 Calle de Mundo, and 2499 Homestead Road.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

5. Action on Request submitted by the Stadium Manager to Execute Agreements with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., and Populous, Inc. for Architectural and Engineering Professional Services

A. 21-1467 Request from the Stadium Manager to Execute Agreements with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., and Populous, Inc. for Architectural and Engineering Professional Services

B. 21-1468 Report from the Stadium Authority Regarding the Stadium Manager's Request to Execute Agreements with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., and Populous, Inc. for Architectural and Engineering Professional Services

Recommendation:

1. Approve the Stadium Manager's request to execute Master Agreements with Task Order Forms with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., and Populous, Inc. with a term ending on November 14, 2026 and for a maximum aggregate amount of $1M per contract year and maximum aggregate amount of $5M over the five year term, subject to the appropriation of funds;
2. Authorize the Stadium Manager to execute task orders to the four firms up to a maximum aggregate amount of $1M per contract year without further Stadium Authority Board action and subject to the appropriation of funds; and
3. Authorize the Executive Director to approve amendments to the maximum aggregate funding amount as needed, subject to the appropriation of funds, without further Stadium Authority Board action.

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

6. Action on Approval of Various Board, Commissions and Committee Governance Items

A. 21-1523 Information and Update on the Ad Hoc Committee on the Apology Letter Relating to the City's California Voting Rights Act Litigation

Recommendation:
1. Review expanded scope and provide direction on staff resources to support the committee; and
2. Review the provided history and background and provide feedback on what should be posted on the Open City Hall survey as a history.

B. 21-1435 Introduction of Ordinance to Amend Chapter 2.120, Entitled Boards and Commissions, to Update Boards and Commission Members Qualifications and Create the City's Housing Commission and Establish the Powers, Functions, and Duties of the Commission; Direction About the Formation of a Homelessness Taskforce

Recommendation:
1. Direct Staff on the formation of an Ad Hoc Homelessness Taskforce; and
2. Approve the Introduction of an Ordinance to amend Chapter 2.120, entitled Boards and Commissions, to add the City's Housing Commission and establish the powers, functions, and duties of the commission with the Commission to begin activity after conclusion of the Ad Hoc Homelessness Taskforce.

C. **21-785** Action on Formalization of the Bicycle and Pedestrian Advisory Committee

Recommendation: Alternatives 1, 3, 5, 7 and 9:

1. Modify BPAC membership eligibility to require that applicants must be at least 18 years of age and live or work in the City;
3. Reduce the number of BPAC members from the current maximum of nine members to seven members and phase in this change so no current member loses their position during the current term;
5. Modify how BPAC members are interviewed and appointed similar to other Boards and Commissions by having Council interview applicants and make selections;
7. Continue to require that a Councilmember chair the BPAC; and
9. Direct staff to bring an ordinance and revised BPAC Policy Guidelines formalizing the BPAC for Council consideration.

D. **21-1563** Introduction of Ordinance to Amend Chapter 2.120, Entitled Boards and Commissions, to Update Boards and Commission Members Qualifications

Recommendation: Approve the Introduction of an Ordinance to amend Chapter 2.120, entitled Boards and Commissions, to update Boards and Commissions qualifications to be residents of the City instead of qualified electors.

7. **21-1246** Action on the Adoption and Certification of an Environmental Impact Report; Adoption of a Mitigation Monitoring or Reporting Program; and Architectural Approval of a Data Center project located at 1200-1310 Memorex Drive

Recommendation: Alternatives 1 & 4:

1. Adopt a resolution approving and certifying the Final Environmental Impact Report prepared for the demolition of the existing buildings located at 1200-1310 Memorex Drive and the construction of a new data center project, including CEQA Findings, a statement of overriding considerations, and a Mitigation Monitoring or Reporting Program; and
4. Adopt a resolution to approve the architectural review for the 1200 Memorex Data Center located at 1200-1310 Memorex Drive.

8. **21-1469** Adopt a Resolution Approving the California Municipal Finance Authority (CMFA) Issuance of Tax-Exempt Bonds Relating to the Financing of a 59-Unit Multifamily Rental Housing Project for Low-Income Households to be Located in the City of Santa Clara, California at 3941 Stevens Creek Boulevard

Recommendation: Hold a Tax Equity and Fiscal Responsibility Act public hearing for the issuance of up to $50,000,000 in tax-exempt private-activity bonds by California Municipal Finance Authority (CMFA) for the benefit of CRP Affordable Housing and Community Development LLC.

9. **21-1564** Action on a Written Petition (Council Policy 030) Submitted by Brian Doyle Requesting to Place an Agenda Item at a Future Council Meeting to Discuss FIFA Negotiations

Recommendation: Staff makes no recommendation.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, November 16, 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.

City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

21-1565 **Agenda Date: 11/9/2021**

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

City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
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Agenda Report

21-1566 **Agenda Date: 11/9/2021**

SUBJECT

Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. WESCO Properties, Inc., et al., Santa Clara County Superior Court Case Number 21CV380278

21-1567 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Proclamation of United Against Hate Week 2021

DISCUSSION
On November 9, 2021, the Santa Clara City Council will proclaim the week of November 14 - 20, 2021 as United Against Hate Week in the City of Santa Clara.

ENVIRONMENTAL REVIEW
This is an information 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 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.

Reviewed by: Julie Minot, Executive Assistant to the City Manager
Approved by: Deanna J. Santana, City Manager

21-1320 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Study Session on the City Activity to Address an Unhoused Population: California Department of Housing and Community Development's (HCD) Project HomeKey and Provision of Basic Services for the City's Unhoused

COUNCIL PILLAR
Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND
The City Council held a study session on August 24, 2021 to discuss issues related to the unhoused population in Santa Clara, including homeless encampments and vehicle dwellings. The City Council provided feedback to staff, requested additional information regarding potential short-term, basic services that the City could provide to the unhoused, and inquired about the potential formation of a community Taskforce to provide input on these issues. Later at the same Council meeting, the Council deferred action on an ordinance to formally establish a Housing Commission that had been brought forward to the Council based on direction from the December 2020 Council Governance and Ethics Committee. The City Council deferred the discussion of a Homeless Taskforce to a later date to address commission membership criteria and to evaluate the duties for both the Housing Commission and Housing Taskforce to see if there would be overlap. The City Council also requested that staff return with further analysis and a potential proposal for a transitional housing project in Santa Clara, utilizing Project HomeKey, and next steps to deliver basic services to the unhoused.

DISCUSSION
The goal of the November 9 study session is to address two separate but interrelated discussion topics: 1) Updates on Project HomeKey proposals, and 2) next steps for providing short-term basic services to Santa Clara's unhoused populations. Discussion about the formation of a Housing Taskforce will occur under a separate item on the same Council agenda which will introduce an ordinance to amend Chapter 2.120, entitled Boards and Commissions, to create the City's Housing Commission and discussion about a Homelessness Taskforce.

Topic #1: Update on Project HomeKey proposals
Project HomeKey is a State level initiative to fund projects which will rapidly provide housing for homeless individuals. In response to the popular reception of the first round of the State's Project HomeKey, the State has brought forward HomeKey Round 2 to continue a statewide effort to sustain and rapidly expand the housing available for persons experiencing homelessness or at risk of homelessness, and who are, thereby, inherently impacted by COVID-19 and other communicable diseases.

Administered by the California Department of Housing and Community Development (HCD),

approximately $1.4 billion (FY 2021-22) in grant funding is being made available to local public entities, including cities, counties, or other local public entities to develop a broad range of housing types, including but not limited to hotels, motels, hostels, single-family homes and multifamily apartments, adult residential facilities, and manufactured housing, and to convert commercial properties and other existing buildings to Permanent or Interim Housing for the Target Population.

Background Information on Project Home Key Round 1

On July 16, 2020, the California State Department of Housing and Community Development (HCD) announced the release of the Project HomeKey Notice of Funding Availability (NOFA) for $600 million to purchase and rehabilitate housing, including hotels, motels, vacant apartment buildings, and other buildings, and convert them into interim or permanent, long-term housing. The program's purpose was to expand and diversify housing options for homeless persons at high-risk for serious illness and impacted by COVID-19. Cities, counties, or other local public entities, including housing authorities or federally recognized tribal governments within California, were eligible to apply independently or jointly as the lead applicant with a non-profit or a for-profit corporation.

By Dec. 29, 2020, Project HomeKey 1.0 had resulted in the acquisition of 94 projects, representing 6,029 units of permanent housing for individuals experiencing homelessness. Approximately 8,264 individuals, of which at least 1,207 are seniors, are housed or will be housed in 2021 within the nearly 6,000 units created by this first round of HomeKey. In addition, as many as 24 of the awarded projects (25 percent of the total number of projects) have or intend to house Transitional Age Youth (TAY) residents between the ages of 18-24 who are at risk of or experiencing homelessness.

HomeKey Round 2

Given the success of Project HomeKey 1.0, the Governor's proposed FY21-22 budget, released in January of 2021, included another $1.4 billion in grant funding to local public entities, including cities, counties, or other local public entities to develop a broad range of housing types, including but not limited to hotels, motels, single- family homes and multifamily apartments, adult residential facilities, and manufactured housing, and other existing buildings for Permanent or Interim Housing for Homeless Youth or Youth At Risk of Homelessness, Chronically Homeless, and Homeless Family Units (HomeKey Round 2).

The HomeKey Round 2 Notice of Funding Availability (NOFA) was released on September 9, 2021, and the HomeKey Round 2 Application became available at the end of September 2021. HCD will accept completed applications on a rolling basis until funds are exhausted or May 2, 2022, whichever comes first.

The list of eligible uses for HomeKey funding is as follows:

- Acquisition or Rehabilitation, or acquisition and Rehabilitation, of motels, hotels, hostels, or other sites and assets, including apartments or homes, adult residential facilities, and other buildings with existing uses that could be converted to permanent or interim housing.
- Master leasing of properties for non-congregate housing.
- Conversion of units from nonresidential to residential.
- New construction of dwelling units.
- Relocation costs for individuals who are being displaced as a result of the Homekey Project.

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Round 2 of HomeKey is similar to Round 1, but includes some additional features based on the State's experience with the first round. Key Features include:

- Capital Award Per Door - $150,000 - $200,000. Higher level of support for Homeless Youth or Youth at Risk of Homelessness, Chronically Homeless, and Family Units.
- Capital Match - 1:1 up to an additional $100,000 per door.
- Operating Award per Unit - $1,000 -$1,400 per Assisted Unit per month. Higher level of support for Homeless Youth or Youth at Risk of Homelessness and Chronically Homeless.
- Operating Match - Two (2) years if Applicant commits three (3) years of operating funding; Three (3) years if Applicant commits four (4) years of operating funding.
- Capital Expenditure Deadline - Eight (8) months from the date of the award, per statute.
- Operating Expenditure Deadline - June 30, 2026
- Occupancy Deadline - Within 90 days of construction or rehab completion.
- Bonus Awards - For applications submitted by January 31, 2022; for expedited occupancy within eight (8) months of award.

Project HomeKey Application Process

One of the key requirements of Project HomeKey is that applications must either originate with local government agencies or submitted by a developer with a local government agency acting as a co-applicant or project sponsor. Applicants must submit an authorizing resolution as part of the application. Cities, counties, and all other State, regional, and local public entities may apply independently, or each entity may apply jointly with a non-profit or for-profit corporation as a co-applicant. If the City of Santa Clara is the applicant or co-applicant, the City Council would need to authorize a resolution to authorize staff to negotiate and execute all documents required or deemed necessary or appropriate to secure the HomeKey funds from HCD and to participate in the HomeKey Program. However, the County of Santa Clara can apply as the co-applicant, eliminating the need for any City Council action related to the formal application for HomeKey funds.

As noted, Project HomeKey applications may be submitted to the State independently by a local public agency. City staff evaluated the City's portfolio of city-owned land and determined there weren't any city-owned sites suitable for HomeKey Round 2.

Land Use and Public Approvals

State law exempts all HomeKey funded projects from local land-use regulations. Accordingly, any HomeKey project will not go through a City of Santa Clara land use approval process. Specifically, as stated by the State in CA Health & Safety Code § 50675.1.1 (2020), funds appropriated in the 2020 Budget Act or an act related to the 2020 Budget Act, including, but not limited to, moneys received from the Coronavirus Relief Fund established by the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136), to provide housing for individuals and families who are experiencing homelessness or who are at risk of homelessness, including any HomeKey project (a) shall be deemed consistent and in conformity with any applicable local plan, standard, or requirement, and allowed as a permitted use, within the zone in which the structure is located, and

shall not be subject to a conditional use permit, discretionary permit, or to any other discretionary reviews or approvals.

City of Santa Clara HomeKey Proposals

The award of HomeKey funds is directed toward private/public partnerships, generally initiated by a private developer/provider of housing for the unhoused. Staff is aware of two potential HomeKey projects being proposed by a private developer within the City of Santa Clara. The County has decided to act as the co-applicant for the first project, (Bella Vista on El Camino Real), but has communicated that they are not acting as co-applicant for the second project, (LifeMoves on White Oaks Lane). In both cases, the site selection process was purely developer-led and dependent on properties available for purchase through market channels and deemed feasible for financing and construction. Given that these proposed sites are privately owned, there are no agreements relating to land purchase or lease agreements, proposals, or discussions of the same between the City of Santa Clara and agents or owners for the proposed property sites. The two projects are summarized below.

Project #1 - Bella Vista, El Camino Real

The developer, Resources for Community Development (RCD) is proposing to repurpose the property currently known as Bella Vista Inn, located at 3550 El Camino Real, Santa Clara, CA 95051, for residential use. RCD will serve as the co-applicant with the County Office of Supportive Housing for HomeKey Round 2 funds for this project. For more than 37 years, RCD has created and preserved affordable housing for very low- and low-income individuals and families, to build and enrich community throughout the Bay Area.

RCD Phase 1 Project HomeKey Proposal

If approved through Project HomeKey, RCD will undertake minor renovations to the existing hotel to create approximately 64 units of transitional housing through the Project HomeKey program. The interim transitional housing use is expected to begin in the summer of 2022 and then will be converted to a permanent supportive housing use in 2024. The City does not have an application for this rehab and no planning permit is required. RCD is not planning to ask the City for funding for the Phase 1 project.

On October 5, 2021, the County Board of Supervisors (Board) approved a resolution providing public notice to the public of the County's intent to purchase the Bella Vista Inn and set the public hearing to acquire for the acquisition to November 2, 2021. On October 19, 2021, the Board adopted a resolution delegating authority to County Administration to take all necessary actions deemed necessary for the Homekey Program application. The County proposes to purchase the property for $14,000,000, using approximately $11,000,000 in Homekey funds and $3,000,000 million in Housing Bond funds. It is anticipated that Homekey and the County will also fund the minor renovations for the interim use.

On November 2, 2021, the County Board of Supervisors approved the acquisition of The Bella Vista Inn and delegated authority to County Administration to acquire it. RCD has engaged in community outreach, including meetings with local organizations, stakeholders, neighbors, and held a community meeting on August 30, 2021. They will continue to outreach to the community throughout the process.

At this time, no City Council action is required to move the project forward. Interim financing would be

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provided through the Homekey program and Housing Bond funds. The project is pursuing entitlements from the Community Development Department under several different housing laws that were recently adopted or amended. For the first phase of development, AB 83 (2020) exempts motel conversion transitional housing projects that utilize Project HomeKey funds from both general plans and zoning ordinances, and related policies and standards. Thus, the use of the motel as an interim transitional housing project requires only issuance of a ministerial building permit in this case. The interim transitional housing project would not require any additional entitlements or city funding.

RCD Phase 2 Project Measure A Proposal

This second Phase is proposed as a new permanent housing development, “Clara Gardens”, that would add a 7-story building next to the remodeled two-story motel building, resulting in 120 total affordable housing units. These apartments will be available to extremely low and low-income individuals and families, with 25% of the set aside for those experiencing chronic homelessness and 50% sized for families. In addition, the proposed development will include 81 parking spaces, property management and support services offices, laundry facilities, a secure bike room, approximately 1,200 square feet of ground-floor commercial space, two community rooms, two outdoor spaces, and a roof deck.

The proposed permanent housing development would fall under the scope of SB 35 (2017), the housing “streamlining” law. SB 35 facilitates and expedites the construction of housing by providing a streamlined ministerial approval process for certain housing developments. Like many cities in the Bay Area, Santa Clara has made considerable progress toward facilitating the development of market -rate housing but has not yet achieved its regional housing needs allocation for lower-income households. For localities that have not yet made sufficient progress towards their regional housing need for low-income households, a development project will be subject to SB 35 streamlining if it is at least 50% affordable. Here, the proposed project would provide 100% of the units at affordable rents.

There are several requirements a project must meet to qualify as a SB 35 project. For example, the developer must commit to record covenants to maintain the rental units as affordable for at least 55 years; and the developer must pay construction workers prevailing wages. Under recent amendments to the law, SB 35 requires consulting with the Native American tribes culturally affiliated with the area.

Unlike HomeKey projects, SB 35 projects must also be consistent with the City's General Plan designation (Regional Mixed Use in this location), as well as objective zoning, subdivision, and objective design review standards, except that the project may receive a density bonus and other incentives under the density bonus law (discussed below). If the project meets all those requirements, it is (1) not subject to the California Environmental Quality Act (CEQA), and (2) must be approved within 90 calendar days of submittal of the formal application to the local government. Once completing review of RCD's SB 35 submittal, the City will verify that the project is compliant with the City's objective zoning, subdivision, and design review standards, including the City's General Plan. Additionally, under SB 35, conditional use permits are not required because those would require discretionary action, although the project will still be required to go to a Design Review Hearing (DRH), which would be based upon objective design standards only.

The project would be eligible for a density bonus under the state density bonus law (DBL). Because the Project is providing 100% affordable units and will be located within ½ mile of a major transit stop, under the DBL, it will be eligible for an unlimited density bonus, subject to a maximum height

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increase of three stories or 33 feet over the base height for the zone.

Finally, AB 3194 (2019) would allow the Project to proceed under the General Plan's land use designation of Regional Mixed Use, which allows residential uses with a commercial component at a 0.15 FAR, notwithstanding the existing zoning designation of Community Commercial, which disallows residential uses. AB 3194 provides that when a zoning classification is inconsistent with a General Plan land use designation, a residential development project may proceed under the General Plan designation, despite the inconsistency with the zoning."

At this time, no City Council action is required to move the project forward. Longer term, RCD is expected to apply to the County for Measure A funds to support the future development of new permanent housing, which would be subject to separate funding approval. RCD also plans to apply for 4% tax credits and request funding from the City of Santa Clara. Staff will schedule the Phase 2 project for further consideration in the future if RCD proceeds with the long-term project and requests a City subsidy as anticipated.

Project #2 - LifeMoves, White Oak Lane

The City does not currently have an application for this project. As noted above, the project would be exempt from local land use control and would not be subject to a discretionary Planning permit. The developer has informally communicated to the City that they will be seeking City funding for the project if it goes forward. The developer and staff are still exploring feasibility at this time, as directed by the Santa Clara City Council.

The project applicant, LifeMoves, is proposing a project at 2035 White Oak Lane, Santa Clara, CA 95051 that would create 60 transitional housing units for families. Since families typically stay 90-120 days, the proposed site would aim to serve at least 200 families per year or 200 adults and 400 children currently experiencing homelessness. The site is currently a vacant lot bordered by a residential neighborhood with a mix of apartment buildings and single-family residences, a 7/11 convenience store, and Lawrence Expressway (G2).

One of the key requirements of HomeKey is that applicants must submit an authorizing resolution as part of the application. If the City of Santa Clara is the applicant or co-applicant, the City Council would need to authorize a resolution to authorize staff to negotiate and execute all documents required or deemed necessary or appropriate to secure the HomeKey funds from HCD and to participate in the HomeKey Program. The city cannot be the designated co-applicant until the City Council approves a resolution delegating such authority. Neither the Santa Clara City Council nor the County Board of Supervisors has approved a resolution that would allow LifeMoves to apply to Project HomeKey yet.

The proposed developer for 2035 White Oak Lane would be LifeMoves together with Sares-Regis/XL Construction, who have broad development experience throughout Silicon Valley. LifeMoves owns nine of the twelve emergency housing sites it operates, including a new HomeKey Round 1 funded project in Mountain View. LifeMoves also owns three long-term transitional housing sites and two permanent supportive housing sites (located in San Jose and San Mateo).

Unlike the Bella Vista Inn site, the 2035 White Oak Lane project would be new construction, including site work and construction of infrastructure and utilities, to provide an interim housing use. Also, the 2035 White Oak Lane project would need a significant financial contribution from the city to fund

operations. At this time, there is no formal request to the City from the applicant for funding and any budget action would require City Council approval in the future.

Preliminary construction and operating estimates for the project are higher than experienced in other LifeMoves facilities, and the developer team is currently working to reforecast the numbers to form a feasible construction and operating plan. Initial estimates would require a $14 million operating contribution from the City of Santa Clara, which is greater on a per unit basis than what was expected for this type of project. If the City Council would like to continue to pursue this project, Staff will return to Council with an update once other operating sources are secured, and a feasible project is ready to move forward with an application to Project HomeKey. Any City funding and corresponding budget action would also require City Council approval in before moving forward.

Community Concerns

A significant number of community members, including residents of both Santa Clara and Sunnyvale, have contacted the City to voice their concerns and opposition to the both of the proposed HomeKey projects. These concerns have been communicated through email, phone calls and testimony at the recent City Council meeting on October 26th. The HomeKey items were not on the agenda at the October 26th meeting so the testimony took place during the Public Presentation section of the agenda.

In summary, the community opposition to these projects is based upon their anticipated negative impact upon the adjacent community in terms of public safety and potential nuisance issues. Community members also expressed concerns with the HomeKey process and a lack of public notification.

Project HomeKey: Next Steps

As discussed above, the City does not currently have a decision-making role related to the Bella Vista Project HomeKey project. The City Council, however, may give direction to staff to continue discussion with LifeMoves regarding the proposed White Oaks Lane site, including the placement of a Resolution on an upcoming City Council agenda should the City Council want to consider acting as a co-applicant for the project. Alternatively, the City Council could request additional community outreach in partnership with LifeMoves, as well as additional staff analysis of the financial feasibility of the project and return to the City Council in the future for additional direction.

Topic #2: Short-term basic services for Santa Clara's unhoused populations

In June 2019, Santa Clara County, Destination: HOME, and other cities and non-profits, embarked on a collaborative strategic planning and an extensive community engagement process to develop a new five-year Community Plan to End Homelessness for Santa Clara County. On March 16, 2021, the Santa Clara City Council endorsed the Santa Clara County Community Plan to End Homelessness 2020-25 ("Community Plan"). The Community Plan provides a county-level roadmap to address homelessness and its root causes, with local jurisdictions tailoring the roadmap to meet local needs.

According to the 2019 Point-in-Time count, there are 9,706 individuals experiencing homelessness on any given night in Santa Clara County. The 2019 Point-in-Time count identified 326 individuals experiencing homelessness in Santa Clara. Families with children, seniors, individuals with disabilities, veterans, youth, and young adults are all represented in the county's diverse homeless population. More than 80% of these individuals are unsheltered - sleeping outside, in cars, or other

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places not meant for human habitation.

The Community Plan to End Homelessness for Santa Clara County identified 14 strategies that fall into three focus areas:

1. Address the root causes of homelessness through system and policy change;
2. Expand homelessness prevention and housing programs to meet the need; and,
3. Improve quality of life for unsheltered individuals and create healthy neighborhoods for all.

The first two strategies of the plan seek to end and prevent homelessness for as many people as possible over the next five years through medium to long-term solutions. However, the reality is that many people will remain unhoused due to the current severity of the housing crisis. To address this immediate crisis in our community and ensure healthy neighborhoods for all, we must increase investment in health, safety, and other basic services to better meet the needs of people living in unsheltered conditions.

At the August 24, 2021 Council meeting, the City Council requested that staff further explore short-term basic services that the city can provide to its unhoused populations, which fall under focus area #3, improving the quality of life for unsheltered individuals and creating more healthy neighborhoods. According to the Community Plan to End Homelessness, potential short-term interventions include:

- Increase access to basic hygiene resources, including bathrooms, showers, and laundry.
- Increase the number of free public transit passes and other transportation options for people who are unhoused to access services.
- Engage the private sector to contribute funding to support health and safety services and shelter for people who are unhoused.

Many of Santa Clara's neighboring jurisdictions, including the County Office of Supportive Housing, San Jose, Milpitas, Mountain View, and Sunnyvale, contract with Dignity on Wheels to provide these types of short-term services. Dignity on Wheels is an initiative created by the staff and board members of Project WeHOPE, a 501(c)3 nonprofit located in East Palo Alto, California. Project WeHOPE, which stands for "We Help Other People Excel," is a unique Emergency and Supportive Housing Shelter for the unhoused, homeless and at-risk adults in East Palo Alto and surrounding San Mateo County and Santa Clara County communities.

In August 2015, WeHOPE launched Dignity on Wheels (DoW), a mobile hygiene service that provides free showers and laundry services to the homeless in 5 counties and 20 cities throughout the Bay Area and Los Angeles. Comprehensive case management support is provided to address a variety of individual challenges including job loss, illness, and food insecurity.

Program services and costs may vary but in general, the cost for mobile hygiene is around $850 per session if utility hook-ups for electrical, water, and sanitary disposal are provided. Otherwise, the cost per session is around $1,000. Weekly service at one 4-hour session per week would cost the City approximately $52,000 annually.

<u>Short-term Services: Next Steps:</u>

As a next step, staff recommends issuing an RFP for basic hygiene resources, including bathrooms, showers, and laundry service and would request a budget amendment from a Housing Special Revenue fund at the time a vendor is selected, and an agreement is brought back to Council.

ENVIRONMENTAL REVIEW

The purchase of supplies 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

While there are no costs to present the information in this report other than staff and administrative time, costs would be incurred depending on the recommendations or direction provided by Council in this Study Session to bring back proposals for funding consideration.

COORDINATION

This report was coordinated with the City Attorney’s Office and City Manager’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

The purpose of this report is to support a Study Session on this topic and to receive input from the City Council on further policy development. Possible next steps for Council consideration are discussed in the report.

Reviewed by: Andrew Crabtree, Community Development Director
Approved by: Deanna J. Santana, City Manager

City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

21-22 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Board, Commissions and Committee Minutes

COUNCIL PILLAR
Enhance Community Engagement and Transparency

RECOMMENDATION
Note and file the Minutes of:

Bicycle and Pedestrian Advisory Committee - August 23, 2021
Planning Commission - September 22, 2021
Planning Commission - October 13, 2021
Cultural Commission - October 4, 2021

Draft

City of Santa Clara

Meeting Minutes

Bicycle & Pedestrian Advisory Committee

08/23/2021	4:00 PM	Zoom 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/95582744643

Meeting ID: 955 8274 4643 or

Phone: 1 (669) 900-6833

1. CALL TO ORDER AND ROLL CALL

Chair Hardy called the meeting to order at 4:06 pm and confirmed quorum.

Present 8 - Chair Karen Hardy, Member Lloyd Cha, Member Atisha Varshney, Member Diane Harrison, Member Bruce Donoghue, Member Thomas Granvold, Member Don Sterk, and Member Betsy Megas

Absent 1 - Member Yury Perzov

2. PUBLIC PRESENTATIONS

Video [00:02:20]
Ken Kratz provided a brief presentation which included the request for the BPAC to bring back wayfinding as an action item.

3. CONSENT CALENDAR

A. 21-1009 Bicycle and Pedestrian Advisory Committee Meeting Minutes of June 28, 2021 (Chair Hardy)

Attachments: BPAC Meeting Minutes, June 28, 2021

Video [00:05:30]
A motion was made by Member Varshney, seconded by Member Granvold, to approve the minutes as amended. The motion carried by the following vote:

Aye: 7 - Chair Hardy, Member Varshney, Member Harrison, Member Donoghue, Member Granvold, Member Sterk, and Member Megas

Absent: 1 - Member Perzov

Abstained: 1 - Member Cha

4. REPORTS FOR COMMITTEE INFORMATION

A. 21-1010 Public Works Update (Liw)

Attachments: May 9, 2021 email from Member Granvold

California Manual on Uniform Traffic Control Devices Figure 9C-104(CA) Examples of Markings for Buffered Bicycle Lanes

Video [00:10:25]
Public Works staff provided an update on the following items:
1. Governance and Ethics Committee BPAC update,
2. Agnew Road bicycle lanes,
3. Update on project submitted for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant funding.

B. 21-1011 Police Report Update (Selberg)

Video [00:23:23]
Officer Selberg introduced himself as Officer Cusimano's replacement for providing updates to the Committee. He did not have any information for this meeting pertaining to bicycle and pedestrian collisions. However, he was able to responded to questions pertaining to giving away bike lights.

C. 21-1012 VTA BPAC Update (Megas)

Attachments: VTA BPAC Update

Video [00:40:30]
Member Megas provided an update on relevant items discussed at recent VTA BPAC meetings.

D. 21-1014 Pruneridge Complete Streets Plan Update (Shariat)

Attachments: Location Map

Pruneridge Draft Design Concepts

Video [00:50:10]
Ms. Shariat and **Mr. Knowles** (Consultant) provided an update on current activities related to the project including data collection, an online survey, community workshops, and a presentation on the draft concepts.

E. 21-1013 Grant Activity (Shariat)

Attachments: Grant Activity

Video [01:57:10]
Ms. Shariat provided an update on recent grant related activity.

F. 21-1058 Procedure for Submitting Comments on Plans (Shariat)

Attachments: Annual Work Plan Topic Request Form (Kratz)
Complete Streets Policy
Complete Streets Policy Flowchart

Video [02:06:50]
Ms. Shariat provided an outline of the process and the types of projects that will be brought to the BPAC for their review and comment based on the City's Complete Streets Policy.

G. 21-1030 Creek Trail Master Plan Update (Garcia)

Attachments: Creek Trail Master Plan Corridor Map
Calabazas Proposed Alignment (In-progress)
Hetch-Hetchy Proposed Alignment (In-progress)
Saratoga Proposed Alignment (In-progress)

Video [02:22:05]
Mr. Garcia provided an update on the current status of the project. Several meetings were held with key stakeholders for the project and initial trail alignments were refined based upon comments received from those meetings. A project timeline for completion was also provided to the BPAC.

H. 21-1026 Signalized Trail Crossing Standards (Yee)

Attachments: Annual Work Plan Topic Request Form (Rius)

Video [03:11:30]
Mr. Yee identified the seven current signalized trail crossing locations within Santa Clara which utilized the design standards at the time of construction. Based upon recommendations contained in the 2018 Bicycle Plan Update, a standard design should be implemented at signalized trail crossings. Various design standards to be implemented at signalized trail crossings were identified and presented to the Committee for their comments.

I. 21-1028 Pedestrian Push Button Upgrade (Yee)

Attachments: Annual Work Plan Topic Request Form (Harrison)
Push button used for maintenance activities
Push button used for construction activities

Video [03:35:55]
Mr. Yee outlined the conditions under which pedestrian push buttons are installed or replaced, identified the different types of buttons available to the City, and identified the current Department of Public Works practice for selecting the type of push button to be installed.

5. REPORTS FOR COMMITTEE ACTION

A. 21-1018 Prioritizing 2022 Work Plan Topics (Yee)

Attachments: Agenda topics requested in the 2021 work plan
Topics requested being considered for the 2022 work plan
Table of topics considered for the 2022 work plan

Video [03:49:15]
Mr. Yee outlined staff's recommended three step process for developing the Annual Work Plan and presented the 21 agenda topics to be considered for inclusion in the 2022 Work Plan. Members were asked to submit their rank choice list of topics prior to the next meeting.

A motion was made by Member Granvold, seconded by Member Sterk, to approved staff's recommended procedure for developing the 2022 Work Plan. The motion carried by the following vote:

Aye: 7 - Chair Hardy, Member Varshney, Member Harrison, Member Donoghue, Member Granvold, Member Sterk, and Member Megas

Absent: 2 - Member Cha, and Member Perzov

6. SUBCOMMITTEE REPORTS

A. 21-1015 Subcommittee on Bicycle Story Maps (Cha, Megas, Perzov, and Varshney)

Attachments: Email from Member Megas dated August 11, 2021

Video [04:21:30]
Member Megas presented a draft proposal for the creation of a bicycle story map.

B. 21-1017 Subcommittee on Police Collision History (Donoghue, Perzov, Sterk, Varshney)

Attachments: Post Meeting Material

Video [04:40:20]
Member Donoghue presented both pedestrian and bicyclist collision reports obtained from TIMS data base. Member Cha agreed to join the subcommittee to replace member Varshney.

C. 21-1031 Subcommittee on Bike to Shop Day (Harrison and Megas)

Video [05:09:24]
Member Harrison noted that they did not have a presentation to share at this time.

A motion was made by Member Harrison, seconded by Member Cha, to approve Ken Kratz's participation on both the Bike to Shop Day and the Roundabouts subcommittees. The motion carried by the following vote:

Aye: 7 - Chair Hardy, Member Cha, Member Harrison, Member Donoghue, Member Granvold, Member Sterk, and Member Megas

Excused: 1 - Member Varshney

Absent: 1 - Member Perzov

D. 21-1032 Subcommittee on Roundabouts (Harrison and Megas)

Video [05:13:11]
The Subcommittee discussed next steps for moving forward.

6. AGENDA ITEMS FOR FUTURE MEETINGS

7. ANNOUNCEMENTS

Video [05:28:25]
1. **Chair Hardy** made an announcement concerning the Art & Wine Festival.
2. **Mr. Yee** made an announcement about BPAC voting and advertising for three memberships set to expire on December 31, 2021.

8. ADJOURNMENT

At 9:38 pm a motion was made by Member Sterk, seconded by Member Megas, that the meeting be Adjourned. The motion carried by the following vote:

Aye: 7 - Chair Hardy, Member Cha, Member Harrison, Member Donoghue, Member Granvold, Member Sterk, and Member Megas

Excused: 1 - Member Varshney

Absent: 1 - Member Perzov

The next regular scheduled meeting will be on Monday, October 25, 2021 at 4:00PM.

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.

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.

Draft

City of Santa Clara

Meeting Minutes

Planning Commission

09/22/2021 **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:
  - https://santaclaraca.zoom.us/j/91729202898
    Webinar ID: 917 2920 2898 or
  - 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 Biagini called the meeting to order at 6:02 p.m.

Pledge of Allegiance and Statement of Values

Roll Call

Present 6 - Chair Nancy A. Biagini, Vice Chair Priya Cherukuru, Commissioner Qian Huang, Commissioner Yuki Ikezi, Commissioner Lance Saleme, and Commissioner Yashraj Bhatnagar

Absent 1 - Commissioner Ricci Herro

A motion was made by Commissioner Ikezi, seconded by Commissioner Cherukuru to excuse Commissioner Herro's absence.

Aye: 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Commissioner Herro

DECLARATION OF COMMISSION PROCEDURES

Vice Chair Cherukuru read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

A motion was made by Commissioner Saleme, seconded by Commissioner Ikezi to approve Item 1.A.

Aye: 5 - Chair Biagini, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Commissioner Herro

Recused: 1 - Vice Chair Cherukuru

1.A 21-1278 Planning Commission Meeting Minutes of August 25, 2021 Meeting

Recommendation: Approve the Planning Commission Minutes of the August 25, 2021 Meeting

Commissioner Cherukuru recused herself from voting on this item due to her absence at the previous meeting.

1.B 21-1177 Action on Use Permit for ABC License Type 47 for Happy Hooligans restaurant at 1686 Lafayette Street

Recommendation: Adopt a resolution approving a Use Permit for the sale and consumption of alcohol (ABC License Type 47) in a new Happy Hooligans restaurant located at 1686 Lafayette Street, subject to conditions of approval.

Commissioner Cherukuru pulled Item 1.B for discussion.

A motion was made to close public hearing.

Aye: 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Commissioner Herro

A motion was made by Commissioner Cherukuru, seconded by Commissioner Huang to approve Item 1.B. with the added condition regarding the hours of operation. (7 days a week, 11:30 a.m. to 8:30 p.m.)

Aye: 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Commissioner Herro

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. 21-1131 Action to amend the existing Use Permit for outdoor activity to expand the current child daycare facility at 2931 El Camino Real

Recommendation: Adopt the Resolution to approve the amendment to the existing Use Permit (PLN2018-13414) for outdoor activity associated with a child day care facility at 2931 El Camino Real.

Associate Planner Nimisha Agrawal provided the staff presentation. **Applicant Devan Namboodari** and **Architect Ray House** spoke regarding the project and answered questions from the Commission. The Commission asked questions regarding the growth plans, modular buildings, and previous applications for schools. **Assistant City Attorney Alexander Abbe** clarified parking ratios for schools.

Chair Biagini made a motion to close Public Hearing.

Aye: 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Commissioner Herro

A motion was made by Commissioner Cherukuru, seconded by Commissioner Saleme to approve staff recommendation.

Aye: 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Commissioner Herro

3. 21-1211 Study Session: Housing Element Update

Recommendation: Note and file the report on the Housing Element Update.

Principal Planner John Davidson provided a presentation on the Housing Element update and answered questions from the Commission. The Commission asked questions regarding a nexus study and homeless housing. **Assistant City Attorney Alexander Abbe** spoke regarding affordable housing requirements.

Public speakers: David Vierra
Mathew Reed
Kalisha Webster

A motion was made by Commissioner Saleme, seconded by Commissioner Cherukuru to note and file the study session.

Aye: 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Commissioner Herro

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Chair Biagini announced that the Parade of Champions will take place on October 9th.

2. Commissioner Travel and Training Reports, Requests to attend Trainings

Planning Manager Reena Brilliot requested to know the Commission would be interested in a parking lift study session and also informed the Commission that staff was working on scheduling a joint study session with the City Council for December 7 regarding SB 9 and SB 10.

Chair Biagini and Commissioners Saleme and Huang provided reports on their attendance at the American Planning Association Conference training which took place September 13-15, 2021.

1. 21-1826 Request to Consider Using Planning Commission Funds for Parking Lift Technology Training

Recommendation: There is no staff recommendation.

A motion was made by Commissioner Ikezi, seconded by Commissioner Huang to allocate funds, not to exceed the amount of $2,500, for a parking lift study session.

Aye: 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Commissioner Herro

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

Planning Manager Reena Brilliot provided the budget update.

2. Upcoming Agenda Items

Planning Manager Reena Brilliot informed the Commission that staff would work to schedule a training/study session for the October 13 meeting and would cancel the meeting if training was not available for that date.

3. City Council Actions

Staff Liaison Gloria Sciara updated the Commission on recent City Council actions.

ADJOURNMENT:

Chair Biagini made a motion to adjourn the meeting at 8:45 p.m.

The next regular scheduled meeting is on Wednesday, October 13, 2021.

Aye: 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Commissioner Herro

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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Draft

City of Santa Clara

Meeting Minutes

Planning Commission

10/13/2021 **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:**
  - **https://santaclaraca.zoom.us/j/91729202898**
    Webinar ID: 917 2920 2898 or
  - **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 Biagini called the meeting to order at 6:07 p.m.

Due to technical difficulties, the meeting went into recess at 6:09 p.m. and reconvened at 6:12 p.m.

Pledge of Allegiance and Statement of Values

Roll Call

Present 7 - Chair Nancy A. Biagini, Vice Chair Priya Cherukuru, Commissioner Ricci Herro, Commissioner Qian Huang, Commissioner Yuki Ikezi, Commissioner Lance Saleme, and Commissioner Yashraj Bhatnagar

DECLARATION OF COMMISSION PROCEDURES

Secretary Herro read the Declaration of Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

Commissioner Herro abstained from voting on this item due to his absence at the September 22, 2021 meeting.

A motion was made by Commissioner Cherukuru, seconded by Commissioner Huang to approve the consent calendar.

Aye: 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Abstained: 1 - Commissioner Herro

1.A 21-1445 Planning Commission Meeting Minutes of September 22, 2021 Meeting

Recommendation: Approve the Planning Commission Minutes of the September 22, 2021 Meeting

1.A 21-1445 Planning Commission Meeting Minutes of September 22, 2021 Meeting

Aye: 6 - Chair Biagini, Vice Chair Cherukuru, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Abstained: 1 - Commissioner Herro

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. 21-1433 STUDY SESSION: Presenters from Watry Design, Inc will provide information to the Commission on parking lift technologies and considerations for designing parking garages for future adaptive re-use.

Recommendation: There is no staff recommendation.

Taylor Kim and **Mike Moretto**, **Watry Design**, provided two presentations for the study session regarding mechanical parking and adaptive reuse. They also answered questions from the Commission regarding earthquake safety, vehicle thefts, maintenance plan and costs, EV charging, and low adoption rates.

A motion was made by Commissioner Saleme, seconded by Commissioner Herro to close public hearing.

Aye: 7 - Chair Biagini, Vice Chair Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

None.

2. Commissioner Travel and Training Reports, Requests to attend Trainings

Commissioner Saleme inquired when there would be a training on the newly passed land use laws.

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

OSIV Elizabeth Elliott provided an update on the Planning Commission budget.

2. Upcoming Agenda Items

Staff Liaison Gloria Sciara updated the Commission regarding upcoming agenda items.

3. City Council Actions

Staff Liaison Gloria Sciara provided updates regarding recent City Council actions.

ADJOURNMENT:

A motion was made by Commissioner Saleme, seconded by Commissioner Herro to adjourn the meeting.

The meeting adjourned at 8:26 p.m.

The next regular scheduled meeting is on Wednesday, October 27, 2021.

Aye: 7 - Chair Biagini, Vice Chair Cherukuru, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

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Draft

City of Santa Clara

Meeting Minutes

Cultural Commission

10/04/2021 **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 von Huene at 7:03 p.m.

Present 6 - Commissioner Siddarth Sundaram, Commissioner Louis Samara, Chair Debra von Huene, Vice Chair Candida Diaz, Commissioner Jonathan Marinaro, and Commissioner Paul McNamara

Absent 1 - Commissioner Jennifer Vega

CONSENT CALENDAR

1.A 21-1094 Cultural Commission Regular Meeting Minutes of August 2, 2021

Recommendation: Approve the Cultural Commission Regular Meeting Minutes of August 2, 2021.

A motion was made by Vice Chair Diaz, seconded by Commissioner Samara that this item be approved. The motion passed with the following vote:

Aye: 6 - Commissioner Sundaram, Commissioner Samara, Chair von Huene, Vice Chair Diaz, Commissioner Marinaro, and Commissioner McNamara

Absent: 1 - Commissioner Vega

1.B 21-1275 Cultural Commission Calendar of Meetings for 2022

Recommendation: Recommend that Council approve Cultural Commission Calendar of meetings for 2022.

A motion was made by Vice Chair Diaz, seconded by Commissioner Samara that this item be approved.

Aye: 6 - Commissioner Sundaram, Commissioner Samara, Chair von Huene, Vice Chair Diaz, Commissioner Marinaro, and Commissioner McNamara

Absent: 1 - Commissioner Vega

PUBLIC PRESENTATIONS

None.

GENERAL BUSINESS

2. 21-1267 Discussion and Updates to Cultural Commission Work Plan Goals and Activities for FY 2021/22

Recommendation: Provide updates to Cultural Commission work plan goals and activities for FY 2021/22.

Commissioners reported the following updates to the work Plan FY 2020/21.

Goal #1-Summer Concerts- Concerts can resume in July 1, 2022.

Goal # 2-Public Art- Chair von Huene and Commissioner Samara will follow up Gloria Cox regarding the Art Campaign and the National Fitness Campaign. They will notify them via email that the commission will not move forward with the project this year.

Utility Boxes- Vice Chair Diaz reported that three (3) of the six (6) Utility Boxes have been completed. Two (2) additional boxes are in the painting process and one (1) artist is still waiting for insurance to clear. Additional Utility Boxes are identified for the next round.

Halloween and Holiday Home Decorating Contest- Commissioner Marinaro reported that the contest is underway. He asked the Commission to get community involved. Seven (7) awards will be given. Six (6) districts and one (1) Best of the Best. Total price per sign is $390.

Public Art Map- Vice Chair Diaz will add the completed Utility Boxes to the map.

Breaking Free Sculpture Exhibition- Award checks were mailed in Sept. Top three (3) winners are on display in the Triton Museum lobby for 45 days.

Surviving Covid Art Exhibition- Semi finalists have been selected. Waiting for agreements to be approved and sent to the artists.

Goal #3-Expand social media presence- Commissioner Garcia Vega is working on drafting templates for a marketing plan. Commissioner McNamara will follow up with Commissioner Garcia Vega on the project. Facebook, Instagram and Twitter was discussed.

Coloring Book- Commission discussed the coloring book project and possibly a monthly post to highlight specific months.

Goal #4- Marketing and Communication strategy- Commissioner McNamara will discuss metrics and logistics with Commissioner Garcia Vega. Reports will be a co-function of the marketing strategy to see what

is meaningful to the commission.

Goal # 5- Citywide Master Art Plan- Chair von Huene provided a summary of the strategy. She discussed partnership with Santa Clara University. Deadline is August of each year. Will apply for grant next year. She discussed possibly working with stake holders, art festivals and community.

STAFF REPORT

Recreation Manager Castro mentioned a variety of projects the City is working on, including the Westwood Oaks Park Playground Rehabilitation Project Survey. She mentioned City Hall facilities opened on Oct. 4 and Parks & Recreation facilities have remained open and serving the public. She mentioned the Department is hiring part time staff. She informed everyone that Zoom meetings would continue until further notice. She informed everyone that she would like to take a photo of the Commissioners at a painted Utility Box for the 2022 City Calendar.

COMMISSIONERS REPORT

Chair von Huene reported that the Triton Museum has Cultural Commission Sculptures currently on exhibit. She encouraged people to visit.

Commissioner Marinaro attended a Electronic Music Festival in Oakland. It was an artist focused concert. He announced he bought a new home in Santa Clara.

Commissioner McNamara has a friend who attended a Publishing as an Art Form Exhibit that he is interested in. He has been looking at online plays and art exhibits that are impressive and creative.

Commissioner Samara has been busy spending time with his family. He is on the Board for Santa Clara Youth Soccer League and is one of the Coordinators on the Recreational side. He is happy to see the children playing soccer again.

ADJOURNMENT

A motion was made by Vice Chair Diaz, seconded by Commissioner Marinaro, that the meeting be adjourned at 8:07 p.m.

Aye: 6 - Commissioner Sundaram, Commissioner Samara, Chair von Huene, Vice Chair Diaz, Commissioner Marinaro, and Commissioner McNamara

Absent: 1 - Commissioner Vega

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21-6847 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Action on Bills and Claims Report (CC) for the Period August 28, 2021 - September 24, 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 reporting 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 period include:

- Payment to Northern California Power Agency in the amount of $15,913,183 for September 2021 all resource bill and Western Restoration Fund.
- Payment to MSR Public Power Agency/Energy Authority in the amount of $4,644,087 for July through September 2021 energy purchases and August 2021 Shaping Fee.
- Payment to Santa Clara Valley Water District in the amount of $1,895,008 for June 2021 Pump Tax, a groundwater charge that is used to pay for the protection and augmentation of water supplies in the basin and June 2021 treated water purchase.
- Payment to Tri-Dam Project in the amount of $1,827,372 for August 2021 Hydroelectric purchase.
- Payment to O'Grady Paving Inc., in the amount of $1,575,741 for June 2021 progress payment for 2021 Annual Street Maintenance and Rehabilitation Project.
- Payment to Mission Trail Waste Systems in the amount of $1,020,529 for August 2021 garbage services.

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 $6,936. Included in this amount are expenses to the Santa Clara County Sheriff's Department for special law enforcement services at the stadium in August 2021. 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 $49,803,785 were appropriated to various funds with the adoption of the Fiscal Year 2020/21 and 2021/22, 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 August 28, 2021 - September 24, 2021.

Reviewed by: David Noce, Audit Manager
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 08/28/2021 to 09/24/2021

Run Date 9/27/2021
Run Time 14:58:55 PM

Sorted by Payment Amount

Payment No: W22097

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CISO A/S JUL21,JUN21,OTHER	Electric Utility	-840,869.17
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CISO MKT EST FY2021	Electric Utility	12,265,513.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CISO MKT EST SEP21	Electric Utility	3,599,488.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CISO GMC JUL21,JUN21,OTHER	Electric Utility	231,132.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CISO MKT JUL21,JUN21,OTHER	Electric Utility	-3,134,310.75
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CISO XMN JUL21,JUN21,OTHER	Electric Utility	3,898,508.15
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CISO CRR JUL21,JUN21,OTHER	Electric Utility	-154,460.23
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	POWER MGMT/JPA ASSESS FY2021	Electric Utility	-72,373.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	POWER MGMT/JPA ASSESS SEP21	Electric Utility	397,914.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	LEGISLATIVE/REGULATORY SEP21	Electric Utility	53,992.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	PASSTHRU-MEMBERSHIP DUES SEP21	Electric Utility	6,556.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	PASSTHRU-SUBSCRIPTIONS SEP21	Electric Utility	736.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CNTRCT-CAMERON COLE0110 FY2021	Electric Utility	10,165.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	LEC FUEL FY2021	Electric Utility	221,351.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	LEC FUEL SEP21	Electric Utility	2,364,102.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	LEC VARIABLE FY2021	Electric Utility	-3,719,426.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	LEC VARIABLE SEP21	Electric Utility	76,754.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	LEC FIXED SEP21	Electric Utility	433,527.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	LEC DEBT SEP21	Electric Utility	632,943.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CT VAR FY2021	Electric Utility	-636,051.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CT VAR SEP21	Electric Utility	86,390.00

09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	HYDRO FIXED SEP21	Electric Utility	556,059.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	HYDRO VAR FY2021	Electric Utility	-1,101,009.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	HYDRO VAR SEP21	Electric Utility	-19,152.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	HYDRO DEBT SEP21	Electric Utility	1,072,514.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	WT: GEO1 FIXED SEP21	Electric Utility	1,217,909.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	GEO1 VAR FY2021	Electric Utility	-2,144,111.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	GEO1 VAR SEP21	Electric Utility	50,155.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	GEO1 DEBT SEP21	Electric Utility	183,239.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CT FIXED SEP21	Electric Utility	213,607.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	PASSTHRU-CMUA EE REPORT FY2021	Elec OperatingGrant Trust Fund	4,034.00
09/23/2021	NORTHERN CALIF POWER AGENCY	00501070	006002-0921025	CONTRACT SVC-CADMUS0185 FY2021	Elec OperatingGrant Trust Fund	8,357.00
				Total for Payment No.:		15,763,183.00

Payment No: W22099

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	MSR ENERGY AUTHORITY	00500607	EA2042	WT:NAT GAS PURCH DVR AUG21	Electric Utility	1,707,957.81
09/24/2021	MSR ENERGY AUTHORITY	00500607	EA2042	NAT GAS PURCH COGEN AUG21	Electric Utility	158,099.98
09/24/2021	MSR ENERGY AUTHORITY	00500607	EA2042	NAT GAS PURCH GIA AUG21	Electric Utility	32,188.46
				Total for Payment No.:		1,898,246.25

Payment No: 020416

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	TRI-DAM PROJECT	00500538	2021-8 SVP	ENERGY PURCH (HYDRO) AUG21	Electric Utility	1,827,372.21
				Total for Payment No.:		1,827,372.21

Payment No: 002443

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	ELECTRONIC FEDERAL TAX	00500465	08/22/21-09/04/21	DD: FED TAXES W/H B2118	Payroll	277,698.07

					Liability&ClearingAcct	
09/10/2021	ELECTRONIC FEDERAL TAX	00500465	08/22/21-09/04/21	DD: FED TAXES W/H B2118	Payroll Liability&ClearingAcct	1,036,985.29
09/10/2021	ELECTRONIC FEDERAL TAX	00500465	08/22/21-09/04/21	DD: FED TAXES W/H B2118	Payroll Liability&ClearingAcct	285,359.28
				Total for Payment No.:		1,600,042.64

Payment No: 020366

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	O'GRADY PAVING INC	00500299	5409	2021 ANNUAL STREET MAINTENANCE	Streets And Highways	1,658,674.70
09/13/2021	O'GRADY PAVING INC	00500299	5409	RETENTION	Streets And Highways	-82,933.75
				Total for Payment No.:		1,575,740.95

Payment No: 002448

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ELECTRONIC FEDERAL TAX	00501135	09/05/21-09/18/21	DD: FED TAXES W/H B2119	Payroll Liability&ClearingAcct	253,010.82
09/24/2021	ELECTRONIC FEDERAL TAX	00501135	09/05/21-09/18/21	DD: FED TAXES W/H B2119	Payroll Liability&ClearingAcct	1,001,014.61
09/24/2021	ELECTRONIC FEDERAL TAX	00501135	09/05/21-09/18/21	DD: FED TAXES W/H B2119	Payroll Liability&ClearingAcct	263,679.21
				Total for Payment No.:		1,517,704.64

Payment No: W22076

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
08/31/2021	SANTA CLARA VALLEY WATER DIST	00499893	GM102909	WT2021 JUN PUMP TAX - GRND WTR	Water Utility	1,355,931.90
				Total for Payment No.:		1,355,931.90

Payment No: W22092

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/20/2021	CAL PERS	00500983	08/22/21-09/04/21	EMPLOYER/EMPLOYEE DED B2118	Payroll Liability&ClearingAcct	470,044.58
09/20/2021	CAL PERS	00500983	08/22/21-09/04/21	EMPLOYER/EMPLOYEE DED B2118	Payroll Liability&ClearingAcct	796,674.41
				Total for Payment No.:		1,266,718.99

Payment No: 002439

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/01/2021	CAL PERS - PO BOX 1982	00500017	08/08/21-08/21/21	EMPLOYER/EMPLOYEE DED	Payroll Liability&ClearingAcct	461,232.44
09/01/2021	CAL PERS - PO BOX 1982	00500017	08/08/21-08/21/21	EMPLOYER/EMPLOYEE DED	Payroll Liability&ClearingAcct	783,454.04
				Total for Payment No.:		1,244,686.48

Payment No: W22093

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/21/2021	MSR PUBLIC POWER AGENCY	00500804	090821	WT:BIG HORN ENERGY AUG21	Electric Utility	1,182,788.15
				Total for Payment No.:		1,182,788.15

Payment No: W22088

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/14/2021	MISSION TRAIL WASTE SYSTEMS	00500492	1839SEP2021	WT:GARBAGE COLLECTION AUG 2021	Solid Waste Program	828,068.52
09/14/2021	MISSION TRAIL WASTE SYSTEMS	00500492	1839SEP2021	CLEAN GREEN COLLECTION AUG2021	Solid Waste Program	192,460.72
				Total for Payment No.:		1,020,529.24

Payment No: 653338

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CENTER FOR SUSTAINABLE ENERGY	00499653	16963	TASK 1&2 DESIGN/DEVEL INCENTIV	Elec OperatingGrant Trust Fund	20,000.00
09/24/2021	CENTER FOR SUSTAINABLE ENERGY	00499653	16963	TASK 3 INCENTIVE MARKET/ED/TEC	Elec OperatingGrant Trust Fund	12,540.00

09/24/2021	CENTER FOR SUSTAINABLE ENERGY	00499653	16963	TASK 3-6 MARKET ED, DATA COLLE	Elec OperatingGrant Trust Fund	11,145.00
09/24/2021	CENTER FOR SUSTAINABLE ENERGY	00499653	16963	LICENSE FEE	Elec OperatingGrant Trust Fund	15,170.00
09/24/2021	CENTER FOR SUSTAINABLE ENERGY	00499654	16964	ADVANCED FUNDS PAYMENT LEVEL2	Elec OperatingGrant Trust Fund	930,000.00
				Total for Payment No.:		988,855.00

Payment No: 020444

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	MSR PUBLIC POWER AGENCY	00500635	090221	PUR PWER SAN JUAN SEP21 ACT	Electric Utility	96,250.00
09/24/2021	MSR PUBLIC POWER AGENCY	00500635	090221	PUR PWER SAN JUAN SEP21 ACT	Electric Utility	810,577.60
09/24/2021	MSR PUBLIC POWER AGENCY	00500635	090221	RENEWABLE ADMIN COSTS SEP21	Electric Utility	40,544.60
09/24/2021	MSR PUBLIC POWER AGENCY	00500635	090221	PUR PWER SAN JUAN SEP21 ACT	Electric Utility	12,415.55
				Total for Payment No.:		959,787.75

Payment No: 002444

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/08/2021	CAL PERS - HEALTH	00499829	SEPT-21	HEALTH INSURANCE PREMIUMS SEPT	OPEB Plan Trust Fund	95,219.12
09/08/2021	CAL PERS - HEALTH	00499829	SEPT-21	HEALTH INSURANCE PREMIUMS SEPT	Payroll Liability&ClearingAcct	743,291.64
				Total for Payment No.:		838,510.76

Payment No: W22077

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
08/31/2021	SFPUC WATER DEPT	00499895	2395AUG2021	WT:2021 AUG SFPUC WATER PURCH	Water Utility	711,654.20
				Total for Payment No.:		711,654.20

Payment No: 020448

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/24/2021	PASO ROBLES TANK INC	00501015	5952	RETENTION	Water Utility Construction	-8,848.32
09/24/2021	PASO ROBLES TANK INC	00501015	5952	CONSTRUCTION CONTRACT FOR SERR	Water Utility Construction	176,966.35
09/24/2021	PASO ROBLES TANK INC	00501017	6031	CONSTRUCTION CONTRACT FOR SERR	Water Utility Construction	565,905.41
09/24/2021	PASO ROBLES TANK INC	00501017	6031	RETENTION	Water Utility Construction	-28,295.27
				Total for Payment No.:		705,728.17

Payment No: W22078

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
08/31/2021	SEDGWICK CLAIMS MGMT SVCS INC	00499922	CC-8029-2021-08250948	WT:ESCROW DEP WORK COMP CC	Workers Compensation	681,756.40
				Total for Payment No.:		681,756.40

Payment No: 020384

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	AMERESCO	00500541	42022	ENERGY (FORWARD LF GAS) AUG21	Electric Utility	311,269.00
09/17/2021	AMERESCO	00500541	42022	FORWARD LF O&M CHG AUG21	Electric Utility	9,316.37
09/17/2021	AMERESCO	00500543	42021	ENERGY (VASCO LF GAS) AUG21	Electric Utility	309,256.29
09/17/2021	AMERESCO	00500543	42021	VASCO LF O&M CHARGE AUG21	Electric Utility	13,065.57
				Total for Payment No.:		642,907.23

Payment No: W22090

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/20/2021	RE ROSAMOND ONE LLC	00500605	00093	WT:ENERGY PURCH (SOLAR) AUG21	Electric Utility	642,238.01
				Total for Payment No.:		642,238.01

Payment No: W22079

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/01/2021	SANTA CLARA CONVENTION CENTER	00499827	2461AUG2021	PRE-FUND BUDGET EXPEND OCT21	Convention Center Enterprise F	627,489.00
				Total for Payment No.:		627,489.00

Payment No: 653119

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	ANDERSON PACIFIC ENGINEERING	00500298	155AUG	LAURELWOOD PUMP STATION REHABI	Storm Drain	632,250.00
09/10/2021	ANDERSON PACIFIC ENGINEERING	00500298	155AUG	RETENTION	Storm Drain	-31,612.50
				Total for Payment No.:		600,637.50

Payment No: W22096

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/22/2021	SANTA CLARA VALLEY WATER DIST	00500955	TI002511	WT:AUG21 RINCONADA TREATED WTR	Water Utility	539,076.00
				Total for Payment No.:		539,076.00

Payment No: 653082

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	GREENWASTE RECOVERY, INC	00499785	028596	MUNICIPAL SOLID WASTE JULY2021	Solid Waste Program	502,137.76
				Total for Payment No.:		502,137.76

Payment No: 002442

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	CA EMPLOYMENT DEVELOPMENT DEPT	00500466	08/22/21-09/04/21	DD: SIT & SDI W/H B2118	Payroll Liability&ClearingAcct	29,712.18
09/10/2021	CA EMPLOYMENT DEVELOPMENT DEPT	00500466	08/22/21-09/04/21	DD: SIT & SDI W/H B2118	Payroll Liability&ClearingAcct	427,006.57
				Total for Payment No.:		456,718.75

Payment No: W22098

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	MANZANA WIND LLC	00500604	133594	WT:ENERGY PURCH (WIND) AUG21	Electric Utility	439,460.65
				Total for Payment No.:		439,460.65

Payment No: 002447

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CA EMPLOYMENT DEVELOPMENT DEPT	00501134	09/05/21-09/18/21	DD: SIT & SDI W/H B2119	Payroll Liability&ClearingAcct	409,961.35
09/24/2021	CA EMPLOYMENT DEVELOPMENT DEPT	00501134	09/05/21-09/18/21	DD: SIT & SDI W/H B2119	Payroll Liability&ClearingAcct	26,628.56
				Total for Payment No.:		436,589.91

Payment No: W22083

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	NATIONWIDE RETIREMENT SOLUTIONS, INC.	00500468	08/22/21-09/04/21	WT: B2118 DEFERRED COMP	Fringe Benefits	381,734.42
				Total for Payment No.:		381,734.42

Payment No: 020463

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	TRANSMISSION AGENCY OF NORTHERN CA	00500652	AUGUST 2021	COTP O&M OCT21	Electric Utility	123,429.00
09/24/2021	TRANSMISSION AGENCY OF NORTHERN CA	00500652	AUGUST 2021	TANC OASIS MATTER - JUN21	Electric Utility	1,362.35
09/24/2021	TRANSMISSION AGENCY OF NORTHERN CA	00500652	AUGUST 2021	SOT FAC CHARGE AUG21	Electric Utility	4,057.83
09/24/2021	TRANSMISSION AGENCY OF NORTHERN CA	00500652	AUGUST 2021	SOT ADMIN COSTS JUL21	Electric Utility	2,483.00
09/24/2021	TRANSMISSION AGENCY OF NORTHERN CA	00500652	AUGUST 2021	DEBT SERVICE (TANC) OCT21	Electric Utility	80,391.00
09/24/2021	TRANSMISSION AGENCY OF NORTHERN CA	00500652	AUGUST 2021	DEBT SERVICE (SOT) AUG21	Electric Utility	3,467.00

09/24/2021	TRANSMISSION AGENCY OF NORTHERN CA	00500652	AUGUST 2021	TANC A&G OCT21	Electric Utility	142,981.00
				Total for Payment No.:		358,171.18

Payment No: 020394

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	FRIANT POWER AUTHORITY	00500263	812	ENERGY PURCH (HYDRO1) AUG21	Electric Utility	132,057.50
09/17/2021	FRIANT POWER AUTHORITY	00500263	812	ENERGY PURCH (HYDRO2) AUG21	Electric Utility	219,801.25
				Total for Payment No.:		351,858.75

Payment No: 020322

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	MSR PUBLIC POWER AGENCY	00499294	081121	BIG HORN 2 POWER JUL21	Electric Utility	350,093.51
				Total for Payment No.:		350,093.51

Payment No: W22102

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	NATIONWIDE RETIREMENT SOLUTIONS, INC.	00501111	09/05/21-09/18/21	WT: B2119 DEFERRED COMP	Fringe Benefits	347,580.62
				Total for Payment No.:		347,580.62

Payment No: 020367

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	PARS/GASB 45	00500274	14589SEPT2021	Monthly Contribution-SEPT 2021	OPEB Plan Trust Fund	312,417.00
				Total for Payment No.:		312,417.00

Payment No: W22091C

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/20/2021	FIRST AMERICAN TITLE COMPANY	00500841	NCS-1011914-8-CC	WT:EASEMENT FOR 851 MARTIN AVE	Electric Utility Construction	294,048.00

				Total for Payment No.:		294,048.00

Payment No: 653099

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	RECOLOGY SOUTH BAY	00499144	JULY-21	MONTHLY COLLECTION RPT- JUL 21	Solid Waste Program	267,959.67
				Total for Payment No.:		267,959.67

Payment No: 020372

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	SAK CONSTRUCTION, LLC	00500297	21361	Repair Sewer 400 ft. of 30" RC	Sewer Utility Construction	116,755.00
09/13/2021	SAK CONSTRUCTION, LLC	00500297	21361	Repair Sewer 500 ft. of 39" RC	Sewer Utility Construction	148,485.00
				Total for Payment No.:		265,240.00

Payment No: W22094

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/21/2021	MSR PUBLIC POWER AGENCY	00500806	090521	WT:BIG HORN SHAPING AUG21	Electric Utility	253,170.85
				Total for Payment No.:		253,170.85

Payment No: W22103

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	WASHINGTON TRUST BANK	00501113	09/05/21-09/18/21	9WT:VEBA CONTRIB B2119	Fringe Benefits	223,703.83
				Total for Payment No.:		223,703.83

Payment No: 020289

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BROWNING FERRIS INDUSTRIES	00499769	M210500	NEWBY LANDILL MAY 2021	Solid Waste Program	199,744.97
09/03/2021	BROWNING FERRIS INDUSTRIES	00499769	M210500	WATER DEPT LOADS MAY 2021	Water Utility	2,855.30

				Total for Payment No.:		202,600.27

Payment No: W22091

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/20/2021	FIRST AMERICAN TITLE COMPANY	00500838	NCS-1011914-1-CC	WT:EASEMENT FOR 2755 LAFAYETTE	Electric Utility Construction	182,369.00
				Total for Payment No.:		182,369.00

Payment No: 020434

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	GENERAL ELECTRIC INTERNATIONAL INC	00500953	21648298	SMO1734507 STAGE 1 NOZZLE KIT	Electric Utility Construction	159,371.26
				Total for Payment No.:		159,371.26

Payment No: W22080

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	SEDGWICK CLAIMS MGMT SVCS INC	00500142	SF-8029-2021-00940997	WT:ESCROW DEP WORK COMP SEPT	Workers Compensation	159,276.62
				Total for Payment No.:		159,276.62

Payment No: 020415

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	TRAYER ENGINEERING CORP	00500636	0000027620	SWITCH, PADMOUNT, LIQUID-INSUL	Electric Utility	77,568.36
09/17/2021	TRAYER ENGINEERING CORP	00500637	0000027624	SWITCH, PADMOUNT, LIQUID-INSUL	Electric Utility	77,568.36
				Total for Payment No.:		155,136.72

Payment No: 020356

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	FLYNN RESOURCE CONSULTANTS	00499481	1504	CAISO,CRR,PG&E,LITIG MAY-	Electric Utility	150,821.25

	INC			JUN21		
				Total for Payment No.:		150,821.25

Payment No: 020406

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	NO CALIF POWER AGENCY	00500544	CVP0921002	WAPA REST FUND LEVELIZED SEP21	Electric Utility	185,965.29
09/17/2021	NO CALIF POWER AGENCY	00500544	CVP0921002	WAPA REST FUND LEVELIZED SEP21	Electric Utility	-35,965.29
				Total for Payment No.:		150,000.00

Payment No: W22074

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
08/31/2021	NO CALIF POWER AGENCY	00499302	CVP0821002	WAPA REST FUND LEVELIZED AUG21	Electric Utility	185,965.29
08/31/2021	NO CALIF POWER AGENCY	00499302	CVP0821002	WAPA REST FUND LEVELIZED JUN21	Electric Utility	13,215.78
08/31/2021	NO CALIF POWER AGENCY	00499302	CVP0821002	WAPA REST FUND LEVELIZED AUG21	Electric Utility	-49,181.07
				Total for Payment No.:		150,000.00

Payment No: 653345

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CORE & MAIN LP	00501138	P273085	VALVE, 2IN, BLOW OFF KUPFERIES	Water Utility	29,218.23
09/24/2021	CORE & MAIN LP	00501138	P273085	JONES BLOWOFF 2" TF550	Water Utility	1,802.70
09/24/2021	CORE & MAIN LP	00501140	P283847	HYDRANT, PAINTED WHITE 4IN STR	Water Utility	101,338.93
09/24/2021	CORE & MAIN LP	00501142	P284540	HYDRANT, PAINTED WHITE 4IN STR	Water Utility	9,886.73
				Total for Payment No.:		142,246.59

Payment No: 653087

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	INTER DISPOSAL CORP OF CA	00499134	5127-000037068	MSW PROCSNG- JUL 2021	Solid Waste Program	80,312.26
09/03/2021	INTER DISPOSAL CORP OF CA	00499135	5127-000037069	COMPSTBL WST- JUL 2021	Solid Waste Program	21,843.80
				Total for Payment No.:		102,156.06

Payment No: 653063

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BILL WILSON CENTER	00499966	TBRA-04-2021BW	BWC-TBRA HOME FY20/21	H.U.D Capital Projects	41,670.00
09/03/2021	BILL WILSON CENTER	00499966	TBRA-04-2021BW	BWC-TBRA HSCAG/SB341 FY20/21	Housing Successor	7,499.56
09/03/2021	BILL WILSON CENTER	00499968	TBRA-05-2021BW	BWC-TBRA HOME FY20/21	H.U.D Capital Projects	42,428.51
09/03/2021	BILL WILSON CENTER	00499968	TBRA-05-2021BW	BWC-TBRA HSCAG/SB341 FY20/21	Housing Successor	8,525.72
				Total for Payment No.:		100,123.79

Payment No: 653401

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	WRECO	00500910	P19074.000-14	AGREEMENT FOR THE GREAT AMERIC	Streets And Highways	42,124.10
09/24/2021	WRECO	00500910	P19074.000-14	ADDITIONAL SERVICES.	Streets And Highways	41,202.00
09/24/2021	WRECO	00500911	P19074.000-15	AGREEMENT FOR THE GREAT AMERIC	Streets And Highways	1,950.00
09/24/2021	WRECO	00500912	p19074.000-16	AGREEMENT FOR THE GREAT AMERIC	Streets And Highways	13,356.00
				Total for Payment No.:		98,632.10

Payment No: 020431

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	[redacted]	00499858	33508 PJS	LEGAL SERVICES JUN21	Electric Utility	93,437.30
09/24/2021	[redacted]	00499858	33508 PJS	LEGAL SVC BUCKS CREEK JUN21	Electric Utility Construction	4,861.20
				Total for Payment No.:		98,298.50

Payment No: W22091A

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/20/2021	FIRST AMERICAN TITLE COMPANY	00500839	NCS-1011914-3-CC	WT:EASEMENT 2555 LAFAYETTE ST	Electric Utility Construction	95,125.00
				Total for Payment No.:		95,125.00

Payment No: 020395

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	G2 ENERGY OSTROM ROAD LLC	00500265	SVP 8-21	ENERGY (LANDFILL GAS) AUG21	Electric Utility	94,778.45
				Total for Payment No.:		94,778.45

Payment No: W22081

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/08/2021	MARIN CLEAN ENERGY	00499997	SVP-0721	WT:CISO CHG SC SVC G2-1 JUL21	Electric Utility	94,138.35
09/08/2021	MARIN CLEAN ENERGY	00499997	SVP-0721	WT:CISO CHG SC SVC G2-1 JUL21	Electric Utility	-290.48
				Total for Payment No.:		93,847.87

Payment No: 020391

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	[redacted]	00500252	33617 PJS	LEGAL SERVICES AUG21	Electric Utility	90,066.20
09/17/2021	[redacted]	00500252	33617 PJS	LEGAL SVC BUCKS CREEK AUG21	Electric Utility Construction	1,386.00
				Total for Payment No.:		91,452.20

Payment No: W22091B

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/20/2021	FIRST AMERICAN TITLE COMPANY	00500840	NCS-1011914-4-CC	WT:EASEMENT FOR 525 MATHEW ST	Electric Utility Construction	91,415.00
				Total for Payment No.:		91,415.00

Payment No: 020458

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PREFERRED BENEFIT	00500942	EIA41789	DENTAL PREMIUMS GROUP 0001	Payroll Liability&ClearingAcct	6,909.84
09/24/2021	PREFERRED BENEFIT	00500943	EIA41788	DENTAL PREMIUMS GRP 00005&6	Payroll Liability&ClearingAcct	73,555.20
09/24/2021	PREFERRED BENEFIT	00500944	EIA41790	VISION PREMIUMS SEPT 2021	Payroll Liability&ClearingAcct	10,652.24
				Total for Payment No.:		91,117.28

Payment No: W22082

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	WASHINGTON TRUST BANK	00500467	08/22/21-09/04/21	WT:VEBA CONTRIB B2118	Fringe Benefits	90,009.98
				Total for Payment No.:		90,009.98

Payment No: 653374

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	POWER MARKET CONSULTING INC	00499855	796	ANNUAL OASISLIVE MISC8/21-8/22	Electric Utility	-9,393.00
09/24/2021	POWER MARKET CONSULTING INC	00499855	796	ANNUAL OASISLIVE ABA 8/21-8/22	Electric Utility	28,546.00
09/24/2021	POWER MARKET CONSULTING INC	00499855	796	ANNUAL OASISLIVE ACR 8/21-8/22	Electric Utility	30,972.00
09/24/2021	POWER MARKET CONSULTING INC	00499855	796	ANNUAL OASISLIVE ALF 8/21-8/22	Electric Utility	34,414.00
09/24/2021	POWER MARKET CONSULTING INC	00499855	796	QUANTRIX MODELER 8/21-8/22	Electric Utility	4,900.00
				Total for Payment No.:		89,439.00

Payment No: 020348

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	BAY AREA TREE SPECIALISTS	00499580	67274	TREE REMOVALS- JULY 2021	Streets And Highways	69,612.50
09/13/2021	BAY AREA TREE SPECIALISTS	00499580	67274	TREE PRUNING AND REMOVALS SERV	General Fund	18,715.00
				Total for Payment No.:		88,327.50

Payment No: 653389

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SWA SERVICES GROUP	00499752	21663	AUGUST 2021	General Fund	85,741.00
				Total for Payment No.:		85,741.00

Payment No: 020420

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	3DEGREES GROUP INC	00499790	20871	GREEN WIND ABBOTT VASCUL 2021	Electric Utility	44,297.10
09/24/2021	3DEGREES GROUP INC	00499791	21171	WSTRN NATL WIND BULK REC JUL21	Electric Utility	1,591.25
09/24/2021	3DEGREES GROUP INC	00499791	21171	SC GREEN PWR MARKET REC JUL21	Electric Utility	37,417.86
				Total for Payment No.:		83,306.21

Payment No: 020364

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	MOORE IACOFANO GOLTSMAN, INC	00500277	0069819	PROF SVCS APRIL 2021	Planning Div-Prefund PlanRview	39,950.00
09/13/2021	MOORE IACOFANO GOLTSMAN, INC	00500278	0070292	PROF SVCS MAY 2021	Planning Div-Prefund PlanRview	7,599.70
09/13/2021	MOORE IACOFANO GOLTSMAN, INC	00500279	0070761	PROF SVCS JUNE 2021	Planning Div-Prefund PlanRview	8,632.70
09/13/2021	MOORE IACOFANO GOLTSMAN, INC	00500280	0069820	PROF SVCS APRIL 2021	Planning Div-Prefund PlanRview	14,350.00
09/13/2021	MOORE IACOFANO GOLTSMAN, INC	00500281	0070212	PROF SVCS MAY 2021	Planning Div-Prefund PlanRview	8,032.25
				Total for Payment No.:		78,564.65

Payment No: 020327

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	PG&E	00499113	0541963339-0JUL2021	TS @ CALVERT/CALVERT	General Fund	39.64
09/03/2021	PG&E	00499201	6751776993-0 AUG2021	GAS TRANSPORT COGEN JUL21	Electric Utility	76,778.15

				Total for Payment No.:		76,817.79

Payment No: 653076

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	DNV ENERGY SERVICES USA INC	00499262	875010008122	BUSINES ENERG EFF PROG JUL2021	Elec OperatingGrant Trust Fund	10,504.67
09/03/2021	DNV ENERGY SERVICES USA INC	00499262	875010008122	BUSINES ENERG EFF PROG JUL2021	Elec OperatingGrant Trust Fund	9,754.33
09/03/2021	DNV ENERGY SERVICES USA INC	00499262	875010008122	BUSINES ENERG EFF PROG JUL2021	Elec OperatingGrant Trust Fund	7,503.33
09/03/2021	DNV ENERGY SERVICES USA INC	00499262	875010008122	BUSINES ENERG EFF PROG JUL2021	Elec OperatingGrant Trust Fund	37,516.66
09/03/2021	DNV ENERGY SERVICES USA INC	00499262	875010008122	BUSINES ENERG EFF PROG JUL2021	Elec OperatingGrant Trust Fund	9,754.33
				Total for Payment No.:		75,033.32

Payment No: W22075

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
08/31/2021	GAHRAHMAT FAMILY LTD II	00499484	GFLP2-21256	RENT 881 MARTIN AVE SEP2021	Electric Utility	56,302.49
08/31/2021	GAHRAHMAT FAMILY LTD II	00499484	GFLP2-21256	COMMON AREA 881 MARTIN AUG2020	Electric Utility	1,157.60
08/31/2021	GAHRAHMAT FAMILY LTD II	00499484	GFLP2-21256	PGE 881 MARTIN AVE JUL2021	Electric Utility	1,124.09
08/31/2021	GAHRAHMAT FAMILY LTD II	00499484	GFLP2-21256	SC UTIL WATER/SEWER/FIRE JUL21	Electric Utility	1,485.07
08/31/2021	GAHRAHMAT FAMILY LTD II	00499484	GFLP2-21256	SC UTILITIES ELECTRIC JUL21	Electric Utility	8,960.45
08/31/2021	GAHRAHMAT FAMILY LTD II	00499484	GFLP2-21256	RENT 881 MARTIN AVE SEP2021	Elec OperatingGrant Trust Fund	3,593.78
08/31/2021	GAHRAHMAT FAMILY LTD II	00499484	GFLP2-21256	COMMON AREA 881 MARTIN AUG2020	Elec OperatingGrant Trust Fund	73.89
08/31/2021	GAHRAHMAT FAMILY LTD II	00499484	GFLP2-21256	PGE 881 MARTIN AVE JUL2021	Elec OperatingGrant Trust Fund	71.75
08/31/2021	GAHRAHMAT FAMILY LTD II	00499484	GFLP2-21256	SC UTIL WATER/SEWER/FIRE JUL21	Elec OperatingGrant Trust Fund	94.79
08/31/2021	GAHRAHMAT FAMILY LTD II	00499484	GFLP2-21256	SC UTILITIES ELECTRIC JUL21	Elec OperatingGrant Trust Fund	571.94

				Total for Payment No.:		73,435.85

Payment No: W22089

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/15/2021	SANTA CLARA CONVENTION CENTER	00500611	2461SEPT2021	WT: INFORMA TECH HOLDING DEP	Convention Center Enterprise F	72,660.00
				Total for Payment No.:		72,660.00

Payment No: 653137

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	BILL WILSON CENTER	00500471	TBRA-6-2021BW	BWC-TBRA HOME FY20/21	H.U.D Capital Projects	55,808.41
09/10/2021	BILL WILSON CENTER	00500471	TBRA-6-2021BW	BWC-TBRA HSCAG/SB341 FY20/21	Housing Successor	14,408.96
				Total for Payment No.:		70,217.37

Payment No: W22091D

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/20/2021	FIRST AMERICAN TITLE COMPANY	00500842	NCS-1011914-9-CC	WT:EASEMENT FOR 651 MARTIN AVE	Electric Utility Construction	67,710.00
				Total for Payment No.:		67,710.00

Payment No: 020386

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	BADGER METER INC	00500634	1447380	METER, WATER, 2" ENCODED REGI	Water Utility	66,145.03
				Total for Payment No.:		66,145.03

Payment No: 653093

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	LC ACTION POLICE SUPPLY	00500066	428702	HOLSTERS AND REFLEX SIGHT	Police Operating Grant Fund	2,671.38

09/03/2021	LC ACTION POLICE SUPPLY	00500067	429263	AMMO	General Fund	61,110.00
				Total for Payment No.:		63,781.38

Payment No: W22091F

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/20/2021	FIRST AMERICAN TITLE COMPANY	00500844	NCS-1011914-36-CC	WT:EASEMENT 1501 MARTIN AVE	Electric Utility Construction	62,015.00
				Total for Payment No.:		62,015.00

Payment No: 020383

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	AIR PRODUCTS & CHEMICALS	00500254	417996097	PURCHASE OF RA CAPACITY AUG21	Electric Utility	60,000.00
				Total for Payment No.:		60,000.00

Payment No: 020298

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	GOLDER ASSOCIATES	00498836	626897	RELATED CITY PLACE- JULY 2021	Related Santa Clara Dvlpr Fund	1,706.25
09/03/2021	GOLDER ASSOCIATES	00498836	626897	LANDFILL SERVICES- JULY 2021	Solid Waste Utility-Constructi	55,823.22
				Total for Payment No.:		57,529.47

Payment No: 653385

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	STANDARD & POOR`S	00499854	2000261601	RATINGSDIRECT 9/1/21-8/31/22	Electric Utility	55,845.00
				Total for Payment No.:		55,845.00

Payment No: 653280

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/17/2021	HARRY L MURPHY INC	00500679	25793	Santa Clara Senior Center Fitn	Parks And Recreation	52,000.00
				Total for Payment No.:		52,000.00

Payment No: W22104

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SANTA CLARA CONVENTION CENTER	00501219	2461SEP2021	WT:CIP FUND REQUEST CARNEGIE	SCCC Capital Improvement Fund	49,136.87
				Total for Payment No.:		49,136.87

Payment No: 020369

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	PROJECT SENTINEL	00500472	411-06302021	PROJECT SENTINEL FAIR HOUSING	General Fund	10,000.00
09/13/2021	PROJECT SENTINEL	00500473	512-06302021	PROJECT SENTINEL DISPUTE RESOL	General Fund	34,900.00
				Total for Payment No.:		44,900.00

Payment No: 653194

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ANDERSON PACIFIC ENGINEERING	00500656	4R	WESTSIDE RETENTION RELEASE	Storm Drain	43,919.95
				Total for Payment No.:		43,919.95

Payment No: 653336

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CARAHSOFT TECHNOLOGY CORP	00500084	27144810INV	Cellebrite Premium Package	Police Operating Grant Fund	39,200.00
09/24/2021	CARAHSOFT TECHNOLOGY CORP	00500084	27144810INV	TAXABLE PORTION	Police Operating Grant Fund	1,079.22
				Total for Payment No.:		40,279.22

Payment No: W22106

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SANTA CLARA CONVENTION CENTER	00501230	6WESTERN	WT:CIP FUND REQUEST WESTERN	SCCC Capital Improvement Fund	39,436.49
				Total for Payment No.:		39,436.49

Payment No: 653136

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	BELLECCI & ASSOCIATES INC	00500474	20052-I rev 0	DESIGN PROFESSIONAL SERVICES F	Streets And Highways	38,491.25
				Total for Payment No.:		38,491.25

Payment No: 653334

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	BANNER BANK	00501079	35232AUG2021	RETENTION	Water Utility Construction	8,848.32
09/24/2021	BANNER BANK	00501080	35232AUG2021A	RETENTION	Water Utility Construction	28,295.27
				Total for Payment No.:		37,143.59

Payment No: 020417

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	US DEPT OF ENERGY	00500540	NNPB000270821S	COTP LOSSES-FIN STLMNTS AUG21	Electric Utility	36,742.97
				Total for Payment No.:		36,742.97

Payment No: 653163

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	MTH ENGINEERS INC	00500381	12388	CONSTRUCTION MANAGEMENT SERVIC	Electric Utility Construction	36,557.50
				Total for Payment No.:		36,557.50

Payment No: W22106A

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SANTA CLARA CONVENTION CENTER	00501231	7WESTERN	WT:CIP FUND REQUEST WESTERN	SCCC Capital Improvement Fund	35,842.26
				Total for Payment No.:		35,842.26

Payment No: 020317

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	LEVY SANTA CLARA CONVENTION CENTER	00499845	LEVYINV 00026	FY21/22 SHORTFALL JULY	SCCC-Levy Food & Beverage	34,923.25
				Total for Payment No.:		34,923.25

Payment No: 020334

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	BENEFIT COORDINATORS CORP	00500462	08/22/21-09/04/21	LIFE & DISABILITY INS	Payroll Liability&ClearingAcct	4,561.99
09/13/2021	BENEFIT COORDINATORS CORP	00500462	08/22/21-09/04/21	LIFE & DISABILITY INS	Payroll Liability&ClearingAcct	9,685.83
09/13/2021	BENEFIT COORDINATORS CORP	00500462	08/22/21-09/04/21	LIFE & DISABILITY INS	Payroll Liability&ClearingAcct	3,565.24
09/13/2021	BENEFIT COORDINATORS CORP	00500462	08/22/21-09/04/21	LIFE & DISABILITY INS	Payroll Liability&ClearingAcct	3,913.59
09/13/2021	BENEFIT COORDINATORS CORP	00500462	08/22/21-09/04/21	LIFE & DISABILITY INS	Payroll Liability&ClearingAcct	12,533.99
				Total for Payment No.:		34,260.64

Payment No: 020338

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	INTL FIREFIGHTERS LOCAL 1171	00500445	08/08/21-09/04/21	UNION DUES	Payroll Liability&ClearingAcct	32,259.68
				Total for Payment No.:		32,259.68

Payment No: 020437

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	HOUSEKEYS INC	00501018	SC210720BMR	HOUSEKEYS FY21/22 BMR Program	City Affordable Housing	13,000.00
09/24/2021	HOUSEKEYS INC	00501019	SC210816BMR	HOUSEKEYS FY21/22 BMR Program	City Affordable Housing	13,000.00
09/24/2021	HOUSEKEYS INC	00501021	SCBMP210816	BMP FY20/21 HOUSEKEYS	City Affordable Housing	6,025.00
				Total for Payment No.:		32,025.00

Payment No: 020363

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	MILTON SECURITY GROUP LLC	00499480	2021938	NOC/SOC SERVICES	Electric Utility	11,520.00
09/13/2021	MILTON SECURITY GROUP LLC	00499480	2021938	OSISOFT PI SYSTEM SERVICE	Electric Utility	7,200.00
09/13/2021	MILTON SECURITY GROUP LLC	00499480	2021938	SHAREPOINT SUPPORT/MGMT SVCS	Electric Utility	2,400.00
09/13/2021	MILTON SECURITY GROUP LLC	00499480	2021938	AMI/MDMS PROJECT SUPPORT	Electric Utility Construction	9,600.00
				Total for Payment No.:		30,720.00

Payment No: 020404

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	MILTON SECURITY GROUP LLC	00500253	2021940	OSISOFT PI SYSTEM SERVICE	Electric Utility	7,200.00
09/17/2021	MILTON SECURITY GROUP LLC	00500253	2021940	SHAREPOINT SUPPORT/MGMT SVCS	Electric Utility	2,400.00
09/17/2021	MILTON SECURITY GROUP LLC	00500253	2021940	NOC/SOC SERVICES	Electric Utility	11,520.00
09/17/2021	MILTON SECURITY GROUP LLC	00500253	2021940	AMI/MDMS PROJECT SUPPORT	Electric Utility Construction	9,600.00
				Total for Payment No.:		30,720.00

Payment No: 020443

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	MILTON SECURITY GROUP LLC	00499843	2021927	NOC/SOC SERVICES	Electric Utility	11,520.00
09/24/2021	MILTON SECURITY GROUP LLC	00499843	2021927	OSISOFT PI SYSTEM SERVICE	Electric Utility	7,200.00

09/24/2021	MILTON SECURITY GROUP LLC	00499843	2021927	SHAREPOINT SUPPORT/MGMT SVCS	Electric Utility	2,400.00
09/24/2021	MILTON SECURITY GROUP LLC	00499843	2021927	AMI/MDMS PROJECT SUPPORT	Electric Utility Construction	9,600.00
				Total for Payment No.:		30,720.00

Payment No: 653096

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	MTH ENGINEERS INC	00498089	12383	ENG/CON DESIGN JUN2021	Electric Utility Construction	28,905.00
				Total for Payment No.:		28,905.00

Payment No: 020432

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ELECTRICAL CONSULTANTS INC	00501083	95225	TRANSMISSION ENGINEERING DESIG	Electric Utility Construction	13,660.50
09/24/2021	ELECTRICAL CONSULTANTS INC	00501084	94518	TRANSMISSION ENGINEERING DESIG	Electric Utility Construction	14,399.50
				Total for Payment No.:		28,060.00

Payment No: 653053

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ASSN OF BAY AREA GOVERNMENTS	00500061	AR026102	FY21/22 MEMBERSHIP DUES	General Fund	28,053.00
				Total for Payment No.:		28,053.00

Payment No: 020403

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	[redacted]	00500515	405236	CHANGE ORDER #1: ADDITIONAL FU LEGAL SERVICES	Electric Utility Construction	27,599.00
09/17/2021	[redacted]	00500515	405236	LEGAL SERVICES - CHANGE ORDER LEGAL SERVICES	Electric Utility Construction	45.05
				Total for Payment No.:		27,644.05

Payment No: 653274

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	FARWEST INUSLATION CONTRACTING	00499495	73435	DVR OUTAGE MAY21 LABOR	Electric Utility	16,423.69
09/17/2021	FARWEST INUSLATION CONTRACTING	00499495	73435	DVR OUTAGE MAY21 EQUIPMENT	Electric Utility	801.30
09/17/2021	FARWEST INUSLATION CONTRACTING	00499495	73435	DVR OUTAGE MAY21 MATERIALS	Electric Utility	10,121.83
				Total for Payment No.:		27,346.82

Payment No: 653264

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	BEAR ELECTRICAL SOLUTIONS, INC.	00500758	13367	TRAFFIC SIGNAL MAINTENANCE, RE	General Fund	22,085.10
09/17/2021	BEAR ELECTRICAL SOLUTIONS, INC.	00500759	13400	TRAFFIC SIGNAL MAINTENANCE, RE	General Fund	4,874.00
				Total for Payment No.:		26,959.10

Payment No: W22106B

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SANTA CLARA CONVENTION CENTER	00501232	8WESTERN	WT:CIP FUND REQUEST WESTERN	SCCC Capital Improvement Fund	26,010.59
				Total for Payment No.:		26,010.59

Payment No: 020392

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	EAGLE SECURITY SERVICES	00500765	ES4252	OPEN OPTIONS DNA FUSION SOFTWA	Electric Utility	13,995.00
09/17/2021	EAGLE SECURITY SERVICES	00500766	ES4253	MILESTONE SOFTWARE PMA RENEWAL	Electric Utility	11,995.00
				Total for Payment No.:		25,990.00

Payment No: W22095

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/21/2021	GEORGE HILLS CO	00500903	1299SEP2021	WT:REPLENISH SPEC LIAB INS ESC	Special Liability Insurance	25,000.00
				Total for Payment No.:		25,000.00

Payment No: 653185

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	VALLEY OIL CO	00500487	78854	UNLEADED GASOLINE	Fleet Operation Fund	3,802.44
09/10/2021	VALLEY OIL CO	00500490	78768	UNLEADED GASOLINE	Fleet Operation Fund	21,173.33
				Total for Payment No.:		24,975.77

Payment No: 020382

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	WESTERN STATES OIL CO	00497846	CMFET	CREDIT FROM FEDRL EXCISE TAX	Fleet Operation Fund	-2,756.64
09/13/2021	WESTERN STATES OIL CO	00498288	455204	PD MOTRCYCLS- JULY 2021	Fleet Operation Fund	45.41
09/13/2021	WESTERN STATES OIL CO	00498636	455705	UNLDED FUEL- TANK#91	Fleet Operation Fund	288.02
09/13/2021	WESTERN STATES OIL CO	00500485	820846	RENEWABLE DIESEL	Fleet Operation Fund	1,525.92
09/13/2021	WESTERN STATES OIL CO	00500486	820845	RENEWABLE DIESEL	Fleet Operation Fund	1,907.40
09/13/2021	WESTERN STATES OIL CO	00500488	820844	RENEWABLE DIESEL	Fleet Operation Fund	1,907.40
09/13/2021	WESTERN STATES OIL CO	00500491	820860	RENEWABLE DIESEL	Fleet Operation Fund	21,973.69
				Total for Payment No.:		24,891.20

Payment No: 020456

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PG&E	00499736	8311198632-5 JUL2021	2021 JUL GUADALUPE SEABOARD	Sewer Utility	11.42
09/24/2021	PG&E	00499737	8311198632-5 AUG2021	2021 AUG GUADALUPE SEABOARD	Sewer Utility	10.36
09/24/2021	PG&E	00499862	0008031269-7	COO 115KV NRS (TFA) AUG21	Electric Utility	6,600.59
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	AUTO SVCS/1700 WALSH 50%	Fleet Operation Fund	26.63
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	PUMP/4495 N 1ST ST	Sewer Utility	3,680.92

09/24/2021	PG&E	00500936	2490226441-5 SEP2021	BACKUP GEN/2279 CALLE DE LUNA	Sewer Utility	8.11
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	PUMP/ELEC-LAWRENCE/HSTEAD	Sewer Utility	10.05
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	POOL/2250 ROYAL	General Fund	1,242.09
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	SR CNTR 1303 FREMONT ST	General Fund	417.69
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	NORTHSIDE LIB 695 MORELAND WAY	General Fund	51.12
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	FIRE-STA2 1900 WALSH AVE.	General Fund	127.45
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	STREET/1700 WALSH 50%	General Fund	26.64
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	CITY HALL-1500 WARBURTON	General Fund	964.59
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	POLICE/601 EL CAMINO	General Fund	1,730.45
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	COMM SVCS-1515 EL CAMINO REAL	General Fund	9.15
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	BERMAN BLDG-1405 CIVIC CTR	General Fund	18.75
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	FIRE/#1 777 BENTON	General Fund	491.30
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	FIRE/#4-2323 PRUNERIDGE	General Fund	60.44
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	POOL/BUCHER-REBIERO	General Fund	8.12
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	POOL/BACHER-REBIERO STS	General Fund	930.91
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	FIRE/#9-3011 CORVIN	General Fund	32.62
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	GYM/2450 CABRILLO	General Fund	41.12
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	SPORTS CTR/3445 BENTON	General Fund	8.11
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	CRC/969 KIELY	General Fund	436.89
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	FIRE/#3 2821 HOMESTEAD RD	General Fund	53.06
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	LIBRARY/2635 HOMESTEAD	General Fund	2,928.84
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	POOL/2625 PATRICIA	General Fund	4,435.18
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	YOUTH SOCCER 5049 CENTENNIAL	General Fund	8.65
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	FIRE/#10 2401 TALLUTO	General Fund	0.00
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	PARKS/4750 LICK MILL BLVD	General Fund	15.63
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	FIRE/#6-888 AGNEW RD	General Fund	83.97
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	POOL/3750 DELA CRUZ	General Fund	70.86
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	2975 LAFAYETTE ST.	General Fund	8.11
09/24/2021	PG&E	00500936	2490226441-5 SEP2021	POL SUBSTN/3992 RIVERMARK PLZ	General Fund	17.77

				Total for Payment No.:		24,567.59

Payment No: 653042

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	VALLEY CONCRETE INC	00498837	080521	CONCRTE MAINT. REPAIRS- JUL 21	Streets And Highways	23,778.76
				Total for Payment No.:		23,778.76

Payment No: 653363

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	MAZE & ASSOC	00500952	42198	QualysGuard Enterprise one yea	General Government - Other	23,521.18
				Total for Payment No.:		23,521.18

Payment No: 002445

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/14/2021	NAVIA BENEFIT SOLUTIONS, INC	00500452	08/22/21-09/04/21	DD:BIWEEKLY NAVIA BENEFIT	Payroll Liability&ClearingAcct	9,732.67
09/14/2021	NAVIA BENEFIT SOLUTIONS, INC	00500452	08/22/21-09/04/21	DD:BIWEEKLY NAVIA BENEFIT	Payroll Liability&ClearingAcct	12,631.68
				Total for Payment No.:		22,364.35

Payment No: 653095

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	LN CURTIS & SONS	00500014	INV507677	C-TRD-5153A1223A00 CAIRNS MSA	Fire Department	354.66
09/03/2021	LN CURTIS & SONS	00500014	INV507677	C-TRD-5153A1221A00 CAIRNS CUST	Fire Department	1,063.96
09/03/2021	LN CURTIS & SONS	00500016	INV511251	C-TRD-71B4A1221A00 CAIRNS	Fire Department	3,034.76
09/03/2021	LN CURTIS & SONS	00500016	INV511251	1044 CAIRNS CUSTOM	Fire Department	1,011.59
09/03/2021	LN CURTIS & SONS	00500025	INV511221	9848-04-L-R BLAUER DRUMRIGHT V	Fire Department	1,227.66
09/03/2021	LN CURTIS & SONS	00500025	INV511221	9848-04-L-R BLAUER	Fire Department	1,636.88

09/03/2021	LN CURTIS & SONS	00500025	INV511221	9848-04-L-T BLAUER	Fire Department	409.22
09/03/2021	LN CURTIS & SONS	00500025	INV511221	9848-04-XL-R BLAUER WILLIS	Fire Department	409.22
09/03/2021	LN CURTIS & SONS	00500025	INV511221	SHIPPING	Fire Department	50.00
09/03/2021	LN CURTIS & SONS	00500025	INV511221	9848-04-XS-R BLAUER DEBAR MCCU	Fire Department	818.44
09/03/2021	LN CURTIS & SONS	00500025	INV511221	9848-04-XS-R BLAUER BAWDEN HAR	Fire Department	2,455.31
09/03/2021	LN CURTIS & SONS	00500025	INV511221	9848-04-S-R BLAUER VO MCGHIE	Fire Department	818.44
09/03/2021	LN CURTIS & SONS	00500025	INV511221	9848-04-S-R BLAUER D. RESTANI	Fire Department	2,046.09
09/03/2021	LN CURTIS & SONS	00500025	INV511221	9848-04-M-R BLAUER	Fire Department	2,455.31
09/03/2021	LN CURTIS & SONS	00500025	INV511221	9848-04-M-R BLAUER AIELLO AYLL	Fire Department	4,092.18
				Total for Payment No.:		21,883.72

Payment No: 020455

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PG&E	00499860	6960110313-3 AUG2021	GAS TRANSPORT GIANERA JUL21	Electric Utility	21,839.84
				Total for Payment No.:		21,839.84

Payment No: 653392

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	TRUEPOINT SOLUTIONS, LLC	00499471	21-695	Accela Support July 2021	General Government - Other	21,195.00
				Total for Payment No.:		21,195.00

Payment No: 020329

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	RELIABILITY OPTIMIZATION INC	00499230	21-00083	PDM SERVICES COGEN JUL21 PW	Electric Utility	234.38

09/03/2021	RELIABILITY OPTIMIZATION INC	00499231	21-00084	PDM SERVICES COG JUL21 NPW	Electric Utility	3,249.62
09/03/2021	RELIABILITY OPTIMIZATION INC	00499232	21-00086	PDM SERVICES DVR JUL21 NPW	Electric Utility	6,283.62
09/03/2021	RELIABILITY OPTIMIZATION INC	00499233	21-00087	PDM SERVICES BLK BUT JUL21 PW	Electric Utility	93.75
09/03/2021	RELIABILITY OPTIMIZATION INC	00499234	21-00088	PDM SERVICES BLK BUT JUL21 NPW	Electric Utility	4,034.25
09/03/2021	RELIABILITY OPTIMIZATION INC	00499235	21-00090	PDM SERV STONY APR21-JUL21 NPW	Electric Utility	4,481.75
09/03/2021	RELIABILITY OPTIMIZATION INC	00499236	21-00091	PDM SERVS HIGHL APR-JUL21 PW	Electric Utility	93.75
09/03/2021	RELIABILITY OPTIMIZATION INC	00499237	21-00092	PDM SERVS COGEN APR-JUL21 PW	Electric Utility	2,608.25
				Total for Payment No.:		21,079.37

Payment No: 020325

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	[redacted]	00500071	524285	LEGAL SERVICES - CHANGE ORDER	Sewer Utility	20,951.24
				Total for Payment No.:		20,951.24

Payment No: 020295

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ELECTRICAL CONSULTANTS INC	00499203	95113	PWR SYS EXPANSION PLAN JUN2021	Electric Utility Construction	20,640.00
				Total for Payment No.:		20,640.00

Payment No: 020315

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	KIMLEY-HORN AND ASSOC INC	00499974	18675927R	HI-INTENSITY ACTIVATED CROSSWA	Streets And Highways	11,982.50
09/03/2021	KIMLEY-HORN AND ASSOC INC	00500018	19234122	HI-INTENSITY ACTIVATED CROSSWA	Streets And Highways	8,190.00
				Total for Payment No.:		20,172.50

Payment No: 653207

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CHEFS CHOICE PRODUCE CO	00500581	62875-07 Utility Refund	UTILITY REFUND	General Fund	19,073.64
				Total for Payment No.:		19,073.64

Payment No: 653075

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	DAVID ZANOTTI	00497942	C-2021-272	BERRYESSA ADOBE PEELING PAINT	Public Buildings	2,200.00
09/03/2021	DAVID ZANOTTI	00497943	C-2021-273	HENRY SCHMIDT PARK	Parks And Recreation	16,580.00
				Total for Payment No.:		18,780.00

Payment No: 653116

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	WEST COAST ARBORISTS INC	00498838	173006	CITYWIDE PRUNING- JUNE 21	General Fund	18,372.00
				Total for Payment No.:		18,372.00

Payment No: 653166

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	PG&E	00499360	0008034064-9	GRIZZLY PROJ O&M 15% COO JUL21	Electric Utility	18,018.96
				Total for Payment No.:		18,018.96

Payment No: 020341

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	SANTA CLARA POLICE ASSN	00500449	08/08/21-09/04/21	UNION DUES	Payroll Liability&ClearingAcct	17,640.44
				Total for Payment No.:		17,640.44

Payment No: 020446

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	[redacted]	00500995	525343	LEGAL SERVICES - CHANGE ORDER	Sewer Utility	17,507.19
				Total for Payment No.:		17,507.19

Payment No: 653134

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	APPLIED LANDSCAPE MATERIALS,	00500482	11442	LANDSCAPE MULCH INSTALLATION (	General Fund	11,543.00
09/10/2021	APPLIED LANDSCAPE MATERIALS,	00500482	11442	REDWOOD CHIPS	General Fund	5,936.40
				Total for Payment No.:		17,479.40

Payment No: 653290

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	NATIONAL CAR CHARGING LLC	00500686	2056	MATERIALS FOR EV CHARGING STAT	Electric Utility Construction	16,267.00
09/17/2021	NATIONAL CAR CHARGING LLC	00500686	2056	2 YEARS EXTENDED WARRANTY	Electric Utility Construction	665.00
09/17/2021	NATIONAL CAR CHARGING LLC	00500686	2056	SHIPPING	Electric Utility Construction	350.00
				Total for Payment No.:		17,282.00

Payment No: W22091E

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/20/2021	FIRST AMERICAN TITLE COMPANY	00500843	NCS-1011914-14-CC	WT:EASEMENT 1055 MARTIN AVE	Electric Utility Construction	17,015.00
				Total for Payment No.:		17,015.00

Payment No: 653168

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	POWER PLANT SERVICES	00500479	65026	SHROUD BLOCKS: 329A3441G002	Electric Utility Construction	16,913.50

				Total for Payment No.:		16,913.50

Payment No: 020459

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SHUMS CODA ASSOC	00501103	6560	AGREEMENT FOR SERVICES TO PERF	Building New Dvlpmnt Srvc Fee	16,910.00
				Total for Payment No.:		16,910.00

Payment No: 020423

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ASPEN ENVIRONMENTAL GROUP	00499864	3513.002-09	RATE & FEE ANALYSIS JUL21	Electric Utility	3,727.22
09/24/2021	ASPEN ENVIRONMENTAL GROUP	00499865	3513.001-09	AMI,MV90,MTR DATA ANALYS JUL21	Electric Utility Construction	13,156.85
				Total for Payment No.:		16,884.07

Payment No: 653258

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	AMERESCO	00500542	42024	ENERGY (LANDFILL GAS) AUG21	Electric Utility	16,836.36
				Total for Payment No.:		16,836.36

Payment No: 020468

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	WOODARD & CURRAN, INC	00500914	191962	CHANGE ORDER PER AMENDMENT NO	Sewer Utility Construction	16,143.15
				Total for Payment No.:		16,143.15

Payment No: 020294

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	DALEO INC	00493585	SV7-155-01	2004D MASTER CONTRACT	Electric Utility	16,070.25
				Total for Payment No.:		16,070.25

Payment No: 020414

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	[redacted]	00500639	31870	LEGAL SERVICES	General Fund	225.00
09/17/2021	[redacted]	00500640	31954	CHANGE ORDER #3: ADDITIONAL FU LEGAL SERVICES	Special Liability Insurance	4,653.94
09/17/2021	[redacted]	00500640	31954	LEGAL SERVICES - CHANGE ORDER	Special Liability Insurance	9,521.06
09/17/2021	[redacted]	00500641	31955	LEGAL SERVICES	General Fund	1,650.00
				Total for Payment No.:		16,050.00

Payment No: 653174

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	SITEIMPROVE, INC	00500429	US-3263	Annual ongoing subscription re	Information Technology Service	15,818.40
				Total for Payment No.:		15,818.40

Payment No: 653083

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	[redacted]	00500068	1298155	LEGAL SERVICES - CHANGE ORDER	Special Liability Insurance	4,320.60
09/03/2021	[redacted]	00500069	1298157	LEGAL SERVICES - CHANGE ORDER	Special Liability Insurance	11,345.85
				Total for Payment No.:		15,666.45

Payment No: 653132

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	AMERICAN POWER SYSTEMS, LLC	00499459	4CIT00J-IN	LABOR - BATTERY PM	Electric Utility	75.00
09/10/2021	AMERICAN POWER SYSTEMS, LLC	00500475	4CIT004-IN	INVOICE 4CIT004-IN DVR BATTERY	Electric Utility	3,800.00
09/10/2021	AMERICAN POWER SYSTEMS, LLC	00500476	4CIT00D-IN	INVOICE 4CIT00D-IN DVR BATTERY	Electric Utility	3,800.00
09/10/2021	AMERICAN POWER SYSTEMS, LLC	00500477	4CIT00B-IN	INVOICE 4CIT00B-IN DVR BATTERY	Electric Utility	3,800.00

09/10/2021	AMERICAN POWER SYSTEMS, LLC	00500478	4CIT00C-IN	INVOICE 4CIT00C-IN DVR BATTERY	Electric Utility	3,800.00
				Total for Payment No.:		15,275.00

Payment No: 653054

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	AT&T CALNET	00499923	000016943690	Conv Center elevators 408-986-	Convention Cnt Maintenance Dis	44.89
09/03/2021	AT&T CALNET	00499923	000016943690	Conv Center garage office 408-	Convention Cnt Maintenance Dis	21.63
09/03/2021	AT&T CALNET	00499923	000016943690	IT - Comm - PD 9391023695	Information Technology Service	2,956.10
09/03/2021	AT&T CALNET	00499924	000016944542	Finance 9391054149	Information Technology Service	56.01
09/03/2021	AT&T CALNET	00499925	000016943677	BM - IT 9391023697	Information Technology Service	98.37
09/03/2021	AT&T CALNET	00499926	000016943708	CAO 9391023698	Information Technology Service	43.24
09/03/2021	AT&T CALNET	00499927	000016943684	CCO 9391023699	Information Technology Service	66.51
09/03/2021	AT&T CALNET	00499928	000016943694	CMO 9391023700	Information Technology Service	21.63
09/03/2021	AT&T CALNET	00499929	000016943680	Finance Misc. 9391023701	Information Technology Service	197.86
09/03/2021	AT&T CALNET	00499930	000016943683	CDD 9391023702	Information Technology Service	249.49
09/03/2021	AT&T CALNET	00499930	000016943683	Berryessa Adobe 260-1826	General Fund	66.51
09/03/2021	AT&T CALNET	00499931	000016943688	Library 9391023703	Information Technology Service	227.88
09/03/2021	AT&T CALNET	00499932	000016943705	AUTO 9391023704	Information Technology Service	44.92
09/03/2021	AT&T CALNET	00499933	000016943699	DPW 9391023705	Information Technology Service	60.27
09/03/2021	AT&T CALNET	00499934	000016943696	HR 9391023706	Information Technology Service	23.41
09/03/2021	AT&T CALNET	00499935	000016943689	PARKS - Cemetary 9391023707	Cemetery	68.20
09/03/2021	AT&T CALNET	00499936	000016943678	PARKS - YAC 9391023708	Information Technology Service	599.73

09/03/2021	AT&T CALNET	00499937	000016943687	PARKS - Sr Center 9391023709	Information Technology Service	23.35
09/03/2021	AT&T CALNET	00499938	000016943693	PARKS - CRC 9391023710	Information Technology Service	23.29
09/03/2021	AT&T CALNET	00499939	000016943682	PD 9391023711	Information Technology Service	6,649.35
09/03/2021	AT&T CALNET	00499940	000016943703	Purchasing 9391023712	Information Technology Service	23.29
09/03/2021	AT&T CALNET	00499941	000016943686	Convention Center 986-1335	Convention Cnt Maintenance Dis	-31.30
09/03/2021	AT&T CALNET	00499941	000016943686	Street 9391023713	Information Technology Service	143.94
09/03/2021	AT&T CALNET	00499941	000016943686	auto dialer 970-8644	Solid Waste Utility-Constructi	23.29
09/03/2021	AT&T CALNET	00499942	000016943681	Fire 9391023714	Information Technology Service	590.45
09/03/2021	AT&T CALNET	00499943	000016943679	IT 9391023715	Information Technology Service	267.22
09/03/2021	AT&T CALNET	00499943	000016943679	Water (flat fee $50)	Water Utility	50.00
09/03/2021	AT&T CALNET	00499944	000016943691	IT (615 & 261 #s) 9391023716	Information Technology Service	825.55
09/03/2021	AT&T CALNET	00499944	000016943691	Sewer (50% of bal)	Sewer Utility	115.84
09/03/2021	AT&T CALNET	00499944	000016943691	Water (50% of bal)	Water Utility	115.84
09/03/2021	AT&T CALNET	00499945	000016943697	Library 9391023718	General Fund	264.72
09/03/2021	AT&T CALNET	00499946	000016943685	PARKS 9391023719	General Fund	171.97
09/03/2021	AT&T CALNET	00499947	000016943702	Tasman Garage 9391023724	General Fund	722.00
09/03/2021	AT&T CALNET	00499948	000016943673	CDD - Comm Svcs 9391048040	General Fund	23.29
09/03/2021	AT&T CALNET	00499949	000016944543	PARKS - CRC 9391054153	Information Technology Service	-87.77
09/03/2021	AT&T CALNET	00499950	000016945028	Morse Mansion 9391064468	General Fund	46.62
09/03/2021	AT&T CALNET	00499951	000016906505	DOJ 9391066810	Information Technology Service	301.86
09/03/2021	AT&T CALNET	00499952	000016945054	PD - Alarms 9391065446	Information Technology Service	44.89
09/03/2021	AT&T CALNET	00499953	000016905405	Conference (COVID) 9391060106	Other City Dept Op Grant Fund	30.05
				Total for Payment No.:		15,184.39

Payment No: 653390

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	DISCOUNT	Electric Utility	-245.53
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	DISCOUNT	Electric Utility	-245.53
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	DISCOUNT	Electric Utility	-163.69
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	DISCOUNT	Electric Utility	-572.91
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	RAY344-BLK RAYNOR ERGOHUMAN CH	Electric Utility	2,484.78
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	RAY344-BLK RAYNOR ERGOHUMAN CH	Electric Utility	2,484.78
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	RAY344-BLK RAYNOR ERGOHUMAN CH	Electric Utility	1,656.52
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	RAY344-BLK RAYNOR ERGOHUMAN CH	Electric Utility	5,797.80
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	DISCOUNT	Electric Utility	-245.53
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	DISCOUNT	Electric Utility	-163.69
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	RAY344-BLK RAYNOR ERGOHUMAN CH	Electric Utility	2,484.78
09/24/2021	THE HUMAN SOLUTION	00500933	INV798003	RAY344-BLK RAYNOR ERGOHUMAN CH	Electric Utility	1,656.52
				Total for Payment No.:		14,928.30

Payment No: 653348

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CSG CONSULTANTS INC	00500905	37886	AGREEMENT FOR ON-CALL CONSTRUC	General Fund	4,760.00
09/24/2021	CSG CONSULTANTS INC	00500906	37887	AGREEMENT FOR ON-CALL CONSTRUC	General Fund	4,340.00
09/24/2021	CSG CONSULTANTS INC	00500907	38429	AGREEMENT FOR ON-CALL CONSTRUC	General Fund	4,410.00
09/24/2021	CSG CONSULTANTS INC	00500908	37945	AGREEMENT FOR PRUNERIDGE-LAWRE	Streets And Highways	1,080.00
				Total for Payment No.:		14,590.00

Payment No: 020409

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ORACLE AMERICA INC	00500509	100025973	PEOPLESOFT TECHNICAL SUPPORT S	General Fund	2,912.18
09/17/2021	ORACLE AMERICA INC	00500727	100026078	PEOPLESOFT TECHNICAL SUPPORT S	General Fund	8,550.39
09/17/2021	ORACLE AMERICA INC	00500728	100026044	PEOPLESOFT TECHNICAL SUPPORT S	General Fund	3,028.71
				Total for Payment No.:		14,491.28

Payment No: 020330

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	VALLEY CONCRETE INC	00499793	081921	CONCRETE SERVICES	Streets And Highways	14,107.88
				Total for Payment No.:		14,107.88

Payment No: 020337

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	IBEW	00500443	08/08/21-09/04/21	UNION DUES	Payroll Liability&ClearingAcct	14,013.43
				Total for Payment No.:		14,013.43

Payment No: 653127

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	U.S. BANK	00500439	08/22/21-09/04/21	BIWKLY PAYROLL DED PARS B2118	Fringe Benefits	13,942.77
				Total for Payment No.:		13,942.77

Payment No: 653271

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	DELL MARKETING LP	00500762	10511234286	DELL LATITUDE 7520 TAXABLE POR	Electric Utility	1,483.53

09/17/2021	DELL MARKETING LP	00500762	10511234286	DELL LATITUDE 7520 NON TAXABLE	Electric Utility	57.53
09/17/2021	DELL MARKETING LP	00500762	10511234286	ENVIRONMENTAL FEE	Electric Utility	5.00
09/17/2021	DELL MARKETING LP	00500764	10511234294	DELL LATITUDE 7520 TAXABLE POR	Electric Utility	11,868.17
09/17/2021	DELL MARKETING LP	00500764	10511234294	DELL LATITUDE 7520 NON TAXABLE	Electric Utility	460.24
09/17/2021	DELL MARKETING LP	00500764	10511234294	ENVIRONMENTAL FEE	Electric Utility	40.00
				Total for Payment No.:		13,914.47

Payment No: 020436

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	HARRIS COMPUTER SYSTEMS	00501128	MN00136165	NORTHSTAR 6.4 UPGRADE	General Government - Other	13,750.00
				Total for Payment No.:		13,750.00

Payment No: 020412

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SUNE W12DG-C, LLC	00500545	000824	ENERGY PURCH (SOLAR) AUG21	Electric Utility	13,363.97
				Total for Payment No.:		13,363.97

Payment No: 653062

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BEAR ELECTRICAL SOLUTIONS, INC.	00500076	13311	TRAFFIC SIGNAL MAINTENANCE, RE	General Fund	10,432.00
09/03/2021	BEAR ELECTRICAL SOLUTIONS, INC.	00500077	13312	TRAFFIC SIGNAL MAINTENANCE, RE	General Fund	2,760.00
				Total for Payment No.:		13,192.00

Payment No: 653287

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	MOTT MACDONALD GROUP, LLC	00500518	504100382-02	STORM DRAIN SLIDE GATE	Storm Drain	8,756.25

				REHABIL		
09/17/2021	MOTT MACDONALD GROUP, LLC	00500520	100250-08	LAFAYETTE ST UNDERPASS AT SUBW	Storm Drain	4,171.25
				Total for Payment No.:		12,927.50

Payment No: 020421

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ACT ENVIRO	00499866	351733	ENVIRONMENTAL SERVICE CHARGE	Electric Utility	69.52
09/24/2021	ACT ENVIRO	00499866	351733	8 HR CHEMIST 8/12/21	Electric Utility	536.00
09/24/2021	ACT ENVIRO	00499866	351733	HAND PUMP LARGE	Electric Utility	50.00
09/24/2021	ACT ENVIRO	00499866	351733	PPE GEAR LEVEL D	Electric Utility	8.00
09/24/2021	ACT ENVIRO	00499866	351733	GEAR TRUCK (BOB TAIL) 8/12/21	Electric Utility	125.00
09/24/2021	ACT ENVIRO	00499866	351733	SUPPLIES	Electric Utility	150.00
09/24/2021	ACT ENVIRO	00499867	350821	ENERGY RECOVERY FEE	Electric Utility	69.52
09/24/2021	ACT ENVIRO	00499867	350821	8 HR CHEMIST 8/4/21	Electric Utility	536.00
09/24/2021	ACT ENVIRO	00499867	350821	HAND PUMPO LARGE	Electric Utility	50.00
09/24/2021	ACT ENVIRO	00499867	350821	PPE GEAR LEVEL D	Electric Utility	8.00
09/24/2021	ACT ENVIRO	00499867	350821	GEAR TRUCK (BOB TAIL) 8/4/21	Electric Utility	125.00
09/24/2021	ACT ENVIRO	00499867	350821	SUPPLIES	Electric Utility	150.00
09/24/2021	ACT ENVIRO	00499868	351022	ENVIRONMENTAL SERVICE CHARGE	Electric Utility	148.64
09/24/2021	ACT ENVIRO	00499868	351022	NON-PCB TRANSFORMER OIL	Electric Utility	410.00
09/24/2021	ACT ENVIRO	00499868	351022	8 HR TANKER DRIVER 8/4/21	Electric Utility	760.00
09/24/2021	ACT ENVIRO	00499868	351022	WASHOUT FEE FOR TANKER	Electric Utility	650.00
09/24/2021	ACT ENVIRO	00499868	351022	PPE GEAR LEVEL D	Electric Utility	8.00
09/24/2021	ACT ENVIRO	00499868	351022	MANIFEST FEE	Electric Utility	30.00
09/24/2021	ACT ENVIRO	00499869	348970	ENVIRONMENTAL SERVICE CHARGE	Electric Utility	69.52
09/24/2021	ACT ENVIRO	00499869	348970	8 HR CHEMIST 7/28/21	Electric Utility	536.00
09/24/2021	ACT ENVIRO	00499869	348970	HAND PUMP LARGE	Electric Utility	50.00

09/24/2021	ACT ENVIRO	00499869	348970	PPE GEAR LEVEL D	Electric Utility	8.00
09/24/2021	ACT ENVIRO	00499869	348970	GEAR TRUCK (BOB TAIL) 7/28/21	Electric Utility	125.00
09/24/2021	ACT ENVIRO	00499869	348970	SUPPLIES	Electric Utility	150.00
09/24/2021	ACT ENVIRO	00499870	321291	EMERGENCY RESPONSE-3047 BUTTE	Electric Utility	7,454.83
				Total for Payment No.:		12,277.03

Payment No: 020400

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	HPI LLC	00499628	0821-772315	GIA TECH DIR REG 40HRS AUG21	Electric Utility Construction	5,800.00
09/17/2021	HPI LLC	00499628	0821-772315	GIA TECH DIR OT 20HRS AUG21	Electric Utility Construction	4,350.00
09/17/2021	HPI LLC	00499628	0821-772315	GIA TECH DIR PER DIEM AUG21	Electric Utility Construction	1,400.00
09/17/2021	HPI LLC	00499628	0821-772315	GIA LOCAL TRUCK AUG21	Electric Utility Construction	450.00
09/17/2021	HPI LLC	00499628	0821-772315	GIA LOCAL MILEAGE AUG21	Electric Utility Construction	180.00
09/17/2021	HPI LLC	00499628	0821-772315	GIA PROJ EXPENDABLES AUG21	Electric Utility Construction	90.00
				Total for Payment No.:		12,270.00

Payment No: 020307

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	HPI LLC	00499224	0821-772310	GIA PROJ EXPENDABLES AUG21	Electric Utility Construction	90.00
09/03/2021	HPI LLC	00499224	0821-772310	GIA TECH DIR 40 REG HRS AUG21	Electric Utility Construction	5,800.00
09/03/2021	HPI LLC	00499224	0821-772310	GIA TECH DIR OT 32HRS AUG21	Electric Utility Construction	4,350.00
09/03/2021	HPI LLC	00499224	0821-772310	GIA TECH DIR PER DIEM AUG21	Electric Utility Construction	1,400.00
09/03/2021	HPI LLC	00499224	0821-772310	GIA LOCAL TRUCK AUG21	Electric Utility Construction	450.00

09/03/2021	HPI LLC	00499224	0821-772310	GIA LOCAL MILEAGE AUG21	Electric Utility Construction	180.00
				Total for Payment No.:		12,270.00

Payment No: 020439

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	LEVY SANTA CLARA CONVENTION CENTER	00501005	LEVYINV 080121	CHANGE ORDER NO. 1: ADDITIONAL	Other City Dept Op Grant Fund	12,172.80
				Total for Payment No.:		12,172.80

Payment No: 653150

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	FIRST RESPONDERS RESILIENCY,	00500481	2021-1007	RESILIENCY TRAINING FOR FIRE D	General Fund	3,516.00
09/10/2021	FIRST RESPONDERS RESILIENCY,	00500481	2021-1007	RESILIENCY TRAINING FOR FIRE D	General Fund	8,484.00
				Total for Payment No.:		12,000.00

Payment No: 020450

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PENINSULA GYMNASTICS	00500945	0015	INSTRUCTOR PAYMENT FY 21-22 FO	General Fund	4,872.00
09/24/2021	PENINSULA GYMNASTICS	00500946	0014	INSTRUCTOR PAYMENT FY 21-22 FO	General Fund	3,600.00
09/24/2021	PENINSULA GYMNASTICS	00500947	0013	INSTRUCTOR PAYMENT FY 21-22 FO	General Fund	3,420.00
				Total for Payment No.:		11,892.00

Payment No: 653148

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	FARWEST INUSLATION CONTRACTING	00499494	72585	COGEN OUTAGE MAR21 MATERIALS	Electric Utility	4,475.66
09/10/2021	FARWEST INUSLATION CONTRACTING	00499494	72585	COGEN OUTAGE MAR21 EQUIPMENT	Electric Utility	1,120.00

09/10/2021	FARWEST INUSLATION CONTRACTING	00499494	72585	COGEN OUTAGE MAR21 LABOR	Electric Utility	4,695.14
09/10/2021	FARWEST INUSLATION CONTRACTING	00499494	72585	COG OUTAGE MAR21 SITE SUPPORT	Electric Utility	1,440.00
				Total for Payment No.:		11,730.80

Payment No: 653097

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	R&B COMPANY	00499031	P097451	MANHOLE COVER AND FRAME	Sewer Utility	11,281.51
				Total for Payment No.:		11,281.51

Payment No: 020310

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	INGRAM LIBRARY SERVICES INC	00498749	54193850	1241 AD BK	General Fund	1,953.14
09/03/2021	INGRAM LIBRARY SERVICES INC	00498749	54193850	1231 JUV BK	General Fund	1,810.39
09/03/2021	INGRAM LIBRARY SERVICES INC	00498749	54193850	1232 YA BK	General Fund	150.47
09/03/2021	INGRAM LIBRARY SERVICES INC	00498754	54193865	1235 AD/JUV/YA BK	General Fund	688.59
09/03/2021	INGRAM LIBRARY SERVICES INC	00498757	054193879	1236 AD/JUV BK	General Fund	566.82
09/03/2021	INGRAM LIBRARY SERVICES INC	00498760	54193880	1233 JUV BK	General Fund	53.09
09/03/2021	INGRAM LIBRARY SERVICES INC	00499295	54302656	1241 AD BK	General Fund	1,502.12
09/03/2021	INGRAM LIBRARY SERVICES INC	00499295	54302656	1231 JUV BK	General Fund	3,249.70
09/03/2021	INGRAM LIBRARY SERVICES INC	00499295	54302656	1232 YA BK	General Fund	178.36
09/03/2021	INGRAM LIBRARY SERVICES INC	00499297	54302672	1235 AD/JUV/YA BK	General Fund	699.05
09/03/2021	INGRAM LIBRARY SERVICES INC	00499298	54302688	1236 AD/JUV BK	General Fund	152.85
09/03/2021	INGRAM LIBRARY SERVICES INC	00499300	54302689	1233 JUV BK	General Fund	12.00
				Total for Payment No.:		11,016.58

Payment No: 020465

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	UNIVERSAL SITE SERVICES	00501023	21030415	FY 2021-2022 SWEEPING	Convention Cnt	2,251.00

				SERVICES	Maintenance Dis	
09/24/2021	UNIVERSAL SITE SERVICES	00501026	21030414	FY 2021-2022 CUSTODIAL SERVICE	Convention Cnt Maintenance Dis	5,980.00
09/24/2021	UNIVERSAL SITE SERVICES	00501026	21030414	FY 2021-2022 PRESSURE WASHING	Convention Cnt Maintenance Dis	2,720.00
				Total for Payment No.:		10,951.00

Payment No: 653279

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	GRAYBAR ELECTRIC	00499624	9322653885	SPLICE CASSETTE 12F	Electric Utility Construction	2,020.89
09/17/2021	GRAYBAR ELECTRIC	00499624	9322653885	SPLICE CASSETTE 24F	Electric Utility Construction	3,624.63
09/17/2021	GRAYBAR ELECTRIC	00499624	9322653885	CLOSET CON HSG 1U	Electric Utility Construction	387.61
09/17/2021	GRAYBAR ELECTRIC	00499624	9322653885	CLOSET CON HSG 2U	Electric Utility Construction	230.44
09/17/2021	GRAYBAR ELECTRIC	00499624	9322653885	CLOSET CON HSG 4U	Electric Utility Construction	293.63
09/17/2021	GRAYBAR ELECTRIC	00499625	9322737866	REEL CORNING OPTICAL	Electric Utility Construction	2,889.26
09/17/2021	GRAYBAR ELECTRIC	00499626	9322737867	FIBER OPTIC IDENTIFIER	Electric Utility Construction	972.38
09/17/2021	GRAYBAR ELECTRIC	00499627	9322737869	CONN HOUS 3 RCK	Electric Utility Construction	261.63
				Total for Payment No.:		10,680.47

Payment No: 020300

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	GRANITE CONSTRUCTION CO	00499960	2069997	HOT MIX ASPHALT AND EMULSION	General Fund	1,599.05
09/03/2021	GRANITE CONSTRUCTION CO	00499961	2070927	HOT MIX ASPHALT AND EMULSION	General Fund	983.41
09/03/2021	GRANITE CONSTRUCTION CO	00499962	2072255	HOT MIX ASPHALT AND EMULSION	General Fund	1,803.97
09/03/2021	GRANITE CONSTRUCTION CO	00499963	2073048	HOT MIX ASPHALT AND EMULSION	General Fund	3,126.52
09/03/2021	GRANITE CONSTRUCTION CO	00499964	2073868	HOT MIX ASPHALT AND EMULSION	General Fund	1,168.64

09/03/2021	GRANITE CONSTRUCTION CO	00500121	2074379	HOT MIX ASPHALT AND EMULSION	General Fund	1,995.46
				Total for Payment No.:		10,677.05

Payment No: 020407

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	OLCESE WATER DISTRICT	00500537	100388	PURCHASE OF RECS MAY21	Electric Utility	9,894.00
09/17/2021	OLCESE WATER DISTRICT	00500537	100388	SCHEDULNG COORDINATOR ID MAY21	Electric Utility	750.00
				Total for Payment No.:		10,644.00

Payment No: 653079

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ENERGY PROJECT SOLUTIONS LLC	00499108	2021.567	DOT PIPELINE MANAGEMENT JUL21	Electric Utility	10,615.00
				Total for Payment No.:		10,615.00

Payment No: 020308

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ILLUSIVE COMICS & GAMES, LLC1	00499271	R22-SBGR-0042	SM BUSI LTG REBATE; 49601-04	Elec OperatingGrant Trust Fund	10,000.00
				Total for Payment No.:		10,000.00

Payment No: 653159

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	LOTUS MARKETING, INC	00500340	1018	RETAINER FOR 8/1/21-8/31/21	Deposit Funds.	10,000.00
				Total for Payment No.:		10,000.00

Payment No: 653310

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	VP SECURITY SERVICES, INC	00500610	18464	TEMPORARY SECURITY SERVICES	Electric Utility	1,500.00

09/17/2021	VP SECURITY SERVICES, INC	00500680	18619	TEMPORARY SECURITY SERVICES	Electric Utility	4,224.00
09/17/2021	VP SECURITY SERVICES, INC	00500682	18636	TEMPORARY SECURITY SERVICES	Electric Utility	4,224.00
				Total for Payment No.:		9,948.00

Payment No: 653396

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	V&A CONSULTING ENGINEERS	00500913	20427R	SANITARY SEWER SYSTEM INFLOW A	Sewer Utility Construction	9,749.00
				Total for Payment No.:		9,749.00

Payment No: 020291

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CINTAS CORP #630	00498332	1902310905	GLV/NITRILE/PWDRFR/100CT/BLK-0	General Fund	2,182.50
09/03/2021	CINTAS CORP #630	00498333	1902335170	FACEMASK	General Fund	1,325.87
09/03/2021	CINTAS CORP #630	00498334	4088729003	UNIFORMS-PARKS	General Fund	355.06
09/03/2021	CINTAS CORP #630	00498334	4088729003	SANIS BOWL CLIP SVC	General Fund	4.57
09/03/2021	CINTAS CORP #630	00498335	4088961234	UNIFORMS-LICKMILL	General Fund	70.97
09/03/2021	CINTAS CORP #630	00498697	4088964888	UNIFORMS-CEMETERY	Cemetery	31.25
09/03/2021	CINTAS CORP #630	00498697	4088964888	CHEMICALS-CEMETERY	Cemetery	54.39
09/03/2021	CINTAS CORP #630	00498697	4088964888	DS1-CEMETERY	Other City Dept Op Grant Fund	19.88
09/03/2021	CINTAS CORP #630	00498698	4089291758	DS1-YAC	Other City Dept Op Grant Fund	5.04
09/03/2021	CINTAS CORP #630	00498698	4089291758	CHEMICALS-YAC	General Fund	47.37
09/03/2021	CINTAS CORP #630	00498699	4089291949	DS1-CRC	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498699	4089291949	CHEMICALS-CRC	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498717	4089291988	UNIFORMS-PARKS	General Fund	355.06
09/03/2021	CINTAS CORP #630	00498717	4089291988	SANIS BOWL CLIP	General Fund	4.57
09/03/2021	CINTAS CORP #630	00498718	4089292003	DS1-ISC	Other City Dept Op Grant Fund	13.10
09/03/2021	CINTAS CORP #630	00498718	4089292003	CHEMICALS-ISC	General Fund	23.54

09/03/2021	CINTAS CORP #630	00498719	4089367789	DS1-YSP	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498719	4089367789	CHEMICALS-YSP	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498721	4089387650	DS1-R&G	Other City Dept Op Grant Fund	22.92
09/03/2021	CINTAS CORP #630	00498721	4089387650	CHEMICALS-R&G	General Fund	45.42
09/03/2021	CINTAS CORP #630	00498722	4089566135	UNIFORMS-LICKMILL	General Fund	70.97
09/03/2021	CINTAS CORP #630	00498725	4089572505	UNIFORMS-CEMETERY	Cemetery	31.25
09/03/2021	CINTAS CORP #630	00498725	4089572505	CHEMICALS-CEMETERY	Cemetery	54.39
09/03/2021	CINTAS CORP #630	00498725	4089572505	DS1-CEMETERY	Other City Dept Op Grant Fund	19.88
09/03/2021	CINTAS CORP #630	00498728	4089572596	DS1-SR CTR	Other City Dept Op Grant Fund	39.29
09/03/2021	CINTAS CORP #630	00498728	4089572596	CHEMICALS-SR CTR	General Fund	67.57
09/03/2021	CINTAS CORP #630	00498730	4089974670	DS1-TC	Other City Dept Op Grant Fund	5.04
09/03/2021	CINTAS CORP #630	00498730	4089974670	CHEMICALS-TC	General Fund	45.46
09/03/2021	CINTAS CORP #630	00498731	4089974819	UNIFROMS-PARKS	General Fund	578.71
09/03/2021	CINTAS CORP #630	00498731	4089974819	SANIS BOWL CLIP	General Fund	4.57
09/03/2021	CINTAS CORP #630	00498734	4089974841	DS1-CRC	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498734	4089974841	CHEMICALS-CRC	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498736	4090260275	UNIFORMS-LICKMILL	General Fund	70.97
09/03/2021	CINTAS CORP #630	00498773	4090266166	UNIFORMS-CEMETERY	Cemetery	31.25
09/03/2021	CINTAS CORP #630	00498773	4090266166	CHEMICALS-CEMETERY	Cemetery	54.39
09/03/2021	CINTAS CORP #630	00498773	4090266166	DS1-CEMETERY	Other City Dept Op Grant Fund	19.88
09/03/2021	CINTAS CORP #630	00498774	4090502116	DS1-MONTAGUE SWIM	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498774	4090502116	CHEMICALS-MONTAGUE SWIM	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498775	4090502162	DS1-MONTAGUE PARK	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498775	4090502162	CHEMICALS-MONTAGUE PARK	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498776	4090503456	DS1-THOMAS BARRETT	Other City Dept Op Grant Fund	19.64

09/03/2021	CINTAS CORP #630	00498776	4090503456	CHEMICALS-THOMAS BARRETT	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498777	4090612191	DS1-BRACHER	Other City Dept Op Grant Fund	2.76
09/03/2021	CINTAS CORP #630	00498777	4090612191	CHEMICALS-BRACHER	General Fund	27.50
09/03/2021	CINTAS CORP #630	00498778	4090617645	DS1-JENNY STRAND	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498778	4090617645	CHEMICALS-JENNY STRAND	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498779	4090617680	DS1-MAYWOOD	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498779	4090617680	CHEMICALS-MAYWOOD	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498780	4090617783	DS1-WESTWOOD	Other City Dept Op Grant Fund	16.37
09/03/2021	CINTAS CORP #630	00498780	4090617783	CHEMICALS-WESTWOOD	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498785	4090618258	CHEMICALS-RECREATION	General Fund	128.49
09/03/2021	CINTAS CORP #630	00498786	4090618391	DS1-YAC	Other City Dept Op Grant Fund	5.04
09/03/2021	CINTAS CORP #630	00498786	4090618391	CHEMICALS-YAC	General Fund	47.37
09/03/2021	CINTAS CORP #630	00498787	4090618693	DS1-CENTRAL	Other City Dept Op Grant Fund	39.29
09/03/2021	CINTAS CORP #630	00498787	4090618693	CHEMICALS-CENTRAL	General Fund	68.17
09/03/2021	CINTAS CORP #630	00498788	4090618767	UNIFORMS-PARKS	General Fund	356.61
09/03/2021	CINTAS CORP #630	00498788	4090618767	SANIS CLIP BOWL	General Fund	4.57
09/03/2021	CINTAS CORP #630	00498789	4090618850	DS1-CRC	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498789	4090618850	CHEMICAL-CRC	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498790	4090628223	DS1-MARSALLI	Other City Dept Op Grant Fund	6.55
09/03/2021	CINTAS CORP #630	00498790	4090628223	CHEMICAL-MARSALLI	General Fund	10.93
09/03/2021	CINTAS CORP #630	00498791	4090628434	DS1-WARBURTON SWIM	Other City Dept Op Grant Fund	9.82
09/03/2021	CINTAS CORP #630	00498791	4090628434	CHEMICAL-WARBURTON SWIM	General Fund	21.68
09/03/2021	CINTAS CORP #630	00498792	4090631286	DS1-PARKWAY	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498792	4090631286	CHEMICALS-PARKWAY	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498793	4090834244	DS1-R&G	Other City Dept Op	22.92

					Grant Fund	
09/03/2021	CINTAS CORP #630	00498793	4090834244	CHEMICALS-R&G	General Fund	45.42
09/03/2021	CINTAS CORP #630	00498794	4090934716	DS1-FULLER	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498794	4090934716	CHEMICALS-FULLER	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498795	4090934755	DS1-LIVE OAK	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498795	4090934755	CHEMICALS-LIVE OAK	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498796	4090934783	DS1-AGNEW	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498796	4090934783	CHEMICALS-AGNEW	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498797	4090934792	CHEMICALS-RECREATION	General Fund	41.21
09/03/2021	CINTAS CORP #630	00498798	4090934803	UNIFORMS-LICKMILL	General Fund	70.97
09/03/2021	CINTAS CORP #630	00498799	4090934804	DS1-THAMIEN	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498799	4090934804	CHEMICALS-THAMIEN	General Fund	34.10
09/03/2021	CINTAS CORP #630	00498800	4090934991	DS1-EVERETT ALVAREZ	Other City Dept Op Grant Fund	9.82
09/03/2021	CINTAS CORP #630	00498800	4090934991	CHEMICALS-EVERETT ALVAREZ	General Fund	20.44
09/03/2021	CINTAS CORP #630	00498801	4090934997	DS1-HENRY SCHMIDT	Other City Dept Op Grant Fund	9.82
09/03/2021	CINTAS CORP #630	00498801	4090934997	CHEMICALS-HENRY SCHMIDT	General Fund	20.44
09/03/2021	CINTAS CORP #630	00498802	4090935009	DS1-SR CTR	Other City Dept Op Grant Fund	39.29
09/03/2021	CINTAS CORP #630	00498802	4090935009	CHEMICALS-SR CTR	General Fund	151.37
09/03/2021	CINTAS CORP #630	00498803	4090935062	UNIFORMS-CEMETERY	Cemetery	31.25
09/03/2021	CINTAS CORP #630	00498803	4090935062	CHEMICALS-CEMETERY	Cemetery	54.39
09/03/2021	CINTAS CORP #630	00498803	4090935062	DS1-CEMETERY	Other City Dept Op Grant Fund	19.88
09/03/2021	CINTAS CORP #630	00498804	4091246261	DS1-TC	Other City Dept Op Grant Fund	5.04
09/03/2021	CINTAS CORP #630	00498804	4091246261	CHEMICALS-TC	General Fund	45.46
09/03/2021	CINTAS CORP #630	00498805	4091246550	DS1-CRC	Other City Dept Op Grant Fund	19.64
09/03/2021	CINTAS CORP #630	00498805	4091246550	CHEMICALS-CRC	General Fund	34.10

09/03/2021	CINTAS CORP #630	00498806	4091246609	UNIFORMS-PARKS	General Fund	355.06
09/03/2021	CINTAS CORP #630	00498806	4091246609	SANIS BOWL CLIP	General Fund	4.57
09/03/2021	CINTAS CORP #630	00498810	4091536152	UNIFORMS-LICKMILL	General Fund	70.95
09/03/2021	CINTAS CORP #630	00498811	4091542127	UNIFORMS-CEMETERY	Cemetery	31.23
09/03/2021	CINTAS CORP #630	00498811	4091542127	CHEMICALS-CEMETERY	Cemetery	54.39
09/03/2021	CINTAS CORP #630	00498811	4091542127	DS1-CEMETERY	Other City Dept Op Grant Fund	19.88
09/03/2021	CINTAS CORP #630	00499142	4091425137	2021 JUL WATER UNIFORM SERVICE	Sewer Utility	301.79
09/03/2021	CINTAS CORP #630	00499142	4091425137	2021 JUL WATER UNIFORM SERVICE	Water Utility	301.79
09/03/2021	CINTAS CORP #630	00499145	4092073985	2021 AUG WATER UNIFORM SERVICE	Sewer Utility	69.15
09/03/2021	CINTAS CORP #630	00499145	4092073985	2021 AUG WATER UNIFORM SERVICE	Water Utility	69.16
09/03/2021	CINTAS CORP #630	00499146	4092074075	2021 AUG WATER UNIFORM SERVICE	Sewer Utility	74.80
09/03/2021	CINTAS CORP #630	00499146	4092074075	2021 AUG WATER UNIFORM SERVICE	Water Utility	74.80
09/03/2021	CINTAS CORP #630	00499147	4092074425	2021 AUG WATER UNIFORM SERVICE	Sewer Utility	243.73
09/03/2021	CINTAS CORP #630	00499147	4092074425	2021 AUG WATER UNIFORM SERVICE	Water Utility	243.73
				Total for Payment No.:		9,743.23

Payment No: 020377

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	UNITED ROTARY BRUSH CORP	00499384	CI262249	SWEEPER PARTS	Solid Waste Program	9,697.99
				Total for Payment No.:		9,697.99

Payment No: 653058

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BATEMAN SENIOR MEALS	00500110	INV4650005982	BATEMAN MEALS FY 21-22	Park and Rec Opr GrantTst Fund	880.00

09/03/2021	BATEMAN SENIOR MEALS	00500111	INV4650006029	BATEMAN MEALS FY 21-22	Park and Rec Opr GrantTst Fund	1,732.50
09/03/2021	BATEMAN SENIOR MEALS	00500113	INV4650006066	BATEMAN MEALS FY 21-22	Park and Rec Opr GrantTst Fund	2,293.50
09/03/2021	BATEMAN SENIOR MEALS	00500114	INV4650006099	BATEMAN MEALS FY 21-22	Park and Rec Opr GrantTst Fund	2,343.00
09/03/2021	BATEMAN SENIOR MEALS	00500115	INV4650006134	BATEMAN MEALS FY 21-22	Park and Rec Opr GrantTst Fund	2,247.25
				Total for Payment No.:		9,496.25

Payment No: 653323

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	U.S. BANK	00501118	09/05/21-09/18/21	BIWKLY PAYROLL DED PARS B2119	Fringe Benefits	9,338.89
				Total for Payment No.:		9,338.89

Payment No: 653364

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	METRO LIGHTING PRODUCTS INC	00499795	R22-SBGR-0029	SB BUSI LTG REBATE; 19465-07	Elec OperatingGrant Trust Fund	9,115.67
				Total for Payment No.:		9,115.67

Payment No: 653332

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	AT&T CALNET	00499758	000016943626	BAN: 9391015175 7/25-8/24/21	Electric Utility	9,025.49
				Total for Payment No.:		9,025.49

Payment No: 653319

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CARACOUSTICS	00501055	23558	PIONEER RECEIVER AND BOYO BACK	Electric Utility	9,000.00
				Total for Payment No.:		9,000.00

Payment No: 653112

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	UNDERGROUND SERVICE ALERT OF	00499163	1284852021	USA NORTH 811 MEMBERSHIP	Water Utility	8,966.39
				Total for Payment No.:		8,966.39

Payment No: 653091

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	KIDZRULE INC	00499902	32309AUG2021	GRANT PAYMENT	General Fund	8,926.00
				Total for Payment No.:		8,926.00

Payment No: 653325

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ACHILLES	00499272	R22-SBGR-0056	SM BUSI LTG REBATE; 30189-07	Elec OperatingGrant Trust Fund	8,654.13
				Total for Payment No.:		8,654.13

Payment No: 653295

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	PLUMP ENGINEERING, INC	00500516	67761	SARAH FOX MAUSOLEUM REHAB PROJ	Cemetery Construction	3,800.00
09/17/2021	PLUMP ENGINEERING, INC	00500517	67762	BOWERS PARK BUILDING REHAB PRO	Parks And Recreation	4,800.00
				Total for Payment No.:		8,600.00

Payment No: 653339

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CHEF'S TOYS LLC	00500998	3474283	BEVERAGE AIR REACH-IN FREEZER;	General Fund	3,983.06
09/24/2021	CHEF'S TOYS LLC	00500998	3474283	BEVERAGAE AIR REACH-IN REFRIGE	General Fund	4,594.17
				Total for Payment No.:		8,577.23

Payment No: 653397

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	VERIZON WIRELESS	00499289	9884826119	CELL PHONE SERVICE JUL21	Electric Utility	8,375.59
				Total for Payment No.:		8,375.59

Payment No: 653227

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	LS - SANTA CLARA LLC	00500601	83007-01 Utility Refund	UTILITY REFUND	General Fund	8,269.38
				Total for Payment No.:		8,269.38

Payment No: 653181

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	[redacted]	00500389	27523AUG2021A	PERS ADVANCE DISABILITY PENSIO	Workers Compensation	7,951.25
				Total for Payment No.:		7,951.25

Payment No: 653085

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	HYDROSCIENCE ENGINEERS INC	00499958	316002025	AS-NEEDED SERVICES	Water Utility Construction	7,615.00
09/03/2021	HYDROSCIENCE ENGINEERS INC	00499976	316003010	Contingency	Water Utility Construction	275.00
				Total for Payment No.:		7,890.00

Payment No: 653318

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	TRAFFIC DATA SERVICE CA, LLC	00500915	21046	AS-NEEDED TRAFFIC DATA COLLECT	Streets And Highways	7,885.00
				Total for Payment No.:		7,885.00

Payment No: 020303

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	[redacted]	00500122	5735561	LEGAL SERVICES	Solid Waste Utility-Constructi	7,688.75
				Total for Payment No.:		7,688.75

Payment No: W22105A

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SANTA CLARA CONVENTION CENTER	00501221	8	WT:CIP FUND REQUEST HOK	SCCC Capital Improvement Fund	7,633.52
				Total for Payment No.:		7,633.52

Payment No: 020297

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	GARDENLAND POWER EQUIPMENT	00498814	872179	HEDGE TRIMMER	General Fund	472.49
09/03/2021	GARDENLAND POWER EQUIPMENT	00498815	872176	GUARD SPROCKET	General Fund	12.20
09/03/2021	GARDENLAND POWER EQUIPMENT	00498816	871990	SHARPENING AND SERVICE	Cemetery	147.99
09/03/2021	GARDENLAND POWER EQUIPMENT	00498816	871990	SPARK PLUG	Cemetery	11.42
09/03/2021	GARDENLAND POWER EQUIPMENT	00498817	871991	SPARK PLUGS	Cemetery	11.42
09/03/2021	GARDENLAND POWER EQUIPMENT	00498817	871991	SHARPENING AND SERVICE	Cemetery	147.99
09/03/2021	GARDENLAND POWER EQUIPMENT	00498818	871992	REPAIR SPARK PLUG BOOT MAINTEN	Cemetery	255.50
09/03/2021	GARDENLAND POWER EQUIPMENT	00498818	871992	LABOR	Cemetery	94.24
09/03/2021	GARDENLAND POWER EQUIPMENT	00499117	873735	STARTER ASSY	General Fund	29.87
09/03/2021	GARDENLAND POWER EQUIPMENT	00499150	871167	SUPPLIES-STREET	General Fund	293.78
09/03/2021	GARDENLAND POWER EQUIPMENT	00499150	871167	LABOR	General Fund	119.00
09/03/2021	GARDENLAND POWER EQUIPMENT	00499276	875447	FS KM LINE TRIMMER ATTACHMENT	General Fund	87.49
09/03/2021	GARDENLAND POWER EQUIPMENT	00500065	874893	BGA 200 HAND HELD BLOWER PRODU	Elec OperatingGrant Trust Fund	1,156.93
09/03/2021	GARDENLAND POWER EQUIPMENT	00500065	874893	AR3000L KIT (BATT, BP FR, CABL	Elec OperatingGrant Trust Fund	4,148.12

09/03/2021	GARDENLAND POWER EQUIPMENT	00500065	874893	CARRYING SYSTEM PRODUCT #BA01	Elec OperatingGrant Trust Fund	209.97
09/03/2021	GARDENLAND POWER EQUIPMENT	00500065	874893	AL 500 HIGH SPEED PRODUCT #485	Elec OperatingGrant Trust Fund	393.72
				Total for Payment No.:		7,592.13

Payment No: 020333

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	AFSCME COUNCIL 57	00500441	08/08/21-09/04/21	UNION DUES	Payroll Liability&ClearingAcct	7,018.10
				Total for Payment No.:		7,018.10

Payment No: 020328

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	POWER SYSTEMS OPERATIONS	00499202	1418	VERA VALIDATION UPDATES JUL21	Electric Utility	6,618.97
				Total for Payment No.:		6,618.97

Payment No: 653143

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	DAIKIN APPLIED	00500436	3311822	YEAR 2 OF 2 PREVENTATIVE MAINT	Public Buildings	6,587.00
				Total for Payment No.:		6,587.00

Payment No: 653110

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	THOMSON REUTERS WEST	00500029	844864282	LEGAL REFERENCES-JULY 2021	General Fund	1,228.76
09/03/2021	THOMSON REUTERS WEST	00500030	844880110	CA CODE OF REGS-AUGUST 4,2021	General Fund	5,250.44
				Total for Payment No.:		6,479.20

Payment No: 020398

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	GRANITE CONSTRUCTION CO	00500698	2075245	HOT MIX ASPHALT AND EMULSION	General Fund	2,805.28
09/17/2021	GRANITE CONSTRUCTION CO	00500701	2075960	HOT MIX ASPHALT AND EMULSION	General Fund	1,106.00
09/17/2021	GRANITE CONSTRUCTION CO	00500706	2076917	HOT MIX ASPHALT AND EMULSION	General Fund	762.39
09/17/2021	GRANITE CONSTRUCTION CO	00500713	2078001	HOT MIX ASPHALT AND EMULSION	General Fund	1,734.17
				Total for Payment No.:		6,407.84

Payment No: 020354

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	COUNTY OF SANTA CLARA	00499352	1800078200	SO transport NFL game 1	General Fund	6,110.20
				Total for Payment No.:		6,110.20

Payment No: 020324

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	NALCO CO	00499225	6600613598	JR PORTAFEED TRASAR 8/10/21	Electric Utility	5,986.79
09/03/2021	NALCO CO	00499225	6600613598	TRANSPORTATION/ENERGY FEE	Electric Utility	68.29
				Total for Payment No.:		6,055.08

Payment No: 020466

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	VALBRIDGE PROPERTY ADVISORS	00501007	31443	AS NEEDED APPRAISAL SERVICES	General Fund	1,288.00
09/24/2021	VALBRIDGE PROPERTY ADVISORS	00501009	31649	AS NEEDED APPRAISAL SERVICES	General Fund	4,748.00
				Total for Payment No.:		6,036.00

Payment No: 020306

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	HOUSEKEYS INC	00499969	SCBMP210720	BMP FY20/21 HOUSEKEYS	City Affordable Housing	6,025.00
				Total for Payment No.:		6,025.00

Payment No: 653161

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	MONTROSE AIR QUALITY SERVICES,	00499359	CINV-047838	TESTING AUG21	Electric Utility	4,045.00
09/10/2021	MONTROSE AIR QUALITY SERVICES,	00499359	CINV-047838	TESTING EQUIPMENT AUG21	Electric Utility	1,040.00
09/10/2021	MONTROSE AIR QUALITY SERVICES,	00499359	CINV-047838	TEST PREPARATION AUG21	Electric Utility	361.00
09/10/2021	MONTROSE AIR QUALITY SERVICES,	00499359	CINV-047838	TEST PROJ MANAGEMENT AUG21	Electric Utility	513.00
				Total for Payment No.:		5,959.00

Payment No: 653284

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	MANAGEMENT PARTNERS INC	00500513	INV09574	CAO EVALUATION	General Fund	5,900.00
				Total for Payment No.:		5,900.00

Payment No: 653266

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CALPINE ENERGY SERVICES LP	00500539	77037	RA CAPACITY PURCHASE AUG21	Electric Utility	5,850.00
				Total for Payment No.:		5,850.00

Payment No: 653158

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	LN CURTIS & SONS	00500480	INV517308	PART # DB175X50BEN NAFH 1.75'	General Fund	1,197.42
09/10/2021	LN CURTIS & SONS	00500480	INV517308	PART # DB25X50YEN NAFH 2.5X50	General Fund	4,643.64
				Total for Payment No.:		5,841.06

Payment No: 653268

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CONTEMPORARY SERVICES	00499661	112958254	Crowd Services for Ice Rink	General Fund	5,726.25
				Total for Payment No.:		5,726.25

Payment No: 653066

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CA DEPT OF TRANSPORTATION	00499112	SL220010	SIGNALS & LIGHTING APR-JUN2021	General Fund	5,608.26
				Total for Payment No.:		5,608.26

Payment No: 653100

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	REED & GRAHAM INC	00500003	007077	COLD MIX & BASE ROCK	Sewer Utility	181.77
09/03/2021	REED & GRAHAM INC	00500003	007077	COLD MIX & BASE ROCK	Water Utility Construction	1,817.64
09/03/2021	REED & GRAHAM INC	00500003	007077	COLD MIX & BASE ROCK	Water Utility	727.06
09/03/2021	REED & GRAHAM INC	00500003	007077	COLD MIX & BASE ROCK	Electric Utility Construction	908.83
09/03/2021	REED & GRAHAM INC	00500009	005108	COLD MIX & BASE ROCK	Sewer Utility	11.49
09/03/2021	REED & GRAHAM INC	00500009	005108	COLD MIX & BASE ROCK	Water Utility Construction	114.87
09/03/2021	REED & GRAHAM INC	00500009	005108	COLD MIX & BASE ROCK	Water Utility	45.94
09/03/2021	REED & GRAHAM INC	00500009	005108	COLD MIX & BASE ROCK	Electric Utility Construction	57.43
09/03/2021	REED & GRAHAM INC	00500011	005743	COLD MIX & BASE ROCK	Sewer Utility	10.94
09/03/2021	REED & GRAHAM INC	00500011	005743	COLD MIX & BASE ROCK	Water Utility Construction	109.47
09/03/2021	REED & GRAHAM INC	00500011	005743	COLD MIX & BASE ROCK	Water Utility	43.79
09/03/2021	REED & GRAHAM INC	00500011	005743	COLD MIX & BASE ROCK	Electric Utility Construction	54.75
09/03/2021	REED & GRAHAM INC	00500012	006662	COLD MIX & BASE ROCK	Sewer Utility	69.83
09/03/2021	REED & GRAHAM INC	00500012	006662	COLD MIX & BASE ROCK	Water Utility Construction	698.24
09/03/2021	REED & GRAHAM INC	00500012	006662	COLD MIX & BASE ROCK	Water Utility	279.30
09/03/2021	REED & GRAHAM INC	00500012	006662	COLD MIX & BASE ROCK	Electric Utility Construction	349.13
				Total for Payment No.:		5,480.48

Payment No: 020309

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00498808	4759406-00	RAINBIRD ROTOR POP-UP	General Fund	1,879.91
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00498824	4760448-00	REDWOOD STAKE	General Fund	20.03
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00498825	4761187-00	RAINBIRD FLOOD BUBBLER	General Fund	156.13
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499014	4751423-00	COUPLINGS, ADAPTER, BUSHING	Water Utility	129.25
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499018	4748671-00	ELBOW	Water Utility	156.40
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499093	4622857-00	SUPPLIES-PNB	General Fund	166.32
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499094	4681775-00	SUPPLIES-PNB	General Fund	77.35
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499095	4682041-00	SUPPLIES-PNB	General Fund	14.93
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499096	4702248-00	SUPPLIES-PNB	General Fund	1,161.89
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499097	4704919-00	SUPPLIES-PNB	General Fund	230.08
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499099	4716121-00	SUPPLIES-PNB	General Fund	37.68
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499102	4739291-00	SUPPLIES-PNB	General Fund	208.37
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499103	4681923-00	SUPPLIES-PNB	General Fund	102.85
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499104	4741058-00	SUPPLIES-PNB	General Fund	84.13
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499118	4703938-01	SPRINKLER MAINTENANCE	General Fund	198.23
09/03/2021	IMPERIAL SPRINKLER SUPPLY INC	00499119	4709373-00	RAINBIRD ROTOR POPUP	General Fund	625.92
				Total for Payment No.:		5,249.47

Payment No: 653160

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	MINTIER HARNISH LP	00500483	SANTACLARAZCU-36	CHANGE ORDER #2: ADDITIONAL FU	General Government - Other	3,438.75
09/10/2021	MINTIER HARNISH LP	00500484	SANTACLARAZCU-37	CHANGE ORDER #2: ADDITIONAL FU	General Government - Other	1,803.75
				Total for Payment No.:		5,242.50

Payment No: 020313

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/03/2021	JOHN'S SALT SERVICE INC	00500079	31658	MATERIALS	Electric Utility	4,988.46
09/03/2021	JOHN'S SALT SERVICE INC	00500079	31658	FUEL SURCHARGE	Electric Utility	186.04
				Total for Payment No.:		5,174.50

Payment No: 020451

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PFM ASSET MGMT LLC	00500934	SMA-M0721-25535	INVESTMENT MANAGEMENT SERVICES	General Fund	5,049.61
				Total for Payment No.:		5,049.61

Payment No: 020402

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	INGRAM LIBRARY SERVICES INC	00499559	54420984	1241 AD BK	General Fund	1,387.15
09/17/2021	INGRAM LIBRARY SERVICES INC	00499559	54420984	1231 JUV BK	General Fund	2,518.39
09/17/2021	INGRAM LIBRARY SERVICES INC	00499559	54420984	1232 YA BK	General Fund	65.45
09/17/2021	INGRAM LIBRARY SERVICES INC	00499560	54421000	1235 AD/JUV/YA BK	General Fund	522.67
09/17/2021	INGRAM LIBRARY SERVICES INC	00499563	54421014	1236 JUV BK	General Fund	64.77
09/17/2021	INGRAM LIBRARY SERVICES INC	00499569	54421015	1233 AD/JUV BK	General Fund	468.89
				Total for Payment No.:		5,027.32

Payment No: 020405

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	NALCO CO	00499639	6600633347	JR PORTA FEED NEXGUARD #22310	Electric Utility	4,941.26
09/17/2021	NALCO CO	00499639	6600633347	TRANSPORTATION/ENERGY FEE	Electric Utility	65.02
				Total for Payment No.:		5,006.28

Payment No: 653046

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	LIEBERT CASSIDY WHITMORE	00499980	1520729	PREMIUM MEMBERSHIP	General Fund	4,905.00

09/03/2021	LIEBERT CASSIDY WHITMORE	00499980	1520729	LATE FEE	General Fund	100.00
				Total for Payment No.:		5,005.00

Payment No: 653371

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PAETEC	00499502	74064652	TELEPHONE SVCS 7-22 TO 8-22-21	Information Technology Service	5,002.89
				Total for Payment No.:		5,002.89

Payment No: 653198

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SAN JOSE STATE UNIV	00499669	2408AUG2021	SCHOLARSHIP VO ID#013607178	Electric Utility	5,000.00
				Total for Payment No.:		5,000.00

Payment No: 653314

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CAL POLY SAN LUIS OBISPO	00499668	10364AUG2021	SCHLRSIP ID#027260278 MCDOWELL	Electric Utility	5,000.00
				Total for Payment No.:		5,000.00

Payment No: 020447

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ORACLE AMERICA INC	00500996	100026108	PEOPLESOFT PROGRAM-RELATED SER	General Fund	4,927.97
				Total for Payment No.:		4,927.97

Payment No: W22105

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SANTA CLARA CONVENTION CENTER	00501220	7	WT:CIP FUND REQUEST HOK	SCCC Capital Improvement Fund	4,781.00

				Total for Payment No.:		4,781.00

Payment No: 002441

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	STATE DISBURSEMENT UNIT	00500450	08/22/21-09/04/21	WAGE ATTACHMENTS B2118	Payroll Liability&ClearingAcct	4,761.41
				Total for Payment No.:		4,761.41

Payment No: 002449

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	STATE DISBURSEMENT UNIT	00501136	09/05/21-09/18/21	WAGE ATTACHMENTS B2119	Payroll Liability&ClearingAcct	4,761.41
				Total for Payment No.:		4,761.41

Payment No: 653061

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BAYSCAPE LANDSCAPE MANAGEMENT	00499957	22607	CHANGE ORDER #1 - ADDITIONAL F	Water Utility Construction	4,760.00
				Total for Payment No.:		4,760.00

Payment No: 020351

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	CINTAS CORP #630	00499420	4092810313	2021 AUG WATER UNIFORM SERVICE	Sewer Utility	295.60
09/13/2021	CINTAS CORP #630	00499420	4092810313	2021 AUG WATER UNIFORM SERVICE	Water Utility	295.61
09/13/2021	CINTAS CORP #630	00499435	4092616234	UNIFORMS	General Fund	64.71
09/13/2021	CINTAS CORP #630	00499436	4093032420	UNIFORMS	General Fund	182.00
09/13/2021	CINTAS CORP #630	00499437	4092373168	UNIFORMS	General Fund	91.86
09/13/2021	CINTAS CORP #630	00500347	4088834549	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	129.34

09/13/2021	CINTAS CORP #630	00500348	4088834636	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	577.46
09/13/2021	CINTAS CORP #630	00500349	4088834641	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	236.34
09/13/2021	CINTAS CORP #630	00500351	4088834728	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	105.71
09/13/2021	CINTAS CORP #630	00500352	4089165345	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	330.00
09/13/2021	CINTAS CORP #630	00500354	4089387873	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	105.71
09/13/2021	CINTAS CORP #630	00500357	4089739300	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	330.00
09/13/2021	CINTAS CORP #630	00500360	4090179184	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	581.62
09/13/2021	CINTAS CORP #630	00500363	4090179199	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	236.34
09/13/2021	CINTAS CORP #630	00500369	4090179325	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	105.71
09/13/2021	CINTAS CORP #630	00500372	4090400872	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	330.00
09/13/2021	CINTAS CORP #630	00500375	4090834141	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	629.61
09/13/2021	CINTAS CORP #630	00500377	4090834248	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	105.71
				Total for Payment No.:		4,733.33

Payment No: 653084

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	HOME DEPOT USA	00498540	630949444	CREDIT MEMO	General Fund	-318.67
09/03/2021	HOME DEPOT USA	00498541	630949451	1 G HAND SANITIZER	General Fund	-103.63

09/03/2021	HOME DEPOT USA	00498556	629271917	SCOTT MULTIFOLD TOWEL 1PLY	Electric Utility	59.32
09/03/2021	HOME DEPOT USA	00498556	629271917	RENOWN KITCHEN TWL 3PLY	Electric Utility	60.59
09/03/2021	HOME DEPOT USA	00498556	629271917	SCOTT 2PLY TOILET TISSUE	Electric Utility	55.13
09/03/2021	HOME DEPOT USA	00499039	631339660	JANITORIAL SUPPLIES	General Fund	198.25
09/03/2021	HOME DEPOT USA	00499040	631339678	JANITORIAL SUPPLIES	Electric Utility	326.79
09/03/2021	HOME DEPOT USA	00499041	631339686	JANITORIAL SUPPLIES	General Fund	402.87
09/03/2021	HOME DEPOT USA	00499105	633518816	FACILITIES SUPPLIES - NS	General Fund	254.18
09/03/2021	HOME DEPOT USA	00499218	634457253	FACILITIES SUPPLIES	General Fund	548.99
09/03/2021	HOME DEPOT USA	00499278	634186050	SCOTCH-BRITE 96 GNRL PURP SCOU	General Fund	2,633.97
09/03/2021	HOME DEPOT USA	00499279	634457220	RENOWN LNR 40X48 22MIC NAT-NAT	General Fund	592.61
				Total for Payment No.:		4,710.40

Payment No: 020305

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	HILL BROTHERS CHEMICAL CO	00500124	07104191	AQUEOUS AMMONIA DELIVERIES	Electric Utility	4,709.82
				Total for Payment No.:		4,709.82

Payment No: 020457

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PLANET FUTSAL INC	00500990	5	INSTRUCTOR PAYMENT FY 21-22 FO	General Fund	4,620.00
				Total for Payment No.:		4,620.00

Payment No: 020385

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ANIXTER INC.	00500612	4913907-02	CUTOUT FUSEHOLDER, OH, 15KV, T	Electric Utility	2,015.71
09/17/2021	ANIXTER INC.	00500616	5002877-02	CONNECTOR, OH, PARALLEL GROOVE	Electric Utility	1,107.89

09/17/2021	ANIXTER INC.	00500616	5002877-02	CONNECTOR, OH, AUTO, FULL TEN,	Water Utility	463.78
09/17/2021	ANIXTER INC.	00500617	5002912-02	EXTENSION, LINK, 3/16IN X 1-1/	Electric Utility	717.50
09/17/2021	ANIXTER INC.	00500618	5006917-01	CONNECTOR, SPLIT BOLT, CU/CU,	Electric Utility	294.64
				Total for Payment No.:		4,599.52

Payment No: 653320

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	HARRY R FINKLE	00499449	17-2270	SCCC TIRE STOP	Convention Cnt Maintenance Dis	580.00
09/24/2021	HARRY R FINKLE	00499450	17-2269	SCCC DAMAGED RAILING	Convention Cnt Maintenance Dis	3,950.00
				Total for Payment No.:		4,530.00

Payment No: 020339

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	INTL FIREFIGHTERS LOCAL 1171	00500460	08/22/21-09/04/21	RETIRED FIRE MEDICAL BENEFITS	Payroll Liability&ClearingAcct	4,500.00
				Total for Payment No.:		4,500.00

Payment No: 653382

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SHAWN SPANO	00501006	INVOICE 2-21	Priority and Goal Setting Sess	General Fund	4,500.00
				Total for Payment No.:		4,500.00

Payment No: 020387

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	BAY AREA TREE SPECIALISTS	00500609	67347	TREE SERVICES AND REMOVAL	General Fund	2,500.00
09/17/2021	BAY AREA TREE SPECIALISTS	00500676	67341	TREE SERVICES AND REMOVAL	General Fund	1,975.00
				Total for Payment No.:		4,475.00

Payment No: 653139

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	BRIGHTVIEW LANDSCAPE SERVICES, INC.	00500430	7487916	ADDITIONAL SERVICES - CONTINGE	Convention Cnt Maintenance Dis	4,450.00
				Total for Payment No.:		4,450.00

Payment No: 653140

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	CALIFORNIA PEOPLE SEARCH INC	00500431	2723	TEMP ADMIN. ASSISTANT-JASMINE	Deposit Funds.	808.50
09/10/2021	CALIFORNIA PEOPLE SEARCH INC	00500432	2724	TEMP ADMIN. ASSISTANT-JASMINE	Deposit Funds.	1,270.50
09/10/2021	CALIFORNIA PEOPLE SEARCH INC	00500433	2725	TEMP ADMIN. ASSISTANT-JASMINE	Deposit Funds.	1,155.00
09/10/2021	CALIFORNIA PEOPLE SEARCH INC	00500434	2726	TEMP ADMIN. ASSISTANT-JASMINE	Deposit Funds.	1,155.00
				Total for Payment No.:		4,389.00

Payment No: 653191

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	VP SECURITY SERVICES, INC	00500282	18571	TEMPORARY SECURITY SERVICES	Electric Utility	4,224.00
				Total for Payment No.:		4,224.00

Payment No: 653329

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ANDERSON CARPET & LINOLEUM SALES	00499741	391457	SENIOR CNT FP ROOM LOBBY	General Fund	4,157.00
				Total for Payment No.:		4,157.00

Payment No: 020467

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	VERDE DESIGN INC	00501132	4-2019200	100% CONSTRUCTION DRAWINGS	Parks And Recreation	4,000.00
				Total for Payment No.:		4,000.00

Payment No: 653038

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	KIMLEY-HORN AND ASSOC INC	00499116	097083031-0621	SIGNAL TIMING - JUNE21	Streets And Highways	3,971.78
				Total for Payment No.:		3,971.78

Payment No: 020408

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ONESOURCE DISTRIBUTORS LLC	00500613	S6722885.003	ARM, WOOD, LSP AA, 8FT-0IN X 3	Electric Utility	2,728.02
09/17/2021	ONESOURCE DISTRIBUTORS LLC	00500624	S6767739.001	INSULATOR, 12KV, PINTYPE-TIE T	Electric Utility	1,163.27
				Total for Payment No.:		3,891.29

Payment No: 653109

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	TARGET SPECIALTY PRODUCTS INC	00498821	INVP500528571	LIFELINE HERBACIDE	General Fund	472.72
09/03/2021	TARGET SPECIALTY PRODUCTS INC	00498822	INVP500528585	PHOSLOCK ALGAECIDE	General Fund	3,358.46
				Total for Payment No.:		3,831.18

Payment No: 653036

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	EVELYN LIANG	00485162	PRCK#89069	REPLACE OUTDATED PRCK#89069	Payroll Liability&ClearingAcct	3,791.43
				Total for Payment No.:		3,791.43

Payment No: 020426

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	[redacted]	00500948	272614	CHANGE ORDER #1: ADDITIONAL FU LEGAL SERVICES	Electric Utility Construction	2,385.80
09/24/2021	[redacted]	00500949	272632	LEGAL SERVICES	Electric Utility Construction	1,404.00
				Total for Payment No.:		3,789.80

Payment No: 020318

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	LINCOLN AQUATICS	00499248	36042592	LIQUID CHLORINE	General Fund	1,080.34
09/03/2021	LINCOLN AQUATICS	00499248	36042592	PESTICIDE ASSESSMENT	General Fund	55.45
09/03/2021	LINCOLN AQUATICS	00499250	36042749	LIQUID CHLORINE	General Fund	466.84
09/03/2021	LINCOLN AQUATICS	00499250	36042749	PESTICIDE ASSESSMENT	General Fund	45.30
09/03/2021	LINCOLN AQUATICS	00499251	36042818	MURIATIC ACID	General Fund	574.54
09/03/2021	LINCOLN AQUATICS	00499251	36042818	PESTICIDE ASSESSMENT	General Fund	47.30
09/03/2021	LINCOLN AQUATICS	00499252	36042827	MURIATIC ACID	General Fund	947.53
09/03/2021	LINCOLN AQUATICS	00499252	36042827	PESTICIDE ASSESSMENT	General Fund	52.67
09/03/2021	LINCOLN AQUATICS	00499254	36042748	LIQUID CHLORINE	General Fund	436.72
09/03/2021	LINCOLN AQUATICS	00499254	36042748	PESTICIDE ASSESSMENT	General Fund	44.83
				Total for Payment No.:		3,751.52

Payment No: 653155

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	KONE INC	00499447	959936677	SCCC	Convention Cnt Maintenance Dis	156.40
09/10/2021	KONE INC	00499447	959936677	SVP DUANE	Electric Utility	130.79
09/10/2021	KONE INC	00499447	959936677	CITY HALL	General Fund	78.20
09/10/2021	KONE INC	00499447	959936677	CENTRAL LIB	General Fund	478.02
09/10/2021	KONE INC	00499447	959936677	PD	General Fund	318.68
09/10/2021	KONE INC	00499447	959936677	GUN RANGE	General Fund	34.80
09/10/2021	KONE INC	00499447	959936677	SENIOR CNT	General Fund	243.79
09/10/2021	KONE INC	00499447	959936677	BERMAN	General Fund	78.20
09/10/2021	KONE INC	00499447	959936677	TASMAN	General Fund	927.90
09/10/2021	KONE INC	00499447	959936677	FS 2	General Fund	130.79
09/10/2021	KONE INC	00499447	959936677	CRC	General Fund	34.80
09/10/2021	KONE INC	00499447	959936677	MONITORING	General Fund	585.00
09/10/2021	KONE INC	00499448	921411273	SCCC CLEAN HOIST	Convention Cnt	527.02

					Maintenance Dis	
				Total for Payment No.:		3,724.39

Payment No: 653306

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	[redacted]	00500510	221418	PROF SVCS THRU 7/31/21LEGAL SVS	Deposit Funds.	3,677.50
				Total for Payment No.:		3,677.50

Payment No: 020331

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	WAXIE SANITARY SUPPLY	00499022	80187399	SPARTAN PEROXY II	General Fund	188.11
09/03/2021	WAXIE SANITARY SUPPLY	00499274	80213018	SCOTT JRT JR JUMBO ROLL	General Fund	3,478.81
				Total for Payment No.:		3,666.92

Payment No: 653092

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	KORTICK MANUFACTURING CO	00499954	069175	MATERIALS	Electric Utility	3,458.03
09/03/2021	KORTICK MANUFACTURING CO	00499955	069218	PIN	Electric Utility	149.88
				Total for Payment No.:		3,607.91

Payment No: 020429

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CINTAS CORP #630	00501088	4091425067	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	105.71
09/24/2021	CINTAS CORP #630	00501089	4091424602	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	573.41
09/24/2021	CINTAS CORP #630	00501091	4093416455	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	240.67
09/24/2021	CINTAS CORP #630	00501092	4093416282	LAUNDRY SERVICE	Electric Utility	573.41

				FY21/22 SVP FR		
09/24/2021	CINTAS CORP #630	00501094	4092810402	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	105.71
09/24/2021	CINTAS CORP #630	00501095	4092810224	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	573.41
09/24/2021	CINTAS CORP #630	00501097	4092810171	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	236.34
09/24/2021	CINTAS CORP #630	00501098	4092074670	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	30.56
09/24/2021	CINTAS CORP #630	00501100	4092073949	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	557.47
09/24/2021	CINTAS CORP #630	00501101	4094845476	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	573.41
				Total for Payment No.:		3,570.10

Payment No: 653089

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	KAREN MURPHY LANSING	00499030	SCFD-11	COUNSELING FD-9	General Fund	1,860.00
09/03/2021	KAREN MURPHY LANSING	00499030	SCFD-11	COUNSELING FD-10	General Fund	790.00
09/03/2021	KAREN MURPHY LANSING	00499030	SCFD-11	COUNSELING FD-11	General Fund	890.00
				Total for Payment No.:		3,540.00

Payment No: 020312

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	JOHANNA JEAN MARCHEL	00499083	238/284628973	JANITORIAL SUPPLIES 881 MARTIN	Electric Utility	327.33
09/03/2021	JOHANNA JEAN MARCHEL	00499083	238/284628973	JANITORIAL SUPPLIES 881 MARTIN	Elec OperatingGrant Trust Fund	20.90
09/03/2021	JOHANNA JEAN MARCHEL	00499084	239/5329838	JANITORIAL SUPPLIES 881 MARTIN	Electric Utility	123.14
09/03/2021	JOHANNA JEAN MARCHEL	00499084	239/5329838	JANITORIAL SUPPLIES 881 MARTIN	Elec OperatingGrant Trust Fund	7.86

09/03/2021	JOHANNA JEAN MARCHEL	00499085	240/5193828	JANITORIAL SUPPLIES 881 MARTIN	Electric Utility	20.69
09/03/2021	JOHANNA JEAN MARCHEL	00499085	240/5193828	JANITORIAL SUPPLIES 881 MARTIN	Elec OperatingGrant Trust Fund	1.32
09/03/2021	JOHANNA JEAN MARCHEL	00499256	241	JANITORIAL 881 MARTIN SEP2021	Electric Utility	2,753.62
09/03/2021	JOHANNA JEAN MARCHEL	00499256	241	JANITORIAL 881 MARTIN SEP2021	Elec OperatingGrant Trust Fund	175.76
09/03/2021	JOHANNA JEAN MARCHEL	00499257	242	JANITOR 881 MARTIN AUG21 FRIG	Electric Utility	75.20
09/03/2021	JOHANNA JEAN MARCHEL	00499257	242	JANITOR 881 MARTIN AUG21 FRIG	Elec OperatingGrant Trust Fund	4.80
				Total for Payment No.:		3,510.62

Payment No: 020314

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	KIDZ LOVE SOCCER	00500120	2021JUL-10393-0014	INSTRUCTOR PAYMENT FY 21-22 FO	General Fund	3,510.00
				Total for Payment No.:		3,510.00

Payment No: 020442

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	METAFILE INFORMATION SYSTEMS	00499723	052220	SYSTEM SUPPORT (OCT-DEC 2021)	General Fund	1,751.06
09/24/2021	METAFILE INFORMATION SYSTEMS	00499723	052220	SYSTEM SUPPORT (OCT-DEC 2021)	General Fund	1,751.06
				Total for Payment No.:		3,502.12

Payment No: 653366

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	NETFILE	00500988	7512	9/1-11/30/21 CAMPAIGN SYSTEM	General Fund	2,500.00
09/24/2021	NETFILE	00500988	7512	9/1-11/30/21 CAMPAIGN 700 SEI	General Fund	1,000.00
				Total for Payment No.:		3,500.00

Payment No: 653357

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	HOME DEPOT USA	00499655	636141400	8X1200 ML AUTO HAND SANITIZER	General Fund	1,226.24
09/24/2021	HOME DEPOT USA	00499721	635576200	JANITORIAL SUPPLIES	General Fund	121.76
09/24/2021	HOME DEPOT USA	00499722	635576192	JANITORIAL SUPPLIES	General Fund	141.14
09/24/2021	HOME DEPOT USA	00499724	633021571	JANITORIAL SUPPLIES	General Fund	183.07
09/24/2021	HOME DEPOT USA	00499725	633021597	JANITORIAL SUPPLIES	General Fund	215.70
09/24/2021	HOME DEPOT USA	00499726	633240304	JANITORIAL SUPPLIES	General Fund	26.58
09/24/2021	HOME DEPOT USA	00499729	633021555	JANITORIAL SUPPLIES	Electric Utility	94.01
09/24/2021	HOME DEPOT USA	00499730	634173801	JANITORIAL SUPPLIES	Electric Utility	185.72
09/24/2021	HOME DEPOT USA	00499731	634173819	JANITORIAL SUPPLIES	General Fund	217.64
09/24/2021	HOME DEPOT USA	00499732	633021563	JANITORIAL SUPPLIES	General Fund	121.76
09/24/2021	HOME DEPOT USA	00499733	634173827	JANITORIAL SUPPLIES	General Fund	381.42
09/24/2021	HOME DEPOT USA	00499734	634173835	JANITORIAL SUPPLIES	Electric Utility	255.25
09/24/2021	HOME DEPOT USA	00499848	636331753	1G SAFETY1ST HAND SANITIZ	General Fund	311.24
				Total for Payment No.:		3,481.53

Payment No: 653298

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	RING POWER CORPORATION	00499605	44LU07056409	EQUPMNT RNTL FRM 7/20/-8/16/21	Electric Utility Construction	3,468.00
				Total for Payment No.:		3,468.00

Payment No: 020311

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	INTERNAP NETWORK SERVICES CORP	00498688	INV15009260	INTERNET SERVICES	Information Technology Service	1,722.84
09/03/2021	INTERNAP NETWORK SERVICES CORP	00499082	INV15008098	INTERNET SERVICES JULY 2021	Information Technology Service	1,697.38
				Total for Payment No.:		3,420.22

Payment No: 653071

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CODE FOR FUN	00500074	1744	INSTRUCTOR PAYMENT FY 21-22 FO	General Fund	502.40
09/03/2021	CODE FOR FUN	00500075	1753	INSTRUCTOR PAYMENT FY 21-22 FO	General Fund	2,888.80
				Total for Payment No.:		3,391.20

Payment No: 020299

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	GRAINGER	00498644	9007529440	ASSORTED PARTS	Sewer Utility	1,566.73
09/03/2021	GRAINGER	00498645	9956653464	TOOL BACK PACK	Water Utility	153.10
09/03/2021	GRAINGER	00499001	9956305669	QUICK COUPLING	Water Utility	480.39
09/03/2021	GRAINGER	00499004	9956305651	QUICK COUPLING	Water Utility	154.56
09/03/2021	GRAINGER	00499007	9959556755	EAR PLUGS	Water Utility	319.85
09/03/2021	GRAINGER	00499009	9959556763	ASSORTED FIRST AID ITEMS	Water Utility	433.73
09/03/2021	GRAINGER	00499010	9960242114	STERILE WHITE GAUZE	Water Utility	18.62
09/03/2021	GRAINGER	00499013	9970564051	CORDLESS SPOTLIGHT	Sewer Utility	253.07
				Total for Payment No.:		3,380.05

Payment No: 653372

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PG&E	00499861	0008031270-5	COO NONRULE 2 LES/230KV AUG21	Electric Utility	3,231.16
				Total for Payment No.:		3,231.16

Payment No: 653081

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	FAST UNDERCAR SANTA CLARA	00499123	301806	PARTS-V#2155	Fleet Operation Fund	618.15
09/03/2021	FAST UNDERCAR SANTA CLARA	00499124	301834	PARTS-V#2155	Fleet Operation Fund	618.15

09/03/2021	FAST UNDERCAR SANTA CLARA	00499125	302139	PARTS-V#2948	Fleet Operation Fund	232.32
09/03/2021	FAST UNDERCAR SANTA CLARA	00499126	303421	PARTS-V#3006	Fleet Operation Fund	26.47
09/03/2021	FAST UNDERCAR SANTA CLARA	00499127	303977	PARTS-STOCK	Fleet Operation Fund	1,625.29
09/03/2021	FAST UNDERCAR SANTA CLARA	00499127	303977	CA BATTERY FEE- STOCK NONTXBL	Fleet Operation Fund	6.00
09/03/2021	FAST UNDERCAR SANTA CLARA	00499128	304451	PARTS-V#3356	Fleet Operation Fund	51.27
09/03/2021	FAST UNDERCAR SANTA CLARA	00499129	304782	PARTS-V#2885	Fleet Operation Fund	13.84
				Total for Payment No.:		3,191.49

Payment No: 653165

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	PACIFIC COAST PETROLEUM INC.	00499416	981805	OIL- STOCK	Fleet Operation Fund	2,294.52
09/10/2021	PACIFIC COAST PETROLEUM INC.	00499417	982167	DIESEL EXHST FLD- STOCK	Fleet Operation Fund	743.53
				Total for Payment No.:		3,038.05

Payment No: 020460

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	STAPLES ADVANTAGE	00500966	8063428543-BLDGINSP	OFFICE SUPPLIES	Building New Dvlpmnt Srvc Fee	467.29
09/24/2021	STAPLES ADVANTAGE	00500967	8063428543-ELECGEN	OFFICE SUPPLIES	Electric Utility	178.04
09/24/2021	STAPLES ADVANTAGE	00500968	8063428543-ELECRES	OFFICE SUPPLIES	Electric Utility	224.66
09/24/2021	STAPLES ADVANTAGE	00500969	8063428543-ELECYARD	OFFICE SUPPLIES	Electric Utility	13.08
09/24/2021	STAPLES ADVANTAGE	00500970	8063428543-ENG	OFFICE SUPPLIES	General Fund	130.93
09/24/2021	STAPLES ADVANTAGE	00500971	8063428543-HCS	OFFICE SUPPLIES	General Fund	225.20
09/24/2021	STAPLES ADVANTAGE	00500972	8063428543-HR	OFFICE SUPPLIES	General Fund	94.20
09/24/2021	STAPLES ADVANTAGE	00500973	8063428543-PARKCH	OFFICE SUPPLIES	General Fund	33.33
09/24/2021	STAPLES ADVANTAGE	00500974	8063428543-PARK CRC	OFFICE SUPPLIES	General Fund	423.41
09/24/2021	STAPLES ADVANTAGE	00500974	8063428543-PARK CRC	OFFICE SUPPLIES	General Fund	84.02
09/24/2021	STAPLES ADVANTAGE	00500975	8063428543-PARK YAC	OFFICE SUPPLIES	General Fund	205.15
09/24/2021	STAPLES ADVANTAGE	00500976	8063428543-POLICEDET	OFFICE SUPPLIES	General Fund	14.18

09/24/2021	STAPLES ADVANTAGE	00500976	8063428543-POLICEDET	OFFICE SUPPLIES	General Fund	344.34
09/24/2021	STAPLES ADVANTAGE	00500977	8063428543-POLICESPECIAL	OFFICE SUPPLIES	General Fund	118.68
09/24/2021	STAPLES ADVANTAGE	00500977	8063428543-POLICESPECIAL	OFFICE SUPPLIES	General Fund	58.26
09/24/2021	STAPLES ADVANTAGE	00500978	8063428543-WATER	OFFICE SUPPLIES	Sewer Utility	187.44
09/24/2021	STAPLES ADVANTAGE	00500978	8063428543-WATER	OFFICE SUPPLIES	Water Utility	210.17
				Total for Payment No.:		3,012.38

Payment No: 653400

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	WATERPROOFING ASSOC	00499753	7436	SENIOR CENTER	General Fund	3,002.00
				Total for Payment No.:		3,002.00

Payment No: 653070

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CIVIL ENGINEERING ASSOCIATES,	00499901	173121062	PLAT AND LEGAL DESCRIPTIONS AN	General Government - Other	3,000.00
				Total for Payment No.:		3,000.00

Payment No: 020301

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	GRANITE ROCK CO #29145	00500004	1317433	SAND	Sewer Utility	42.08
09/03/2021	GRANITE ROCK CO #29145	00500004	1317433	SAND	Water Utility Construction	168.36
09/03/2021	GRANITE ROCK CO #29145	00500004	1317433	SAND	Water Utility	126.27
09/03/2021	GRANITE ROCK CO #29145	00500004	1317433	SAND	Electric Utility Construction	420.90
09/03/2021	GRANITE ROCK CO #29145	00500004	1317433	SAND	Water Utility	84.18
09/03/2021	GRANITE ROCK CO #29145	00500007	1314909	SAND	Sewer Utility	107.39
09/03/2021	GRANITE ROCK CO #29145	00500007	1314909	SAND	Water Utility Construction	429.56

09/03/2021	GRANITE ROCK CO #29145	00500007	1314909	SAND	Water Utility	322.18
09/03/2021	GRANITE ROCK CO #29145	00500007	1314909	SAND	Electric Utility Construction	1,073.91
09/03/2021	GRANITE ROCK CO #29145	00500007	1314909	SAND	Water Utility	214.79
				Total for Payment No.:		2,989.62

Payment No: 653151

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	GENEVIEVE ALTWER LMFT	00499370	101-0721	COUNSELING #101 SESS 9/20	General Fund	170.00
09/10/2021	GENEVIEVE ALTWER LMFT	00499371	111-0721	COUNSELING #111 SESS 10/20	General Fund	170.00
09/10/2021	GENEVIEVE ALTWER LMFT	00499372	115-0721	COUNSELING #115 SESS 22 & 23	General Fund	340.00
09/10/2021	GENEVIEVE ALTWER LMFT	00499373	119-0721	COUNSELING #119 - SESS 30-32	General Fund	510.00
09/10/2021	GENEVIEVE ALTWER LMFT	00499374	125-0721	COUNSELING #125 SESS 17 & 18	General Fund	340.00
09/10/2021	GENEVIEVE ALTWER LMFT	00499375	133-0721	COUNSELING #133 - SESS 9-12	General Fund	680.00
09/10/2021	GENEVIEVE ALTWER LMFT	00499376	137-0721	COUNSELING #137 - SESS 3/20	General Fund	170.00
09/10/2021	GENEVIEVE ALTWER LMFT	00499377	139-0721	COUNSELING #139 - SESS 1 & 2	General Fund	385.00
09/10/2021	GENEVIEVE ALTWER LMFT	00499378	141-0721	COUNSELING #141 - SESS 1/20	General Fund	215.00
				Total for Payment No.:		2,980.00

Payment No: 653350

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	DELL MARKETING LP	00499612	10509369176	2 LAPTOPS & DOCKS FOR CDD	General Fund	2,550.07
09/24/2021	DELL MARKETING LP	00499612	10509369176	NON-TAXABLE ENVIRONMENTAL FEE	General Fund	10.00
09/24/2021	DELL MARKETING LP	00499612	10509369176	NON-TAXABLE PORTION OF EQUIP	General Fund	339.16
				Total for Payment No.:		2,899.23

Payment No: 653380

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SANTA CLARA WEEKLY	00499792	1245683	ADVERTISEMENT 2124B	Electric Utility	2,856.00

				CONTRACT	Construction	
				Total for Payment No.:		2,856.00

Payment No: 653367

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	NEWGEN STRATEGIES	00499863	11749	RATES, COST OF SVC ANALYSIS	Electric Utility	2,801.25
				Total for Payment No.:		2,801.25

Payment No: 020360

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	LEHR AUTO ELECTRIC	00499412	SI64271	PARTS-V#3594	Vehicle Replacement Fund	695.70
09/13/2021	LEHR AUTO ELECTRIC	00499412	SI64271	PARTS-V#3595	Vehicle Replacement Fund	695.70
09/13/2021	LEHR AUTO ELECTRIC	00499412	SI64271	PARTS-V#3594 & V#3595	Vehicle Replacement Fund	1,391.37
				Total for Payment No.:		2,782.77

Payment No: 653354

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	GLOBAL RENTAL CO	00499853	3667139	2019 FORD F550 SEP21	Electric Utility Construction	2,728.13
				Total for Payment No.:		2,728.13

Payment No: 020279

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	AEMTEK, INC	00499956	2107149	Water Quality Testing	Water Utility	2,675.00
				Total for Payment No.:		2,675.00

Payment No: 653270

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	DANIEL EDELSTEIN	00500608	213021A	Management Action 3 Reduce the	General Fund	2,625.00
				Total for Payment No.:		2,625.00

Payment No: 653059

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BAUER COMPRESSORS INC	00499011	0000277708	PARTS 2021 PM ST. 2 - TAXABLE	General Fund	1,251.66
09/03/2021	BAUER COMPRESSORS INC	00499011	0000277708	LABOR 2021 PM ST. 2 - NONTAX	General Fund	1,310.00
				Total for Payment No.:		2,561.66

Payment No: 020340

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	PUBLIC SAFETY NON-SWORN	00500447	08/08/21-09/04/21	UNION DUES	Payroll Liability&ClearingAcct	2,500.00
				Total for Payment No.:		2,500.00

Payment No: 020280

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ANIXTER INC.	00498639	4993715-00	SAFETY GLASSES	Electric Utility	134.77
09/03/2021	ANIXTER INC.	00500106	4920237-00	TAPE, VINYL, BLACK, 2" x 36 YD	Electric Utility	2,344.53
				Total for Payment No.:		2,479.30

Payment No: 653352

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	FAST UNDERCAR SANTA CLARA	00499774	293607	CREDIT- PART RETURNED	Fleet Operation Fund	-213.15
09/24/2021	FAST UNDERCAR SANTA CLARA	00499775	308837	PARTS-STOCK	Fleet Operation Fund	289.01
09/24/2021	FAST UNDERCAR SANTA CLARA	00499776	308842	PARTS-V#3240	Fleet Operation Fund	126.60
09/24/2021	FAST UNDERCAR SANTA CLARA	00499777	308853	PARTS-STOCK	Fleet Operation Fund	166.20
09/24/2021	FAST UNDERCAR SANTA CLARA	00499779	308858	PARTS-V#2474	Fleet Operation Fund	335.80

09/24/2021	FAST UNDERCAR SANTA CLARA	00499780	308867	PARTS-V#3220	Fleet Operation Fund	197.78
09/24/2021	FAST UNDERCAR SANTA CLARA	00499781	308870	PARTS-STOCK	Fleet Operation Fund	141.40
09/24/2021	FAST UNDERCAR SANTA CLARA	00499782	308872	PARTS-V#2890	Fleet Operation Fund	213.95
09/24/2021	FAST UNDERCAR SANTA CLARA	00499783	308873	PARTS-V#2890	Fleet Operation Fund	242.65
09/24/2021	FAST UNDERCAR SANTA CLARA	00499784	308876	PARTS-V#3383	Fleet Operation Fund	26.69
09/24/2021	FAST UNDERCAR SANTA CLARA	00499786	308878	PARTS-V#3215	Fleet Operation Fund	425.91
09/24/2021	FAST UNDERCAR SANTA CLARA	00499787	308879	PARTS-V#3215	Fleet Operation Fund	78.29
09/24/2021	FAST UNDERCAR SANTA CLARA	00499794	308880	PARTS-V#3215	Fleet Operation Fund	16.87
09/24/2021	FAST UNDERCAR SANTA CLARA	00499796	308882	PARTS-V#3384	Fleet Operation Fund	22.29
09/24/2021	FAST UNDERCAR SANTA CLARA	00499798	309357	PARTS-V#3535	Fleet Operation Fund	4.66
09/24/2021	FAST UNDERCAR SANTA CLARA	00499799	310376	PARTS-STOCK	Fleet Operation Fund	281.54
09/24/2021	FAST UNDERCAR SANTA CLARA	00499800	310377	PARTS-V#3202	Fleet Operation Fund	64.91
09/24/2021	FAST UNDERCAR SANTA CLARA	00499801	310430	PARTS-STOCK	Fleet Operation Fund	4.66
09/24/2021	FAST UNDERCAR SANTA CLARA	00499802	310657	PARTS-V#3486	Fleet Operation Fund	8.37
				Total for Payment No.:		2,434.43

Payment No: 020428

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CINTAS CORP #630	00499743	4093679011	UNIFORMS	General Fund	90.22
09/24/2021	CINTAS CORP #630	00499745	4093315894	UNIFORMS	General Fund	64.71
09/24/2021	CINTAS CORP #630	00499746	4093921348	UNIFORMS	General Fund	64.71
09/24/2021	CINTAS CORP #630	00499747	4091971762	DS1 - YSP	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499747	4091971762	CHEMICAL - YSP	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499759	4092257365	CHEMICALS - CEMETERY	Cemetery	54.39
09/24/2021	CINTAS CORP #630	00499759	4092257365	UNIFORMS - CEMETERY	Cemetery	31.23
09/24/2021	CINTAS CORP #630	00499759	4092257365	DS1 - CEMETERY	Other City Dept Op Grant Fund	19.88
09/24/2021	CINTAS CORP #630	00499816	4093315724	DS1 - WARBURTON SWIM	Other City Dept Op Grant Fund	9.82
09/24/2021	CINTAS CORP #630	00499816	4093315724	CHEMICALS - WARBURTON SWIM	General Fund	21.68

09/24/2021	CINTAS CORP #630	00499817	4093315830	DS1 - LARRY MARSHALL PARK	Other City Dept Op Grant Fund	6.55
09/24/2021	CINTAS CORP #630	00499817	4093315830	CHEMICALS - LARRY MARSHALL	General Fund	10.93
09/24/2021	CINTAS CORP #630	00499818	4093316498	DS1 - PARKWAY PARK	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499818	4093316498	CHEMICALS - PARKWAY PARK	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499819	4093576760	DS1 - FULLER STR PARK	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499819	4093576760	CHEMICALS - FULLER STR PARK	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499820	4093576771	DS1 - LIVE OAK PARK	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499820	4093576771	CHEMICALS - LIVE OAK PARK	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499822	4093576798	DS1 - AGNEW PARK	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499822	4093576798	CHEMICALS - AGNEW PARK	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499824	4093576813	DS1 - THAMIEN PARK	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499824	4093576813	CHEMICALS - THAMIEN PARK	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499825	4093577259	DS1 - HENRY SCHMIDT	Other City Dept Op Grant Fund	9.82
09/24/2021	CINTAS CORP #630	00499825	4093577259	CHEMICALS - HENRY SCHMIDT	General Fund	20.44
09/24/2021	CINTAS CORP #630	00499826	4093577260	DS1 - EVERETT ALVAREZ JR PARK	Other City Dept Op Grant Fund	9.82
09/24/2021	CINTAS CORP #630	00499826	4093577260	CHEMICALS - EVERETT ALVAREZ	General Fund	20.44
09/24/2021	CINTAS CORP #630	00499828	4093577333	DS1 - FREMONT SENIOR CENTER	Other City Dept Op Grant Fund	39.29
09/24/2021	CINTAS CORP #630	00499828	4093577333	CHEMICALS - FREMONT SENIOR CNT	General Fund	67.57
09/24/2021	CINTAS CORP #630	00499830	4091974238	DS1 - CABRILLO YOUTH CENTER	Other City Dept Op Grant Fund	5.04
09/24/2021	CINTAS CORP #630	00499830	4091974238	CHEMICALS - CABRILLO YOUTH CNT	General Fund	47.37
09/24/2021	CINTAS CORP #630	00499831	4091974599	DS1 - CRC	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499831	4091974599	CHEMICALS - CRC	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499833	4092257387	DS1 - FREMONT SENIOR CENTER	Other City Dept Op Grant Fund	39.29

09/24/2021	CINTAS CORP #630	00499833	4092257387	CHEMICALS - FREMOT SENIOR	General Fund	151.37
09/24/2021	CINTAS CORP #630	00499834	4092606177	DS1 - CABRILLO YOUTH	Other City Dept Op Grant Fund	5.04
09/24/2021	CINTAS CORP #630	00499834	4092606177	CHEMICALS - CABRILLO YOUTH	General Fund	45.46
09/24/2021	CINTAS CORP #630	00499835	4092606455	DS1 - CRC	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499835	4092606455	CHEMICALS - CRC	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499836	4092897624	CHEMICALS - CEMETERY	Cemetery	54.39
09/24/2021	CINTAS CORP #630	00499836	4092897624	UNIFORMS - CEMETERY	Cemetery	31.23
09/24/2021	CINTAS CORP #630	00499836	4092897624	DS1 - CEMETERY	Other City Dept Op Grant Fund	19.88
09/24/2021	CINTAS CORP #630	00499837	4093125547	DS1 - PARK SERVICES BLDNG	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499837	4093125547	CHEMICALS - PARK SERVICES BLDN	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499838	4093125588	DS1 - MONTAGUE SWIM	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499838	4093125588	CHEMICALS - MONTAGUE SWIM	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499839	4093126943	DS1 - TOMAS BARRETT PARK	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499839	4093126943	CHEMICALS - THOMAS BARRETT PAR	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499840	4093310286	DS1 - BRACHER PARK	Other City Dept Op Grant Fund	9.82
09/24/2021	CINTAS CORP #630	00499840	4093310286	CHEMICALS - BRACHER PARK	General Fund	20.44
09/24/2021	CINTAS CORP #630	00499841	4093312021	DS1 - MAYWOOD PARK	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499841	4093312021	CHEMICALS - MAYWOOD	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499844	4093577266	CHEMICALS - CEMETERY	Cemetery	54.39
09/24/2021	CINTAS CORP #630	00499844	4093577266	UNIFORMS - CEMETERY	Cemetery	31.23
09/24/2021	CINTAS CORP #630	00499844	4093577266	DS1 - CEMETERY	Other City Dept Op Grant Fund	19.88
09/24/2021	CINTAS CORP #630	00499871	4093312051	DS1 - WESTWOOD OAK PARK	Other City Dept Op Grant Fund	16.37
09/24/2021	CINTAS CORP #630	00499871	4093312051	CHEMICALS - WESTWOOD OAK PARK	General Fund	34.10

09/24/2021	CINTAS CORP #630	00499872	4093312077	DS1 - JENNY STRAND PARK	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499872	4093312077	CHEMICALS - JENNY STRAND	General Fund	34.10
09/24/2021	CINTAS CORP #630	00499874	4093312307	DS1 - CABRILLO YOUTH ACTIVITY	Other City Dept Op Grant Fund	5.04
09/24/2021	CINTAS CORP #630	00499874	4093312307	CHEMICALS - CABRILLO YOUTH ACT	General Fund	47.37
09/24/2021	CINTAS CORP #630	00499875	4093312349	DS1 - BOWERS PARK	Other City Dept Op Grant Fund	19.64
09/24/2021	CINTAS CORP #630	00499875	4093312349	CHEMICALS - BOWERS PARK	General Fund	34.10
09/24/2021	CINTAS CORP #630	00501056	4092074157	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	129.34
09/24/2021	CINTAS CORP #630	00501057	4092074498	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	5.91
09/24/2021	CINTAS CORP #630	00501058	4092074544	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	236.34
09/24/2021	CINTAS CORP #630	00501059	4092074616	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	2.91
09/24/2021	CINTAS CORP #630	00501060	4092074643	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	2.51
09/24/2021	CINTAS CORP #630	00501063	4092074649	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	10.83
09/24/2021	CINTAS CORP #630	00501064	4092074669	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	52.99
				Total for Payment No.:		2,372.40

Payment No: 020336

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	CITY OF SANTA CLARA EMPLOYEES	00500448	08/08/21-09/04/21	UNION DUES	Payroll Liability&ClearingAcct	2,343.00
				Total for Payment No.:		2,343.00

Payment No: 653299

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SAN JOSE BMW	00499641	266966	LABOR-V#3419 WO#131298	Fleet Operation Fund	1,020.60
09/17/2021	SAN JOSE BMW	00499641	266966	MISC- V#3419 WO#131298 NONTXB	Fleet Operation Fund	13.00
09/17/2021	SAN JOSE BMW	00499641	266966	PARTS-V#3419 WO#131298	Fleet Operation Fund	590.27
09/17/2021	SAN JOSE BMW	00499642	266968	MISC- V#3241 WO#131296	Fleet Operation Fund	2.50
09/17/2021	SAN JOSE BMW	00499642	266968	PARTS-V#3241 WO#131296	Fleet Operation Fund	251.71
09/17/2021	SAN JOSE BMW	00499642	266968	LABOR-V#3241 WO#131296	Fleet Operation Fund	404.46
				Total for Payment No.:		2,282.54

Payment No: 653296

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	REED & GRAHAM INC	00500500	007977	COLD MIX & BASE ROCK	Sewer Utility	9.26
09/17/2021	REED & GRAHAM INC	00500500	007977	COLD MIX & BASE ROCK	Water Utility Construction	92.67
09/17/2021	REED & GRAHAM INC	00500500	007977	COLD MIX & BASE ROCK	Water Utility	37.05
09/17/2021	REED & GRAHAM INC	00500500	007977	COLD MIX & BASE ROCK	Electric Utility Construction	46.31
09/17/2021	REED & GRAHAM INC	00500501	007671	COLD MIX & BASE ROCK	Sewer Utility	88.50
09/17/2021	REED & GRAHAM INC	00500501	007671	COLD MIX & BASE ROCK	Water Utility Construction	885.07
09/17/2021	REED & GRAHAM INC	00500501	007671	COLD MIX & BASE ROCK	Water Utility	354.03
09/17/2021	REED & GRAHAM INC	00500501	007671	COLD MIX & BASE ROCK	Electric Utility Construction	442.53
09/17/2021	REED & GRAHAM INC	00500716	008408	MATERIALS FOR STREET MAINTENAN	General Fund	301.22
				Total for Payment No.:		2,256.64

Payment No: 653164

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	MUNICIPAL MAINTENANCE EQUIPMNT	00499414	0161803-IN	PARTS-V#3119	Fleet Operation Fund	826.24

09/10/2021	MUNICIPAL MAINTENANCE EQUIPMNT	00499415	0161993-IN	PARTS-V#3224	Fleet Operation Fund	1,398.96
				Total for Payment No.:		2,225.20

Payment No: 653394

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	UNIQUE TOWING	00501145	00182751	TOWED FOR EVIDENCE 2021 GMC	General Fund	215.00
09/24/2021	UNIQUE TOWING	00501146	00181878	TOWED DUMP TRUCK	General Fund	1,741.60
09/24/2021	UNIQUE TOWING	00501147	00183082	TOWED FOR EVIDENCE 2008 BMW	General Fund	238.50
				Total for Payment No.:		2,195.10

Payment No: 653170

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	ROYAL BRASS INC	00499419	962393-001	PARTS-V#3413	Fleet Operation Fund	2,162.06
				Total for Payment No.:		2,162.06

Payment No: 653167

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	POCO SOLAR ENERGY INC	00499421	118520	2021 AUG 5-10' SOLAR PANELS	Water Utility	2,133.39
				Total for Payment No.:		2,133.39

Payment No: 653088

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	IRON MOUNTAIN	00498689	202382810	DATA STORAGE	Information Technology Service	2,094.90
				Total for Payment No.:		2,094.90

Payment No: 653176

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/10/2021	STANFORD HOSPITAL AND CLINICS	00499479	2111-106933CITYNSCL	MEDICAL DIRECTOR SERVICES	General Fund	2,083.00
				Total for Payment No.:		2,083.00

Payment No: 653156

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	LANGUAGE LINE SOLUTIONS	00499240	10287567	LANGUAGE LINE SVCS JULY 2021	Information Technology Service	2,045.68
				Total for Payment No.:		2,045.68

Payment No: 653146

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	DESTINATION ADVANTAGE LLC	00500335	380	7/21 WEBSITE PROGRAM SUPPORT	Deposit Funds.	2,000.00
				Total for Payment No.:		2,000.00

Payment No: 020373

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	SCOTT'S PPE RECON INC	00499381	37129	CITRUSQUEEZE 5 GL PAIL	Fire Department	1,846.34
09/13/2021	SCOTT'S PPE RECON INC	00499381	37129	CITRUSQUEEZE PRESOAK 32OZ	Fire Department	141.70
				Total for Payment No.:		1,988.04

Payment No: 020288

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BOUNDTREE MEDICAL LLC	00499106	84158115	MEDICATION - NON TAXED	General Fund	799.40
09/03/2021	BOUNDTREE MEDICAL LLC	00499107	84158116	MEDICATION - NON TAXED	General Fund	105.00
09/03/2021	BOUNDTREE MEDICAL LLC	00499109	84161791	MEDICAL SUPPLIES	General Fund	217.60
09/03/2021	BOUNDTREE MEDICAL LLC	00499110	84163648	MEDICAL SUPPLIES - COVID19	Other City Dept Op Grant Fund	851.05
				Total for Payment No.:		1,973.05

Payment No: 653307

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	TURF & INDUSTRIAL EQUIPMENT CO	00499457	IV40180	1 ELECTRIC BELT SHUTOFF	General Fund	1,855.13
				Total for Payment No.:		1,855.13

Payment No: 020286

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BELL ELECTRICAL SUPPLY	00499896	5674014	CUL 67510 NITRILE PALM CTD GLO	General Fund	204.65
09/03/2021	BELL ELECTRICAL SUPPLY	00499897	5674013	828 PRGFI-BLK WLK POLYCARBONAT	General Fund	1,620.78
				Total for Payment No.:		1,825.43

Payment No: 653162

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	MT TIRE SERVICE, LLC	00499382	16847	PARTS-STOCK	Fleet Operation Fund	1,795.11
09/10/2021	MT TIRE SERVICE, LLC	00499383	16843	LABOR-V#3188 WO#131222	Fleet Operation Fund	30.00
				Total for Payment No.:		1,825.11

Payment No: 653145

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	DELL MARKETING LP	00500426	10499678949	PRECISION 5820 TOWER NON-TAXAB	Police Operating Grant Fund	86.99
09/10/2021	DELL MARKETING LP	00500426	10499678949	PRECISION 5820 TOWER TAXABLE A	Police Operating Grant Fund	1,705.70
				Total for Payment No.:		1,792.69

Payment No: 653305

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	TARGET SPECIALTY PRODUCTS INC	00499329	INVP500555529	HYDRO MAX GROWTH PRODUCTS	General Fund	1,761.80
				Total for Payment No.:		1,761.80

Payment No: 653250

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	UNLIMITED COMMUNICATIONS	00500600	81977-03 Utility Refund	UTILITY REFUND	General Fund	1,760.19
				Total for Payment No.:		1,760.19

Payment No: 653102

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ROBERT E. VAN HEUIT	00500125	1106	AMENDMENT NO. 3 INCREASE PO BY	Related Santa Clara Dvlpr Fund	1,750.00
				Total for Payment No.:		1,750.00

Payment No: 020370

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	RELIABILITY OPTIMIZATION INC	00499463	21-00085	PDM SERVICES DVR JUL21 PW	Electric Utility	1,734.38
				Total for Payment No.:		1,734.38

Payment No: 653362

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	[redacted]	00500987	202908	LEGAL SERVICE REQUEST	Special Liability Insurance	1,734.00
				Total for Payment No.:		1,734.00

Payment No: 653347

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CRESCO EQUIPMENT RENTALS	00499716	5376471-0005	FORKLIFT RENTAL	Electric Utility Construction	1,691.44
09/24/2021	CRESCO EQUIPMENT RENTALS	00499716	5376471-0005	NON TAXABLE	Electric Utility Construction	18.63
				Total for Payment No.:		1,710.07

Payment No: 653373

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	POCO SOLAR ENERGY INC	00499717	117731	4x10 FACO SUNSAVER PANEL	Water Utility	1,706.72
				Total for Payment No.:		1,706.72

Payment No: 020371

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	SAFETY CENTER, INCORPORATED	00500384	80469	Excavation/Component Person Tr	Sewer Utility	816.00
09/13/2021	SAFETY CENTER, INCORPORATED	00500384	80469	Excavation/Component Person Tr	Water Utility	816.00
09/13/2021	SAFETY CENTER, INCORPORATED	00500384	80469	Excavation/Component Person Tr	General Fund	68.00
				Total for Payment No.:		1,700.00

Payment No: 653106

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	SANTA CLARA CO SOCIAL SVC AGCY	00500126	2457AUG2021	SENIOR NUTRITION PROGRAM-7/21	Deposit Funds.	1,688.00
				Total for Payment No.:		1,688.00

Payment No: 653105

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	SANTA CLARA CO FIRE CHIEFS ASSN	00499021	21-008	FIRE CHIEF'S ANNUAL DUES	General Fund	500.00
09/03/2021	SANTA CLARA CO FIRE CHIEFS ASSN	00499021	21-008	ARSON/FM ANNUAL DUES	General Fund	600.00
09/03/2021	SANTA CLARA CO FIRE CHIEFS ASSN	00499021	21-008	OPS SECTION ANNUAL DUES	General Fund	402.00
09/03/2021	SANTA CLARA CO FIRE CHIEFS ASSN	00499021	21-008	TRANING ANNUAL DUES	General Fund	150.00
				Total for Payment No.:		1,652.00

Payment No: 020378

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	UNIVERSAL SITE SERVICES	00499456	21028645	SCCC WATER IN PIT	Convention Cnt Maintenance Dis	262.50

09/13/2021	UNIVERSAL SITE SERVICES	00500489	21028928	SWEEPING - FRANKLIN SQUARE	Downtown Parking Maintenance D	1,383.00
				Total for Payment No.:		1,645.50

Payment No: 020399

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	GRANITE ROCK CO #29145	00500502	1318740	SAND	Sewer Utility	63.21
09/17/2021	GRANITE ROCK CO #29145	00500502	1318740	SAND	Water Utility Construction	252.84
09/17/2021	GRANITE ROCK CO #29145	00500502	1318740	SAND	Water Utility	189.62
09/17/2021	GRANITE ROCK CO #29145	00500502	1318740	SAND	Electric Utility Construction	632.08
09/17/2021	GRANITE ROCK CO #29145	00500502	1318740	SAND	Water Utility	126.42
09/17/2021	GRANITE ROCK CO #29145	00500503	1320045	SAND	Sewer Utility	15.50
09/17/2021	GRANITE ROCK CO #29145	00500503	1320045	SAND	Water Utility Construction	61.98
09/17/2021	GRANITE ROCK CO #29145	00500503	1320045	SAND	Water Utility	46.49
09/17/2021	GRANITE ROCK CO #29145	00500503	1320045	SAND	Electric Utility Construction	154.93
09/17/2021	GRANITE ROCK CO #29145	00500503	1320045	SAND	Water Utility	30.99
				Total for Payment No.:		1,574.06

Payment No: 653388

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SUPERCO SPECIALTY PRODUCTS	00499719	PSI393047	ASSORTED FIRST AID	Sewer Utility	496.31
09/24/2021	SUPERCO SPECIALTY PRODUCTS	00499720	PSI409011	ASSORTED SAFETY MATERIALS	Sewer Utility	1,074.80
				Total for Payment No.:		1,571.11

Payment No: 020389

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CINTAS FIRE PROTECTION #F44	00499587	0F44758409	PARTS-SHOP USE	Fleet Operation Fund	855.87

09/17/2021	CINTAS FIRE PROTECTION #F44	00499587	0F44758409	INSPECTN-SHOP USE	Fleet Operation Fund	708.40
				Total for Payment No.:		1,564.27

Payment No: 653402

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	YIN QIIONG ZHANG	00500796	06/08/21 CLASS REFUND REISSUE	REIISUE FRAUDULENTLY CASHED CK	General Fund	1,519.00
				Total for Payment No.:		1,519.00

Payment No: 653343

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	COGENT COMMUNICATIONS	00499611	CITYOFSA00015AUG2021	INTERNET SERVICES - AUG 2021	Information Technology Service	1,500.00
				Total for Payment No.:		1,500.00

Payment No: 653073

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CRESCO EQUIPMENT RENTALS	00500123	5473525-0001	EQUIPMENT RENTAL	Electric Utility	1,334.03
09/03/2021	CRESCO EQUIPMENT RENTALS	00500123	5473525-0001	EQUIPMENT RENTAL	Electric Utility	154.50
				Total for Payment No.:		1,488.53

Payment No: 020396

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	GRAINGER	00500615	9952141001	GLASSES, SMOKE LENS, BLACK FRA	Water Utility	93.89
09/17/2021	GRAINGER	00500615	9952141001	BOOTS, PVC HIP LENGTH, STEEL T	Water Utility	154.76
09/17/2021	GRAINGER	00500615	9952141001	PAINT, SPRAY, GLOSSY WHITE, OU	Water Utility	106.46
09/17/2021	GRAINGER	00500615	9952141001	SOLDER, LOW TEMP SILVER BEARIN	Water Utility	564.14
09/17/2021	GRAINGER	00500615	9952141001	COVERALL, LG, HOODED TYVEK, WH	Water Utility	197.79

09/17/2021	GRAINGER	00500623	9005318127	BATTERY, SIZE D, 1.5 VOLT RAY-	Water Utility	94.94
09/17/2021	GRAINGER	00500625	9012845179	NUT, CHANNEL, LOCK/PLASTIC CON	Electric Utility	54.02
09/17/2021	GRAINGER	00500626	9016442320	DALO MARKER, WHITE PAINT PEN F	Electric Utility	71.10
09/17/2021	GRAINGER	00500627	9017163883	SEALANT, ADHESIVE, WHITE IN 2.	Electric Utility	144.30
				Total for Payment No.:		1,481.40

Payment No: 653272

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	DOG WASTE DEPOT	00499324	422934	DOG WASTE ROLL BAG 30 (6000)	General Fund	1,363.74
09/17/2021	DOG WASTE DEPOT	00499324	422934	TARIFF MITIGATION ALLOW FEE	General Fund	111.22
				Total for Payment No.:		1,474.96

Payment No: 653283

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	JANA SOKALE	00500760	16A	DESIGN PROFESSIONAL SERVICES F	Streets And Highways	1,462.50
				Total for Payment No.:		1,462.50

Payment No: 020374

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	STAPLES ADVANTAGE	00500284	8063254773-CEMETERY	OFFICE SUPPLIES	Cemetery	54.51
09/13/2021	STAPLES ADVANTAGE	00500285	8063254773-CITYATTY	OFFICE SUPPLIES	General Fund	65.21
09/13/2021	STAPLES ADVANTAGE	00500286	8063254773-CITYCLERK	OFFICE SUPPLIES	General Fund	75.03
09/13/2021	STAPLES ADVANTAGE	00500287	8063254773-ELECGEN	OFFICE SUPPLIES	Electric Utility	238.97
09/13/2021	STAPLES ADVANTAGE	00500288	8063254773-ELECRES	OFFICE SUPPLIES	Electric Utility	-33.27
09/13/2021	STAPLES ADVANTAGE	00500289	8063254773-ELECYARD	OFFICE SUPPLIES	Electric Utility	21.81
09/13/2021	STAPLES ADVANTAGE	00500289	8063254773-ELECYARD	OFFICE SUPPLIES	Electric Utility	24.67
09/13/2021	STAPLES ADVANTAGE	00500290	8063254773-ENG	OFFICE SUPPLIES	General Fund	24.26

09/13/2021	STAPLES ADVANTAGE	00500290	8063254773-ENG	OFFICE SUPPLIES	General Fund	44.56
09/13/2021	STAPLES ADVANTAGE	00500290	8063254773-ENG	OFFICE SUPPLIES	General Fund	24.26
09/13/2021	STAPLES ADVANTAGE	00500291	8063254773-FIRE	OFFICE SUPPLIES	General Fund	57.36
09/13/2021	STAPLES ADVANTAGE	00500292	8063254773-MUNISVC	OFFICE SUPPLIES	General Fund	176.62
09/13/2021	STAPLES ADVANTAGE	00500293	8063254773-PARKCH	OFFICE SUPPLIES	General Fund	100.71
09/13/2021	STAPLES ADVANTAGE	00500294	8063254773-PARK CRC	OFFICE SUPPLIES	General Fund	32.41
09/13/2021	STAPLES ADVANTAGE	00500295	8063254773-POLICEDET	OFFICE SUPPLIES	General Fund	348.36
09/13/2021	STAPLES ADVANTAGE	00500296	8063254773-POLICESPECIAL	OFFICE SUPPLIES	General Fund	92.09
09/13/2021	STAPLES ADVANTAGE	00500296	8063254773-POLICESPECIAL	OFFICE SUPPLIES	General Fund	104.30
				Total for Payment No.:		1,451.86

Payment No: 020321

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	[redacted]	00500070	404122A	LEGAL SERVICES	Electric Utility Construction	1,450.00
				Total for Payment No.:		1,450.00

Payment No: 020375

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	TIFCO INDUSTRIES	00499469	71677192	PARTS-SHOP USE	Fleet Operation Fund	815.49
09/13/2021	TIFCO INDUSTRIES	00499474	71681733	PARTS- SHOP USE	Fleet Operation Fund	138.29
09/13/2021	TIFCO INDUSTRIES	00499475	71681902	PARTS- SHOP USE	Fleet Operation Fund	471.77
				Total for Payment No.:		1,425.55

Payment No: 020445

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	NALCO CO	00499761	6600639530	PERMACLEAN PAIL 18-24 LITER	Electric Utility	603.62
09/24/2021	NALCO CO	00499761	6600639530	TRANSPORTATION/ENERGY FEE	Electric Utility	4.12

09/24/2021	NALCO CO	00499762	6600639531	SOLN 500ML POLYMER REAGENT	Electric Utility	750.79
09/24/2021	NALCO CO	00499762	6600639531	FREIGHT	Electric Utility	57.29
09/24/2021	NALCO CO	00499762	6600639531	TRANSPORTATION/ENERGY FEE	Electric Utility	0.29
				Total for Payment No.:		1,416.11

Payment No: 653315

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	NV5 INC	00499735	225973	SURVEY-PARCEL MAP REVIEW	General Fund	1,410.00
				Total for Payment No.:		1,410.00

Payment No: 653203

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	AZEEM SIDDIQUI	00500560	35002-01 Utility Refund	UTILITY REFUND	General Fund	1,368.12
				Total for Payment No.:		1,368.12

Payment No: 020355

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	FARWEST LINE SPECIALTIES LLC	00499358	338346	KLEIN FOLDING KNIFE	Electric Utility	54.20
09/13/2021	FARWEST LINE SPECIALTIES LLC	00499358	338346	YOUNGSTOWN ARC RATED GLOVE M	Electric Utility	428.83
09/13/2021	FARWEST LINE SPECIALTIES LLC	00499358	338346	YOUNGSTOWN ARC RATED GLOVE L	Electric Utility	428.84
09/13/2021	FARWEST LINE SPECIALTIES LLC	00499358	338346	YOUNGSTOWN ARC RATED GLOVE XL	Electric Utility	428.84
09/13/2021	FARWEST LINE SPECIALTIES LLC	00499358	338346	SHIPPING	Electric Utility	20.04
				Total for Payment No.:		1,360.75

Payment No: 653072

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CRESCO EQUIPMENT RENTALS	00498642	5458763-0001	MISC.	Water Utility Construction	20.83

09/03/2021	CRESCO EQUIPMENT RENTALS	00498642	5458763-0001	26' SCISSOR LIFT	Water Utility Construction	1,334.11
				Total for Payment No.:		1,354.94

Payment No: 653398

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	VERIZON WIRELESS	00499856	9885820252	M2M CHARGES JUL21	Electric Utility Construction	1,351.34
				Total for Payment No.:		1,351.34

Payment No: 653117

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ZANKER RECYCLING	00499121	6748	MAHAGONY MULCH	General Fund	1,334.38
				Total for Payment No.:		1,334.38

Payment No: 653289

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	NAPA AUTO PARTS	00499621	5983-686328	PARTS-V#2698	Fleet Operation Fund	32.46
09/17/2021	NAPA AUTO PARTS	00499623	5983-686336	PARTS-V#2996	Fleet Operation Fund	407.34
09/17/2021	NAPA AUTO PARTS	00499629	5983-686354	PARTS-STOCK	Fleet Operation Fund	336.40
09/17/2021	NAPA AUTO PARTS	00499630	5983-686356	PARTS-V#3290	Fleet Operation Fund	37.68
09/17/2021	NAPA AUTO PARTS	00499631	5983-686359	PARTS-V#3215	Fleet Operation Fund	20.71
09/17/2021	NAPA AUTO PARTS	00499633	5983-686362	PARTS-V#2698	Fleet Operation Fund	35.09
09/17/2021	NAPA AUTO PARTS	00499634	5983-686365	PARTS-STOCK	Fleet Operation Fund	56.92
09/17/2021	NAPA AUTO PARTS	00499635	5983-686369	PARTS-STOCK	Fleet Operation Fund	118.48
09/17/2021	NAPA AUTO PARTS	00499636	5983-686372	PARTS-STOCK	Fleet Operation Fund	60.43
09/17/2021	NAPA AUTO PARTS	00499637	5983-686836	PARTS-STOCK	Fleet Operation Fund	182.10
09/17/2021	NAPA AUTO PARTS	00499638	5983-687724	PARTS-V#3595	Fleet Operation Fund	16.51
				Total for Payment No.:		1,304.12

Payment No: 653370

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PACIFIC WATER ART INC	00501028	66687	MONTHLY FOUNTAIN MAINTENANCE:	Convention Cnt Maintenance Dis	1,280.00
				Total for Payment No.:		1,280.00

Payment No: 020344

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	AIRGAS USA, LLC	00499356	9981817136	RENTAL CYLINDERS FOR DVR JUL21	Electric Utility	787.71
09/13/2021	AIRGAS USA, LLC	00499356	9981817136	HAZMAT CHARGE	Electric Utility	12.75
09/13/2021	AIRGAS USA, LLC	00499470	9115424968	MEDICAL O2 - STATION 5	General Fund	105.04
09/13/2021	AIRGAS USA, LLC	00499472	9115424969	MEDICAL O2 - STATION 6	General Fund	132.81
09/13/2021	AIRGAS USA, LLC	00499473	9115424970	MEDICAL O2 - STATION 3	General Fund	116.41
09/13/2021	AIRGAS USA, LLC	00499477	9115424971	MEDICAL O2 - STATION 1	General Fund	116.41
				Total for Payment No.:		1,271.13

Payment No: 020441

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501037	2108A57	Laboratory Services with McCam	Water Utility	40.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501038	2108A58	Laboratory Services with McCam	Water Utility	19.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501039	2108494	Laboratory Services with McCam	Water Utility	893.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501040	2108511	Laboratory Services with McCam	Water Utility	19.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501041	2108512	Laboratory Services with McCam	Water Utility	28.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501042	2108513	Laboratory Services with McCam	Water Utility	28.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501043	2108636	Laboratory Services with McCam	Water Utility	19.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501044	2108638	Laboratory Services with McCam	Water Utility	36.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501046	2108804	Laboratory Services with McCam	Water Utility	60.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501047	2108913	Laboratory Services with McCam	Water Utility	20.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501049	2108914	Laboratory Services with McCam	Water Utility	19.00

09/24/2021	MCCAMPBELL ANALYTICAL INC	00501050	2108915	Laboratory Services with McCam	Water Utility	19.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501051	2108916	Laboratory Services with McCam	Water Utility	19.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501052	2108917	Laboratory Services with McCam	Water Utility	19.00
09/24/2021	MCCAMPBELL ANALYTICAL INC	00501053	2108918	Laboratory Services with McCam	Water Utility	19.00
				Total for Payment No.:		1,257.00

Payment No: 653141

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	CODE FOR FUN	00500345	1761	INSTRUCTOR PAYMENT FY 21-22 FO	General Fund	1,256.00
				Total for Payment No.:		1,256.00

Payment No: 653182

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	TJH2B ANALYTICAL SERVICES	00499428	21-138589	SUB OIL ANALYSIS(NRS, JULITTE)	Electric Utility	1,230.00
				Total for Payment No.:		1,230.00

Payment No: 653103

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ROYAL BRASS INC	00499032	961264-001	ASSORTED PARTS	Water Utility	1,225.25
				Total for Payment No.:		1,225.25

Payment No: 653108

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	SHAW HR CONSULTING INC	00499304	000978	CONSULTING FEES	General Fund	1,225.00
				Total for Payment No.:		1,225.00

Payment No: 653114

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/03/2021	VENOUS TECHNOLOGIES INC	00499143	6373	N95 RESPIRATORS - COVID19	Other City Dept Op Grant Fund	1,193.17
				Total for Payment No.:		1,193.17

Payment No: 653375

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	QUALITY TECHNOLOGY SERVICES HOLDING, LLC	00499767	073194	RACK: 2POST SEPT21	Electric Utility	100.00
09/24/2021	QUALITY TECHNOLOGY SERVICES HOLDING, LLC	00499767	073194	CONDUIT LEASE SEPT21	Electric Utility	1,091.25
				Total for Payment No.:		1,191.25

Payment No: 653052

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ASCAP	00497276	194JUN2021	LICENSE FEE	General Fund	791.94
09/03/2021	ASCAP	00497276	194JUN2021	LICENSE FEE	General Fund	195.03
09/03/2021	ASCAP	00497276	194JUN2021	LICENSE FEE	General Fund	195.03
				Total for Payment No.:		1,182.00

Payment No: 653351

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	EUGENE BURGER MANAGEMENT	00500993	110985	MANAGEMENT FEE JULY 2021	General Fund	1,179.38
				Total for Payment No.:		1,179.38

Payment No: 020319

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	MCCAMPBELL ANALYTICAL INC	00499959	2107B04	Laboratory Services with McCam	Water Utility	1,160.00
				Total for Payment No.:		1,160.00

Payment No: 020335

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	CARIE T ROSE	00500461	08/22/21-09/04/21DR	WAGE ATTACHMENT B2118	Payroll Liability&ClearingAcct	1,153.85
				Total for Payment No.:		1,153.85

Payment No: 020419

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CARIE T ROSE	00501116	09/05/21-09/18/21DR	WAGE ATTACHMENT B2119	Payroll Liability&ClearingAcct	1,153.85
				Total for Payment No.:		1,153.85

Payment No: 653293

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	OMNETRIC CORP.	00500769	5720015140	MDMS & ENERGY ENGAGE IMPLEMENT	Electric Utility Construction	1,147.50
				Total for Payment No.:		1,147.50

Payment No: 653275

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	FAST UNDERCAR SANTA CLARA	00499387	304274	CREDIT- CORES RETURNED	Fleet Operation Fund	-147.32
09/17/2021	FAST UNDERCAR SANTA CLARA	00499388	304275	CREDIT- CORE RETURNED	Fleet Operation Fund	-19.64
09/17/2021	FAST UNDERCAR SANTA CLARA	00499389	304278	CREDIT- CORE RETURNED	Fleet Operation Fund	-98.21
09/17/2021	FAST UNDERCAR SANTA CLARA	00499390	304404	CREDIT- CORES RETURNED	Fleet Operation Fund	-109.13
09/17/2021	FAST UNDERCAR SANTA CLARA	00499391	304410	CREDIT- CORES RETURNED	Fleet Operation Fund	-207.34
09/17/2021	FAST UNDERCAR SANTA CLARA	00499392	304411	CREDIT- CORES RETURNED	Fleet Operation Fund	-81.84
09/17/2021	FAST UNDERCAR SANTA CLARA	00499393	304412	CREDIT-CORES RETURNED	Fleet Operation Fund	-109.13
09/17/2021	FAST UNDERCAR SANTA CLARA	00499394	305034	PARTS-STOCK	Fleet Operation Fund	166.87
09/17/2021	FAST UNDERCAR SANTA CLARA	00499395	305036	PARTS-V#2885	Fleet Operation Fund	88.60
09/17/2021	FAST UNDERCAR SANTA CLARA	00499395	305036	CA BATTERY FEE-V#2885 NONTXBL	Fleet Operation Fund	1.00
09/17/2021	FAST UNDERCAR SANTA CLARA	00499396	305046	PARTS-V#2392	Fleet Operation Fund	84.30

09/17/2021	FAST UNDERCAR SANTA CLARA	00499397	305047	PARTS-V#2858	Fleet Operation Fund	14.48
09/17/2021	FAST UNDERCAR SANTA CLARA	00499398	305391	PARTS-V#2965	Fleet Operation Fund	48.05
09/17/2021	FAST UNDERCAR SANTA CLARA	00499400	305440	PARTS-V#2965	Fleet Operation Fund	19.45
09/17/2021	FAST UNDERCAR SANTA CLARA	00499402	305498	PARTS-V#3279	Fleet Operation Fund	30.53
09/17/2021	FAST UNDERCAR SANTA CLARA	00499403	307181	PARTS- STOCK	Fleet Operation Fund	14.25
09/17/2021	FAST UNDERCAR SANTA CLARA	00499404	307309	PARTS-V#3014	Fleet Operation Fund	6.10
09/17/2021	FAST UNDERCAR SANTA CLARA	00499405	307310	PARTS- STOCK	Fleet Operation Fund	27.98
09/17/2021	FAST UNDERCAR SANTA CLARA	00499406	307346	PARTS-V#3489	Fleet Operation Fund	8.37
09/17/2021	FAST UNDERCAR SANTA CLARA	00499407	307441	PARTS-V#3478	Fleet Operation Fund	74.74
09/17/2021	FAST UNDERCAR SANTA CLARA	00499407	307441	CA BATTERY FEE- V#3478 NONTXBL	Fleet Operation Fund	1.00
09/17/2021	FAST UNDERCAR SANTA CLARA	00499408	307612	CREDIT- CORES RETURNED	Fleet Operation Fund	-218.49
09/17/2021	FAST UNDERCAR SANTA CLARA	00499409	307765	PARTS- V#3520	Fleet Operation Fund	161.22
09/17/2021	FAST UNDERCAR SANTA CLARA	00499410	307981	PARTS-V#3014	Fleet Operation Fund	41.00
09/17/2021	FAST UNDERCAR SANTA CLARA	00499411	308011	PARTS- V#3904	Fleet Operation Fund	14.52
09/17/2021	FAST UNDERCAR SANTA CLARA	00499606	308109	CREDIT- PART RETURNED	Fleet Operation Fund	-96.31
09/17/2021	FAST UNDERCAR SANTA CLARA	00499607	308582	PARTS-V#3388	Fleet Operation Fund	100.30
09/17/2021	FAST UNDERCAR SANTA CLARA	00499607	308582	CA BATTERY FEE- V#3388 NONTXB	Fleet Operation Fund	1.00
09/17/2021	FAST UNDERCAR SANTA CLARA	00499608	308598	PARTS-STOCK	Fleet Operation Fund	1,274.08
09/17/2021	FAST UNDERCAR SANTA CLARA	00499608	308598	CA BATTERY FEE- STOCK NONTXB	Fleet Operation Fund	7.00
09/17/2021	FAST UNDERCAR SANTA CLARA	00499609	308784	PARTS-V#2776	Fleet Operation Fund	17.85
09/17/2021	FAST UNDERCAR SANTA CLARA	00499610	308822	MISSPULL PART	Fleet Operation Fund	140.77
09/17/2021	FAST UNDERCAR SANTA CLARA	00499613	309170	CREDIT- PART RETURNED	Fleet Operation Fund	-140.77
09/17/2021	FAST UNDERCAR SANTA CLARA	00499614	310205	PARTS-V#2776	Fleet Operation Fund	7.28
09/17/2021	FAST UNDERCAR SANTA CLARA	00499615	310206	PARTS-STOCK	Fleet Operation Fund	11.98
				Total for Payment No.:		1,134.54

Payment No: 653057

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	B & B SMALL ENGINE REPAIR	00499008	475218	TRIMMER	General Fund	719.37

09/03/2021	B & B SMALL ENGINE REPAIR	00499008	475218	BLOWER	General Fund	381.45
09/03/2021	B & B SMALL ENGINE REPAIR	00499008	475218	BLADES	General Fund	33.48
				Total for Payment No.:		1,134.30

Payment No: 653179

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	SUNNYVALE FORD	00499438	191699	PARTS-V#3279	Fleet Operation Fund	691.14
09/10/2021	SUNNYVALE FORD	00499446	F0CS833646	LABOR-V#3536 WO# 131138	Fleet Operation Fund	390.00
09/10/2021	SUNNYVALE FORD	00499458	192184	PARTS-V#2965	Fleet Operation Fund	35.30
				Total for Payment No.:		1,116.44

Payment No: 653391

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	TRUCK VAULT	00499809	232222	PARTS-V#3595	Vehicle Replacement Fund	1,108.45
				Total for Payment No.:		1,108.45

Payment No: 002440

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/09/2021	NAVIA BENEFIT SOLUTIONS, INC	00500275	10373024	DD:NAVIA ADMIN FEE AUG2021	Payroll Liability&ClearingAcct	594.25
09/09/2021	NAVIA BENEFIT SOLUTIONS, INC	00500275	10373024	DD:NAVIA ADMIN FEE AUG2021	General Fund	501.67
				Total for Payment No.:		1,095.92

Payment No: 653123

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	SANTA CLARA COUNTY	00499596	8129	CAFR SUCCESOR AGENCY STAT TABL	General Fund	1,080.42
				Total for Payment No.:		1,080.42

Payment No: 020343

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	AIR FILTER SUPPLY INC	00499423	I493234	SUPPLIES	General Fund	13.53
09/13/2021	AIR FILTER SUPPLY INC	00499424	I492324	SUPPLIES	General Fund	421.58
09/13/2021	AIR FILTER SUPPLY INC	00499425	I488103	SUPPLIES	General Fund	234.51
09/13/2021	AIR FILTER SUPPLY INC	00499426	I486400	SUPPLIES	General Fund	395.31
				Total for Payment No.:		1,064.93

Payment No: 020454

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PG&E	00499765	5918427025-0 AUG2021	ELEC SVC BLACK BUTTE HYD JUL21	Electric Utility	1,046.02
				Total for Payment No.:		1,046.02

Payment No: 653285

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	[redacted],	00500514	715878	LEGAL SERVICES	General Fund	1,045.00
				Total for Payment No.:		1,045.00

Payment No: 653187

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	VERIZON WIRELESS	00499284	9881831544	FIRE MDC WIRELESS	General Fund	298.35
09/10/2021	VERIZON WIRELESS	00499284	9881831544	PD MDC WIRELESS	General Fund	33.15
09/10/2021	VERIZON WIRELESS	00499284	9881831544	PD MDC WIRELSS	General Fund	11.05
09/10/2021	VERIZON WIRELESS	00499284	9881831544	PD MDC WIRELESS	General Fund	11.05
09/10/2021	VERIZON WIRELESS	00499284	9881831544	PD MDC WIRELSS	General Fund	618.80
09/10/2021	VERIZON WIRELESS	00499284	9881831544	STREET MDC WIRELESS	General Fund	33.15
09/10/2021	VERIZON WIRELESS	00499284	9881831544	LIBRARY MDC WIRELESS	General Fund	11.05
09/10/2021	VERIZON WIRELESS	00499284	9881831544	PARKS MDC WIRELSS	General Fund	11.05

				Total for Payment No.:		1,027.65

Payment No: 653049

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	A TOOL SHED	00498637	1511852-4	HOT PRESSURE WASHER	Water Utility Construction	977.76
09/03/2021	A TOOL SHED	00499269	1516673-4	COMPACT CARPET CLEANER EXTRACT	General Fund	22.33
09/03/2021	A TOOL SHED	00499269	1516673-4	RUG DR CARPET CLEANING SOLUTIO	General Fund	16.37
				Total for Payment No.:		1,016.46

Payment No: 653138

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	BRIAN CHILDERS	00499468	R220-EVC-115	EV CHARGER REBATE; 28001-02	Elec OperatingGrant Trust Fund	1,000.00
				Total for Payment No.:		1,000.00

Payment No: 653157

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	LAURA CHU	00499466	R220-EVC-116	EV CHARGE REBATE; 52700-03	Elec OperatingGrant Trust Fund	1,000.00
				Total for Payment No.:		1,000.00

Payment No: W22101

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ICMA Retirement Corporation	00501108	09/05/21-09/18/21A	WT: B2119 457 PLN CONTRIBUTION	Fringe Benefits	1,000.00
				Total for Payment No.:		1,000.00

Payment No: W22086

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/10/2021	ICMA Retirement Corporation	00500469	08/22/21-09/04/21	WT: B2118 457 PLN CONTRIBUTION	Fringe Benefits	1,000.00
				Total for Payment No.:		1,000.00

Payment No: 020365

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	NALCO CO	00499461	6600621890	PP01-3911 DRUM 210 LITER	Electric Utility	980.36
09/13/2021	NALCO CO	00499461	6600621890	TRANSPORTATION/ENERGY FEE	Electric Utility	13.55
				Total for Payment No.:		993.91

Payment No: 653246

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SUPERIOR SENSOR TECHNOLOGY	00500580	62582-07 Utility Refund	UTILITY REFUND	General Fund	975.91
				Total for Payment No.:		975.91

Payment No: 653281

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	HOME DEPOT USA	00499310	635024086	RENOWN LNR 40X48 22MIC NATURA	General Fund	956.92
				Total for Payment No.:		956.92

Payment No: 020342

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	ACT ENVIRO	00499482	326755	ENVIRONMENTAL SERVICE CHARGE	Electric Utility	69.52
09/13/2021	ACT ENVIRO	00499482	326755	8 HR CHEMIST 3/24/21	Electric Utility	536.00
09/13/2021	ACT ENVIRO	00499482	326755	SUPPLIES	Electric Utility	150.00
09/13/2021	ACT ENVIRO	00499482	326755	HAND PUMP LARGE	Electric Utility	50.00
09/13/2021	ACT ENVIRO	00499482	326755	PPE GEAR LEVEL D	Electric Utility	8.00
09/13/2021	ACT ENVIRO	00499482	326755	GEAR TRUCK (BOB TAIL) 3/24/21	Electric Utility	125.00
				Total for Payment No.:		938.52

Payment No: 653356

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	GUIDEHOUSE INC	00499859	0100063539	NERC CIP SUPPORT JUL21	Electric Utility	913.25
				Total for Payment No.:		913.25

Payment No: 653115

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	WATERWORKS INDUSTRIES, INC	00498819	15237	SC CIVIC CTR PARK	General Fund	900.00
				Total for Payment No.:		900.00

Payment No: 653077

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	DUNN-EDWARDS CORP	00498809	2011173916	PAINT AND SUPPLIES	General Fund	760.02
09/03/2021	DUNN-EDWARDS CORP	00498813	2011173875	PAINT AND ROLLER- SR CTR	General Fund	34.52
09/03/2021	DUNN-EDWARDS CORP	00499277	2011174409	EVEREST INT VE L BASE MILKWEED	General Fund	102.29
				Total for Payment No.:		896.83

Payment No: 653050

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ANIMAL DAMAGE MANAGEMENT	00499770	4163C	PEST CONTROL SERVICES	General Fund	895.00
				Total for Payment No.:		895.00

Payment No: 653133

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	ANIMAL DAMAGE MANAGEMENT	00499368	4355C	PEST CONTROL- JULY 2021	General Fund	895.00
				Total for Payment No.:		895.00

Payment No: 653104

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	SAN JOSE MAILING	00499846	5035	MAILING 1530-40 POMERY AVE	General Fund	425.53
09/03/2021	SAN JOSE MAILING	00499846	5035	TAXABLE	General Fund	82.05
09/03/2021	SAN JOSE MAILING	00499847	5024	MAILING FOR PHDSP	Planning Div-Prefund PlanRview	296.41
09/03/2021	SAN JOSE MAILING	00499847	5024	TAXABLE	Planning Div-Prefund PlanRview	88.63
				Total for Payment No.:		892.62

Payment No: 020449

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PENINSULA BUILDING MATERIALS	00499656	92400	YARDS OLYMPIA#2 SAND WHITE	General Fund	376.48
09/24/2021	PENINSULA BUILDING MATERIALS	00499657	92398	YARDS OLYMPIA #2 SAND WHITE	General Fund	501.98
				Total for Payment No.:		878.46

Payment No: 020388

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CINTAS CORP #630	00499660	4091983486	UNIFORM SERVICES	General Fund	55.74
09/17/2021	CINTAS CORP #630	00499663	4092616199	UNIFORM SERVICES	General Fund	55.74
09/17/2021	CINTAS CORP #630	00499666	4093315927	UNIFORM SERVICES	General Fund	55.74
09/17/2021	CINTAS CORP #630	00500642	4091424769	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	236.34
09/17/2021	CINTAS CORP #630	00500643	4090834225	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	236.34
09/17/2021	CINTAS CORP #630	00500644	4086862581	LAUNDRY SERVICE FY21/22 SVP FR	Electric Utility	236.34
				Total for Payment No.:		876.24

Payment No: 653060

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/03/2021	BAY AREA PL SERVICES	00500073	7482	JULY 2021 FORENSIC SERVICES	General Fund	863.50
				Total for Payment No.:		863.50

Payment No: W22100

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ICMA Retirement Corporation	00501107	09/05/21-09/18/21	WT: B2119 401 (A) PLAN CONTRIB	Fringe Benefits	862.48
				Total for Payment No.:		862.48

Payment No: W22087

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	ICMA Retirement Corporation	00500470	08/22/21-09/04/21A	WT: B2118 401 (A) PLAN CONTRIB	Fringe Benefits	862.48
				Total for Payment No.:		862.48

Payment No: 653111

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	TURF STAR INC	00499280	7186807-00	COMB/SCRAPER KIT (27") 114-937	General Fund	851.38
				Total for Payment No.:		851.38

Payment No: 653144

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	DELL MARKETING LP	00499222	10498880798	DELL THUNDERBOLT DOCKS WD19TBS	Public Education and Governmnt	613.00
09/10/2021	DELL MARKETING LP	00499223	10498556700	POLICE DEPT SOFTWARE	General Fund	231.24
				Total for Payment No.:		844.24

Payment No: 653126

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	ENGINEERS -CITY OF SANTA CLARA	00500451	08/08/21-09/04/21	UNION DUES	Payroll Liability&ClearingAcct	838.76

				Total for Payment No.:		838.76

Payment No: 020285

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BAY AREA TREE SPECIALISTS	00499204	67310	EMERGENCY TREE LIMB REMOVAL	Cemetery	810.00
				Total for Payment No.:		810.00

Payment No: 020381

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	VANTAGE DATA CENTERS 6, LLC	00499362	2552	CARRIER ACCESS SEP21 2897 NORT	Electric Utility	400.00
09/13/2021	VANTAGE DATA CENTERS 6, LLC	00499363	2564	CARRIER ACCESS SEP21 737MATHEW	Electric Utility	400.00
				Total for Payment No.:		800.00

Payment No: 653278

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	FUGATE BUSINESS SOLUTIONS	00500511	5062	ACCOUNTING SVCS MAY 2021	Deposit Funds.	399.00
09/17/2021	FUGATE BUSINESS SOLUTIONS	00500512	5134	ACCOUNTING SVCS JUNE 2021	Deposit Funds.	399.00
				Total for Payment No.:		798.00

Payment No: 653068

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CED CONTRACTORS	00500109	7488-1018192	CORD, YELLOW, 3 CONDUCTOR, #12	Electric Utility	787.75
				Total for Payment No.:		787.75

Payment No: 002446

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/20/2021	CA DEPT OF TAX & FEE ADMIN	00500658	AUGUST2021	DD:SALES & USE TAX AUG21	Vehicle Replacement	0.67

					Fund	
09/20/2021	CA DEPT OF TAX & FEE ADMIN	00500658	AUGUST2021	DD:SALES & USE TAX AUG21	Fleet Operation Fund	141.88
09/20/2021	CA DEPT OF TAX & FEE ADMIN	00500658	AUGUST2021	DD:SALES & USE TAX AUG21	Electric Utility	50.16
09/20/2021	CA DEPT OF TAX & FEE ADMIN	00500658	AUGUST2021	DD:SALES & USE TAX AUG21	Cemetery	172.53
09/20/2021	CA DEPT OF TAX & FEE ADMIN	00500658	AUGUST2021	DD:SALES & USE TAX AUG21	Sewer Utility	0.17
09/20/2021	CA DEPT OF TAX & FEE ADMIN	00500658	AUGUST2021	DD:SALES & USE TAX AUG21	Solid Waste Program	35.03
09/20/2021	CA DEPT OF TAX & FEE ADMIN	00500658	AUGUST2021	DD:SALES & USE TAX AUG21	Water Utility Construction	0.68
09/20/2021	CA DEPT OF TAX & FEE ADMIN	00500658	AUGUST2021	DD:SALES & USE TAX AUG21	General Fund	367.63
09/20/2021	CA DEPT OF TAX & FEE ADMIN	00500658	AUGUST2021	DD:SALES & USE TAX AUG21	Water Utility	14.21
09/20/2021	CA DEPT OF TAX & FEE ADMIN	00500658	AUGUST2021	DD:SALES & USE TAX AUG21	Electric Utility Construction	1.70
				Total for Payment No.:		784.66

Payment No: 020440

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	LINCOLN AQUATICS	00499849	36044064	01-350 GAL 15% MURIATIC ACID	General Fund	725.68
09/24/2021	LINCOLN AQUATICS	00499849	36044064	PESTICIDE ASSESS/FUEL SURCHRG	General Fund	49.48
				Total for Payment No.:		775.16

Payment No: 653326

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ADT COMMERCIAL LLC	00499742	141104825	CENTRAL LIB ELEVTO INSPECTION	General Fund	775.00
				Total for Payment No.:		775.00

Payment No: 020413

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	THERMAL MECHANICAL INC	00499452	82347	LABOR SCADA AC REPAIR	Electric Utility	564.00
09/17/2021	THERMAL MECHANICAL INC	00499452	82347	MATERIALS	Electric Utility	188.52

				Total for Payment No.:		752.52

Payment No: 653312

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	XUN TAN	00500689	REFUND AR ITEM - CIT11026CR	REFUND CITATION	General Fund	750.00
				Total for Payment No.:		750.00

Payment No: 020304

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	HI-TECH EMERGENCY VEHICLE SERVICE INC	00499130	170919	PARTS-STOCK	Fleet Operation Fund	139.70
09/03/2021	HI-TECH EMERGENCY VEHICLE SERVICE INC	00499131	170946	PARTS-V#3351	Fleet Operation Fund	99.44
09/03/2021	HI-TECH EMERGENCY VEHICLE SERVICE INC	00499132	171148	PARTS-V#3464	Fleet Operation Fund	199.98
09/03/2021	HI-TECH EMERGENCY VEHICLE SERVICE INC	00499133	171174	PARTS-V#3435	Fleet Operation Fund	309.48
				Total for Payment No.:		748.60

Payment No: 020379

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	US DEPT OF ENERGY	00499364	1000898	BBD LINE EMER PATROL JUL2021	Electric Utility	747.13
				Total for Payment No.:		747.13

Payment No: 653118

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ZORO TOOLS INC.	00498206	417047	HEX NUT, NUT STYLE HEX	General Fund	-61.00
09/03/2021	ZORO TOOLS INC.	00498807	INV9887487	FSIC CORE, EF KEYWAY	General Fund	394.31
09/03/2021	ZORO TOOLS INC.	00499114	INV9911022	TOOL SET	General Fund	122.63
09/03/2021	ZORO TOOLS INC.	00499273	INV9923756	TRASH CAN TOP, DROP TOP	General Fund	281.19

				Total for Payment No.:		737.13

Payment No: 653078

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ELIZABETH RAWSON, MD	00499025	2	COUNSELING #243 - #5-7/20	General Fund	720.00
				Total for Payment No.:		720.00

Payment No: 020283

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BAKER & TAYLOR BOOKS	00498940	2036074082	1233 AD BK	General Fund	20.03
09/03/2021	BAKER & TAYLOR BOOKS	00498993	2036074083	1235 AD BK	General Fund	75.22
09/03/2021	BAKER & TAYLOR BOOKS	00498996	2036122085	1233 AD BK	General Fund	42.39
09/03/2021	BAKER & TAYLOR BOOKS	00499000	2036122086	1235 AD BK	General Fund	78.73
09/03/2021	BAKER & TAYLOR BOOKS	00499090	2036079056	1235 AD BK	General Fund	329.24
09/03/2021	BAKER & TAYLOR BOOKS	00499290	2036051533	1233 AD BK	General Fund	101.90
09/03/2021	BAKER & TAYLOR BOOKS	00499291	2036051534	1235 AD BK	General Fund	71.86
				Total for Payment No.:		719.37

Payment No: 653090

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	KELLY-MOORE PAINT CO	00499122	607-00000618183	DTM EPOX & ACTV VOC25	General Fund	636.63
09/03/2021	KELLY-MOORE PAINT CO	00499275	817-00000426402	3M 12" HNDMSKR FILM C/OFF	General Fund	81.23
				Total for Payment No.:		717.86

Payment No: 653047

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	MIKE FALCONE	00499892	37019AUG2021	Mechanical Permit BLD2021-6199	Building New Dvlpmnt Srvc Fee	708.00
				Total for Payment No.:		708.00

Payment No: 653040

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	RACHEL THOMAS	00500064	3700AUG2021	STADIUM BRIEFING ROOM SUPPLIES	General Fund	706.84
				Total for Payment No.:		706.84

Payment No: 020427

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	BURLINGTON SAFETY LAB INC	00499760	42325	SCREW TYPE TEMP GROUND ROD	Electric Utility	702.94
				Total for Payment No.:		702.94

Payment No: 020461

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	TIFCO INDUSTRIES	00499811	71681960	PARTS-SHOP USE	Fleet Operation Fund	701.11
				Total for Payment No.:		701.11

Payment No: 653344

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CONSOLIDATED ENGINEERING	00500909	188474	AGREEMENT FOR MATERIALS TESTIN	General Fund	687.96
				Total for Payment No.:		687.96

Payment No: 653067

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CAR KEYS EXPRESS	00498834	CKE-1670599	KEYS-V#3595 WO#131224	Fleet Operation Fund	339.80
09/03/2021	CAR KEYS EXPRESS	00498834	CKE-1670599	KEYS-V#3590 WO#131225	Fleet Operation Fund	339.80
				Total for Payment No.:		679.60

Payment No: 653282

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	INDUSTRIAL SCIENTIFIC CORP	00499632	2452562	2021 AUG INET GAS MONITORING	Electric Utility	677.88
				Total for Payment No.:		677.88

Payment No: 653180

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	SYN-TECH SYSTEMS INC	00499467	236080	PARTS-STOCK	Vehicle Replacement Fund	674.76
				Total for Payment No.:		674.76

Payment No: 653346

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CORODATA RECORDS MANAGEMENT, INC	00500982	RS3300613	OFFSITE RECORDS MGMT STORAGE	General Fund	663.50
				Total for Payment No.:		663.50

Payment No: 653358

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	INDUSTRIAL SCIENTIFIC CORP	00501036	2453479	Monthly iNet Usage Fee w/AutoR	Sewer Utility	651.60
				Total for Payment No.:		651.60

Payment No: 653308

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	UNIQUE TOWING	00500629	00181796	CASE 21-727086	General Fund	215.00
09/17/2021	UNIQUE TOWING	00500630	00181919	CASE 21-806096	General Fund	215.00
09/17/2021	UNIQUE TOWING	00500631	00181964	CASE 21-808008	General Fund	215.00
				Total for Payment No.:		645.00

Payment No: 653235

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	REBECCA FERGUSON	00500576	55817-05 Utility Refund	UTILITY REFUND	General Fund	620.21
				Total for Payment No.:		620.21

Payment No: 020358

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	GRAINGER	00499439	9021468682	SUPPLIES	General Fund	28.85
09/13/2021	GRAINGER	00499440	9021468690	SUPPLIES	General Fund	24.74
09/13/2021	GRAINGER	00499441	9024719420	SUPPLIES	General Fund	289.48
09/13/2021	GRAINGER	00499442	9021468708	CRC LIGHT	General Fund	123.89
09/13/2021	GRAINGER	00499443	9020047636	SUPPLIES	General Fund	16.42
09/13/2021	GRAINGER	00499444	9017921314	SUPPLIES	General Fund	24.74
09/13/2021	GRAINGER	00499445	9017921322	SUPPLIES	General Fund	81.40
				Total for Payment No.:		589.52

Payment No: 653302

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SCP DISTRIBUTORS LLC	00499326	36042830	PS360 20" WHITE CGA	General Fund	577.11
09/17/2021	SCP DISTRIBUTORS LLC	00499385	36042760	A8R101 8" WHITE STAR SUCTION	General Fund	17.70
09/17/2021	SCP DISTRIBUTORS LLC	00499386	36042761	A8R101 8" WHITE STAR SUCTION	General Fund	-10.78
				Total for Payment No.:		584.03

Payment No: 653333

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	BAKER SUPPLIES AND REPAIRS	00499772	72184	PARTS-V#3409	Fleet Operation Fund	579.26
				Total for Payment No.:		579.26

Payment No: 020380

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/13/2021	VALBRIDGE PROPERTY ADVISORS	00499462	31681	PROP APPRAL/ VP APPRAIS AUG 21	Electric Utility Construction	576.00
				Total for Payment No.:		576.00

Payment No: 653349

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	DAVID ZANOTTI	00499757	C-2021-316	2250 ROYAL DR.	General Fund	570.00
				Total for Payment No.:		570.00

Payment No: 653360

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	KM & D MACHINE INC	00499804	43507	LABOR-V#2231	Fleet Operation Fund	300.00
09/24/2021	KM & D MACHINE INC	00499804	43507	PARTS-V#2231	Fleet Operation Fund	268.00
				Total for Payment No.:		568.00

Payment No: 653173

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	SHRED-IT USA LLC	00499488	8182473143	1705 ELEC. SHRED 7/22/21	Electric Utility	188.63
09/10/2021	SHRED-IT USA LLC	00499488	8182473143	1705 ELEC. SHRED 6/24/21	Electric Utility	189.58
09/10/2021	SHRED-IT USA LLC	00499488	8182473143	1705 ELEC. SHRED 7/8/21	Electric Utility	188.63
				Total for Payment No.:		566.84

Payment No: 653328

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ALL STAR GLASS	00499771	ISJ075172	PARTS-V#3415 WO#130980	Fleet Operation Fund	435.51
09/24/2021	ALL STAR GLASS	00499771	ISJ075172	LABOR-V#3415 WO#130980	Fleet Operation Fund	123.50
				Total for Payment No.:		559.01

Payment No: 653196

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CA PARK AND RECREATION SOCIETY, INC.	00499602	27470AUG2021	Member Agency Dues, District 4	General Fund	555.00
				Total for Payment No.:		555.00

Payment No: 020390

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	COAST COUNTIES TRUCK	00499588	01136186P	PARTS-STOCK	Fleet Operation Fund	461.54
09/17/2021	COAST COUNTIES TRUCK	00499592	01136217P	PARTS-V#3537	Fleet Operation Fund	90.91
				Total for Payment No.:		552.45

Payment No: 653269

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CONTRA COSTA CO LIBRARY	00499485	2115AUG2021	DISCOVER & GO ANNUAL HOSTING	General Fund	550.00
				Total for Payment No.:		550.00

Payment No: 653337

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CAROLYN GUGGEMOS	00499797	R220-EVC-114	EV CHRGR REBATE; 83251-01	Elec OperatingGrant Trust Fund	550.00
				Total for Payment No.:		550.00

Payment No: 653386

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SUGAVANESWARAN VINAYAGAM	00499815	1045932	EV CHRGR REBATE; 78603-02	Elec OperatingGrant Trust Fund	550.00
				Total for Payment No.:		550.00

Payment No: 653359

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/24/2021	JEREMY LUNDQUIST	00499814	1063163	EV CHRGR REBATE; 35404-02	Elec OperatingGrant Trust Fund	550.00
				Total for Payment No.:		550.00

Payment No: 653399

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	VIJAY PODUVAL	00499813	1043442	EV CHRGR REBATE; 77970-05	Elec OperatingGrant Trust Fund	550.00
				Total for Payment No.:		550.00

Payment No: 653376

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	RAMYA NARAYANASWAMY	00499812	R220-EVC-119	EV CHRGR REBATE; 40518-02	Elec OperatingGrant Trust Fund	550.00
				Total for Payment No.:		550.00

Payment No: 653311

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	WARD'S AUTO SUPPLY, INC	00499644	014940	PARTS-STOCK	Fleet Operation Fund	389.27
09/17/2021	WARD'S AUTO SUPPLY, INC	00499645	015084	PARTS-STOCK	Fleet Operation Fund	22.42
09/17/2021	WARD'S AUTO SUPPLY, INC	00499646	015654	PARTS-V#3537	Fleet Operation Fund	134.49
				Total for Payment No.:		546.18

Payment No: 653195

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	BRIAN DANIELS	00500603	PRCK#91043	REPLACE OUTDATED PRCK#91043	Payroll Liability&ClearingAcct	539.55
				Total for Payment No.:		539.55

Payment No: 653294

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	PAVEMENT ENGINEERING, INC	00500519	2106-027	AGREEMENT FOR PUBLIC PARKING L	Public Buildings	530.00
				Total for Payment No.:		530.00

Payment No: 653129

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	SAMUEL ARVAYO	00499422	20484AUG2021	LEAK CREDIT FOR 2284 FORBES AV	Water Utility	524.05
				Total for Payment No.:		524.05

Payment No: 653152

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	GRAYBAR ELECTRIC	00499487	9322764630	CLOSET CONN HOUSE 2 RCK SP	Electric Utility Construction	261.62
09/10/2021	GRAYBAR ELECTRIC	00499487	9322764630	CLOSET CONN HOUSE 2 RCK SP	Electric Utility Construction	261.63
				Total for Payment No.:		523.25

Payment No: 653169

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	R.S. HUGHES COMPANY, INC.	00499016	79233635-00	ISOBUTYLENE	General Fund	517.41
				Total for Payment No.:		517.41

Payment No: 653327

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ALAN WOLF	00501137	13352AUG2021	COURT REIMB 8/23, 8/24/21	General Fund	512.81
				Total for Payment No.:		512.81

Payment No: 020281

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ASPEN ENVIRONMENTAL GROUP	00500060	3360.005-02	HOMESTEAD REBUILD TASK A-4	Electric Utility Construction	512.50
				Total for Payment No.:		512.50

Payment No: 653101

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	REGENTS OF THE UNIV OF CALIF	00500072	11026378	LEGAL REFERENCES-8/5/2021	General Fund	502.77
				Total for Payment No.:		502.77

Payment No: 653342

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CODE FOR FUN	00500991	1763	INSTRUCTOR PAYMENT FY 21-22 FO	General Fund	502.40
				Total for Payment No.:		502.40

Payment No: 653267

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CHRIS CAMPBELL	00500690	REFUND AR ITEM - CIT11498CR	REFUND CITATION	General Fund	500.00
				Total for Payment No.:		500.00

Payment No: 020433

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	FARWEST LINE SPECIALTIES LLC	00499622	338799	SHIPPING	Electric Utility	14.38
09/24/2021	FARWEST LINE SPECIALTIES LLC	00499622	338799	ERGO KNEELING PAD	Electric Utility	62.86
09/24/2021	FARWEST LINE SPECIALTIES LLC	00499788	332520	HASTINGS IMPACT WRENCH EXTEN	Electric Utility	393.08
09/24/2021	FARWEST LINE SPECIALTIES LLC	00499788	332520	SHIPPING	Electric Utility	21.92
				Total for Payment No.:		492.24

Payment No: 653377

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ROYAL BRASS INC	00499806	962986-001	PARTS-V#3256	Fleet Operation Fund	491.98
				Total for Payment No.:		491.98

Payment No: 653098

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	R.S. HUGHES COMPANY, INC.	00499020	79087655-00	RECYCLE 58L	General Fund	482.54
				Total for Payment No.:		482.54

Payment No: 653044

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	HAOYU CHEN	00499883	37041AUG2021	Bldg Plan Review BLD2021-61922	Building New Dvlpmnt Srvc Fee	466.41
09/03/2021	HAOYU CHEN	00499883	37041AUG2021	Rech Fee - PC BDIV & Permit	General Fund	15.72
				Total for Payment No.:		482.13

Payment No: 653121

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	METLIFE INDIVIDUAL LONG TERM	00500456	19647956SEP2021	BIWEEKLY PR METLIFE LONG TERM	Payroll Liability&ClearingAcct	478.06
				Total for Payment No.:		478.06

Payment No: 653379

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SANTA CLARA LIGHTING, INC.	00499748	21569	TASMAN	General Fund	166.96
09/24/2021	SANTA CLARA LIGHTING, INC.	00499749	22188	CH	General Fund	174.49
09/24/2021	SANTA CLARA LIGHTING, INC.	00499750	22367	LIGHTS	General Fund	121.57
				Total for Payment No.:		463.02

Payment No: 020296

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	GALE/CENGAGE LEARNING	00499003	74783111	1241 AD BK	General Fund	226.62
09/03/2021	GALE/CENGAGE LEARNING	00499077	74788418	1241 AD BK	General Fund	179.17
09/03/2021	GALE/CENGAGE LEARNING	00499292	74794832	1241 AD BK	General Fund	54.82
				Total for Payment No.:		460.61

Payment No: 020302

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	GREEN HALO SYSTEMS	00499965	3226	WASTETRACKING.COM MONTHLY FEES	Solid Waste Program	459.72
				Total for Payment No.:		459.72

Payment No: 653259

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ANTHONY SI	00500692	REFUND AR ITEM - CIT26918PDCR	REFUND CITATION	General Fund	150.00
09/17/2021	ANTHONY SI	00500693	REFUND AR ITEM - CIT26932CR	REFUND CITATION	General Fund	300.00
				Total for Payment No.:		450.00

Payment No: 653056

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	AZCO SUPPLY, INC.	00498640	299816	SLIP COUPLER	Electric Utility	445.27
				Total for Payment No.:		445.27

Payment No: 653368

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	OIL CHANGER	00499805	JUL 21 CAR WASH	JUL 21 CAR WASH	Fleet Operation Fund	438.00
				Total for Payment No.:		438.00

Payment No: 020397

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	GRAINGER-SAN JOSE	00499343	9013592200	EAR MUFFS OVER THE HEAD NRR30D	General Fund	428.60
				Total for Payment No.:		428.60

Payment No: 653188

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	VERIZON WIRELESS	00499293	9882613384	FIRE PREVENTION WIRELESS	General Fund	413.42
				Total for Payment No.:		413.42

Payment No: 020320

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	MIDWEST TAPE LLC	00498744	500796678	1236 AD DVD	General Fund	78.51
09/03/2021	MIDWEST TAPE LLC	00498744	500796678	1236 Juv DVD	General Fund	55.62
09/03/2021	MIDWEST TAPE LLC	00498744	500796678	1241 AD CD	General Fund	28.35
09/03/2021	MIDWEST TAPE LLC	00498744	500796678	1241 AD DVD	General Fund	19.62
09/03/2021	MIDWEST TAPE LLC	00498744	500796678	1233 AD DVD	General Fund	43.34
09/03/2021	MIDWEST TAPE LLC	00498744	500796678	1235 AD DVD	General Fund	179.66
				Total for Payment No.:		405.10

Payment No: 020332

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	WESTERN RENEWABLE ENERGY	00499086	WR27515	DELIVERABILITY-NERC TAG	Electric Utility	212.00
09/03/2021	WESTERN RENEWABLE ENERGY	00499086	WR27515	CERTS TRANSFERRED	Electric Utility	57.32
09/03/2021	WESTERN RENEWABLE ENERGY	00499086	WR27515	CERTS CREATED	Electric Utility	135.74
				Total for Payment No.:		405.06

Payment No: 653154

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	KAMBRIA EVANS PSYCHOTHERAPY,	00499379	13	COUNSELING #111 - SESS 13/20	General Fund	400.00
				Total for Payment No.:		400.00

Payment No: 653122

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	PATRICK WALSH	00500300	19270AUG2021	OFFICER 2D TRAINING	General Fund	399.00
				Total for Payment No.:		399.00

Payment No: 653353

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	FUGATE BUSINESS SOLUTIONS	00501126	5206	ACCOUNTING SERVICES FOR JUL 21	Deposit Funds.	399.00
				Total for Payment No.:		399.00

Payment No: 653034

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
08/30/2021	VEHICLE REGISTRATION	00499852	08/08/21-08/21/21JC	WAGE ATTACHMENT B2117	Payroll Liability&ClearingAcct	386.00
				Total for Payment No.:		386.00

Payment No: 653300

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SAN JOSE MAILING	00500619	5060	MAILING & POSTAGE	General Fund	330.81
09/17/2021	SAN JOSE MAILING	00500619	5060	MAILING 1200-1310 MEMOREX DR	General Fund	48.50
				Total for Payment No.:		379.31

Payment No: 653039

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/03/2021	KYEL RAMOS	00499149	36005AUG2021	REIMBURSE CWEA & CSM GRADE 1	Water Utility	372.00
				Total for Payment No.:		372.00

Payment No: 020349

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	BELL ELECTRICAL SUPPLY	00499427	5682013	CRC LIGHTS	General Fund	368.73
				Total for Payment No.:		368.73

Payment No: 653171

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	SANTA CLARA LIGHTING, INC.	00499451	22232	CITY HALL	General Fund	362.90
				Total for Payment No.:		362.90

Payment No: 653131

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	ALTEC INDUSTRIES INC	00499366	11713161	PARTS-V#3188	Fleet Operation Fund	271.91
09/10/2021	ALTEC INDUSTRIES INC	00499367	11714756	PARTS-STOCK	Fleet Operation Fund	88.44
				Total for Payment No.:		360.35

Payment No: 653303

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SUNNYVALE FORD	00499643	192544	PARTS-STOCK	Fleet Operation Fund	354.47
				Total for Payment No.:		354.47

Payment No: 653301

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SANTA CLARA LIGHTING, INC.	00499490	22227	20W A21/LED/HID/5000K/120-227V	General Fund	183.00
09/17/2021	SANTA CLARA LIGHTING, INC.	00499491	22230	13A19/LED/5K/90CRI ENCLOSED FI	General Fund	52.05

09/17/2021	SANTA CLARA LIGHTING, INC.	00499492	22214	LU100/MOG CLEAR	General Fund	117.53
				Total for Payment No.:		352.58

Payment No: 653263

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	BAYSHORE SAFETY & INDUSTRIAL	00500620	6340	HARD HAT, BULLARD WIDE-RIM STY	Electric Utility	347.24
				Total for Payment No.:		347.24

Payment No: 653309

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	UNITED SITE SERVICES INC	00499648	114-12221212	DAMAGE WAIVER	Electric Utility	9.95
09/17/2021	UNITED SITE SERVICES INC	00499648	114-12221212	ENVIRONMENTAL FEE	Electric Utility	8.06
09/17/2021	UNITED SITE SERVICES INC	00499648	114-12221212	RESTROOM RENT@MISSION7/22-8/18	Electric Utility	21.80
09/17/2021	UNITED SITE SERVICES INC	00499648	114-12221212	WKLY RESTRM SRV@MISS 7/22-8/18	Electric Utility	55.00
09/17/2021	UNITED SITE SERVICES INC	00499649	114-12231502	RESTROOM RENT@BROKAW 7/27-8/23	Electric Utility	21.80
09/17/2021	UNITED SITE SERVICES INC	00499649	114-12231502	WKLY SERVICE@BROKAW 7/27-8/23	Electric Utility	55.00
09/17/2021	UNITED SITE SERVICES INC	00499649	114-12231502	ENVIRONMENTAL FEE	Electric Utility	8.06
09/17/2021	UNITED SITE SERVICES INC	00499650	114-12254705	ADA ACCESS@SERRA SUB 8/3-8/30	Electric Utility Construction	10.91
09/17/2021	UNITED SITE SERVICES INC	00499650	114-12254705	WKLY ADA SRV@SERRA 8/3-8/30/21	Electric Utility Construction	138.00
09/17/2021	UNITED SITE SERVICES INC	00499650	114-12254705	ENVIRONMENTAL FEE	Electric Utility Construction	15.92
				Total for Payment No.:		344.50

Payment No: 653172

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	SCP DISTRIBUTORS LLC	00500442	36034867	REFILLABLE SANI CHLOR	General Fund	87.92

09/10/2021	SCP DISTRIBUTORS LLC	00500442	36034867	RETURNABLE CHEMICAL SHELL	General Fund	-72.39
09/10/2021	SCP DISTRIBUTORS LLC	00500444	36038000	50# DE POWDER	General Fund	295.03
				Total for Payment No.:		310.56

Payment No: 653384

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SOUTHERN COUNTIES LUBRICANTS, LLC	00499718	307090	CHEVRON GST 32	Water Utility	304.37
				Total for Payment No.:		304.37

Payment No: 653147

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	DON ANDO	00499465	1016848	EBIKE REBATE; 22934-03	Electric Utility	300.00
				Total for Payment No.:		300.00

Payment No: 020292

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	COAST COUNTIES TRUCK	00498835	0136112S.02	LABOR-V#3259 WO#130973	Fleet Operation Fund	251.26
09/03/2021	COAST COUNTIES TRUCK	00498835	0136112S.02	FEES- NONTXBL V#3259 WO#130973	Fleet Operation Fund	26.33
09/03/2021	COAST COUNTIES TRUCK	00498835	0136112S.02	SUPPLIES-V#3259 WO#130973	Fleet Operation Fund	19.24
				Total for Payment No.:		296.83

Payment No: 653233

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	RAJ SRINATH	00500587	72135-11 Utility Refund	UTILITY REFUND	General Fund	294.93
				Total for Payment No.:		294.93

Payment No: 653256

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	3M CO	00499497	9412290738	SUPPLIES - TRAFFIC	General Fund	285.74
				Total for Payment No.:		285.74

Payment No: 653222

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	JINDER'S THREADING SALON	00500561	35877-03 Utility Refund	UTILITY REFUND	General Fund	283.14
				Total for Payment No.:		283.14

Payment No: 653041

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	TONY LEAMAN	00499148	3271AUG2021	REIMBURSE CWEA & CSM GRADE 1	Water Utility	283.00
				Total for Payment No.:		283.00

Payment No: 020393

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	EMPLOYMENT SCREENING RESOURCES	00499665	232854	ONE EXEC HIRE AND ONE NERC	General Fund	281.00
				Total for Payment No.:		281.00

Payment No: 020462

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	TONY OCHOA	00499740	2004AUG2021	FY 2122 SFTY BOOT/CLOTH REIMB	Electric Utility	280.00
				Total for Payment No.:		280.00

Payment No: 653074

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CRIME SCENE CLEANERS INC	00500062	81618	CLEAN RV TOWED FOR EVIDENCE	General Fund	200.00

09/03/2021	CRIME SCENE CLEANERS INC	00500063	81624	CLEAN #3533	General Fund	70.00
				Total for Payment No.:		270.00

Payment No: 653175

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	SMART CITY NETWORKS, L.P.	00500341	070-001-07-2021	IT MONTHLY SERVICE FEES-7/21	Deposit Funds.	264.00
				Total for Payment No.:		264.00

Payment No: 653221

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	JIANG WANG	00500574	52295-03 Utility Refund	UTILITY REFUND	General Fund	255.86
				Total for Payment No.:		255.86

Payment No: 020352

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	CINTAS CORP #630	00499369	4092810641	SAFEWASHER MOBILE SRVC-TXBL	Fleet Operation Fund	31.07
09/13/2021	CINTAS CORP #630	00499369	4092810641	FLEET RENTALS	Fleet Operation Fund	223.97
				Total for Payment No.:		255.04

Payment No: 020435

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	GRAINGER-SAN JOSE	00499537	9017987943	MOP BUCKET AND WRINGER YELLOW	General Fund	251.41
				Total for Payment No.:		251.41

Payment No: 653125

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	CA FRANCHISE TAX BOARD	00500458	08/22/21-09/04/21NG	WAGE ATTACHMENT B2118	Payroll Liability&ClearingAcct	250.00

				Total for Payment No.:		250.00

Payment No: 653322

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CA FRANCHISE TAX BOARD	00501121	09/05/21-09/18/21NG	WAGE ATTACHMENT B2119	Payroll Liability&ClearingAcct	250.00
				Total for Payment No.:		250.00

Payment No: 653265

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	BOXWOOD TECHNOLOGY, INC	00500657	3737403	JOB POSTING-SALES MGR	Deposit Funds.	250.00
				Total for Payment No.:		250.00

Payment No: 653192

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	YOURMEMBERSHIP.COM INC	00500344	R51681204	30-DAY JOB POSTING	Deposit Funds.	249.00
				Total for Payment No.:		249.00

Payment No: 653341

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CITY OF SAN JOSE	00499739	20091285	2021 JUN 4495 N 1ST WATER MTR	Water Utility	244.66
				Total for Payment No.:		244.66

Payment No: 020424

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	BAKER & TAYLOR BOOKS	00499727	2036148879	1233 AD BK	General Fund	101.32
09/24/2021	BAKER & TAYLOR BOOKS	00499728	2036148880	1235 AD BK	General Fund	142.53
				Total for Payment No.:		243.85

Payment No: 653277

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	FLEETPRIDE, INC.	00499616	80351776	LABOR- V#3028	Fleet Operation Fund	70.00
09/17/2021	FLEETPRIDE, INC.	00499616	80351776	PARTS-V#3028	Fleet Operation Fund	165.37
09/17/2021	FLEETPRIDE, INC.	00499616	80351776	HAZ FEE- V#3028 NONTXBL	Fleet Operation Fund	5.00
				Total for Payment No.:		240.37

Payment No: 653262

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	BAKER SUPPLIES AND REPAIRS	00499586	20809	PARTS-V#3407	Fleet Operation Fund	239.20
				Total for Payment No.:		239.20

Payment No: 653200

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ANGELA SCHECHINGER	00500566	46350-10 Utility Refund	UTILITY REFUND	General Fund	231.01
				Total for Payment No.:		231.01

Payment No: 653395

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	UNITED PARCEL SERVICE	00500989	00009882E5321A	DELIVERY CHARGES	Electric Utility	54.56
09/24/2021	UNITED PARCEL SERVICE	00500992	00009882E5331A	DELIVERY CHARGES	Water Utility	76.94
09/24/2021	UNITED PARCEL SERVICE	00500999	00009882E5341A	DELIVERY CHARGES	Fleet Operation Fund	15.81
09/24/2021	UNITED PARCEL SERVICE	00500999	00009882E5341A	DELIVERY CHARGES	Water Utility	50.91
09/24/2021	UNITED PARCEL SERVICE	00500999	00009882E5341A	DELIVERY CHARGES	General Fund	31.36
				Total for Payment No.:		229.58

Payment No: 653065

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CA DEPT OF INDUSTRIAL RELATIONS	00499768	E 1809665 SJ	CONVEYANCE CHG ELVTR 850	Electric Utility	225.00

				DUANE		
				Total for Payment No.:		225.00

Payment No: 020346

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	ANIXTER INC.	00499429	4993715-01	GLASSES, SHADE 20/CS	Electric Utility	219.67
				Total for Payment No.:		219.67

Payment No: 653378

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SAFETY-KLEEN SYSTEMS INC	00499807	86783206	HAZ MAT - JUL 21	Fleet Operation Fund	217.00
				Total for Payment No.:		217.00

Payment No: 653273

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	DUNN-EDWARDS CORP	00499460	2011174557	ROLLER TRAY 9"	General Fund	39.70
09/17/2021	DUNN-EDWARDS CORP	00499483	2011174556	VERSHIELD EXT SG L BASE SP 64	General Fund	173.38
				Total for Payment No.:		213.08

Payment No: 653177

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	STEVENS CREEK CHRYSLER JEEP	00499430	372761	PARTS-V#3090	Fleet Operation Fund	210.82
				Total for Payment No.:		210.82

Payment No: 653304

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SUPERCO SPECIALTY PRODUCTS	00500622	PSI408450	BARRICADE TAPE, "CAUTION CONST	Electric Utility	208.70
				Total for Payment No.:		208.70

Payment No: 653383

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SHRED-IT USA LLC	00499857	8182494176	INFORMATION TECHNOLOGY	Information Technology Service	45.70
09/24/2021	SHRED-IT USA LLC	00499857	8182494176	CCO - RECORDS CENTER	General Fund	22.85
09/24/2021	SHRED-IT USA LLC	00499857	8182494176	FINANCE - MUNICIPAL SERVICES	General Fund	22.85
09/24/2021	SHRED-IT USA LLC	00499857	8182494176	FINANCE - ACCOUNTING & PAYROLL	General Fund	45.71
09/24/2021	SHRED-IT USA LLC	00499857	8182494176	HOUSING	General Fund	22.85
09/24/2021	SHRED-IT USA LLC	00499857	8182494176	HUMAN RESOURCES	General Fund	22.85
09/24/2021	SHRED-IT USA LLC	00499857	8182494176	CITY ATTORNEY'S OFFICE	General Fund	22.85
				Total for Payment No.:		205.66

Payment No: 653205

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	BRANDZONE INC	00500548	12241-05 Utility Refund	UTILITY REFUND	General Fund	205.44
				Total for Payment No.:		205.44

Payment No: 020430

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	COAST COUNTIES TRUCK	00499773	01136579P	PARTS-STOCK	Fleet Operation Fund	205.42
				Total for Payment No.:		205.42

Payment No: 020287

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BERLITZ LANGUAGES, INC	00499977	001-274-21-02130	BILINGUAL TESTING - TWO EMPL.	General Fund	200.00
				Total for Payment No.:		200.00

Payment No: 653331

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/24/2021	AT&T CALNET	00499751	000016928619	BN9391023689 7/20/21-8/19/21	Electric Utility	199.52
				Total for Payment No.:		199.52

Payment No: 020411

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	PG&E	00499557	3135894939-9 JUL2021A	ELE SVC BENICIA PUMPHOUS JUL21	Electric Utility	42.39
09/17/2021	PG&E	00499652	3219228267-4JUL2021A	ELE SVC BENICIA HOUSE JUL21	Electric Utility	156.93
				Total for Payment No.:		199.32

Payment No: 653214

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ESTUARDO GONZALEZ	00500553	22597-11 Utility Refund	UTILITY REFUND	General Fund	198.22
				Total for Payment No.:		198.22

Payment No: 020290

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CAVENDISH SQUARE PUBLISHING LLC	00499002	CAL331901I	1231 JUV BK	General Fund	194.25
				Total for Payment No.:		194.25

Payment No: 020418

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	WESTERN STATES OIL CO	00499647	456211	UNLDED- PD MOTORCYCLS	Fleet Operation Fund	188.07
				Total for Payment No.:		188.07

Payment No: 653190

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	VERIZON WIRELESS	00499303	9882622478	METER READERS WIRELESS	General Fund	185.81

				Total for Payment No.:		185.81

Payment No: 653317

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SONG, SOONSIL	00500935	00075025-2 Utility Refund	UTILITY REFUND	General Fund	185.74
				Total for Payment No.:		185.74

Payment No: 020464

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	UNITED REFRIGERATION INC	00499754	80048707-00	SUPPLIES	General Fund	184.86
				Total for Payment No.:		184.86

Payment No: 653249

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	TRUEBECK CONSTRUCTION	00500554	24516-10 Utility Refund	UTILITY REFUND	General Fund	183.17
				Total for Payment No.:		183.17

Payment No: 653213

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ELSA SARCENO	00500565	44403-08 Utility Refund	UTILITY REFUND	General Fund	177.79
				Total for Payment No.:		177.79

Payment No: 020401

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	IMPERIAL SPRINKLER SUPPLY INC	00499493	4788292-00	P-70HP GLUE PURPLE LOW VOC PRI	General Fund	46.14
09/17/2021	IMPERIAL SPRINKLER SUPPLY INC	00499498	4759673-00	SUPPLIES-PNB	General Fund	34.74
09/17/2021	IMPERIAL SPRINKLER SUPPLY INC	00499499	4782513-00	SUPPLIES-PNB	General Fund	96.00
				Total for Payment No.:		176.88

Payment No: 653260

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ARAMARK UNIFORM SERVICES	00500504	511000113020	CLEANING SVC / SHOP TOWELS / F	Electric Utility	176.50
				Total for Payment No.:		176.50

Payment No: 653051

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ARAMARK UNIFORM SERVICES	00500078	511000109104	CLEANING SVC / SHOP TOWELS / F	Electric Utility	176.50
				Total for Payment No.:		176.50

Payment No: 653330

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ARAMARK UNIFORM SERVICES	00500994	511000117071	CLEANING SVC / SHOP TOWELS / F	Electric Utility	176.50
				Total for Payment No.:		176.50

Payment No: 653225

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	KENDRA LIVINGSTON	00500557	25305-13 Utility Refund	UTILITY REFUND	General Fund	175.52
				Total for Payment No.:		175.52

Payment No: 020359

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	KINOKUNIYA BOOKSTORES OF AMERICA CO. LTD	00499354	SJ1883	1241 AD BK	General Fund	50.06
09/13/2021	KINOKUNIYA BOOKSTORES OF AMERICA CO. LTD	00499355	SJ1884	1231 JUV BK	General Fund	123.30
				Total for Payment No.:		173.36

Payment No: 653086

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ICONIX WATERWORKS (US) INC	00498820	U2116037272	COLOR CODE IS BLACK	General Fund	171.48
				Total for Payment No.:		171.48

Payment No: 653142

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	CONSOLIDATED PARTS INC	00499433	5068732	TOOLS	General Fund	164.24
				Total for Payment No.:		164.24

Payment No: 653045

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	KELLEY NICHOLS	00499898	37042AUG2021	Electric Permit BLD2021-62099	Building New Dvlpmnt Srvc Fee	164.00
				Total for Payment No.:		164.00

Payment No: 653043

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	ANTHONY ARCH	00499876	37018AUG2021	Electric Permit BLD2021-61475	Building New Dvlpmnt Srvc Fee	164.00
				Total for Payment No.:		164.00

Payment No: 653178

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	STORAGE EXPRESS INC	00499361	70284	20-FT STORAGE CONTAINER RENTAL	Electric Utility	81.85
09/10/2021	STORAGE EXPRESS INC	00499489	70121	20-FT STORAGE CONTAINER RENTAL	Electric Utility	81.85
				Total for Payment No.:		163.70

Payment No: 653393

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	TURF STAR INC	00499810	7188807-00	PARTS-STOCK	Fleet Operation Fund	159.97
				Total for Payment No.:		159.97

Payment No: 653292

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	NICHOLAS & MARY ELLEN LIVAK	00500694	REFUND AR ITEM - CIT2100026CR	REFUND CITATION	General Fund	150.00
				Total for Payment No.:		150.00

Payment No: 653286

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	MARTIN FORMICO	00500691	REFUND AR ITEM - CIT25956CR	REFUND CITATION	General Fund	150.00
				Total for Payment No.:		150.00

Payment No: 653124

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	CA FRANCHISE TAX BOARD	00500457	08/22/21-09/04/21CB	WAGE ATTACHMENT B2118	Payroll Liability&ClearingAcct	150.00
				Total for Payment No.:		150.00

Payment No: 653321

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CA FRANCHISE TAX BOARD	00501120	09/05/21-09/18/21CB	WAGE ATTACHMENT B2119	Payroll Liability&ClearingAcct	150.00
				Total for Payment No.:		150.00

Payment No: 653080

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/03/2021	EQUIFAX CREDIT INFORMATION SVC	00500080	6459719	CREDIT CHECKS	General Fund	37.14
09/03/2021	EQUIFAX CREDIT INFORMATION SVC	00500081	6419565	CREDIT CHECKS	General Fund	111.87
				Total for Payment No.:		149.01

Payment No: 653229

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	MASAMI ADACHI	00500592	75344-02 Utility Refund	UTILITY REFUND	General Fund	146.44
				Total for Payment No.:		146.44

Payment No: 653340

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CHRIS HJELTNESS	00499894	37020AUG2021	Bldg Plan Review BLD2021-62009	Building New Dvlpmnt Srvc Fee	143.40
				Total for Payment No.:		143.40

Payment No: 653228

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	MAKSYM KHARYTONCHUK	00500558	27646-17 Utility Refund	UTILITY REFUND	General Fund	140.73
				Total for Payment No.:		140.73

Payment No: 653248

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	TOMOYA MORIMAGA	00500590	73278-13 Utility Refund	UTILITY REFUND	General Fund	139.11
				Total for Payment No.:		139.11

Payment No: 653236

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	REICHHOLD, RALPH	00500591	74733-01 Utility RefundA	UTILITY REFUND	General Fund	138.82
				Total for Payment No.:		138.82

Payment No: 653120

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	CAL PERS LONG TERM CARE PROGRAM	00500464	14073267	BIWEEKLY PR CALPERS LT	Payroll Liability&ClearingAcct	138.01
				Total for Payment No.:		138.01

Payment No: 653313

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	CAL PERS LONG TERM CARE PROGRAM	00501115	14080012	BIWEEKLY PR CALPERS LT-B2119	Payroll Liability&ClearingAcct	138.01
				Total for Payment No.:		138.01

Payment No: 653197

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	MARK HOLTZ	00499651	7840AUG2021	BOOT/CLOTHING REIMBURSE 21/22	Electric Utility	136.23
				Total for Payment No.:		136.23

Payment No: 020350

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	BOUNDTREE MEDICAL LLC	00499478	84169447	MEDICAL SUPPLIES - MEDICATION	General Fund	135.70
				Total for Payment No.:		135.70

Payment No: 653094

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	LEGAL PURSUIT INC	00500028	5929174	LEGAL COURIER-AUGUST 9,2021	General Fund	135.00
				Total for Payment No.:		135.00

Payment No: 653048

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/03/2021	RUSLAN KHUSNIYAROV	00499899	37051AUG2021	Bldg Plan Review BLD2021-62269	Building New Dvlpmnt Srvc Fee	129.64
				Total for Payment No.:		129.64

Payment No: 653297

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	REGENTS OF THE UNIV OF CALIF	00500638	12152277	LEGAL REFERENCES-8/20/21	General Fund	129.00
				Total for Payment No.:		129.00

Payment No: 020323

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	NALCO CO	00499226	6600613753	SOLN S0234 BOTTLE 1LTR 8/12/21	Electric Utility	126.03
09/03/2021	NALCO CO	00499226	6600613753	TRANSPORTATION/ENERGY FEE	Electric Utility	0.07
				Total for Payment No.:		126.10

Payment No: 653365

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	MT TIRE SERVICE, LLC	00499617	17300	LABOR-V#3224 WO#131231	Fleet Operation Fund	35.00
09/24/2021	MT TIRE SERVICE, LLC	00499618	17301	LABOR-V#3224 WO#131267	Fleet Operation Fund	30.00
09/24/2021	MT TIRE SERVICE, LLC	00499619	17303	LABOR-V#3144 WO#131250	Fleet Operation Fund	60.00
				Total for Payment No.:		125.00

Payment No: 653316

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SHANNON MOYA	00499890	36950AUG2021	ICC Building Plan Examiner	Building Fee Admin Retainage	121.00
				Total for Payment No.:		121.00

Payment No: 653218

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	HUISHAN ZHANG	00500559	32697-15 Utility Refund	UTILITY REFUND	General Fund	115.88
				Total for Payment No.:		115.88

Payment No: 653238

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	RENNE MONTERO	00500556	24986-27 Utility Refund	UTILITY REFUND	General Fund	115.47
				Total for Payment No.:		115.47

Payment No: 653149

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	FEDERAL EXPRESS	00499486	7-466-92310	MISC. SHIPPING DVR	Electric Utility	110.33
				Total for Payment No.:		110.33

Payment No: 653215

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	HAMSIKA SHETTY	00500597	76797-04 Utility Refund	UTILITY REFUND	General Fund	99.21
				Total for Payment No.:		99.21

Payment No: 020452

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PG&E	00499763	1501762727-2 JUL2021	ELEC SVC HIGH LINE CANAL JUN21	Electric Utility	98.54
				Total for Payment No.:		98.54

Payment No: 020284

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BAY AREA DATA SUPPLY	00499164	207033	TONER - M425 (PAYROLL)	General Fund	98.21
				Total for Payment No.:		98.21

Payment No: 653230

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	MICHAEL BECERRA	00500570	49378-02 Utility Refund	UTILITY REFUND	General Fund	98.21
				Total for Payment No.:		98.21

Payment No: 020362

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	MIDWEST TAPE LLC	00499281	500831536	1236 AD DVD	General Fund	19.62
09/13/2021	MIDWEST TAPE LLC	00499281	500831536	1241 AD CD	General Fund	16.47
09/13/2021	MIDWEST TAPE LLC	00499281	500831536	1241 AD DVD	General Fund	19.62
09/13/2021	MIDWEST TAPE LLC	00499281	500831536	1235 AD DVD	General Fund	34.06
				Total for Payment No.:		89.77

Payment No: 020353

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	COAST COUNTIES TRUCK	00499380	01135495P	PARTS-STOCK	Fleet Operation Fund	86.80
				Total for Payment No.:		86.80

Payment No: 653113

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	UNITED SITE SERVICES INC	00499228	114-12240951	RESTROOM RENT@WALSH 7/29-8/25	Electric Utility	21.80
09/03/2021	UNITED SITE SERVICES INC	00499228	114-12240951	WKLY RESTRM SRV@WALSH 7/29-8/2	Electric Utility	55.00
09/03/2021	UNITED SITE SERVICES INC	00499228	114-12240951	ENVIRONMENTAL FEE	Electric Utility	8.06
				Total for Payment No.:		84.86

Payment No: 653251

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	UTKARSH GUPTA	00500575	53937-15 Utility Refund	UTILITY REFUND	General Fund	84.53

				Total for Payment No.:		84.53

Payment No: 653183

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	TURF STAR INC	00499476	7187956-00	PARTS-V#3324	Fleet Operation Fund	82.97
				Total for Payment No.:		82.97

Payment No: 653209

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	COGWELL INC	00500547	12221-06 Utility Refund	UTILITY REFUND	General Fund	82.54
				Total for Payment No.:		82.54

Payment No: 020316

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	KINOKUNIYA BOOKSTORES OF AMERICA CO. LTD	00499301	INV-0000015289	1241 AD PR	General Fund	81.16
				Total for Payment No.:		81.16

Payment No: 653184

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	UNITED SITE SERVICES INC	00499227	114-12240870	RSTRM RENT@AGNEWSUB 7/29-8/25	Electric Utility	10.91
09/10/2021	UNITED SITE SERVICES INC	00499227	114-12240870	WKLY SVC @AGNEW SUB 7/29-8/25	Electric Utility	55.00
09/10/2021	UNITED SITE SERVICES INC	00499227	114-12240870	DAMAGE WAIVER	Electric Utility	7.95
09/10/2021	UNITED SITE SERVICES INC	00499227	114-12240870	ENVIRONMENTAL FEE	Electric Utility	6.99
				Total for Payment No.:		80.85

Payment No: 653232

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid

09/17/2021	PAWAN GHILDIYAL	00500571	49380-04 Utility Refund	UTILITY REFUND	General Fund	79.67
				Total for Payment No.:		79.67

Payment No: 653291

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	NI GOVERNMENT SERVICES	00500628	21072908551	MONTHLY FEES SATTELITE RADIOS	General Fund	77.37
				Total for Payment No.:		77.37

Payment No: 020422

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	ANIXTER INC.	00499738	5006118-00	LOCK BARREL KEY *SLIDE FINGER	Electric Utility	77.22
				Total for Payment No.:		77.22

Payment No: 653199

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	TSENG, JEN-LUNG	00500505	00079156-01 Utility Refund	UTILITY REFUND	General Fund	76.65
				Total for Payment No.:		76.65

Payment No: 653381

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SANTA CLARA WINDUSTRIAL CO	00499756	022118 01	FS LEAK	General Fund	75.77
				Total for Payment No.:		75.77

Payment No: 020425

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	BUCKLES-SMITH	00499431	3248360-00	SUPPLIES	General Fund	75.60
				Total for Payment No.:		75.60

Payment No: 653369

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PACIFIC TELEMANAGEMENT SVCS	00499503	2072840	PAY PHONE 9-1 TO 9-30-21	Information Technology Service	75.00
				Total for Payment No.:		75.00

Payment No: 653189

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	VERIZON WIRELESS	00499296	9882613385	CDD WIRELESS	General Government - Other	24.53
09/10/2021	VERIZON WIRELESS	00499296	9882613385	CMO WIRELESS	General Fund	49.06
				Total for Payment No.:		73.59

Payment No: 653355

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	GOLDEN GATE TRUCK CENTER	00499803	FA005077254:01	PARTS-V#2822	Fleet Operation Fund	72.47
				Total for Payment No.:		72.47

Payment No: 653107

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	SANTA CLARA WINDUSTRIAL CO	00499035	024639 01	THREAD SEALANT, "O" WHEEL	Water Utility	71.21
				Total for Payment No.:		71.21

Payment No: 653212

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	DIVYA SUSHANA RANI	00500562	39890-04 Utility Refund	UTILITY REFUND	General Fund	66.15
				Total for Payment No.:		66.15

Payment No: 653153

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	JOON LEE	00499464	1013869	EBIKE REBATE; 55593-06	Electric Utility	59.80
				Total for Payment No.:		59.80

Payment No: 020376

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	UNITED REFRIGERATION INC	00499453	79691684-00	SUPPLIES	General Fund	10.19
09/13/2021	UNITED REFRIGERATION INC	00499454	80224299-00	PARKS GRANT REED ICE MAKER	General Fund	49.26
				Total for Payment No.:		59.45

Payment No: 653130

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	ALHAMBRA & SIERRA SPRINGS	00499365	4973747 080621	WATER- OFFICE USE JULY 21	Fleet Operation Fund	58.22
				Total for Payment No.:		58.22

Payment No: 653247

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	TOMOKI MORIJIRI	00500593	75523-06 Utility Refund	UTILITY REFUND	General Fund	57.81
				Total for Payment No.:		57.81

Payment No: 020326

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	PG&E	00499229	2937321050-8 AUG2021	COGEN GAS HEATERS JUL21	Electric Utility	56.26
				Total for Payment No.:		56.26

Payment No: 653223

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	KALPESH PATEL	00500588	72322-05 Utility Refund	UTILITY REFUND	General Fund	54.62

				Total for Payment No.:		54.62

Payment No: 653064

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BSN SPORTS, LLC	00499120	913244955	HEAVY DUTY ANTI-WHIP NET	General Fund	54.45
				Total for Payment No.:		54.45

Payment No: 653037

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	JONATHAN YEE	00499111	37032AUG2021	RMBRSMNT SV BIKE SUMMIT 2021	General Fund	53.49
				Total for Payment No.:		53.49

Payment No: 653288

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	MUNICIPAL MAINTENANCE EQUIPMNT	00499620	0162424-IN	PARTS-V#3224	Fleet Operation Fund	53.36
				Total for Payment No.:		53.36

Payment No: 653237

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	RENE TEX	00500578	57622-18 Utility Refund	UTILITY REFUND	General Fund	50.31
				Total for Payment No.:		50.31

Payment No: 653361

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	KRISTINA KOLSTAD	00501102	08/25/21 CLASS REFUND	PARKS DEPT REFUND	General Fund	50.00
				Total for Payment No.:		50.00

Payment No: 653128

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	US TREASURY	00500459	08/22/21-09/04/21JO	WAGE ATTACHMENT	Payroll Liability&ClearingAcct	50.00
				Total for Payment No.:		50.00

Payment No: 653324

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	US TREASURY	00501122	09/05/21-09/18/21JO	WAGE ATTACHMENT B2119	Payroll Liability&ClearingAcct	50.00
				Total for Payment No.:		50.00

Payment No: 020282

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	BADGER METER INC	00498641	80078801	ORION CELLULAR SERVICE	Water Utility	45.00
				Total for Payment No.:		45.00

Payment No: 653261

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	BAKER DISTRIBUTING COMPANY LLC	00499432	CI56191	SUPPLIES	General Fund	44.63
				Total for Payment No.:		44.63

Payment No: 020347

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	BAKER & TAYLOR BOOKS	00499351	2036123453	1235 AD BK	General Fund	42.37
				Total for Payment No.:		42.37

Payment No: 653217

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	HONGBAO ZHANG	00500564	44362-23 Utility Refund	UTILITY REFUND	General Fund	41.43

				Total for Payment No.:		41.43

Payment No: 653335

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	BSN SPORTS, LLC	00499538	913363966	TUFFY WINDSCREEN 6' HIGH	General Fund	41.29
				Total for Payment No.:		41.29

Payment No: 653035

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	CONRAD REYNOLDS	00499249	02299AUG2021	CAP REIMBURSE AUGUST	General Fund	40.00
				Total for Payment No.:		40.00

Payment No: 020345

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	AMAZON.COM	00499350	90AUG2021	1241 AD BK	General Fund	17.82
09/13/2021	AMAZON.COM	00499350	90AUG2021	1231 JUV BK	General Fund	20.89
				Total for Payment No.:		38.71

Payment No: 653216

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	HETAL B SHETH	00500555	24637-13 Utility Refund	UTILITY REFUND	General Fund	37.74
				Total for Payment No.:		37.74

Payment No: 653226

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	KYLE BAMBRICK	00500552	21936-27 Utility Refund	UTILITY REFUND	General Fund	37.50
				Total for Payment No.:		37.50

Payment No: 020368

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	PRAXAIR DISTRIBUTION INC	00499418	64906207	CYNLDR RNTL- SHOP USE	Fleet Operation Fund	37.39
				Total for Payment No.:		37.39

Payment No: 653255

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	YAMIN MOUSA	00500551	13485-24 Utility Refund	UTILITY REFUND	General Fund	36.26
				Total for Payment No.:		36.26

Payment No: 653231

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	NIKOLAI KNYZHOV	00500599	81139-02 Utility Refund	UTILITY REFUND	General Fund	33.59
				Total for Payment No.:		33.59

Payment No: 020453

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	PG&E	00499764	1501762727-2 JUN2021	ELEC SVC HIGH LINE CANAL JUN21	Electric Utility	33.00
				Total for Payment No.:		33.00

Payment No: 020357

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	GALE/CENGAGE LEARNING	00499353	74809823	1241 AD BK	General Fund	31.09
				Total for Payment No.:		31.09

Payment No: 020438

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	IMPERIAL SPRINKLER SUPPLY INC	00499851	4797816-00	FTGS80 4"X2" BUSH NH SCH80 PVC	General Fund	30.62

				Total for Payment No.:		30.62

Payment No: 020293

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/03/2021	COMCAST	00499089	7/27/21AC8155100091701 239	COMCAST LIB 2635 HOMESTEAD RD	General Fund	26.74
				Total for Payment No.:		26.74

Payment No: 653211

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CUONG NGUYEN	00500589	73117-13 Utility Refund	UTILITY REFUND	General Fund	25.87
				Total for Payment No.:		25.87

Payment No: 653208

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CHRISTOS GEKAS	00500596	76514-04 Utility Refund	UTILITY REFUND	General Fund	22.38
				Total for Payment No.:		22.38

Payment No: 653204

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	BENJAMIN LIN	00500584	68125-14 Utility Refund	UTILITY REFUND	General Fund	21.54
				Total for Payment No.:		21.54

Payment No: 653202

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ASHKAN ALIABADI	00500572	49517-11 Utility Refund	UTILITY REFUND	General Fund	20.38
				Total for Payment No.:		20.38

Payment No: 020361

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/13/2021	MCCAMPBELL ANALYTICAL INC	00500383	2108577	Laboratory Services with McCam	Water Utility	20.00
				Total for Payment No.:		20.00

Payment No: 653220

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	JESSICA CHAU	00500594	75738-07 Utility Refund	UTILITY REFUND	General Fund	17.45
				Total for Payment No.:		17.45

Payment No: 653234

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	REACTION TECHNOLOGY	00500579	62059-01 Utility Refund	UTILITY REFUND	General Fund	17.25
				Total for Payment No.:		17.25

Payment No: 653206

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CAROLINE KIM	00500583	67174-06 Utility Refund	UTILITY REFUND	General Fund	16.60
				Total for Payment No.:		16.60

Payment No: 653253

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	WU, HAO	00500573	50541-06 Utility Refund	UTILITY REFUND	General Fund	16.51
				Total for Payment No.:		16.51

Payment No: 653243

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SHEENA ALBERT	00500569	49235-09 Utility Refund	UTILITY REFUND	General Fund	15.91
				Total for Payment No.:		15.91

Payment No: 020410

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	PG&E	00499640	8733459618-3 AUG2021	GAS SVC 3025 RAYMOND AUG2021	Electric Utility	15.64
				Total for Payment No.:		15.64

Payment No: 653387

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/24/2021	SUNNYVALE FORD	00499808	192705	PARTS-V#3535	Fleet Operation Fund	13.14
				Total for Payment No.:		13.14

Payment No: 653254

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	XU YANG	00500550	12899-15 Utility Refund	UTILITY REFUND	General Fund	13.05
				Total for Payment No.:		13.05

Payment No: 653193

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ALDRIDGE, ROBERT	00500506	00073810-01 Utility Refund	UTILITY REFUND	General Fund	12.71
				Total for Payment No.:		12.71

Payment No: 653244

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SPANDAN KACHHADIYA	00500595	75775-09 Utility Refund	UTILITY REFUND	General Fund	12.41
				Total for Payment No.:		12.41

Payment No: 653186

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/10/2021	VERIZON WIRELESS	00499282	9881242062	WATER-SEWER WIRELESS	Sewer Utility	4.74

09/10/2021	VERIZON WIRELESS	00499282	9881242062	WATER-SEWER WIRELESS	Water Utility	4.74
09/10/2021	VERIZON WIRELESS	00499282	9881242062	WATER-SEWER WIRELESS	Water Recycling Program	2.37
				Total for Payment No.:		11.85

Payment No: 653201

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	ARUN KALLURI	00500585	70927-14 Utility Refund	UTILITY REFUND	General Fund	10.72
				Total for Payment No.:		10.72

Payment No: 653239

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	RODRIGO VELASQUEZ	00500577	56796-28 Utility Refund	UTILITY REFUND	General Fund	9.79
				Total for Payment No.:		9.79

Payment No: 653240

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	RUI ZHANG	00500546	11869-16 Utility Refund	UTILITY REFUND	General Fund	9.33
				Total for Payment No.:		9.33

Payment No: 653224

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	KAZUHIRO YOKOI	00500586	72033-11 Utility Refund	UTILITY REFUND	General Fund	9.19
				Total for Payment No.:		9.19

Payment No: 653210

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	CORINA MUNIZ	00500582	66963-14 Utility Refund	UTILITY REFUND	General Fund	8.41
				Total for Payment No.:		8.41

Payment No: 653242

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SHAUNG CHENG	00500598	78786-06 Utility Refund	UTILITY REFUND	General Fund	7.33
				Total for Payment No.:		7.33

Payment No: 653257

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	A TOOL SHED	00500499	1512949-4COR	DISCOUNT TAKEN IN ERROR	Water Utility	6.92
				Total for Payment No.:		6.92

Payment No: 653245

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	STUART BOWEN	00500568	48289-04 Utility Refund	UTILITY REFUND	General Fund	6.48
				Total for Payment No.:		6.48

Payment No: 653252

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	VIBHUTI KHURANA	00500549	12850-23 Utility Refund	UTILITY REFUND	General Fund	5.59
				Total for Payment No.:		5.59

Payment No: 653241

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	SARAH SHEA	00500563	44103-09 Utility Refund	UTILITY REFUND	General Fund	5.47
				Total for Payment No.:		5.47

Payment No: 653219

Payment Date	Vendor Name	Voucher No.	Invoice No.	Description	Fund Code	Amount Paid
09/17/2021	JENNY LIU	00500567	47399-09 Utility Refund	UTILITY REFUND	General Fund	5.01

Total for Payment No.:	5.01
Overall Total	49,803,784.96

21-1173 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Action on Monthly Financial Status and Investment Report for July and August 2021 and Approve Related Budget Amendments

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
In compliance with the Charter of the City of Santa Clara and the adopted Investment Policy, the monthly financial reports and monthly investment reports for July and August 2021 are submitted for your information. The financial reviews as of July 31, 2021 and August 31, 2021 provide a year-to-date financial update to the City Council for the current fiscal year. The analysis of the revenues collected and all expenditures measures the level of adherence to the established resource allocation plan and allows the City to monitor and project revenues and expenditures throughout the year.

The Adopted Budget incorporates the estimated revenues and planned expenditures for all funds. The attached Financial Status Report provides the budget to actual revenue and expenditure summaries for the General Fund, Special Revenue Funds and Enterprise Operating Funds, as well as expenditure summary for Capital Improvement Funds and Fund Reserve Balances. Any significant variances are explained in the report.

In accordance with City Council Policy 051 - Donations to the City, included in this report is a monthly activity and annual summary of donations received by department. Although the requirement of the policy is to report quarterly, in its ongoing effort to streamline reporting, the City will include this information monthly in the financial status report.

DISCUSSION

Monthly Financial Status Report (Attachments 1 and 3)
The attached reports summarize the City's financial performances as of July 31, 2021 and August 31, 2021. Financial analysis for the report is provided for the General Fund, select Special Revenue Funds, Enterprise Operating Funds, and Capital Improvement Funds.

Attachment 1 shows that General Fund revenues were trending below budget at 2% through July 2021, largely due to the timing of payments, while Attachment 3 shows General Fund revenues at 4.6% through August 2021. In both cases, the revenues in some categories received in July and August account for activity that occurred in FY 2020/21 and those revenues are accrued back to that year. In other cases, such as property tax, most payments are scheduled to occur later in the fiscal year. While it is very early in the fiscal year and limited data is available, General Fund revenues are

currently tracking with estimated levels. However, concerns remain regarding continued impacts of COVID-19 as the Delta variant and vaccine hesitancy may impact the speed of economic recovery and revenue collections.

As shown in Attachment 1, General Fund departmental expenditures were at 7.6% of budget through July 2021 and Attachment 3 shows departmental expenditures at 15.4% through August 2021. Several cost-control measures that were implemented in FY 2019/20 remain in place to generate expenditure savings to partially offset the drop in revenues associated with COVID-19. These measures include a hiring freeze and controls around overtime, as-needed staff, marketing, travel, technology and vehicle purchases. Expenditure savings are expected by year-end.

As shown in Attachment 1 (July 2021) and Attachment 3 (August 2021), total revenues for Enterprise Funds (Electric, Water, Sewer, Cemetery, Solid Waste, and Water Recycling) were at 1% (July 2021) and 9.8% (August 2021) of the budget. Total expenses were at 6.8% through July and 15% through August.

In the month of July, the City received $85,050 in donations, while the City received an additional $3,175 in August, for total donations of $88,225.

Many economic indicators have improved significantly since the start of the pandemic, but some have not returned to pre-pandemic levels. On a national level, the unemployment rate decreased slightly from 5.4% in July 2021 to 5.2% in August 2021. This rate was well below the record setting high of 14.7% in April 2020, but above the pre-pandemic unemployment rate of 3.5%. In August, the number of unemployed persons fell to 8.4 million from 8.7 million in July. This unemployment figure remains well above the pre-pandemic level of 5.7 million. In the second quarter 2021 estimate, the Gross Domestic Product (GDP) increased by 6.6% as a result of the reopening of businesses. While GDP has now surpassed the pre-COVID peak in the second quarter 2021, it has not yet reached the pre-pandemic trend. Per the September 2021 UCLA Anderson Forecast, GDP is not expected to reach the pre-COVID trend until the third quarter 2023. The September 2021 UCLA Forecast also projects a slower economic rebound as the Delta variant spreads and COVID continues to impact supply chains, which is a shift from the strong recovery projected in the March and June 2021 Forecasts.

Improvement continues at the State and local level. After the State's largest increase in the unemployment rate in April 2020, the California unemployment rate dropped to 7.5% in August 2021. California has now regained nearly 62.1% of the 2.7 million jobs lost due to COVID-19 in March and April 2020. The unemployment rate in this region continues to outperform the State and the nation. The unadjusted unemployment rate in the San Jose-Sunnyvale-Santa Clara Metropolitan Statistical Area (MSA) was 4.8% in August 2021, down from 5.0% in July 2021 and 8.2% in August 2020 but above the February 2020 level of 2.6%.

Staff will continue to closely monitor the General Fund revenues and the City's overall financial performance as the fiscal year progresses.

Monthly Investment Report (Attachments 2 and 4)

All securities held by the City of Santa Clara as of July 31st and August 31, 2021 were in compliance with the City's Investment Policy Statement regarding current market strategy and long-term goals

and objectives. All securities held are rated “A” or higher by two nationally recognized rating agencies. There is adequate cash flow and maturity of investments to meet the City’s needs for the next six months.

The City’s investment strategy for July and August 2021 was to invest funds not required to meet current obligations in securities listed in the prevailing Investment Policy Statement, with maturities not to exceed five years form the date of purchase. This strategy ensures safety of the City’s funds, provides liquidity to meet the City’s cash needs, and with a reasonable portfolio return of 1.33% in July and 1.30% in August.

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

From time to time, adjustments to the budget are required to reflect new information, align budgets with actual revenues and expenses, and correct for inadvertent errors. Attachment 5 details various budget amendments, including the recognition and appropriation of additional grant revenue for the California Library Literacy Services grant and the Pacific Library Partnership grant. An action to recognize revenue from the Convention Center’s food and beverage operator is also included, as part of their capital contribution. This funding is recommended to be transferred to the Convention Center Capital Fund to cover costs associated with the various upgrades to the Convention Center. In the Electric Utility Capital Fund, actions are recommended to increase developer contributions and the associated Memorex Junction Substation project appropriation to implement easement negotiations as well as to increase the Substation Control and Communication System Replacement project appropriation due to higher than anticipated labor and contractual services costs. There are also actions to correct interfund services allocations.

FY 2021/22 Budget Amendments		
Fund	**Source of Funds**	**Use of Funds**
General Fund	$0	$0
Convention Center Capital Fund	$1,764,000	$1,764,000
Convention Center Enterprise Fund	$1,764,000	$1,764,000
Electric Utility Capital Fund	$150,000	$150,000
Housing and Urban Development Fund	$0	$0
Library Operating Grant Trust Fund	$100,257	$100,257
Special Liability Insurance Fund	($48,722)	($48,722)
Total Net Budget Change	**$3,729,535**	**$3,729,535**

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 Monthly Financial Status and Investment Reports for July 2021 and August 2021 as Presented and Approve Related 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,"* as noted for each individual item in Attachment 5.

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

ATTACHMENTS

1. Monthly Financial Status Report July 2021
2. Monthly Investment Report July 2021
3. Monthly Financial Status Report August 2021
4. Monthly Investment Report August 2021
5. FY 2021/22 Budget Amendments

City of Santa Clara

The Center of What's Possible

MONTHLY FINANCIAL STATUS REPORT

July 2021

City of Santa Clara

Financial Status Report as of July 31, 2021

This report summarizes the City's financial performance for the month ended July 31, 2021. Financial analysis for the report is provided for the General Fund, select Special Revenue Funds, Enterprise Operating Funds, and Capital Improvement Funds. Financial information included in this report is unaudited.

General Fund

The General Fund is the major operating fund for the City and includes multiple programs, services, and activities for the residents and businesses of the City. The adopted budget for operating revenues and expenditures for fiscal year 2021/22 was $289.3 million. The amended budget for revenues and expenditures was amended to $294.1 million to reflect carryover appropriations from fiscal year 2020/21 and various budget amendments approved by the City Council through July 2021.

While it is very early in the fiscal year and limited data is available, General Fund revenues are currently tracking with estimated levels. However, concerns remain regarding continued impacts of COVID-19 as the Delta variant and vaccine hesitancy may impact the speed of recovery. Through July, expenditures are tracking slightly below budget and this trend is expected to continue as departments continue to control expenditures through various cost control measures.

Many economic indicators have improved significantly since the start of the pandemic, but some have not returned to pre-pandemic levels. On a national level, the unemployment rate decreased slightly from 5.9% in June 2021 to 5.4% in July 2021. This rate was well below the record setting high of 14.7% in April 2020, but above the pre-pandemic unemployment rate of 3.5%. In July, the number of unemployed persons fell to 8.7 million. While the improvements in the labor market continue to reflect the resumption of activity that had been curtailed due to COVID-19, the pace of improvement has moderated in recent months.[1]

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

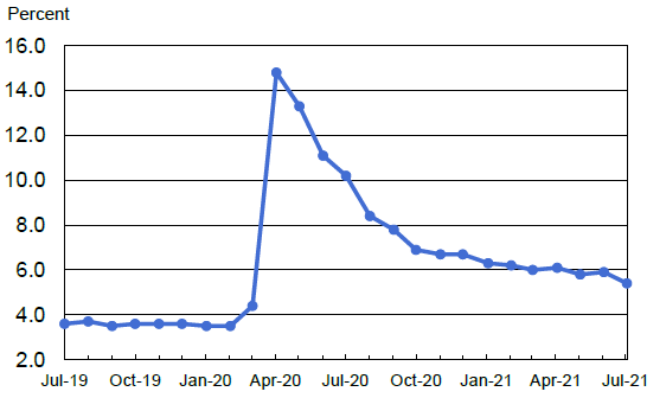
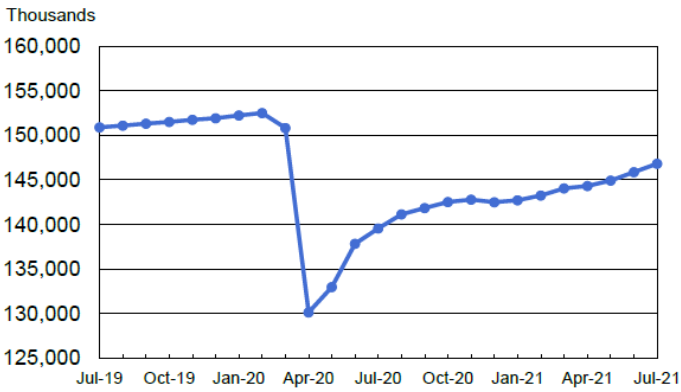
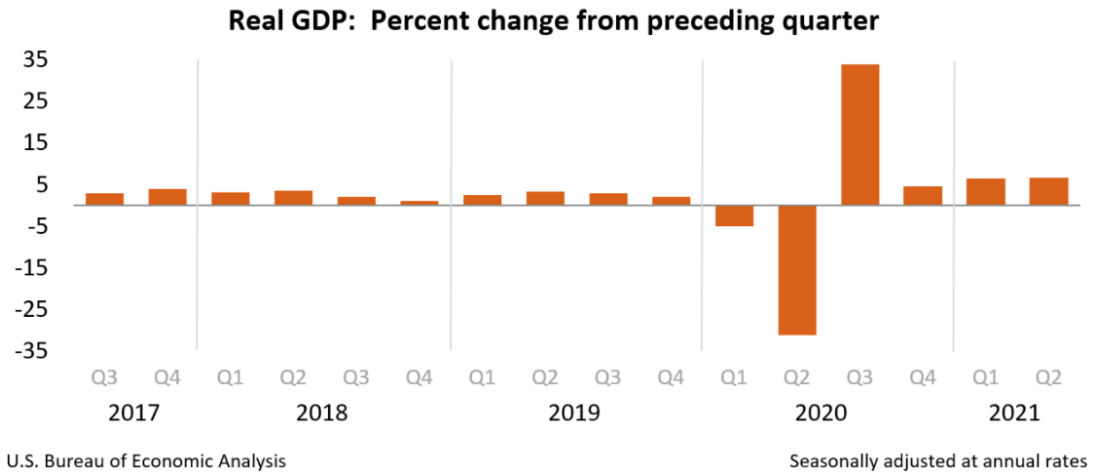


Chart 2. Nonfarm payroll employment, seasonally adjusted, July 2019 – July 2021



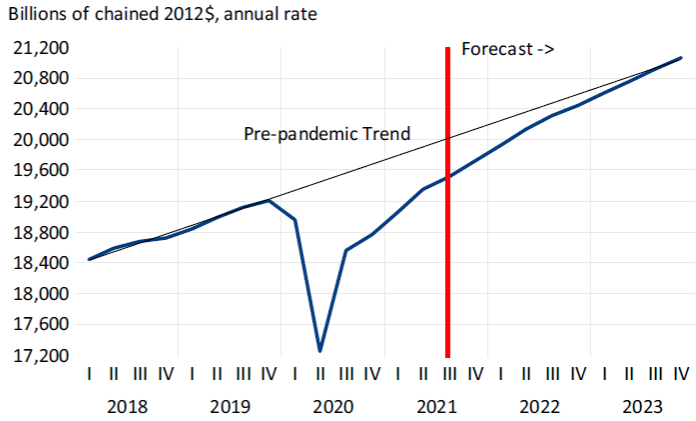
[1] https://www.bls.gov/news.release/archives/empsit_08062021.pdf

In the second quarter 2021 second estimate, the Gross Domestic Product (GDP) increased by 6.6%, following a GDP increase of 6.3% in the first quarter. The estimated increase in the first quarter reflected efforts to reopen businesses and resume some activities amidst COVID-19 safety precautions. The second quarter reflects increases in consumer spending, exports and local and State government spending. The real GDP for the second quarter 2021 is 0.8% above the level experienced in the fourth quarter of 2019.[2]



While GDP has now surpassed the pre-COVID peak in the second quarter 2021, it has not yet reached the pre-pandemic trend. Per the September 2021 UCLA Anderson Forecast, GDP is not expected to reach the pre-COVID trend until the third quarter 2023. According to the Forecast, growth in services is expected to be the driver of GDP growth. With supply constraints and the lifting of public health restrictions, the Forecast assumes a shift from goods consumption to services consumption.

Exhibit 3: Real GDP Levels, 2018Q1-2023Q4



Source: U.S. Bureau of Economic Analysis, UCLA Anderson Forecast.

The September 2021 UCLA Forecast also projects a slower economic rebound as the Delta variant spreads and COVID continues to impact supply chains, which is a shift from the strong recovery projected in the March and June 2021 Forecasts. "What makes the growth 'ho-hum' is the comparison

[2] https://www.bea.gov/sites/default/files/2021-08/tech2q21_2nd.pdf

to what could have been if, globally, we had gotten COVID under control and had been able to transform the pend-up demand, pent-up savings and a tremendous amount of government support into faster economic growth," writes UCLA Anderson senior economist Leo Feler in his September forecast.[3]

Improvement continues at the State and local level. After the State's largest increase in the unemployment rate in April 2020, the California unemployment rate dropped to 7.6% in July 2021. This is slightly lower compared to the 7.7% rate in June 2021. With the decrease in the unemployment rate between February and July, California has now regained nearly 58.3% of the 2.7 million jobs lost due to COVID-19 in March and April 2020.[4] The unadjusted unemployment rate in the San José-Sunnyvale-Santa Clara Metropolitan Statistical Area (MSA) was 5.0% in July 2021, down from a revised 5.2% in June 2021 but higher than the February 2020 level of 2.6%.

Staff will continue to closely monitor the economic environment and the City's financial performance and provide updates through the Monthly Financial Reports.

[3] September 2021 UCLA Anderson Forecast
[4] https://www.edd.ca.gov/Newsroom/unemployment-july-2021.htm

General Fund Revenues

As of July 31, 2021, $4.8 million or 2% of the General Fund estimated revenue (excluding transfers) was received. Transfers and use of reserves of $43.7 million have occurred as budgeted. This very low collection level through July is largely due to the timing of payments. In some categories, the revenues received in July account for activity that occurred in FY 2020/21 and those revenues are accrued back to that year. In other cases, such as property tax, most payments are scheduled to occur later in the fiscal year.

CITY OF SANTA CLARA
GENERAL FUND
REVENUES OVERVIEW AND COMPARISON BY TYPE

	FISCAL YEAR 2021/22				PY REVENUE COMPARISON		
Function	Adopted Budget	Amended Budget	Actual Through 7/31/2021	Percentage Received	Actual Through 7/31/2020	$ Change From Prior Year	Percentage Change
TAXES							
Sales Tax	$ 58,183,000	$ 58,183,000	$ -	0.00%	$ (59,873)	$ 59,873	-100.00%
Property Tax	71,559,000	71,559,000	-	0.00%	-	-	N/A
Transient Occupancy Tax	9,000,000	9,000,000	(117,876)	-1.31%	(225,789)	107,913	-47.79%
Other Taxes	6,080,000	6,080,000	58,236	0.96%	203,263	(145,027)	-71.35%
Total Taxes	**144,822,000**	**144,822,000**	**(59,640)**	**-0.04%**	**(82,399)**	**22,759**	**-27.62%**
LICENSES & PERMITS							
Business Licenses	900,000	900,000	85,687	9.52%	91,148	(5,461)	-5.99%
Fire Operation Permits	2,200,000	2,200,000	175,030	7.96%	174,292	738	0.42%
Building Permits	-	-	81,608	N/A	500,004	(418,396)	-83.68%
Electric Permits	-	-	12,274	N/A	54,058	(41,784)	-77.29%
Plumbing Permits	-	-	9,145	N/A	38,125	(28,980)	-76.01%
Mechanical Permits	-	-	7,910	N/A	38,645	(30,735)	-79.53%
Miscellaneous Permits	60,000	60,000	11,693	19.49%	8,827	2,866	32.47%
Total Licenses & Permits	**3,160,000**	**3,160,000**	**383,347**	**12.13%**	**905,099**	**(521,752)**	**-57.65%**
FINES & PENALTIES	**1,496,135**	**1,496,135**	**2,236**	**0.15%**	**4,978**	**(2,742)**	**-55.08%**
INTERGOVERNMENTAL	**26,205,801**	**26,205,801**	**-**	**0.00%**	**(25,079)**	**25,079**	**-100.00%**
CHARGES FOR SERVICES	**30,003,443**	**30,003,443**	**2,049,850**	**6.83%**	**1,597,639**	**452,210**	**28.30%**
CONTRIBUTION IN LIEU	**24,700,000**	**24,700,000**	**2,147,782**	**8.70%**	**-**	**2,147,782**	**N/A**
USE OF MONEY & PROPERTY							
Interest	2,600,000	2,600,000	(838,071)	-32.23%	(941,418)	103,347	-10.98%
Rent	9,115,722	9,115,722	1,046,125	11.48%	602,974	443,151	73.49%
Total Use of Money & Property	**11,715,722**	**11,715,722**	**208,054**	**1.78%**	**(338,444)**	**546,498**	**-161.47%**
MISCELLANEOUS REVENUES	**198,000**	**198,000**	**45,212**	**22.83%**	**8,250**	**36,962**	**448.02%**
LAND PROCEED	**-**	**-**	**-**	**N/A**	**-**	**-**	**N/A**
OTHER FINANCING SOURCES							
Operating Transfer In - Storm Drain	1,454,000	1,454,000	1,454,000	100.00%	1,460,000	(6,000)	-0.41%
Operating Transfer In - Reserves	32,390,871	32,390,871	32,390,871	100.00%	38,952,083	(6,561,212)	-16.84%
Operating Transfer In - Fund Balances(2)	-	4,817,658	4,817,658	100.00%	4,273,692	543,966	12.73%
Operating Transfer In - Miscellaneous	5,005,399	5,005,399	5,005,399	100.00%	2,547,419	2,457,980	96.49%
Total Other Financing Sources	**38,850,270**	**43,667,928**	**43,667,928**	**100.00%**	**47,233,194**	**(3,565,266)**	**-7.55%**
STADIUM OPERATION							
Charges for Services	7,466,069	7,466,069	(14,011)	-0.19%	24,156	(38,167)	-158.00%
Rent and Licensing	717,500	717,500	-	0.00%	-	-	N/A
Total Stadium Operation	**8,183,569**	**8,183,569**	**(14,011)**	**-0.17%**	**24,156**	**(38,167)**	**-158.00%**
TOTAL GENERAL FUND	**$ 289,334,940**	**$ 294,152,598**	**$ 48,430,758**	**16.46%**	**$ 49,327,394**	**$ (896,636)**	**-1.82%**

(1) Negative sales tax revenue resulting from accrual of revenue that has not yet been received. Revenue is anticipated in August 2021.
(2) The Operating Transfer In - Fund Balances includes the carryover encumbrances of open purchase orders as of June 30, 2021 and mid year budget amendment from reserves.

General Fund Revenues

Sales Tax: The City of Santa Clara sales tax rate is 9.0%, of which the City receives 1.0%. As of July 31, 2021, no sales tax has been collected. Given the timing of payments, the sales tax payments received in July accounted for activity in the prior fiscal year and those funds were accrued to last year.

Property Tax: No property tax receipts were received in July 2021. The majority of property tax revenue is collected in February and April each year. Based on initial information from the County of Santa Clara, property tax receipts are projected to end the year close to the Adopted Budget estimate of $71.6 million.

Transient Occupancy Tax (TOT): TOT is calculated as a percentage of City hotel/motel room charges. The City's current TOT rate is 9.5%. Through July 31, 2021, no revenue has been received in this category. The negative amount reflects an accrual amount that was recorded in the prior year.

Other Taxes: Includes franchise tax and documentary transfer tax. The City has collected under $0.1 million through July, which is approximately 71% lower than prior year collection levels. Receipts through July reflect franchise tax collections and these collections are lower than prior year collections. No documentary transfer tax revenue is reflected through July as the receipts received in July were accrued to the prior fiscal year.

Licenses & Permits: Includes business licenses, fire operation permits, and miscellaneous permits and fees. Effective FY 2021/22, building, electric, plumbing and mechanical permits have all been budgeted in the new Building Development Services Fund, which will be reflected in the Special Revenue section of this report. Excluding the development revenues that have erroneously been booked in this category, licenses and permits revenue collections are tracking slightly at par with receipts totaling $0.3 million, or 8.6% of the budget of $3.2 million.

Fines & Penalties: Includes vehicle, parking, court fines, and miscellaneous penalty fines. The revenue collected in this category through July of $2,200 is tracking to end the year well below the budgeted estimate of $1.5 million largely due to the waiving of late fees on utility billing in response to COVID-19. The City will be applying for the California Arrearage Payment Program in order to alleviate the arrearages accrued as a result of the City's bill relief period.

Intergovernmental: Includes federal stimulus funds, motor vehicle fees, state homeowner tax relief, state mandated reimbursement and redistribution of land sale proceeds and ground leases from the Successor Agency. Through July 31, 2021, no revenue has been received in this category.

Charges for Services: Includes various plan check and zoning-related fees, engineering fees, administrative fees, and community service revenue from various recreational activities. Through July 31, 2021, collections totaled approximately $2.0 million or 6.8% of the budget. This reflects a 28% increase compared to last year's collections through the same period of $1.6 million. This large increase is a result of the timing of when interdepartmental charges directly related to the cost allocation plan were booked. This fiscal year, these charges started to be received in July, whereas last

fiscal year, they were not booked until October. In addition, the miscellaneous charges for services were tracking above the prior year, while the Plan Check and Sign Fees were tracking well below the prior year.

Contribution in Lieu: In accordance with the City's charter, Silicon Valley Power pays 5.0% of gross revenues for services rendered. Through July, $2.1 million has been received which is on par for this time of year. This collection level, however, is based on the budgeted estimate and will be trued up at the end of the fiscal year.

Use of Money & Property: Includes realized investment income and rental income. Interest income and rent revenue collections totaled $0.2 million, or 1.8% of the budget. Similar to the transient occupancy tax collection, the negative amount under the interest category reflects an accrual to the prior year.

Miscellaneous Revenues: Includes developer fees, donations, damage recovery, sale of surplus, and one-time miscellaneous revenues. Through July 31, 2021, collections are significantly higher than collections through the same period last fiscal year, $45,000 compared to $8,200. This is a result of a correction to a revenue charged that was previously booked as an expense.

Stadium Operation: The current negative amount under the charges for services category reflects an accrual amount for charges for services.

General Fund Expenditures

As of July 31, 2021, $61.3 million or 20.8% of the General Fund operating budget had been expended. Overall, expenditures in the General Fund are within budgeted levels through July. Departmental expenditures totaled $18.6 million, or 7.6% of the budget, which is below the par level of 8.3% of the budget. Several cost-control measures that were implemented in FY 2019/20 remain in place to generate expenditure savings to partially offset the drop in revenues associated with COVID-19. These measures include a hiring freeze and controls around overtime, as-needed staff, marketing, travel, technology and vehicle purchases. With these measures, expenditures are expected to end the year below budget.

CITY OF SANTA CLARA
GENERAL FUND
EXPENDITURES OVERVIEW AND COMPARISON BY FUNCTION

	FISCAL YEAR 2021/22				PY EXPENDITURES COMPARISON		
Function	Adopted Budget	Amended Budget	Actual Through 7/31/2021	Percentage Used	Actual Through 7/31/2020	$ Change From Prior Year	Percentage Change
GENERAL GOVERNMENT							
Non-Departmental	$ 6,824,333	$ 6,941,924	$ 405,519	5.84%	$ 109,810	$ 295,709	269.29%
City Council	829,205	829,205	64,139	7.73%	44,081	20,058	45.50%
City Clerk	1,470,231	1,584,169	122,148	7.71%	86,491	35,657	41.23%
City Manager	5,442,069	5,858,186	432,686	7.39%	463,864	(31,178)	-6.72%
City Attorney	3,097,380	3,119,380	184,411	5.91%	175,166	9,245	5.28%
Human Resources	4,133,810	4,257,886	288,683	6.78%	228,114	60,569	26.55%
Finance	17,439,442	17,805,818	1,347,698	7.57%	1,010,036	337,662	33.43%
Total General Government	**39,236,470**	**40,396,568**	**2,845,284**	**7.04%**	**2,117,562**	**727,722**	**34.37%**
PUBLIC WORKS	**23,201,356**	**24,198,161**	**2,051,744**	**8.48%**	**1,695,798**	**355,946**	**20.99%**
COMMUNITY DEVELOPMENT	**5,070,207**	**6,560,663**	**432,075**	**6.59%**	**901,108**	**(469,033)**	**-52.05%**
PARKS AND RECREATION	**20,982,990**	**21,433,077**	**1,259,648**	**5.88%**	**1,053,894**	**205,754**	**19.52%**
PUBLIC SAFETY							
Fire	60,581,403	61,011,002	5,068,882	8.31%	4,146,213	922,669	22.25%
Police	79,870,137	79,983,531	6,247,671	7.81%	5,498,407	749,264	13.63%
Total Public Safety	**140,451,540**	**140,994,533**	**11,316,553**	**8.03%**	**9,644,620**	**1,671,933**	**17.34%**
LIBRARY	**10,764,727**	**10,895,605**	**657,000**	**6.03%**	**669,913**	**(12,913)**	**-1.93%**
DEPARTMENTAL TOTAL	**239,707,290**	**244,478,607**	**18,562,304**	**7.59%**	**16,082,895**	**2,479,409**	**15.42%**
OTHER FINANCING USES							
Operating Transfer Out - Miscellaneous	23,250,142	23,250,142	23,250,142	100.00%	10,445	23,239,697	222495.90%
Operating Transfer Out - Debt Services	2,501,439	2,501,439	2,501,439	100.00%	2,500,344	1,095	0.04%
Operating Transfer Out - Maintenance Dtrct	771,349	771,349	771,349	100.00%	990,929	(219,580)	-22.16%
Operating Transfer Out - Cemetery	850,000	850,000	850,000	100.00%	771,769	78,231	10.14%
Operating Transfer Out - CIP	11,773,925	11,773,925	11,773,925	100.00%	19,678,672	(7,904,747)	-40.17%
Operating Transfer Out - Reserves	3,309,009	3,309,009	3,309,009	100.00%	924,654	2,384,355	257.86%
Total Other Financing Uses	**42,455,864**	**42,455,864**	**42,455,864**	**100.00%**	**24,876,813**	**17,579,051**	**70.66%**
STADIUM OPERATION	**7,171,786**	**7,218,126**	**268,744**	**3.72%**	**214,616**	**54,128**	**25.22%**
TOTAL GENERAL FUND	**$ 289,334,940**	**$ 294,152,598**	**$ 61,286,912**	**20.84%**	**$ 41,174,324**	**$ 20,112,588**	**48.85%**

General Fund Expenditures

Below is an explanation of certain budget to actual expenditure variances by program.

Non-Departmental: Includes expenditures that are not attributable to a single department, but a function of the City in general. Through July, expenditures totaled $0.4 million, or 5.8% of the budget. These expenditures reflect a significant increase compared to the same period last fiscal year, primarily as a result of higher expenditures in the mandated program costs for Silicon Valley Animal Control. Last fiscal year, this payment was not booked until September.

City Attorney: Actual expenditures through July totaled approximately $0.2 million, which is 5.9% of the budget, which is below par. Spending is above the total expenditures through the same time last fiscal year by 5.3% due to the timing of internal service fund allocation charges. Last fiscal year, these charges were not recorded in the departmental expenditures until October.

City Clerk: Through July, actual expenditures were tracking below budget at $0.1 million or approximately 7.7% of the budget. This reflects an increase of 41% over last year's spending through the same period. Similar to the other departments, this increase in spend is a result of the timing of internal service fund allocation charges. Last fiscal year, these charges were not recorded in the departmental expenditures until October.

City Council: Through July, expenditures were at 7.7% of budget, which is below par. Compared to the same period through last fiscal year, this reflects a spending increase of approximately 45%, which is primarily the result of the timing of internal service fund allocation charges. Last fiscal year, these charges were not recorded in the departmental expenditures until October.

City Manager: The actual expenditures through July totaled $0.4 million, or 7.4% of the budget, which is below par for this time of the year. Expenditures are approximately 6.7% lower compared with the spending level through the same period last fiscal year.

Community Development Department: This department consists of three divisions: Planning, Building, and Housing and Community Services. Effective this fiscal year, the Building Division of this department has been moved to the newly established Building Development Services Fund, which falls under the special revenue section of this report. Through July 31, 2021, departmental expenditures for the Planning and Housing and Community Services divisions totaled $0.4 million, or 6.6%, which is below par of 8.3%. Expenditures were also well below the spending through the same period last fiscal year due to the change in funding for the Building Division.

Finance Department: Through July, the Department's expenditures totaled $1.3 million, or 7.6% of the budget, which is below par. This expenditure level was approximately 33% higher than through the same period last year. This increase in spending is attributable to the timing of a payment for the annual maintenance cost on the department's billing system, with last year's payment being booked in August instead of July.

Fire Department: Through July, actual expenditures in the General Fund totaled $5.0 million, or 8.3% of the budget, which is at par. These expenditures reflect a 22.3% increase from expenditures through the same period last fiscal year. This is mainly attributable to the timing of internal service fund allocation charges. Last fiscal year, these charges were not recorded in the departmental expenditures until October. All COVID-19 related expenditures have been charged centrally to the Other City Departments Operating Grant Trust Fund. The Fire Department has charged approximately $0.02 million to this fund, bringing total expenditures, including the General Fund, to $5.1 million. Overtime expenditures are tracking at 15.5%, which is above par for this time of year. While this overtime figure is high, it is important to note that overtime is used to backfill for vacant positions and the vacancy savings offset a portion of the overtime costs.

Library Department: Through July, actual expenditures totaled $0.6 million, or 6% of the budget, which is below par and consistent with expenditure levels last fiscal year. COVID-19 precautions have continued to impact Library operations this year, resulting in lower expenditures. A phased reopening is in progress, with full operations currently anticipated by the start of calendar year 2022.

Parks and Recreation Department: Through July, actual expenditures totaled $1.2 million, or 5.8% of the budget, which is below par, but above the prior year actuals of $1.0 million. Similar to the other departments, this is due to the internal service fund allocation charges which were recorded in October last fiscal year. The department is resuming activities that were previously impacted by COVID-19 restrictions, which will result in higher expenditures this fiscal year.

Police Department: Expenditures through July are tracking at expected levels at $6.2 million, or 7.8% of the budget; this is 22% above prior year spending. Again, this is also a result of the timing of internal service fund allocation charges. Last fiscal year, these charges were not recorded in the departmental expenditures until October. Similar to the Fire Department, Police Department expenditures related to COVID-19 have also been charged to the Other City Departments Operating Grant Trust Fund. Through July, charges to this fund totaled approximately $0.01 million. Accounting for the General Fund and Other City Departments Operating Grant Trust Fund, department expenditures are still tracking slightly below par.

Stadium Operation: Stadium operating expenditures are incurred first and billed on a reimbursement basis creating a timing difference in revenue recognition. Stadium expenditures totaled $0.3 million through July and are tracking below budgeted levels.

Special Revenue Funds

The table below is a summary of revenues and expenditures of select Special Revenue Funds as of July 31, 2021. The amended budget for both reflects carryover appropriations from fiscal year 2021/22 in addition to budget amendments approved by the City Council through July 2021. Effective July 1, 2021, all Building Division revenues and expenditures are now budgeted and accounted for in the new Building Development Services Fund, which is included in the table below. Revenues totaled approximately $1.4 million, while expenditures totaled approximately $1.2 million through the end of July. Overall, revenues are tracking on par, while expenditures are tracking below budgeted levels.

CITY OF SANTA CLARA
SPECIAL REVENUE FUNDS
REVENUE AND EXPENDITURE - OVERVIEW AND COMPARISON BY FUND

	REVENUES - FISCAL YEAR 2021/22				PRIOR YEAR REVENUE COMPARISON		
Fund Description	Adopted Budget	Amended Budget	Actual Through 7/31/2021	Percentage received	Actual Through 7/31/2020	$ Change From Prior Year	Percent Change
Housing Authority Fund	$ 261,000	$ 261,000	$ 6,687	2.56%	$ 8,357	$ (1,670)	-19.98%
City Affordable Housing Fund	657,000	657,000	13,737	2.09%	13,235	502	3.79%
Housing Successor Fund	350,000	350,000	31,975	9.14%	111,788	(79,813)	-71.40%
Housing and Urban Development	1,957,103	1,957,103	500	0.03%	129,162	(128,662)	-99.61%
Building Development Services Fee Fund	13,630,000	13,630,000	1,368,597	10.04%	0	1,368,597	100.00%
TOTAL	**$16,855,103**	**$ 16,855,103**	**$ 1,421,496**	**8.43%**	**$ 262,542**	**$ 1,158,954**	**441.44%**

	EXPENDITURES - FISCAL YEAR 2021/22				PRIOR YEAR EXPENDITURE COMPARISON		
Fund Description	Adopted Budget	Amended Budget	Actual through 7/31/2021	Percentage used	Actual through 7/31/2020	$ Change From Prior Year	Percent Change
Housing Authority Fund	$ 363,099	$ 483,099	$ 3,681	0.76%	$ 23,251	$ (19,570)	-84.17%
City Affordable Housing Fund	1,431,111	2,852,650	125,761	4.41%	23,645	102,116	431.87%
Housing Successor Fund	915,640	1,260,001	78,136	6.20%	109,110	(30,974)	-28.39%
Housing and Urban Development	3,684,839	5,430,472	308,817	5.69%	117,064	191,753	163.80%
Building Development Services Fee Fund	12,256,059	12,256,059	651,932	5.32%	0	651,932	100.00%
TOTAL	**$18,650,748**	**$ 22,282,281**	**$ 1,168,327**	**5.24%**	**$ 273,070**	**$ 895,257**	**327.85%**

Governmental Capital Improvement Funds

The table below lists the total amended budget amounts for the Capital Improvement Funds, which consist of current year appropriations, prior year carryover balances in Governmental Capital Improvement Funds, and budget amendments approved through July 2021. As of July 31, 2021, these capital fund expenditures totaled $0.7 million, or 0.5% of the amended budget. As part of the adoption of the FY 2021/22 and FY 2022/23 operating budget, some capital funds were carried over for projects that were not anticipated to be completed by June 30, 2021. Necessary additional adjustments to the capital carryover amounts will be brought forward as part of the Budgetary Year-End Report for FY 2020/21, expected to go to Council in December 2021.

The carryover of prior year budget amounts is necessary when services or projects are started but not completed at the end of the fiscal year. This is especially true for the Capital Improvement Program (CIP) that typically spans several years. The table below displays the expenditure budget for the General Government capital funds excluding transfers.

CITY OF SANTA CLARA
GOVERNMENTAL CAPITAL IMPROVEMENT FUNDS
SUMMARY OF EXPENDITURES

	EXPENDITURES - FISCAL YEAR 2021/22				
Fund Description	Current Year Appropriation	Prior Year Carryforward	Total Amended Budget	Actual Through 7/31/2021	Percentage Used
Parks & Recreation	$ 7,085,289	$ 15,478,055	$ 22,563,344	$ 204,506	0.91%
Streets & Highways	26,414,803	62,313,089	88,727,892	243,310	0.27%
Storm Drain	592,169	10,471,505	11,063,674	30,394	0.27%
Fire	837,110	1,017,587	1,854,697	-	0.00%
Library	7,872	246,601	254,473	656	0.26%
Public Buildings	397,953	7,547,118	7,945,071	27,400	0.34%
General Gov't - Other	1,555,000	10,228,593	11,783,593	83,412	0.71%
Related Santa Clara Developer	968,103	1,326,191	2,294,294	74,481	3.25%
Tasman East Specific Infrastructure Improvement Fund	23,757	-	23,757	-	0.00%
TOTAL	**$ 37,882,056**	**$ 108,628,739**	**$ 146,510,795**	**$ 664,159**	**0.45%**

Enterprise Funds

The table below is a summary of revenues and expenses for the Enterprise Operating Funds as of July 31, 2021. Overall, revenues and expenditures are tracking below budgeted levels.

While revenues are tracking below last fiscal year levels, expenditures are tracking significantly higher than prior year levels, primarily in the Electric Utility Fund. The increase in expenditures is primarily due to the higher debt retirement costs as well as higher resource costs related to transmission and wheeling (transportation of electric energy from within an electrical grid to an electrical load outside the grid boundaries). Electric Utility expenditures, however, are tracking within budget through July.

CITY OF SANTA CLARA
ENTERPRISE OPERATING FUNDS
REVENUES AND EXPENSES - OVERVIEW AND COMPARISON BY FUND

	REVENUES - FISCAL YEAR 2021/22				PRIOR YEAR REVENUE COMPARISON		
Fund Description	Adopted Budget	Amended Budget	Actual Through 7/31/2021	Percentage received	Actual Through 7/31/2020	$ Change From Prior Year	Percent Change
Electric Utility Fund	$ 555,810,147	$ 555,810,147	$ 4,968,213	0.89%	$ 6,459,634	$ (1,491,421)	-23.09%
Water Utility Fund	49,489,630	49,489,630	797,657	1.61%	1,492,242	(694,585)	-46.55%
Sewer Utility Fund	58,344,697	58,344,697	283,214	0.49%	881,332	(598,118)	-67.87%
Cemetery Fund	600,000	600,000	78,595	13.10%	41,642	36,953	88.74%
Solid Waste Utility Fund	33,610,000	33,610,000	1,010,812	3.01%	952,342	58,470	6.14%
Water Recycling Fund	5,703,831	5,703,831	45,282	0.79%	(272,084)	317,366	-116.64%
TOTAL REVENUE	**$ 703,558,305**	**$ 703,558,305**	**$ 7,183,773**	**1.02%**	**$ 9,555,108**	**$ (2,371,335)**	**-24.82%**

	EXPENSES - FISCAL YEAR 2021/22				PRIOR YEAR EXPENSE COMPARISON		
Fund Description	Adopted Budget	Amended Budget	Actual through 7/31/2021	Percentage Used	Actual through 7/31/2020	$ Change From Prior Year	Percent Change
Electric Utility Fund	$ 511,251,732	$ 513,122,550	$ 39,278,149	7.65%	$ 23,994,909	$ 15,283,240	63.69%
Water Utility Fund	47,197,617	47,580,260	1,173,681	2.47%	1,195,778	(22,097)	-1.85%
Sewer Utility Fund	30,565,333	30,707,268	1,103,120	3.59%	638,937	464,183	72.65%
Cemetery Fund	1,480,235	1,480,235	93,754	6.33%	65,336	28,418	43.50%
Solid Waste Utility Fund	33,323,675	36,981,208	1,654,813	4.47%	480,157	1,174,656	244.64%
Water Recycling Fund	5,709,582	5,709,582	65,164	1.14%	37,201	27,963	75.17%
TOTAL - Operating Appropriations	**$ 629,528,174**	**$ 635,581,103**	**$ 43,368,681**	**6.82%**	**$ 26,412,318**	**$ 16,956,363**	**64.20%**

Revenues in the electric (which also includes the Electric Debt Service Fund), water, and sewer utility (which also includes the Sewer Debt Service Fund) and water recycling funds are primarily from customer service charges. The activity levels for these customer service charges also impact the resource and production costs on the expenditure side for these funds. The lower the revenue from customer service charges, the lower the expenditures in the resource and production category.

A summary of expenses in the Enterprise Capital Improvement Funds is detailed in the table below. Actuals through July 2021 totaled approximately $1.1 million, or 0.5% of the amended budget. Similar to the general government capital funds, capital funds were carried over into next fiscal year as part of the FY 2021/22 and FY 2022/23 budget adoption process for those projects that have not yet been completed. Adjustments to the capital carryover amounts based on actual year-end expenditures will be brought forward in December 2021, as part of the FY 2020/21 year-end reconciliation process.

CITY OF SANTA CLARA
ENTERPRISE CAPITAL IMPROVEMENT FUNDS
SUMMARY OF EXPENSES

	EXPENSES - FISCAL YEAR 2021/22					Prior Year
Fund Description	Current Year Appropriation	Prior Year Carryforward	Total Amended Budget	Actual Through 7/31/2021	Percentage Used	Actual Through 7/31/2020
Electric Utility Fund	$ 45,406,027	$ 94,324,423	$ 139,730,450	$ 30,746	0.02%	$ 7,028,613
Street Lighting (1)	-	5,953,560	5,953,560	13,475	0.23%	271
Water Utility Fund	6,285,000	5,815,672	12,100,672	212,184	1.75%	116,391
Sewer Utility Fund	47,296,944	25,449,390	72,746,334	688,205	0.95%	589,861
Cemetery Fund	8,409	351,635	360,044	700	0	-
Solid Waste Utility Fund	623,700	46,677	670,377	1,879	0.28%	-
Water Recycling Fund	50,000	-	50,000	-	-	-
Convention Center Capital Fund		3,500,000	3,500,000	201,462		
TOTAL - CIP Appropriations	**$ 99,670,080**	**$ 135,441,357**	**$ 235,111,437**	**$ 1,148,651**	**0.49%**	**$ 7,735,136**

(1) Street Lighting fund is part of Electric Capital Improvement Funds

Fund Reserves

By policy, City Council established the City's General Contingency Reserve, under which reserves for Budget Stabilization and Capital Projects were established.

- Budget Stabilization Reserve is set aside for weathering 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-day or 25% General Fund Adopted Operating Budget). In FY 2021/22, the City Council approved an exception to the policy to allow the Reserve to drop below the 25% level.
- Capital Projects Reserve earmarks funds for the Capital Improvement Program.

Other General Reserves and Enterprise Fund Reserves included in this report are highlighted as follows:

- Technology Fee Reserve is set aside to update and/or replace the City's aging technology and to ensure internal controls are in compliance with current business standard and legal requirements.
- Land Sale Reserve is net proceeds from the sale of City-owned land, with interest earned on these funds available to be appropriated for General Fund operating expenditures. This reserve is available for appropriation by City Council action.
- The Electric Utility Reserve assures sufficient operating cash is available to ensure debt service coverage.
- The Replacement and Improvement Reserve in the Water and Sewer Utility Funds is for future capital improvement.

The table below summarizes select reserve balances.

CITY OF SANTA CLARA
RESERVE BALANCES
July 31, 2021

DETAIL OF SELECTED FUND RESERVE BALANCES:

	GENERAL FUND	ELECTRIC	WATER
Budget Stabilization Reserve	$ 52,963,235		
Capital Projects Reserve	5,361,215		
Land Sale Reserve	25,766,610		
Technology Fee Reserve	1,474,371		
Rate Stabilization Fund Reserve		$ 44,898,011	
Cost Reduction Fund Reserve		112,838,357	
DVR Power Plant Contracts Reserve		78,163	
Replacement & Improvement			$ 303,090
TOTALS	**$ 85,565,430**	**$ 157,814,531**	**$ 303,090**

Long-Term Interfund Advances

The funds below have made advances/loans which are not expected to be repaid within the next year. The balances reflected in the table are through July 2021. The loan from the General Fund to Parks and Recreation Facilities reflects proceeds from the Land Sale Reserve for the purchase of property at the Reed and Grant Sports Park. This loan is anticipated to be repaid by 25% of future Mitigation Fee Act revenue until the loan is paid in full.

DETAIL OF LONG TERM INTERFUND ADVANCE BALANCES:

Fund Receiving Advance/Loan	Fund Making Advance/Loan	Type	Amount of Advance/ Commitment
Cemetery	General Fund	Advance	$ 7,961,149
Parks and Recreation Facilities	General Fund	Loan	6,618,748
TOTALS			**$ 14,579,897**

Donations to the City of Santa Clara

Donations received by department during the month of July 2021 and for fiscal year 2021/22 are shown in the table below.

Department	Jul-21	Fiscal Year 2021/22 Year To Date	Designated Use
City Manager's Office	$ 50	$ 50	Help Your Neighbor
Parks & Recreation	10,000	10,000	Case Management
Police	75,000	75,000	PD Team 200
TOTALS	**$ 85,050**	**$ 85,050**	

City of Santa Clara

The Center of What's Possible

MONTHLY INVESTMENT REPORT

July 2021

City of Santa Clara

Monthly Investment Report

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CITY OF SANTA CLARA
SUMMARY OF INVESTMENT PORTFOLIO

All securities held by the City of Santa Clara as of July 31, 2021 were in compliance with the City's Investment Policy Statement regarding current market strategy and long-term goals and objectives. All securities held are rated "A" or higher by two nationally recognized rating agencies. There is adequate cash flow and maturity of investments to meet the City's needs for the next six months.

The following table provides the breakdown of the total portfolio among the City, the Sports and Open Space Authority (SOSA), and the Housing Authority (HA) as of July 31, 2021.

	COST VALUE	PERCENTAGE
City	$808,127,315	99.52%
SOSA	13,312	0.00%
HA	3,892,050	0.48%
Unrestricted	$812,032,677	100.00%
Restricted Bond Proceeds	2,146,271	
Total Investments	$814,178,948	

On July 31, 2021 the cost value and market value of the City's unrestricted pooled investment portfolio were $812,032,677 and $825,932,186 respectively.

Investment Strategy and Market Update

The City's investment strategy for July 2021 was to invest funds not required to meet current obligations, in securities listed in the prevailing Investment Policy Statement, with maturities not to exceed five years from date of purchase. This strategy ensures safety of the City's funds, provides liquidity to meet the City's cash needs, and earns a reasonable portfolio return.

On July 14, 2020, City Council approved entering into a contract with PFM Asset Management LLC ("PFM") for the management of the City's investment portfolio. The City has leveraged PFM's extensive investment management experience and dedicated credit and risk management personnel to further diversify the portfolio and enhance returns. PFM began actively managing the City's securities portfolio on September 1, 2020.

As of July 31, 2021, 46.81% of the City's portfolio consists of U.S. Treasury Notes, 32.26% consists of Federal Agencies, 8.58% consists of Local Agency Investment Fund (LAIF), 7.26% consists of investment grade Corporate Notes, 0.90% consists of investment grade Supranational Obligations, 0.49% consists of investment grade Asset-Back Securities, 2.26% consists of Negotiable Certificates of Deposit, and 0.51% consists of investment grade Municipal Bonds. In addition, City bond proceeds are invested in separate funds and are not included in the calculation of the City's portfolio yield.

The City's portfolio yield, including LAIF and money market accounts, was 1.33% and the average maturity of the City's portfolio was 2.04 years.

Traditionally the City has compared the portfolio yield to the 24-month moving average yield of the two-year Treasury Note (Benchmark Yield*). During 2021 annual Investment Policy review, the City evaluated alternate portfolio performance benchmarks in order to establish an independent standard to serve as a measure of the performance of the portfolio and to help guide the maturity structure of the portfolio. The City began using the 24-Month moving average yield of the ICE BaML 0-5 US Treasury Index as benchmark, effective March 23, 2021.

The City's securities portfolio compared to the ICE BaML 0-5 US Treasury Index (Benchmark) as of July 31, 2021 was as follows:

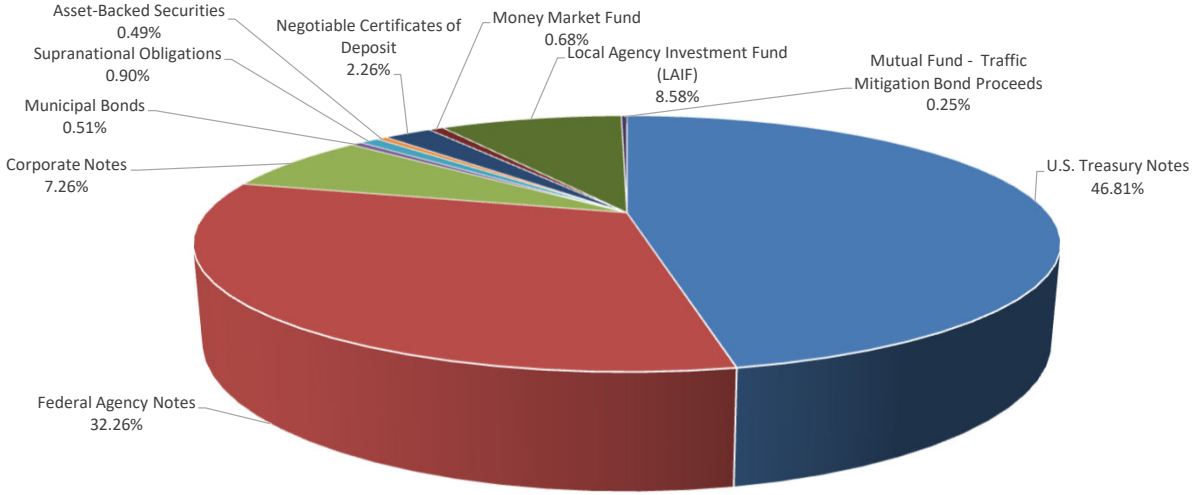
Description	Average Maturity (Years)	Yield to Maturity (At Cost) [1]
Santa Clara Portfolio	2.27	1.44%
Benchmark	2.26	0.60%

1. *Yield to Maturity at Cost: The expected rate of return based on the original cost, annual interest receipts, maturity value, and the time period from purchase date to maturity, stated as a percentage on an annualized basis.*

The Benchmark yield represents the 24-month moving average yield of the ICE BaML 0-5 US Treasury Index.

CITY OF SANTA CLARA
SUMMARY OF INVESTMENTS JULY 31, 2021

INVESTMENT TYPE	COST VALUE	% OF PORTFOLIO	PER INVESTMENT POLICY
U.S. Treasury Notes	381,145,838	46.81%	No Limit
Federal Agency Notes	262,596,664	32.26%	80%
Corporate Notes	59,127,679	7.26%	15%
Municipal Bonds	4,145,000	0.51%	20%
Supranational Obligations	7,319,817	0.90%	10%
Asset-Backed Securities	3,949,323	0.49%	20%
Negotiable Certificates of Deposit	18,360,000	2.26%	25%
Money Market Fund	5,569,286	0.68%	10% Per Fund
Local Agency Investment Fund (LAIF)	69,819,070	8.58%	$75 M
Mutual Fund - Traffic Mitigation Bond Proceeds	2,146,271	0.25%	10% Per Fund
TOTAL INVESTMENTS	$ 814,178,948	100.00%	

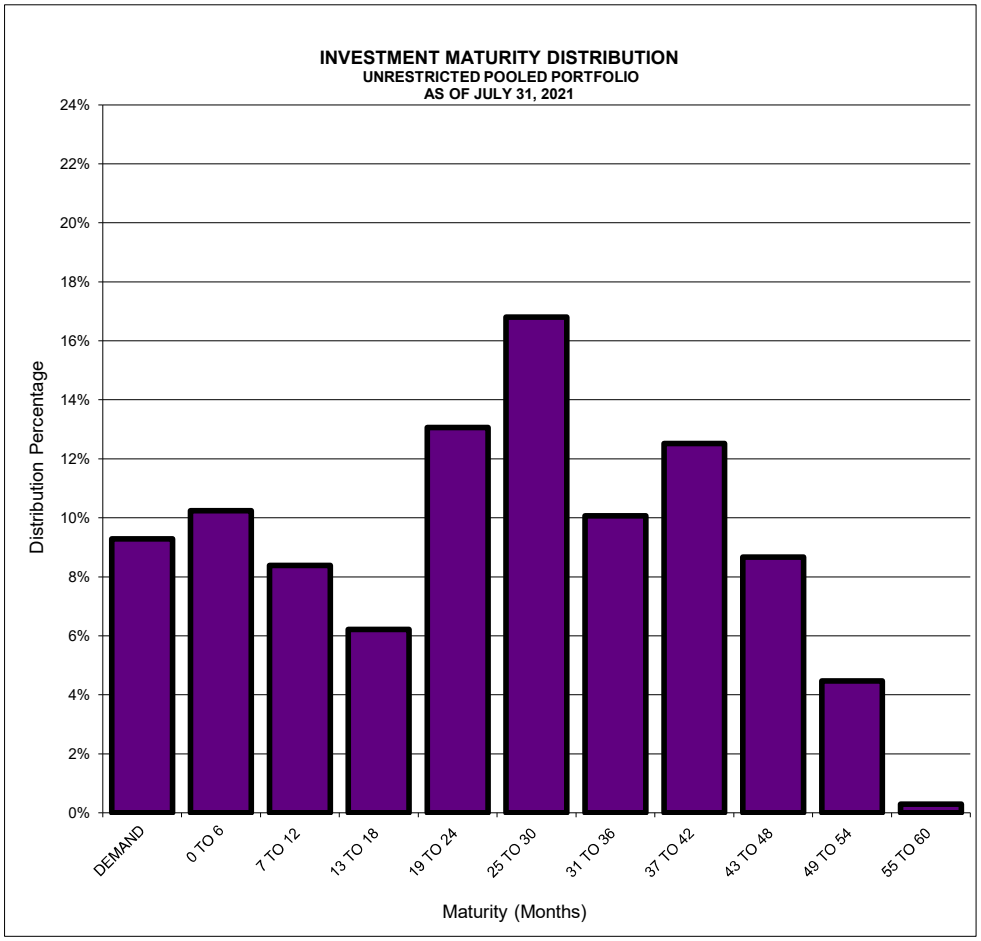


INVESTMENT MATURITY DISTRIBUTION
AS OF JULY 31, 2021
UNRESTRICTED POOLED PORTFOLIO

MATURITY (IN MONTHS)	COST VALUE	NUMBER OF INVESTMENTS	DISTRIBUTION
DEMAND	$ 75,388,356 (a)	2	9.28%
0 TO 6	83,148,561	12	10.24%
7 TO 12	68,035,055	10	8.38%
13 TO 18	50,475,953	12	6.22%
19 TO 24	106,027,505	14	13.06%
25 TO 30	136,442,601	25	16.80%
31 TO 36	81,756,049	14	10.07%
37 TO 42	101,703,112	18	12.52%
43 TO 48	70,405,398	10	8.67%
49 TO 54	36,275,599	7	4.47%
55 TO 60	2,374,488	1	0.29%
TOTAL	$ 812,032,677	125	100.00%

Average Maturity of Unrestricted Pool: 2.04 Years

(a) $20 million is earmarked for the City's Electric Utility power-trading.



City of Santa Clara Monthly Report

7/31/2021

Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
UNITED STATES TREASURY	7/31/2014	2.250%	7/31/2021	912828WY2	10,000,000.00	AA+	10/23/2019	10,108,984.38	1.62%	10,000,000.00	-108,984.38
UNITED STATES TREASURY	8/31/2019	1.500%	8/31/2021	912828YC8	9,860,000.00	AA+	10/20/2020	9,976,702.34	0.13%	9,871,339.00	-105,363.34
UNITED STATES TREASURY	10/15/2018	2.875%	10/15/2021	9128285F3	5,000,000.00	AA+	1/16/2019	5,043,554.69	2.54%	5,028,550.00	-15,004.69
UNITED STATES TREASURY	11/30/2016	1.750%	11/30/2021	912828U65	10,000,000.00	AA+	5/21/2018	9,648,046.88	2.80%	10,055,700.00	407,653.12
UNITED STATES TREASURY	1/3/2017	2.000%	12/31/2021	912828U81	5,000,000.00	AA+	11/8/2017	5,016,796.88	1.92%	5,039,850.00	23,053.12
UNITED STATES TREASURY	1/31/2017	1.875%	1/31/2022	912828V72	5,000,000.00	AA+	2/23/2018	4,878,125.00	2.53%	5,044,550.00	166,425.00
UNITED STATES TREASURY	3/2/2015	1.750%	2/28/2022	912828J43	2,800,000.00	AA+	3/3/2017	2,735,687.50	2.24%	2,827,244.00	91,556.50
UNITED STATES TREASURY	3/31/2017	1.875%	3/31/2022	912828W89	5,000,000.00	AA+	1/24/2018	4,902,343.75	2.37%	5,059,400.00	157,056.25
UNITED STATES TREASURY	5/1/2017	1.875%	4/30/2022	912828X47	5,000,000.00	AA+	1/19/2018	4,901,757.81	2.36%	5,067,200.00	165,442.19
UNITED STATES TREASURY	6/1/2015	1.875%	5/31/2022	912828XD7	5,000,000.00	AA+	6/8/2017	5,024,218.75	1.77%	5,074,200.00	49,981.25
UNITED STATES TREASURY	6/30/2015	2.125%	6/30/2022	912828XG0	25,000,000.00	AA+	12/21/2018	25,448,046.88	1.60%	25,465,750.00	17,703.12
UNITED STATES TREASURY	7/31/2017	1.875%	7/31/2022	9128282P4	5,000,000.00	AA+	3/26/2018	4,853,515.63	2.59%	5,089,050.00	235,534.37
UNITED STATES TREASURY	8/31/2015	1.875%	8/31/2022	912828L24	5,000,000.00	AA+	9/28/2017	4,991,015.00	1.91%	5,096,100.00	105,085.00
UNITED STATES TREASURY	10/2/2017	1.875%	9/30/2022	9128282W9	5,000,000.00	AA+	4/19/2018	4,820,117.19	2.74%	5,103,150.00	283,032.81
UNITED STATES TREASURY	9/30/2015	1.750%	9/30/2022	912828L57	5,000,000.00	AA+	10/5/2017	4,950,781.25	1.96%	5,095,700.00	144,918.75
UNITED STATES TREASURY	11/2/2015	1.875%	10/31/2022	912828M49	5,000,000.00	AA+	10/25/2017	4,953,515.63	2.07%	5,110,150.00	156,634.37
UNITED STATES TREASURY	11/30/2015	2.000%	11/30/2022	912828M80	5,000,000.00	AA+	12/15/2017	4,960,546.88	2.17%	5,125,400.00	164,853.12
UNITED STATES TREASURY	12/31/2015	2.125%	12/31/2022	912828N30	1,300,000.00	AA+	5/14/2018	1,260,187.50	2.84%	1,336,608.00	76,420.50
UNITED STATES TREASURY	1/15/2020	1.500%	1/15/2023	912828Z29	2,850,000.00	AA+	4/20/2020	2,947,968.75	0.24%	2,906,772.00	-41,196.75
UNITED STATES TREASURY	2/1/2016	1.750%	1/31/2023	912828P38	5,000,000.00	AA+	2/13/2018	4,810,937.50	2.57%	5,121,500.00	310,562.50
UNITED STATES TREASURY	2/29/2016	1.500%	2/28/2023	912828P79	10,000,000.00	AA+	2/27/2018	9,450,000.00	2.68%	10,214,800.00	764,800.00
UNITED STATES TREASURY	3/31/2016	1.500%	3/31/2023	912828Q29	10,000,000.00	AA+	4/10/2018	9,479,290.00	2.62%	10,223,100.00	743,810.00
UNITED STATES TREASURY	3/31/2021	0.125%	3/31/2023	91282CBU4	5,000,000.00	AA+	6/29/2021	4,992,187.50	0.21%	4,997,850.00	5,662.50
UNITED STATES TREASURY	5/2/2016	1.625%	4/30/2023	912828R28	10,000,000.00	AA+	5/8/2018	9,446,875.00	2.82%	10,254,300.00	807,425.00
UNITED STATES TREASURY	5/31/2016	1.625%	5/31/2023	912828R69	10,000,000.00	AA+	7/16/2018	9,484,375.00	2.76%	10,264,800.00	780,425.00
UNITED STATES TREASURY	6/30/2016	1.375%	6/30/2023	912828S35	20,000,000.00	AA+	1/17/2019	20,053,710.95	1.31%	20,457,000.00	403,289.05
UNITED STATES TREASURY	7/31/2018	2.750%	7/31/2023	912828Y61	10,000,000.00	AA+	9/18/2018	9,918,710.94	2.93%	10,510,600.00	591,889.06
UNITED STATES TREASURY	8/31/2016	1.375%	8/31/2023	9128282D1	5,000,000.00	AA+	9/12/2018	4,657,031.25	2.87%	5,121,900.00	464,868.75
UNITED STATES TREASURY	9/30/2016	1.375%	9/30/2023	912828T26	7,500,000.00	AA+	11/13/2018	6,947,167.97	3.01%	7,687,800.00	740,632.03
UNITED STATES TREASURY	10/15/2020	0.125%	10/15/2023	91282CAP6	5,260,000.00	AA+	3/26/2021	5,248,288.28	0.21%	5,248,901.40	613.12
UNITED STATES TREASURY	10/31/2016	1.625%	10/31/2023	912828T91	5,000,000.00	AA+	1/25/2019	4,787,695.31	2.58%	5,156,850.00	369,154.69
UNITED STATES TREASURY	11/30/2018	2.875%	11/30/2023	9128285P1	9,745,000.00	AA+	6/23/2021	10,349,875.20	0.32%	10,341,101.65	-8,773.55
UNITED STATES TREASURY	11/30/2016	2.125%	11/30/2023	912828U57	10,000,000.00	AA+	2/28/2019	10,251,562.50	1.57%	10,438,300.00	186,737.50
UNITED STATES TREASURY	1/3/2017	2.250%	12/31/2023	912828V23	5,000,000.00	AA+	3/13/2019	4,957,812.50	2.44%	5,240,050.00	282,237.50
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	5,000,000.00	AA+	3/26/2021	4,981,445.31	0.26%	4,983,800.00	2,354.69
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	2,510,000.00	AA+	3/31/2021	2,497,744.14	0.30%	2,501,867.60	4,123.46
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	11,000,000.00	AA+	6/11/2021	10,972,500.00	0.22%	10,964,360.00	-8,140.00
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	5,525,000.00	AA+	7/14/2021	5,497,375.00	0.33%	5,507,099.00	9,724.00
UNITED STATES TREASURY	1/31/2019	2.500%	1/31/2024	9128285Z9	5,000,000.00	AA+	4/14/2020	5,407,421.88	0.34%	5,277,950.00	-129,471.88
UNITED STATES TREASURY	1/31/2017	2.250%	1/31/2024	912828V80	5,000,000.00	AA+	2/13/2019	4,936,328.13	2.52%	5,247,050.00	310,721.87
UNITED STATES TREASURY	2/28/2017	2.125%	2/29/2024	912828W48	5,000,000.00	AA+	3/19/2019	4,926,950.00	2.44%	5,237,700.00	310,750.00
UNITED STATES TREASURY	2/28/2017	2.125%	2/29/2024	912828W48	2,575,000.00	AA+	4/15/2021	2,708,376.95	0.31%	2,697,415.50	-10,961.45
UNITED STATES TREASURY	3/31/2017	2.125%	3/31/2024	912828W71	5,000,000.00	AA+	4/29/2019	4,955,078.13	2.32%	5,242,800.00	287,721.87
UNITED STATES TREASURY	5/1/2017	2.000%	4/30/2024	912828X70	5,000,000.00	AA+	5/16/2019	4,952,734.38	2.20%	5,231,650.00	278,915.62
UNITED STATES TREASURY	5/15/2014	2.500%	5/15/2024	912828WJ5	6,050,000.00	AA+	8/16/2019	6,332,174.65	1.48%	6,419,171.00	86,996.35
UNITED STATES TREASURY	6/30/2019	1.750%	6/30/2024	9128286Z8	7,250,000.00	AA+	12/12/2019	7,253,398.44	1.74%	7,546,815.00	293,416.56
UNITED STATES TREASURY	6/30/2017	2.000%	6/30/2024	912828XX3	5,000,000.00	AA+	8/29/2019	5,136,328.13	1.41%	5,240,800.00	104,471.87

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Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
UNITED STATES TREASURY	7/31/2017	2.125%	7/31/2024	9128282N9	5,000,000.00	AA+	9/10/2019	5,133,315.75	1.56%	5,264,450.00	131,134.25
UNITED STATES TREASURY	8/31/2017	1.875%	8/31/2024	9128282U3	5,000,000.00	AA+	3/10/2020	5,275,780.00	0.62%	5,230,300.00	-45,480.00
UNITED STATES TREASURY	8/31/2019	1.250%	8/31/2024	912828YE4	5,050,000.00	AA+	1/5/2021	5,240,164.06	0.21%	5,185,895.50	-54,268.56
UNITED STATES TREASURY	10/2/2017	2.125%	9/30/2024	9128282Y5	5,000,000.00	AA+	10/25/2019	5,116,406.25	1.63%	5,273,850.00	157,443.75
UNITED STATES TREASURY	10/31/2017	2.250%	10/31/2024	9128283D0	10,000,000.00	AA+	11/18/2019	10,290,625.00	1.64%	10,597,300.00	306,675.00
UNITED STATES TREASURY	11/30/2017	2.125%	11/30/2024	9128283J7	5,000,000.00	AA+	1/6/2020	5,118,945.31	1.62%	5,282,050.00	163,104.69
UNITED STATES TREASURY	1/2/2018	2.250%	12/31/2024	9128283P3	10,000,000.00	AA+	1/7/2020	10,300,781.25	1.62%	10,614,800.00	314,018.75
UNITED STATES TREASURY	1/31/2020	1.375%	1/31/2025	912828Z52	5,000,000.00	AA+	4/22/2020	5,238,671.88	0.37%	5,159,750.00	-78,921.88
UNITED STATES TREASURY	1/31/2020	1.375%	1/31/2025	912828Z52	1,950,000.00	AA+	5/7/2021	2,013,146.48	0.50%	2,012,302.50	-843.98
UNITED STATES TREASURY	2/28/2018	2.750%	2/28/2025	9128283Z1	6,200,000.00	AA+	3/6/2020	6,850,757.82	0.61%	6,702,076.00	-148,681.82
UNITED STATES TREASURY	12/31/2020	0.375%	12/31/2025	91282CBC4	3,820,000.00	AA+	5/3/2021	3,751,956.25	0.76%	3,780,004.60	28,048.35
U.S. Treasury Bond / Note				**Subtotal**	381,245,000.00			381,145,837.78		391,876,822.75	10,730,984.97
FANNIE MAE	10/7/2016	1.375%	10/7/2021	3135G0Q89	5,000,000.00	AA+	10/7/2016	4,982,000.00	1.45%	5,012,100.00	30,100.00
FANNIE MAE	1/9/2017	2.000%	1/5/2022	3135G0S38	5,000,000.00	AA+	10/10/2018	4,845,050.00	3.01%	5,041,150.00	196,100.00
FANNIE MAE	10/6/2017	2.000%	10/5/2022	3135G0T78	5,000,000.00	AA+	1/26/2018	4,890,750.00	2.50%	5,110,350.00	219,600.00
FANNIE MAE	11/25/2020	0.250%	11/27/2023	3135G06H1	4,950,000.00	AA+	11/25/2020	4,944,357.00	0.29%	4,950,940.50	6,583.50
FANNIE MAE	11/25/2020	0.250%	11/27/2023	3135G06H1	5,225,000.00	AA+	1/22/2021	5,230,799.75	0.21%	5,225,992.75	-4,807.00
FANNIE MAE	7/8/2019	1.750%	7/2/2024	3135G0V75	15,000,000.00	AA+	12/18/2019	15,566,089.75	0.90%	15,619,350.00	53,260.25
FANNIE MAE	1/10/2020	1.625%	1/7/2025	3135G0X24	7,500,000.00	AA+	1/22/2020	7,499,025.00	1.63%	7,810,275.00	311,250.00
FANNIE MAE	4/24/2020	0.625%	4/22/2025	3135G03U5	10,000,000.00	AA+	5/7/2020	10,050,600.00	0.52%	10,049,900.00	-700.00
FANNIE MAE	6/19/2020	0.500%	6/17/2025	3135G04Z3	5,000,000.00	AA+	7/17/2020	5,008,950.00	0.46%	4,993,550.00	-15,400.00
FANNIE MAE	11/12/2020	0.500%	11/7/2025	3135G06G3	1,860,000.00	AA+	12/29/2020	1,864,929.00	0.44%	1,851,927.60	-13,001.40
FNMA Medium Term Note				**Subtotal**	64,535,000.00			64,882,550.50		65,665,535.85	782,985.35
FEDERAL FARM CREDIT BANKS	10/14/2016	1.400%	4/14/2022	3133EGYS8	5,000,000.00	AA+	2/4/2020	4,994,485.00	1.45%	5,047,150.00	52,665.00
FEDERAL FARM CREDIT BANKS	7/19/2019	1.850%	7/19/2022	3133EKVE3	5,000,000.00	AA+	7/17/2019	4,994,300.00	1.89%	5,086,500.00	92,200.00
FEDERAL FARM CREDIT BANKS	8/5/2019	1.850%	8/5/2022	3133EKYJ9	5,000,000.00	AA+	8/13/2019	5,029,800.00	1.64%	5,089,250.00	59,450.00
FEDERAL FARM CREDIT BANKS	11/1/2017	2.080%	11/1/2022	3133EHM91	1,800,000.00	AA+	10/7/2019	1,834,398.00	1.44%	1,844,190.00	9,792.00
FEDERAL FARM CREDIT BANKS	3/16/2018	2.710%	12/16/2022	3133EJGU7	5,000,000.00	AA+	3/28/2018	5,015,935.00	2.64%	5,177,350.00	161,415.00
FEDERAL FARM CREDIT BANKS	6/19/2018	2.890%	6/19/2023	3133EJSD2	5,000,000.00	AA+	11/28/2018	4,980,250.00	2.98%	5,253,500.00	273,250.00
FEDERAL FARM CREDIT BANKS	1/17/2020	1.600%	7/17/2023	3133ELHZ0	5,000,000.00	AA+	1/16/2020	4,998,200.00	1.61%	5,137,150.00	138,950.00
FEDERAL FARM CREDIT BANKS	8/14/2018	2.900%	8/14/2023	3133EJWV7	5,000,000.00	AA+	9/17/2018	4,977,050.00	3.00%	5,273,000.00	295,950.00
FEDERAL FARM CREDIT BANKS	10/2/2018	3.050%	10/2/2023	3133EJD48	7,575,000.00	AA+	11/27/2018	7,583,620.35	3.02%	8,036,166.00	452,545.65
FEDERAL FARM CREDIT BANKS	11/1/2017	2.200%	11/1/2023	3133EHN25	2,965,000.00	AA+	6/26/2019	3,006,094.90	1.87%	3,094,718.75	88,623.85
FEDERAL FARM CREDIT BANKS	2/27/2019	2.610%	2/27/2024	3133EKBW5	5,000,000.00	AA+	3/20/2019	5,033,150.00	2.47%	5,295,400.00	262,250.00
FEDERAL FARM CREDIT BANKS	4/22/2019	2.450%	7/22/2024	3133EKHV1	5,000,000.00	AA+	9/4/2019	5,250,650.00	1.38%	5,307,050.00	56,400.00
FEDERAL FARM CREDIT BANKS	11/1/2019	1.650%	11/1/2024	3133EK4Y9	5,000,000.00	AA+	11/8/2019	4,962,850.00	1.81%	5,198,250.00	235,400.00
FEDERAL FARM CREDIT BANKS	1/23/2020	1.650%	1/23/2025	3133ELJM7	7,320,000.00	AA+	5/18/2020	7,689,367.20	0.56%	7,618,948.80	-70,418.40
FEDERAL FARM CREDIT BANKS	5/14/2020	0.500%	5/14/2025	3133ELZM9	10,000,000.00	AA+	5/15/2020	9,982,800.00	0.53%	9,996,700.00	13,900.00
FEDERAL FARM CREDIT BANKS	6/9/2020	0.500%	6/9/2025	3133ELH23	10,000,000.00	AA+	6/12/2020	9,997,540.00	0.50%	9,992,000.00	-5,540.00
FFCB Medium Term Note				**Subtotal**	89,660,000.00			90,330,490.45		92,447,323.55	2,116,833.10
FEDERAL FARM CREDIT BANKS	7/2/2020	0.500%	7/2/2025	3133ELR71	10,000,000.00	AA+	7/14/2020	10,017,640.00	0.46%	9,987,800.00	-29,840.00
FFCB Coupon Note				**Subtotal**	10,000,000.00			10,017,640.00		9,987,800.00	-29,840.00

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Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
FEDERAL HOME LOAN BANKS	3/5/2012	2.375%	9/10/2021	313378JP7	5,000,000.00	AA+	10/31/2016	5,221,200.00	1.43%	5,012,350.00	-208,850.00
FEDERAL HOME LOAN BANKS	11/14/2018	3.000%	12/10/2021	3130AFFN2	5,000,000.00	AA+	2/8/2019	5,068,100.00	2.50%	5,051,450.00	-16,650.00
FEDERAL HOME LOAN BANKS	2/17/2012	2.250%	3/11/2022	313378CR0	5,000,000.00	AA+	3/13/2020	5,150,900.00	0.72%	5,066,550.00	-84,350.00
FEDERAL HOME LOAN BANKS	8/15/2013	3.125%	9/9/2022	313383WD9	5,000,000.00	AA+	12/12/2018	5,039,800.00	2.90%	5,159,400.00	119,600.00
FEDERAL HOME LOAN BANKS	10/17/2014	2.375%	9/8/2023	3130A3DL5	5,000,000.00	AA+	9/5/2019	5,164,135.00	1.53%	5,226,100.00	61,965.00
FEDERAL HOME LOAN BANKS	12/9/2013	3.375%	12/8/2023	3130A0F70	5,000,000.00	AA+	1/8/2019	5,147,870.00	2.73%	5,364,200.00	216,330.00
FEDERAL HOME LOAN BANKS	1/16/2015	2.250%	12/8/2023	3130A3VC5	5,000,000.00	AA+	3/12/2020	5,282,425.00	0.72%	5,231,000.00	-51,425.00
FEDERAL HOME LOAN BANKS	3/29/2017	2.375%	3/8/2024	3130AB3H7	5,000,000.00	AA+	4/11/2019	4,998,795.00	2.38%	5,279,500.00	280,705.00
FEDERAL HOME LOAN BANKS	5/8/2014	2.875%	6/14/2024	3130A1XJ2	5,000,000.00	AA+	11/20/2019	5,270,205.00	1.64%	5,358,100.00	87,895.00
FEDERAL HOME LOAN BANKS	8/15/2014	2.875%	9/13/2024	3130A2UW4	5,000,000.00	AA+	10/16/2019	5,285,750.00	1.66%	5,385,700.00	99,950.00
FEDERAL HOME LOAN BANKS	11/6/2014	2.750%	12/13/2024	3130A3GE8	5,000,000.00	AA+	3/12/2020	5,461,300.00	0.77%	5,391,400.00	-69,900.00
FHLB Medium Term Note				**Subtotal**	55,000,000.00			57,090,480.00		57,525,750.00	435,270.00
FEDERAL HOME LOAN BANKS	8/26/2019	1.650%	8/26/2024	3130AGXF7	5,000,000.00	AA+	8/20/2019	5,000,000.00	1.65%	5,005,300.00	5,300.00
FEDERAL HOME LOAN BANKS	11/4/2019	1.875%	11/4/2024	3130AHGL1	3,840,000.00	AA+	10/31/2019	3,840,000.00	1.87%	3,857,894.40	17,894.40
FHLB Coupon Note				**Subtotal**	8,840,000.00			8,840,000.00		8,863,194.40	23,194.40
FREDDIE MAC	5/7/2020	0.375%	5/5/2023	3137EAER6	5,000,000.00	AA+	5/8/2020	5,014,545.00	0.28%	5,017,500.00	2,955.00
FREDDIE MAC	9/4/2020	0.250%	9/8/2023	3137EAEW5	1,640,000.00	AA+	9/4/2020	1,640,761.21	0.24%	1,640,459.20	-302.01
FREDDIE MAC	9/4/2020	0.250%	9/8/2023	3137EAEW5	4,295,000.00	AA+	9/4/2020	4,293,582.65	0.26%	4,296,202.60	2,619.95
FREDDIE MAC	10/16/2020	0.125%	10/16/2023	3137EAEY1	5,920,000.00	AA+	10/16/2020	5,897,918.40	0.25%	5,904,016.00	6,097.60
FREDDIE MAC	2/14/2020	1.500%	2/12/2025	3137EAEP0	5,000,000.00	AA+	5/20/2020	5,226,960.00	0.53%	5,180,400.00	-46,560.00
FREDDIE MAC	9/25/2020	0.375%	9/23/2025	3137EAEX3	9,390,000.00	AA+	9/25/2020	9,361,736.10	0.44%	9,310,278.90	-51,457.20
FHLMC Medium Term Note				**Subtotal**	31,245,000.00			31,435,503.36		31,348,856.70	-86,646.66
INTL BANK OF RECONSTRUCTION AND DEV	4/20/2021	0.125%	4/20/2023	459058JV6	7,335,000.00	AAA	4/20/2021	7,319,816.55	0.23%	7,326,638.10	6,821.55
Supranational				**Subtotal**	7,335,000.00			7,319,816.55		7,326,638.10	6,821.55
CALIFORNIA EARTHQUAKE AUTHORITY	11/24/2020	1.477%	7/1/2023	13017HAK2	1,430,000.00	NR	11/24/2020	1,430,000.00	1.48%	1,458,614.30	28,614.30
LOS ANGELES COMMUNITY COLLEGE DISTRICT C	11/10/2020	0.773%	8/1/2025	54438CYK2	2,715,000.00	AA+	11/10/2020	2,715,000.00	0.77%	2,726,864.55	11,864.55
Municipals				**Subtotal**	4,145,000.00			4,145,000.00		4,185,478.85	40,478.85
AMAZON.COM INC	5/12/2021	0.450%	5/12/2024	023135BW5	4,245,000.00	AA	5/12/2021	4,238,802.30	0.50%	4,244,617.95	5,815.65
APPLE INC	11/13/2017	2.750%	1/13/2025	037833DF4	5,000,000.00	AA+	3/9/2021	5,340,100.00	0.94%	5,342,050.00	1,950.00
APPLE INC	11/13/2017	2.750%	1/13/2025	037833DF4	5,000,000.00	AA+	3/29/2021	5,355,200.00	0.84%	5,342,050.00	-13,150.00
BANK OF AMERICA	7/23/2013	4.100%	7/24/2023	06053FAA7	4,070,000.00	A-	9/15/2020	4,482,494.50	0.52%	4,365,115.70	-117,378.80
BANK OF NY MELLON CORP	1/28/2021	0.750%	1/28/2026	06406RAQ0	9,000,000.00	A	2/10/2021	9,025,920.00	0.69%	8,946,990.00	-78,930.00
BRISTOL-MYERS SQUIBB CO	11/13/2020	0.750%	11/13/2025	110122DN5	5,725,000.00	A+	6/30/2021	5,672,673.50	0.96%	5,721,107.00	48,433.50
JOHNSON & JOHNSON	8/25/2020	0.550%	9/1/2025	478160CN2	5,000,000.00	AAA	9/3/2020	5,023,550.00	0.45%	4,979,600.00	-43,950.00
JPMORGAN CHASE & CO	9/16/2020	0.653%	9/16/2024	46647PBS4	2,675,000.00	A-	9/16/2020	2,675,000.00	0.65%	2,682,998.25	7,998.25
MASTERCARD INC	12/3/2019	2.000%	3/3/2025	57636QAN4	5,000,000.00	A+	3/9/2021	5,213,450.00	0.91%	5,242,500.00	29,050.00
MICROSOFT CORP	2/12/2015	2.700%	2/12/2025	594918BB9	5,000,000.00	AAA	3/9/2021	5,341,700.00	0.92%	5,365,850.00	24,150.00
TOYOTA MOTOR CREDIT CORP	1/11/2021	0.450%	1/11/2024	89236THU2	6,100,000.00	A+	1/11/2021	6,099,634.00	0.45%	6,097,987.00	-1,647.00
UNILEVER CAPITAL CORP	9/14/2020	0.375%	9/14/2023	904764BJ5	660,000.00	A+	9/14/2020	659,155.20	0.42%	661,425.60	2,270.40

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Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
Corporate Note				**Subtotal**	57,475,000.00			59,127,679.50		58,992,291.50	-135,388.00
CARMAX AUTO OWNER TRUST	4/21/2021	0.520%	2/17/2026	14314QAC8	2,375,000.00	AAA	4/21/2021	2,374,488.19	0.52%	2,378,515.00	4,026.81
HYUNDAI AUTO RECEIVABLES TRUST	4/28/2021	0.380%	9/15/2025	44933LAC7	1,575,000.00	AAA	4/28/2021	1,574,834.31	0.38%	1,576,039.50	1,205.19
Asset-Backed Security				**Subtotal**	3,950,000.00			3,949,322.50		3,954,554.50	5,232.00
BARCLAYS BANK PLC	2/12/2021	0.290%	2/4/2022	06742TWL6	11,000,000.00	A-1	2/12/2021	11,000,000.00	0.29%	11,006,050.00	6,050.00
HSBC BANK USA NA	2/26/2021	0.250%	2/25/2022	40435RKU4	7,360,000.00	A-1	2/26/2021	7,360,000.00	0.25%	7,363,532.80	3,532.80
Certificate of Deposit				**Subtotal**	18,360,000.00			18,360,000.00		18,369,582.80	9,582.80
WELLS FARGO PUBLIC INSTITUTION			8/1/2021	992995944	5,569,285.76		9/1/2020	5,569,285.76	0.07%	5,569,285.76	-
LOCAL AGENCY INVESTMENT FUND			8/1/2021		69,819,070.43		9/30/1997	69,819,070.43	0.62%	69,819,070.43	-
DREYFUS TREASURY			8/1/2021		2,146,271.40		10/31/1997	2,146,271.40	0.03%	2,146,271.40	-
Cash Equivalent				**Subtotal**	77,534,627.59			77,534,627.59		77,534,627.59	-
Grand Total			**Count**	**126**	809,324,627.59			814,178,948.23		828,078,456.59	13,899,508.36

City of Santa Clara

The Center of What's Possible

MONTHLY FINANCIAL STATUS REPORT

August 2021

City of Santa Clara

Financial Status Report as of August 31, 2021

This report summarizes the City's financial performance for the month ended August 31, 2021. Financial analysis for the report is provided for the General Fund, select Special Revenue Funds, Enterprise Operating Funds, and Capital Improvement Funds. Financial information included in this report is unaudited.

General Fund

The General Fund is the major operating fund for the City and includes multiple programs, services, and activities for the residents and businesses of the City. The adopted budget for operating revenues and expenditures for fiscal year 2021/22 was $289.3 million. The amended budget for revenues and expenditures was amended to $294.1 million to reflect carryover appropriations from fiscal year 2020/21 and various budget amendments approved by the City Council through August 2021.

While it is very early in the fiscal year and limited data is available, General Fund revenues are currently tracking within estimated levels. However, concerns remain regarding continued impacts of COVID-19 as the Delta variant and vaccine hesitancy may impact the speed of recovery. Through August, expenditures are tracking below budget and this trend is expected to continue as departments continue to control expenditures through various cost control measures.

Many economic indicators have improved significantly since the start of the pandemic, but some have not returned to pre-pandemic levels. On a national level, the unemployment rate decreased slightly from 5.4% in July 2021 to 5.2% in August 2021. This rate was well below the record setting high of 14.7% in April 2020, but above the pre-pandemic unemployment rate of 3.5%. In August, the number of unemployed persons fell to 8.4 million from 8.7 million in July. This unemployment figure remains well above the pre-pandemic level of 5.7 million.[1]

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

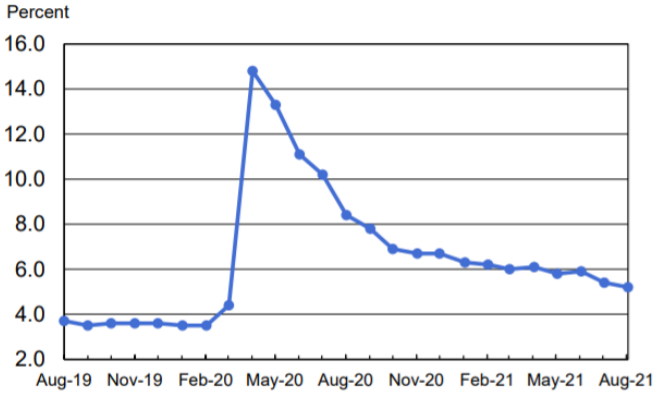
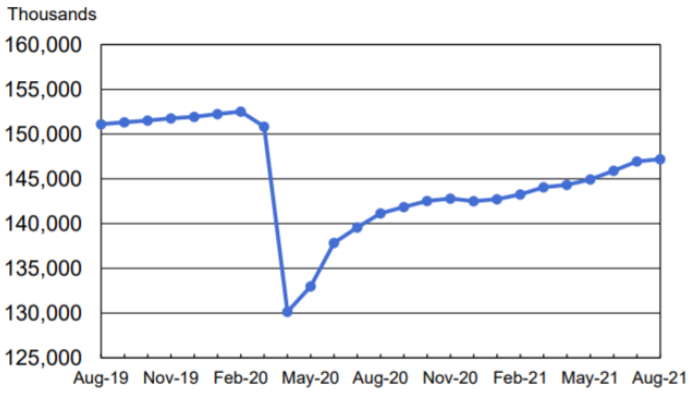
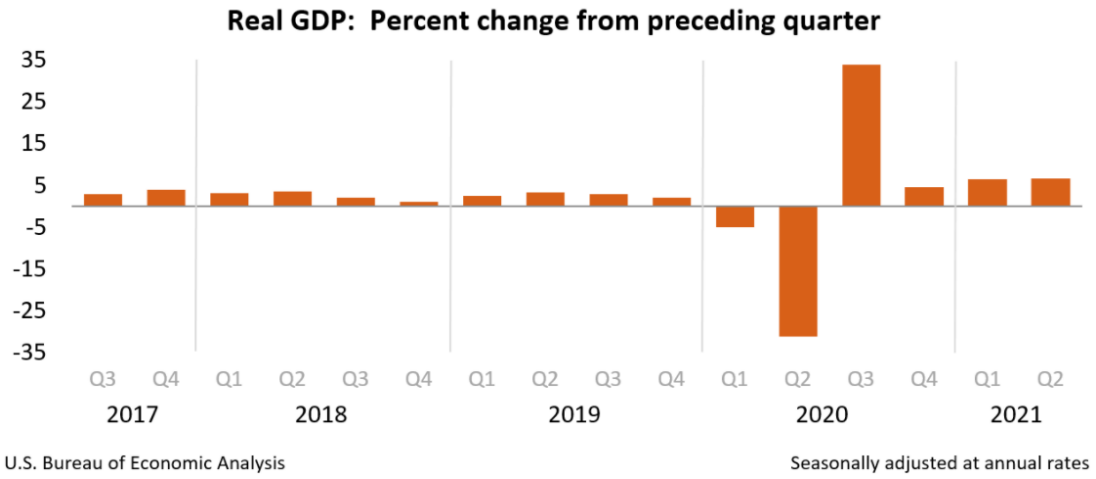


Chart 2. Nonfarm payroll employment, seasonally adjusted, August 2019 – August 2021



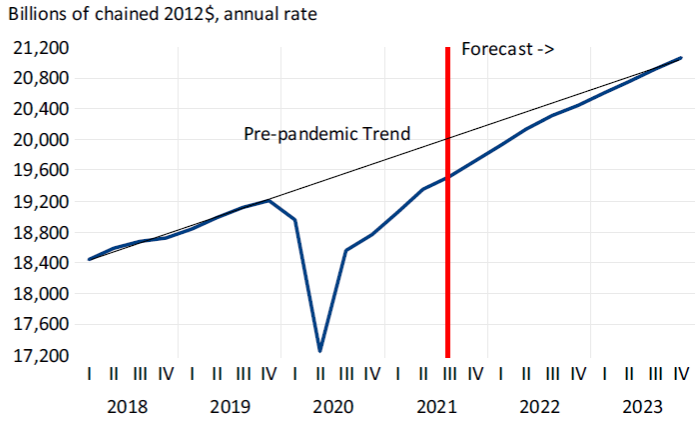
[1] https://www.bls.gov/news.release/pdf/empsit.pdf

In the second quarter 2021 second estimate, the Gross Domestic Product (GDP) increased by 6.6%, following a GDP increase of 6.3% in the first quarter. The estimated increase in the first quarter reflected efforts to reopen businesses and resume some activities amidst COVID-19 safety precautions. The second quarter reflects increases in consumer spending, exports and local and State government spending. The real GDP for the second quarter 2021 is 0.8% above the level experienced in the fourth quarter of 2019.[2]



While GDP has now surpassed the pre-COVID peak in the second quarter 2021, it has not yet reached the pre-pandemic trend. Per the September 2021 UCLA Anderson Forecast, GDP is not expected to reach the pre-COVID trend until the third quarter 2023. According to the Forecast, growth in services is expected to be the driver of GDP growth. With supply constraints and the lifting of public health restrictions, the Forecast assumes a shift from goods consumption to services consumption.

Exhibit 3: Real GDP Levels, 2018Q1-2023Q4



Source: U.S. Bureau of Economic Analysis, UCLA Anderson Forecast.

The September 2021 UCLA Forecast also projects a slower economic rebound as the Delta variant spreads and COVID continues to impact supply chains, which is a shift from the strong recovery projected in the March and June 2021 Forecasts. "What makes the growth 'ho-hum' is the comparison to what could have been if, globally, we had gotten COVID under control and had been able to

[2] https://www.bea.gov/sites/default/files/2021-08/tech2q21_2nd.pdf

transform the pend-up demand, pent-up savings and a tremendous amount of government support into faster economic growth," writes UCLA Anderson senior economist Leo Feler in his September forecast.[3]

Improvement continues at the State and local level. After the State's largest increase in the unemployment rate in April 2020, the California unemployment rate dropped to 7.5% in August 2021. This is slightly lower compared to the 7.6% rate in July 2021. With the decrease in the unemployment rate between February and August, California has now regained nearly 62.1% of the 2.7 million jobs lost due to COVID-19 in March and April 2020.[4]

The unadjusted unemployment rate in the San José-Sunnyvale-Santa Clara Metropolitan Statistical Area (MSA) was 4.8% in August 2021, down from a revised 5.0% in July 2021 and the August 2020 level of 8.2% but higher than the February 2020 level of 2.6%. Between August 2020 and August 2021, employment in this region increase by 41,700 jobs, or 3.9%.[5] The largest increases were in leisure and hospitality (up 14,900 jobs), private educational and health services (up 7,000 jobs), and professional and business services (up 6,800 jobs).

Staff will continue to closely monitor the economic environment and the City's financial performance and provide updates through the Monthly Financial Reports.

[3] September 2021 UCLA Anderson Forecast
[4] https://edd.ca.gov/newsroom/unemployment-august-2021.htm
[5] https://www.labormarketinfo.edd.ca.gov/file/lfmonth/sjos$pds.pdf

General Fund Revenues

As of August 31, 2021, $11.6 million or 4.6% of the General Fund estimated revenue (excluding transfers) was received. Transfers and use of reserves of $43.7 million have occurred as budgeted. This very low collection level through August is largely due to the timing of payments. In some categories, the revenues received through August account for activity that occurred in FY 2020/21 and those revenues are accrued back to that year. In other cases, such as property tax, most payments are scheduled to occur later in the fiscal year.

CITY OF SANTA CLARA
GENERAL FUND
REVENUES OVERVIEW AND COMPARISON BY TYPE

	FISCAL YEAR 2021/22				PY REVENUE COMPARISON		
Function	Adopted Budget	Amended Budget	Actual Through 8/31/2021	Percentage Received	Actual Through 8/31/2020	$ Change From Prior Year	Percentage Change
TAXES							
Sales Tax	$ 58,183,000	$ 58,183,000	$ -	0.00%	$ -	$ -	N/A
Property Tax	71,559,000	71,559,000	46,714	0.07%	73,189	(26,475)	-36.17%
Transient Occupancy Tax	9,000,000	9,000,000	459,117	5.10%	29,315	429,802	1466.15%
Other Taxes	6,080,000	6,080,000	212,787	3.50%	197,668	15,119	7.65%
Total Taxes	**144,822,000**	**144,822,000**	**718,618**	**0.50%**	**300,172**	**418,446**	**139.40%**
LICENSES & PERMITS							
Business Licenses	900,000	900,000	159,930	17.77%	162,015	(2,085)	-1.29%
Fire Operation Permits	2,200,000	2,200,000	394,129	17.91%	314,792	79,337	25.20%
Building Permits	-	-	191,067	N/A	1,532,853	(1,341,786)	-87.54%
Electric Permits	-	-	45,302	N/A	257,272	(211,970)	-82.39%
Plumbing Permits	-	-	28,957	N/A	174,768	(145,811)	-83.43%
Mechanical Permits	-	-	35,417	N/A	209,155	(173,738)	-83.07%
Miscellaneous Permits	60,000	60,000	12,983	21.64%	13,031	(48)	-0.37%
Total Licenses & Permits	**3,160,000**	**3,160,000**	**867,785**	**27.46%**	**2,663,886**	**(1,796,101)**	**-67.42%**
FINES & PENALTIES	**1,496,135**	**1,496,135**	**24,131**	**1.61%**	**28,174**	**(4,043)**	**-14.35%**
INTERGOVERNMENTAL	**26,205,801**	**26,205,801**	**1,770**	**0.01%**	**29,892**	**(28,122)**	**-94.08%**
CHARGES FOR SERVICES	**30,003,443**	**30,003,443**	**4,332,894**	**14.44%**	**2,578,811**	**1,754,083**	**68.02%**
CONTRIBUTION IN LIEU	**24,700,000**	**24,700,000**	**4,295,563**	**17.39%**	**-**	**4,295,563**	**N/A**
USE OF MONEY & PROPERTY							
Interest	2,600,000	2,600,000	(567,735)	-21.84%	(702,795)	135,060	-19.22%
Rent	9,115,722	9,115,722	1,774,697	19.47%	907,004	867,693	95.67%
Total Use of Money & Property	**11,715,722**	**11,715,722**	**1,206,962**	**10.30%**	**204,209**	**1,002,753**	**491.04%**
MISCELLANEOUS REVENUES	**198,000**	**198,000**	**52,734**	**26.63%**	**73,545**	**(20,811)**	**-28.30%**
LAND PROCEED	**-**	**-**	**-**	**N/A**	**-**	**-**	**N/A**
OTHER FINANCING SOURCES							
Operating Transfer In - Storm Drain	1,454,000	1,454,000	1,454,000	100.00%	1,460,000	(6,000)	-0.41%
Operating Transfer In - Reserves	32,390,871	32,390,871	32,390,871	100.00%	39,248,833	(6,857,962)	-17.47%
Operating Transfer In - Fund Balances(2	-	4,817,658	4,817,658	100.00%	4,273,692	543,966	12.73%
Operating Transfer In - Miscellaneous	5,005,399	5,005,399	5,005,399	100.00%	2,547,419	2,457,980	96.49%
Total Other Financing Sources	**38,850,270**	**43,667,928**	**43,667,928**	**100.00%**	**47,529,944**	**(3,862,016)**	**-8.13%**
STADIUM OPERATION							
Charges for Services	7,466,069	7,466,069	137,323	1.84%	115,576	21,747	18.82%
Rent and Licensing	717,500	717,500	-	0.00%	-	-	N/A
Total Stadium Operation	**8,183,569**	**8,183,569**	**137,323**	**1.68%**	**115,576**	**21,747**	**18.82%**
TOTAL GENERAL FUND	**$ 289,334,940**	**$ 294,152,598**	**$ 55,305,709**	**18.80%**	**$ 53,524,209**	**$ 1,781,500**	**3.33%**

(1) Negative sales tax revenue resulting from accrual of revenue that has not yet been received. Revenue is anticipated in August 2021.
(2) The Operating Transfer In - Fund Balances includes the carryover encumbrances of open purchase orders as of June 30, 2021 and mid year budget amendment from reserves.

General Fund Revenues

Sales Tax: The City of Santa Clara sales tax rate is 9.0%, of which the City receives 1.0%. As of August 31, 2021, no sales tax has been collected. Given the timing of payments, the sales tax payments received through August accounted for activity in the prior fiscal year and those funds were accrued to last year.

Property Tax: Through August, 0.07% of the property tax budgeted estimate has been received. The majority of property tax revenue is collected in February and April each year. Based on initial information from the County of Santa Clara, property tax receipts are projected to end the year close to the Adopted Budget estimate of $71.6 million.

Transient Occupancy Tax (TOT): TOT is calculated as a percentage of City hotel/motel room charges. The City's current TOT rate is 9.5%. Through August 31, 2021, approximately $0.5 million has been received, which is significantly higher than receipts through the same period last fiscal year of only $29,000. As businesses continue to reopen and travel restrictions lifted, it is anticipated that TOT will continue to increase compared to last fiscal year. To meet the budgeted estimate, collections will need to triple from just under $3 million in FY 2020/21 to $9.0 million in FY 2021/22.

Other Taxes: Includes franchise tax and documentary transfer tax. The City has collected $0.2 million through August, which is approximately 7.6% higher than prior year collection levels. Receipts through August reflect higher collections in both the franchise tax and documentary transfer tax categories.

Licenses & Permits: Includes business licenses, fire operation permits, and miscellaneous permits and fees. Effective FY 2021/22, building, electric, plumbing and mechanical permits have all been budgeted in the new Building Development Services Fund, which will be reflected in the Special Revenue section of this report. Excluding the development revenues that have erroneously been booked in this category, licenses and permits revenue collections are tracking slightly above par with receipts totaling $0.6 million, or 17.9% of the budget of $3.2 million.

Fines & Penalties: Includes vehicle, parking, court fines, and miscellaneous penalty fines. The revenue of $24,000 collected in this category through August is tracking to end the year well below the budgeted estimate of $1.5 million largely due to the waiving of late fees on utility billing in response to COVID-19. The City will be applying for the California Arrearage Payment Program in order to alleviate the arrearages accrued as a result of the City's bill relief period.

Intergovernmental: Includes federal stimulus funds, motor vehicle fees, state homeowner tax relief, state mandated reimbursement and redistribution of land sale proceeds and ground leases from the Successor Agency. Through August 31, 2021, $1,770 has been received, which is well below receipts through the same period last year and reflects differences in planned payments.

Charges for Services: Includes various plan check and zoning-related fees, engineering fees, administrative fees, and community service revenue from various recreational activities. Through August 31, 2021, collections totaled approximately $4.3 million or 14.4% of the budget. This reflects a

68% increase compared to last year's collections through the same period of $2.6 million. This large increase is a result of the timing of when interdepartmental charges, directly related to the cost allocation plan, were booked. This fiscal year, these charges started to be received in the General Fund in July, whereas last fiscal year, they were not recorded until October. In addition, the miscellaneous charges for services were tracking above the prior year, while the Plan Check and Sign Fees were tracking well below the prior year.

Contribution in Lieu: In accordance with the City's charter, Silicon Valley Power pays 5.0% of gross revenues for services rendered. As of August 31, 2021, $4.3 million has been received which is on par for this time of year. This collection level, however, is based on the budgeted estimate and will be trued up at the end of the fiscal year.

Use of Money & Property: Includes realized investment income and rental income. Interest income and rent revenue collections totaled $1.2 million, or 10.3% of the budget. Similar to the transient occupancy tax collection, the negative amount under the interest category reflects an accrual to the prior year.

Miscellaneous Revenues: Includes developer fees, donations, damage recovery, sale of surplus, and one-time miscellaneous revenues. Through August 31, 2021, collections of $53,000 are lower than collections through the same period last fiscal year by approximately 28%. This decrease is primarily attributable to the level of donations received compared to last fiscal year.

Stadium Operation: As of August 31, 2021, charges for services collected through the Stadium totaled $0.1 million, which is well below par for this time of year. However, this is approximately 18.8% higher than collections through the same period last year resulting from the reopening of Stadium for events.

General Fund Expenditures

As of August 31, 2021, $81.1 million or 27.6% of the General Fund operating budget had been expended. Overall, expenditures in the General Fund are within budgeted levels through August. Departmental expenditures totaled $37.7 million, or 15.4% of the budget, which is slightly below the par level of 16.7% of the budget. Several cost-control measures that were implemented in FY 2019/20 remain in place to generate expenditure savings to partially offset the drop in revenues associated with COVID-19. These measures include a hiring freeze and controls around overtime, as-needed staff, marketing, travel, technology and vehicle purchases. With these measures, expenditures are expected to end the year below budget.

CITY OF SANTA CLARA
GENERAL FUND
EXPENDITURES OVERVIEW AND COMPARISON BY FUNCTION

	FISCAL YEAR 2021/22				PY EXPENDITURES COMPARISON		
Function	Adopted Budget	Amended Budget	Actual Through 8/31/2021	Percentage Used	Actual Through 8/31/2020	$ Change From Prior Year	Percentage Change
GENERAL GOVERNMENT							
Non-Departmental	$ 6,824,333	$ 6,941,924	$ 552,144	7.95%	$ 347,628	$ 204,516	58.83%
City Council	829,205	829,205	139,207	16.79%	90,328	48,879	54.11%
City Clerk	1,470,231	1,584,169	209,620	13.23%	305,611	(95,991)	-31.41%
City Manager	5,442,069	5,858,186	824,047	14.07%	832,826	(8,779)	-1.05%
City Attorney	3,097,380	3,119,380	435,670	13.97%	332,008	103,662	31.22%
Human Resources	4,133,810	4,257,886	570,591	13.40%	476,332	94,259	19.79%
Finance	17,439,442	17,805,818	2,606,321	14.64%	2,237,018	369,303	16.51%
Total General Government	**39,236,470**	**40,396,568**	**5,337,600**	**13.21%**	**4,621,751**	**715,849**	**15.49%**
PUBLIC WORKS	**23,201,356**	**24,198,161**	**3,911,605**	**16.16%**	**3,375,831**	**535,774**	**15.87%**
COMMUNITY DEVELOPMENT	**5,070,207**	**6,560,663**	**886,012**	**13.50%**	**2,079,654**	**(1,193,642)**	**-57.40%**
PARKS AND RECREATION	**20,982,990**	**21,433,077**	**2,988,349**	**13.94%**	**2,521,990**	**466,359**	**18.49%**
PUBLIC SAFETY							
Fire	60,581,403	61,011,002	10,537,598	17.27%	8,694,486	1,843,112	21.20%
Police	79,870,137	79,983,531	12,639,429	15.80%	10,990,560	1,648,869	15.00%
Total Public Safety	**140,451,540**	**140,994,533**	**23,177,027**	**16.44%**	**19,685,046**	**3,491,981**	**17.74%**
LIBRARY	**10,764,727**	**10,895,605**	**1,391,424**	**12.77%**	**1,313,320**	**78,104**	**5.95%**
DEPARTMENTAL TOTAL	**239,707,290**	**244,478,607**	**37,692,017**	**15.42%**	**33,597,592**	**4,094,425**	**12.19%**
OTHER FINANCING USES							
Operating Transfer Out - Miscellaneous	23,250,142	23,250,142	23,250,142	100.00%	10,445	23,239,697	222495.90%
Operating Transfer Out - Debt Services	2,501,439	2,501,439	2,501,439	100.00%	2,500,344	1,095	0.04%
Operating Transfer Out - Maintenance Dtrct	771,349	771,349	771,349	100.00%	990,929	(219,580)	-22.16%
Operating Transfer Out - Cemetery	850,000	850,000	850,000	100.00%	771,769	78,231	10.14%
Operating Transfer Out - CIP	11,773,925	11,773,925	11,773,925	100.00%	19,678,672	(7,904,747)	-40.17%
Operating Transfer Out - Reserves	3,309,009	3,309,009	3,309,009	100.00%	924,654	2,384,355	257.86%
Total Other Financing Uses	**42,455,864**	**42,455,864**	**42,455,864**	**100.00%**	**24,876,813**	**17,579,051**	**70.66%**
STADIUM OPERATION	**7,171,786**	**7,218,126**	**956,189**	**13.25%**	**300,045**	**656,144**	**218.68%**
TOTAL GENERAL FUND	**$ 289,334,940**	**$ 294,152,598**	**$ 81,104,070**	**27.57%**	**$ 58,774,450**	**$ 22,329,620**	**37.99%**

General Fund Expenditures

Below is an explanation of certain budget to actual expenditure variances by program.

Non-Departmental: Includes expenditures that are not attributable to a single department, but a function of the City in general. As of August 31, 2021, expenditures totaled $0.5 million, or 8.0% of the budget. These expenditures are well below the par level of 16.7% but are significantly above the prior year level, primarily as a result of higher expenditures in the mandated program costs for Silicon Valley Animal Control. Last fiscal year, this payment was not recorded until September.

City Attorney: As of August 31, 2021, actual expenditures totaled approximately $0.4 million, which is 14% of the budget, which is below par. Spending is above the total expenditures through the same time last fiscal year by 31% due to higher salary and benefits costs as well as the timing of internal service fund allocation charges. Last fiscal year, these charges were not recorded in the departmental expenditures until October.

City Clerk: Through August, actual expenditures were tracking below budget at $0.2 million or approximately 13.2% of the budget. This reflects a decrease of 31% over last year's spending through the same period. The primary driver for the decrease in spending is the Granicus costs which are paid every other year.

City Council: Through August, expenditures were at 16.8% of budget, which at par. Compared to the same period through last fiscal year, this reflects a spending increase of approximately 54%, which is primarily the result of the timing of internal service fund allocation charges. Last fiscal year, these charges were not recorded in the departmental expenditures until October. Additionally, as-needed expenditures are higher than last fiscal year.

City Manager: The actual expenditures through August totaled $0.8 million, or 14.0% of the budget, which is below par for this time of the year. Expenditures are slightly lower compared with the spending level through the same period last fiscal year.

Community Development Department: This department consists of three divisions: Planning, Building, and Housing and Community Services. Effective this fiscal year, the Building division of this department has been moved to the newly established Building Development Services Fund, which falls under the special revenue section of this report. Through August, departmental expenditures for the Planning and Housing and Community Services divisions totaled $0.9 million, or 13.5%, which is below the par level of 16.7%. Expenditures were also well below the spending through the same period last fiscal year due to the change in funding for the Building Division.

Finance Department: Through August, the Department's expenditures totaled $2.6 million, or 14.6% of the budget, which is below par. This expenditure level was approximately 16.5% higher than through the same period last year. Similar to other departments, the timing of when the internal service fund allocations charges being recorded is a factor in the large increase.

Fire Department: As of August 31, 2021, actual expenditures in the General Fund totaled $10.5 million, or 17.3% of the budget, which is slightly above par. These expenditures reflect a 21.2% increase from expenditures through the same period last fiscal year. This is mainly attributable to the timing of internal service fund allocation charges. Last fiscal year, these charges were not recorded in the departmental expenditures until October. All COVID-19 related expenditures have been charged centrally to the Other City Departments Operating Grant Trust Fund. The Fire Department has charged approximately $0.07 million to this fund, bringing total expenditures, including the General Fund, to $10.6 million. Overtime expenditures are tracking at 39.8%, which is above par for this time of year. While this overtime figure is high, it is important to note that overtime is used to backfill for vacant positions and the vacancy savings offset a portion of the overtime costs.

Library Department: Through August, actual expenditures totaled $1.4 million, or 12.8% of the budget, which is below par and consistent with expenditure levels last fiscal year. COVID-19 precautions have continued to impact Library operations this year, resulting in lower expenditures. A phased reopening is in progress, with full operations currently anticipated by the start of calendar year 2022.

Parks and Recreation Department: Through August, actual expenditures totaled approximately $3.0 million, or 13.9% of the budget, which is below par, but above the prior year actuals of $2.5 million. This is due to the internal service fund allocation charges which were recorded in October last fiscal year as well as an increase in activity levels. The department is resuming activities that were previously impacted by COVID-19 restrictions, which will result in higher expenditures this fiscal year.

Police Department: Expenditures as of August 31, 2021 are tracking at expected levels at $12.6 million, or 15.8% of the budget; this is15% above prior year spending. Again, this is also a result of the timing of internal service fund allocation charges. Last fiscal year, these charges were not recorded in the departmental expenditures until October. Similar to the Fire Department, Police Department expenditures related to COVID-19 have also been charged to the Other City Departments Operating Grant Trust Fund. Through August, charges to this fund totaled approximately $0.02 million. Accounting for the General Fund and Other City Departments Operating Grant Trust Fund, department expenditures are still tracking slightly below par.

Stadium Operation: Stadium operating expenditures are incurred first and billed on a reimbursement basis creating a timing difference in revenue recognition. Stadium expenditures totaled $0.9 million through August and are tracking below budgeted levels. However, this is significantly higher than expenditures through the same period last year, as a direct result of the reopening of the Stadium for events.

Special Revenue Funds

The table below is a summary of revenues and expenditures of select Special Revenue Funds as of August 31, 2021. The amended budget for both reflects carryover appropriations from fiscal year 2021/22 in addition to budget amendments approved by the City Council through August 2021. Effective July 1, 2021, all Building Division revenues and expenditures are now budgeted and accounted for in the new Building Development Services Fund, which is included in the table below. Revenues totaled approximately $2.4 million, while expenditures totaled approximately $2.7 million through the end of August. Overall, both revenues and expenditures are tracking slightly below par.

CITY OF SANTA CLARA
SPECIAL REVENUE FUNDS
REVENUE AND EXPENDITURE - OVERVIEW AND COMPARISON BY FUND

	REVENUES - FISCAL YEAR 2021/22				PRIOR YEAR REVENUE COMPARISON		
Fund Description	Adopted Budget	Amended Budget	Actual Through 8/31/2021	Percentage received	Actual Through 8/31/2020	$ Change From Prior Year	Percent Change
Housing Authority Fund	$ 261,000	$ 261,000	$ 14,011	5.37%	$ 15,166	$ (1,155)	-7.62%
City Affordable Housing Fund	657,000	657,000	31,694	4.82%	27,859	3,835	13.77%
Housing Successor Fund	350,000	350,000	66,494	19.00%	226,784	(160,290)	-70.68%
Housing and Urban Development	1,957,103	1,957,103	87,192	4.46%	228,339	(141,147)	-61.81%
Building Development Services Fee Fund	13,630,000	13,630,000	2,155,647	15.82%	0	2,155,647	100.00%
TOTAL	**$ 16,855,103**	**$ 16,855,103**	**$ 2,355,038**	**13.97%**	**$ 498,148**	**$ 1,856,890**	**372.76%**

	EXPENDITURES - FISCAL YEAR 2021/22				PRIOR YEAR EXPENDITURE COMPARISON		
Fund Description	Adopted Budget	Amended Budget	Actual through 8/31/2021	Percentage used	Actual through 8/31/2020	$ Change From Prior Year	Percent Change
Housing Authority Fund	$ 363,099	$ 483,099	$ 31,440	6.51%	$ 28,912	$ 2,528	8.74%
City Affordable Housing Fund	1,431,111	2,852,650	176,890	6.20%	92,099	84,791	92.07%
Housing Successor Fund	915,640	1,260,001	128,342	10.19%	184,870	(56,528)	-30.58%
Housing and Urban Development	3,684,839	5,430,472	888,910	16.37%	515,802	373,108	72.34%
Building Development Services Fee Fund	12,256,059	12,256,059	1,482,855	12.10%	0	1,482,855	100.00%
TOTAL	**$ 18,650,748**	**$ 22,282,281**	**$ 2,708,437**	**12.16%**	**$ 821,683**	**$ 1,886,754**	**229.62%**

Governmental Capital Improvement Funds

The table below lists the total amended budget amounts for the Capital Improvement Funds, which consist of current year appropriations, prior year carryover balances in Governmental Capital Improvement Funds, and budget amendments approved through August 2021. As of August 31, 2021, these capital fund expenditures totaled $2.0 million, or 1.3% of the amended budget. As part of the adoption of the FY 2021/22 and FY 2022/23 operating budget, some capital funds were carried over for projects that were not anticipated to be completed by June 30, 2021. Necessary additional adjustments to the capital carryover amounts will be brought forward as part of the Budgetary Year-End Report for FY 2020/21, expected to go to Council in December 2021.

The carryover of prior year budget amounts is necessary when services or projects are started but not completed at the end of the fiscal year. This is especially true for the Capital Improvement Program (CIP) that typically spans several years. The table below displays the expenditure budget for the General Government capital funds excluding transfers.

CITY OF SANTA CLARA
GOVERNMENTAL CAPITAL IMPROVEMENT FUNDS
SUMMARY OF EXPENDITURES

	EXPENDITURES - FISCAL YEAR 2021/22				
Fund Description	Current Year Appropriation	Prior Year Carryforward	Total Amended Budget	Actual Through 8/31/2021	Percentage Used
Parks & Recreation	$ 7,085,289	$ 15,478,055	$ 22,563,344	$ 411,598	1.82%
Streets & Highways	26,414,803	62,313,089	88,727,892	1,068,092	1.20%
Storm Drain	592,169	10,471,505	11,063,674	103,492	0.94%
Fire	837,110	1,017,587	1,854,697	22,669	1.22%
Library	7,872	246,601	254,473	12,608	4.95%
Public Buildings	397,953	7,547,118	7,945,071	114,788	1.44%
General Gov't - Other	1,555,000	10,228,593	11,783,593	114,158	0.97%
Related Santa Clara Developer	968,103	1,326,191	2,294,294	113,863	4.96%
Tasman East Specific Infrastructure Improvement Fund	23,757	-	23,757	-	0.00%
TOTAL	**$ 37,882,056**	**$ 108,628,739**	**$ 146,510,795**	**$ 1,961,268**	**1.34%**

Enterprise Funds

The table below is a summary of revenues and expenses for the Enterprise Operating Funds as of August 31, 2021. Overall, revenues and expenditures are tracking below budgeted levels.

While revenues are tracking below last fiscal year levels, expenditures are tracking significantly higher than prior year levels, primarily in the Electric Utility Fund. The increase in expenditures is primarily due to the higher debt retirement costs as well as higher resource costs related to transmission and wheeling (transportation of electric energy from within an electrical grid to an electrical load outside the grid boundaries). Electric Utility expenditures, however, are tracking within budget through August.

CITY OF SANTA CLARA
ENTERPRISE OPERATING FUNDS
REVENUES AND EXPENSES - OVERVIEW AND COMPARISON BY FUND

	REVENUES - FISCAL YEAR 2021/22				PRIOR YEAR REVENUE COMPARISON		
Fund Description	Adopted Budget	Amended Budget	Actual Through 8/31/2021	Percentage received	Actual Through 8/31/2020	$ Change From Prior Year	Percent Change
Electric Utility Fund	$ 555,810,147	$ 555,810,147	$ 53,823,384	9.68%	$ 48,301,982	$ 5,521,402	11.43%
Water Utility Fund	49,489,630	49,489,630	6,069,678	12.26%	6,953,968	(884,290)	-12.72%
Sewer Utility Fund	58,344,697	58,344,697	4,095,652	7.02%	5,325,917	(1,230,265)	-23.10%
Cemetery Fund	600,000	600,000	132,408	22.07%	80,829	51,579	63.81%
Solid Waste Utility Fund	33,610,000	33,610,000	3,785,465	11.26%	3,195,828	589,637	18.45%
Water Recycling Fund	5,703,831	5,703,831	1,097,574	19.24%	631,015	466,559	73.94%
TOTAL REVENUE	**$ 703,558,305**	**$ 703,558,305**	**$ 69,004,161**	**9.81%**	**$ 64,489,539**	**$ 4,514,622**	**7.00%**

	EXPENSES - FISCAL YEAR 2021/22				PRIOR YEAR EXPENSE COMPARISON		
Fund Description	Adopted Budget	Amended Budget	Actual through 8/31/2021	Percentage Used	Actual through 8/31/2020	$ Change From Prior Year	Percent Change
Electric Utility Fund	$ 511,251,732	$ 513,122,550	$ 77,898,641	15.18%	$ 52,656,020	$ 25,242,621	47.94%
Water Utility Fund	47,197,617	47,580,260	5,119,682	10.76%	4,507,876	611,806	13.57%
Sewer Utility Fund	30,565,333	30,707,268	6,576,816	21.42%	5,249,651	1,327,165	25.28%
Cemetery Fund	1,480,235	1,480,235	237,326	16.03%	176,481	60,845	34.48%
Solid Waste Utility Fund	33,323,675	36,981,208	4,517,524	12.22%	2,092,687	2,424,837	115.87%
Water Recycling Fund	5,709,582	5,709,582	1,251,718	21.92%	1,310,473	(58,755)	-4.48%
TOTAL - Operating Appropriations	**$ 629,528,174**	**$ 635,581,103**	**$ 95,601,707**	**15.04%**	**$ 65,993,188**	**$ 29,608,519**	**44.87%**

Revenues in the electric (which also includes the Electric Debt Service Fund), water, and sewer utility (which also includes the Sewer Debt Service Fund) and water recycling funds are primarily from customer service charges. The activity levels for these customer service charges also impact the resource and production costs on the expenditure side for these funds. The lower the revenue from customer service charges, the lower the expenditures in the resource and production category.

A summary of expenses in the Enterprise Capital Improvement Funds is detailed in the table below. Actuals through August 2021 totaled approximately $7.6 million, or 3.2% of the amended budget. Similar to the general government capital funds, capital funds were carried over into next fiscal year as part of the FY 2021/22 and FY 2022/23 budget adoption process for those projects that have not yet been completed. Adjustments to the capital carryover amounts based on actual year-end expenditures will be brought forward in December 2021, as part of the FY 2020/21 year-end reconciliation process.

CITY OF SANTA CLARA
ENTERPRISE CAPITAL IMPROVEMENT FUNDS
SUMMARY OF EXPENSES

	EXPENSES - FISCAL YEAR 2021/22					Prior Year
Fund Description	Current Year Appropriation	Prior Year Carryforward	Total Amended Budget	Actual Through 8/31/2021	Percentage Used	Actual Through 8/31/2020
Electric Utility Fund	$ 45,406,027	$ 94,324,423	$ 139,730,450	$ 1,700,186	1.22%	$ 11,618,228
Street Lighting (1)	-	5,953,560	5,953,560	43,022	0.72%	720
Water Utility Fund	6,285,000	5,815,672	12,100,672	441,284	3.65%	851,997
Sewer Utility Fund	47,296,944	25,449,390	72,746,334	5,078,831	6.98%	3,331,638
Cemetery Fund	8,409	351,635	360,044	1,401	0	-
Solid Waste Utility Fund	623,700	46,677	670,377	112,790	16.82%	2,719
Water Recycling Fund	50,000	-	50,000	-	-	-
Convention Center Capital Fund		3,500,000	3,500,000	207,237		
TOTAL - CIP Appropriations	**$ 99,670,080**	**$ 135,441,357**	**$ 235,111,437**	**$ 7,584,751**	**3.23%**	**$ 15,805,302**

(1) Street Lighting fund is part of Electric Capital Improvement Funds

Fund Reserves

By policy, City Council established the City's General Contingency Reserve, under which reserves for Budget Stabilization and Capital Projects were established.

- Budget Stabilization Reserve is set aside for weathering 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-day or 25% General Fund Adopted Operating Budget). In FY 2021/22, the City Council approved an exception to the policy to allow the Reserve to drop below the 25% level.
- Capital Projects Reserve earmarks funds for the Capital Improvement Program.

Other General Reserves and Enterprise Fund Reserves included in this report are highlighted as follows:

- Technology Fee Reserve is set aside to update and/or replace the City's aging technology and to ensure internal controls are in compliance with current business standard and legal requirements.
- Land Sale Reserve is net proceeds from the sale of City-owned land, with interest earned on these funds available to be appropriated for General Fund operating expenditures. This reserve is available for appropriation by City Council action.
- The Electric Utility Reserve assures sufficient operating cash is available to ensure debt service coverage.
- The Replacement and Improvement Reserve in the Water and Sewer Utility Funds is for future capital improvement.

The table below summarizes select reserve balances.

CITY OF SANTA CLARA
RESERVE BALANCES
August 31, 2021

DETAIL OF SELECTED FUND RESERVE BALANCES:

	GENERAL FUND	ELECTRIC	WATER
Budget Stabilization Reserve	$ 52,963,235		
Capital Projects Reserve	5,361,215		
Land Sale Reserve	25,766,610		
Technology Fee Reserve	1,474,371		
Rate Stabilization Fund Reserve		$ 44,898,011	
Cost Reduction Fund Reserve		112,838,357	
DVR Power Plant Contracts Reserve		78,163	
Replacement & Improvement			$ 303,090
TOTALS	**$ 85,565,430**	**$ 157,814,531**	**$ 303,090**

Long-Term Interfund Advances

The funds below have made advances/loans which are not expected to be repaid within the next year. The balances reflected in the table are through August 2021. The loan from the General Fund to Parks and Recreation Facilities reflects proceeds from the Land Sale Reserve for the purchase of property at the Reed and Grant Sports Park. This loan is anticipated to be repaid by 25% of future Mitigation Fee Act revenue until the loan is paid in full.

DETAIL OF LONG TERM INTERFUND ADVANCE BALANCES:

Fund Receiving Advance/Loan	Fund Making Advance/Loan	Type	Amount of Advance/ Commitment
Cemetery	General Fund	Advance	$ 7,961,149
Parks and Recreation Facilities	General Fund	Loan	6,618,748
TOTALS			**$ 14,579,897**

Donations to the City of Santa Clara

Donations received by department during the month of August 2021 and for fiscal year 2021/22 are shown in the table below.

Department	Aug-21	Fiscal Year 2021/22 Year To Date	Designated Use
City Manager's Office	$ -	$ 50	Help Your Neighbor
Parks & Recreation	2,550	12,550	Case Management
Parks & Recreation	625	625	Wade Brummal
Police	0	75,000	PD Team 200
TOTALS	**$ 3,175**	**$ 88,225**	

City of Santa Clara

The Center of What's Possible

MONTHLY INVESTMENT REPORT

August 2021

City of Santa Clara

Monthly Investment Report

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CITY OF SANTA CLARA
SUMMARY OF INVESTMENT PORTFOLIO

All securities held by the City of Santa Clara as of August 31, 2021 were in compliance with the City's Investment Policy Statement regarding current market strategy and long-term goals and objectives. All securities held are rated "A" or higher by two nationally recognized rating agencies. There is adequate cash flow and maturity of investments to meet the City's needs for the next six months.

The following table provides the breakdown of the total portfolio among the City, the Sports and Open Space Authority (SOSA), and the Housing Authority (HA) as of August 31, 2021.

	COST VALUE	PERCENTAGE
City	$809,356,569	99.52%
SOSA	13,132	0.00%
HA	3,868,374	0.48%
Unrestricted	$813,238,075	100.00%
Restricted Bond Proceeds	2,146,290	
Total Investments	$815,384,365	

On August 31, 2021 the cost value and market value of the City's unrestricted pooled investment portfolio were $813,238,075 and $826,044,166 respectively.

Investment Strategy and Market Update

The City's investment strategy for August 2021 was to invest funds not required to meet current obligations, in securities listed in the prevailing Investment Policy Statement, with maturities not to exceed five years from date of purchase. This strategy ensures safety of the City's funds, provides liquidity to meet the City's cash needs, and earns a reasonable portfolio return.

On August 14, 2020, City Council approved entering into a contract with PFM Asset Management LLC ("PFM") for the management of the City's investment portfolio. The City has leveraged PFM's extensive investment management experience and dedicated credit and risk management personnel to further diversify the portfolio and enhance returns. PFM began actively managing the City's securities portfolio on September 1, 2020.

As of August 31, 2021, 47.89% of the City's portfolio consists of U.S. Treasury Notes, 31.60% consists of Federal Agencies, 8.56% consists of Local Agency Investment Fund (LAIF), 7.54% consists of investment grade Corporate Notes, 0.90% consists of investment grade Supranational Obligations, 0.48% consists of investment grade Asset-Back Securities, 2.25% consists of Negotiable Certificates of Deposit, and 0.51% consists of investment grade Municipal Bonds. In addition, City bond proceeds are invested in separate funds and are not included in the calculation of the City's portfolio yield.

The City's portfolio yield, including LAIF and money market accounts, was 1.30% and the average maturity of the City's portfolio was 2.09 years.

Traditionally the City has compared the portfolio yield to the 24-month moving average yield of the two-year Treasury Note (Benchmark Yield*). During 2021 annual Investment Policy review, the City evaluated alternate portfolio performance benchmarks in order to establish an independent standard to serve as a measure of the performance of the portfolio and to help guide the maturity structure of the portfolio. The City began using the 24-Month moving average yield of the ICE BaML 0-5 US Treasury Index as benchmark, effective March 23, 2021.

The City's securities portfolio compared to the ICE BaML 0-5 US Treasury Index (Benchmark) as of August 31, 2021 was as follows:

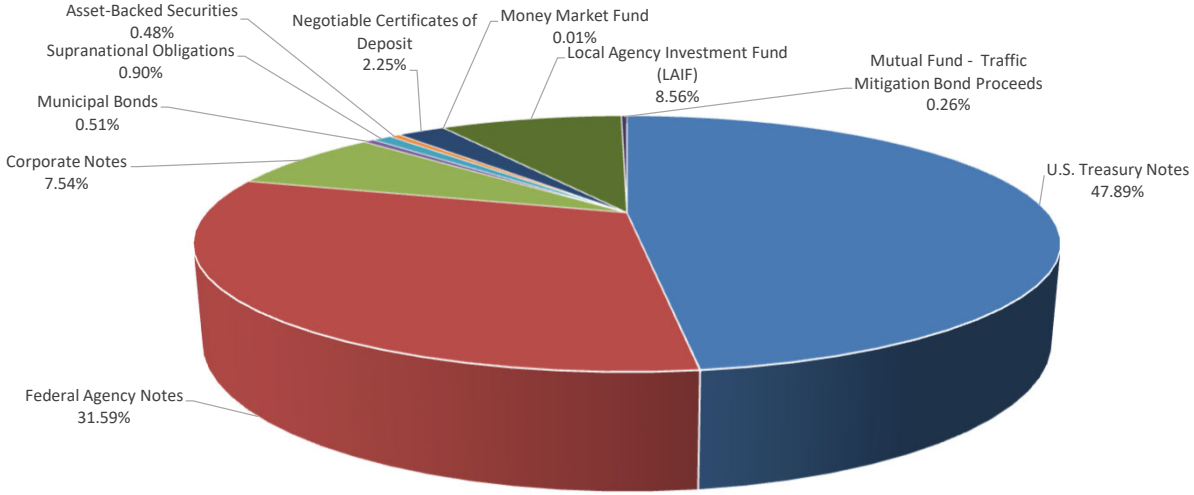
Description	Average Maturity (Years)	Yield to Maturity (At Cost) [1]
Santa Clara Portfolio	2.27	1.41%
Benchmark	2.26	0.54%

1. *Yield to Maturity at Cost: The expected rate of return based on the original cost, annual interest receipts, maturity value, and the time period from purchase date to maturity, stated as a percentage on an annualized basis.*

The Benchmark yield represents the 24-month moving average yield of the ICE BaML 0-5 US Treasury Index.

CITY OF SANTA CLARA
SUMMARY OF INVESTMENTS AUGUST 31, 2021

INVESTMENT TYPE	COST VALUE	% OF PORTFOLIO	PER INVESTMENT POLICY
U.S. Treasury Notes	390,493,937	47.89%	No Limit
Federal Agency Notes	257,596,663	31.60%	80%
Corporate Notes	61,467,680	7.54%	15%
Municipal Bonds	4,145,000	0.51%	20%
Supranational Obligations	7,319,817	0.90%	10%
Asset-Backed Securities	3,949,323	0.48%	20%
Negotiable Certificates of Deposit	18,360,000	2.25%	25%
Money Market Fund	86,585	0.01%	10% Per Fund
Local Agency Investment Fund (LAIF)	69,819,070	8.56%	$75 M
Mutual Fund - Traffic Mitigation Bond Proceeds	2,146,290	0.26%	10% Per Fund
TOTAL INVESTMENTS	$ 815,384,365	100.00%	

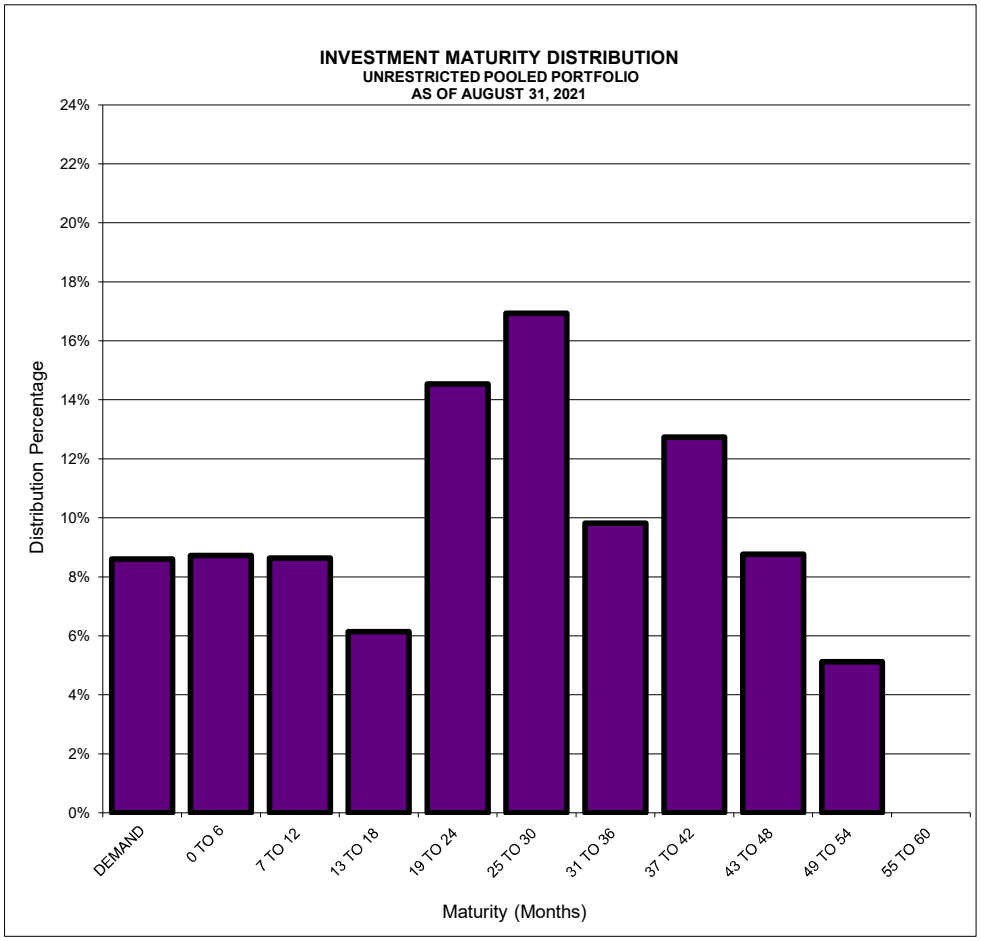


INVESTMENT MATURITY DISTRIBUTION
AS OF AUGUST 31, 2021
UNRESTRICTED POOLED PORTFOLIO

MATURITY (IN MONTHS)	COST VALUE	NUMBER OF INVESTMENTS	DISTRIBUTION
DEMAND	$ 69,905,655 (a)	2	8.60%
0 TO 6	70,949,461	12	8.72%
7 TO 12	70,179,283	10	8.63%
13 TO 18	49,895,138	11	6.14%
19 TO 24	118,244,326	19	14.54%
25 TO 30	137,695,669	24	16.93%
31 TO 36	79,890,471	13	9.82%
37 TO 42	103,534,286	18	12.73%
43 TO 48	71,290,022	9	8.77%
49 TO 54	41,653,764	8	5.12%
55 TO 60	-	-	0.00%
TOTAL	$ 813,238,075	126	100.00%

Average Maturity of Unrestricted Pool: 2.09 Years

(a) $20 million is earmarked for the City's Electric Utility power-trading.



City of Santa Clara Monthly Report

8/31/2021

Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
UNITED STATES TREASURY	10/15/2018	2.875%	10/15/2021	9128285F3	5,000,000.00	AA+	1/16/2019	5,043,554.69	2.54%	5,017,000.00	-26,554.69
UNITED STATES TREASURY	11/30/2016	1.750%	11/30/2021	912828U65	10,000,000.00	AA+	5/21/2018	9,648,046.88	2.80%	10,041,900.00	393,853.12
UNITED STATES TREASURY	1/3/2017	2.000%	12/31/2021	912828U81	5,000,000.00	AA+	11/8/2017	5,016,796.88	1.92%	5,032,100.00	15,303.12
UNITED STATES TREASURY	1/31/2017	1.875%	1/31/2022	912828V72	5,000,000.00	AA+	2/23/2018	4,878,125.00	2.53%	5,037,100.00	158,975.00
UNITED STATES TREASURY	3/2/2015	1.750%	2/28/2022	912828J43	2,800,000.00	AA+	3/3/2017	2,735,687.50	2.24%	2,823,408.00	87,720.50
UNITED STATES TREASURY	3/31/2017	1.875%	3/31/2022	912828W89	5,000,000.00	AA+	1/24/2018	4,902,343.75	2.37%	5,052,350.00	150,006.25
UNITED STATES TREASURY	5/1/2017	1.875%	4/30/2022	912828X47	5,000,000.00	AA+	1/19/2018	4,901,757.81	2.36%	5,059,950.00	158,192.19
UNITED STATES TREASURY	6/1/2015	1.875%	5/31/2022	912828XD7	5,000,000.00	AA+	6/8/2017	5,024,218.75	1.77%	5,067,200.00	42,981.25
UNITED STATES TREASURY	6/30/2015	2.125%	6/30/2022	912828XG0	25,000,000.00	AA+	12/21/2018	25,448,046.88	1.60%	25,425,750.00	-22,296.88
UNITED STATES TREASURY	7/31/2017	1.875%	7/31/2022	9128282P4	5,000,000.00	AA+	3/26/2018	4,853,515.63	2.59%	5,082,250.00	228,734.37
UNITED STATES TREASURY	8/31/2015	1.875%	8/31/2022	912828L24	5,000,000.00	AA+	9/28/2017	4,991,015.00	1.91%	5,089,050.00	98,035.00
UNITED STATES TREASURY	10/2/2017	1.875%	9/30/2022	9128282W9	5,000,000.00	AA+	4/19/2018	4,820,117.19	2.74%	5,095,500.00	275,382.81
UNITED STATES TREASURY	9/30/2015	1.750%	9/30/2022	912828L57	5,000,000.00	AA+	10/5/2017	4,950,781.25	1.96%	5,088,500.00	137,718.75
UNITED STATES TREASURY	11/2/2015	1.875%	10/31/2022	912828M49	5,000,000.00	AA+	10/25/2017	4,953,515.63	2.07%	5,103,150.00	149,634.37
UNITED STATES TREASURY	11/30/2015	2.000%	11/30/2022	912828M80	5,000,000.00	AA+	12/15/2017	4,960,546.88	2.17%	5,117,600.00	157,053.12
UNITED STATES TREASURY	12/31/2015	2.125%	12/31/2022	912828N30	1,300,000.00	AA+	5/14/2018	1,260,187.50	2.84%	1,334,476.00	74,288.50
UNITED STATES TREASURY	1/15/2020	1.500%	1/15/2023	912828Z29	2,850,000.00	AA+	4/20/2020	2,947,968.75	0.24%	2,903,665.50	-44,303.25
UNITED STATES TREASURY	2/1/2016	1.750%	1/31/2023	912828P38	5,000,000.00	AA+	2/13/2018	4,810,937.50	2.57%	5,113,300.00	302,362.50
UNITED STATES TREASURY	2/29/2016	1.500%	2/28/2023	912828P79	10,000,000.00	AA+	2/27/2018	9,450,000.00	2.68%	10,203,100.00	753,100.00
UNITED STATES TREASURY	3/31/2016	1.500%	3/31/2023	912828Q29	10,000,000.00	AA+	4/10/2018	9,479,290.00	2.62%	10,213,300.00	734,010.00
UNITED STATES TREASURY	3/31/2021	0.125%	3/31/2023	91282CBU4	5,000,000.00	AA+	6/29/2021	4,992,187.50	0.21%	4,997,450.00	5,262.50
UNITED STATES TREASURY	5/2/2016	1.625%	4/30/2023	912828R28	10,000,000.00	AA+	5/8/2018	9,446,875.00	2.82%	10,243,800.00	796,925.00
UNITED STATES TREASURY	5/31/2016	1.625%	5/31/2023	912828R69	10,000,000.00	AA+	7/16/2018	9,484,375.00	2.76%	10,254,300.00	769,925.00
UNITED STATES TREASURY	7/2/2018	2.625%	6/30/2023	9128284U1	5,030,000.00	AA+	8/26/2021	5,252,616.80	0.22%	5,253,985.90	1,369.10
UNITED STATES TREASURY	6/30/2016	1.375%	6/30/2023	912828S35	20,000,000.00	AA+	1/17/2019	20,053,710.95	1.31%	20,436,800.00	383,089.05
UNITED STATES TREASURY	7/31/2018	2.750%	7/31/2023	912828Y61	10,000,000.00	AA+	9/18/2018	9,918,710.94	2.93%	10,487,100.00	568,389.06
UNITED STATES TREASURY	8/31/2016	1.375%	8/31/2023	9128282D1	5,000,000.00	AA+	9/12/2018	4,657,031.25	2.87%	5,115,650.00	458,618.75
UNITED STATES TREASURY	9/30/2016	1.375%	9/30/2023	912828T26	7,500,000.00	AA+	11/13/2018	6,947,167.97	3.01%	7,678,725.00	731,557.03
UNITED STATES TREASURY	10/15/2020	0.125%	10/15/2023	91282CAP6	5,260,000.00	AA+	3/26/2021	5,248,288.28	0.21%	5,247,481.20	-807.08
UNITED STATES TREASURY	10/31/2016	1.625%	10/31/2023	912828T91	5,000,000.00	AA+	1/25/2019	4,787,695.31	2.58%	5,149,400.00	361,704.69
UNITED STATES TREASURY	11/30/2018	2.875%	11/30/2023	9128285P1	9,745,000.00	AA+	6/23/2021	10,349,875.20	0.32%	10,317,518.75	-32,356.45
UNITED STATES TREASURY	11/30/2016	2.125%	11/30/2023	912828U57	10,000,000.00	AA+	2/28/2019	10,251,562.50	1.57%	10,418,000.00	166,437.50
UNITED STATES TREASURY	1/3/2017	2.250%	12/31/2023	912828V23	5,000,000.00	AA+	3/13/2019	4,957,812.50	2.44%	5,229,500.00	271,687.50
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	5,000,000.00	AA+	3/26/2021	4,981,445.31	0.26%	4,980,850.00	-595.31
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	2,510,000.00	AA+	3/31/2021	2,497,744.14	0.30%	2,500,386.70	2,642.56
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	11,000,000.00	AA+	6/11/2021	10,972,500.00	0.22%	10,957,870.00	-14,630.00
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	5,525,000.00	AA+	7/14/2021	5,497,375.00	0.33%	5,503,839.25	6,464.25
UNITED STATES TREASURY	1/31/2019	2.500%	1/31/2024	9128285Z9	5,000,000.00	AA+	4/14/2020	5,407,421.88	0.34%	5,265,450.00	-141,971.88
UNITED STATES TREASURY	1/31/2017	2.250%	1/31/2024	912828V80	5,000,000.00	AA+	2/13/2019	4,936,328.13	2.52%	5,236,700.00	300,371.87
UNITED STATES TREASURY	2/28/2017	2.125%	2/29/2024	912828W48	5,000,000.00	AA+	3/19/2019	4,926,950.00	2.44%	5,227,550.00	300,600.00
UNITED STATES TREASURY	2/28/2017	2.125%	2/29/2024	912828W48	2,575,000.00	AA+	4/15/2021	2,708,376.95	0.31%	2,692,188.25	-16,188.70
UNITED STATES TREASURY	3/31/2017	2.125%	3/31/2024	912828W71	5,000,000.00	AA+	4/29/2019	4,955,078.13	2.32%	5,232,250.00	277,171.87
UNITED STATES TREASURY	5/1/2017	2.000%	4/30/2024	912828X70	5,000,000.00	AA+	5/16/2019	4,952,734.38	2.20%	5,222,050.00	269,315.62
UNITED STATES TREASURY	5/15/2014	2.500%	5/15/2024	912828WJ5	6,050,000.00	AA+	8/16/2019	6,332,174.65	1.48%	6,401,686.50	69,511.85
UNITED STATES TREASURY	6/30/2019	1.750%	6/30/2024	9128286Z8	7,250,000.00	AA+	12/12/2019	7,253,398.44	1.74%	7,532,895.00	279,496.56
UNITED STATES TREASURY	6/30/2017	2.000%	6/30/2024	912828XX3	5,000,000.00	AA+	8/29/2019	5,136,328.13	1.41%	5,229,500.00	93,171.87
UNITED STATES TREASURY	7/31/2017	2.125%	7/31/2024	9128282N9	5,000,000.00	AA+	9/10/2019	5,133,315.75	1.56%	5,253,150.00	119,834.25
UNITED STATES TREASURY	8/31/2017	1.875%	8/31/2024	9128282U3	5,000,000.00	AA+	3/10/2020	5,275,780.00	0.62%	5,220,300.00	-55,480.00

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Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
UNITED STATES TREASURY	8/31/2019	1.250%	8/31/2024	912828YE4	5,050,000.00	AA+	1/5/2021	5,240,164.06	0.21%	5,177,613.50	-62,550.56
UNITED STATES TREASURY	10/2/2017	2.125%	9/30/2024	9128282Y5	5,000,000.00	AA+	10/25/2019	5,116,406.25	1.63%	5,260,950.00	144,543.75
UNITED STATES TREASURY	10/31/2017	2.250%	10/31/2024	9128283D0	10,000,000.00	AA+	11/18/2019	10,290,625.00	1.64%	10,569,900.00	279,275.00
UNITED STATES TREASURY	11/30/2017	2.125%	11/30/2024	9128283J7	5,000,000.00	AA+	1/6/2020	5,118,945.31	1.62%	5,267,600.00	148,654.69
UNITED STATES TREASURY	1/2/2018	2.250%	12/31/2024	9128283P3	10,000,000.00	AA+	1/7/2020	10,300,781.25	1.62%	10,587,100.00	286,318.75
UNITED STATES TREASURY	1/31/2020	1.375%	1/31/2025	912828Z52	5,000,000.00	AA+	4/22/2020	5,238,671.88	0.37%	5,148,250.00	-90,421.88
UNITED STATES TREASURY	1/31/2020	1.375%	1/31/2025	912828Z52	1,950,000.00	AA+	5/7/2021	2,013,146.48	0.50%	2,007,817.50	-5,328.98
UNITED STATES TREASURY	2/28/2018	2.750%	2/28/2025	9128283Z1	6,200,000.00	AA+	3/6/2020	6,850,757.82	0.61%	6,681,740.00	-169,017.82
UNITED STATES TREASURY	8/31/2020	0.250%	8/31/2025	91282CAJ0	16,330,000.00	AA+	8/2/2021	16,153,942.19	0.52%	16,088,316.00	-65,626.19
UNITED STATES TREASURY	12/31/2020	0.375%	12/31/2025	91282CBC4	3,820,000.00	AA+	5/3/2021	3,751,956.25	0.76%	3,769,728.80	17,772.55
UNITED STATES TREASURY	2/28/2021	0.500%	2/28/2026	91282CBQ3	8,100,000.00	AA+	8/31/2021	8,027,226.56	0.70%	8,026,614.00	-612.56
U.S. Treasury Bond / Note				**Subtotal**	390,845,000.00			390,493,936.61		400,772,655.85	10,278,719.24
FANNIE MAE	10/7/2016	1.375%	10/7/2021	3135G0Q89	5,000,000.00	AA+	10/7/2016	4,982,000.00	1.45%	5,006,600.00	24,600.00
FANNIE MAE	1/9/2017	2.000%	1/5/2022	3135G0S38	5,000,000.00	AA+	10/10/2018	4,845,050.00	3.01%	5,033,350.00	188,300.00
FANNIE MAE	10/6/2017	2.000%	10/5/2022	3135G0T78	5,000,000.00	AA+	1/26/2018	4,890,750.00	2.50%	5,102,650.00	211,900.00
FANNIE MAE	11/25/2020	0.250%	11/27/2023	3135G06H1	4,950,000.00	AA+	11/25/2020	4,944,357.00	0.29%	4,953,168.00	8,811.00
FANNIE MAE	11/25/2020	0.250%	11/27/2023	3135G06H1	5,225,000.00	AA+	1/22/2021	5,230,799.75	0.21%	5,228,344.00	-2,455.75
FANNIE MAE	7/8/2019	1.750%	7/2/2024	3135G0V75	15,000,000.00	AA+	12/18/2019	15,566,089.75	0.90%	15,575,700.00	9,610.25
FANNIE MAE	1/10/2020	1.625%	1/7/2025	3135G0X24	7,500,000.00	AA+	1/22/2020	7,499,025.00	1.63%	7,797,525.00	298,500.00
FANNIE MAE	4/24/2020	0.625%	4/22/2025	3135G03U5	10,000,000.00	AA+	5/7/2020	10,050,600.00	0.52%	10,026,900.00	-23,700.00
FANNIE MAE	6/19/2020	0.500%	6/17/2025	3135G04Z3	5,000,000.00	AA+	7/17/2020	5,008,950.00	0.46%	4,987,150.00	-21,800.00
FANNIE MAE	11/12/2020	0.500%	11/7/2025	3135G06G3	1,860,000.00	AA+	12/29/2020	1,864,929.00	0.44%	1,848,337.80	-16,591.20
FNMA Medium Term Note				**Subtotal**	64,535,000.00			64,882,550.50		65,559,724.80	677,174.30
FEDERAL FARM CREDIT BANKS	10/14/2016	1.400%	4/14/2022	3133EGYS8	5,000,000.00	AA+	2/4/2020	4,994,485.00	1.45%	5,041,400.00	46,915.00
FEDERAL FARM CREDIT BANKS	7/19/2019	1.850%	7/19/2022	3133EKVE3	5,000,000.00	AA+	7/17/2019	4,994,300.00	1.89%	5,079,300.00	85,000.00
FEDERAL FARM CREDIT BANKS	8/5/2019	1.850%	8/5/2022	3133EKYJ9	5,000,000.00	AA+	8/13/2019	5,029,800.00	1.64%	5,080,800.00	51,000.00
FEDERAL FARM CREDIT BANKS	11/1/2017	2.080%	11/1/2022	3133EHM91	1,800,000.00	AA+	10/7/2019	1,834,398.00	1.44%	1,841,940.00	7,542.00
FEDERAL FARM CREDIT BANKS	3/16/2018	2.710%	12/16/2022	3133EJGU7	5,000,000.00	AA+	3/28/2018	5,015,935.00	2.64%	5,168,000.00	152,065.00
FEDERAL FARM CREDIT BANKS	6/19/2018	2.890%	6/19/2023	3133EJSD2	5,000,000.00	AA+	11/28/2018	4,980,250.00	2.98%	5,240,950.00	260,700.00
FEDERAL FARM CREDIT BANKS	1/17/2020	1.600%	7/17/2023	3133ELHZ0	5,000,000.00	AA+	1/16/2020	4,998,200.00	1.61%	5,128,550.00	130,350.00
FEDERAL FARM CREDIT BANKS	8/14/2018	2.900%	8/14/2023	3133EJWV7	5,000,000.00	AA+	9/17/2018	4,977,050.00	3.00%	5,258,850.00	281,800.00
FEDERAL FARM CREDIT BANKS	10/2/2018	3.050%	10/2/2023	3133EJD48	7,575,000.00	AA+	11/27/2018	7,583,620.35	3.02%	8,013,819.75	430,199.40
FEDERAL FARM CREDIT BANKS	11/1/2017	2.200%	11/1/2023	3133EHN25	2,965,000.00	AA+	6/26/2019	3,006,094.90	1.87%	3,087,988.20	81,893.30
FEDERAL FARM CREDIT BANKS	2/27/2019	2.610%	2/27/2024	3133EKBW5	5,000,000.00	AA+	3/20/2019	5,033,150.00	2.47%	5,282,050.00	248,900.00
FEDERAL FARM CREDIT BANKS	4/22/2019	2.450%	7/22/2024	3133EKHV1	5,000,000.00	AA+	9/4/2019	5,250,650.00	1.38%	5,288,450.00	37,800.00
FEDERAL FARM CREDIT BANKS	11/1/2019	1.650%	11/1/2024	3133EK4Y9	5,000,000.00	AA+	11/8/2019	4,962,850.00	1.81%	5,187,200.00	224,350.00
FEDERAL FARM CREDIT BANKS	1/23/2020	1.650%	1/23/2025	3133ELJM7	7,320,000.00	AA+	5/18/2020	7,689,367.20	0.56%	7,604,967.60	-84,399.60
FEDERAL FARM CREDIT BANKS	5/14/2020	0.500%	5/14/2025	3133ELZM9	10,000,000.00	AA+	5/15/2020	9,982,800.00	0.53%	9,979,700.00	-3,100.00
FEDERAL FARM CREDIT BANKS	6/9/2020	0.500%	6/9/2025	3133ELH23	10,000,000.00	AA+	6/12/2020	9,997,540.00	0.50%	9,974,300.00	-23,240.00
FFCB Medium Term Note				**Subtotal**	89,660,000.00			90,330,490.45		92,258,265.55	1,927,775.10
FEDERAL FARM CREDIT BANKS	7/2/2020	0.500%	7/2/2025	3133ELR71	10,000,000.00	AA+	7/14/2020	10,017,640.00	0.46%	9,976,200.00	-41,440.00
FFCB Coupon Note				**Subtotal**	10,000,000.00			10,017,640.00		9,976,200.00	-41,440.00
FEDERAL HOME LOAN BANKS	3/5/2012	2.375%	9/10/2021	313378JP7	5,000,000.00	AA+	10/31/2016	5,221,200.00	1.43%	5,002,900.00	-218,300.00

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Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
FEDERAL HOME LOAN BANKS	11/14/2018	3.000%	12/10/2021	3130AFFN2	5,000,000.00	AA+	2/8/2019	5,068,100.00	2.50%	5,040,150.00	-27,950.00
FEDERAL HOME LOAN BANKS	2/17/2012	2.250%	3/11/2022	313378CR0	5,000,000.00	AA+	3/13/2020	5,150,900.00	0.72%	5,057,350.00	-93,550.00
FEDERAL HOME LOAN BANKS	8/15/2013	3.125%	9/9/2022	313383WD9	5,000,000.00	AA+	12/12/2018	5,039,800.00	2.90%	5,153,850.00	114,050.00
FEDERAL HOME LOAN BANKS	10/17/2014	2.375%	9/8/2023	3130A3DL5	5,000,000.00	AA+	9/5/2019	5,164,135.00	1.53%	5,216,300.00	52,165.00
FEDERAL HOME LOAN BANKS	12/9/2013	3.375%	12/8/2023	3130A0F70	5,000,000.00	AA+	1/8/2019	5,147,870.00	2.73%	5,350,350.00	202,480.00
FEDERAL HOME LOAN BANKS	1/16/2015	2.250%	12/8/2023	3130A3VC5	5,000,000.00	AA+	3/12/2020	5,282,425.00	0.72%	5,225,700.00	-56,725.00
FEDERAL HOME LOAN BANKS	3/29/2017	2.375%	3/8/2024	3130AB3H7	5,000,000.00	AA+	4/11/2019	4,998,795.00	2.38%	5,267,400.00	268,605.00
FEDERAL HOME LOAN BANKS	5/8/2014	2.875%	6/14/2024	3130A1XJ2	5,000,000.00	AA+	11/20/2019	5,270,205.00	1.64%	5,341,750.00	71,545.00
FEDERAL HOME LOAN BANKS	8/15/2014	2.875%	9/13/2024	3130A2UW4	5,000,000.00	AA+	10/16/2019	5,285,750.00	1.66%	5,372,500.00	86,750.00
FEDERAL HOME LOAN BANKS	11/6/2014	2.750%	12/13/2024	3130A3GE8	5,000,000.00	AA+	3/12/2020	5,461,300.00	0.77%	5,373,800.00	-87,500.00
FHLB Medium Term Note				**Subtotal**	55,000,000.00			57,090,480.00		57,402,050.00	311,570.00
FEDERAL HOME LOAN BANKS	11/4/2019	1.875%	11/4/2024	3130AHGL1	3,840,000.00	AA+	10/31/2019	3,840,000.00	1.87%	3,852,326.40	12,326.40
FHLB Coupon Note				**Subtotal**	3,840,000.00			3,840,000.00		3,852,326.40	12,326.40
FREDDIE MAC	5/7/2020	0.375%	5/5/2023	3137EAER6	5,000,000.00	AA+	5/8/2020	5,014,545.00	0.28%	5,017,900.00	3,355.00
FREDDIE MAC	9/4/2020	0.250%	9/8/2023	3137EAEW5	1,640,000.00	AA+	9/4/2020	1,640,761.21	0.24%	1,641,984.40	1,223.19
FREDDIE MAC	9/4/2020	0.250%	9/8/2023	3137EAEW5	4,295,000.00	AA+	9/4/2020	4,293,582.65	0.26%	4,300,196.95	6,614.30
FREDDIE MAC	10/16/2020	0.125%	10/16/2023	3137EAEY1	5,920,000.00	AA+	10/16/2020	5,897,918.40	0.25%	5,907,153.60	9,235.20
FREDDIE MAC	2/14/2020	1.500%	2/12/2025	3137EAEP0	5,000,000.00	AA+	5/20/2020	5,226,960.00	0.53%	5,170,650.00	-56,310.00
FREDDIE MAC	9/25/2020	0.375%	9/23/2025	3137EAEX3	9,390,000.00	AA+	9/25/2020	9,361,736.10	0.44%	9,291,311.10	-70,425.00
FHLMC Medium Term Note				**Subtotal**	31,245,000.00			31,435,503.36		31,329,196.05	-106,307.31
INTL BANK OF RECONSTRUCTION AND DEV	4/20/2021	0.125%	4/20/2023	459058JV6	7,335,000.00	AAA	4/20/2021	7,319,816.55	0.23%	7,327,444.95	7,628.40
Supranational				**Subtotal**	7,335,000.00			7,319,816.55		7,327,444.95	7,628.40
CALIFORNIA EARTHQUAKE AUTHORITY	11/24/2020	1.477%	7/1/2023	13017HAK2	1,430,000.00	NR	11/24/2020	1,430,000.00	1.48%	1,457,141.40	27,141.40
LOS ANGELES COMMUNITY COLLEGE DISTRICT C	11/10/2020	0.773%	8/1/2025	54438CYK2	2,715,000.00	AA+	11/10/2020	2,715,000.00	0.77%	2,717,552.10	2,552.10
Municipals				**Subtotal**	4,145,000.00			4,145,000.00		4,174,693.50	29,693.50
AMAZON.COM INC	5/12/2021	0.450%	5/12/2024	023135BW5	4,245,000.00	AA	5/12/2021	4,238,802.30	0.50%	4,247,207.40	8,405.10
APPLE INC	11/13/2017	2.750%	1/13/2025	037833DF4	5,000,000.00	AA+	3/9/2021	5,340,100.00	0.94%	5,322,000.00	-18,100.00
APPLE INC	11/13/2017	2.750%	1/13/2025	037833DF4	5,000,000.00	AA+	3/29/2021	5,355,200.00	0.84%	5,322,000.00	-33,200.00
BANK OF AMERICA	7/23/2013	4.100%	7/24/2023	06053FAA7	4,070,000.00	A-	9/15/2020	4,482,494.50	0.52%	4,357,464.10	-125,030.40
BANK OF NY MELLON CORP	1/28/2021	0.750%	1/28/2026	06406RAQ0	9,000,000.00	A	2/10/2021	9,025,920.00	0.69%	8,939,160.00	-86,760.00
BRISTOL-MYERS SQUIBB CO	11/13/2020	0.750%	11/13/2025	110122DN5	5,725,000.00	A+	6/30/2021	5,672,673.50	0.96%	5,688,646.25	15,972.75
JOHNSON & JOHNSON	8/25/2020	0.550%	9/1/2025	478160CN2	5,000,000.00	AAA	9/3/2020	5,023,550.00	0.45%	4,956,600.00	-66,950.00
JPMORGAN CHASE & CO	9/16/2020	0.653%	9/16/2024	46647PBS4	2,675,000.00	A-	9/16/2020	2,675,000.00	0.65%	2,682,704.00	7,704.00
JPMORGAN CHASE & CO	8/10/2021	0.768%	8/9/2025	46647PCM6	2,340,000.00	A-	8/10/2021	2,340,000.00	0.77%	2,335,413.60	-4,586.40
MASTERCARD INC	12/3/2019	2.000%	3/3/2025	57636QAN4	5,000,000.00	A+	3/9/2021	5,213,450.00	0.91%	5,219,450.00	6,000.00
MICROSOFT CORP	2/12/2015	2.700%	2/12/2025	594918BB9	5,000,000.00	AAA	3/9/2021	5,341,700.00	0.92%	5,334,550.00	-7,150.00
TOYOTA MOTOR CREDIT CORP	1/11/2021	0.450%	1/11/2024	89236THU2	6,100,000.00	A+	1/11/2021	6,099,634.00	0.45%	6,095,913.00	-3,721.00
UNILEVER CAPITAL CORP	9/14/2020	0.375%	9/14/2023	904764BJ5	660,000.00	A+	9/14/2020	659,155.20	0.42%	660,891.00	1,735.80
Corporate Note				**Subtotal**	59,815,000.00			61,467,679.50		61,161,999.35	-305,680.15

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CARMAX AUTO OWNER TRUST	4/21/2021	0.520%	2/17/2026	14314QAC8	2,375,000.00	AAA	4/21/2021	2,374,488.19	0.52%	2,378,800.00	4,311.81
HYUNDAI AUTO RECEIVABLES TRUST	4/28/2021	0.380%	9/15/2025	44933LAC7	1,575,000.00	AAA	4/28/2021	1,574,834.31	0.38%	1,574,874.00	39.69
Asset-Backed Security				**Subtotal**	3,950,000.00			3,949,322.50		3,953,674.00	4,351.50
BARCLAYS BANK PLC	2/12/2021	0.290%	2/4/2022	06742TWL6	11,000,000.00	A-1	2/12/2021	11,000,000.00	0.29%	11,006,600.00	6,600.00
HSBC BANK USA NA	2/26/2021	0.250%	2/25/2022	40435RKU4	7,360,000.00	A-1	2/26/2021	7,360,000.00	0.25%	7,363,680.00	3,680.00
Certificate of Deposit				**Subtotal**	18,360,000.00			18,360,000.00		18,370,280.00	10,280.00
WELLS FARGO PUBLIC INSTITUTION			9/1/2021	992995944	86,584.97		9/1/2020	86,584.97	0.07%	86,584.97	-
LOCAL AGENCY INVESTMENT FUND			9/1/2021		69,819,070.43		9/30/1997	69,819,070.43	0.62%	69,819,070.43	-
DREYFUS TREASURY			9/1/2021		2,146,289.65		10/31/1997	2,146,289.65	0.03%	2,146,289.65	-
Cash Equivalent				**Subtotal**	72,051,945.05			72,051,945.05		72,051,945.05	-
Grand Total			**Count**	**127**	810,781,945.05			815,384,364.52		828,190,455.50	12,806,090.98

FY 2021/22 Budget Amendments

General Fund

Department/Item	Source of Funds	Use of Funds	Explanation
Housing Department - Interfund Services (Unemployment Insurance)		1,017	Reallocates unemployment insurance costs from the Housing and Urban Development Fund to the General Fund due to the spending limitations of the Housing and Urban Development Fund **(five affirmative Council votes required for the use of unused balances)**.
General Fund - Budget Stabilization Reserve		(1,017)	Decreases the Budget Stabilization Reserve to offset the action above **(five affirmative Council votes required for the use of unused balances)**.
	-	-	

Convention Center Capital Fund

Department/Item	Source of Funds	Use of Funds	Explanation
Transfer from Convention Center Enterprise Fund / Santa Clara Convention Center Repairs and Renovations Project	1,764,000	1,764,000	Recognizes a transfer from the Convention Center Enterprise Fund. These funds are the capital investment funds provided by the Convention Center's food and beverage operator. This funding is recommended to be appropriated in the Convention Center Repairs and Renovations Project to cover costs related to building repairs, upgrades, renovations, and maintenance **(five affirmative Council votes required to appropriate additional revenue)**.
	1,764,000	1,764,000	

Convention Center Enterprise Fund

Department/Item	Source of Funds	Use of Funds	Explanation
Other Revenue - Levy Contribution / Transfer to the Convention Center Capital Fund	1,764,000	1,764,000	Recognizes $1.8 million in revenue (capital investment funds) from the Convention Center's food and beverage operator and establishes a transfer from the Convention Center Enterprise Fund to the Convention Center Capital Fund to fund capital improvements at the Convention Center **(five affirmative Council votes required to appropriate additional revenue).**
Interfund Services (Special Liability - Insurance)		(48,722)	Decreases the insurance allocation in the Convention Center Enterprise Fund, as these costs are already budgeted in the Downtown Parking and Convention Center Maintenance District Funds **(majority affirmative Council votes required)**.

FY 2021/22 Budget Amendments

Convention Center Enterprise Fund (Cont'd)

Department/Item	Source of Funds	Use of Funds	Explanation
Unrestricted Ending Fund Balance		48,722	Increases the unrestricted ending fund balance to offset the action above **(majority affirmative Council votes required)**.
	1,764,000	1,764,000	

Electric Utility Capital Fund

Department/Item	Source of Funds	Use of Funds	Explanation
Substation Control and Communication System Replacement Project		75,000	Increases the Substation Control and Communication System Replacement project budget (from $200,000 to $275,000) to cover labor costs and higher than anticipated contractual services costs **(five affirmative Council votes required for the use of unused balances)**.
Memorex Junction Substation Project/Developer Contributions	150,000	150,000	Recognizes developer contributions and increases the Memorex Junction Substation capital project by $150,000 based on Amendment No. 1 to the funding agreement between the City of Santa Clara and 1220 Santa Clara Propco, LLC. Additional funding of $150,000 is required for the purposes of contracting services to implement easement negotiations **(five affirmative Council votes required to appropriate additional revenue)**.
Unrestricted Ending Fund Balance		(75,000)	Decreases the unrestricted ending fund balance to offset the action above **(five affirmative Council votes required for the use of unused balances)**.
	150,000	150,000	

Housing and Urban Development Fund

Department/Item	Source of Funds	Use of Funds	Explanation
Interfund Services (Unemployment Insurance)		(1,017)	Reduces the Interfund Services allocation to reflect the elimination of funding for unemployment insurance. Due to HUD grant reporting and reimbursement requirements, these expenses are recommended to be shifted to the General Fund **(majority affirmative Council votes required)**.
Unrestricted Ending Fund Balance		1,017	Increases the unrestricted ending fund balance to offset the action above **(majority affirmative Council votes required)**.
	-	-	

FY 2021/22 Budget Amendments

Library Operating Grant Trust Fund

Department/Item	Source of Funds	Use of Funds	Explanation
California Library Literacy Services FY 2021/22 Grant	91,026	91,026	Establishes a revenue estimate and corresponding grant appropriation for the FY 2021/22 California Library Literacy Services grant. Grant funds will be used by Santa Clara City Library's Read Santa Clara Program to support adult and family literacy services with as-needed staffing and operational supplies **(five affirmative Council votes required to appropriate additional revenue)**.
Pacific Library Partnership FY 2021/22 Grant	9,231	9,231	Establishes a revenue estimate and corresponding grant appropriation for the Pacific Library Partnership FY 2021/22 Innovation and Technology Grant Program. Grant funds will allow Santa Clara City Library to purchase 30 Chromebook computers and additional supplies to create "Checkout and Code Kits." The kits will be used to engage individuals in developing an understanding of coding languages and increase the accessibility of technological skills **(five affirmative Council votes required to appropriate additional revenue**).
	100,257	100,257	

Special Liability Insurance Fund

Department/Item	Source of Funds	Use of Funds	Explanation
Other Fees For Services	(48,722)		Decreases the revenue received from the Convention Center Enterprise Fund for insurance costs, as these costs are already budgeted in the Downtown Parking and Convention Center Maintenance District Funds **(majority affirmative Council votes required)**.
Interfund Services (Insurance Costs)		(48,722)	Decreases the interfund services allocation in the Special Liability Insurance Fund to account for the costs covered in the Downtown Parking and Convention Center Maintenance District Funds **(majority affirmative Council votes required)**.
	(48,722)	(48,722)	

21-1539 **Agenda Date: 11/9/2021**

REPORT TO CITY COUNCIL

SUBJECT
Action on a Budget Amendment for Revisions to the El Camino Real Specific Plan

COUNCIL PILLAR
Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND
Following City Council direction, staff has worked since 2017 with community members and a City Council appointed Community Advisory Committee to prepare a Specific Plan for the El Camino Real Focus Area identified in the General Plan. The intent of the Specific Plan is to provide policy direction for new land development along the El Camino Real Corridor, as well as for the future use of the El Camino Real road right-of-way.

A draft Specific Plan, including land uses as recommended by the Community Advisory Committee, was presented for City Council adoption at the June 15, 2021 City Council meeting. Although the proposed land use plan and land use designations had been previously reviewed and supported by the City Council, at the conclusion of the City Council's consideration of the item, the Council directed staff to significantly modify the proposed General Plan Land Use Designations for the Specific Plan so that the maximum heights for the three land use designations (Corridor Residential, Corridor Mixed Use and Regional Mixed Use) are 2, 3 and 4 stories respectively.

On July 6, 2021 staff returned to the City Council to provide additional information, and possible alternatives, and requesting direction on the next steps for the El Camino Real Specific Plan. Staff explained that the revised height limits would likely correspond to significant reductions in land density from what had been studied in the project Environmental Impact Report (EIR) and require additional funding for CEQA analysis.

On October 19, 2021 staff returned to the City Council to clarify the full scope of work required to implement the City Council direction. Staff also further evaluated possible options for the Specific Plan taking the City Council's questions and comments into consideration and accordingly identified two possible alternatives to implement the Council direction from the July 6, 2021 hearing.

At this hearing the City Council took action to direct staff to move forward with Alternative 1, detailed below, with the following modifications: leave the original proposal on the table along with the lower density plan, include an economic analysis in order to compare the original proposal and the lower density plan and ensure that the design standards for building articulation that were developed in the original plan are maintained. Inadvertently, the recommendation on the City Council agenda was not complete in that the item did not separate the budget action, which requires five affirmative votes to authorize staff to implement the required budget amendment. At that meeting, the City Manager

stated that the budget amendment would return a future Council meeting to make sure that it is separated and considered per City Charter Section 1305. Below is the language that was on the Council agenda:

- **Alternative 1:** Direct staff to conduct additional planning work to revise the draft Specific Plan per City Council direction. Authorize the City Manager to execute an agreement with Rami & Associates, Inc. to provide El Camino Real Specific Plan Consultant Services for an initial three-year term ending September 30, 2024, for a maximum compensation not to exceed $750,000, subject to the annual appropriation of funds. Upon completion of the revised Specific Plan, staff will return to the City Council for adoption of the project Water Supply Assessment, project EIR, a modified Specific Plan, General Plan amendments, and a resolution to remove on-street parking for the El Camino Real corridor. Direct staff to bring forward budget amendments at a future date

DISCUSSION

To support the above-mentioned October 19, 2021 City Council action, staff is bringing back to the City Council a request for a budget amendment for revisions to the El Camino Real Specific Plan.

The City's Consultant has indicated that the scope of work for the revisions to the El Camino Real Specific Plan requested would cost up to $750,000. In addition, to address the additional work required to prepare this alternative, staff is proposing to use contract planning services at an additional cost of $150,000. Staff recommends that the budget amendment include an additional $100,000 to cover costs for two economic feasibility analyses and contingency for any other additional costs related to the evaluation of the two Specific Plan options. Therefore, staff is requesting that funds in the amount of $1,000,000 be allocated from the General Fund to cover the total cost of the Agreement and third-party staffing.

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 total projected cost of the revisions to the El Camino Specific Plan is $1,000,000. The use of the General Fund Land Sale Reserve is recommended to fund the revisions to the El Camino Specific plan as detailed below.

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Budget Amendment
FY 2021/22

	Current	Increase/ (Decrease)	Revised
General Fund			
Use of Funds			
Community Development Department	$5,070,207	$1,000,000	$6,070,207
Land Sale Reserve	$23,381,324	($1,000,000)	$22,381,324

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
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*," approve the FY 2021/22 budget amendment in the General Fund to increase the Community Development Department appropriation by $1,000,000 and decrease the Land Sale Reserve by $1,000,000 (**five affirmative Council votes required for the use of unused balances**).

Reviewed by: Andrew Crabtree, Director, Community Development Department
Approved by: Deanna J. Santana, City Manager

21-1370 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Action on Amendment No. 3 to the Agreement with Mintier Harnish, LP, for Preparation of the Zoning Code Update

COUNCIL PILLAR
Promote and Enhance Economic, Housing, and Transportation Development

BACKGROUND
The City is in the process of the first comprehensive update of the City's Zoning Code since its original adoption in 1969. The City completed a competitive RFP process in 2017 and selected Mintier Harnish to provide consulting services to support the comprehensive Zoning Code Update including technical assistance and production of the updated Zoning Code document. The City entered into an Agreement with Mintier Harnish on November 10, 2017, first amended the Agreement on August 20, 2019, to expand the scope of services in response to changes in State law and additional community input, and again amended the Agreement on June 29, 2020, to further expand the scope to address changes in local and state policies.

DISCUSSION
Due to the Covid-19 pandemic, the project faced delays for public outreach and engagement which were necessary components to move the project forward to the public hearing stages. The proposed Amendment, which will extend the term of the current contract through 2022, will enable the consultant to continue to support the City's effort to comprehensively update the Zoning Code. The Zoning Code Update is expected to be concluded in the first half of 2022.

ENVIRONMENTAL REVIEW
This 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 proposed amendment does not include any changes to the existing cost or project budget. As such, there is no fiscal impact for this Amendment No. 3 as funding has previously been allocated to the Zoning Code Update Project in the General Government Capital Fund.

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>.

RECOMMENDATION

Approve and authorize the City Manager to execute Amendment No. 3 to the Agreement for the Performance of Services with Mintier Harnish, LP, for preparation of the Zoning Code Update to extend the termination date to December 31, 2022.

Reviewed by: Andrew Crabtree, Director of Community Development
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Draft Amendment No. 3 to Service Agreement with Mintier Harnish, LP
2. Amendment No. 2 to Service Agreement with Mintier Harnish, LP with RTC 20-576
3. Amendment No. 1 to Service Agreement with Mintier Harnish, LP with RTC 19-564
4. Original Agreement with Mintier Harnish, LP with Agenda Report dated 11/7/17

AMENDMENT NO. 3
TO THE AGREEMENT FOR SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
MINTIER HARNISH, LP

PREAMBLE

This agreement ("Amendment No. 3") is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and Mintier Harnish, a California Limited Partnership (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. The Parties previously entered into an agreement entitled "Agreement for the Performance of Services by and Between the City of Santa Clara, California, and Mintier Harnish, LP", dated November 10, 2017 (the "Original Agreement");

B. The Agreement was previously amended by Amendment No. 1, dated August 27, 2019, Amendment No. 2, dated June 29, 2020, and is again amended by this Amendment No. 3. The Agreement and both previous amendments are collectively referred to herein as the "Agreement as Amended"; and

C. The Parties entered into the Original Agreement for the purpose of having Contractor prepare a comprehensive Zoning Code update, and the Parties now wish to amend the Agreement as Amended to extend the termination date.

NOW, THEREFORE, the Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. Section 5 of the Agreement as Amended, entitled "Term of Agreement," is hereby amended to revise the termination date of the Agreement to December 31, 2022.
2. Except as set forth herein, all other terms and conditions of the Agreement as Amended shall remain in full force and effect. In case of a conflict in the terms of the Agreement as Amended and this Amendment No. 3, the provisions of this Amendment No. 3 shall control
3. Counterparts: This Amendment No. 3 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 Amendment No. 3 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: _____

_____
Office of the City Attorney
City of Santa Clara

_____
DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

MINTIER HARNISH, LP
a California Limited Partnership

Dated: 10/27/2021

By (Signature): _____
Name: Jim Harnish
Title: Principal/Owner
Principal Place of Business Address: 1415 20th Street, Sacramento, CA 95811
Email Address: Jim@MintierHarnish.com
Telephone: (916) 446-0522
Fax: (916) 446-7520

"CONSULTANT"

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AMENDMENT NO. 2
TO THE AGREEMENT FOR SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
MINTIER HARNISH, LP

PREAMBLE

This agreement ("Amendment No. 2") is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and Mintier Harnish, a California Limited Partnership (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 Mintier Harnish, LP", dated November 10, 2017 (the "Original Agreement");

B. The Agreement was previously amended by Amendment No. 1, dated August 27, 2019, and is again amended by this Amendment No. 2. The Agreement and previous amendment are collectively referred to herein as the "Agreement as Amended"; and

C. The Parties entered into the Original Agreement for the purpose of having Contractor prepare a comprehensive Zoning Code update, and the Parties now wish to amend the Agreement as Amended to extend the termination date and expand the time and funding dedicated to remaining tasks in the Scope of Services for preparation of the Zoning Code update.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AMENDMENT TERMS AND CONDITIONS

A. That Section 5 of the Agreement as Amended, entitled "Term of Agreement," is hereby amended to revise the termination date of the Agreement to December 31, 2021.

B. That Exhibit A of the Agreement as Amended, entitled "Revised Scope of Services," is hereby appended with the attached "Remaining Tasks," dated May 5, 2020.

C. That Exhibit B of the Agreement as Amended, entitled "Revised Fee Schedule," is hereby appended with the attached "Appendix to Schedule of Fees," dated May 12, 2020.

2. TERMS

All other terms of the Agreement as Amended which are not in conflict with the provisions of this Amendment No. 2 shall remain unchanged in full force and effect. In case of a conflict in the terms of the Agreement as Amended and this Amendment No. 2, the provisions of this Amendment No. 2 shall control.

3. COUNTERPARTS

This Amendment No. 2 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 Amendment No. 2 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:

Approved as to Form:

BRIAN DOYLE
City Attorney

Dated: 6/29/2020

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

MINTIER HARNISH, LP
a California Limited Partnership

Dated: 06/24/2020
By (Signature):
Name: Jim Harnish
Title: Principal/Owner
Principal Place of Business Address: 1415 20th Street Sacramento, CA 95811
Email Address: Jim@MintierHarnish.com
Telephone: (916) 446-0522
Fax: (916) 446-7520

"CONTRACTOR"

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Santa Clara Zoning Code Update

Remaining Tasks

May 5, 2020

Task 1. The Consultants will review and discuss with City staff the City Attorney comments on Preliminary Draft Articles 6, 7, and 8. The Consultants will then revise Articles 6, 7, and 8 for City staff review.

Task 2. The Consultants will revise selected Articles, as necessary, to incorporate City staff generated provisions, including short-term rentals and telecommunications. The Consultants will incorporate the revisions into the Screencheck Public Review Draft Zoning Code (Task 4).

Task 3. The Consultants will prepare objective multifamily residential design standards based on design standards prepared as a part of the El Camino Real Specific Plan and submit to City staff for review. Following City staff review, the Consultants will revise the design standards and incorporate them into the Screencheck Draft Article 4 (Task 4).

Task 4. The Consultants will revise all articles based on City staff review. The Consultants will prepare a Screencheck Draft Public Review Zoning Code for City staff review.

Task 5. Following City staff review of the Screencheck Public Review Draft Zoning Code, the Consultants will prepare the Public Review Draft Zoning Code.

Task 6. The Consultants will prepare for and attend one City Council or Joint Planning Commission/City Council meeting to present the Public Review Draft Zoning Code.

Task 7. Following public review, the Consultants will incorporate all revisions to the Public Review Draft Zoning Code directed by the City Council and City staff. The Consultants will then prepare a Screencheck Final Zoning Code for City staff review.

Task 8. Based on City staff comments, the Consultants will prepare the Final Zoning Code.

Task 9. The Consultants will participate in weekly coordination calls with City staff. The Consultants will prepare monthly progress reports as a part of the project invoices and manage the Project schedule and budget.

Appendix to Schedule of Fees
May 12, 2020

SANTA CLARA ZONING CODE UPDATE	Mintier Harnish						Jacobson & Wack			
PHASES	HARNISH Project Director	B. GIBBONS Project Manager	M. GIBBONS Planner	Support	SUBTOTAL HOURS	SUBTOTAL COSTS	JACOBSON Principal	SUBTOTAL HOURS	SUBTOTAL COSTS	TOTAL COSTS
Task 1: Revise Prelim Draft Articles 6, 7, & 8 based on CAO comments	4	8			12	$2,260	20	20	$4,000	**$6,260**
Task 2: Incorporate short-term rentals and telecommunications	4	12	12		28	$4,620	4	4	$800	**$5,420**
Task 3: Prepare objective multifamily design standards	4	12	16		32	$5,180	4	4	$800	**$5,980**
Task 4: Revise all Articles based on staff review (Screencheck)	8	16	24		48	$7,880	16	16	$3,200	**$11,080**
Task 5: Prepare Public Review Draft Zoning Code.	4	8	12		24	$3,940	8	8	$1,600	**$5,540**
Task 6: Attend City Council (or Joint Commission Council) meeting	8	8	8		24	$4,280	12	12	$2,400	**$6,680**
Task 7: Prepare Screencheck Final Zoning Code.	8	12	24		44	$7,200	16	16	$3,200	**$10,400**
Task 8: Prepare Final Zoning Code	4	8	12		24	$3,940	8	8	$1,600	**$5,540**
Task 9: Project Management (weekly calls, invoicing, budget mgt.)	24	32		32	88	$14,040	24	24	$4,800	**$18,840**
Subtotal	**68**	**116**	**108**	**32**	**324**	**$53,340**	**112**	**112**	**$22,400**	**$75,740**
TOTAL										
Total Hours	68	116	108	32	324	-	112	112	-	-
2020 Hourly Billing Rates (subject to change every January 1st)	$225	$170	$140	$100	-	-	$200	-	-	-
Labor Subtotals	$15,300	$19,720	$15,120	$3,200	-	**$53,340**	$22,400	-	**$22,400**	**$75,740**
Direct Expenses (e.g., printing, travel)						**$1,500**			**$1,000**	**$2,500**
Remaining Funds of Amend. No. 1 (as of 3/31/2020)										**($27,800)**
TOTAL COST OF AMENDMENT NO. 2 TASKS						**$54,840**			**$23,400**	**$50,440**
REVISED CONTINGENCY										**$25,000**
TOTAL VALUATION OF AGREEMENT AS AMENDED										**$323,690**

1) This represents a total cost based on the provided scope of work.
2) The distribution of hours between staff categories and tasks are an estimate. While the total costs will not change, the distribution of hours/costs may vary depending on actual execution.

20-576 **Agenda Date: 6/23/2020**

REPORT TO COUNCIL

SUBJECT

Action on Amendment No. 2 to the Agreement with Mintier Harnish, LP, for preparation of the Zoning Code Update and Approval of Related Budget Amendment [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

BACKGROUND

The City is in the process of the first comprehensive update of the City's Zoning Code since its original adoption in 1969. The City completed a competitive RFP process in 2017 and selected Mintier Harnish to provide consulting services to support the comprehensive Zoning Code Update including technical assistance and production of the updated Zoning Code document. The City entered into an Agreement with Mintier Harnish on November 10, 2017, and first amended the Agreement on August 20, 2019, to expand the scope of services in response to changes in State law and additional community input.

DISCUSSION

While the consultant's work performance to date is consistent with the approved scope and terms of the original Agreement, as amended, the hours budgeted for the proposed project scope with this second amendment have been expanded. The raft of State laws enacted since the commencement of the Zoning Code Update process have prompted the need to create and refine additional code language beyond what was originally anticipated. Specifically, the updated scope includes:

- Additional time to finalize new code provisions for the processing of permits, zoning changes and the recognition of the General and Specific Plan Amendment processes in the zoning code;
- Incorporation into the zoning code of new standards for telecommunications installations;
- Objective development standards for certain affordable housing projects;
- Refinement and incorporation of short-term and long-term rental regulations;
- Incorporation of new zoning districts related to the El Camino Real Specific Plan;
- Incorporation of transition diagrams and other form-based elements from the El Camino Real Specific Plan into the Zoning Code Update.

The scope has also been revised to eliminate tasks that City staff are planning to perform in-house, such as the preparation of the new zoning map, and to focus the consultants' work on helping staff draft new code provisions consistent with current land use development patterns and changes to state law.

The proposed Amendment will enable the consultant to continue to support the City's effort to comprehensively update the Zoning Code, now anticipated for completion in early 2021.

ENVIRONMENTAL REVIEW

This 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 proposed amendment includes an increase of $75,440 for additional consulting services related to the expanded project scope which is based on continued refinement of zoning provisions in light of changes to development patterns and changes in State law. The Zoning Code Update Capital Improvement Project has a remaining balance of $39,073 that is available for payments towards the proposed amended agreement. Staff is recommending that funds in the amount of $36,367 be allocated from the Advanced Planning Reserve to cover the total cost of Amendment No. 2.

The budget amendment below allocates funding from the Advanced Planning Reserve in the General Fund to the Zoning Code Update Project in the General Government Capital Fund in the amount of $36,367.

Budget Amendment
FY 2019/20

	Current	Increase/ (Decrease)	Revised
General Fund			
Reserve			
Advanced Planning Fee	$678,777	($36,367)	$642,410
Transfers To			
General Government Capital Fund - Zoning Code Update Project	$1,201,881	$36,367	$1,238,248
General Government Capital Fund			
Transfers From			
General Fund	$1,201,881	$36,367	$1,238,248
Expenditures			
Zoning Code Update Project	$118,084	$36,367	$154,451

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>.

RECOMMENDATION

1. Approve and authorize the City Manager to execute Amendment No. 2 to the Agreement for the Performance of Services with Mintier Harnish, LP, for preparation of the Zoning Code Update with an increase of $75,440 for a total contract cost not to exceed $323,690; and
2. Approve the related FY 2019/20 budget amendment in the General Fund to reduce the General Fund Advanced Planning Reserve and increase the transfer to the General Government Capital Fund by $36,367; in the General Government Capital Fund, increase the transfer from the General Fund and the Zoning Code Update Capital Improvement Project by $36,367.

Reviewed by: Andrew Crabtree, Director of Community Development
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Amendment No. 2 to Service Agreement with Mintier Harnish, LP
2. Amendment No. 1 to Service Agreement with Mintier Harnish, LP
3. Original Agreement with Mintier Harnish, LP

Ebix Insurance No. S200003854

AMENDMENT NO. 1
TO THE AGREEMENT FOR SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
MINTIER HARNISH, LP

PREAMBLE

This agreement ("Amendment No. 1") is entered into between the City of Santa Clara. California. a chartered California municipal corporation (City) and Mintier Harnish. a California Limited Partnership. (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 Mintier Harnish. LP". dated November 10. 2017 (the "Original Agreement"); and

B. The Parties entered into the Original Agreement for the purpose of having Contractor prepare a comprehensive Zoning Code update. and the Parties now wish to amend the Original Agreement to provide additional services not originally scoped pertaining the preparation of the Zoning Code update.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AMENDMENT TERMS AND CONDITIONS

A. That Section 5 of the Original Agreement. entitled "Term of Agreement." is hereby amended to revise the termination date of the Agreement to June 30. 2020.

B. That Exhibit A. entitled "Scope of Services." is hereby replaced by the attached "Revised Scope of Services."

C. That Exhibit B. entitled "Fee Schedule." is hereby replaced by the attached "Revised Fee Schedule."

2. TERMS

All other terms of the Original Agreement which are not in conflict with the provisions of this Amendment No. 1 shall remain unchanged in full force and

effect. In case of a conflict in the terms of the Original Agreement and this Amendment No. 1. the provisions of this Amendment No. 1 shall control.

3. 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 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:

Approved as to Form: _____ Dated: 8-27-19

for BRIAN DOYLE
City Attorney

_____ FOR
DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara. CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

MINTIER HARNISH, LP
a California Limited Partnership

Dated: August 12, 2019
By (Signature): _____
Name: Jim Harnish
Title: Principal/Owner
Principal Place of Business Address: 1415 20th Street
Sacramento. CA 95811
Email Address: Jim@MintierHarnish.com
Telephone: (916) 446-0522
Fax: (916) 446-7520

"CONTRACTOR"

I:\PLANNING\Admin\Contracts\Mintier Harnish\Amendment No. 1\Amendment No. 1 - Form.doc

EXHIBIT A
REVISED SCOPE OF SERVICES

Phase 1: Information Gathering

At the outset of the Project. the Consultant will develop an in-depth understanding of the City's expectations. needs. and objectives for the Zoning Code Update Project before beginning the work. The Consultant envisions a series of collaborative meetings. work sessions. and interviews to clearly define issues and expectations and build a consensus on the scope and content of the Zoning Code Update. The Consultant will work with the City's Project Manager to schedule these meetings over a three- to four-day period. Some of the meetings or interviews could take place in the evenings or on the weekend if that would provide a more relaxed or convenient time for the participants.

Task 1.1: Initial Kick-Off and Scoping Meeting

The Consultant will facilitate a project kick-off meeting with City staff. The meeting should include the City Project Manager. front line counter staff. application processing staff. code enforcement staff. and the City Attorney (at least for a portion of the meeting). The Consultant will prepare a meeting agenda for the City Project Manager's review at least a week before the meeting. Following the meeting. the Consultant will prepare notes for use by City staff and the Consultant. Topics to be addressed at the meeting include the following:

- Review/clarify the City's expectations and needs for the Zoning Code Update.
- Discuss the deficiencies of the current Administrative Draft Zoning Code and the extent to which the existing Zoning Code (Title 18) should be revisited.
- Refine the project work program. budget. and schedule as necessary.
- Discuss optional tasks and determine which. if any. should be included in the work program.
- Agree on a detailed schedule with key milestones and meetings leading to the adoption of the updated Zoning Code and Zoning Map in a timely manner.
- Discuss problems and issues associated with current City land use and development regulations (including City staff's and City Attorney's "fix-it" list of needed revisions and other regulatory topics that need attention but are not fully addressed in the current or Administrative Draft Zoning Codes).
- Review and discuss preliminary format. style. and organization options.
- Establish protocols for providing information on the status of the Zoning Code Update Project on the City's website.

- Gather documents relevant to the Zoning Code Update Project including. but not limited to. the 2010-2035 General Plan and FEIR. a Microsoft Word version of the existing and Administrative Draft Zoning Codes marked up with City staff comments using "track-changes." adopted design guidelines. specific plans. environmental guidelines. zoning map. planning fee schedule. any over-the-counter hand-out materials. and other planning policy or regulatory documents.

Following the kick-off meeting. the Consultant will tour Santa Clara with City staff to view examples of key zoning-related issues (i.e.. visit projects that did and did not work well) and gain further understanding of the development issues.

Task 1.2: Stakeholder Interviews

An important source of information about how existing zoning regulations are and are not working are the community members most affected by the regulations. The Consultant will conduct two days of interviews with individuals and groups (e.g.. builders. developers. civil engineers. architects. planners. business owners/managers. and residents) identified by the City's Project Manager as key stakeholders who can identify issues relative to the City's development regulation and review process. Each interview will be approximately an hour in length. The Consultant will provide a list of questions to participants in advance of the interviews. The Consultant will document the interview results in a summary report. The Consultant will identify all interviewees. but not attribute specific comments to individuals.

Task 1.3: All-Hands Joint Study Session

The Consultant will facilitate a Joint Study Session (if consistent with the City's past practice) with the City Council. Planning Commission. Historical and Landmarks Commission. Architectural Committee. and any other interested City commissions. committees. residents. and business owners. The purposes of the Study Session will be to review the overall objectives for the Zoning Code Update. the project work program and schedule. the anticipated products of the effort. and the initial list of issues guiding the Zoning Code Update. The Study Session will also provide the opportunity for individual Council. Commission. and Committee members. as well as the interested public. to express their thoughts on the project and add issues to the list for consideration. The Consultant will summarize the results of the Study Session.

Products:

(The Consultant will provide digital versions in both Microsoft Word (or PowerPoint) and Adobe PDF format of each product):

- Summary of Consultant/City staff kick-off meeting
- Stakeholder Interview Summary
- Joint Study Session PowerPoint Presentation

- Summary of All-Hands Joint Study Session

Phase 2: Diagnosis

The Consultant will conduct a technical and extremely thorough diagnosis of the updated Code. including land use. development standards. and permit processing. The diagnosis will incorporate an analysis of the 2010-2035 General Plan. 2015-2023 Housing Element. 2013 Climate Action Plan. City Council 2017-2019 Zoning Code Strategies. and additional Municipal Code provisions to ensure consistency between policies and development standards and uses. Once the technical diagnosis is complete. the Consultant will prepare a detailed diagnostic report that combines the findings of the outreach in Phase 1 with the findings of the analysis and provide a range of achievable solutions to highlighted areas of inconsistences or areas of desired change that the City can consider during the update process. The Consultant will present the findings during a Joint Study Session to confirm the approach prior to beginning work on Phase 3.

Task 2.1: Diagnostic Document Review

The Consultant will thoroughly review all City documents relevant to the Zoning Code Update. including (but not limited to):

- Existing Zoning Code (Santa Clara Municipal Code Title 18 [Zoning])
- Administrative Draft Zoning Code
- 2010-2035 General Plan
- 2015-2023 Housing Element
- 2013 Climate Action Plan
- 2014 Single-Family and Duplex Residential Design Guidelines
- 1986 Community Design Guidelines
- City Council 2017-2019 Zoning Code Strategies

The Consultant will also work with City staff to review the overall Municipal Code to identify other provisions that should be included in the Zoning Code Update. or that will at least need to be understood and possibly referenced so that no conflicts occur with the updated Zoning Code provisions. The Consultant will expand upon the initial diagnostic reviews conducted as a part of this proposal and prepare a detailed Zoning Code Diagnostic Report for City staff review.

Task 2.2: Summary Matrix of Zoning Code Issues

Based upon the results of the Joint Study Session. Zoning Code Diagnostic Report. meetings with City staff. and stakeholder interviews. the Consultant will prepare an initial Summary Matrix of Zoning Code Issues. The Matrix will identify deficiencies in the

Administrative Draft Zoning Code. the solutions and revisions deemed necessary to correct these deficiencies. and where the revisions will be addressed in the Zoning Code Update. For each solution. the Consultant will identify steps and possibly optional approaches to resolve the issues.

The Consultant will use the Matrix to track revisions to the Administrative Draft Zoning Code and assist in the preparation of a staff report when adopting the updated Zoning Code. It is expected that the Matrix will undergo significant revision prior to project completion. The Consultant will use the Matrix to address options for the overall Zoning Code framework and ensure that the resulting standards and regulations conform to the land use designations and policies of the 2010-2035 General Plan.

Task 2.3: Joint Study Session

Based on the results of Tasks 2.1 and 2.2. the Consultant will facilitate a Joint Study Session with the City Council. Planning Commission. Historical and Landmarks Commission. Architectural Committee. and any other interested City commissions. committees. residents. and business owners to confirm the approach of the updated Zoning Code based on the findings from the Zoning Code Diagnostic Report. The Consultant have provided a per-meeting cost estimate as part of the cost proposal in case the City prefers individual study sessions.

Task 2.4: Draft Zoning Code Format and Outline

Based on the results of Tasks 1.1 through 2.3. the Consultant will prepare a draft annotated Zoning Code outline/Table of Contents. style sheet. and a list of common terms. The Consultant will also prepare a sample chapter format to illustrate the recommended format and style of the Zoning Code Update. which the Consultant will design to improve document organization and readability. resulting in a truly modern "user friendly" updated document. After City staff review. the Consultant will finalize any desired changes. (See an example style sheet with a list of common terms in Appendix B. and an example Table of Contents in Appendix C.)

Products:

(The Consultant will provide digital versions in both Microsoft Word (or PowerPoint) and Adobe PDF format of each product):

- Zoning Code Diagnostic Report
- Matrix of Zoning Issues
- Zoning Code Format. Style Guide with a list of common terms. and Table of Contents

Phase 3: Code Update

The Consultant recommends preparation and delivery of an Administrative Draft of the Zoning Code in several segments. rather than in a single deliverable. The Consultant's experience indicates that it is easier for City staff to give timely feedback and review of the Draft Zoning Code when presented in segments. The order and content of the segments can be modified as desired by City staff. All administrative draft sections will include a screencheck round of review. As an alternative. if City staff prefers. the Consultant can prepare a complete Administrative Draft Zoning Code prior to City staff review.

Task 3.1: Zoning District Provisions

The Consultant will draft the chapters of the updated Zoning Code containing regulations applicable in specific zoning districts (e.g.. Residential – Very Low Density (R1). Community Commercial (C-C). Office/Research and Development – Low Intensity (O-L). Planned Development (PD). Santa Clara Station Area (SCS)). and any new districts. To ensure consistency with the 2010-2035 General Plan land use designations and proper implementation of Plan policies. the Consultant will review the land use designations and 2015-2023 Housing Element programs and policies as a part of this task. At a minimum. these provisions will address the following topics:

- **A description of each zoning district** (including a General Plan driven "purpose" statement). an overview of the land uses allowed within each district. and the type of ministerial or discretionary land use approvals required for each use (some uses may be allowed with no land use permit. subject to compliance with applicable locational. developmental. and operational standards and obtaining any necessary construction permits). The Consultant will give special attention to reviewing each zoning district with City staff to ensure that specific allowable uses are appropriate in each zoning district and consistent with the 2010-2035 General Plan.
- **A land use classification system** that clearly identifies uses allowed in each zoning district with an emphasis on allowing as many by-right uses (together with specific development standards) as is reasonably appropriate. This classification system will consolidate the City's current use categories and descriptions by providing for uses that are not currently addressed and by using clear terminology to define each allowable use. The classification system will employ up-to-date terminology and an appropriate combination of specific and generic land use types. The Consultant will provide definitions of all land use types included within the classification system.

- **Development standards** for each zoning district (e.g.. building envelope standards. height limitations. setback requirements. site coverage requirements) organized in tables and graphically illustrated wherever possible.
- **Objective development standards.** Prepare objective development standards for residential uses. For single-family and two-family dwellings. such standards shall address massing and setbacks. based on codifying the 2014 single-family and duplex residential design guidelines. For multifamily uses. such standards shall be based on common design-related conditions of approval.
- **El Camino Real Specific Plan.** Incorporate new zoning districts. transition diagrams. and other form-based elements prepared as a part of the El Camino Real Specific Plan.
- **On-line engagement.** Incorporate revised development standards based on public input through on-line engagement.

The Consultant will submit the Administrative Draft Zoning District provisions to City staff for review. Staff will be expected to provide their comments on the draft in Microsoft Word "track- changes" and provide a single consolidated set of comments. The Consultant will then meet or schedule a conference call with City staff to discuss revisions and direction for the work in Task 3.2.

Task 3.2: Administrative Provisions

The Consultant will draft the chapters of the updated Zoning Code containing administration and development application filing and processing procedures. At a minimum. these chapters will address the following:

- **Purpose and adoption of the Zoning Code,** applicability. responsibility and administrative authority. interpretation procedures. and provisions addressing applications deemed complete but not yet decided (e.g.. "pipeline projects"). that may be affected by adoption of. and future amendments to. the Zoning Code.
- **Definition of the roles** of each project review authority. including the Community Development Director. the Zoning Administrator. the Planning Commission. the City Council. and all other applicable entities.
- **Procedures for discretionary permits** (by the Community Development Director. Zoning Administrator. Planning Commission. and City Council as needed). conditional and administrative use permits. design review. planned development review. reasonable accommodations. site plan review. transportation demand management plans. variances. and other project review procedures. appeals. public hearings. nonconforming use and structure provisions. and amendments (e.g.. General Plan. Zoning Code. and Zoning Map). development agreements. and specific plans. The Consultant will discuss

the potential interest in. need for. and composition of additional types of administrative permits (i.e.. home occupations. temporary uses. and zoning clearances). Proposed procedures will emphasize efficiency. simplicity. clarity. and streamlined processing. while ensuring more certainty in the development review process as well as thorough an effective project review to achieve the City's objectives. Additionally. a comprehensive Review Authority table will be included to clearly display the appropriate level of review and appeal required for reach type of application.

- **Enforcement provisions,** including but not limited to. legal remedies (criminal and civil). procedural requirements. recovery of costs directly related to enforcement actions. and the identification of the property owner/violator rights and procedures for appeal.
- **Definitions** of each allowable land use. as well as technical terms and phrases used in the updated Zoning Code. including abbreviations. An initial set of definitions will be included with the first submittal of the Administrative Draft Zoning District provisions and will be supplemented in subsequent draft submittals.

The Consultant will submit the Administrative Draft of the Administrative provisions to City staff for review. Staff will be expected to provide their comments on the draft in Microsoft Word "track- changes" and provide a single consolidated set of comments. The Consultant will then meet or schedule a conference call with City staff to discuss revisions and direction for the work in Task 3.3.

Task 3.3: General Development and Specific Use Standards

The Consultant will draft the chapters of the updated Zoning Code containing regulations that apply in multiple zoning districts and overlay/combining districts. and regulations for specific land uses. At a minimum. these chapters will address the following topics (additional related topics may be included at the direction of City staff):

- **General site planning and development standards.** The Consultant will prepare descriptions of standards that could apply to a variety of land uses regardless of the applicable zoning district. Additionally. these standards will address. as appropriate. site access requirements; fences. hedges. walls. and screening; noise regulations; outdoor lighting standards; performance standards (e.g.. air quality. glare. vibration); Crime Prevention Through Environmental Design; undergrounding of utilities; and other topics determined to be appropriate by the City's Project Manager. These standards will be crafted in a comprehensive manner to provide the appropriate tools needed for City staff and decision-makers to evaluate development proposals while providing for as much flexibility and certainty as is determined appropriate by the City.

- **Affordable housing requirements,** including supportive. transitional. and employee housing; density bonus provisions; single room occupancy (SRO) provisions; and standards for large and residential care facilities.
- **Landscaping standards,** including water efficient standards and specific requirements for preliminary and final landscape plan submittal and review.
- **Off-street parking, loading, and bicycle standards,** including contemporary parking and loading area numbers. space. and design requirements; landscaping requirements; pedestrian circulation requirements; and bicycle and motorcycle parking.
- **Sign regulations.** The Consultant will review and evaluate the current sign provisions and recommend revisions in consultation with City staff. The evaluation will concentrate on providing clear standards for signs by zoning district and by type of sign. All types of allowable/desired signs will be considered for inclusion in the sign provisions. including temporary signs. The Consultant will review and update procedures for sign approval to make the process more understandable and easily administered. including provisions for dealing with nonconforming signs. The Consultant will provide illustrative graphics to clarify sign requirements. The Consultant will ensure that sign provisions comply with content neutrality requirements. Consultation with the City Attorney may be desirable.
- **Standards for specific land uses.** The Consultant will address standards for specific land uses as deemed appropriate by the City. including accessory dwelling units; accessory retail uses; adult entertainment businesses; antennas and other wireless communication facilities; alcohol-related uses (e.g.. liquor sales. breweries. taprooms. wineries); cannabis-related uses; childcare facilities; entertainment and recreation uses; home occupations; interim uses in transition areas; massage therapy; mobile food vendors; mobile homes; multi-family housing; outdoor merchandise display and activities; outdoor and personal storage facilities; recycling facilities; and residential accessory uses and structures.
- **Environmental performance-based standards** as determined by City staff to be appropriate.
- **Accessory dwelling units (ADUs).** Refine existing ADU height and bulk standards to allow two-story structures and steeper roof pitches. and add daylight pane standards and other elements as directed by staff.
- **Short-term rentals.** Refine and incorporate City staff-prepared short-term and long-term rental standards.

The Consultant will submit the Administrative Draft of the General Development and Specific Use Standards to City staff for review. Staff will be expected to provide their comments on the draft in Microsoft Word "track- changes" and provide a single consolidated set of comments. The Consultant will then meet or conference call with City staff to discuss revisions and direction for the work in Task 3.4.

Task 3.4: Preliminary Draft Zoning Code

The Consultant will revise the Administrative Draft sections based on City staff discussion and input and will prepare the remaining parts of the Preliminary Draft Zoning Code. including a detailed table of contents. graphics. and illustrations. Graphics will be incorporated throughout the updated Zoning Code wherever they may assist users in visualizing the meaning and applicability of development standards. or otherwise improving understanding or ease of use. The administrative provisions prepared during earlier tasks may incorporate some flowcharts and other graphics if City staff and the Consultant determine that the illustration of procedures would be helpful during the initial review stage. The Consultant will not artificially limit the number of illustrations/graphics to be included in the updated Zoning Code but will instead provide graphics wherever they will be of value.

The Consultant will submit a complete Preliminary Draft Zoning Code for City staff review and comment. Staff will be expected to provide their comments on the draft in Microsoft Word "track-changes" tools and provide a single set of consolidated comments. The Consultant will meet or schedule a conference call with City staff as necessary to review their comments and desired changes.

Task 3.5: Public Review Draft Zoning Code

Based on direction from City staff. the Consultant will prepare a Public Review Draft Zoning Code which will be provided to the City for review by the community. Planning Commission. Architectural Committee. Historical and Landmarks Commission. City Council. and other applicable groups.

Products:

(The Consultant will provide digital versions in both Microsoft Word (or PowerPoint) and Adobe PDF format of each product):

- Administrative Draft Zoning District Provisions
- Administrative Draft Zoning Code Administrative Provisions
- Administrative Draft General Development and Specific Use Standards
- Preliminary Draft Zoning Code
- Public Review Draft Zoning Code

Phase 6: Adoption

The Consultant. in consultation with the City's Project Manager. will organize and facilitate the public review and adoption of the updated Zoning Code. The Consultant will prepare PowerPoint presentations and support materials for all meetings and public hearings. City staff will prepare all necessary noticing materials. venue preparation. and staff reports. with support from the Consultant.

Task 6.1: Planning Commission Public Hearing

The Consultant will attend and participate in one public hearing with the Planning Commission on the Revised Public Review Draft Zoning Code and Zoning Map. If desired by the City. the Consultant will attend additional meetings on a time-and-materials basis. Based on the Planning Commission recommendation. the Consultant will prepare an errata sheet describing Planning Commission-recommended changes.

Task 6.2: City Council Public Hearing

The Consultant will attend and participate in one public hearing with the City Council to consider adoption of the Revised Public Review Draft Zoning Code and Zoning Map. If desired by the City. the Consultant will attend additional meetings on a time-and-materials basis.

Task 6.3: Screencheck Final Zoning Code

After Council adoption of the Zoning Code and before its effective date. the Consultant will prepare the final version incorporating all changes made by the City Council. The Consultant will provide a screencheck version so that City staff can verify that the document accurately incorporates all changes approved by the Council during the adoption process.

Task 6.4: Final Zoning Code

The Consultant will prepare the Final Zoning Code for delivery to the City for codification and publication. The team will provide a reproducible camera-ready copy of the adopted document and a digital copy of the Zoning Code in Microsoft Word software.

Products:

- PowerPoint Presentation (Digital versions in both Microsoft PowerPoint and Adobe PDF format)
- Screencheck Final Zoning Code (Digital versions in both Microsoft Word and Adobe PDF format)
- Final Zoning Code (Digital versions in both Microsoft Word and Adobe PDF format)

Santa Clara Zoning Code Update: Project Schedule (Updated 06/04/2019)

	Status	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Phase 1: Information Gathering											
Task 1.1: Initial Kick-Off and Scoping Meeting											
Task 1.2: Stakeholder Interviews											
Stakeholder Interview Summary											
Task 1.3: All-Hands Joint Study Session											
Phase 2: Diagnosis											
Task 2.1: Diagnostic Document Review											
Zoning Code Diagnostic Report											
Matrix of Zoning Issues											
Task 2.2: Summary Matrix of Zoning Code Issues											
Joint Study Session Powerpoint											
Task 2.3: Joint Study Session											
Joint Study Session Summary											
Tentative Article 2 Work Session											
Task 2.4: Draft Zoning Code Format and Outline											
Zoning Code Format, Style Guide with a list of common terms, and Table of Contents											
Phase 3: Code Update											
Task 3.1: Zoning District Provisions											
Administrative Draft Article 2											
Preliminary Draft Article 2											
New Task: Objective Development Standards											
New Task: Incorporation of El Camino Specific Plan											
New Task: Incorporation of On-line Engagement											
Task 3.2: Administrative Provisions											
Administrative Draft Article 1											
Preliminary Draft Article 1											
Administrative Draft Article 5											
Preliminary Draft Article 5											
Administrative Draft Article 6											
Preliminary Draft Article 6											
Administrative Draft Article 7											
Preliminary Draft Article 7											
Administrative Draft Article 8											
Preliminary Draft Article 8											
Task 3.3: General Development and Specifc Use Standards											
Administrative Draft Article 3											
Preliminary Draft Article 3											
Administrative Draft Article 4											
Preliminary Draft Article 4											
New Task: Refine ADU Standards											
New Task: Short-term Rentals											
Task 3.4: Preliminary Draft Zoning Code Update											
Task 3.5: Public Review Draft Zoning Code											
Task 3.6: Updated Zoning Map											
Phase 4: Public Review											
Task 4.1: Community Workshops											
Task 4.2: Study Sessions											
Task 4.3: Revised Public Review Draft Zoning Code											
Phase 5: CEQA Compliance											
Phase 6: Adoption											
Task 6.1: Planning Commission Public Hearing											
Task 6.2: City Council Public Hearing											
Task 6.3: Screencheck Final Zoning Code and Zoning Map											
Task 6.4: Final Zoning Code and Zoning Map											

Exhibit B
Revised Fee Schedule

CITY OF SANTA CLARA ZONING CODE UPDATE
Project Budget

Revised June 3, 2019

PHASES	Project Director (Harnish)	Principal (Jacobson)	Project Advisor (Porter)	Project Manager (R. Gibbons)	Support (M. Gibbons)	TOTAL HOURS	TOTAL COST
PHASE 1: INFORMATION GATHERING							
Task 1.1: Initial Kick-Off and Scoping Meeting	8	8	0	8	0	*24*	*$4,440*
Task 1.2: Stakeholder Interviews	16	16	0	16	16	*64*	*$11,040*
Task 1.3: All-Hands Joint Study Session	8	0	0	8	0	*16*	*$2,840*
Phase 1 Subtotal	***32***	***24***	***0***	***32***	***16***	***104***	***$18,320***
PHASE 2: DIAGNOSIS							
Task 2.1: Diagnostic Document Review	4	16	0	16	0	*36*	*$6,480*
Task 2.2: Summary Matrix of Zoning Code Issues	4	8	0	16	0	*28*	*$4,880*
Task 2.3: Joint Study Session	8	0	0	8	0	*16*	*$2,840*
Task 2.4: Draft Zoning Code Format and Outline	2	8	0	8	0	*18*	*$3,240*
Phase 2 Subtotal	***18***	***32***	***0***	***48***	***0***	***98***	***$17,440***
PHASE 3: CODE UPDATE PROCESS							
Task 3.1: Zoning District Provisions	54	68	0	162	80	*364*	*$60,310*
Task 3.2: Administrative Provisions	8	100	0	24	0	*132*	*$25,320*
Task 3.3: General Development and Specific Use Standards	52	68	0	156	48	*324*	*$54,660*
Task 3.4: Preliminary Draft Zoning Code	8	40	0	40	0	*88*	*$15,800*
Task 3.5: Public Review Draft Zoning Code	4	16	0	16	0	*36*	*$6,480*
~~Task 3.6: Updated Zoning Map~~	0	0	0	0	0	*0*	0
Phase 3 Subtotal	***126***	***292***	***0***	***398***	***128***	***944***	***$162,570***
PHASE 4: PUBLIC REVIEW							
~~Task 4.1: Community Workshops (3)~~	0	0	0	0	0	*0*	*$0*
~~Task 4.2: Study Sessions (5)~~	0	0	0	0	0	*0*	*$0*
~~Task 4.3: Revised Public Review Draft Zoning Code~~	0	0	0	0	0	*0*	*$0*
~~***Phase 4 Subtotal***~~	***0***	***0***	***0***	***0***	***0***	***0***	***$0***
PHASE 5: CEQA COMPLIANCE							
Phase 5 Subtotal	***0***	***0***	***0***	***0***	***0***	***0***	***$0***
PHASE 6: ADOPTION							
Task 6.1: Planning Commission Public Hearing	8	0	0	8	0	*16*	*$2,840*
Task 6.2: City Council Public Hearing	8	0	0	8	0	*16*	*$2,840*
Task 6.3: Screencheck Final Zoning Code	4	12	0	16	0	*32*	*$5,680*
Task 6.4: Final Zoning Code	4	8	0	24	0	*36*	*$6,120*
Phase 6 Subtotal	***24***	***20***	***0***	***56***	***0***	***100***	***$17,480***
PROJECT MANAGEMENT							
Project Management	40			40	24	*104*	*$17,440*
TOTAL							
Total Hours	240	368	0	574	168	***1,350***	-
2017 Billing Rates	$200	$200	0	$155	$135	-	-
Labor Subtotals	**$48,000**	**$73,600**	**$0**	**$88,970**	**$22,680**	-	**$233,250**
Direct Expenses (Printing, travel costs)							**$5,000**
TOTAL COST							**$238,250**
Contingency							***$10,000***
TOTAL NOT TO EXCEED AMOUNT							**$248,250**

19-564 **Agenda Date: 8/20/2019**

REPORT TO COUNCIL

SUBJECT
Action on Amendment No. 1 to the Agreement with Mintier Harnish, LP, for preparation of the Zoning Code Update

BACKGROUND
The City is in the process of the first comprehensive update of the City's Zoning Code since its original adoption in 1969. The City completed a competitive RFP process in 2017 and selected Mintier Harnish to provide consulting services to support the comprehensive Zoning Code Update including technical assistance and production of the updated Zoning Code document. The City entered into an Agreement with Mintier Harnish on November 10, 2017 for services up to a total of $201,320. The Agreement expired on June 30, 2019. While staff attempted to amend this contract before the expiration date and provided a revised scope on April 30, 2019, there were delays in finalizing the scope and, appropriately, no work has been initiated.

DISCUSSION
While the consultant's work performance to date is consistent with the approved scope and terms of their original Agreement with the City, the proposed project scope with this Agreement Amendment has been expanded from input from the community engagement process conducted by the City. In addition, State laws enacted since commencement of the Zoning Code Update process have prompted the need for the incorporation of additional objective standards within the Zoning Code. Staff is proposing Amendment No. 1 to the Agreement to expand the project scope, increase funding, and extend the term of the agreement to June 30, 2020. Proposed changes to the scope of the Agreement address both input received from the community and policy guidance from the State. Specifically, the expanded scope would include:

- Incorporation of revised development standards identified through on-line community engagement.
- Additional time for outreach related to short-term rentals and single-family uses
- Additional refinement of Accessory Dwelling Unit (ADU) height and bulk standards.
- Objective development standards for certain affordable housing projects.
- Codification of single-family design guideline direction on second story massing and step backs as objective development standards.
- Refinement and incorporation of short-term and long-term rental regulations.
- Incorporation of new zoning districts related to the El Camino Specific Plan.
- Incorporation of transition diagrams and other form-based elements from the El Camino Specific Plan into the Zoning Code Update.

The scope would also be revised to eliminate a few tasks that City staff are planning to perform in-house, such as the preparation of the new zoning map.

The proposed Amendment of the Agreement will enable the consultant to continue to support the City's effort to comprehensively update the Zoning Code, now anticipated for completion in early 2020.

ENVIRONMENTAL REVIEW

This 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 proposed amendment includes an increase of $46,930 for the additional services related to the expanded project scope which is based on community input and changes in State law. Funds are available for this increased costs of consulting services in the existing Zoning Code Update CIP project budget.

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

Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement for the Performance of Services with Mintier Harnish, LP, for preparation of the Zoning Code Update with an increase of $46,930 for a total contract cost not to exceed $248,250.

Reviewed by: Andrew Crabtree, Director of Community Development
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Amendment No. 1 to Service Agreement with Mintier Harnish, LP
2. Original Agreement with Mintier Harnish, LP

AGREEMENT FOR THE PERFORMANCE OF SERVICES BY AND BETWEEN THE CITY OF SANTA CLARA, CALIFORNIA, AND MINTIER HARNISH, LP

PREAMBLE

This agreement for the performance of services ("Agreement") is by and between Mintier Harnish, a California Limited Partnership, with its principal place of business located at 1415 20th Street, Sacramento, California 95811 ("Contractor" or "Consultant"), and the City of Santa Clara, California, a chartered California municipal corporation with its primary business address at 1500 Warburton Avenue, Santa Clara, California 95050 ("City"). 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 professional services more fully described in this Agreement, at Exhibit A, entitled "Scope of Services"; and

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 PROVISIONS

1. EMPLOYMENT OF CONTRACTOR.

City hereby employs Contractor to perform services set forth in this Agreement. To accomplish that end, City may assign a Project Manager to personally direct the Services to be provided by Contractor and will notify Contractor in writing of City's choice. City shall pay for all such materials and services provided which are consistent with the terms of this Agreement.

2. SERVICES TO BE PROVIDED.

Except as specified in this Agreement, Contractor shall furnish all technical and professional services, including labor, material, equipment, transportation, supervision and expertise (collectively referred to as "Services") to satisfactorily complete the work required by City at his/her own risk and expense. Services to be provided to City are

more fully described in Exhibit A entitled "SCOPE OF SERVICES." All of the exhibits referenced in this Agreement are attached and are incorporated by this reference.

3. COMMENCEMENT AND COMPLETION OF SERVICES.

A. Contractor shall begin providing the services under the requirements of this Agreement upon receipt of written Notice to Proceed from City. Such notice shall be deemed to have occurred three (3) calendar days after it has been deposited in the regular United States mail. Contractor shall complete the Services within the time limits set forth in the Scope of Services or as mutually determined in writing by the Parties.

B. When City determines that Contractor has satisfactorily completed the Services, City shall give Contractor written Notice of Final Acceptance. Upon receipt of such notice, Contractor shall not incur any further costs under this Agreement. Contractor may request this determination of completion be made when, in its opinion, the Services have been satisfactorily completed. If so requested by the contractor, City shall make this determination within fourteen (14) days of its receipt of such request.

4. QUALIFICATIONS OF CONTRACTOR - STANDARD OF WORKMANSHIP.

Contractor represents and maintains that it has the necessary expertise in the professional calling necessary to perform 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.

The plans, designs, specifications, estimates, calculations, reports and other documents furnished under Exhibit A shall be of a quality acceptable to City. The criteria for acceptance of the work provided under this Agreement shall be a product of neat appearance, well organized, that is technically and grammatically correct, checked and having the maker and checker identified. The minimum standard of appearance, organization and content of the drawings shall be that used by City for similar projects.

5. 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 June 30, 2019.

6. MONITORING OF SERVICES.

City may monitor the Services performed under this Agreement to determine whether Contractor's operation conforms to City policy and to the terms of this Agreement. City may also monitor the Services to be performed to determine whether financial operations are conducted in accord with applicable City, county, state, and federal requirements. If any action of Contractor constitutes a breach, City may terminate this Agreement pursuant to the provisions described herein.

7. 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.

8. PERFORMANCE OF SERVICES.

Contractor shall perform all requested services in an efficient and expeditious manner and shall work closely with and be guided by 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. Contractor will perform all Services in a safe manner and in accordance with all federal, state and local operation and safety regulations.

9. BUSINESS TAX LICENSE REQUIRED.

Contractor must comply with Santa Clara City Code section 3.40.060, as that section may be amended from time to time or renumbered, which requires that any person who transacts or carries on any business in the City of Santa Clara pay business license tax to the City. A business tax certificate may be obtained by completing the Business Tax Affidavit Form and paying the applicable fee at the Santa Clara City Hall Municipal Services Division.

10. RESPONSIBILITY OF CONTRACTOR.

Contractor shall be responsible for the professional quality, technical accuracy and coordination of the Services furnished by it under this Agreement. Neither City's review, acceptance, nor payments for any of the Services required under this Agreement shall be construed 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 and Contractor shall be and remain liable to City in accordance with applicable law for all damages to City caused by Contractor negligent performance of any of the Services furnished under this Agreement.

Any acceptance by City of plans, specifications, construction contract documents, reports, diagrams, maps and other material prepared by Contractor shall not in any respect absolve Contractor from the responsibility Contractor has in accordance with customary standards of good professional practice in compliance with applicable federal, state, county, and/or municipal laws, ordinances, regulations, rules and orders.

11. 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 at the rate per

hour for labor and cost per unit for materials as outlined in Exhibit B, entitled "SCHEDULE OF FEES."

Contractor will bill City on a monthly basis for Services provided by Contractor during the preceding month, subject to verification by City. City will pay Contractor within thirty (30) days of City's receipt of invoice.

12. TERMINATION OF AGREEMENT.

Either Party may terminate this Agreement without cause by giving the other Party written notice ("Notice of Termination") which clearly expresses that Party's intent to terminate the Agreement. Notice of Termination shall become effective no less than thirty (30) calendar days after a Party receives such notice. After either Party terminates the Agreement, Contractor shall discontinue further services as of the effective date of termination, and City shall pay Contractor for all Services satisfactorily performed up to such date.

13. NO ASSIGNMENT OR SUBCONTRACTING OF AGREEMENT.

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.

14. 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.

15. 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, however, to manage its employees in their performance of Services under this Agreement. Contractor is not authorized to bind City to any contracts or other obligations.

16. NO PLEDGING OF CITY'S CREDIT.

Under no circumstances shall Contractor have the authority or power to pledge the credit of City or incur any obligation in the name of City. Contractor shall save and hold harmless the City, its City Council, its officers, employees, boards and commissions for expenses arising out of any unauthorized pledges of City's credit by Contractor under this Agreement.

17. 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.

18. 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.

19. OWNERSHIP OF MATERIAL.

All material, including information developed on computer(s), which shall include, but not be limited to, data, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports 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.

20. 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 three (3) 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 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.

21. CORRECTION OF SERVICES.

Contractor agrees to correct any incomplete, inaccurate or defective Services at no further costs to City, when such defects are due to the negligence, errors or omissions of Contractor.

22. FAIR EMPLOYMENT.

Contractor shall not discriminate against any employee or applicant for employment because of race, color, creed, national origin, gender, sexual orientation, age, disability, religion, ethnic background, or marital status, in violation of state or federal law.

23. HOLD HARMLESS/INDEMNIFICATION.

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 reasonable attorney's fees in providing a defense to any claim arising therefrom, for which City shall become liable arising from Contractor's negligent, reckless or wrongful acts, errors, or omissions with respect to or in any way connected with the Services performed by Contractor pursuant to this Agreement.

24. 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 with respect to employees and vehicles assigned to the Performance of Services under this Agreement with coverage amounts, required endorsements, certificates of insurance, and coverage verifications as defined in Exhibit C.

25. AMENDMENTS.

This Agreement may be amended only with the written consent of both Parties.

26. INTEGRATED DOCUMENT.

This Agreement represents the entire agreement between City and Contractor. No other understanding, agreements, conversations, or otherwise, with any representative of City prior to execution of this Agreement shall affect or modify any of the terms or obligations of this Agreement. Any verbal agreement shall be considered unofficial information and is not binding upon City.

27. 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.

28. 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.

29. NOTICES.

All notices to the Parties shall, unless otherwise requested in writing, be sent to City addressed as follows:

City of Santa Clara
Attention: Planning Division
1500 Warburton Avenue
Santa Clara, California 95050
or by facsimile at (408) 247-9857

And to Contractor addressed as follows:
Name: Mintier Harnish, LP
Address: 1415 20th Street
Sacramento, CA 95811
or by facsimile at (916) 446-7520

If notice is sent via facsimile, a signed, hard copy of the material shall also be mailed. The workday the facsimile was sent shall control the date notice was deemed given if there is a facsimile machine generated document on the date of transmission. A facsimile transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following Monday.

30. CAPTIONS.

The captions of the various sections, paragraphs and subparagraphs of this Agreement are for convenience only and shall not be considered or referred to in resolving questions of interpretation.

31. LAW GOVERNING CONTRACT 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.

32. DISPUTE RESOLUTION.

A. Unless otherwise mutually agreed to by the Parties, any controversies between Contractor and City regarding the construction or application of this Agreement, and claims arising out of this Agreement or its breach, shall be submitted to mediation within thirty (30) days of the written request of one Party after the service of that request on the other Party.

B. The Parties may agree on one mediator. If they cannot agree on one mediator, the Party demanding mediation shall request the Superior Court of Santa Clara County to appoint a mediator. The mediation meeting shall not exceed one day (eight (8) hours). The Parties may agree to extend the time allowed for mediation under this Agreement.

C. The costs of mediation shall be borne by the Parties equally.

D. For any contract dispute, mediation under this section is a condition precedent to filing an action in any court. In the event of mediation which arises out of any

dispute related to this Agreement, the Parties shall each pay their respective attorney's fees, expert witness costs and cost of suit through mediation only. If mediation does not resolve the dispute, the Parties agree that the matter shall be litigated in a court of law, and not subject to the arbitration provisions of the Public Contracts Code.

33. COMPLIANCE WITH ETHICAL STANDARDS.

Contractor shall:

A. Read Exhibit D, entitled "ETHICAL STANDARDS FOR CONTRACTORS SEEKING TO ENTER INTO AN AGREEMENT WITH THE CITY OF SANTA CLARA, CALIFORNIA"; and,

B. Execute Exhibit E, entitled "AFFIDAVIT OF COMPLIANCE WITH ETHICAL STANDARDS."

34. AFFORDABLE CARE ACT OBLIGATIONS

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.

35. CONFLICT OF INTERESTS.

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 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.

36. PROGRESS SCHEDULE.

The Progress Schedule will be as set forth in the attached Exhibit F, entitled "MILESTONE SCHEDULE" if applicable.

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; and, the Parties agree that signatures on this Agreement, including those transmitted by facsimile, shall be sufficient to bind the Parties.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives. The Effective Date is the date that the final signatory executes the Agreement. It is the intent of the Parties that this Agreement shall become operative on the Effective Date.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

APPROVED AS TO FORM:

BRIAN DOYLE
Interim City Attorney

ATTEST:

ROD DIRIDON, JR.
City Clerk

Dated: 11/16/17

DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

MINTIER HARNISH, LP
a California Limited Partnership

Dated: 10/11/17
By: _____
(Signature of Person executing the Agreement on behalf of Contractor)
Name: Jim Harnish
Title: Principal/Owner
Local Address: 1415 20th Street
Sacramento, CA 95811
Email Address: jim@mintierharnish.com
Telephone: (916) 446-0522
Fax: (916) 446-7520

"CONTRACTOR"

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AGREEMENT FOR THE PERFORMANCE OF SERVICES
BY AND BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
MINTIER HARNISH, LP

EXHIBIT A

SCOPE OF SERVICES

The Services to be performed for the City by the Contractor under this Agreement are more fully described in the Contractor's proposal entitled, "City of Santa Clara Zoning Code Update Work Program," which is attached to this Exhibit A.

CITY OF SANTA CLARA ZONING CODE UPDATE

WORK PROGRAM

Phase 1: Information Gathering

At the outset of the Project, the Consultant will develop an in-depth understanding of the City's expectations, needs, and objectives for the Zoning Code Update Project before beginning the work. The Consultant envisions a series of collaborative meetings, work sessions, and interviews to clearly define issues and expectations and build a consensus on the scope and content of the Zoning Code Update. The Consultant will work with the City's Project Manager to schedule these meetings over a three- to four-day period. Some of the meetings or interviews could take place in the evenings or on the weekend if that would provide a more relaxed or convenient time for the participants.

Task 1.1: Initial Kick-Off and Scoping Meeting

The Consultant will facilitate a project kick-off meeting with City staff. The meeting should include the City Project Manager, front line counter staff, application processing staff, code enforcement staff, and the City Attorney (at least for a portion of the meeting). The Consultant will prepare a meeting agenda for the City Project Manager's review at least a week before the meeting. Following the meeting, the Consultant will prepare notes for use by City staff and the Consultant. Topics to be addressed at the meeting include the following:

- Review/clarify the City's expectations and needs for the Zoning Code Update.
- Discuss the deficiencies of the current Administrative Draft Zoning Code and the extent to which the existing Zoning Code (Title 18) should be revisited.
- Refine the project work program, budget, and schedule as necessary.
- Discuss optional tasks and determine which, if any, should be included in the work program.
- Agree on a detailed schedule with key milestones and meetings leading to the adoption of the updated Zoning Code and Zoning Map in a timely manner.
- Discuss problems and issues associated with current City land use and development regulations (including City staff's and City Attorney's "fix-it" list of needed revisions and other regulatory topics that need attention, but are not fully addressed in the current or Administrative Draft Zoning Codes).
- Review and discuss preliminary format, style, and organization options.
- Establish protocols for providing information on the status of the Zoning Code Update Project on the City's website.
- Gather documents relevant to the Zoning Code Update Project including, but not limited to, the 2010-2035 General Plan and FEIR, a Microsoft Word version of the existing and Administrative Draft Zoning Codes marked up with City staff comments using "track-changes," adopted design guidelines, specific plans, environmental guidelines, zoning map, planning fee schedule, any over-the-counter hand-out materials, and other planning policy or regulatory documents.

Following the kick-off meeting, the Consultant will tour Santa Clara with City staff to view examples of key zoning-related issues (i.e., visit projects that did and did not work well) and gain further understanding of the development issues.

Task 1.2: Stakeholder Interviews

An important source of information about how existing zoning regulations are and are not working are the community members most affected by the regulations. The Consultant will conduct approximately 15-20 interviews over two days with individuals and groups (e.g., builders, developers, civil engineers, architects, planners, business owners/managers, and residents) identified by the City's Project Manager as key stakeholders who can identify issues relative to the City's development regulation and review process. Each interview will be approximately an hour in length. The Consultant will provide a list of questions to participants in advance of the interviews. The Consultant will document the interview results in a summary report. The Consultant will identify all interviewees, but not attribute specific comments to individuals.

Task 1.3: All-Hands Joint Study Session

The Consultant will facilitate a Joint Study Session (if consistent with the City's past practice) with the City Council, Planning Commission, Historical and Landmarks Commission, Architectural Committee, and any other interested City commissions, committees, residents, and business owners. The purposes of the Study Session will be to review the overall objectives for the Zoning Code Update, the project work program and schedule, the anticipated products of the effort, and the initial list of issues guiding the Zoning Code Update. The Study Session will also provide the opportunity for individual Council, Commission, and Committee members, as well as the interested public, to express their thoughts on the project and add issues to the list for consideration. The Consultant will summarize the results of the Study Session.

Products:

(The Consultant will provide digital versions in both Microsoft Word (or PowerPoint) and Adobe PDF format of each product):

- Summary of Consultant/City staff kick-off meeting
- Stakeholder Interview Summary
- Joint Study Session PowerPoint Presentation
- Summary of All-Hands Joint Study Session

Phase 2: Diagnosis

The Consultant will conduct a technical and extremely thorough diagnosis of the updated Code, including land use, development standards, and permit processing. The diagnosis will incorporate an analysis of the 2010-2035 General Plan, 2015-2023 Housing Element, 2013 Climate Action Plan, City Council 2017-2019 Zoning Code Strategies, and additional Municipal Code provisions to ensure

consistency between policies and development standards and uses. Once the technical diagnosis is complete, the Consultant will prepare a detailed diagnostic report that combines the findings of the outreach in Phase 1 with the findings of the analysis and provide a range of achievable solutions to highlighted areas of inconsistences or areas of desired change that the City can consider during the update process. The Consultant will present the findings during a Joint Study Session to confirm the approach prior to beginning work on Phase 3.

Task 2.1: Diagnostic Document Review

The Consultant will thoroughly review all City documents relevant to the Zoning Code Update, including (but not limited to):

- Existing Zoning Code (Santa Clara Municipal Code Title 18 [Zoning])
- Administrative Draft Zoning Code
- 2010-2035 General Plan
- 2015-2023 Housing Element
- 2013 Climate Action Plan
- 2014 Single-Family and Duplex Residential Design Guidelines
- 1986 Community Design Guidelines
- City Council 2017-2019 Zoning Code Strategies

The Consultant will also work with City staff to review the overall Municipal Code to identify other provisions that should be included in the Zoning Code Update, or that will at least need to be understood and possibly referenced so that no conflicts occur with the updated Zoning Code provisions. The Consultant will expand upon the initial diagnostic reviews conducted as a part of this proposal and prepare a detailed Zoning Code Diagnostic Report for City staff review.

Task 2.2: Summary Matrix of Zoning Code Issues

Based upon the results of the Joint Study Session, Zoning Code Diagnostic Report, meetings with City staff, and stakeholder interviews, the Consultant will prepare an initial Summary Matrix of Zoning Code Issues. The Matrix will identify deficiencies in the Administrative Draft Zoning Code, the solutions and revisions deemed necessary to correct these deficiencies, and where the revisions will be addressed in the Zoning Code Update. For each solution, the Consultant will identify steps and possibly optional approaches to resolve the issues.

The Consultant will use the Matrix to track revisions to the Administrative Draft Zoning Code and assist in the preparation of a staff report when adopting the updated Zoning Code. It is expected that the Matrix will undergo significant revision prior to project completion. The Consultant will use the Matrix to address options for the overall Zoning Code framework and ensure that the resulting standards and regulations conform to the land use designations and policies of the 2010-2035 General Plan.

Task 2.3: Joint Study Session

Based on the results of Tasks 2.1 and 2.2, the Consultant will facilitate a Joint Study Session with the City Council, Planning Commission, Historical and Landmarks Commission, Architectural Committee, and any other interested City commissions, committees, residents, and business owners to confirm the approach of the updated Zoning Code based on the findings from the Zoning Code Diagnostic Report. The Consultant have provided a per-meeting cost estimate as part of the cost proposal in case the City prefers individual study sessions.

Task 2.4: Draft Zoning Code Format and Outline

Based on the results of Tasks 1.1 through 2.3, the Consultant will prepare a draft annotated Zoning Code outline/Table of Contents, style sheet, and a list of common terms. The Consultant will also prepare a sample chapter format to illustrate the recommended format and style of the Zoning Code Update, which the Consultant will design to improve document organization and readability, resulting in a truly modern "user friendly" updated document. After City staff review, the Consultant will finalize any desired changes. (See an example style sheet with a list of common terms in Appendix B, and an example Table of Contents in Appendix C.)

Products:

(The Consultant will provide digital versions in both Microsoft Word (or PowerPoint) and Adobe PDF format of each product):

- Zoning Code Diagnostic Report
- Matrix of Zoning Issues
- Zoning Code Format, Style Guide with a list of common terms, and Table of Contents

Phase 3: Code Update

The Consultant recommends preparation and delivery of an Administrative Draft of the Zoning Code in several segments, rather than in a single deliverable. The Consultant's experience indicates that it is easier for City staff to give timely feedback and review of the Draft Zoning Code when presented in segments. The order and content of the segments can be modified as desired by City staff. All administrative draft sections will include a screencheck round of review. As an alternative, if City staff prefers, the Consultant can prepare a complete Administrative Draft Zoning Code prior to City staff review.

Task 3.1: Zoning District Provisions

The Consultant will draft the chapters of the updated Zoning Code containing regulations applicable in specific zoning districts (e.g., Residential – Very Low Density (R1), Community Commercial (C-C), Office/Research and Development – Low Intensity (O-L), Planned Development (PD), Santa Clara Station Area (SCS)), and any new districts. To ensure consistency with the 2010-2035 General Plan land use designations and proper implementation of Plan policies, the Consultant will review the land use

designations and 2015-2023 Housing Element programs and policies as a part of this task. At a minimum, these provisions will address the following topics:

- **A description of each zoning district** (including a General Plan driven "purpose" statement), an overview of the land uses allowed within each district, and the type of ministerial or discretionary land use approvals required for each use (some uses may be allowed with no land use permit, subject to compliance with applicable locational, developmental, and operational standards and obtaining any necessary construction permits). The Consultant will give special attention to reviewing each zoning district with City staff to ensure that specific allowable uses are appropriate in each zoning district and consistent with the 2010-2035 General Plan.
- **A land use classification system** that clearly identifies uses allowed in each zoning district with an emphasis on allowing as many by-right uses (together with specific development standards) as is reasonably appropriate. This classification system will consolidate the City's current use categories and descriptions by providing for uses that are not currently addressed and by using clear terminology to define each allowable use. The classification system will employ up-to-date terminology and an appropriate combination of specific and generic land use types. The Consultant will provide definitions of all land use types included within the classification system.
- **Development standards** for each zoning district (e.g., building envelope standards, height limitations, setback requirements, site coverage requirements) organized in tables and graphically illustrated wherever possible.

The Consultant will submit the Administrative Draft Zoning District provisions to City staff for review. Staff will be expected to provide their comments on the draft in Microsoft Word "track- changes" and provide a single consolidated set of comments. The Consultant will then meet or schedule a conference call with City staff to discuss revisions and direction for the work in Task 3.2.

Task 3.2: Administrative Provisions

The Consultant will draft the chapters of the updated Zoning Code containing administration and development application filing and processing procedures. At a minimum, these chapters will address the following:

- **Purpose and adoption of the Zoning Code,** applicability, responsibility and administrative authority, interpretation procedures, and provisions addressing applications deemed complete but not yet decided (e.g., "pipeline projects"), that may be affected by adoption of, and future amendments to, the Zoning Code.
- **Definition of the roles** of each project review authority, including the Community Development Director, the Zoning Administrator, the Planning Commission, the City Council, and all other applicable entities.
- **Procedures for discretionary permits** (by the Community Development Director, Zoning Administrator, Planning Commission, and City Council as needed), conditional and administrative use permits, design review, planned development review, reasonable accommodations, site plan review, transportation demand management plans, variances, and other project review procedures, appeals, public hearings, nonconforming use and structure provisions, and amendments (e.g., General Plan, Zoning Code, and Zoning Map), development agreements, and specific plans. The Consultant will discuss the potential interest in, need for,

and composition of additional types of administrative permits (i.e., home occupations, temporary uses, and zoning clearances). Proposed procedures will emphasize efficiency, simplicity, clarity, and streamlined processing, while ensuring more certainty in the development review process as well as thorough an effective project review to achieve the City's objectives. Additionally, a comprehensive Review Authority table will be included to clearly display the appropriate level of review and appeal required for reach type of application.

- **Enforcement provisions,** including but not limited to, legal remedies (criminal and civil), procedural requirements, recovery of costs directly related to enforcement actions, and the identification of the property owner/violator rights and procedures for appeal.
- **Definitions** of each allowable land use, as well as technical terms and phrases used in the updated Zoning Code, including abbreviations. An initial set of definitions will be included with the first submittal of the Administrative Draft Zoning District provisions and will be supplemented in subsequent draft submittals.

The Consultant will submit the Administrative Draft of the Administrative provisions to City staff for review. Staff will be expected to provide their comments on the draft in Microsoft Word "track-changes" and provide a single consolidated set of comments. The Consultant will then meet or schedule a conference call with City staff to discuss revisions and direction for the work in Task 3.3.

Task 3.3: General Development and Specific Use Standards

The Consultant will draft the chapters of the updated Zoning Code containing regulations that apply in multiple zoning districts and overlay/combining districts, and regulations for specific land uses. At a minimum, these chapters will address the following topics (additional related topics may be included at the direction of City staff):

- **General site planning and development standards.** The Consultant will prepare descriptions of standards that could apply to a variety of land uses regardless of the applicable zoning district. Additionally, these standards will address, as appropriate, site access requirements; fences, hedges, walls, and screening; noise regulations; outdoor lighting standards; performance standards (e.g., air quality, glare, vibration); Crime Prevention Through Environmental Design; undergrounding of utilities; and other topics determined to be appropriate by the City's Project Manager. These standards will be crafted in a comprehensive manner to provide the appropriate tools needed for City staff and decision-makers to evaluate development proposals while providing for as much flexibility and certainty as is determined appropriate by the City.
- **Affordable housing requirements,** including supportive, transitional, and employee housing; density bonus provisions; single room occupancy (SRO) provisions; and standards for large and residential care facilities.
- **Landscaping standards,** including water efficient standards and specific requirements for preliminary and final landscape plan submittal and review.
- **Off-street parking, loading, and bicycle standards,** including contemporary parking and loading area numbers, space, and design requirements; landscaping requirements; pedestrian circulation requirements; and bicycle and motorcycle parking.
- **Sign regulations.** The Consultant will review and evaluate the current sign provisions and recommend revisions in consultation with City staff. The evaluation will concentrate on

providing clear standards for signs by zoning district and by type of sign. All types of allowable/desired signs will be considered for inclusion in the sign provisions, including temporary signs. The Consultant will review and update procedures for sign approval to make the process more understandable and easily administered, including provisions for dealing with nonconforming signs. The Consultant will provide illustrative graphics to clarify sign requirements. The Consultant will ensure that sign provisions comply with content neutrality requirements. Consultation with the City Attorney may be desirable.

- **Standards for specific land uses.** The Consultant will address standards for specific land uses as deemed appropriate by the City, including accessory dwelling units; accessory retail uses; adult entertainment businesses; antennas and other wireless communication facilities; alcohol-related uses (e.g., liquor sales, breweries, taprooms, wineries); cannabis-related uses; childcare facilities; entertainment and recreation uses; home occupations; interim uses in transition areas; massage therapy; mobile food vendors; mobile homes; multi-family housing; outdoor merchandise display and activities; outdoor and personal storage facilities; recycling facilities; and residential accessory uses and structures.
- **Environmental performance-based standards** as determined by City staff to be appropriate.

The Consultant will submit the Administrative Draft of the General Development and Specific Use Standards to City staff for review. Staff will be expected to provide their comments on the draft in Microsoft Word "track- changes" and provide a single consolidated set of comments. The Consultant will then meet or conference call with City staff to discuss revisions and direction for the work in Task 3.4.

Task 3.4: Preliminary Draft Zoning Code

The Consultant will revise the Administrative Draft sections based on City staff discussion and input and will prepare the remaining parts of the Preliminary Draft Zoning Code, including a detailed table of contents, graphics, and illustrations. Graphics will be incorporated throughout the updated Zoning Code wherever they may assist users in visualizing the meaning and applicability of development standards, or otherwise improving understanding or ease of use. The administrative provisions prepared during earlier tasks may incorporate some flowcharts and other graphics if City staff and the Consultant determine that the illustration of procedures would be helpful during the initial review stage. The Consultant will not artificially limit the number of illustrations/graphics to be included in the updated Zoning Code, but will instead provide graphics wherever they will be of value.

The Consultant will submit a complete Preliminary Draft Zoning Code for City staff review and comment. Staff will be expected to provide their comments on the draft in Microsoft Word "track-changes" tools and provide a single set of consolidated comments. The Consultant will meet or schedule a conference call with City staff as necessary to review their comments and desired changes.

Task 3.5: Public Review Draft Zoning Code

Based on direction from City staff, the Consultant will prepare a Public Review Draft Zoning Code which will be provided to the City for review by the community, Planning Commission, Architectural Committee, Historical and Landmarks Commission, City Council, and other applicable groups.

Task 3.6: Updated Zoning Map

The Consultant will update the City Zoning Map consistent with the General Plan and Zoning Code Update. The Consultant will convert the existing zoning districts into the new zoning districts and endeavor to avoid or minimize rezoning of any parcels. The updated Zoning Map will, to the extent possible, match each existing zoning district and the 2010-2035 General Plan land use designations with the most similar new district. The Consultant will create new titles for new zoning districts for which there are no comparable or corresponding existing districts. The Consultant will prepare the Updated Zoning Map in a format compatible with the City's GIS data base.

Products:

(The Consultant will provide digital versions in both Microsoft Word (or PowerPoint) and Adobe PDF format of each product):

- Administrative Draft Zoning District Provisions
- Administrative Draft Zoning Code Administrative Provisions
- Administrative Draft General Development and Specific Use Standards
- Preliminary Draft Zoning Code
- Public Review Draft Zoning Code
- Updated Zoning Map

Phase 4: Public Review

The Consultant will facilitate three community workshops and five study sessions to receive comments and direction on the updated Zoning Code. Following completion of the community engagement, the Consultant will prepare a Revised Public Review Draft Zoning Code for CEQA analysis and adoption.

Task 4.1: Community Workshops

The Consultant will facilitate up to three Community Workshops to present the Public Review Draft Zoning Code and updated Zoning Map. The workshops will be a modified open house format that includes information stations and a formal presentation followed by a question and answer period. The informational stations will allow participants to "drop by" and not necessarily stay for the presentation. Each station would be staffed by a consultant and City staff member to be available to answer questions. At the mid-point of the workshop, the Consultant will make a detailed presentation highlighting the major changes to the Code, the reasons for the changes, and how the City will administer the new Code. The Consultant will emphasize the changes to the existing zoning districts, why the changes were made, and the options considered when making the changes. The Consultant will facilitate a question and answer period and record all public comments. Participants will also have the opportunity to submit written comments. The Consultant will prepare a public comment summary that the Consultant will include in subsequent study session presentations. A sample Workshop Guide for the project is provided in Appendix G.

Task 4.2: Study Sessions

The Consultant will facilitate up to five study sessions to present the Public Review Draft Zoning Code and updated Zoning Map. The Consultant will facilitate study sessions with the Architectural Committee, Historical and Landmarks Commission, the Planning Commission, the City Council, and other applicable groups as determined by the City's Project Manager. The Consultant will make a general presentation of the major changes to the Code, the reasons for the changes, and how the City will administer the updated Code. The Consultant will focus the presentation in each study session on the specific interests of each group. The Consultant will facilitate a question and answer period and record all comments. Committee, Commissioner, Council members, and other participants will have the opportunity to submit written follow-up comments. The Consultant will prepare a summary of all comments which the Consultant will use, in consultation with City staff, to prepare the Revised Public Review Zoning Code and updated Zoning Map.

Task 4.3: Revised Public Review Draft Zoning Code

Based on public and study session comments and direction from City staff, the Consultant will prepare a Revised Public Review Draft Zoning Code and updated Zoning Map, which the Consultant will submit to the City for review by the community, Architectural Committee, Historical and Landmarks Commission, Planning Commission, and City Council.

Products

(The Consultant will provide digital versions in both Microsoft Word (or PowerPoint) and Adobe PDF format of each product):

- Community Workshop PowerPoint Presentation and materials
- Community Workshop Summary of Public Comments
- Joint Study Session PowerPoint Presentations
- Joint Study Session Summary of Comments
- Revised Public Review Draft Zoning Code and updated Zoning Map

Phase 5: CEQA Compliance

The Consultant will conduct an environmental review of the Public Review Draft Zoning Code and updated Zoning Map consistent with the requirements of CEQA. The City certified the Integrated Final Environmental Impact Report for the 2010-2035 General Plan in November 2010. Based on the review of that FEIR and understanding of the likely contents of the Draft Zoning Code Update, any potential environmental effects resulting from Zoning Code and Zoning Map adoption are likely to have been addressed in the FEIR. An addendum to the FEIR may be required. It is also possible to determine that the EIR sufficiently addresses the potential environmental impacts of Zoning Code and Zoning Map adoption. The Consultant will make this determination in consultation with City staff and the City Attorney. The Consultant will prepare either an Addendum to the 2010-2035 General Plan FEIR or a

technical memorandum supporting a finding of consistency of the updated Zoning Code and Zoning Map with the 2010-2035 General Plan FEIR.

Product:

- Addendum to the 2010-2035 General Plan FEIR or a Technical Memorandum supporting a finding of consistency of the updated Zoning Code and Zoning Map with the 2010-2035 General Plan FEIR (One camera-ready printed copy and digital versions in both Microsoft Word and Adobe PDF format)

Phase 6: Adoption

The Consultant, in consultation with the City's Project Manager, will organize and facilitate the public review and adoption of the updated Zoning Code and Zoning Map. The Consultant will prepare PowerPoint presentations and support materials for all meetings and public hearings. City staff will prepare all necessary noticing materials, venue preparation, and staff reports, with support from the Consultant.

Task 6.1: Planning Commission Public Hearing

The Consultant will attend and participate in one public hearing with the Planning Commission on the Revised Public Review Draft Zoning Code and Zoning Map. If desired by the City, the Consultant will attend additional meetings on a time-and-materials basis. Based on the Planning Commission recommendation, the Consultant will prepare an errata sheet describing Planning Commission-recommended changes.

Task 6.2: City Council Public Hearing

The Consultant will attend and participate in one public hearing with the City Council to consider adoption of the Revised Public Review Draft Zoning Code and Zoning Map. If desired by the City, the Consultant will attend additional meetings on a time-and-materials basis.

Task 6.3: Screencheck Final Zoning Code and Zoning Map

After Council adoption of the Zoning Code and Zoning Map and before its effective date, the Consultant will prepare final versions incorporating all changes made by the City Council. The Consultant will provide a screencheck version so that City staff can verify that the document accurately incorporates all changes approved by the Council during the adoption process.

Task 6.4: final Zoning Code and Zoning Map

The Consultant will prepare the Final Zoning Code and Zoning Map for delivery to the City for codification and publication. The team will provide a reproducible camera-ready copy of the adopted documents and a digital copy of the Zoning Code in Microsoft Word software and the Zoning Map in GIS.

Products:

- PowerPoint Presentation (Digital versions in both Microsoft PowerPoint and Adobe PDF format)
- Screencheck Final Zoning Code (Digital versions in both Microsoft Word and Adobe PDF format)
- Final Zoning Code (Digital versions in both Microsoft Word and Adobe PDF format)
- Final Zoning Map (Digital versions in both GIS and Adobe PDF format)

AGREEMENT FOR THE PERFORMANCE OF SERVICES BY AND BETWEEN THE CITY OF SANTA CLARA, CALIFORNIA, AND MINTIER HARNISH, LP

EXHIBIT B

FEE SCHEDULE

In no event shall the amount billed to City by Contractor for services under this Agreement exceed two hundred one thousand three hundred twenty dollars ($201,320), subject to budget appropriations.

CITY OF SANTA CLARA ZONING CODE UPDATE
Project Budget

August 8,2017

PHASES	Project Director (Harnish)	Principal (Jacobson)	Project Advisor (Payne)	Project Manager (Gibbons)	Admin	TOTAL HOURS	TOTAL COST
PHASE 1: INFORMATION GATHERING							
Task 1.1: Initial Kick-Off and Scoping Meeting	8	8		8		24	$4,320
Task 1.2: Stakeholder Interviews	16	16		16	16	64	$10,000
Task 1.3: All-Hands Joint Study Session	8			8		16	$2,720
Phase 1 Subtotal	**32**	**24**	**0**	**32**	**16**	**104**	**$17,040**
PHASE 2: DIAGNOSIS							
Task 2.1: Diagnostic Document Review	4	16		16		36	$6,240
Task 2.2: Summary Matrix of Zoning Code Issues	4	8		16		28	$4,640
Task 2.3: Joint Study Session	8			8		16	$2,720
Task 2.4: Draft Zoning Code Format and Outline	2	8		8		18	$3,120
Phase 2 Subtotal	**18**	**32**	**0**	**48**	**0**	**98**	**$16,720**
PHASE 3: CODE UPDATE PROCESS							
Task 3.1: Zoning District Provisions	16	40		80		136	$22,400
Task 3.2: Administrative Provisions	8	100		24		132	$24,960
Task 3.3: General Development and Specific Use Standards	16	60		80		156	$26,400
Task 3.4: Preliminary Draft Zoning Code	8	40	8	40		96	$16,560
Task 3.5: Public Review Draft Zoning Code	4	16		16		36	$6,240
Task 3.6: Updated Zoning Map	4	8	8	24		44	$7,120
Phase 3 Subtotal	**56**	**264**	**16**	**264**	**0**	**600**	**$103,680**
PHASE 4: PUBLIC REVIEW							
Task 4.1: Community Workshops (3)	8		24	24	16	72	$10,400
Task 4.2: Study Sessions (5)	40			40	20	100	$15,300
Task 4.3: Revised Public Review Draft Zoning Code	4	8		16		28	$4,640
Phase 4 Subtotal	**52**	**8**	**24**	**80**	**36**	**200**	**$30,340**
PHASE 5: CEQA COMPLIANCE							
Phase 5 Subtotal	**8**	**0**	**0**	**0**	**20**	**28**	**$3,300**
PHASE 6: ADOPTION							
Task 6.1: Planning Commission Public Hearing	8			8		16	$2,720
Task 6.2: City Council Public Hearing	8			8		16	$2,720
Task 6.3: Screencheck Final Zoning Code and Zoning Map	4	12		16		32	$5,440
Task 6.4: Final Zoning Code and Zoning Map	4	8		24		36	$5,760
Phase 6 Subtotal	**24**	**20**	**0**	**56**	**0**	**100**	**$16,640**
PROJECT MANAGEMENT							
Project Management	16		0	24	24	**40**	**$8,600**
TOTAL							
Total Hours	206	348	40	504	96	1170	-
2017 Billing Rates	$200	$200	$170	$140	$85	-	-
Labor Subtotals	$41,200	$69,600	$6,800	$70,560	$8,160	-	$196,320
Direct Expenses (Printing, travel costs)							**$5,000**
TOTAL COST							**$201,320**

AGREEMENT FOR THE PERFORMANCE OF SERVICES
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AND
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EXHIBIT C

INSURANCE REQUIREMENTS

INSURANCE COVERAGE 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.

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. 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 mailed to:

EBIX Inc.
City of Santa Clara Planning Division
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

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.

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AGREEMENT FOR THE PERFORMANCE OF SERVICES
BY AND BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
MINTIER HARNISH, LP

EXHIBIT D

ETHICAL STANDARDS FOR CONTRACTORS SEEKING TO ENTER INTO AN AGREEMENT WITH THE CITY OF SANTA CLARA, CALIFORNIA

Termination of Agreement for Certain Acts.

A. The City may, at its sole discretion, terminate this Agreement in the event any one or more of the following occurs:

1. If a Contractor[1] does any of the following:

   a. Is convicted[2] of operating a business in violation of any Federal, State or local law or regulation;

   b. Is convicted of a crime punishable as a felony involving dishonesty[3];

   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 public 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 City contractor or subcontractor; and/or,

   e. Made (or makes) any false statement(s) or representation(s) with respect to this Agreement.

---

[1] For purposes of this Agreement, the word "Consultant" (whether a person or a legal entity) also refers to "Contractor" and means any of the following: an owner or co-owner of a sole proprietorship; a person who controls or who has the power to control a business entity; a general partner of a partnership; a principal in a joint venture; or a primary corporate stockholder [i.e., a person who owns more than ten percent (10%) of the outstanding stock of a corporation] and who is active in the day to day operations of that corporation.

[2] 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.

[3] 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.

2. If fraudulent, criminal or other seriously improper conduct of any officer, director, shareholder, partner, employee or other individual associated with the Contractor can be imputed to the Contractor when the conduct occurred in connection with the individual's performance of duties for or on behalf of the Contractor, with the Contractor's knowledge, approval or acquiescence, the Contractor's acceptance of the benefits derived from the conduct shall be evidence of such knowledge, approval or acquiescence.

B. The City may also terminate this Agreement in the event any one or more of the following occurs:

1. The City determines that Contractor no longer has the financial capability[4] or business experience[5] to perform the terms of, or operate under, this Agreement; or,

2. If City determines that the Contractor fails to submit information, or submits false information, which is required to perform or be awarded a contract with City, including, but not limited to, Contractor's failure to maintain a required State issued license, failure to obtain a City business license (if applicable) or failure to provide and maintain bonds and/or insurance policies required under this Agreement.

C. In the event a prospective Contractor (or bidder) is ruled ineligible (debarred) to participate in a contract award process or a contract is terminated pursuant to these provisions, Contractor may appeal the City's action to the City Council by filing a written request with the City Clerk within ten (10) days of the notice given by City to have the matter heard. The matter will be heard within thirty (30) days of the filing of the appeal request with the City Clerk. The Contractor will have the burden of proof on the appeal. The Contractor shall have the opportunity to present evidence, both oral and documentary, and argument.

---

[4] Contractor becomes insolvent, transfers assets in fraud of creditors, makes an assignment for the benefit of creditors, files a petition under any section or chapter of the federal Bankruptcy Code (11 U.S.C.), as amended, or under any similar law or statute of the United States or any state thereof, is adjudged bankrupt or insolvent in proceedings under such laws, or a receiver or trustee is appointed for all or substantially all of the assets of Contractor.

[5] Loss of personnel deemed essential by the City for the successful performance of the obligations of the Contractor to the City.

AGREEMENT FOR THE PERFORMANCE OF SERVICES
BY AND BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
MINTIER HARNISH, LP

EXHIBIT E

AFFIDAVIT OF COMPLIANCE WITH ETHICAL STANDARDS

I hereby state that I have read and understand the language, entitled "Ethical Standards" set forth in Exhibit D. 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 "Contractor" contained in Ethical Standards 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) belonging to said "Contractor" category [i.e., owner or co-owner of a sole proprietorship, general partner, person who controls or has power to control a business entity, etc.] has been convicted of any one or more of the crimes identified in the Ethical Standards 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.

MINTIER HARNISH, LP

a California Limited Partnership

By: _____
Signature of Authorized Person or Representative

Name: Jim Harnish

Title: Principal/Owner

NOTARY'S ACKNOWLEDGMENT TO BE ATTACHED

Please execute the affidavit and attach a notary public's acknowledgment of execution of the affidavit by the signatory. If the affidavit is on behalf of a corporation, partnership, or other legal entity, the entity's complete legal name and the title of the person signing on behalf of the legal entity shall appear above. Written evidence of the authority of the person executing this affidavit on behalf of a corporation, partnership, joint venture, or any other legal entity, other than a sole proprietorship, shall be attached.

CALIFORNIA CERTIFICATE OF ACKNOWLEDGMENT

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)

County of Sacramento)

On October 11, 2017 before me, Yongwen Huang. notary public,
(here insert name and title of the officer)

personally appeared James Harnish

,

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/sh~~e/they~~ executed the same in his/~~her~~/th~~eir~~ authorized capacity(ie~~s)~~, and that by his/he~~r/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.

WITNESS my hand and official seal.

NRO1 YONG WEN HUANG COMM. #2122730 Notary Public - California Sacramento County My Comm. Expires Aug. 9, 2019 NRO1

Signature

(Seal)

Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Affidavit of Compliance with Ethical Standards,

containing 29 of 1 pages, and dated 10/11/2017.

The signer(s) capacity or authority is/are as:

- [x] Individual(s)
- [ ] Attorney-in-Fact
- [ ] Corporate Officer(s) _____ Title(s)
- [ ] Guardian/Conservator
- [ ] Partner - Limited/General
- [ ] Trustee(s)
- [ ] Other: _____

representing: _____ Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
○ form(s) of identification ○ credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

- [ ] Additional Signer(s)
- [ ] Signer(s) Thumbprint(s)
- [ ] _____

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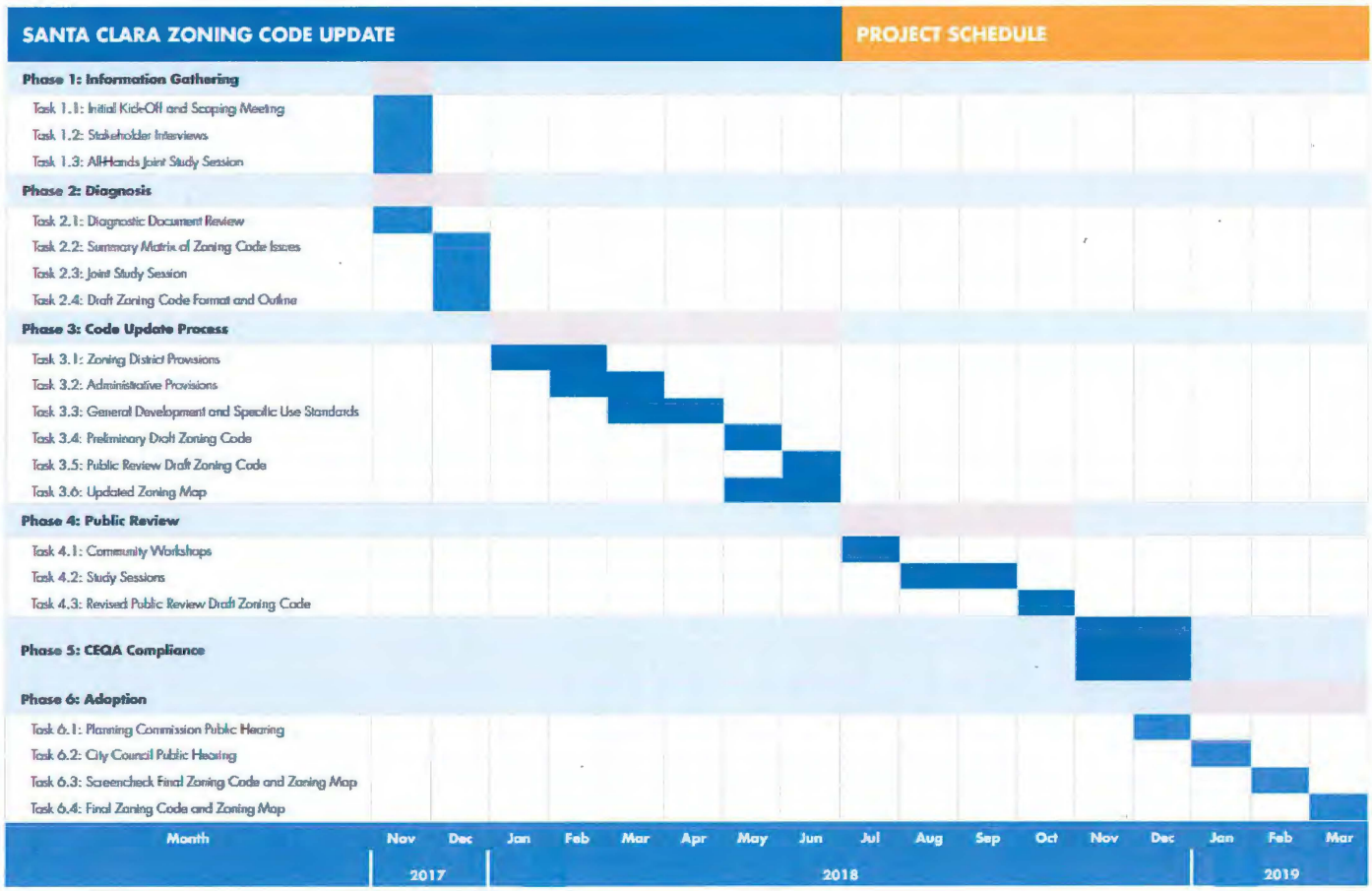
AGREEMENT FOR THE PERFORMANCE OF SERVICES BY AND BETWEEN THE CITY OF SANTA CLARA, CALIFORNIA, AND MINTIER HARNISH, LP

EXHIBIT F

MILESTONE SCHEDULE



City of Santa Clara
The Center of What's Possible

AGENDA ITEM #: 11. B1

AGENDA REPORT

Date: November 7, 2017

To: City Manager for Council Action

From: Director of Community Development

Subject: Approval of a Performance of Services Agreement with Mintier Harnish, LP to Prepare a Zoning Code Update for an Amount not to Exceed $201,320

EXECUTIVE SUMMARY

The City of Santa Clara's current Zoning Ordinance has been in effect since 1969. The Ordinance has been amended nearly 100 times since then to address specific changes in development standards or land use allowances within certain zoning districts or in broader zoning regulations without a comprehensive review. The City anticipated undertaking a comprehensive update of the Zoning Ordinance following the adoption of a comprehensive General Plan update (2010-2035 General Plan) in November 2010 to ensure that the Zoning Ordinance would align with the current General Plan. Since 2010, staff has undertaken preliminary work on a Zoning Ordinance update, but the process has not been completed. The proposed contract would engage a consultant who would assist staff with completing this effort.

The Zoning Ordinance update would provide zoning districts that allow the type of development called for in the General Plan. For example, the General Plan now contemplates and promotes office and research & development (R&D) uses at a floor area ratio (FAR) of up to 1.0 (i.e., allowing a 40,000 square foot building on a 40,000 square foot lot, likely in a multi-story structure) in some areas and up to 2.0 in selected areas, with restrictions on certain kinds of incompatible industrial activities. The current zoning district designations in most of these areas limit heights and building coverage such that these FARs could not be met and further limits allowed uses to those that would have been acceptable in the past when industrial areas were more focused on manufacturing and production while not allowing uses more consistent with emerging office/R&D activities.

The Planning Division worked on the Zoning Code update with the consulting firm Michael Baker Associates (MBA) from 2014 to 2016. MBA however reached the end of their contract term without completing the update (MBA expended $125,000 of the total $199,000 contract amount). After review of the MBA work product, staff determined that additional work would be necessary to reflect recent legal changes and to bring the quality of the product up to City standards. Additionally, since it has been several years since the City had conducted outreach for the Code Update, staff determined that additional outreach, including coordination with the Planning Commission and City Council would be desirable. Rather than reengage with MBA, in 2017 staff conducted a formal Request for Proposals (RFP) process for consultant support to complete preparation of the Zoning Code update, including environmental analysis and clearance documentation under the California Environmental Quality Act (CEQA). The City received two viable responses to the RFP, and following interviews, staff recommends selection of Mintier Harnish, LP to help the City prepare the Zoning Code Update.

Mintier Harnish, LP is an urban planning consulting firm specializing in general plan updates, zoning code updates, and a full range of related planning services. Together with Jacobson and

Wack, their collaborators on the project, the team members have extensive experience with the drafting and adoption of zoning codes, development codes, subdivision ordinances, and other types of development regulations and associated public participation efforts, and have collectively managed over 120 code updates throughout California. Staff has negotiated a scope of work with Mintier Harnish that includes technical and legal analysis, community outreach and engagement, integration of zoning code best practices, and preparation of a modern Zoning Code document. The proposed cost of this scope of work falls within the amount previously budgeted by the City to complete the Zoning Code update.

ADVANTAGES AND DISADVANTAGES OF ISSUE

Approval of this agreement will allow the City to complete the Zoning Code update project and provide a modern, functional Zoning Code that is consistent with the City's General Plan, and that will help to streamline the development review process.

ECONOMIC/FISCAL IMPACT

The total not to exceed amount of this contract is $201,320. Funds are available in the General Plan Update CIP Project (539-5523-80100-6520). There is no impact to the General Fund and no additional funding is required for this project.

RECOMMENDATION

That the Council approve and authorize the City Manager to execute a Performance of Services Agreement with Mintier Harnish, LP to prepare a Zoning Code Update at a total cost not to exceed $201,320.

Andrew Crabtree
Director of Community Development

Certified as to Availability of Funds: NK
539-5523-80100-6520 $ 201,320

Angela Kraetsch
Acting Director of Finance

APPROVED:

Deanna J. Santana
City Manager

Documents Related to this Report:
1) Performance of Services Agreement with Mintier Harnish, LP

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21-1470 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Action on an Agreement Containing Covenants and Restrictions with SANTANA TERRACE SENIORS, LLC for Project Located at 190 N. Winchester Boulevard

COUNCIL PILLAR
Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND
The subject property, located at 190 N. Winchester Boulevard, is a newly constructed, partially occupied 92-unit, multi-story apartment project originally permitted as an age restricted development limited to senior households age 55 and older. In September 2021, the City Council adopted a Resolution approving a rezone from Planned Development (PD) to Planned Development (PD) of the project site to remove the age restriction requirement language and instead allow resident occupation of all ages. (Planned Development zonings are customized zonings that contain unique standards applicable to a specific project. The approved rezoning modified the land use standards for the site as described.)

A General Plan Amendment from Regional Commercial to High Density Residential, Rezone from General Office to Planned Development and Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) were previously approved in January 2016 entitling the original project.

The original entitlement allowed construction of the senior housing development consisting of two- and three-levels of rental housing units and resident amenities over a parking podium along with carports and reduced number of surface parking totaling 105 parking spaces. Construction was completed in June 2020, and as of September 2021, only 20 units are rented and occupied. According to the Applicant, marketing efforts to attract and achieve residency by seniors 55 years of age and older was severely hampered by the pandemic; resulting in low and slow occupancy of the development; whereas, the rental apartments available for residency of all ages were less impacted.

At the September 2021 meeting, the Applicant voluntarily offered to deed restrict 15% of the resident occupied units, which is 14 total units, at income that does not exceed one hundred percent (100%) of the Area Median Income for Santa Clara County (AMI). This restriction was included in the approved PD Zoning.

DISCUSSION
The proposed Agreement Containing Covenants and Restrictions with the Developer, Santana Terrace Seniors, LLC, USA Properties Fund, uses the City's standard form (Attachment 1) and will enable and guarantee the delivery of fourteen (14) affordable units for below market rent within Santa

Clara. The Agreement Containing Covenants and Restrictions fulfills an obligation placed upon the Developer through the City Council's desire to increase the number of affordable units in Santa Clara as conditions of approval for Developer's request for a Zoning Clarification.

Fourteen (14) of the Affordable Housing Units shall be rented to households with income levels at or below one hundred percent (100%) of the Area Median Income for Santa Clara County (AMI).

To maintain long-term affordability, the full term of the affordability covenants shall be for a total period of fifty-five (55) years (the "Affordability Period"), effective from the date the of the Agreement Containing Covenants and Restrictions is recorded on the Project.

Approval of the proposed Agreement Containing Covenants and Restrictions will help the City accomplish its goal of developing high-quality affordable housing units in the City.

ENVIRONMENTAL REVIEW

In 2016, the City of Santa Clara, as Lead Agency, adopted the Santana Terrace Senior Apartments Mitigated Negative Declaration (MND). The MND analyzed the replacement of the then existing 65,000 square foot three-story office building with a 92-unit senior apartment housing community, where occupancy would be restricted to ages 55 and above.

An Addendum to the adopted MND and MMRP was prepared to analyze the proposed change to the approved project in accordance with the California Environmental Quality Act. The analysis concluded that the modified project would not result in any new impacts not previously disclosed in the MND and would not result in a substantial increase in the magnitude of any significant environmental impacts previously identified and mitigated to less-than-significant in the MND.

FISCAL IMPACT

There is no cost to the City for processing of the proposed Agreement other than administrative staff time and expense.

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.

RECOMMENDATION

1. Approve and authorize the City Manager to execute the Agreement Containing Covenants and Restrictions with SANTANA TERRACE SENIORS, LLC for the Project located at 190 N. Winchester Boulevard; and
2. Authorize the recordation thereof.

Reviewed by: Andrew Crabtree, Director, Community Development
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. 190 N. Winchester Covenants and Restrictions

OFFICIAL BUSINESS
Document entitled to free
recording per Government
Code Section 6103

Recording Requested By and
When Recorded Mail To:

CITY OF SANTA CLARA
City Clerk's Office
1500 Warburton Avenue
Santa Clara, California 95050

SPACE ABOVE THIS LINE FOR RECORDER'S USE

AGREEMENT CONTAINING COVENANTS AND RESTRICTIONS
(Including Affordable Housing Restrictions for Rental Units)

THIS AGREEMENT CONTAINING COVENANTS AND RESTRICTIONS (Including Affordable Housing Restrictions) ("Agreement") is made by and between SANTANA TERRACE SENIORS, LLC, a California limited liability company ("Developer"), and THE CITY OF SANTA CLARA ("City"). City and Developer may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement". The City and the Developer agree as follows with reference to the following facts:

RECITALS

A. Developer owns that certain ninety-two (92) unit multifamily housing community commonly known as Santana Terrace (the "Project") located on real property in the City of Santa Clara, California, as further described in Exhibit A attached hereto (the "Real Property") in which Developer has a leasehold interest.

B. City has adopted [INSERT DESCRIPTION OF CITY ACTION] which clarifies certain matters relating to the zoning of the Real Property (the "Zoning Clarification").

C. Pursuant to the Zoning Clarification, Developer and City desire that fourteen (14) of the residential units in the Project be rented to households with income levels at or below 100% AMI at Below Market Rate (BMR) rents that do not exceed an Affordable Housing Cost.

NOW, THEREFORE, in consideration of valuable land use and economic benefits and approvals by City set forth in the Zoning Clarification, the Developer and City hereby agree that the Project shall be subject to the following covenants and conditions which shall run with the land, and be binding on all parties having any right, title or interest in Project, their respective heirs, legatees, devisees, administrators, executors, successors

and assigns, and shall inure to the benefit of the City and their respective successors and assigns.

1. Definitions

In addition to terms that are otherwise defined herein, the following terms shall have the following respective meanings:

"Affordable Housing Cost" shall mean a monthly rent paid by the household legally occupying an Affordable Housing Unit, plus a reasonable utility allowance, that does not exceed the product of (i) thirty percent (30%) times (ii) one hundred percent (100%) of the Area Median Income adjusted for family size appropriate for the Affordable Housing Unit (which shall be one (1) person per bedroom plus one (1) person), divided by twelve (12).

"Affordability Period" shall mean the length of time that this recorded agreement and tenant incomes and rents for the Affordable Housing Units are limited, as described below. This period shall be for fifty-five (55) years from the Effective Date.

"Affordable Housing Unit" or sometimes "Unit" shall mean one of the fourteen (14) Below Market Rate rental units, of which all fourteen (14) units shall be designated to be occupied or made available for occupancy exclusively to an Income-Qualified Household, as defined in this Agreement.

"Annual Income" shall mean the annual income limits established by HCD.

"Area Median Income" shall mean the annual median income for Santa Clara County, adjusted for household size, as published periodically in the California Code of Regulations, Title 25, Section 6932, or its successor provision.

"Below Market Rate" or "BMR" shall mean the provision of a dwelling unit at rent levels less than market rates.

"Below Market Rate Monthly Rent" or "Monthly Rent" shall mean, for purposes of this Agreement, an amount that is no greater than thirty percent (30%) of one hundred percent (100%) of the Area Median Income divided by twelve (12), and adjusted for household size appropriate for the Affordable Housing Unit, less the Utility Allowance (except as provided in Section 2(b)(4) below).

"City" shall mean the City of Santa Clara, California.

"Effective Date" shall mean the date this Agreement is recorded in the Real Property Records of Santa Clara County, California.

"Household" shall mean one or more persons occupying a housing unit.

"HCD" shall mean the California Department of Housing and Community Development.

"Income-Qualified Household" shall mean a household with an income that does not exceed one hundred percent (100%) of the Area Median Income adjusted for family size (except as provided in Section 2(b)(4) below).

"Project" shall mean the ninety-two (92) unit residential apartment facility located upon the Real Property, inclusive of fourteen (14) units rented at a Below Market Rate Monthly Rent, as defined below, together with structures, improvements, equipment, fixtures, and other personal property owned by the Developer and located on or used in connection with all such improvements and all functionally related and subordinate facilities.

"Utility Allowance" shall be based upon schedules issued from time to time by the Santa Clara County Housing Authority. The Utility Allowance applies to all tenant-paid costs that are listed on that schedule.

"Waiting List" shall mean a list of pre-screened individuals and/or households who have expressed an interest in leasing an Affordable Housing Unit.

"Waiting List Administrator" shall mean Housekeys Inc., a California corporation, or such other qualified administrator of the Waiting List as may be designated in writing by the City.

2. Uses

a. General. The Developer covenants and agrees for itself, its successors, its assigns and every successor in interest to the Project or any part thereof, that the Developer shall use the Project only for residential operation pursuant to all of the terms and conditions of this Agreement. The Project shall consist of ninety-two (92) residential dwelling units, fourteen (14) of which shall be Affordable Housing Units for Income-Qualified Households.

b. Affordability Covenants. The Developer covenants and agrees for itself, its successors, its assigns and every successor in interest to the Project or any part thereof, for a term of fifty-five (55) years from the Effective Date, that fourteen (14) Affordable Housing Units shall be rented or leased to or held available for rental or occupancy by Income-Qualified Households.

(1) Units Generally.

Fourteen (14) of the rental units at Project that shall be designated as Affordable Housing Units and shall be occupied or held available for occupancy by Income-Qualified Households on a continuous basis for the Affordability Period.

(2) Affordable Housing Unit Rents

(a) Developer agrees it shall not charge or collect from any tenant of an Affordable Housing Unit a monthly amount in exchange for occupancy of the Affordable Housing Unit that exceeds the Affordable Housing Cost applicable to the Affordable Housing Unit. Notwithstanding the foregoing, nothing in this Agreement prohibits Developer from charging tenants of any Affordable Housing Unit any fees or charges which are for services or items that the tenant of the Unit voluntarily signs up for and which are available to all tenants at the Project, and the amount of such fees will be in addition to the applicable Affordable Housing Cost.

(b) The Affordable Housing Cost for the Affordable Housing Units shall be based upon schedules issued from time to time by HUD and modified and published by HCD. Upon request, City shall notify the Developer of the applicable area rents based on number of bedrooms.

(c) Rent increases, which may occur not more frequently than annually, shall not exceed the annual increase, if any, in Area Median Income, and Affordable Housing Cost for the Affordable Housing Units exceed the amount derived by the Affordable Housing formula set forth in this Agreement. The City shall receive a copy of all rent increase notices for the designated Affordable Housing Units at least 30 days prior to the new rents taking effect. Rent increases may only be implemented in compliance with applicable law.

(3) Income Qualification of Affordable Housing Unit Tenants

(a) Developer shall establish and maintain a file for each tenant residing in an Affordable Housing Unit including, at minimum, documents identified below. Developer shall make a good faith effort to verify that the income provided by an applicant in an income certification is accurate.

(b) The income of each Affordable Housing Unit tenant must be determined and certified prior to occupancy of that Affordable Housing Unit, using the definition of Annual Income established by HCD, and the Developer may certify initial income qualification using one of the following two source documentation methods:

(i) Obtain a written statement from the administrator of a government program under which the household receives benefits and which examines each year the annual income of the household; or

(ii) Examine the source documents evidencing annual income for the household. Developer shall use good faith efforts to obtain all applicable source documents to include in the tenant's file: Pay stub for the most recent pay period; Income tax return for the most recent tax year;

Income verification form from the applicant's current employer; Income verification form from the Social Security Administration and/or the California Department of Social Services if the applicant receives assistance from either of those agencies; and, any statement documenting unearned income received by the household.

(c) Developer shall determine the income of all tenants residing in an Affordable Housing Unit and Developer may choose to use either of the two (2) methods described above or may obtain from the household a written statement of the amount of the households income and family size along with a signed certification by the tenant that the information is complete and accurate. The certification must state that the household will provide source documentation upon request.

(d) Income limits, adjusted for household size, will be based off of the Area Median Income for Santa Clara County, which is published periodically by HCD and, upon request, City shall notify the Developer of the applicable Area Median Income Limits.

(4) <u>Over-Income Tenants in Affordable Housing Units</u>

(a) Any Affordable Housing Unit tenant whose income no longer qualifies for the Affordable Housing Unit at their current Monthly Rent may continue to reside in the Unit. However, subject to Section 4(b), they must pay rent at the lesser of:

i. Thirty percent (30%) of the household annual income, divided by twelve (12), less the Utility Allowance; or

ii. The current market rent being charged in a comparable unit not subject to this Agreement.

(b) Affordable Housing Units occupied by tenants whose income no longer qualifies as an Income-Qualified Household are considered in temporary “non-compliance” with this Agreement. To bring the Affordable Housing Unit back into compliance, the Developer must:

(i) Rent the next vacant Unit of the same size (i.e.: 2-bedroom) to an Income Qualified Household for a BMR Unit whose Annual Income would qualify them for the “non-compliant” Affordable Housing Unit at the original level of affordability (i.e. Median-Income) as the “non-compliant” Affordable Housing Unit (however, using the then current Area Median Income as adjusted for family size). Such Unit replaces the “non-compliant” Affordable Housing Unit; and

(ii) Re-designate the original Affordable Housing Unit that was in non-compliance as a market rate unit in Project. The tenants may be charged rents comparable to existing market rate units in the Project.

(c) Subject to the provisions of Section 1(b) above, Developer shall maintain a distribution of the Affordable Housing Units in Exhibit B.

(5) Waiting List for Affordable Housing Units

(a) City shall retain Waiting List Administrator to establish and maintain the Waiting List for the Affordable Housing Units in the Project in accordance with Waiting List Administrator's standard practices. In connection with the establishment and maintenance of the Waiting List, Waiting List Administrator shall pre-screen individuals/households who express an initial interest in an Affordable Housing Unit using such criteria and processes as are consistent with Waiting List Administrator's standard practices. Developer shall use reasonable efforts to refer all inquiries about occupancy of an Affordable Housing Unit to Waiting List Administrator. City shall be solely responsible for paying any fee or charge of Waiting List Administrator.

(b) Developer shall make a written request to Waiting List Administrator in writing when Developer has 25 names remaining on the current Waiting List to provide time for the Waiting List Administrator to generate an updated Waiting List. Waiting List Administrator shall provide an updated Waiting List within 30 days of request. The updated Waiting List shall be on a first-come-first-serve basis as according to the entry records in the Waiting List Administrator's database. Upon notification by Developer that an Affordable Housing Unit is or will become vacant, Waiting List Administrator shall provide Developer with a copy of the most current Waiting List within three (3) business days or request without any fee or charge to Developer. Subject to Developer's use and application of its customary leasing criteria that is applied to all tenants at the Project (including, without limitation, credit checks, references, etc.), Developer shall select new tenants for the Affordable Housing Units from Waiting List in the order that is provided. Developer shall provide evidence of attempts to contact households on the Waiting List.

(c) If the Developer have exhausted the initial Waiting List, and Developer have made a written request to the City and Waiting List Administrator for an updated Waiting List, and the City and Waiting List Administrator fail to provide an updated Waiting List to the Developer within 30 days, Developer shall have the right to establish and maintain a Waiting List in accordance with Developer's standard practices. Such list shall be audited by the City from time to time.

(d) If at any time City has not retained a Waiting List Administrator, Developer shall have the right to establish and maintain a Waiting List in accordance with Developer's standard practices. Developer shall provide City a copy of any Developer maintained Waiting List upon City's request.

(6) Lease Provisions

(a) Tenants in the Affordable Housing Units shall be subject to the same lease document and requirements of tenants in the market rate units, with the exception of those additional stipulations described below. A copy of the Project's standard lease form(s) shall be provided to the City on or before the Effective Date and within thirty (30) days of any changes.

(b) The lease shall not contain any terms prohibited by applicable law.

(c) Each lease or rental agreement shall provide that the Developer will not discriminate on the basis of race, creed, color, sex, national origin, ancestry, religion, marital status, disability or receipt of public assistance or housing assistance, or any other characteristic protected by law in connection with the rental of a Unit in Project, or in connection with the employment or application for employment of persons for operation and management of Project, and all contracts, applications and leases entered into for such purposes shall contain similar non-discrimination clauses to such effect.

(d) The Developer shall not require rental deposits in excess of one-month's rent for any Affordable Housing Unit, but may require refundable deposits for pet damages, and keys, and similar items, consistent with applicable laws.

(e) The Developer shall include provisions in leases or rental agreements for all Affordable Housing Units which authorize the Developer to immediately terminate the tenancy of any tenant occupying an Affordable Housing Unit where one or more of such tenants have misrepresented any fact material to the qualification of such an individual or household as an Income-Qualified Household, including, but not limited to, persons 18 years of age and older that reside in the household that are not listed on the lease. Each lease or rental agreement for an Affordable Housing Unit shall also provide that the tenants of such Affordable Housing Unit shall be subject to annual certification or re-certification of income, as required by the City, and shall be subject to rental increases in accordance with this Agreement.

(f) The provisions relating to certification and re-certification of income in the form of lease or rental agreement used by the Developer for the lease or rental of the Affordable Housing Units shall be subject to prior review and approval by the City, the approval of which shall not be unreasonably withheld or delayed.

(7) Initial Leasing, Marketing and Tenant Selection Procedures.

(a) No later than ten (10) days prior to the commencement of marketing, Developer or an Affiliate approved by City of Santa Clara shall prepare and submit to the City for reasonable approval a marketing and outreach program for the Affordable Housing Units which shall contain, among other things: (i) how a potential Income-Qualified Household would apply to rent an Affordable Housing Unit in the Project, including where to apply, applicable income limits and rent levels; (ii) a description of procedures and media Developer will use to publicize vacancies in Project; (iii) provide monthly leasing reports until all fourteen (14) Affordable Housing Units have been leased up and occupied, and (iv) mailing notices of vacancies to or contacting by telephone potential tenants on the Waiting List. Marketing of the Affordable Housing Units shall be done through outreach that affirmatively furthers fair housing in accordance with all federal and State fair housing laws.

(b) A copy of Developer's standard tenant selection procedure, applicable to all Units in Project, shall be provided to the City on or before the Effective Date and within thirty (30) days of any changes. Any special procedures related to tenant selection for an Affordable Housing Unit shall be specified and are limited to procedures reasonably related to implementation of the requirements of this Agreement and in compliance with State Fair Housing regulations.

(c) Developer must give prompt, written notice to any rejected applicant for an Affordable Housing Unit, specifying the grounds for rejection.

(d) Operating Covenant Agreement. The Developer covenants and agrees to operate Project in conformity with all applicable laws, rules, regulations and ordinances, including without limitation, all applicable federal and state labor standards.

(e) Obligation to Refrain from Discrimination. There shall be no discrimination against or segregation of any person, or group of persons, on account of race, color, religion, national origin, ancestry, sex, or marital status in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of Project, or any part thereof, nor shall the Developer itself or any person claiming under or through it establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sub-lessees, or vendees of Project.

(f) Form of Non-discrimination and Non-segregation Clauses. The Developer shall refrain from restricting the rental, sale or lease of Project on the basis

of race, color, religion, ancestry, national origin, sex, or marital status of any person. All such deeds, leases or contracts shall contain or be subject to substantially the following non-discrimination or non-segregation clauses:

(1) In deeds: "The grantee herein covenants by and for himself, his heirs, executors, administrators and assigns, and all persons claiming under or through him, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, religion, ancestry, national origin, sex, or marital status in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the land herein conveyed, nor shall the grantee himself or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sub-lessees or vendees in the land herein conveyed. The foregoing covenants shall run with the land".

(2) In leases: "The lessee herein covenants by and for himself, his heirs, executors, administrators and assigns, and all persons claiming under or through him, and this lease is made and accepted upon and subject to the following conditions:

That there shall be no discrimination against or segregation of any person or group of persons, on account of race, color, religion, ancestry, national origin, sex, or marital status in the leasing, subleasing, transferring, use, occupancy, tenure or enjoyment of the land herein leased nor shall the lessee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy, of tenants, lessees, sub-lessees, subtenants, or vendees in the land herein leased."

(3) In contracts: "There shall be no discrimination against or segregation of any person, or group of persons on account of race, color, religion, ancestry, national origin, sex, or marital status in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the land, nor shall the transferee himself or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the lessees, subtenants, sub-lessees or vendees of the land."

3. Monitoring/Annual Report

(a) On or before the Effective Date, Developer shall assign a single person as Project Manager, who shall have overall responsibility for the progress and execution of this Agreement. Subsequent to that assignment, Developer shall notify City of any change in the name and/or contact information of the Project Manager.

(b) The Developer for itself, its successors, its assigns and every successor in interest to Project or any part thereof, covenants and agrees to submit to the City an annual report (the "Annual Report"). The first Annual Report shall be submitted on or before September 30, 2022. The Annual Report format shall be approved by the City's Housing & Community Services Division Manager and shall include a signed and certified statement of its accuracy upon annual submission to the City.

(c) The Developer shall submit the Annual Report on or before September 30 of each year following the fiscal year (Period July 1 to June 30) covered by the Annual Report and a certified statement by Developer that to the knowledge of the Developer, no default has occurred under the provisions of this Agreement.

(d) The City has a standard reporting form which consists of two parts: Part I, information on tenants in residence of Affordable Housing Units on June 30 of the reporting year; Part II, information on tenants who moved in and out of Affordable Housing Units during the reporting year. The City has a standard form for income/rent reporting. A reasonable facsimile, pre-approved by the City may be substituted as long as it contains all the required information. For each Affordable Housing Unit, the following information is required (based on tenants in residence as of June 30):

(1) Apartment Number or other unit designation.
(2) Number of bedrooms.
(3) Household Size.
(4) Tenant Income (certified annually).
(5) Tenant-Paid Rent.
(6) Rent Subsidy, if any (e.g., Section 8 or other third party voucher).
(7) Explanation of any change in the designated affordable units, and reason for change that occurred in the previous fiscal year (July 1 to June 30).

(e) Developer shall provide, within thirty (30) days of request, additional information concerning the Affordable Housing Units and/or Unit Allocation reasonably requested by the City in writing. The City shall have the right to examine and make copies of all books, records or other documents maintained by Developer or by any of Developer's agents that pertain to any Affordable Housing Unit and/or this Agreement.

(f) The Developer shall pay City on an annual basis, on or before September 30th of each year following the issuance date of the Certificate of Occupancy for the building, a multi-family monitoring fee per Affordable Housing Unit (the "Monitoring Fee"). The Monitoring Fee as of the date of this agreement is $119 per unit. The Monitoring Fee is published in the City's Municipal Fee Schedule and updated from time to time.

4. <u>Enforcement</u>

The City of Santa Clara is deemed to be the beneficiary of the terms and provisions of this Agreement and the covenants herein, both for and in its own right and for the purposes of protecting the interests of the community and other parties, public or private, for whose benefit this Agreement and the covenants running with the land have been provided. The City shall have the right if any covenants set forth in this Agreement are breached, to exercise all available rights and remedies, and to maintain any actions or suits at law or in equity or other proper proceedings to enforce the curing of such breaches to which it is entitled. No remedy herein conferred upon or reserved by the City is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law, in equity or by statute. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of such right or power, but any such right or power may be exercised from time to time and as often as City may deem expedient. In order to entitle the City to exercise any remedy reserved to it in this Agreement, it shall not be necessary to give any notice, other than such notice as may be herein expressly required or required by law to be given.

Developer agrees that, if a breach is not cured within thirty (30) days after written notice by City is provided to Developer, or if such breach cannot be reasonably cured within the thirty (30) day period and Developer has not commenced the curing of such Default, then City shall have all rights and remedies at law or in equity to enforce the curing of such Default.

Additionally, if Developer collects rents from Income-Qualified Households occupying the Affordable Housing Units that require such Income-Qualified Household tenants to pay rent in excess of what is permitted pursuant to this Agreement, and to the extent such excess rents are not required to be reimbursed to the tenants of such Affordable Housing Units, Developer agrees and covenants to reimburse such tenants within ten (10) business days of City's written demand, provided if such tenants cannot be located then the Developer shall pay to the City the full amount of such excess to the City. Developer and City agree that the payment of such excess rent shall be in addition to City's rights and remedies at law or equity.

If the City provides Developer with a written notice of violation of this Agreement and Developer has not cured or responded to such notice of violation within ninety (90) days, then in addition to City's rights and remedies set forth herein, City shall thereafter have the right to impose a fine of $150 per month per non-compliant Affordable Housing Unit until Developer has cured or responded to the notice of violation. Developer shall pay such fine within thirty (30) days of City's written demand.

5. <u>Defaults</u>

Failure or delay by Developer to perform any material obligation set forth in any term or provision of this Agreement, if such failure or delay is not cured within thirty (30)

days after written notice by City to Developer, or if such failure or delay cannot be reasonably cured within the thirty (30) day period and Developer has not commenced curing the same, then such failure or delay constitutes a default.

(a) The City shall give written notice of default to the Developer, specifying the default. Delay in giving such notice shall not constitute a waiver of any default nor shall it change the time of default.

(b) Any failures or delays by the City in asserting any of its rights and remedies as to any default shall not operate as a waiver of any default or of any such rights or remedies. Delays by the City in asserting any of its rights and remedies shall not deprive the City of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert, or enforce any such rights or remedies.

(c) If a non-monetary event of default occurs, prior to exercising any remedies hereunder, City shall give Developer notice of such default. If the default is reasonably capable of being cured within thirty (30) days, Developer shall have such period to effect a cure prior to exercise of remedies by the City. If the default is such that it is not reasonably capable of being cured within thirty (30) days, and Developer (1) initiates corrective action within said period, and (2) diligently and in good faith works to effect a cure as soon as possible, then Developer shall have such additional time as is reasonably necessary to cure the default prior to exercise of any remedies by City. In no event shall City be precluded from exercising remedies if its remedies become or are about to become materially jeopardized by any failure to cure a default or the default is not cured within ninety (90) days after the notice of default is first given.

(d) Developer shall not be in Default where Developer's performance under this Agreement is affected by force majeure. In the context of these terms and conditions, "force majeure" is any event that the Developer could not, even with due care, reasonably foresee or avoid. These events include but are not limited to war, threat of war, riot, civil commotion or strife, hostilities, industrial dispute, natural disaster, fire, acts of god, pandemic, terrorist activity, nuclear disaster, adverse weather, government action, City caused delays, delays caused by third parties, technical problems with transportation or other events outside the Developer's control.

6. <u>Indemnification</u>

The Developer shall indemnify, hold harmless and defend the City, and its officers, officials, appointees, employees and agents from and against (a) any Default by Developer under this Agreement; (b) any and all loss, costs, damages, actions and liabilities of whatever nature directly or indirectly resulting from or arising out of the design, construction, occupancy or ownership of Project or any written statement or representation provided to the City, or to prospective or actual tenants or purchasers of Project with respect to the Developer's performance hereunder. The foregoing

obligations of Developer shall exclude claims, loss, costs, damages, actions and liabilities to the extent arising from City's gross negligence, willful misconduct or breach of this Agreement by the City. If any such claim is asserted, or any such impositions or charges are sought to be imposed, the City shall give prompt notice to Developer and Developer shall have the sole right and duty to assume, and will assume, the defense thereof, with full power to litigate, compromise and settle the same in its sole discretion, provided that the City shall have the right to review and reasonably approve or disapprove any such settlement or compromise if (1) such settlement or compromise would require the City to pay any money in connection with such settlement; or (2) the City would remain a litigant after such settlement or comprise is entered into. In addition, Developer shall pay upon demand all of the reasonable expenses paid or incurred by City in enforcing the provisions hereof.

7. General Provisions

(a) City as Beneficiaries

(1) All covenants and conditions contained in this Agreement shall be covenants running with the land, and shall, in any event, and without regard to technical classification or designation, legal or otherwise, be, to the fullest extent permitted by law and equity, binding for the benefit and in favor of, and enforceable by the City, and their respective successors and assigns, against the Developer and its heirs, legatees, devisees, administrators, executors, successors and assigns.

(2) In amplification and not in restriction of the provisions set forth hereinabove, it is intended and agreed that the City shall be deemed beneficiary of the covenants provided for in this Agreement, both for and in its own right and also for the purposes of protecting the interests of the community. All covenants set forth herein without regard to technical classification or designation, shall be binding for the benefit of the City, and such covenants shall run in favor of the City for the entire period during which such covenants shall be in force and effect, without regard to whether the City is or remains an owner of any land or interest therein to which such covenants relate. City shall have the right, in the event of any material breach of any such covenant or condition, to exercise all the rights and remedies, and to maintain any actions at law or suit in equity or other proper proceedings to enforce the curing of such breach of covenant or condition.

(b) Irrevocability; Term of Agreement

This Agreement shall be irrevocable by the Developer, its successors and assigns to the Property or any portion thereof. The covenants against discrimination set forth above shall remain in effect in perpetuity. All other covenants contained in this Agreement shall remain in effect for the Affordability Period.

(c) Amendment of Agreement

Only the City, its successors and assigns, and the Developer, and the heirs, legatees, devisees, administrators, executors, successors and assigns of the Developer in and to the title to Project (or portion thereof) shall have the right to consent and agree to changes in, or to eliminate in whole or in part, any of the covenants or conditions contained in this Agreement, or to subject the Project or any Affordable Housing Unit to additional covenants or conditions, without the consent of any renter, lessee, easement holder, licensee, or any other person or entity having an interest less than a fee in the Project (or portion thereof) or any Affordable Housing Unit.

(d) Severability

The provisions of this Agreement shall be deemed independent and severable, and the invalidity or partial invalidity or unenforceability of any one provision shall not affect the validity or enforceability of any other provision.

(e) Interpretation

The provisions of this Agreement shall be liberally construed and interpreted to effectuate its purposes. Failure to enforce any provision hereof shall not constitute a waiver of the right to enforce said provision or any other provision hereof.

(f) Applicable Law

This Agreement and the lien created hereby shall be governed by and construed according to the laws of the State of California.

(g) Number, Gender and Headings

As used in this Agreement, the singular shall include the plural and the masculine shall include the feminine and the neuter, unless the context requires the contrary. All headings are not a part hereof, and shall not affect the interpretation of any provision.

(h) Notices

Formal notices, demands and communications between the City and the Developer shall be sufficiently given if dispatched by first class mail, registered or certified mail, postage prepaid, return receipt requested, or by electronic facsimile transmission followed by delivery of a “hard” copy, or by personal delivery (including by means of professional messenger service, courier service such as United Parcel Service or Federal Express, or by U.S. Postal Service) to the principal offices of the City and the Developer, as follows:

If to City:

City of Santa Clara
Housing & Community Services Division
1500 Warburton Avenue
Santa Clara, California 95050
Attn: Division Manager

If to Developer:

Santana Terrace Seniors, LLC
c/o USA Properties Fund, Inc.
3200 Douglas Blvd. Suite 200,
Roseville, CA 95661
Attn: President

Such written notices, demands and communications may be sent in the same manner to such other addresses as either party may from time to time designate by mail as provided in this Section.

(i) Rights and Remedies Are Cumulative

The rights and remedies of the City with respect to the enforcement of the obligations contained in this Agreement are cumulative, and the exercise by the City of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default hereunder.

(j) Dispute Resolution

(1) Any controversies between the City and Developer regarding the construction or application of this Agreement, and claims arising out of this Agreement or its breach, shall be submitted to mediation within thirty (30) days of the written request of one party after the service of that request on the other party.

(2) The parties may agree on one mediator. If they cannot agree on one mediator, the party demanding mediation shall request the Superior Court of Santa Clara County to appoint a mediator. The mediation meeting shall not exceed one day (eight (8) hours). The parties may agree to extend the time allowed for mediation under this Agreement.

(3) The costs of mediation shall be borne by the parties equally.

(4) Mediation under this Section is a condition precedent to filing an action in any court. In the event of litigation or mediation which arises out of any dispute related to this Agreement, the Parties shall each pay their respective attorney's fees, expert witness costs and cost of suit, regardless of the outcome the litigation.

(k) Counterparts

This instrument may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The signature pages of one or more counterpart copies may be removed from such counterpart copies and all attached to the same copy of this Agreement, which, with all attached signature pages, shall be deemed to be an original Agreement.

(l) Mortgagee Protection. No breach of this Agreement shall defeat or render invalid the lien of any deed of trust or mortgage recorded against the Project. No lender taking title to the Project through foreclosure or deed in-lieu of foreclosure shall be liable for any defaults or monetary obligations of Developer arising prior to acquisition of possession of the Project by such lender. Any lender who has recorded a deed of trust or mortgage against the Project shall have the right, but not the obligation, during the same period available to Developer to cure or remedy, or to commence to cure or remedy, the condition of default claimed or the areas of noncompliance set forth in City's notice. No lender who takes title to the Project through foreclosure or deed in-lieu of foreclosure shall be obligated to construct or continue with construction of the Project.

[signatures appear on following page]

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives. It is the intent of the Parties that this Agreement shall become operative on the Effective Date first set forth above.

"CITY"

CITY OF SANTA CLARA, CALIFORNIA,
a chartered California municipal corporation

By: _____
Deanna J. Santana
City Manager

APPROVED AS TO FORM:

_____
Office of the City Attorney
City of Santa Clara

"DEVELOPER"

SANTANA TERRACE SENIORS, LLC,
a California limited liability company

By: USA Properties Fund, Inc.,
a California corporation,
its Manager

By: _____
Geoffrey C. Brown, President

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)
County of)

On _____ before me, _____,
personally appeared _____
_____, 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.

WITNESS my hand and official seal.

Signature _____ (Seal)

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)
County of)

On _____ before me, _____,
personally appeared _____
_____, 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.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT A

LEGAL DESCRIPTION

The land referred to herein below is situated in the City of Santa Clara, County of Santa Clara, State of California and is described as follows:

EXHIBIT B

DISTRIBUTION OF AFFORDABLE HOUSING UNITS

	TOTAL UNITS	**AFFORDABLE HOUSING UNITS**
One-Bedroom Units	69	11
Two-Bedroom Units	23	3
TOTAL	92	14

Eleven (11) One-Bedroom Units:

Unit # __ Unit # _____ Unit # _____
Unit # __ Unit # _____ Unit # _____
Unit # __ Unit # _____ Unit # _____
Unit # __ Unit #

Three (3) Two-Bedroom Units:

Unit # __ Unit # _____ Unit # _____

21-1268 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Action on an Agreement with Maze & Associates Accounting Corporation for Audit of the City's Annual Financial Report

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
Every fiscal year, staff prepares an Annual Financial Report (AFR) to provide interested parties with information concerning the financial results of operations for the City. In accordance with the City's Charter (Section 1319), the AFR must be audited by an external certified public accountant to provide reasonable assurance that the financial statements of the City are free of material misstatements.

Council Resolution No. 6265 established a policy that the City must conduct a competitive procurement process every five years in order to obtain a qualified firm to conduct the annual financial audit. The audit of the City's AFR for the year ending June 30, 2021 was the fifth year under contract with Maze & Associates Accounting Corporation (Maze).

DISCUSSION
Pursuant to City Code Section 2.105.330, a formal request for Statement of Qualifications (SOQ) was conducted for this procurement, with the award recommendation based on "best value." The factors considered in the award were quality and completeness of proposal, experience of firm and key personnel, technical approach, and cost.

In June 2021, the City released a SOQ for the Annual Financial Audit. The SOQ was published on Periscope S2G (formerly BidSync), the City's e-procurement system. A total of 40 companies viewed the SOQ, and seven proposals were received from the following firms:

- CliftonLarsonAllen LLP
- Eide Bailly LLP
- Lance, Soll & Lunghard LLP
- Macias Gini & O'Connell LLP
- Maze & Associates Accounting Corporation
- The Pun Group, LLP
- Vasquez & Company LLP

The proposals were independently evaluated by a three-member evaluation team with representation from the Finance Department and City Auditor's Office. The proposals were evaluated and ranked

against the criteria published in the SOQ. Based on receiving the highest overall score, staff recommends award of contract to Maze & Associates Accounting Corporation. Maze's proposal met or exceeded all the SOQ specifications, and their proposal was rated superior in the following key areas:

- Maze has 40 years of experience serving over 200 municipalities including small to large cities, special districts, joint powers authorities, successor agencies, housing authorities and financing authorities in the Bay Area.
- Maze's senior leaders are actively serving on the Governmental Accounting and Auditing Committee of the California Society of Certified Public Accountants (CalCPA) and the Professional Standards Committee of the California Society of Municipal Finance Officers (CSMFO), and are frequent presenters of trainings on emerging municipal finance issues.
- Maze maintains strong technology resources to efficiently conduct the audit in what will likely continue to be in a remote capacity in the first year.

Under the proposed agreement with Maze, the total cost of audit for the five fiscal years beginning with the fiscal year ending June 30, 2022 is $703,427. The scope of audit includes the City's AFR, Silicon Valley Report, Single Audit, Transit Report, Appropriations Limit Agreed Upon Procedures, Investment Policy Compliance Agreed Upon Procedures, and Governmental Accounting Standards Board (GASB) training and implementation support.

In the event the City requires additional services, such as additional Single Audits or other agreed upon procedures, staff is requesting authority to execute future amendments to perform additional related audit services that may be required.

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 proposed Agreement is for a five-year term. Maze will conduct the external financial audit for the fiscal year ending June 30, 2022 for a not to exceed amount of $136,801 with fixed contractual increases for the following fiscal years. The total cost of the contract over the five years will not exceed $703,427. The cost of the fiscal year 2021/22 audit is budgeted in the fiscal year 2022/23 operating budget. Appropriations in future year will be requested and approved through the annual budget process.

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

1. Authorize the City Manager to execute an agreement and engagement letters with Maze & Associates Accounting Corporation to audit the City's Annual Financial Report for five fiscal years, with the initial year ending on June 30, 2022, with maximum compensation not-to-exceed $703,427 and subject to the appropriation of funds; and
2. Authorize the City Manager to negotiate and execute amendments to the Agreement to provide additional services as required, subject to the appropriation of funds.

Reviewed by: David Noce, Audit Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Agreement with Maze & Associates Accounting Corporation

EBIX Insurance No. S200002616

AGREEMENT FOR SERVICES BETWEEN THE CITY OF SANTA CLARA, CALIFORNIA, AND MAZE & ASSOCIATES ACCOUNTING CORPORATION

PREAMBLE

This Agreement is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and Maze & Associates Accounting 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

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 January 1, 2022 and terminate on March 31, 2027.

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

In accordance with AICPA auditing standards and protocols, all audit documentation prepared under this Agreement is the property of the Contractor. Contractor shall make available to the City or to other parties copies of the audit documentation, provided such disclosure does not undermine the effectiveness and integrity of the audit process, in accordance with Section 7 of Exhibit A. Audit documentation shall not include information or documents received from the City, or the final work product/deliverables described in Sections 5 and 6 of Exhibit A, which shall be the property of the City.

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. It is agreed that Contractor shall defend, hold harmless, and indemnify the City, its officers, and employees from any and all claims, suits, or actions of every name, kind, and description, brought for, or on account of, injuries to or death of any person(s) or damage to property of any kind whatsoever and to whomsoever belong, which arise out of the negligent acts or omissions of the Contractor, its officers and/or employees, other than Contractor, provided that this shall not apply to injuries for which City has

been found by a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct. 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.

B. 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 dnoce@santaclaraca.gov, and
manager@santaclaraca.gov

And to Contractor addressed as follows:

Maze & Associates Accounting Corporation
Attention: Amy L. Meyer
3478 Buskirk Avenue, Suite 215
Pleasant Hill, CA 94523
and by e-mail at amym@mazeassociates.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: _____

_____
Office of the City Attorney
City of Santa Clara

_____
DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

MAZE & ASSOCIATES ACCOUNTING CORPORATION
a California corporation

Dated: 9-20-2021
By (Signature): Amy L Meyer
Name: Amy L. Meyer
Title: Vice President - Audit
Principal Place of Business Address: 3478 Buskirk Avenue, Suite 215
Pleasant Hill, CA 94523
Email Address: amym@mazeassociates.com
Telephone: (925) 930-0902
Fax: (925) 930-0135

"CONTRACTOR"

EXHIBIT A
SCOPE OF SERVICES

1. INTRODUCTION

1.1. The Contractor) shall audit the financial records, accounts and statement of the City of Santa Clara (City) for the five fiscal years beginning with the fiscal year ending June 30, 2022.

1.2. To the extent not inconsistent with this Agreement between the City and Contractor including this Scope of Services, the City's SOQ 20-21-78 (including subsequent updates) and Contractor's proposal response dated June 30, 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. The audit will be conducted in accordance with auditing standards generally accepted in the United States of America, the standards set forth for financial audits contained in U.S. General Accounting Office's Government Auditing Standards (2018), the provisions of the Single Audit Act of 1984, as Amended in 1996, and Title 2 of the Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) as well as any other applicable federal, state, local or programmatic audit requirements.

2.2. The audit will include examination of all funds of the City as set forth in Section 3 below by certified public accountants duly authorized to practice as such by the State of California and such other audit procedures as necessary to express an independent opinion on the fair presentation of the City's financial statements in conformity with generally accepted accounting principles. Contractor shall also be responsible for performing certain limited procedures involving required supplementary information required by the Governmental Accounting Standards Board (GASB), as mandated by generally accepted auditing standards.

2.3. Contractor shall subject to audit trial balance worksheets and summary schedules including balance sheets, revenues, expenditures, and changes in fund balance for each fund of the City. Data source for the schedules will be the financial statements supplied by the City. An initial draft of the Annual Financial Report will be prepared by City Staff and will be given to Contractor during the final stage of the audit. Contractor shall also assist in the preparation of various footnotes and ensure the Annual Financial Report will comply with the latest required GASB Statements applicable for any year under audit.

2.4. Contractor shall meet with City Staff, the Finance Committee, and City Council for the purpose of discussing the audits or management letter and its conclusions.

2.5. The final reports are subject to review by the City Audit Committee and City Council. The City's Audit Committee consists of three Councilmembers who meet at least semi-annually, and as necessary. Contractor shall ensure that the City's Audit Committee is informed of each of the following:

2.5.1. Contractor's responsibility under generally accepted auditing standards

2.5.2. Significant accounting policies

2.5.3. Management judgments and accounting estimates

2.5.4. Significant audit adjustments

2.5.5. Other information in documents containing audited financial statements

2.5.6. Disagreements with City's management

2.5.7. Management consultation with other accountants

2.5.8. Major issues discussed with management

2.5.9. Difficulties encountered in performing the audit

2.6. In the required reports on compliance and internal controls, Contractor shall immediately notify the City of any reportable conditions found during the course of the audit. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which could adversely affect the City's ability to record, process, summarize and report financial data consistent with the assertions of City's management in the financial statements.

2.6.1. Reportable conditions that are also material weaknesses shall be identified as such in the report.

2.6.2. Non-reportable conditions discovered by Contractor shall be reported in a separate letter to City's management, which shall be referred to in the reports on internal controls.

2.6.3. The reports on compliance shall include all instances of noncompliance.

2.7. Contractor shall immediately provide the following City Staff with a written report of all irregularities and illegal acts or indications of illegal acts that come to its attention during the course of the audit:

2.7.1. Director of Finance

2.7.2. Assistant Director of Finance

2.7.3. Audit Manager

3. FUNDS TO BE AUDITED

3.1. Fund Structure

The City has two major governmental funds (including the General Fund) and five major proprietary funds. The City also maintains the following non-major reporting level fund structure:

Fund type/Account Group	Number of Funds
Special Revenue Funds	6
Debt Service Funds	1
Capital Projects Funds	8
Private Purpose Trust Funds	2
Enterprise Funds	5
Internal Service Funds	6
Agency (Trust) Funds	3

3.2. Budgetary Basis of Accounting

Budgets for the General and Maintenance Special Revenue Funds are adopted on a basis consistent with generally accepted accounting principles. The modified accrual basis of accounting is employed in the preparation of the budget. At fiscal year-end, budget appropriations lapse. Capital projects are budgeted on a multi-year basis. Capital improvement budget appropriations are carried over in the following fiscal year until the project is completed.

3.3. Federal and State Financial Assistance

During the fiscal year to be audited, the City expects to have received Federal financial assistance either directly or passed through another agency from the following:

No.	Agency Name
1	U.S. Department of Housing & Urban Development • Community Development Block Grant • Community Development Block Grant - Corona Virus • Home Investment Partnerships Program
2	U.S. Department of Justice • Equitable Sharing (Seized Assets) • Edward Byrne Memorial Justice Assistance Grant
3	U.S. Department of Transportation • Highway Planning and Construction • Metropolitan Transportation Committee Planning Grant
4	Federal Emergency Management Agency • Corona Virus Emergency Protective Actions
5	Potential U.S. Department of Homeland Security Grants
6	CARES Act Funds (Passed through the State)
7	American Rescue Plan's Local Fiscal Recovery Program

3.4. Pension and Deferred Compensation Plans

The City participates in the California Public Employees' Retirement System (CALPERS), an agent multiple-employer public employee retirement system that acts as a common investment and administrative agent for participating public entities within the State of California. The fund provides retirement, disability and death benefits based on an employee's years of service, age and final compensation. Most part-time employees are covered under a separate, employee-funded "PARS" plan. The City also offers a 457 deferred compensation plan to all employees.

3.5. Component Units

The City is defined, for financial reporting purposes, in conformity with the Governmental Accounting Standards Board's Codification of Governmental Accounting and Financial Reporting Standards, Section 2100.

The management of the City has identified the following component units for inclusion in the City's financial statements:

1	The Santa Clara Public Facilities Financing Corporation was established as a separate legal entity whose sole purpose is to provide financing for various City capital projects. Federal Form 990 and State Form 199 preparation is part of the scope of services requested.
2	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.
3	The City of Santa Clara Housing Authority (HA) was established in 2011 to account for housing loans to assist in eliminating blight and assume responsibility for housing loans for qualifying individuals and groups.
4	The City of Santa Clara Stadium Authority was established as a separate legal entity in 2011 to construct and operate a stadium facility that will reduce physical and economic blight in the Bayshore North Project Area. Fiscal Year for the Stadium Authority is April 1 through March 31.

Component units 1, 2, and 3 are to be audited as part of the audit of the City of Santa Clara's financial statements. ***The Santa Clara Stadium Authority is audited separately and not included in this scope of services.***

3.6. Joint Ventures

The City's Electric and Sewer Utilities participate in significant joint ventures: Northern California Power Agency (NCPA), the Transmission Agency of Northern California (TANC), San Jose-Santa Clara Water Pollution Control Plant and Clean Water Financing Authority (SJSC), M-S-R Energy Authority (MSR EA) and M-S-R Public Power Agency (MSR PPA). In addition, the City is a participant in the Silicon Valley Animal Control Authority (SVACA).

3.7. Finance Operations

The Department of Finance is headed by the Director of Finance. The Department consists of 61.42 employees and administers the financial affairs of the City, including city-owned public utilities. The Department's mission is to ensure that the financial/fiscal activities of the City, its agencies, and corporations are performed, recorded, and presented in compliance with professional and ethical standards. The Department is comprised of the following divisions: Administrative Services, Financial Management, Accounting Services, Purchasing, and Municipal Services. The City's accounting, financial reporting and investing functions are centralized in the Finance Department.

3.8. Information Systems

The City's main financial applications consist of Oracle PeopleSoft (Human Resource and Financials), a browser based application available to users via PCs connected to the City's internal network. In addition, the City's Utility Billing software is Harris NorthStar. For other cashiering services, the Department uses CORE software and is in the process of implementing the Accela solutions for certain Community Development services. The business license function operates on software provided by HdL, and the permit center operates on software provided by Tidemark, which will also be replaced with Accela. Certain departments rely on industry specific software in managing their programs (Class system by Parks & Recreation).

4. CITY'S ASSISTANCE TO BE PROVIDED TO CONTRACTOR

4.1. Finance Department and Clerical Assistance

The City's Finance Department staff and responsible management personnel will be available during the audit to assist Contractor by providing direction to needed sources of information, documentation and explanations. The City will also prepare the confirmation letters.

4.2. Information &Technology Department (IT) Assistance

City IT personnel and Finance management will be available to provide systems documentation and explanations. Contractor will be provided computer time and the use of the City's computer hardware and software. The City's financial management system will be available online from 7:30 a.m. to 6:00 p.m. Pacific Standard Time.

4.3. Statements and Schedules to be Prepared by City Staff

The City's Finance Department staff will prepare all audit schedules. The City understands that the financial statements are the responsibility of City's management.

4.4. Work Area and Equipment

The City will provide Contractor with reasonable workspace, desks and chairs, access to telephone lines, photocopying and FAX machines, and a personal computer for access to the City's financial management system, if needed. It is expected that Contractor's use of such facilities and equipment be limited to reasonable and pertinent business concerning the audit.

5. REPORT PREPARATION / FILING SUBMISSIONS

The City's report and tax filing process will be as follows:

5.1. The City will be responsible for preparation, editing, printing and submission of the Annual Financial Report and SVP Financial Statements.

5.2. Single Audit preparation, editing and report electronic submission shall be the responsibility of Contractor. City Staff will prepare the Schedule of Expenditures and Federal Awards.

5.3. Public Facilities Financing Corporation Federal Form 990 and State Form 199 preparation and filing submission shall be the responsibility of the Contractor.

6. DELIVERABLES

6.1. Following the completion of the audit of the fiscal year's financial statements, Contractor shall issue:

6.1.1. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles, including an opinion on the fair presentation of the supplementary schedule of expenditures of federal awards “in relation to” the audited financial statements of the City.

6.1.2. A report on compliance and internal control over financial reporting based on an audit of the financial statements.

6.1.3. A report on compliance and internal control over compliance applicable to each major federal program.

6.1.4. Separate audit reports for the financial statements of the City of Santa Clara Electric Utility Enterprise Fund doing business as Silicon Valley Power (SVP).

6.1.5. Single Audit Act Report - The City receives federal funds which come under the provision of the Single Audit Act. This report must satisfy all requirements of the federal Single Audit Act and any related amendments.

6.1.6. Transit Audit Report - The City receives Transportation Development Act (TDA) funds which require a financial and compliance audit and a separate audit report in accordance with the TDA section of the California Administrative Code.

6.1.7. Contractor is also expected to perform agreed-upon auditing procedures pertaining to the City’s GANN Limit (Appropriations Limit) and render a letter annually to the City regarding compliance.

6.1.8. Contractor is also expected to prepare the federal Form 990 and State Form 199 for the Santa Clara Public Facilities Financing Corporation.

6.1.9. Contractor is also expected to perform Agreed Upon Procedures and report on Investment Policy Compliance

6.2. Contractor shall be prepared to provide up to twenty (20) additional consulting hours on accounting and technical matters throughout the year (including training on newly adopted GASB pronouncements).

6.3. The City has received the "Certificate of Achievement for Excellence in Financial Reporting" from the Government Finance Officers Association of the United States and Canada for 28 consecutive years as of the fiscal year 2018-19. It is the City's intention to continue to receive this award annually and will expect the Annual Financial Report to meet the requirements of those programs. Contractor shall review the final draft of the Annual Financial Report for compliance with the certificate program checklists. The City may request Contractor, subject to compliance with independence standards, include the following:

6.3.1. Complete Agreed Upon Procedures audits to be determined.

6.3.2. Assist with, and train City employees in, the implementation of GASB statements which become effective during the term of the contract.

7. WORKING PAPER RETENTION AND ACCESS TO WORKING PAPERS

7.1. All working papers and reports must be retained, at the Contractor's expense, for a minimum of seven (7) years from the date of the final audit report, unless Contractor is notified in writing by the City of the need to extend the retention period. Contractor shall make working papers available, upon request, to the following parties or their designees:

7.1.1. City of Santa Clara

7.1.2. Oversight or cognizant agencies

7.1.3. Parties designated by the federal or state governments or by the City of Santa Clara as part of an audit quality review process

7.1.4. Auditors of entities of which the City of Santa Clara is a sub-recipient of grant funds

7.1.5. Auditors of entities of which the City of Santa Clara is a component unit or otherwise related entities

7.2. In addition, Contractor shall respond to reasonable inquiries of successor auditors and allow successor auditors to review working papers relating to matters of continuing accounting significance.

8. PRELIMINARY AUDIT TIMELINE / RESPONSIBILITY MATRIX

Below is a proposed timeline for the fiscal year 2021-22 audit, which is subject to adjustments at the City's discretion. Specific timelines and due dates for deliverables will be established between City and Contractor in advance.

Deliverable	Responsibility	Delivery Date
Entrance Conference – discuss prior audit, establish overall liaison for the audit, make arrangements for workspace, etc.	City / Contractor	May 2
Audit Plan – provide audit plan and list of all schedules to be prepared by the City	Contractor	May 16
Interim Audit Work	City / Contractor	May 23 - June 10
Progress Conference/Detailed Final Audit Plan	City / Contractor	June 10
Final Audit Fieldwork	Contractor	October 10 - 28
City to deliver first draft of Annual Financial Report	City	First week of final audit fieldwork
Final Audit Exit Conference – discuss any audit findings and structure timeline to complete all required reports	City / Contractor	October 28
Annual Financial Report – Contractor's initial comments due to City Staff	Contractor	November 11
City's Annual Financial Report Draft including Contractor comments	City	November 18
Final Drafts completed for all required reports	City / Contractor	November 30
Approximate Audit Committee Meeting	City / Contractor	December 5-9
Contractor issues final audit opinions	Contractor	December 16
Approximate Audit Report Presentation to City Council	City / Contractor	December 20

No work which will require City time can be scheduled between July 1 and September 30 as this time is reserved for City staff to complete year-end work and audit preparation.

9. ADDITIONAL SERVICES

During the term of this Agreement, City may from time to time request that Contractor perform additional services including, without limitation, additional GASBs and Single Audit work. Prior to Contractor's provision of such additional services, the parties shall mutually agree in writing the scope of work and maximum fee based upon the hourly rate schedule set forth in Exhibit B.

EXHIBIT B
SCHEDULE OF FEES

1. MAXIMUM COMPENSATION

The maximum compensation the City will pay the Contractor for all professional fees, costs and expenses provided under this Agreement shall not exceed **Seven Hundred Three Thousand Four Hundred Twenty-Seven Dollars ($703,427)** during the term of the Agreement. Any additional professional 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. TOTAL COST OF AUDIT

The total cost of audit for the fiscal years ending June 30, 2022 through June 30, 2026 are set out in the following table. The prices specified below are firm fixed fees and do not include any additional services that may be requested by the City.

Audit Services	**FY ending June 30, 2022**	**FY ending June 30, 2023**	**FY ending June 30, 2024**	**FY ending June 30, 2025**	**FY ending June 30, 2026**
City Audit and Related Reports (Comprehensive Annual Financial Report) and Silicon Valley Power Report	$125,895	$127,658	$129,445	$131,257	$133,095
Single Audit (one major program)[1]	5,125	5,197	5,270	5,344	5,419
Transit Report (TDA)	4,025	4,081	4,138	4,196	4,255
Appropriations (Gann) Limit Agreed Upon Procedures	821	832	844	856	868
Forms 990/199 for Public Facilities Financing Corporation	935	948	961	974	988
Training and GASB Implementation Support[2]	Included	Included	Included	Included	Included
Out-of-pocket expenses	Included	Included	Included	Included	Included
Subtotal	**$136,801**	**$138,716**	**$140,658**	**$142,627**	**$144,625**
Total	**$703,427**				

[1]Fee is per tested (major) program.
[2]Includes up to 24 additional consulting hours on accounting and technical matters throughout the year (including in-house training on newly adopted GASB pronouncements).

3. ADDITIONAL SERVICES

The following hourly rates will only be utilized to the extent the City requests Contractor to perform services outside the defined scope of services. Out-of-pocket expenses are included in the standard hourly rates. City and Contractor will execute an Amendment to the Agreement outlining the additional services.

Position	**Hourly Rate**
Partner	$325
Manager	$205
Supervisor	$135
Associate	$95
Administrative Staff	$80

4. INVOICING

Contractor will invoice the City on a monthly basis. Invoices will be based on the percentage of actual audit work completed during the course of the engagement. City will pay Contractor within thirty (30) days of City's receipt of an approved invoice.

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 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. 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.

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. 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.

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 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 E of this Exhibit C, above.

F. 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.

G. 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.

H. 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

I. 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 representative

21-1135 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Action on a Memorandum of Understanding Between the City of Santa Clara and the Silicon Valley Central Chamber of Commerce for a Partnership to Support Small Businesses in Santa Clara

COUNCIL PILLAR
Promote and Enhance Economic, Housing and Transportation Development.

BACKGROUND
In July 2021, the City executed a Settlement Agreement with the Silicon Valley Central Chamber of Commerce ("SVC Chamber") regarding Santa Clara Convention Center and the former Convention-Visitor Bureau. The settlement agreement provided for payments to the City for a total amount of $330,000. On September 9, 2021, Council recognized the settlement funds and approved its appropriation to the City Manager's Office to be used to improve outreach and assistance to small businesses in Santa Clara.

DISCUSSION
With resolution of outstanding issues, there is new opportunity for the City and the SVC Chamber to move forward in partnership. The City and the SVC Chamber have a mutual interest in assisting Santa Clara small businesses to effectively recover and thrive post COVID-19. As the SVC Chamber serves as a resource, advocate, and connector for small businesses, and the City strives to provide continued resources and support to local businesses, both agencies working together in cooperation and collaboration can have a greater collective impact on the small business community.

Under the proposed Memorandum of Understanding ("MOU"), the City and the SVC Chamber will confirm a commitment to establish a joint working relationship for the purposes of providing businesses outreach, support, and resources.

As outlined in the MOU, the City and SVC Chamber will commit to several goals, including:

- Promoting business educational workshops and seminars on topics of importance to the business community (e.g. how to be certified as a minority-owned, women-owned, or veteran-owned business);
- Engaging with businesses and conducting regular visits to Santa Clara small businesses;
- Developing outreach activities to gather feedback from businesses to inform the City Council on future policy considerations such as the reform and modernization of Santa Clara business tax; and
- Establishing regular communication on organizational events and resources such as small business assistance grant programs and community events.

The proposed MOU represents a spirit of collaboration that supports the continued economic recovery of Santa Clara small businesses and would begin upon full execution or the MOU and terminate on June 30, 2024.

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

$330,000 has been appropriated to the City Manager’s Office to be used to improve outreach and assistance to small businesses in Santa Clara. There is no other fiscal impact except for staff time to support efforts.

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>.

RECOMMENDATION

Authorize the City Manager to execute a Memorandum of Understanding between the City of Santa Clara and the Silicon Valley Central Chamber of Commerce for a partnership to support small businesses in Santa Clara.

Reviewed by: Ruth Mizobe Shikada, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
THE CITY OF SANTA CLARA, CALIFORNIA
AND
SILICON VALLEY CENTRAL CHAMBER OF COMMERCE

This Memorandum of Understanding ("MOU") is made by and between the **City of Santa Clara**, California, a chartered California municipal corporation with its primary business address at 1500 Warburton Avenue, Santa Clara, California 95050 ("City"), and the **Silicon Valley Central Chamber of Commerce**, a corporation, with its principal place of business located at 3350 Scott Blvd, Building 54, Santa Clara, CA 95054 ("SVC Chamber"). City and SVC Chamber may be referred to herein individually as a "Party" or collectively as the "Parties" or the "Parties to this MOU."

WHEREAS, City and SVC Chamber recognize the impact of COVID-19 on the Santa Clara small business community including the loss of jobs, revenue and economic vitality;

WHEREAS, City and SVC Chamber have mutual interest in, and are committed to, assisting small businesses in Santa Clara to effectively recover from and thrive post COVID-19;

WHEREAS, City and SVC Chamber each understand that the success of a local business support system requires cooperation and collaboration between partner agencies;

WHEREAS, City and SVC Chamber wish to collaborate, work cooperatively to improve outreach and assistance to small businesses in Santa Clara; and

WHEREAS, City and SVC Chamber agree to establish a joint working relationship for the purposes of providing business outreach, support, and resources for small businesses in Santa Clara.

AGREEMENT PROVISIONS

1. RESPONSIBILITIES OF CITY AND SVCCC

The Parties agree as follows:

A. Work collaboratively to promote business education workshops and seminars to small business owners on topics that will assist them in realizing their business goals.

B. Conduct joint business visits to increase outreach to and visibility in the local business community.

C. Conduct joint business engagement and outreach activities to gather feedback that can be used to inform Council on future policy considerations such as the reform and modernization of Santa Clara business tax.

D. Engage in regular communication on organizational events and resources such as small business assistance grant programs and community events.

2. TERM

Unless otherwise set forth in this MOU or unless this paragraph is subsequently modified by a written amendment to this MOU, the term of this MOU shall begin on the Effective Date of this Agreement and terminate on June 30, 2024.

3. RELATIONSHIP OF PARTIES

Under no circumstances shall this MOU be construed as one of agency, partnership, joint venture or employment between the City and SVC Chamber. Each Party acknowledges and agrees that it neither has, nor will give the appearance or impression of having, any legal authority to bind or commit the other party in any way except as specifically provided in this MOU.

4. TERMINATION

Either Party may terminate this MOU with or without cause on sixty days advance written notice.

5. GOVERNING LAW

The validity of this MOU and any of its terms or provisions as well as the rights and duties of the Parties hereunder shall be governed by the laws of the State of California.

6. ENTIRE AGREEMENT

This MOU constitutes the final, complete, and exclusive statement of the terms of the MOU between the Parties. It incorporates and supersedes all the agreements, covenants, and understandings between the Parties concerning the subject matter hereof, and all such agreements, covenants, and understandings have been merged into this MOU. No prior or contemporaneous agreement or understanding, verbal or otherwise, of the Parties or their agents shall be valid or enforceable unless embodied in this MOU.

7. COUNTERPART/FACIMILE SIGNATURE

This MOU 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; and, the Parties agree that signatures on this MOU, including those transmitted by facsimile, shall be sufficient to bind the Parties.

The Parties acknowledge and accept the terms and conditions of this MOU as evidenced by the following signatures of their duly authorized representatives. The Effective Date is the date that the final signatory executes the MOU. It is the intent of the Parties that this MOU shall become operative on the Effective Date.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

APPROVED AS TO FORM:

Dated: _____

_____
Office of the City Attorney
City of Santa Clara

_____
DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"City"

SILICON VALLEY CENTRAL CHAMBER OF COMMERCE
a corporation

Dated: _____
By: _____
(Signature of Person executing the MOU on behalf of Contractor)
Name: CHRISTIAN D. MALESIC
Title: President/CEO
Local Address: 3350 Scott Blvd., Building 54
Santa Clara, CA 95054-3124

"SVC Chamber"

21-1351 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Action on the Task Force on Diversity, Equity, and Inclusion's Recommended Appointment to Current Member Vacancy

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
Chair Darius Brown resigned from the Task Force on Diversity, Equity and Inclusion (Task Force) on July 31, 2021, which created one (1) member vacancy on the Task Force.

At the August 9, 2021 Task Force meeting, the Task Force directed staff to come back with the options for appointing the current member vacancy, with respect to the established eligibility list approved by the City Council (Council) at their January 12, 2021 meeting. The Council approved the Task Force's recommendation to establish an eligibility list to fill future member vacancies, consisting of the candidates who made it to the last round voting (Innae Park, Kevin Landis, and Gustavo Rangel), that would remain active for one (1) year. The January 12, 2021 report to Council is included with this report as Attachment 1.

At the September 13, 2021 Task Force meeting, staff brought forward a report (Attachment 2) outlining the Task Force's options to fill the current member vacancy. Staff reached out to the three applicants on the eligibility list to inquire if there was still an interest to serve on the Task Force. Two of the three applicants, Kevin Landis and Gustavo Rangel, expressed an interest to continue in the process of being re-interviewed. Innae Park withdrew her name from consideration.

The Task Force voted to invite the two available candidates on the Council-approved eligibility list to interview with the full Task Force at their October 18, 2021 special meeting. The applications for both candidates are included with this report as Attachment 3.

DISCUSSION
At the October 18, 2021 Task Force special meeting, the Task Force interviewed Kevin Landis and Gustavo Rangel. Following the interviews and deliberation, the Task Force voted to recommend that the Council appoint Gustavo Rangel to the current member vacancy.

Following Council's appointment to the Task Force, Gustavo Rangel will take the Oath of Office with the City Clerk's Office and will be able to participate in Task Force meetings.

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 to the City other than administrative staff time.

COORDINATION
This report was 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
Appoint Gustavo Rangel to the current member vacancy on the Task Force on Diversity, Equity, and Inclusion (Task Force) as recommended by the Task Force.

Reviewed by: Genevieve Yip, Staff Analyst I
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS
1. RTC 21-1403
2. RTC 21-1193
3. Candidate Applications

21-1403 **Agenda Date: 1/12/2021**

REPORT TO COUNCIL

SUBJECT
Action on the Task Force on Diversity, Equity, and Inclusion's Recommended Appointments to the Task Force Vacancies

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
At the July 14, 2020 City Council (Council) meeting, the Council expressed support for engaging in a local community dialogue on a Santa Clara Plan to address the four (4) components outlined in former President Obama's "Commit to Action" Initiative (Initiative) and delegated authority to Mayor Lisa M. Gillmor and Police Chief Pat Nikolai to establish an Ad Hoc Committee in support of the Initiative.

At the September 29, 2020 Council meeting, the Council approved the Ad Hoc Committee's recommendation to establish a community-based, seven-member Task Force on Diversity, Equity, and Inclusion (Task Force) to support the development of a Santa Clara Plan to address the four (4) components of the "Commit to Action" Initiative and achieve equality for historically disenfranchised communities in the City of Santa Clara (City). The Council also approved the Ad Hoc Committee's recommended appointments to the Task Force upon its establishment: Darius Brown, Neil Datar, Andrew Knaack, and Diana Zamora-Marroquin. The September 29, 2020 report to Council is included with this report as Attachment 1.

The inaugural Task Force members were charged with interviewing and recommending community members to the Council for appointment to the Task Force's remaining three (3) seats. Staff posted the application packet on the Task Force website for two (2) weeks and promoted the recruitment process on the City's social media platforms.

At the December 2, 2020 Special Task Force meeting, the Task Force approved voting and selection guidelines (Attachment 2) and interview questions (Attachment 3). The Task Force granted interviews to 31 applicants, three (3) of whom withdrew from consideration. The Task Force conducted interviews over a two-day period on December 9 and 16, 2020.

DISCUSSION
At the December 16, 2020 Special Task Force meeting, the Task Force voted to recommend that the Council appoint the following individuals to the remaining Task Force vacancies:

1. Joyce Davis
2. Mark Gilley

3. Dorothy Ma

Following Council's appointment to the Task Force, the new members will take the Oath of Office with the City Clerk's Office and will be able to participate in Task Force meetings.

The Task Force also approved establishing an eligibility list with the applicants who made it to the last round of voting, but were not selected: Innae Park, Kevin Landis, and Gustavo Rangel. Upon Council approval, the established eligibility list will be active for a period of one year, and will be used in the event a vacancy occurs.

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 to the City other than administrative staff time.

COORDINATION

This report was coordinated with the City Attorney's Office and City Clerk'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. Appoint Joyce Davis, Mark Gilley, and Dorothy Ma to the three (3) vacancies on the Task Force on Diversity, Equity, and Inclusion (Task Force) as recommended by the inaugural Task Force members; and
2. Approve establishment of an eligibility list with Innae Park, Kevin Landis, and Gustavo Rangel that will be active for one (1) year and used in the event a Task Force vacancy occurs.

Reviewed by: Nadine Nader, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. RTC 20-875
2. Task Force Voting and Selection Guidelines
3. Task Force Interview Questions

20-875 **Agenda Date: 9/29/2020**

REPORT TO COUNCIL

SUBJECT

Report from the Mayor and Police Chief on “Commit to Action” Initiative Efforts and Action on Establishing a Community-based Task Force on Diversity, Equity, and Inclusion and Council Appointment of Task Force Members [Not to be Heard Prior to 6:00 PM]

BACKGROUND

At the July 14, 2020 City Council (Council) meeting, the Council delegated authority to Mayor Gillmor and Police Chief Nikolai to establish an Ad Hoc Committee in support of former President Obama’s “Commit to Action” Initiative (Initiative). With an understanding of this historic window and sense of urgency for meaningful change, the Council expressed support for engaging in a local community dialogue on a Santa Clara Plan to address the four components of the Initiative (Attachment 1) and identify key issues facing the City of Santa Clara (City) involving historically disenfranchised individuals or communities. Establishing a community-based task force will enable the City to engage the local community in an open dialogue and will help the City take actions to achieve racial equity by working to ensure that all Santa Clarans have access to an equal quality of life and equal access to opportunity.

DISCUSSION

Mayor Gillmor and Police Chief Nikolai met regularly over the last 10 weeks and engaged help and assistance from the following individuals who expressed a strong interest in the Initiative work effort: Andrew Knaack, FY2019/20 Chair of the Parks and Recreation Commission; Darius Brown, Member of the Housing Rehabilitation Loan Committee (HRLC); and Neil Datar, Former Chair of Santa Clara University’s Student Senate for Associated Student Government and recent graduate of Duke University School of Law. Councilmember Kathy Watanabe and Councilmember Teresa O’Neill participated in the meetings as well, and provided guidance, leadership, and research findings.

We are also fortunate to have established a Memorandum of Understanding (MOU) with Santa Clara University under President Father Kevin O’Brien for a collaboration with the Markkula Center for Applied Ethics (MCAE). The MOU is included in this report as Attachment 2. Part of our collaboration will include MCAE working as an advisor to the proposed, community-based Task Force on Diversity, Equity, and Inclusion (Task Force) and helping to establish the Task Force’s Mission Statement and Values Statement. MCAE will also advise on processes to implement a series of community conversations, which will engage and empower a broad spectrum of stakeholders.

Over the last several weeks, Joan Harrington, MCAE Director of Social Sector Ethics, has been assisting the Ad Hoc Committee with developing a proposed mission statement and organizational model, as well as advising on methods for engaging the community. The Ad Hoc Committee has developed a proposed Mission Statement that reflects the purpose and goals of the Task Force.

Proposed Mission Statement and General Governance:
"In response to the national call for police use of force reform, the City of Santa Clara created the Task Force on Diversity, Equity, and Inclusion. Through an open dialogue with the communities of Santa Clara and directed by community input, the Task Force shall make recommendations for changes in government policies, structures, services, and culture that negatively impact or do not fully benefit historically disenfranchised communities. The Task Force will continuously involve the communities on recommendations and progress."

The Task Force will be overseen by the Mayor and Police Chief and led by community members appointed by the Council. The Task Force will consist of up to seven community members who will help review police use of force policies and engage communities to seek a diverse range of input, experiences, and stories. The Task Force will report findings to the Council and bring forward recommendations for policy reform shaped and informed by community input. Meetings of the Task Force will be subject to the Brown Act.

At its September 17, 2020 meeting, the Ad Hoc Committee recommended that, upon the Task Force's establishment, Andrew Knaack, FY2019/20 Chair of the Parks and Recreation Commission; Darius Brown, Member of the HRLC; Neil Datar, Former Chair of Santa Clara University's Student Senate for Associated Student Government; and Dianna Zamora-Marroquin, Political/Communications Director at the South Bay AFL-CIO Labor Council, be appointed to lead the Task Force. The established Task Force will interview and recommend community members to the Council for appointment to the Task Force's remaining three seats.

In an effort to build a coalition of community partners representing diverse perspectives, the Task Force will identity community members or organizations already doing related work and who share an interest in addressing the issues. The Task Force will be charged with recommending an advisory board to the Council for appointment.

Task Force's Timeline and Goals
After the appointment of the remaining three seats, the Task Force will then set specific short-term and long-term goals, with an associated timeline (below). The Task Force will be first tasked to gather information, formally engage community organizations, and request assistance in identifying historically disenfranchised residents, with a special focus on those who are traditionally unheard.

As the foremost responsibility of the Task Force is to listen to all communities within the City and hear their unique concerns, it will host listening sessions with the intent of capturing stories and experiences from individuals and groups. Through these listening sessions, the Task Force will then identify key overarching issues facing the City.

After identifying issues with the community, both short and long-term recommendations on policy reform and strategies will be brought to the Council.

Tentative Timeline
October 2020 - December 2020: Establishment of Task Force and Advisory Board. Task Force and Advisory Board will collaborate and conduct initial review of police use of force policies and other city policies.

November 2020 - June 2021: Engage the community by encouraging all residents to attend listening

sessions to participate and support dialogue around systemic inequalities. Community engagement will allow for a diverse range of input, experiences, and stories, and will help ensure that the voices of communities of color are included as the main focus of the Task Force's considerations in developing policy and strategy recommendations. The Task Force will conduct an additional review of police and city policies that are brought forward during the listening sessions.

August 2021 - September 2021: Report the findings of the review to the community and seek feedback from the community on possible recommendations on policy reform and strategies to the Council.

October 2021 - November 2022: Present findings and recommendations to the Council that will reform the City's police use of force policies and any governmental policies, structures or culture that negatively impact or do not fully benefit historically disenfranchised communities and present possible recommendations to the Council on City Charter changes, one of which may be to establish Oversight Body or Commission.

City Staff Support
At this time, City staff will be needed to help supply information, support meetings of the Task Force, and provide communications and outreach to the community. Translation services will be needed as well.

If expert consultants are needed for the Task Force, specific requests can be brought back to the Council for 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)(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 to the City associated with this report other than administrative time to support this effort. The City will use existing funds within the approved budget to absorb the cost of translation services and, if additional appropriation is needed, we will return with a request.

COORDINATION
This report was coordinated with the City Attorney's Office and City Manager'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. Approve the establishment of the Task Force on Diversity, Equity, and Inclusion to support the

development of a Santa Clara Plan to address the four (4) components of the “Commit to Action” Initiative to achieve equality for historically disenfranchised communities in our City; and

2. Appoint Andrew Knaack, FY2019/20 Chair of the Parks and Recreation Commission; Darius Brown, Member of the HRLC; Neil Datar, Former Chair of Santa Clara University’s Student Senate for Associated Student Government; and Dianna Zamora-Marroquin, Political/Communications Director at the South Bay AFL-CIO Labor Council, to the Task Force on Diversity, Equity, and Inclusion.

Approved by: Mayor Lisa M. Gillmor and Police Chief Pat Nikolai

ATTACHMENTS

1. “Commit to Action” Initiative Pledge
2. Memorandum of Understanding with Santa Clara University

Task Force on Diversity, Equity, and Inclusion Interview Questions

1. The Task Force on Diversity, Equity, and Inclusion (Task Force) seeks to accomplish its mission within a 2-year timeframe, making progress on individual goals even before that. Can you commit to attending all meetings, potentially serving on at least one subcommittee, and being responsive to email messages within 24 hours of receiving them?

2. What is your definition of disenfranchised communities? What are your ideas for and experience in engaging these communities?

3. Please share an example that highlights your respect for people and their inherent differences. How would you approach individuals in our City with differing views on the issues and seek to reconcile those views?

4. As a resident, what aspects of the City's relationship with residents do you feel most needs to be reformed? What are some specific actions you want to do in the next year to further the development and advancement in diversity, equity, and inclusion work?

5. Anything we haven't covered that you feel we should know.

   Are you interested in volunteering with the Task Force?

CITY OF SANTA CLARA
VOTING GUIDELINES FOR THE APPOINTMENT OF APPLICANTS TO TASK FORCE ON DIVERSITY, EQUITY, AND INCLUSION

1) The Task Force on Diversity, Equity, and Inclusion (Task Force) is given a copy of the applications in their weekly packet to review and consider applicant qualifications.

2) Task Force interviews applicant. Interviews are held virtually.

    A) Each applicant is given two (2) minutes for an opening statement. There will be seven (7) minutes allocated for Q&A. The applicant may respond to questions from the Council. The applicant has one (1) minute for a closing statement.

3) Task Force votes for applicants:

    A) The Task Force will cast one vote each for their six (6) desired appointees. Only one vote per applicant is allowed. A Task Force Member may choose to vote for only one applicant but will relinquish the other vote.

4) The votes are tallied:

    A) The Assistant City Clerk will announce the six (6) applicants who received the highest number of votes. In the event of a tie, there will be another round of re-voting for the those remaining; the round of re-voting would be for only those applicants who received votes in the first round. The Task Force then has an opportunity to deliberate regarding the remaining six (6) applicants. The Task Force will then cast one vote each for their top three (3) desired appointees. The Assistant City Clerk will announce the three candidates (3) who received the most votes.
        i. If there is a tie, there will be 3 re-votes for the Task Force to reconsider the applicants. The Task Force has the opportunity to deliberate between each round of re-voting.
        ii. If there is still a tie and there is not a full Task Force present, the Task Force will defer the decision until a full Task Force is present, and re-interview the top six (6) applicants.
        iii. If there is a full Task Force present, the Members will draw straws, with the person drawing the long straw abstaining from voting at the next round. The Task Force has the opportunity to deliberate.

iv. The Task Force votes, with the applicant receiving the highest number of votes being the winner. The Assistant City Clerk will announce the winner.

5) A Task Force Member makes a motion to appoint the three (3) applicants that received the highest number of votes. The Task Force has the opportunity to vote unanimously to appoint the applicants by taking a roll call vote during the virtual meeting.

21-1193 Agenda Date: 9/13/2021

REPORT TO TASK FORCE ON DIVERSITY, EQUITY, AND INCLUSION

SUBJECT
Discussion and Action on Appointment of Member Vacancy

BACKGROUND
On June 7, 2021, Chair Darius Brown submitted the attached letter of resignation from the Task Force, effective July 31, 2021, which created one (1) member vacancy on the Task Force on Diversity, Equity, and Inclusion (Task Force).

At the August 9, 2021 Task Force on Diversity, Equity, and Inclusion (Task Force) meeting, the Task Force directed staff to come back with the options that the Task Force has for appointing the current vacancy, with respect to established eligibility list approved by the City Council (Council) at their January 12, 2021 meeting. The Council approved the Task Force's recommendation to establish an eligibility list to fill future vacancies that would remain active for one (1) year. The applicants recommended to the eligibility list are those who made it to the last round of voting, but were not selected: Innae Park, Kevin Landis, and Gustavo Rangel. The applications of those on the Council-approved Eligibility List are included with this report as Attachment 1.

The purpose of establishing the eligibility list was to enable the Task Force to fill a vacancy, whether by automatically appointing or inviting applicants back to interview for a vacancy, without having to conduct a new recruitment knowing that there was a qualified pool to fill an unanticipated vacancy. The eligibility list streamlines the overall process and help with staff resources and timeframes to appoint to a member vacancy.

Staff reached out to the three applicants on the established eligibility list to inquire if there was still an interest to serve on the commission. Two of the three applicants, Kevin Landis and Gustavo Rangel, expressed an interest to continue in the process of being re-interviewed. Innae Park withdrew her name from consideration.

DISCUSSION
The Task Force must determine how to proceed with filling the one (1) member vacancy.

Consistent with the City Council's practice of interviewing those on established eligibility lists to fill vacancies, staff recommends that the Task Force invite Kevin Landis and Gustavo Rangel to re-interview for the current member vacancy.

Once the Task Force determines who they would like to recommend for appointment to the vacancy, staff will forward the recommendation to the Council for formal appointment. Following Council's appointment to the Task Force, the new member will take the Oath of Office with the City Clerk's Office.

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) 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 was no fiscal impact associated with the preparation of this report.

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

PUBLIC CONTACT
Public contact was made by posting the Task Force on Diversity, Equity, and Inclusion 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.

ALTERNATIVES
1. Invite applicants on eligibility list back for an interview.
2. Review the application packets of applicants on eligibility list to determine who the Task Force would like to appoint on the member vacancy.

RECOMMENDATION
Invite applicants on the Council-approved eligibility list back to re-interview for fill the current member vacancy.

Reviewed by: Genevieve Yip, Staff Analyst I
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS
1. Applications of Individuals on Council-approved Eligibility List

City of Santa Clara
The Center of What's Possible

APPLICATION
BOARD, COMMISSIONS, AND COMMITTEE
CITY OF SANTA CLARA
City Clerk's Office 1500 Warburton Avenue,
Santa Clara, California 95050
Phone: 408-615-2220 E-mail: Clerk@santaclaraca.gov

*If you are having trouble viewing or submitting this form please download the free version of Adobe Reader: http://get.adobe.com/reader

Board/ Commission/ Committee Applying For:	Task Force on Diversity, Equity, and Inclusion.
Name:	Kevin Landis
Address:	
City:	Santa Clara
State:	CA Zip Code: 95050
E-mail Address:	
Primary Phone Number	
Secondary Phone Number	
Are you eligible to register to vote in Santa Clara?	☑ Yes ☐ No ☐ Unsure
Are you a registered voter of Santa Clara?	☑ Yes ☐ No ☐ Unsure
Have you attended a meeting of this Board/ Commission/Committee?	☐ Yes ☑ No ☐ Unsure
Present Employer:	Wylie, McBride, Platten & Renner
Job Title:	Associate Attorney

Previous Governmental Bodies/ Elective Offices Applicant has served:	Position/ Office Held:	Dates:
N/A	N/A	N/A

Civic or Charitable Organizations to which Applicant has belonged:	Position(s) Held:	Dates:
N/A	N/A	N/A

Special Interests, Hobbies or Talents:

Former Professional Computer Gamer, SJSU Guest Lecturer, Skydiving, Football, Soccer, Surfing, Skiing

College, Professional, Vocational Schools attended:	Major Subject:	Degree/Dates:
Santa Clara Law	Law	Juris Doctor, May 2019
California State University, Long Beach	Major: Criminal Justice Minor: Political Science	Bachelor of Science, December 2009

Special awards or recognition received:

Santa Clara Law - CALI Award Winner
California State University, Long Beach - Dean's Honor List

Please state reasons why you want to become a member of this Board/Commission/Committee, including what specific objectives you would be working toward as a member of this advisory board:

Please see response to supplemental question 1

Any other information which you feel would be useful to the City Council in reviewing your application:

Are you associated with any Organization/Employment that might be deemed a conflict of interest in performing your duties if appointed to this position?

☐ Yes ☑ No ☐ Unsure

If yes, please name the Organization or Employment.

City policy directs all advisory body members not to vote on matters where there exists a potential conflict of interest. Would you be willing to abstain from voting if such a conflict arises?

☑ Yes ☐ No ☐ Unsure

Signature of Applicant:

Date Signed: 11/13/2020

By clicking submit you are confirming that you are the person listed in this application, and that all information provided is truthful and correct. You can also submit the completed application in person at: City Clerk's Office, 1500 Warburton Avenue, Santa Clara, California 95050. All information provided will be public information.

Kevin Landis
November 13, 2020
Application for Task Force on Diversity, Equity, and Inclusion Supplemental Questions

1. **Why do you want to be a part of the Task Force on Diversity, Equity, and Inclusion?**

To help the City of Santa Clara continue to be a warm and welcoming place for lifelong residents and transplants alike. I moved to Santa Clara 4 years ago and have thoroughly enjoyed my experience thus far. Santa Clara has been wonderful to me, and I want to provide that same experience to others. I want others to have the same positive outlook of the City that I do. At the end of the day, I just want to help Santa Clara. I feel like Santa Clara has done so much for me, and I want to be able to continue that tradition and help the City help others. I would really enjoy the opportunity to help facilitate that in any way that I can.

2. **What role do you feel the Task Force on Diversity, Equity, and Inclusion should have in the City of Santa Clara?**

I believe that the Task Force should somewhere that the residents of Santa Clara can reach out to. I think it should be a type of community outreach where the residents can get involved. Residents may not feel like they are being heard, or feel like they have a voice in what's going on in their community, and I think it would be good for the Task Force to a safe haven for residents to go with their concerns.

Issues of Diversity, Equity, and Inclusion are hard topics to discuss. People may not be comfortable addressing those issues, or may not know where to go to speak about their concerns. This Task Force has a golden opportunity to have direct communication and a direct connection with the residents of the City. The Task Force may not always be able to help everyone, but if residents feel validated that they are being heard, and that their concerns are being considered, then that will improve their experience as residents.

3. **How do you see yourself contributing to building a diverse, equitable, and inclusive environment for all the residents of the city?**

I believe that I can be a good resource that residents can reach out to. I enjoy talking to people about their life experiences, and I am genuinely interested in how those experiences have molded them into the person they are. I believe that speaking with people, learning about their concerns, and trying to come up with solutions to affect change is the heart of how I will contribute.

I have lived in a variety of places, both big cities and small towns, and I do believe that I can empathize with people and their experiences on some level. I want to help project the voice of the residents. I will sit in their pain with them. I may not fully understand what they are going through, I may not be able to provide an immediate solution, but the least I can do is sit in their pain with them and let them know that Santa Clara is here for them, that their community is here for them.

4. **What experience do you have working with issues of equity and inclusion?**

To be blunt, I do not have any experience working with issues of equity and inclusion. Which is exactly why I want to get involved. I cannot affect change if I sit idly by and simply hope for the best. I think this is a good opportunity for me to learn more about issues of equity and inclusion, and help create change that addresses those issues and is truly diverse. My hope is that coming into the task force without much experience will help me provide fresh eyes on a variety of topics.

Kevin Landis
November 13, 2020
Application for Task Force on Diversity, Equity, and Inclusion Supplemental Questions

I will never forget a conversation I had with an Elementary School Principal. This Principal's school was located in an affluent, mostly white suburb. He taught a continuing education course pertaining to diversity and equity, and he expressed that it is a disservice to students when teachers are actively "color-blind." Those that have been historically disenfranchised often times do not have the support system at home to excel in school the same way that the whites and Asians do, so teachers need to be aware of this and make more of an effort to ensure the other students are receiving the attention that they need.

This conversation left me intrigued, but really resonated with me because on some level I do agree with those notions. To create equity and be inclusive, you need to be cognizant of where those inequities exist. I feel like you're dismissing many issues if you simply try to create an environment that is neutral because the individuals and experiences that make up that environment are anything but.

5. What strength, skills, or knowledge will you bring to the Task Force on Diversity, Equity and Inclusion?

I can quickly build rapport with people. I consider myself to be a people person, and I feed off others' energy. Knowing I'm collaborating with, helping, or working with someone towards a common goal is where I strive. Diversity, Equity, and Inclusion encompasses so many different things that you really have to keep an open mind towards all of it. I truly believe that it takes a lot of brainstorming and the willingness to absorb insight from any corner, to properly look at any scenario and create the most beneficial response.

Currently I'm a workers' rights attorney with an employment law firm in San Jose. Before that, I was a background investigator and project manager with a background screening company that provided pre-hire and post-hire human resources solutions for employers. At the end of the day, I love research. I think there is always more information to be found, more data to be gathered, more people you can talk to, all towards the end goal of providing the best solution.

KEVIN LANDIS

Santa Clara, CA 95050

EDUCATION

Santa Clara University, School of Law – *Juris Doctor (2019),* SBN: 331447
- High Tech Law Certificate, Corporate Specialization
- Trial Team Member (CALI Award-Winner in Advanced Trial Techniques)

California State University, Long Beach – *B.S., Criminal Justice (2009)*
- Deans Honor List

EXPERIENCE

WYLIE, McBRIDE, PLATTEN & RENNER, San Jose, CA **July 2020 – Present**
Associate Attorney
- Represent and advise public and private unions and their members.
- Negotiate and enforce collective bargaining agreements and memorandums of understanding.
- Counsel clients (employers) on compliance with various employment laws such as FLSA, FMLA, CFRA, and FEHA.
- Review and update clients' employee handbooks and company policies.
- Represent individuals in litigation involving wage & hour disputes, wrongful termination, and discrimination.

INFO CUBIC LLC, Denver, CO **February 2017 – June 2019**
Law Clerk
- Prepare confidentiality, services, and other agreements; conduct first pass review of service agreements.
- Perform legal research/analysis to determine legally permissible operations across 230 countries and territories.
- Spearheaded company's compliance with CCPA in preparation of its January 1, 2020 effective date.
- Compose memoranda on various matters pertaining to domestic and international employment and privacy law.
- Update General Counsel on developments in domestic and international background screening law.
- Monitor state and federal regulatory trends, activities, and requirements pertaining to employment law.
- Draft articles for Info Cubic's Compliance Corner newsletter.

ALEXANDER COMMUNITY LAW CENTER, San Jose, CA **January 2018 – May 2018**
Certified Law Clerk for Consumer Rights Clinic
- Interviewed clients to identify issues and provide concise summary to supervising attorney.
- Synthesized and Communicated legal advice to clients.
- Drafted Opposition Briefs, Demand Letters, and Requests for Documents for supervising attorney.

HONG KONG HIGH COURT, COURT OF APPEAL **June 2017 – July 2017**
Law Clerk for Justice Michael Lunn, VP of Court of Appeal
- Drafted concise case summaries and prepared appeal files for the Judge.
- Performed legal research and reviewed evidence presented in the lower court.
- Drafted judgments in current cases before the court for the Judge's review.

INFO CUBIC LLC, Denver, CO **July 2012 – January 2017**
Background Investigation Operations Team Leader and Compliance Coordinator
- Implemented and evaluated operational strategies and business objectives.
- Managed and led company operations across seven different product divisions.
- Assisted General Counsel with keeping abreast of domestic and international employment and privacy law legislation.
- Procured new vendor relationships to increase profitability of the company's international and domestic service suite.
- Increased annual revenue 250% by revamping international service division with new marketing/web content.
- Managed global accounts worth up to $2M.
- Worked closely with clients and vendors at all organization levels to ensure satisfaction.
- Executed account profitability analysis and price review to ensure the business remained competitive at all times.
- Conducted thorough background investigations of candidates to determine employment suitability.
- Prepared comprehensive reports for clients to effectively communicate investigative findings.

HOBBIES AND INTERESTS

Former Professional Computer Gamer, SJSU Guest Lecturer, Skydiving, Football, Soccer, Surfing, Skiing

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APPLICATION
BOARD, COMMISSIONS, AND COMMITTEE
CITY OF SANTA CLARA

City Clerk's Office 1500 Warburton Avenue,
Santa Clara, California 95050
Phone: 408-615-2220 E-mail: Clerk@santaclaraca.gov

*If you are having trouble viewing or submitting this form please download the free version of Adobe Reader: http://get.adobe.com/reader

Board/ Commission/ Committee Applying For:	Task Force on Diversity, Equity & Inclusion
Name:	Innae Park
Address:	
City:	Santa Clara
State:	CA Zip Code: 95051
E-mail Address:	
Primary Phone Number	
Secondary Phone Number	
Are you eligible to register to vote in Santa Clara?	☑ Yes ☐ No ☐ Unsure
Are you a registered voter of Santa Clara?	☑ Yes ☐ No ☐ Unsure
Have you attended a meeting of this Board/ Commission/Committee?	☐ Yes ☑ No ☐ Unsure
Present Employer:	Teach For America
Job Title:	Corporate Partnerships Director

Previous Governmental Bodies/ Elective Offices Applicant has served:	Position/ Office Held:	Dates:

Civic or Charitable Organizations to which Applicant has belonged:	Position(s) Held:	Dates:
Association of Fundraising Professionals	Member	2020
Current Silicon Valley Church	Volunteer	2018-2020
Next Door Shelter	Volunteer	2016-2018

Special Interests, Hobbies or Talents:

College, Professional, Vocational Schools attended:	Major Subject:	Degree/Dates:
University of Pennsylvania	Communications	BA, 2006

Special awards or recognition received:

Associated Press Broadcasters Association awards received in 2011
Employee of the Year award received in 2012 at Time Warner Cable News

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Please state reasons why you want to become a member of this Board/Commission/Committee, including what specific objectives you would be working toward as a member of this advisory board:

Please see answers to the supplemental questions for the response to this question in full.

Any other information which you feel would be useful to the City Council in reviewing your application:

Are you associated with any Organization/Employment that might be deemed a conflict of interest in performing your duties if appointed to this position? ☐ Yes ☑ No ☐ Unsure

If yes, please name the Organization or Employment.

City policy directs all advisory body members not to vote on matters where there exists a potential conflict of interest. Would you be willing to abstain from voting if such a conflict arises? ☑ Yes ☐ No ☐ Unsure

Signature of Applicant: Innae Park

Date Signed: 11/13/2020

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Application for Task Force on Diversity, Equity, and Inclusion
Supplemental Questions

Please provide a brief response for each question.

1. Why do you want to be a part of the Task Force on Diversity, Equity and Inclusion?

2. What role do you feel the Task Force on Diversity, Equity, and Inclusion should have in the City of Santa Clara?

3. How do you see yourself contributing to building a diverse, equitable, and inclusive environment for all residents of the city?

4. What experience do you have working with issues of equity and inclusion?

5. What strengths, skills, or knowledge will you bring to the Task Force on Diversity, Equity, and Inclusion?

Application for Task Force on Diversity, Equity, and Inclusion
Supplemental Questions
Innae Park

1. **Why do you want to be a part of the Task Force on Diversity, Equity and Inclusion?**

   For most of my life I had assumed that diversity was a nice-to-have, equity was the same as equality, and inclusion meant not leaving someone out. Even as a second-generation immigrant, I became resigned to the fact that I would never be as fully accepted as others who looked like the majority. When people protested that "Black Lives Matter," I thought, "Don't all lives matter?"

   I moved to the Bay Area six years ago, and my understanding and knowledge began to change. I learned that diversity is an asset and key factor in greater success, that equity meant we all got to the same place because inequity has been historically entrenched in our society for centuries, and that inclusion meant we were truly recognizing all voices and perspectives. No easy feats, but something worth striving for in all areas of my life, and I felt privileged that I was working toward such goals in our broken education system through my work at Teach For America.

   Then in May, George Floyd was murdered, and I came face-to-face with a shocking self-reality: despite all the learning and growth I had done, I had continued to be complicit in the systemic racism and injustices that existed by turning a blind eye and not standing up for what was clearly broken in our society. I grieved and immediately began seeking ways to ensure my learning would turn into action so that my daughter would not grow up in a world where she was 'less than' because of her race, gender, or any other orientation. When I saw the City of Santa Clara's decision to launch this Task Force, I was inspired and felt I could bring my full self to support change: my identity, my experiences, my strengths, my skills, my knowledge, and my emotions, all to make the city orient toward equity.

2. **What role do you feel the Task Force on Diversity, Equity, and Inclusion should have in the City of Santa Clara?**

   In addition to the initial goals of the Task Force, I believe the Task Force on DEI will be a committee and collective that will shed light on the many ways that existing policies and practices within Santa Clara are discriminatory or racist against people of color. Given the history of our country, it is undeniable that so much of the policies and systems that exist are inequitable, but as a community, we have accepted them as normal. This Task Force will help to bring to light these policies so that we can ensure Santa Clara is a city that is truly inclusive and equitable, with opportunity for all.
   The Task Force has a unique role in bringing together many diverse voices, elevating perspectives and opinions that have been undermined or even oppressed throughout history. The committee itself is not representative of all voices and thoughts, and it will be an opportunity to harness the power of the collective for the broader good.
   Lastly, the Task Force will help to ensure that the City of Santa Clara is setting an example for other cities across the state and country, especially the growing number of municipalities that have a non-white majority. We have always been a leader in diversity, innovation and more – it is time to also be known for our equitable and inclusive community.

3. **How do you see yourself contributing to building a diverse, equitable, and inclusive environment for all residents of the city?**

I am privileged and proud to be someone who represents many identity markers that are both common and unusual in Santa Clara. I am Asian American, specifically Korean-American, but have also lived abroad where I was not the 'majority' or spoke the language. As a young parent, it is critical for me to make sure my daughter grows up in a world where all are given equal opportunity once inequity does not exist. I am also a religious person, which is not as common in the Bay Area, and my faith provides me a perspective and vision where all lives are valued in this world.

These identifiers and experiences make me a sincere, sympathetic listener, and I want to bring people together rather than create division. As a member of the Task Force, I believe I can use both my background and my skills to ensure all voices are represented at the table, to hear and respect differing opinions in contrast to mine, and help synthesize strong recommendations for city officials. In my day-to-day, I seek to be a respectful and thoughtful citizen and parent, who strives to engage with local issues and listens to understand.

4. **What experience do you have working with issues of equity and inclusion?**

First, as a woman of color, my life experience has been dealing with inequity and exclusion, and I will bring those experiences and the passion for change to this Task Force.

My tenure (5 years) at Teach For America has given me extensive learning and development on the issues of equity and inclusion. As an organization grounded in diversity, equity, and inclusiveness, I have grown to understand the systemic inequity that exists at both the national level and local level.

More specifically, I have also led an affinity space for people of color, meeting on a monthly basis and facilitating discussion on issues specifically faced by people of color on the National Development team. This summer, I also co-facilitated a book club on Dr. Ibram X. Kendi's "How to be an Antiracist" book for both white colleagues and colleagues of color.

5. **What strengths, skills, or knowledge will you bring to the Task Force on Diversity, Equity, and Inclusion?**

I would be privileged to be a member of the Task Force and I would bring a breadth of strengths, skills and knowledge.

My strengths and skills lie in my professional backgrounds as a former journalist and current fundraiser. I am a thoughtful and patient listener who is able to synthesize complex issues and differing perspectives in a comprehensive and succinct narrative. My communications skills are paramount as I continue to inform, educate and share the voices of those who are often unheard.

The knowledge I bring to the Task Force is both experienced and acquired. I have experienced being a minority in the U.S. as a person of color, and then in my ancestors' home country by being a U.S. citizen. This sense of being 'less than' or at a disadvantage is a perspective I will carry and empathize with as someone bringing together others' experiences. As an Asian American who has received a lot of privilege, I recognize the disparities and distinctions that exist across the Asian American Native Hawaiian Pacific Islander community, which often get overlooked or generalized. In my time at Teach For America, I have also become more learned in white dominant cultural norms and practices while understanding the inequity in our education system. Awareness of these racist practices and policies will help ensure that I am not automatically buying into existing systems that are not promoting diversity, equity and inclusion.

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APPLICATION
BOARD, COMMISSIONS, AND COMMITTEE
CITY OF SANTA CLARA

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2020 NOV 13 PM 4:13

Board/ Commission/ Committee Applying For:	Task Force on Diversity, Equity, & Inclusion
Name:	Gustavo Rangel
Address:	
City:	Santa Clara
State:	California Zip Code: 95051
E-mail Address:	
Primary Phone Number	
Secondary Phone Number	
Are you eligible to register to vote in Santa Clara?	☑ Yes ☐ No ☐ Unsure
Are you a registered voter of Santa Clara?	☑ Yes ☐ No ☐ Unsure
Have you attended a meeting of this Board/ Commission/Committee?	☐ Yes ☑ No ☐ Unsure
Present Employer:	U.S. Pretrial Services Agency
Job Title:	Pretrial Services Officer

Previous Governmental Bodies/ Elective Offices Applicant has served:	Position/ Office Held:	Dates:
Race Equity and Inclusion Steering Committee, Law Foundation of Silcon Valley	Advisor	2017-2018
Graduate Student Social Work Association, San Diego State University	President	2014-2015
Latino Student Social Work Association, San Diego State University	Vice President	2013-2014

Civic or Charitable Organizations to which Applicant has belonged:	Position(s) Held:	Dates:
Law Foundation of Silcon Valley, Legal Advocates for Children and Youth	Social Worker	November 2016 - January 2018
Review Board for Catholic Charities Refugee Foster Care, Unaccompanied Refugee Minors Program	Auditor	January 2017 - January 2018

Special Interests, Hobbies or Talents:

Interest include teaching and instructing social work interns, working with and establishing relationships with local Universities, examining law enforcement and social work policies, exploring best practices and efficiencies within systems, talking to ALL people. Hobbies include all sports related discussion and debates, bike riding, basketball, and sumo wrestling.
Talents: great listener, empathetic and realistic

College, Professional, Vocational Schools attended:	Major Subject:	Degree/Dates:
Cornell University	Diversity and Inclusion	Certificate / November 2020
San Diego State University	Social Work	Master of Social Work / May 2015
San Diego State University	Criminal Justice	Bachelor of Arts / May 2013

Special awards or recognition received:

Pretrial Services Agency, Chiefs Award, 2020
Federal Law Enforcement Training Academy, Director's Leadership Award, 2019
San Jose State University, Certificate of Appreciation, 2018

Please state reasons why you want to become a member of this Board/Commission/Committee, including what specific objectives you would be working toward as a member of this advisory board:

I am very interested in being a member of the Task force as I bring experience as a law enforcement officer and license clinical social worker. An interest of mine is the intersection of social work practices and law enforcement policies. Although both studies differ, the foundation is in diversity, equity and inclusion is present. An objective of mine is to examine inclusionary practices to determine if citizens of Santa Clara feel as an insider in their community and explore their feeling of belonging in our city. Also, I would like to recognize unconscious bias and how it affects the way people perceive, evaluate, and react to others.

Any other information which you feel would be useful to the City Council in reviewing your application:

In my current and previous employment, my responsibilities are to assess people ' s challenges and make recommendations to judicial officers of the court. In this mezzo level of support, I have been successful to assist personal/family systems. I ' d like the challenge of transitioning to a macro level of support that will affect my community and local agencies entrusted for services.

Are you associated with any Organization/Employment that might be deemed a conflict of interest in performing your duties if appointed to this position?

☐ Yes ☐ No ☑ Unsure

If yes, please name the Organization or Employment.

United States Federal District Courts, Nothern District of California

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☑ Yes ☐ No ☐ Unsure

Signature of Applicant:

Date Signed: 11/13/2020

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1. Why do you want to be a part of the Task Force on Diversity, Equity and Inclusion?

I want to be part of the Task Force on Diversity, Equity and Inclusion to support policies for lasting change. As a citizen of Santa Clara and a father of three young boys, its essential to pave the road not only for them but to all who reside here. Also, as a person of color, it's imperative to foster equity and inclusionary practices to support all disenfranchised people. The City of Santa Clara is diverse, educated and young. According to Santa Clara demographics found on the city's website, 80% of the age is between 18-64-year-old. The second age group is 19.9%, persons under the age of 18 years old. I want to be part of the Task Force that aids the next generation of Santa Clarans that gives them an equal and safe opportunity to continue this legacy.

2. What role do you feel the Task Force on Diversity, Equity, and Inclusion should have in the City of Santa Clara?

I feel that the role of this Task Force is as important as public safety in the community. Public safety and its policies are evident in Santa Clara and throughout the United States. They are measurable entities that can be evaluated. They are essential to the safety of all who reside here and order in our community. I feel the same way in reference to diversity, equity and inclusion. These topics can be measured, they can be evaluated, and they can lead to safety in the community. This Task Force has the potential to influence government systems, to change the path for disenfranchised people and to encourage a greater relationship with Law Enforcement Officials.

3. How do you see yourself contributing to building a diverse, equitable, and inclusive environment for all residents of the city?

I see myself contributing to building a diverse, equitable and inclusive environment for all by conducting a needs assessment of Santa Clara, understanding the current infrastructure in place and establishing relationships will all people in the City of Santa Clara. The needs assessment started with the support of President Obama's "commitment to Action" initiative and support by the City of Santa Clara's Task Force to engage in equitable issues and make recommendations to policies, structure and services. If chosen, I will work with Task Force members to inquire what areas of diversity, equity and inclusion are needed in our city. Understanding the City of Santa Clara's current infrastructure will be essential to making meaningful recommendations for systems change. I will ask questions about policies and procedures to gain a better understanding of its efficiency based in its outcomes. Lastly, I will aim to create meaningful relationships with

all members of the community to gain a better understanding of their concerns, their challenges and ideas. I'd like to speak to the CEO of Nvidia all the way to Santa Clara's park services employee in our local parks. I'd like to hear their perspective and insight.

4. What experience do you have working with issues of equity and inclusion?

While working at the Law Foundation of Silicon Valley, I was part of the companies Race, Equity and Inclusion (REI) Steering Committee. We evaluated our hiring practices, we evaluated our employment retention strategy, and we evaluated the workload of our Spanish Speaking employees. The Steering Committee made recommendations to the CEO and Board of Directors. Subsequently, certain policies were revised to promote equity and a sense of belonging within the organization.

On August 2020, the Northern District of California hosted a 21-day Challenge titled "Race Equity Habit Building Challenge." I was one of five co-facilitators chosen to host group meetings by Zoom. The group consisted of District Judges, Magistrate Judges, Attorneys, Probation Officers, Judicial Clerks and Court Room Officers. For 21 days, we completed reading assignments and gathered at the end of the week to discuss Race Equity Challenges. Although conversations were difficult; when speaking about race, privilege and implicant bias, co-facilitating the group with such distinguished professionals was empowering and inspiring. At the end of the 21-day challenge, we discussed recommendations we can make within our organization to promote inclusionary practices.

5. What strengths, skills, or knowledge will you bring to the Task Force on Diversity, Equity, and Inclusion?

If given the opportunity to join Santa Clara's Task Force on Diversity, Equity, and Inclusion, I will bring technical expertise of diversity and inclusion, a certificate program earned at Cornell University. Theses expertise include assessing engagement within an organization, distinguishing between diversity and inclusion, examining methods of fostering inclusion in work groups, and identify interventions that can help override errors in Judgement and decision making. Understanding and answering these questions noted above can assist us to provide the most effective and realistic recommendations to stake holders for policy, structure and service changes.

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APPLICATION
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CITY OF SANTA CLARA
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Board/ Commission/ Committee Applying For:	Task Force on Diversity, Equity, and Inclusion.
Name:	Kevin Landis
Address:	
City:	Santa Clara
State:	CA Zip Code: 95050
E-mail Address:	
Primary Phone Number	
Secondary Phone Number	
Are you eligible to register to vote in Santa Clara?	☑ Yes ☐ No ☐ Unsure
Are you a registered voter of Santa Clara?	☑ Yes ☐ No ☐ Unsure
Have you attended a meeting of this Board/ Commission/Committee?	☐ Yes ☑ No ☐ Unsure
Present Employer:	Wylie, McBride, Platten & Renner
Job Title:	Associate Attorney

Previous Governmental Bodies/ Elective Offices Applicant has served:	Position/ Office Held:	Dates:
N/A	N/A	N/A

Civic or Charitable Organizations to which Applicant has belonged:	Position(s) Held:	Dates:
N/A	N/A	N/A

Special Interests, Hobbies or Talents:

Former Professional Computer Gamer, SJSU Guest Lecturer, Skydiving, Football, Soccer, Surfing, Skiing

College, Professional, Vocational Schools attended:	Major Subject:	Degree/Dates:
Santa Clara Law	Law	Juris Doctor, May 2019
California State University, Long Beach	Major: Criminal Justice Minor: Political Science	Bachelor of Science, December 2009

Special awards or recognition received:

Santa Clara Law - CALI Award Winner
California State University, Long Beach - Dean's Honor List

Please state reasons why you want to become a member of this Board/Commission/Committee, including what specific objectives you would be working toward as a member of this advisory board:

Please see response to supplemental question 1

Any other information which you feel would be useful to the City Council in reviewing your application:

Are you associated with any Organization/Employment that might be deemed a conflict of interest in performing your duties if appointed to this position?

☐ Yes ☑ No ☐ Unsure

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Signature of Applicant:

Date Signed: 11/13/2020

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Kevin Landis
November 13, 2020
Application for Task Force on Diversity, Equity, and Inclusion Supplemental Questions

1. **Why do you want to be a part of the Task Force on Diversity, Equity, and Inclusion?**

To help the City of Santa Clara continue to be a warm and welcoming place for lifelong residents and transplants alike. I moved to Santa Clara 4 years ago and have thoroughly enjoyed my experience thus far. Santa Clara has been wonderful to me, and I want to provide that same experience to others. I want others to have the same positive outlook of the City that I do. At the end of the day, I just want to help Santa Clara. I feel like Santa Clara has done so much for me, and I want to be able to continue that tradition and help the City help others. I would really enjoy the opportunity to help facilitate that in any way that I can.

2. **What role do you feel the Task Force on Diversity, Equity, and Inclusion should have in the City of Santa Clara?**

I believe that the Task Force should somewhere that the residents of Santa Clara can reach out to. I think it should be a type of community outreach where the residents can get involved. Residents may not feel like they are being heard, or feel like they have a voice in what's going on in their community, and I think it would be good for the Task Force to a safe haven for residents to go with their concerns.

Issues of Diversity, Equity, and Inclusion are hard topics to discuss. People may not be comfortable addressing those issues, or may not know where to go to speak about their concerns. This Task Force has a golden opportunity to have direct communication and a direct connection with the residents of the City. The Task Force may not always be able to help everyone, but if residents feel validated that they are being heard, and that their concerns are being considered, then that will improve their experience as residents.

3. **How do you see yourself contributing to building a diverse, equitable, and inclusive environment for all the residents of the city?**

I believe that I can be a good resource that residents can reach out to. I enjoy talking to people about their life experiences, and I am genuinely interested in how those experiences have molded them into the person they are. I believe that speaking with people, learning about their concerns, and trying to come up with solutions to affect change is the heart of how I will contribute.

I have lived in a variety of places, both big cities and small towns, and I do believe that I can empathize with people and their experiences on some level. I want to help project the voice of the residents. I will sit in their pain with them. I may not fully understand what they are going through, I may not be able to provide an immediate solution, but the least I can do is sit in their pain with them and let them know that Santa Clara is here for them, that their community is here for them.

4. **What experience do you have working with issues of equity and inclusion?**

To be blunt, I do not have any experience working with issues of equity and inclusion. Which is exactly why I want to get involved. I cannot affect change if I sit idly by and simply hope for the best. I think this is a good opportunity for me to learn more about issues of equity and inclusion, and help create change that addresses those issues and is truly diverse. My hope is that coming into the task force without much experience will help me provide fresh eyes on a variety of topics.

Kevin Landis
November 13, 2020
Application for Task Force on Diversity, Equity, and Inclusion Supplemental Questions

I will never forget a conversation I had with an Elementary School Principal. This Principal's school was located in an affluent, mostly white suburb. He taught a continuing education course pertaining to diversity and equity, and he expressed that it is a disservice to students when teachers are actively "color-blind." Those that have been historically disenfranchised often times do not have the support system at home to excel in school the same way that the whites and Asians do, so teachers need to be aware of this and make more of an effort to ensure the other students are receiving the attention that they need.

This conversation left me intrigued, but really resonated with me because on some level I do agree with those notions. To create equity and be inclusive, you need to be cognizant of where those inequities exist. I feel like you're dismissing many issues if you simply try to create an environment that is neutral because the individuals and experiences that make up that environment are anything but.

5. What strength, skills, or knowledge will you bring to the Task Force on Diversity, Equity and Inclusion?

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Currently I'm a workers' rights attorney with an employment law firm in San Jose. Before that, I was a background investigator and project manager with a background screening company that provided pre-hire and post-hire human resources solutions for employers. At the end of the day, I love research. I think there is always more information to be found, more data to be gathered, more people you can talk to, all towards the end goal of providing the best solution.

KEVIN LANDIS

Santa Clara, CA 95050

EDUCATION

Santa Clara University, School of Law – *Juris Doctor (2019),* SBN: 331447
- High Tech Law Certificate, Corporate Specialization
- Trial Team Member (CALI Award-Winner in Advanced Trial Techniques)

California State University, Long Beach – *B.S., Criminal Justice (2009)*
- Deans Honor List

EXPERIENCE

WYLIE, McBRIDE, PLATTEN & RENNER, San Jose, CA **July 2020 – Present**
Associate Attorney
- Represent and advise public and private unions and their members.
- Negotiate and enforce collective bargaining agreements and memorandums of understanding.
- Counsel clients (employers) on compliance with various employment laws such as FLSA, FMLA, CFRA, and FEHA.
- Review and update clients' employee handbooks and company policies.
- Represent individuals in litigation involving wage & hour disputes, wrongful termination, and discrimination.

INFO CUBIC LLC, Denver, CO **February 2017 – June 2019**
Law Clerk
- Prepare confidentiality, services, and other agreements; conduct first pass review of service agreements.
- Perform legal research/analysis to determine legally permissible operations across 230 countries and territories.
- Spearheaded company's compliance with CCPA in preparation of its January 1, 2020 effective date.
- Compose memoranda on various matters pertaining to domestic and international employment and privacy law.
- Update General Counsel on developments in domestic and international background screening law.
- Monitor state and federal regulatory trends, activities, and requirements pertaining to employment law.
- Draft articles for Info Cubic's Compliance Corner newsletter.

ALEXANDER COMMUNITY LAW CENTER, San Jose, CA **January 2018 – May 2018**
Certified Law Clerk for Consumer Rights Clinic
- Interviewed clients to identify issues and provide concise summary to supervising attorney.
- Synthesized and Communicated legal advice to clients.
- Drafted Opposition Briefs, Demand Letters, and Requests for Documents for supervising attorney.

HONG KONG HIGH COURT, COURT OF APPEAL **June 2017 – July 2017**
Law Clerk for Justice Michael Lunn, VP of Court of Appeal
- Drafted concise case summaries and prepared appeal files for the Judge.
- Performed legal research and reviewed evidence presented in the lower court.
- Drafted judgments in current cases before the court for the Judge's review.

INFO CUBIC LLC, Denver, CO **July 2012 – January 2017**
Background Investigation Operations Team Leader and Compliance Coordinator
- Implemented and evaluated operational strategies and business objectives.
- Managed and led company operations across seven different product divisions.
- Assisted General Counsel with keeping abreast of domestic and international employment and privacy law legislation.
- Procured new vendor relationships to increase profitability of the company's international and domestic service suite.
- Increased annual revenue 250% by revamping international service division with new marketing/web content.
- Managed global accounts worth up to $2M.
- Worked closely with clients and vendors at all organization levels to ensure satisfaction.
- Executed account profitability analysis and price review to ensure the business remained competitive at all times.
- Conducted thorough background investigations of candidates to determine employment suitability.
- Prepared comprehensive reports for clients to effectively communicate investigative findings.

HOBBIES AND INTERESTS

Former Professional Computer Gamer, SJSU Guest Lecturer, Skydiving, Football, Soccer, Surfing, Skiing

City of Santa Clara
The Center of What's Possible

APPLICATION
BOARD, COMMISSIONS, AND COMMITTEE
CITY OF SANTA CLARA

City Clerk's Office 1500 Warburton Avenue,
Santa Clara, California 95050
Phone: 408-615-2220 E-mail: Clerk@santaclaraca.gov

*If you are having trouble viewing or submitting this form please download the free version of Adobe Reader: http://get.adobe.com/reader

2020 NOV 13 PM 4:13

Board/ Commission/ Committee Applying For:	Task Force on Diversity, Equity, & Inclusion
Name:	Gustavo Rangel
Address:	
City:	Santa Clara
State:	California Zip Code: 95051
E-mail Address:	
Primary Phone Number	
Secondary Phone Number	
Are you eligible to register to vote in Santa Clara?	☑ Yes ☐ No ☐ Unsure
Are you a registered voter of Santa Clara?	☑ Yes ☐ No ☐ Unsure
Have you attended a meeting of this Board/ Commission/Committee?	☐ Yes ☑ No ☐ Unsure
Present Employer:	U.S. Pretrial Services Agency
Job Title:	Pretrial Services Officer

Previous Governmental Bodies/ Elective Offices Applicant has served:	Position/ Office Held:	Dates:
Race Equity and Inclusion Steering Committee, Law Foundation of Silcon Valley	Advisor	2017-2018
Graduate Student Social Work Association, San Diego State University	President	2014-2015
Latino Student Social Work Association, San Diego State University	Vice President	2013-2014

Civic or Charitable Organizations to which Applicant has belonged:	Position(s) Held:	Dates:
Law Foundation of Silcon Valley, Legal Advocates for Children and Youth	Social Worker	November 2016 - January 2018
Review Board for Catholic Charities Refugee Foster Care, Unaccompanied Refugee Minors Program	Auditor	January 2017 - January 2018

Special Interests, Hobbies or Talents:

Interest include teaching and instructing social work interns, working with and establishing relationships with local Universities, examining law enforcement and social work policies, exploring best practices and efficiencies within systems, talking to ALL people. Hobbies include all sports related discussion and debates, bike riding, basketball, and sumo wrestling.
Talents: great listener, empathetic and realistic

College, Professional, Vocational Schools attended:	Major Subject:	Degree/Dates:
Cornell University	Diversity and Inclusion	Certificate / November 2020
San Diego State University	Social Work	Master of Social Work / May 2015
San Diego State University	Criminal Justice	Bachelor of Arts / May 2013

Special awards or recognition received:

Pretrial Services Agency, Chiefs Award, 2020
Federal Law Enforcement Training Academy, Director's Leadership Award, 2019
San Jose State University, Certificate of Appreciation, 2018

Please state reasons why you want to become a member of this Board/Commission/Committee, including what specific objectives you would be working toward as a member of this advisory board:

I am very interested in being a member of the Task force as I bring experience as a law enforcement officer and license clinical social worker. An interest of mine is the intersection of social work practices and law enforcement policies. Although both studies differ, the foundation is in diversity, equity and inclusion is present. An objective of mine is to examine inclusionary practices to determine if citizens of Santa Clara feel as an insider in their community and explore their feeling of belonging in our city. Also, I would like to recognize unconscious bias and how it affects the way people perceive, evaluate, and react to others.

Any other information which you feel would be useful to the City Council in reviewing your application:

In my current and previous employment, my responsibilities are to assess people ' s challenges and make recommendations to judicial officers of the court. In this mezzo level of support, I have been successful to assist personal/family systems. I ' d like the challenge of transitioning to a macro level of support that will affect my community and local agencies entrusted for services.

Are you associated with any Organization/Employment that might be deemed a conflict of interest in performing your duties if appointed to this position?

☐ Yes ☐ No ☑ Unsure

If yes, please name the Organization or Employment.

United States Federal District Courts, Nothern District of California

City policy directs all advisory body members not to vote on matters where there exists a potential conflict of interest. Would you be willing to abstain from voting if such a conflict arises?

☑ Yes ☐ No ☐ Unsure

Signature of Applicant:

Date Signed: 11/13/2020

By clicking submit you are confirming that you are the person listed in this application, and that all information provided is truthful and correct. You can also submit the completed application in person at: City Clerk's Office, 1500 Warburton Avenue, Santa Clara, California 95050. All information provided will be public information.

1. Why do you want to be a part of the Task Force on Diversity, Equity and Inclusion?

I want to be part of the Task Force on Diversity, Equity and Inclusion to support policies for lasting change. As a citizen of Santa Clara and a father of three young boys, its essential to pave the road not only for them but to all who reside here. Also, as a person of color, it's imperative to foster equity and inclusionary practices to support all disenfranchised people. The City of Santa Clara is diverse, educated and young. According to Santa Clara demographics found on the city's website, 80% of the age is between 18-64-year-old. The second age group is 19.9%, persons under the age of 18 years old. I want to be part of the Task Force that aids the next generation of Santa Clarans that gives them an equal and safe opportunity to continue this legacy.

2. What role do you feel the Task Force on Diversity, Equity, and Inclusion should have in the City of Santa Clara?

I feel that the role of this Task Force is as important as public safety in the community. Public safety and its policies are evident in Santa Clara and throughout the United States. They are measurable entities that can be evaluated. They are essential to the safety of all who reside here and order in our community. I feel the same way in reference to diversity, equity and inclusion. These topics can be measured, they can be evaluated, and they can lead to safety in the community. This Task Force has the potential to influence government systems, to change the path for disenfranchised people and to encourage a greater relationship with Law Enforcement Officials.

3. How do you see yourself contributing to building a diverse, equitable, and inclusive environment for all residents of the city?

I see myself contributing to building a diverse, equitable and inclusive environment for all by conducting a needs assessment of Santa Clara, understanding the current infrastructure in place and establishing relationships will all people in the City of Santa Clara. The needs assessment started with the support of President Obama's "commitment to Action" initiative and support by the City of Santa Clara's Task Force to engage in equitable issues and make recommendations to policies, structure and services. If chosen, I will work with Task Force members to inquire what areas of diversity, equity and inclusion are needed in our city. Understanding the City of Santa Clara's current infrastructure will be essential to making meaningful recommendations for systems change. I will ask questions about policies and procedures to gain a better understanding of its efficiency based in its outcomes. Lastly, I will aim to create meaningful relationships with

all members of the community to gain a better understanding of their concerns, their challenges and ideas. I'd like to speak to the CEO of Nvidia all the way to Santa Clara's park services employee in our local parks. I'd like to hear their perspective and insight.

4. What experience do you have working with issues of equity and inclusion?

While working at the Law Foundation of Silicon Valley, I was part of the companies Race, Equity and Inclusion (REI) Steering Committee. We evaluated our hiring practices, we evaluated our employment retention strategy, and we evaluated the workload of our Spanish Speaking employees. The Steering Committee made recommendations to the CEO and Board of Directors. Subsequently, certain policies were revised to promote equity and a sense of belonging within the organization.

On August 2020, the Northern District of California hosted a 21-day Challenge titled "Race Equity Habit Building Challenge." I was one of five co-facilitators chosen to host group meetings by Zoom. The group consisted of District Judges, Magistrate Judges, Attorneys, Probation Officers, Judicial Clerks and Court Room Officers. For 21 days, we completed reading assignments and gathered at the end of the week to discuss Race Equity Challenges. Although conversations were difficult; when speaking about race, privilege and implicant bias, co-facilitating the group with such distinguished professionals was empowering and inspiring. At the end of the 21-day challenge, we discussed recommendations we can make within our organization to promote inclusionary practices.

5. What strengths, skills, or knowledge will you bring to the Task Force on Diversity, Equity, and Inclusion?

If given the opportunity to join Santa Clara's Task Force on Diversity, Equity, and Inclusion, I will bring technical expertise of diversity and inclusion, a certificate program earned at Cornell University. Theses expertise include assessing engagement within an organization, distinguishing between diversity and inclusion, examining methods of fostering inclusion in work groups, and identify interventions that can help override errors in Judgement and decision making. Understanding and answering these questions noted above can assist us to provide the most effective and realistic recommendations to stake holders for policy, structure and service changes.

21-512 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations

COUNCIL PILLAR
Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND
Charter Section 1310 titled Contracts on Public Works states, in part, “that every contract involving an expenditure of more than one thousand dollars ($1,000) for the construction or improvement (excluding maintenance and repair) of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds shall be let to the lowest responsible bidder.” The section further states that “the City Council may declare and determine that, in its opinion, the work in question may be performed better or more economically by the City with its own employees, and after the adoption of a resolution to this effect by at least four affirmative votes, it may proceed to have said work done in the manner stated, without further observance of the provisions of this section.”

DISCUSSION
Staff believes that the work described below is best and most efficiently performed with City forces based upon the following factors: (1) the work is limited in size and scope; (2) City forces have knowledge and training in operating and maintaining the electric system that can be leveraged to more economically perform this work; and (3) bidding out the work and contracting with a private entity would not likely result in a lower overall cost or time savings. Therefore, staff recommends that the City Council make a finding that City forces can better perform the installation of the following electric facilities and approve the use of City forces.

Estimate Number:	36461
Location:	2233 Calle de Mundo
Type of Service:	New Business
Description of Work:	Remove existing 750kVA transformer, ±50’ 1/0 A1 BT riser cable, ±200’ 12kV ASCR overhead wire, and ±200’ 1/0 A1 overhead wire.
Estimated Cost:	$3,095
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer/Developer Contribution

Estimate Number:	34335
Location:	1550 Space Park Drive
Type of Service:	New Business
Description of Work:	Install three high voltage switches, 2,800’ of underground high voltage cable,

	forty-five connectors and thirty-six splices in twelve manholes and vaults and metering for two12kV services.
Estimated Cost:	$259,718
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer/Developer Contribution.

Estimate Number:	36928
Location:	714 Valley Way
Type of Service:	Capacity
Description of Work:	Replace 25kVA transformer with a new 50kVA transformer. Install new cutout fuses for bank protection on existing primary cross arm.
Estimated Cost:	$1,996
Appropriation:	Electric Utility Capital Fund (591) Project 2410 - System Capacity Expansion
Source of Revenue:	Customer Service Charges

Estimate Number:	36929
Location:	2375 Pilot Knob Drive
Type of Service:	Capacity
Description of Work:	Replace 15kVA transformer with a new 25kVA transformer, the double dead end cutout arms and insulators, and the cutouts. Install new fuses for bank protection on the new primary cross arm.
Estimated Cost:	$2,596
Appropriation:	Electric Utility Capital Fund (591) Project 2410 - System Capacity Expansion
Source of Revenue:	Customer Service Charges

Estimate Number:	35627
Location:	323 Martin Avenue
Type of Service:	New Business
Description of Work:	Install approximately 450’ of new 1/0 A1 conductor to new 750kVA transformer and approximately 100’ of new #4 SL conductor to service City of San Jose streetlights.
Estimated Cost:	$31,272
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer/Developer Contribution

Estimate Number:	36228
Location:	2870 El Camino Real
Type of Service:	New Business
Description of Work:	Remove three existing poles and ±1,950’ 397 overhead wire. Install ±1,100’ 1100 AL TRI, ±2,150’ 1/0 AL TRI, two vacuum disconnect switches, one 112kVA padmount transformer, two 225kVA padmount transformers, four 45’ Class 1 poles, ±30’ 397 AL overhead wire, ±310’ 500 AL QUAD service conductor, ±220’ 1/0 AL QUAD service conductor, one 30’ street light, 340’ #4 AL SL conductor, and fifty-eight 208V 200A service meters.
Estimated Cost:	$230,698
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate

	Work
Source of Revenue:	Customer/Developer Contribution, Customer Service Charges

Estimate Number:	36899
Location:	2415 Armstrong Place
Type of Service:	New Business
Description of Work:	Remove existing 5/16 sidewalk guy and 10M PISA anchor. Install two new 5/16 sidewalk guys with one 10M and one 20M PISA anchor.
Estimated Cost:	$1,122
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer/Developer Contribution

Estimate Number:	36984
Location:	687 Fallon Avenue
Type of Service:	Capacity
Description of Work:	Replace a 25kVA transformer with a new 37.5kVA transformer and two fuses.
Estimated Cost:	$1,821
Appropriation:	Electric Utility Capital Fund (591) Project 2410 - System Capacity Expansion
Source of Revenue:	Customer Service Charges

Estimate Number:	36985
Location:	653 Park Court
Type of Service:	Capacity
Description of Work:	Replace a 25kVA transformer with a new 37.5kVA transformer and two fuses.
Estimated Cost:	$1,821
Appropriation:	Electric Utility Capital Fund (591) Project 2410 - System Capacity Expansion
Source of Revenue:	Customer Service Charges

Estimate Number:	36983
Location:	2517 Brannan Place
Type of Service:	Capacity
Description of Work:	Replace a 37.5kVA transformer with a new 50kVA transformer and two fuses.
Estimated Cost:	$2,181
Appropriation:	Electric Utility Capital Fund (591) Project 2410 - System Capacity Expansion
Source of Revenue:	Customer Service Charges

Estimate Number:	36986
Location:	Lawson Lane
Type of Service:	New Business
Description of Work:	Install 530’ low voltage cables and twelve underground connectors.
Estimated Cost:	$5,853
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer Service Charges

Estimate Number:	37003
Location:	2478 Moraine Drive

Type of Service:	Capacity
Description of Work:	Replace 37.5kVA transformer with a new 50kVA transformer and two fuses.
Estimated Cost:	$2,108
Appropriation:	Electric Utility Capital Fund (591) Project 2410 - System Capacity Expansion
Source of Revenue:	Customer Service Charges

Estimate Number:	37002
Location:	2233 Calle Del Mundo
Type of Service:	New Business
Description of Work:	Install two 50' poles, three 37kVA overhead transformers and equipment. Remove two 50' poles, three 37kVA overhead transformers and equipment, ±570' #4 overhead wire.
Estimated Cost:	$13,317
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer/Developer Contribution

Estimate Number:	35490
Location:	2499 Homestead Road
Type of Service:	New Business
Description of Work:	New service drop to feed Tuff Shed. SCADA cabinet located in the public right-of-way at Madison and El Camino Real.
Estimated Cost:	$1,359
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer/Developer Contribution, Customer Service Charges

ENVIRONMENTAL REVIEW

The actions being considered are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15302(c) (Class 2 - Replacement or Reconstruction) because they involve the replacement or reconstruction of existing utility systems and/or facilities involving negligible expansion of capacity, and 15303(d) (Class 3 - New Construction or Conversion of Small Structures), because they involve the construction of new electric utility extensions.

FISCAL IMPACT

The funds to support the staff time for work performed by SVP and related construction materials for the work detailed in this report, totaling $558,957 are included in the Fiscal Year 2021/22 Capital Budget, as indicated by each project appropriation. Of that total amount, $546,434 is in the New Business Estimate Work and $12,523 in the Transmission and Distribution Capital Maintenance and Betterments Capital Improvement Projects in the Electric Utility Capital Fund. All referenced work will be performed with City Electric Forces (SVP staff). Some work associated with encroachment permits may be performed by the Department of Public Works (DPW). DPW costs are recovered through payment of permit fees.

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>.

RECOMMENDATION

Adopt a Resolution authorizing the use of City Electric Forces at 2233 Calle de Mundo, 1550 Space Park Drive, 714 Valley Way, 2375 Pilot Knob, 3234 Martin Avenue, 2870 El Camino Real, 2415 Armstrong Place, 687 Fallon Avenue, 653 Park Court, 2517 Brannan Place, Lawson Lane, 2478 Moraine Drive, 2233 Calle de Mundo, and 2499 Homestead Road.

Reviewed by: Manuel Pineda, Chief Electric Utility Office
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Resolution - Use of City Electric Forces

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA AUTHORIZING THE USE OF CITY ELECTRIC FORCES PURSUANT TO CHARTER SECTION 1310

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the section 1310 of the Charter of the City of Santa Clara generally requires every contract involving an expenditure of over $1,000 for the construction or improvement (excluding maintenance and repair) of public works to be let to the lowest responsible bidder;

WHEREAS, section 1310 permits the City to use its own employees if the City Council, by motion passed by at least four affirmative votes, determines that the work in question may be performed better or more economically by the City's own employees, and, upon such determination, the City may proceed to have the public works project completed without further observance of Charter section 1310;

WHEREAS, the City's Electric Department desires to perform certain public works, as set forth in the Report to Council dated November 9, 2021, by its own employees; and

WHEREAS, the City Council has declared and determined that the work in question may be performed better or more economically by the City with its own employees.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. The City Council of the City of Santa Clara does hereby declare and determine that the public works set forth in the November 9, 2021 Report to Council, attached hereto and incorporated by this reference, may be performed better or more economically by the City with its own employees.

///

///

2. 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. November 9, 2021 Report to Council #21-512

21-1467 **Agenda Date: 11/9/2021**

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT
Request from the Stadium Manager to Execute Agreements with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., and Populous, Inc. for Architectural and Engineering Professional Services

BOARD PILLAR
Ensure Compliance with Measure J and Manage Levi's Stadium

DISCUSSION
On October 5, 2021, the Stadium Manager submitted its original Recommendation for Award memo (Attachment 1), along with supporting procurement documentation, to request approval from the Stadium Authority Board for the following:

1. Execute agreements with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., and Populous, Inc. for architectural and engineering professional services. Each agreement had a five-year term and a not to exceed amount of $1M per contract year and a not to exceed amount of $5M over the five year period (for a collective total of $20M over the five year period between all four agreements); and

2. Issue individual task orders to the four firms for services based on various criteria including demonstrated experience and expertise in specific areas that best meets the needs of a given project and availability of staff for specific projects.

After reviewing the Stadium Manager's request, staff shared best practices for funding architectural and engineering services to the Stadium Manager, asked for information regarding the Stadium Manager's anticipated aggregate spend, and proposed a modification to the request so that it reflected the actual anticipated aggregate spend. That communication between the Stadium Authority and Stadium Manager is included in this report (Attachment 2). The Stadium Manager agreed with staff's recommendation to adjust its request for funding to reflect the anticipated aggregate spend and submitted a revised Recommendation for Award memo (Attachment 3) and new Master Agreements with Task Order Forms (Attachments 4-7). The Stadium Manager's request for approval was revised to the following:

1. Execute five-year Master Agreements with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., and Populous, Inc. for architectural and engineering professional services. The aggregate compensation for the four agreements will not exceed an aggregate maximum of $1M per contract year. Collectively, the request is for an aggregate maximum amount of $5M over the five-year period for the four agreements and is subject to the Board's funding approval as part of the annual budgeting process. The

services will be charged to applicable CapEx and Shared Stadium Expense line items; and

2. Issue individual task orders to the four firms for services based on various criteria including demonstrated experience and expertise in specific areas that best meets the needs of a given project and availability of staff for specific projects. Compensation to the firms will be tracked through approved task orders, and total compensation shall not exceed an aggregate maximum of $1M across the four firms per contract year.

The Stadium Manager's Recommendation for Award describes the Request for Statement of Qualifications process that was implemented, as well as how these services will be funded.

ATTACHMENTS

1. Stadium Manager's Original Recommendation for Award
2. Stadium Authority and Stadium Manager Correspondence Re: Request
3. Stadium Manager's Revised Recommendation for Award
4. Agreement with Hellmuth, Obata & Kassabaum, Inc.
5. Agreement with HKS Architects, Inc.
6. Agreement with M. Arthur Gensler Jr. & Associates, Inc.
7. Agreement with Populous, Inc.

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FORTY NINERS STADIUM MANAGEMENT COMPANY

Date: October 5, 2021

To: Jim Mercurio
Executive Vice President & General Manager

From: Jenti Vandertuig
Procurement Director

Subject: Recommendation for Award RFP FY21-0007 for Levi's Stadium Architectural and Engineering Professional Services

Recommendation

Recommend approval and award contracts to four firms:

- Hellmuth, Obata & Kassabaum, Inc. (HOK),
- HKS Architects, Inc.,
- M. Arthur Gensler Jr. & Associates, Inc.,
- Populous, Inc.

We recommend awarding contracts to each of these firms so that we have a bench of qualified firms that will be available to provide architectural and engineering (A&E) professional services on an as needed basis. Each contract will be for a five-year term, to commence on November 1, 2021 and expire on October 31, 2026.

The amount of each contract shall not exceed $1,000,000 per contract year, and total compensation under each contract shall not exceed $5,000,000 over the five-year period. The term for subsequent fiscal years shall be conditioned upon approval of the Stadium Authority budget for the applicable fiscal year that includes the amounts due under these contracts.

Individual task orders for services will be issued to each of the four firms based on various criteria including demonstrated expertise in specific areas and availability of staff for specific projects. It's important to set the annual not to exceed amount for each contract at $1M to account for situations where we decide to use a single A&E firm to handle a large project; however, we don't foresee a situation where we would issue task orders to all four firms for $1M in any single year. We considered creating a

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mechanism in the four contracts to limit the total cost across all four firms to $1M per year, but that would require that all the firms have visibility to the other firms' billings, which is inappropriate. It is more prudent for the overall annual spending on A&E costs to be governed through the annual budgeting process.

We expect most of the A&E costs incurred under these contracts will be covered in the SCSA Capital Expenditure budget, but there may also be occasions where the firms' charges would be charged to Shared Stadium Expense.

RFSOQ Process

Forty Niners Stadium Management Company LLC ("Stadium Manager") provides management services for Levi's Stadium ("Stadium") on a continual, year around basis, including overseeing the day-to-day operations and maintenance of the Stadium. Stadium Manager identified a need for professional A&E services at the Stadium as part of a multi-year on-call service agreement, including, but not limited to, programming, schematic design, design development, construction documents, construction administration services in connection with construction projects, large repair projects and other projects at the Stadium as identified in subsequently issued task orders.

On May 26, 2021, Stadium Manager issued Request for Statement of Qualifications (RFSOQ) to select qualified firms to provide A&E for Levi's Stadium. Stadium Manager published the RFSOQ on Bonfire Interactive, Stadium Manager's eProcurement portal https://49ers.bonfirehub.com/portal/. In addition to inviting a list of firms on our established supplier list, Stadium Manager also selected firms registered on the portal with specific commodity codes offering various architectural and engineering services such as mechanical engineering, technical drawing, structural engineering, architectural engineering, building construction management, facility infrastructure engineering, mechanical drawing and electrical engineering services.

A non-mandatory virtual Pre-SOQ conference was held on June 7, 2021 at 10:00 a.m. (PST) via Zoom to facilitate an opportunity to clarify questions interested respondents had. Attendance was strong with over 50 people in attendance. No roll call was taken but a Pre-SOQ attendee list was created using the Zoom log in information and made available on the Stadium Manager's eProcurement portal the same day in response to requests from interested respondents. The RFSOQ allowed for questions and objections through June 10, 2021 by 5:00 p.m. (PST). On June 14, 2021, Stadium Manager issued Addendum #1, providing answers to questions received. On June 18, 2021, Stadium Manager issued Addendum #2 providing revised weights for the evaluation criteria in the RFSOQ. The RFSOQ closed on June 23, 2021 at 3:00 p.m. (PDT).

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Ten Statements of Qualifications (SOQ) were received from the following firms on or before the RFSOQ due date and time:

1. HOK
2. M. Arthur Gensler Jr. & Associates, Inc.
3. DLR Group
4. HKS Architects, Inc.
5. RMW
6. SVA Architects, Inc.
7. Populous, Inc.
8. MEIS, Perkins Eastman
9. MEI Architects
10. Joseph Chow & Associates, Inc.

Evaluation Process

An evaluation committee (EC) consisting of subject matter experts was formed. An evaluators' guide outlining the roles and responsibilities of the EC was provided to each EC member to review and execute the following forms to ensure that there was no conflict of interest in evaluating the SOQs:

- RFSOQ Evaluator Guidelines
- Confidentiality Agreement
- Conflict of Interest Disclosure Form

The EC evaluated the SOQs utilizing the evaluation criteria as outlined in the RFSOQ. Since the respondents utilize different titles for the various work roles within their organizations and there is no way to know in advance which specific positions will be used for future task orders over the next five years, a cost analysis and evaluation framework for each of the respondents using their average hourly rates for all position titles was created. Similarly, a consultant hourly rate was developed by using a raw average of all consultant position rates for each respondent. Assuming a 60% architect and 40% consultant billing load, a weighted average composite hourly rate for each respondent was calculated. The responses were scaled giving the least expensive respondent a cost score of 4.5 and the most expensive a cost score of 3.0. The rest of the respondents received scores scaled in between the assumed cost score high of 4.5 and low of 3.0. The purpose of this model was to compare the billing rate quotes from the respondents and generate a fair, representative comparative result for the evaluation process.

Upon completion, the individual EC scores were utilized to compute an "average score," summarized below:

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Evaluation Criteria	Maximum	HOK	Gensler	DLR	HKS	RMW
Proposal Responsiveness	**Pass/Fail**	Pass	Pass	Pass	Pass	Pass
Experience of Firm	*40%*	97.5%	75.0%	65.0%	97.5%	65.0%
Project Team Qualifications and Experience	*30%*	92.5%	77.5%	72.5%	90.0%	67.5%
Project Approach	*20%*	92.5%	77.5%	82.5%	87.5%	75.0%
Cost	*10%*	79.4%	69.0%	74.4%	60.0%	85.2%
Total	***100%***	**93.2%**	**75.7%**	**71.7%**	**89.5%**	**69.8%**

Evaluation Criteria	Maximum	SVA	Populous	Perkins Eastman	MEI	Joseph Chow
Proposal Responsiveness	**Pass/Fail**	Pass	Pass	Pass	Pass	Pass
Experience of Firm	*40%*	70.0%	100%	75.0%	65.0%	60.0%
Project Team Qualifications and Experience	*30%*	70.0%	92.5%	77.5%	65.0%	65.0%
Project Approach	*20%*	70.0%	80.0%	68.0%	75.0%	65.0%
Cost	*10%*	89.0%	65.0%	69.4%	78.2%	90.0%
Total	***100%***	**71.9%**	**90.3%**	**73.8%**	**68.3%**	**65.5%**

Responses were evaluated and scored based on the evaluation and weighting criteria specified in Section 12 of the RFSOQ and associated addenda. HOK, Populous, Inc., HKS Architects, Inc., and M. Arthur Gensler Jr. & Associates, Inc. received the highest rated total scores and were selected to move forward. Stadium Manager conducted clarification meetings with each selected respondent separately and concluded all

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business, legal and cost clarifications including an acceptable subconsultant list under each contract.

Notice of Intended Award

A notice of intended award (NOIA) was issued on September 23, 2021, announcing Stadium Manager's recommended firms. The RFSOQ process includes a ten-day protest period, which commenced with the issuance of the NOIA and ended on October 3, 2021. No protests were received.

Submission of Post-Award Submittals

Once Stadium Manager receives approval from the Stadium Authority Board, the contracts will be executed by both parties and copies forwarded to the Board. Supporting documentation has been provided for review and approval.

As noted above, the cost of these services will be covered under the SCSA Capital Expenditure budget, or under Stadium Operations, Engineering Department, Outside Services.

Submitted By: DocuSigned by: Jenti Vandertuig A4B5666F5BF147D... Date: 10/5/2021
Jenti Vandertuig, Procurement Director

Approved By: DocuSigned by: CC8F2EFA5F32465... Date: 10/5/2021
Jim Mercurio, Executive Vice President & General Manager

From:	Mercurio, Jim
To:	Christine Jung
Cc:	Deanna Santana; Kenn Lee; Sujata Reuter; Mercurio, Jim
Subject:	Re: Architectural and Engineering Professional Services - Recommendation for Award
Date:	Thursday, October 28, 2021 11:22:22 AM
Attachments:	image002.png image003.png

Hi Christine.

Thanks very much for the input.

We have revised the Recommendation for Award referencing the Master Agreements and Task Orders, making it clear that the aggregate annual compensation across all four vendor agreements will not exceed $1M per year.

We have also revised the Master Agreements for the four vendors. Please note that the Task Order form for each vendor is included as Exhibit C.

The revised Recommendation for Award and Master Agreements can be accessed via the link below:

[redacted]

Password: [redacted]

Let us know if you have any further questions.

Thanks,

Jim

Get Outlook for iOS

From: Christine Jung <CJung@SantaClaraCA.gov>
Sent: Tuesday, October 26, 2021 4:39:24 PM
To: Mercurio, Jim <jim.mercurio@49ers.com>
Cc: Deanna Santana <DSantana@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>; Sujata Reuter <SReuter@SantaClaraCA.gov>
Subject: RE: Architectural and Engineering Professional Services - Recommendation for Award

Hi Jim,
Thank you for your response. There are different ways to strategically procure services from multiple vendors without over asking for funds, and the City has used the approach that you referenced. We agree with the example you suggested and are pleased that the Stadium Manager is willing to adjust its recommendation for award to this more flexible, but still fiscally prudent approach. Based on this update, we will need an updated master agreement with a task order form that can be used for all four vendors.

Please send the master agreement with task order form and updated Recommendation for Award at your earliest convenience but no later than 12pm this Thursday, October 28. Thank you in advance for expediting these documents, this deadline will allow us to finalize the corresponding reports in time for the November 9 agenda. If you need more time, please send the documents by next Tuesday, November 2 and we will schedule the item for

the November 16 agenda.

Sincerely,
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, October 25, 2021 2:18 PM
To: Christine Jung <CJung@SantaClaraCA.gov>
Cc: Deanna Santana <DSantana@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>; Sujata Reuter <SReuter@SantaClaraCA.gov>; Mercurio, Jim <jim.mercurio@49ers.com>
Subject: RE: Architectural and Engineering Professional Services - Recommendation for Award

Hi Christine,

Thank you for your team's review and comments. We believe the appropriate path forward is for the annual not-to-exceed amount of each contract to remain at $1,000,000 in order to retain flexibility and efficiency in contracting. With that said, we would certainly support a revised recommendation for award establishing a combined single year aggregate not-to-exceed amount of $1,000,000 for all four contracts absent approval by the Stadium Authority Board.

The example RTC you provided for as-needed traffic engineering consulting support services is not necessarily a comparable scenario. In that case, the City retained consultants for a rather specific and nuanced service presumably understanding each of the three on-call consultants possessed the expert skill and knowledge to perform that specialized service. This in turn allowed the City to operate under the assumption that any of the three consultants could likely perform those services at relatively equal levels thereby mitigating the need to regularly amend all three contracts to shift budget around.

In our submission, there are four firms selected to provide "as-needed" architectural and engineering services, which encompasses an expansive range of services. Each of the firms, of course, possesses areas of specialization within the broader umbrella of architectural and engineering services. In any given year and depending on the sequencing of projects, which must necessarily remain fluid based on variables such as, the dynamic and nature of event scheduling, changes in industry standards, availability of improved products, changes in the competitive landscape from other facilities, evolving customer expectations, and wear and tear that is driven by usage that varies significantly from year to year. This means that the execution of capital projects should remain flexible, despite our maintaining a five year Cap X plan.

In view of these factors, the Stadium Manager may elect to utilize the majority of the annual $1,000,000 budget for architectural and engineering services on only one or two of the four firms based on each firm's unique area of specialization. It would be needlessly cumbersome to have to

amend multiple agreements anytime the Stadium Manager wishes to adjust the not-to-exceed compensation for one because that firm is being used more frequently during a particular year.

We note your concern related to the Stadium Manager ostensibly seeking approval of up to $20 million for the five-year term of the four A&E agreements. This is not the Stadium Manager's intent, and we believe our support of limiting language in the recommendation for award setting a hard annual cap of $1,000,000 in the aggregate for all four agreements subject to amendment by the Stadium Authority Board addresses your concern (i.e., the Stadium Manager is seeking approval of up to $5,000,000 during the five-year term of the four A&E agreements). As noted above, we only wish to maintain flexibility and reduce unnecessary paperwork and administrative burden that would come with having to frequently amend the agreements to shift funds around.

Our proposed path forward is not unique. The City previously entered into contracts with six consultants to provide software consulting and development support services. Rather than splitting the not-to-exceed compensation amount equally amongst the six consultants as it did for the traffic engineering consulting services agreement, the City instead chose to impose a maximum aggregate compensation on all six consultants with the City able to administratively track and control spending under each contract to ensure the total aggregate amount spent did not exceed that maximum aggregate. This is precisely the solution we propose.

Finally, with respect to your question on the budgeted costs of A&E services: A&E costs are included in the budget in two areas: Capital Expenditure estimates generally include an estimate for A&E costs, and Shared Stadium Expenses includes "Professional Services", such as A&E.

Please let us know if you have any questions. Once we receive your concurrence, we are happy to adjust the recommendation for award accordingly.

Thanks very much,

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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49ers.com

From: Christine Jung <CJung@SantaClaraCA.gov>
Sent: Thursday, October 21, 2021 2:05 PM
To: Mercurio, Jim <jim.mercurio@49ers.com>
Cc: Deanna Santana <DSantana@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>; Sujata Reuter <SReuter@SantaClaraCA.gov>
Subject: RE: Architectural and Engineering Professional Services - Recommendation for Award

Hi Jim,

We reviewed the Stadium Manager's request and noted the Stadium Manager's comment in its Recommendation for Award memo that it does not foresee a situation where it would issue combined task orders to all four firms exceeding $4M in any single year. Architectural and engineering design services are normally incorporated into a capital project's budget and on average are about 15% of the project's construction cost. Are these architectural and engineering costs already baked into the FY 2021/22 budgeted CapEx projects, planned CapEx projects and applicable Shared Stadium Expense projects for the upcoming five years? If not, please let us know what process the Stadium Manager used to determine the amount of architectural and engineering services required, along with supporting documentation.

The amount being requested for these costs should be reflective of what the Stadium Manager actually anticipates spending. The City follows an approach of requesting delegated authority from the Council to amend agreements to increase and/or defund within an approved aggregate amount when there are multiple vendor agreements for identical services. The aggregate amount is based on the anticipated spend. This approach allows for flexibility, the ability to receive competitive pricing from multiple proposals, streamlines the Council/Board approval process, and does not tie up unnecessary funds. Attached is a copy of an agenda report that demonstrates this process for City services.

In this proposed instance, the Stadium Manager seeks approval for up to $20 million over five years, when the anticipated spend on capital projects appears to be much lower based on the numbers that were submitted as part of the FY 2021/22 budget process. By using the aggregate amount procurement methodology, it is not necessary to over request public fund expenditure authority and establishes a more transparent and realistic contract authority that is actually required. We propose that the Stadium Manager modify its request so that it reflects the actual anticipated spend.

Please let us know regarding the above questions, provide the requested supporting documentation and the anticipated spend amount for these services for the five years covered by the initial term of the agreements by next Monday, October 25. We are aiming to place this request on the November 9 agenda pending the Stadium Manager's response.

Sincerely,
Christine Jung | Assistant to the Executive Director
1500 Warburton Avenue | Santa Clara, CA 95050
D: 408.615.2218 | www.santaclaraca.gov/scsa

SCSA
SANTA CLARA STADIUM AUTHORITY

From: Mercurio, Jim <jim.mercurio@49ers.com>
Sent: Tuesday, October 5, 2021 2:14 PM
To: Deanna Santana <DSantana@SantaClaraCA.gov>; Christine Jung <CJung@SantaClaraCA.gov>; Ruth Shikada <RShikada@SantaClaraCA.gov>; Kenn Lee <KLee@SantaClaraCA.gov>

Cc: Mercurio, Jim <jim.mercurio@49ers.com>
Subject: Architectural and Engineering Professional Services - Recommendation for Award

Hi Deanna,

The recommendation for award for architectural and engineering professional services and supporting documentation can be downloaded here:

A&E Professional Services RFSOQ for SCSA
[redacted]
Password: [redacted]

Please review and forward to the Board for approval.

Once approved, we will execute the four contracts and forward a copy of each contract to you.

Thank you,

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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FORTY NINERS STADIUM MANAGEMENT COMPANY

Date: October 28, 2021

To: Jim Mercurio
Executive Vice President & General Manager

From: Jenti Vandertuig
Procurement Director

Subject: Recommendation for Award RFP FY21-0007 for Levi's Stadium Architectural and Engineering Professional Services

Recommendation

Recommend approval and award master agreements to the following four firms for a five-year term from November 15, 2021 through November 14, 2026:

- Hellmuth, Obata & Kassabaum, Inc. (HOK),
- HKS Architects, Inc.,
- M. Arthur Gensler Jr. & Associates, Inc.,
- Populous, Inc.

We recommend awarding master agreements to each of these firms so that we have a bench of qualified firms that will be available to provide architectural and engineering (A&E) professional services on an as needed basis. The aggregate compensation collectively under the four agreements shall not exceed $1,000,000 per contract year and $5,000,000 over the five-year period. The term for subsequent fiscal years shall be conditioned upon approval of the Stadium Authority budget for the applicable fiscal year that includes the amounts due under these contracts.

Individual task orders for services will be issued to each of the four firms based on various criteria including demonstrated experience and expertise in specific areas that best meets the needs of a given project and availability of staff for specific projects. Compensation to the firms shall be tracked through approved task orders, and total compensation shall not exceed an aggregate maximum of $1,000,000 across the four firms per contract year.

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We expect most of the A&E costs incurred under these contracts will be covered in the SCSA Capital Expenditure budget, but there may also be occasions where the firms' charges would be charged to Shared Stadium Expense.

RFSOQ Process

Forty Niners Stadium Management Company LLC ("Stadium Manager") provides management services for Levi's Stadium ("Stadium") on a continual, year around basis, including overseeing the day-to-day operations and maintenance of the Stadium. Stadium Manager identified a need for professional A&E services at the Stadium as part of a multi-year on-call service agreement, including, but not limited to, programming, schematic design, design development, construction documents, construction administration services in connection with construction projects, large repair projects and other projects at the Stadium as identified in subsequently issued task orders.

On May 26, 2021, Stadium Manager issued Request for Statement of Qualifications (RFSOQ) to select qualified firms to provide A&E for Levi's Stadium. Stadium Manager published the RFSOQ on Bonfire Interactive, Stadium Manager's eProcurement portal https://49ers.bonfirehub.com/portal/. In addition to inviting a list of firms on our established supplier list, Stadium Manager also selected firms registered on the portal with specific commodity codes offering various architectural and engineering services such as mechanical engineering, technical drawing, structural engineering, architectural engineering, building construction management, facility infrastructure engineering, mechanical drawing and electrical engineering services.

A non-mandatory virtual Pre-SOQ conference was held on June 7, 2021 at 10:00 a.m. (PST) via Zoom to facilitate an opportunity to clarify questions interested respondents had. Attendance was strong with over 50 people in attendance. No roll call was taken but a Pre-SOQ attendee list was created using the Zoom log in information and made available on the Stadium Manager's eProcurement portal the same day in response to requests from interested respondents. The RFSOQ allowed for questions and objections through June 10, 2021 by 5:00 p.m. (PST). On June 14, 2021, Stadium Manager issued Addendum #1, providing answers to questions received. On June 18, 2021, Stadium Manager issued Addendum #2 providing revised weights for the evaluation criteria in the RFSOQ. The RFSOQ closed on June 23, 2021 at 3:00 p.m. (PDT).

Ten Statements of Qualifications (SOQ) were received from the following firms on or before the RFSOQ due date and time:

1. HOK
2. M. Arthur Gensler Jr. & Associates, Inc.
3. DLR Group

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4. HKS Architects, Inc.
5. RMW
6. SVA Architects, Inc.
7. Populous, Inc.
8. MEIS, Perkins Eastman
9. MEI Architects
10. Joseph Chow & Associates, Inc.

Evaluation Process

An evaluation committee (EC) consisting of subject matter experts was formed. An evaluators' guide outlining the roles and responsibilities of the EC was provided to each EC member to review and execute the following forms to ensure that there was no conflict of interest in evaluating the SOQs:

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The EC evaluated the SOQs utilizing the evaluation criteria as outlined in the RFSOQ. Since the respondents utilize different titles for the various work roles within their organizations and there is no way to know in advance which specific positions will be used for future task orders over the next five years, a cost analysis and evaluation framework for each of the respondents using their average hourly rates for all position titles was created. Similarly, a consultant hourly rate was developed by using a raw average of all consultant position rates for each respondent. Assuming a 60% architect and 40% consultant billing load, a weighted average composite hourly rate for each respondent was calculated. The responses were scaled giving the least expensive respondent a cost score of 4.5 and the most expensive a cost score of 3.0. The rest of the respondents received scores scaled in between the assumed cost score high of 4.5 and low of 3.0. The purpose of this model was to compare the billing rate quotes from the respondents and generate a fair, representative comparative result for the evaluation process.

Upon completion, the individual EC scores were utilized to compute an "average score," summarized below:

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Proposal Responsiveness	**Pass/Fail**	Pass	Pass	Pass	Pass	Pass

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Responses were evaluated and scored based on the evaluation and weighting criteria specified in Section 12 of the RFSOQ and associated addenda. HOK, Populous, Inc., HKS Architects, Inc., and M. Arthur Gensler Jr. & Associates, Inc. received the highest rated total scores and were selected to move forward. Stadium Manager conducted clarification meetings with each selected respondent separately and concluded all business, legal and cost clarifications including an acceptable subconsultant list under each contract.

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DocuSigned by:
Jenti Vandertuig
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Submitted By: _____ Date: 10/28/2021

Jenti Vandertuig, Procurement Director

DocuSigned by:
CC8F2EFA5F32465...

Approved By: _____ Date: 10/28/2021

Jim Mercurio, Executive Vice President & General Manager

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC
PROFESSIONAL SERVICES AGREEMENT
ARCHITECTURAL AND ENGINEERING SERVICES

This Agreement is made and entered into as of this Fifteenth day of November, 2021 (the "Effective Date"), by and between the Forty Niners Stadium Management Company LLC, a Delaware limited liability company ("Stadium Manager") and Hellmuth, Obata & Kassabaum, Inc., a Missouri corporation registered to do business in California with its principal place of business at One Bush Street, Suite 200, San Francisco, CA 94104 ("Consultant"). Stadium Manager and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

RECITALS

A. Stadium Manager is managing Levi's Stadium, which is owned by the Santa Clara Stadium Authority, a joint exercise of powers entity, created through Government Code sections 6500 *et seq*. and is in need of professional services for the following project:

Professional architectural and engineering services at Levi's Stadium, 4900 Marie P. DeBartolo Way, Santa Clara, CA 95054 (the "Stadium") as part of a multi-year on-call service agreement, including, but not limited to, programming, schematic design, design development, construction documents, construction administration services in connection with construction projects, large repair projects and other projects at the Stadium as identified in subsequently issued task orders (hereinafter referred to as the "Project").

B. Consultant is duly licensed and has the necessary qualifications to provide such services on the Project. Consultant desires to perform and assume responsibility for the provision of certain professional services required by Stadium Manager on the terms and conditions set forth in this Agreement and in the task order(s) to be issued pursuant to this Agreement ("Task Order").

C. The Parties desire by this Agreement to establish the terms for Stadium Manager to retain Consultant to provide the services described herein.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Services.

Consultant shall provide the Stadium Manager with the services in the State of California described in the Scope of Services attached hereto as Exhibit "A." The services shall be more particularly described in the individual Task Order issued by the Stadium Manager or its designee. No services shall be performed unless authorized by a fully executed Task Order in the form attached hereto as Exhibit "C". Both parties must agree to the terms of an individual Task Order, and execute the same prior to proceeding with services under this Agreement.

2. Compensation.

a. Consultant shall receive compensation, including authorized reimbursements, for all services rendered under this Agreement at the rates set forth in the Schedule of Charges attached hereto as Exhibit "B" and incorporated herein by this reference.

b. The maximum compensation for services to be provided pursuant to each Task Order shall be set forth in the relevant Task Order. Each Task Order shall set forth the total aggregate compensation paid to Consultant for the services set forth in the Task Order and a separate not-to-exceed amount for all printing and other reimbursable expenses (as defined in Exhibit "B" attached hereto). The Stadium Manager will not pay for any printing or other reimbursable expenses incurred in excess of the not-to-exceed amount set forth in the Task Order.

c. Periodic payments shall be made within 30 days of receipt of an invoice which includes a detailed description of the work performed. Payments to Consultant for work performed will be made on a monthly billing basis.

3. Additional Work.

If changes in the work seem merited by Consultant or the Stadium Manager, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a letter outlining the changes shall be forwarded to the Stadium Manager by Consultant with a statement of estimated changes in fee or time schedule. An amendment to this Agreement shall be prepared by the Stadium Manager and executed by both Parties before performance of such services, or the Stadium Manager will not be required to pay for the changes in the scope of work. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

4. Maintenance of Records.

Books, documents, papers, accounting records, and other evidence pertaining to costs incurred shall be maintained by Consultant and made available at all reasonable times during the contract period and for four (4) years from the date of final payment under the contract for inspection by Stadium Manager.

5. Time of Performance.

The term of this Agreement shall be five (5) years from **November 15, 2021 to November 14, 2026**, unless earlier terminated as provided herein. If a Task Order is issued during this timeframe, it will be completed subject to these terms. Consultant shall act in accordance with the Standard of Care to meet any other established schedules and deadlines set forth in each individual Task Order issued by the Stadium Manager. All applicable indemnification provisions of this Agreement shall remain in effect following the termination of this Agreement.

6. Delays in Performance.

a. Neither Stadium Manager nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this Agreement, such circumstances include but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; pandemics; war; riots and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage or judicial restraint.

b. Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

7. Compliance with Law.

a. Consultant shall act in accordance with the Standard of Care to comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government, including Cal/OSHA requirements.

b. If required, Consultant shall assist the Stadium Manager, as requested, in obtaining and maintaining all permits required of Consultant by federal, state and local regulatory agencies.

c. If applicable, Consultant is responsible for all costs of clean up and/ or removal of hazardous and toxic substances spilled to the extent resulting from his or her services or operations performed under this Agreement.

8. Standard of Care

Notwithstanding anything to the contrary herein, or incorporated herein, Consultant's services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions ("Standard of Care").

9. Assignment and Subconsultant

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the Stadium Manager, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement. Nothing contained herein shall prevent Consultant from employing independent associates, and subconsultants as Consultant may deem appropriate to assist in the performance of services hereunder.

10. Independent Contractor

Consultant is retained as an independent contractor and is not an employee of Stadium Manager. No employee or agent of Consultant shall become an employee of Stadium Manager. The work to be performed shall be in accordance with the work described in this Agreement, subject to such directions and amendments from Stadium Manager as herein provided.

11. Insurance. Consultant shall not commence work for the Stadium Manager until it has provided evidence satisfactory to the Stadium Manager it has secured all insurance required under this section. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required under this section.

a. Commercial General Liability

(i) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the Stadium Manager.

(ii) Coverage for Commercial General Liability insurance shall be at least as broad as the following:

(1) Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent.

(iii) Commercial General Liability Insurance must include coverage for the following:

(1) Bodily Injury and Property Damage
(2) Personal Injury/Advertising Injury
(3) Premises/Operations Liability
(4) Products/Completed Operations Liability
(5) Aggregate Limits that Apply per Project
(6) Explosion, Collapse and Underground (UCX) exclusion deleted
(7) Contractual Liability with respect to this Agreement
(8) Property Damage
(9) Independent Contractors Coverage

(iv) The policy shall contain no endorsements or provisions limiting coverage for (1) cross liability exclusion for claims or suits by one insured against another; or (2) products/completed operations liability.

(v) The policy shall give Stadium Manager, Forty Niners SC Stadium Company LLC, Forty Niners Football Company LLC, the Santa Clara Stadium Authority, and the City of Santa Clara, their officials, officers, employees, and designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10, or endorsements providing the exact same coverage.

(vi) Not used.

b. Automobile Liability

(i) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for any auto, including those owned, non-owned, hired or otherwise operated or used by or on behalf of Contractor, in a form and with insurance companies acceptable to the Stadium Manager.

(ii) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(iii) The policy shall give Stadium Manager, Forty Niners SC Stadium Company LLC, Forty Niners Football Company LLC, the Santa Clara Stadium Authority, and the City of Santa Clara, their officials, officers, employees, and designated volunteers additional insured status.

(iv) Not used.

c. Workers' Compensation/Employer's Liability

(i) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(ii) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this section.

d. Professional Liability (Errors and Omissions)

At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies reasonably acceptable to the Stadium Manager and in an amount indicated herein. This insurance shall be on a policy form specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement.

e. Minimum Policy Limits Required

(i) The following insurance limits are required for the Agreement:

	Combined Single Limit
Commercial General Liability	$2,000,000 per occurrence/$4,000,000 aggregate for bodily injury, personal injury, and property damage
Automobile Liability	$1,000,000 combined single limit
Employer's Liability	$1,000,000 per accident or disease
Professional Liability	$5,000,000 per claim and aggregate (errors and omissions)

(ii) Not used.

(iii) Requirements of specific coverage or limits contained in this section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

f. Evidence Required

Prior to execution of the Agreement, the Consultant shall file with the Stadium Manager evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

g. Policy Provisions Required

(i) Consultant shall provide the Stadium Manager at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the Stadium Manager as soon as reasonably practicable but in any event within fourteen (14) days of the effective date of cancellation or expiration.

(ii) The Commercial General Liability Policy and Automobile Policy shall each be primary insurance and that any insurance, self-insurance or other coverage maintained by the Stadium Manager or any named insureds shall not be called upon to contribute to any loss caused solely by Consultant.

(iii) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase appropriate coverage to cover meet the requirements hereunder if A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(iv) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to provide a waiver of subrogation in favor of the Stadium Manager, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against Stadium Manager, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(v) The limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the Stadium Manager and shall not preclude the Stadium Manager from taking such other actions available to the Stadium Manager under other provisions of the Agreement or law.

h. Qualifying Insurers

(i) All policies required shall be issued by acceptable insurance companies, as determined by the Stadium Manager, which satisfy the following minimum requirements:

(1) Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and authorized to transact in the business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

i. Additional Insurance Provisions

(i) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the Stadium Manager, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(ii) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced resulting in a material gap in coverage, Stadium Manager has the right but not the duty to obtain the insurance reasonably necessary and any premium paid by Stadium Manager will be promptly reimbursed by Consultant or Stadium Manager will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, Stadium Manager may cancel this Agreement.

(iii) At the Stadium Manager's request, the Consultant shall permit the Stadium Manager and its agents and designees to inspect complete copies of all insurance policies required by this Agreement but Consultant may redact proprietary information and may require that Stadium Manager to enter into a reasonable non-disclosure agreement.

(iv) Neither the Stadium Manager, Consultant nor any of their respective officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

j. Subconsultant Insurance Requirements. Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the Stadium Manager that they have secured all types of insurance required under this section. However, Consultant shall be entitled to reasonably determine the insurance limits required by each of its subconsultants. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the Stadium Manager as an additional insured using ISO forms CG 20 10 10 01 and 20 37 10 01 or an endorsement providing the exact same coverage. If requested by Consultant, Stadium Manager may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

12. Indemnification.

a. To the fullest extent permitted by law, Consultant shall defend (for claims other than professional liability claims -- with counsel of Stadium Manager's reasonable choosing), indemnify and hold Stadium Manager, the Santa Clara Stadium Authority, the City of Santa Clara, their affiliates, and each of their respective officers, directors, managers, members, partners, owners, employees, and authorized volunteers, and any mortgagee, bond trustee or other financial institution from time to time holding a line or indenture upon an interest in Levi's Stadium, and each of them (collectively, the "Indemnified Parties") free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner to the extent arising out of any negligent acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's services, the Project, any Task Order or this Agreement, including without limitation the payment of all reasonable damages, expert witness fees and attorney's fees and other related costs and expenses. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, the Indemnified Parties.

b. If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance of "design professional" services (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

13. California Labor Code Requirements.

a. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). If the services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant shall defend, indemnify and hold the Indemnified Parties free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

b. If the services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such services must be registered with the Department of Industrial Relations. Consultant shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

c. It shall be Consultant's sole responsibility to comply with, and maintain adequate records of its adherence to, all applicable registration and labor compliance requirements. Proof of such compliance may include Contractor registration with the Department of Industrial Relations, California certified payroll form A-131, statements of non-performance for work not undertaken at any point during the project, DAS 140/142 forms for all apprenticeable crafts or trades, and proper fringe benefits statements. At any time during or subsequent to the full performance of the services under this Agreement, Stadium Manager and/or the Santa Clara Stadium Authority may require Contractor to produce complete and adequate compliance records,

subject to Stadium Manager and/or the Santa Clara Stadium Authority's satisfaction, prior to release of payment.

d. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. Any stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the Stadium Manager. Consultant shall defend, indemnify and hold the Indemnified Parties free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor.

14. Verification of Employment Eligibility.

By executing this Agreement, Consultant verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time, and shall require all subconsultants and sub-subconsultants to comply with the same.

15. **Reserved**

16. Laws and Venue.

This Agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of Santa Clara, State of California.

17 Termination or Abandonment

a. Stadium Manager has the right to terminate or abandon any portion or all of the work under this Agreement by giving ten (10) calendar days written notice to Consultant. In such event, Stadium Manager shall be immediately given title and possession to all original field notes, drawings and specifications, written reports and other documents produced or developed for that portion of the work completed and/or being abandoned. Stadium Manager shall pay Consultant the reasonable value of services rendered for any portion of the work completed prior to termination. If said termination occurs prior to completion of any task for the Project for which a payment request has not been received, the charge for services performed during such task shall be the reasonable value of such services, based on an amount mutually agreed to by Stadium Manager and Consultant of the portion of such task completed but not paid prior to said termination. Stadium Manager shall not be liable for any costs other than the charges or portions thereof which are specified herein. Consultant shall not be entitled to payment for unperformed services, and shall not be entitled to damages or compensation for termination of work.

b. Consultant may terminate its obligation to provide further services under this Agreement upon thirty (30) calendar days' written notice to Stadium Manager only in the event of substantial failure by Stadium Manager to perform in accordance with the terms of this Agreement through no fault of Consultant. Failure to remit payment for any reason for more than

sixty (60) days past the deadline for such payment shall qualify as "substantial failure" for purposes of this subsection.

18 Documents. Except as otherwise provided in "Termination or Abandonment," above, all original field notes, written reports, Drawings and Specifications and other documents, produced or developed for the Project shall, upon payment in full for the services described in this Agreement, be furnished to and become the property of the Stadium Manager.

19. Organization

a. Consultant shall assign Shannon Bartch as Project Manager. The Project Manager shall not be removed from the Project or reassigned without the prior written consent of the Stadium Manager.

b. Consultant represents that all persons or entities who provide or directly supervise any architectural or engineering services for the Project will be duly licensed to practice under the laws of the State of California. Each Task Order shall set forth a list of the key personnel and subconsultants who will be providing the services under the Task Order (the "Key Personnel and Subconsultants"). Prior to the parties' execution of a Task Order Consultant shall provide, for Stadium Manager's review and approval, it proposed list of the key personnel and subconsultants. No substitutions of any Key Personnel and Subconsultants may be made by Consultant without the prior written consent of Stadium Manager, which consent shall not be unreasonably withheld. If any Key Personnel are no longer employed by Consultant, then Consultant shall notify Stadium Manager within five (5) days after learning of such event where such Key Personnel are providing architectural or engineering services on a specific Project. Consultant shall provide a replacement of any Key Personnel within fourteen (14) days after such event. Stadium Manager shall have the right to approve the proposed replacement in advance of an assignment to the Project.

20. Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described above and in each Task Order.

21. Notice

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to:

STADIUM MANAGER:	CONSULTANT:
Forty Niners Stadium Management Company LLC 4900 Marie DeBartolo Way Santa Clara, CA 95054 Attn: Ryan van Maarth, Vice President, Stadium Operations and Strategic Planning	HOK - San Francisco Office One Bush Street, Suite 200 San Francisco, CA 94104 Attn: Anton Foss, Managing Principal

With copy to:

Legal Affairs
Forty Niners Stadium Management Company LLC
4949 Marie P. DeBartolo Way
Santa Clara, CA 95054

With copy to:

HOK – St. Louis Office
10 S. Broadway, Suite 200
St. Louis, MO 63102

Attn: Lisa Green, General Counsel

and shall be effective upon receipt thereof.

22. Third Party Rights

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Stadium Manager and the Consultant.

23. Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or other interests protected by the State or Federal Constitutions. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

24. Entire Agreement

This Agreement, with its exhibits, represents the entire understanding of Stadium Manager and Consultant as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

25. Severability

The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the remaining provisions unenforceable, invalid or illegal.

26. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of Stadium Manager. Any attempted assignment without such consent shall be invalid and void.

27. Non-Waiver

None of the provisions of this Agreement shall be considered waived by either party, unless such waiver is specifically specified in writing.

28. Time of Essence

Subject to the Standard of Care, time is of the essence for each and every provision of this Agreement.

29. Stadium Manager's Right to Employ Other Consultants

Stadium Manager reserves its right to employ other consultants, including engineers, in connection with this Project or other projects.

30. Disputes

All disputes between Consultant and the Stadium Manager relating in any way to this Agreement or any work performed under this Agreement (including, but not limited to, claims for breach of contract, tort, discrimination, harassment and any violation of federal or state law, regulation or constitution) ("Arbitrable Claims") shall be resolved by binding arbitration under the Federal Arbitration Act, in conformity with the procedures of the California Arbitration Act (Cal. Code Civ. Proc. § 1280 *et seq*., including § 1283.05 and all of the Act's other mandatory and permissive rights to discovery). In addition to any other requirements imposed by law, the arbitrator selected shall be a retired California Superior Court Judge, or otherwise qualified individual to whom the parties mutually agree, and shall be subject to disqualification on the same grounds as would apply to a judge of such court. All rules of pleading (including the right of demurrer), all rules of discovery, all rules of evidence, all rights to resolution of the dispute by means of motions for summary judgment, judgment on the pleadings and all other dispositive motions, and judgment under Code of Civil Procedure § 631.8 shall apply and be observed. Resolution of the dispute shall be based solely upon the law governing the claims and defenses pleaded, and the arbitrator may not invoke any basis other than such controlling law. The arbitrator shall have the immunity of a judicial officer from civil liability when acting in the capacity of an arbitrator, which immunity supplements any other existing immunity. Likewise, all communications during or in connection with the arbitration proceedings are privileged in accordance with Cal. Civil Code § 47(b). As reasonably required to allow full use and benefit of this agreement's modifications to the Act's procedures, the arbitrator shall extend the times set by the Act for the giving of notices and setting of hearings. Awards shall include the arbitrator's written reasoned opinion. **The Parties understand and agree to this binding arbitration provision, and both Consultant and the Stadium Manager give up their right to trial by jury of any claim they may have against each other.**

31. Prohibited Interests

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission,

percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, Stadium Manager shall have the right to rescind this Agreement without liability. For the term of this Agreement, no director, official, officer or employee of Stadium Manager, during the term of his or her service with Stadium Manager, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

32. Right to Rely

Stadium Manager shall provide data, plans, information and documentation ("Materials") reasonably requested by the Consultant to perform its services under the Agreement so long as such Materials are in the possession of or reasonably available to Stadium Manager. Consultant shall be entitled to reasonably rely on such information consistent with the Standard of Care.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURE PAGE FOR ON-CALL PROFESSIONAL SERVICES AGREEMENT
ARCHITECTURAL AND ENGINEERING SERVICES
BETWEEN THE FORTY NINERS STADIUM MANAGEMENT COMPANY LLC
AND HELLMUTH, OBATA & KASSABAUM, INC.

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the Effective Date.

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC	**HELLMUTH, OBATA & KASSABAUM, INC.**
By: _____	By: _____
Its: _____	Its: _____
Printed Name:_____	Printed Name:_____

EXHIBIT A

Scope of Services

The architectural and engineering services that may be included in a Task Order for a Project include, but are not limited to, the following:

A. Architectural and Engineering:

1. Architectural design
2. Electrical engineering
3. Mechanical engineering
4. Plumbing engineering
5. Civil engineering
6. Landscape architectural
7. Structural engineering
8. Fire protection engineering
9. Fire alarm and EMS design
10. Hazardous abatement assessment
11. Waterproofing
12. Geotechnical engineering
13. Acoustic design
14. Audio, video, communications, low voltage and information Technology design
15. Security engineering
16. Wayfinding signage design
17. Signage, branding, theming graphics, and experiential design
18. ADA design and consulting
19. Concessions, merchandising and catering services / kitchen service equipment design services
20. Interior design
21. Sport and specialty lighting design
22. Vertical transportation design and engineering
23. Traffic and pedestrian engineering
24. Telecommunications, high density Wi-Fi and neutral host Distributed Antenna System (DAS)
25. Survey and Mapping

B. Other Services:

1. Project verification and analysis
2. Project schedule and phasing
3. Project development
4. Building code analysis
5. Field investigation
6. ADA evaluations

7. Site Line Evaluations
8. Design development of bid documents including
    a. Schematic Design
    b. Design Development
    c. Construction Documents and Specifications Building Information Modeling (BIM) Services, if needed
    d. Permit Approval from Authorities Having Jurisdiction
9. Bid and contract award assistance
10. Construction Administration services including
    a. Submittal and shop drawing reviews
    b. Contractor Requests For Information (RFI) response
    c. Site visits
    d. Field observation reports
    e. Change order administration
    f. Punch list administration
    g. Mechanical commissioning as needed
    h. Preparation of final record drawings from the Contractor's as-built drawings, as necessary
    i. Close out support, including cost estimates for outstanding or unfinished elements.
11. LEED and sustainability studies, including energy modeling, building analysis and commissioning
12. Energy consumption analysis
13. Data collection
14. Cost estimating

EXHIBIT B

Schedule of Charges/Payments

Consultant will invoice Stadium Manager on a monthly cycle. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each task. Consultant will inform Stadium Manager regarding any out-of-scope work being performed by Consultant. Any mutually agreed upon unexpected costs to be reimbursed by Stadium Manager shall be approved in writing by Stadium Manager prior to being incurred by Consultant, provided Consultant has furnished proper documentation of such authorized expenses as the Stadium Manager may reasonably request. This is a time-and-materials contract.

Consultant's Cost Proposal is attached hereto as **Attachment B-1** and includes the hourly billing rates that will apply throughout the term of this Agreement for services provided by Consultant and its Subconsultants.

Attachment B-1

Consultant's Cost Proposal

1. General

Consultant's pricing for architectural and engineering services is set forth in the tables provided below:

Respondent: HOK (Architecture, Interior design, Landscape and Planning)

Position/Title	Year 1	Year 2	Year 3	Year 4	Year 5
HOK Architecture					
Design Principal	$370.00	$375.00	$385.00	$385.00	$385.00
Managing Principal	$370.00	$375.00	$385.00	$385.00	$385.00
Director	$300.00	$305.00	$315.00	$325.00	$335.00
Sr. Architect	$285.00	$285.00	$290.00	$295.00	$300.00
Regional Leader	$250.00	$250.00	$255.00	$260.00	$265.00
Practice Leader	$245.00	$245.00	$250.00	$255.00	$260.00
Sr. Project Designer	$255.00	$260.00	$265.00	$270.00	$275.00
Sr. Specification Writer	$225.00	$225.00	$230.00	$235.00	$240.00
Sr. Project Architect	$220.00	$225.00	$230.00	$235.00	$240.00
Project Manager	$190.00	$195.00	$200.00	$205.00	$210.00
Project Architect	$175.00	$180.00	$185.00	$190.00	$195.00
Project Designer	$175.00	$180.00	$185.00	$190.00	$195.00
Sr. Design Professional	$140.00	$145.00	$150.00	$155.00	$160.00
Architect	$140.00	$145.00	$145.00	$150.00	$150.00
Project Administrator	$130.00	$135.00	$135.00	$140.00	$140.00
Visualization Specialist	$120.00	$125.00	$125.00	$130.00	$130.00
Design Professional	$110.00	$115.00	$115.00	$120.00	$120.00
Intern / Admin	$70.00	$70.00	$75.00	$75.00	$80.00

HOK Interior Design					
Director of Interiors	$255.00	$255.00	$260.00	$260.00	$260.00
Regional Leader, Interiors	$240.00	$245.00	$250.00	$255.00	$260.00
Practice Leader, Interiors	$220.00	$225.00	$230.00	$235.00	$240.00
Sr. Project Manager, Interiors	$185.00	$190.00	$195.00	$200.00	$205.00
Sr. Technical Coordinator, Interiors	$185.00	$190.00	$195.00	$200.00	$205.00
Sr. Project Interior Designer	$160.00	$165.00	$170.00	$175.00	$180.00
Interior Designer	$135.00	$140.00	$145.00	$150.00	$155.00
Sr. Interior Design Professional	$125.00	$130.00	$135.00	$140.00	$145.00
Interior Design Professional	$100.00	$105.00	$110.00	$115.00	$120.00
HOK Landscape & Planning					
Director, Landscape	$290.00	$290.00	$295.00	$295.00	$295.00
Sr. Urban Designer	$175.00	$180.00	$185.00	$190.00	$195.00
Project Manager	$175.00	$180.00	$185.00	$190.00	$195.00
Sr. Landscape Architect	$170.00	$175.00	$180.00	$185.00	$190.00
Sr. Landscape Design Professional	$165.00	$170.00	$175.00	$180.00	$185.00
Urban Designer	$160.00	$165.00	$170.00	$175.00	$180.00
Sr. Planning Design Professional	$130.00	$135.00	$140.00	$145.00	$150.00
Landscape Design Professional	$105.00	$110.00	$115.00	$120.00	$125.00
Planning Design Professional	$105.00	$110.00	$115.00	$120.00	$125.00

Subconsultant 1	**Name:** Magnusson Klemencic Associates (Structural)				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Ron Klemencic	$400	$412	$424	$437	$450
Senior Principal (Senior VP)	$350	$361	$372	$383	$394
Principal	$300	$309	$318	$328	$338
Senior Associate	$250	$258	$266	$274	$282
Associate	$215	$221	$228	$235	$242
Senior Engineer	$180	$185	$191	$197	$203
Engineer	$150	$155	$160	$165	$170
Senior BIM Specialist	$175	$180	$186	$192	$198
BIM Specialist	$140	$144	$148	$152	$157
Administrative Support	$105	$108	$111	$114	$117

Subconsultant 2	**Name:** Meyers + Engineers (MEP / FP / Sport & Specialty Lighting)				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Principal	$300	$300	$300	$306	$312.12
Associate Principal	$240	$240	$240	$244.80	$249.70
Senior Associate	$215	$215	$215	$219.30	$223.69
Associate	$200	$200	$200	$204	$208.08
Senior Engineer	$175	$175	$175	$178.50	$182.07
Engineer	$150	$150	$150	$153	$156.06
Design Engineer	$130	$130	$130	$132.60	$135.25
Designer	$110	$110	$110	$112.20	$114.44
BIM Coordinator	$125	$125	$125	$127.50	$130.05
BIM Specialist	$110	$110	$110	$112.20	$114.44
Administration	$90	$90	$90	$91.80	$93.64

Subconsultant 3	**Name:** Verde Design, Inc. (Civil)				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Principal	$245	$255	$265	$270	$275
Project Manager – Level 4	$230	$240	$250	$255	$260
Professional Engineer II	$175	$180	$185	$190	$195
Professional Engineer I	$160	$165	$170	$175	$180
Job Captain/ CA	$145	$150	$155	$160	$165

Subconsultant 4	**Name:** WJHW - Wrightson, Johnson, Haddon & Williams, Inc. (Acoustics, Audio, Video, Communications, Low Voltage and Information Technology design, Security Engineering, Telecommunications, High density Wi-Fi and neutral host Distributed Antenna System (DAS))				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Chris Williams/ Principal-In-Charge	$200	$204	$209	$214	$219
Daniel Riess / Project Manager / Associate	$185	$189	$193	$197	$20
Kevin Day / Associate Principal/Sound & AV Systems	$200	$204	$209	$214	$219
Michael Darby/ Senior Consultant/Telecommunications	$185	$189	$193	$197	$201
Jack McCallum/ Associate Principal/Low-Voltage/Broadcast	$200	$204	$209	$214	$219
Emily Piersol/ Associate/Acoustics	$185	$189	$193	$197	$201
Kevin Walrad/Associate/Security	$185	$189	$193	$197	$201

Subconsultat 5 – Deleted.

Subconsultant 6	**Name:** Forza Consultants (Fire Protection, Life Safety, Building Code, Accessibility design & consulting)				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Project Manager / Code Consultant	$175	$175	$175	$175	$175

Subconsultant 7	**Name:** Duray J.F. Duncan Industries, Inc. (Concessions/ Kitchen service equipment design services)				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Project Executive	$200	$200	$200	$225	$225
Senior Design Principal	$175	$175	$175	$195	$195
Project Manager	$150	$150	$150	$180	$180
Technical Service Manager	$125	$125	$125	$140	$140
Designer/Revit Modeler	$100	$100	$100	$115	$115
Project Administrator	$75	$75	$75	$85	$85

Subconsultant 8	**Name:** Aurum Consulting Engineers (Fire Alarm and EMS design)				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Engineering Director	$205	$205	$217	$224	$231
Senior Project Manager	$183	$189	$195	$200	$206
Project Manager	$178	$184	$189	$195	$201
Electrical Designer	$168	$173	$178	$183	$188
CADD Manager	$131	$135	$139	$143	$147
Drafter	$113	$117	$120	$124	$128

Subconsultant 9	**Name:** Rider Levett Bucknall (Cost Consulting)				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Executive Vice President	$210	$216	$222	$229	$236
Associate	$165	$170	$175	$180	$185
Senior Cost Manager	$150	$155	$160	$165	$170
Cost Manager	$135	$139	$143	$147	$151
Cost Estimator	$115	$118	$122	$126	$130

Reimbursable expenses will be invoiced at actual cost, no markup.

Consultant has provided hourly rates for the major disciplines. Hourly rates can be provided for all subconsultants listed in our proposal as needed.

HOK will comply with all prevailing wage requirements as applicable.

2. <u>Prevailing Wage Requirements (If Applicable to a particular Project)</u>

a. In the cost proposal for each Task Order, identify the assigned employees/staff positions who shall be paid in accordance with State of California prevailing wage requirements.

b. It's Consultant's responsibility to comply with prevailing wage requirements and assure assigned staff are property classified and paid at the proper rate.

3. <u>Reimbursable Expenses</u>

Reimbursable Expenses are in addition to compensation for Consultant's services and include reasonable expenses incurred by and Consultant and its subconsultants directly related to the performance of services under a Task Order. Such Reimbursable Expenses are as follows:

a. Transportation and out-of-town travel and subsistence, if authorized in advance by the Stadium Manager.

b. Dedicated data and communication services and project websites, and extranets, if authorized in advance by the Stadium Manager.

c. Permitting and other fees required by authorities having jurisdiction over any project Consultant is tasked with performing under the awarded contract.

d. Printing, reproductions, plots and standard form documents.

e. Postage, handling, and delivery of any instruments of service or deliverables.

f. Renderings, physical models, mock-ups, professional photography and presentation materials requested by the Stadium Manager or required under a Task Order, excluding computer-generated renderings, models and mockups prepared by the Architect's in-house staff during the course of design.

g. All taxes (except sales tax and B&O tax) levied on professional services and on reimbursement expenses.

h. Site office expenses, if authorized in advance by the Stadium Manager.

i. Other similar project-related expenditures, if authorized in advance by the Stadium Manager.

j. Consultant will be required to prepare an estimate of reimbursable expenses in connection with each Task Order issued by the Stadium Manager. Consultant shall not exceed the estimated cost of such expenses without the Stadium Manager's prior written approval.

EXHIBIT C

Sample Task Order Form

Task Order No. _____

Agreement: Professional Services Agreement, dated as of November 15, 2021

Consultant: Hellmuth, Obata & Kassabaum, Inc.

The Consultant is hereby authorized to perform the following services subject to the provisions of the Agreement identified above:

The following are the Key Personnel and Subconsultants who will be providing the services:

List any attachments: (Please provide if any.)

Dollar Amount of Task Order: Not to exceed $_____

Completion Date: _____

The undersigned Consultant hereby agrees that it will provide all equipment, furnish all materials, except as may be otherwise noted above, and perform all services for the work above specified in accordance with the Agreement identified above and will accept as full payment therefore the amount shown above. The terms and conditions of the Agreement identified above are incorporated herein by reference.

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC	**HELLMUTH, OBATA & KASSABAUM, INC.**
Dated: _____	Dated: _____
By: _____	By: _____

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC
PROFESSIONAL SERVICES AGREEMENT
ARCHITECTURAL AND ENGINEERING SERVICES

This Agreement is made and entered into as of the Fifteenth day of November, 2021 (the "Effective Date"), by and between the Forty Niners Stadium Management Company LLC, a Delaware limited liability company ("Stadium Manager"), and HKS Architects, Inc., a _____ corporation having an address at 539 Bryant Street, Suite 100, San Francisco, CA 94107 ("Consultant"). Stadium Manager and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

RECITALS

A. Stadium Manager is managing Levi's Stadium, which is owned by the Santa Clara Stadium Authority, a joint exercise of powers entity, created through Government Code sections 6500 *et seq*. and is in need of professional services for the following project:

Professional architectural and engineering services at Levi's Stadium, 4900 Marie P. DeBartolo Way, Santa Clara, CA 95054 (the "Stadium") as part of a multi-year on-call service agreement, including, but not limited to, programming, schematic design, design development, construction documents, construction administration services in connection with construction projects, large repair projects and other projects at the Stadium as identified in subsequently issued task orders (hereinafter referred to as the "Project").

B. Consultant is duly licensed and has the necessary qualifications to provide such services on the Project. Consultant desires to perform and assume responsibility for the provision of certain professional services required by Stadium Manager on the terms and conditions set forth in this Agreement and in the task order(s) to be issued pursuant to this Agreement ("Task Order").

C. The Parties desire by this Agreement to establish the terms for Stadium Manager to retain Consultant to provide the services described herein.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Services.

Consultant shall provide the Stadium Manager with the services described in the Scope of Services attached hereto as Exhibit "A." The services shall be more particularly described in the individual Task Order issued by the Stadium Manager or its designee. No services shall be performed unless authorized by a fully executed Task Order in the form attached hereto as Exhibit "C".

2. Compensation.

a. Consultant shall receive compensation, including authorized reimbursements, for all services rendered under this Agreement at the rates set forth in the Schedule of Charges attached hereto as Exhibit "B" and incorporated herein by this reference.

b. The maximum compensation for services to be provided pursuant to each Task Order shall be set forth in the relevant Task Order. Each Task Order shall set forth the total aggregate compensation paid to Consultant for the services set forth in the Task Order and a separate not-to-exceed amount for all printing and other reimbursable expenses (as defined in Exhibit "B" attached hereto). The Stadium Manager will not pay for any printing or other reimbursable expenses incurred in excess of the not-to-exceed amount set forth in the Task Order.

c. Periodic payments shall be made within 30 days of receipt of an invoice which includes a detailed description of the work performed. Payments to Consultant for work performed will be made on a monthly billing basis.

3. Additional Work.

If changes in the work seem merited by Consultant or the Stadium Manager, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a letter outlining the changes shall be forwarded to the Stadium Manager by Consultant with a statement of estimated changes in fee or time schedule. An amendment to this Agreement shall be prepared by the Stadium Manager and executed by both Parties before performance of such services, or the Stadium Manager will not be required to pay for the changes in the scope of work. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

4. Maintenance of Records.

Books, documents, papers, accounting records, and other evidence pertaining to costs incurred shall be maintained by Consultant and made available at all reasonable times during the contract period and for four (4) years from the date of final payment under the contract for inspection by Stadium Manager.

5. Time of Performance.

The term of this Agreement shall be five (5) years from **November 15, 2021 to November 14, 2026**, unless earlier terminated as provided herein. Consultant shall complete the services within the term of this Agreement, and shall meet any other established schedules and deadlines set forth in each individual Task Order issued by the Stadium Manager. All applicable indemnification provisions of this Agreement shall remain in effect following the termination of this Agreement.

6. Delays in Performance.

a. Neither Stadium Manager nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this Agreement, such circumstances include but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; pandemics; war; riots and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage or judicial restraint.

b. Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

7. Compliance with Law.

a. Consultant shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government, including Cal/OSHA requirements.

b. If required, Consultant shall assist the Stadium Manager, as requested, in obtaining and maintaining all permits required of Consultant by federal, state and local regulatory agencies.

c. If applicable, Consultant is responsible for all costs of clean up and/ or removal of hazardous and toxic substances spilled as a result of his or her services or operations performed under this Agreement.

8. Standard of Care

Consultant's services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

9. Assignment and Subconsultant

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the Stadium Manager, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement. Nothing contained herein shall prevent Consultant from employing independent associates, and subconsultants as Consultant may deem appropriate to assist in the performance of services hereunder.

10. Independent Contractor

Consultant is retained as an independent contractor and is not an employee of Stadium Manager. No employee or agent of Consultant shall become an employee of Stadium Manager.

The work to be performed shall be in accordance with the work described in this Agreement, subject to such directions and amendments from Stadium Manager as herein provided.

11. Insurance. Consultant shall not commence work for the Stadium Manager until it has provided evidence satisfactory to the Stadium Manager it has secured all insurance required under this section. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required under this section.

a. Commercial General Liability

(i) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the Stadium Manager.

(ii) Coverage for Commercial General Liability insurance shall be at least as broad as the following:

(1) Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent.

(iii) Commercial General Liability Insurance must include coverage for the following:

(1) Bodily Injury and Property Damage
(2) Personal Injury/Advertising Injury
(3) Premises/Operations Liability
(4) Products/Completed Operations Liability
(5) Aggregate Limits that Apply per Project
(6) Explosion, Collapse and Underground (UCX) exclusion deleted
(7) Contractual Liability with respect to this Agreement
(8) Property Damage
(9) Independent Contractors Coverage

(iv) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(v) The policy shall give Stadium Manager, Forty Niners SC Stadium Company LLC, Forty Niners Football Company LLC, the Santa Clara Stadium Authority, and the City of Santa Clara, their officials, officers, employees, agents and designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(vi) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the Stadium

Manager, and provided that such deductibles shall not apply to the Stadium Manager as an additional insured.

b. Automobile Liability

(i) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for any auto, including those owned, non-owned, hired or otherwise operated or used by or on behalf of Contractor, in a form and with insurance companies acceptable to the Stadium Manager.

(ii) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(iii) The policy shall give Stadium Manager, Forty Niners SC Stadium Company LLC, Forty Niners Football Company LLC, the Santa Clara Stadium Authority, and the City of Santa Clara, their officials, officers, employees, agents and designated volunteers additional insured status.

(iv) Subject to written approval by the Stadium Manager, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the Stadium Manager as an additional insured, but not a self-insured retention.

c. Workers' Compensation/Employer's Liability

(i) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(ii) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this section.

d. Professional Liability (Errors and Omissions)

At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the Stadium Manager and in an amount

indicated herein. This insurance shall be written on a policy form specifically designed to protect against negligent acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include services of the nature performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend the Consultant.

e. Minimum Policy Limits Required

(i) The following insurance limits are required for this Agreement:

	Combined Single Limit
Commercial General Liability	$2,000,000 per occurrence/$4,000,000 aggregate for bodily injury, personal injury, and property damage
Automobile Liability	$1,000,000 combined single limit
Employer's Liability	$1,000,000 per accident or disease
Professional Liability	$5,000,000 per claim and aggregate (errors and omissions)

(ii) Defense costs shall be payable in addition to the limits except as respects to Professional Liability.

(iii) Requirements of specific coverage or limits contained in this section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

f. Evidence Required

Prior to execution of the Agreement, the Consultant shall file with the Stadium Manager evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

g. Policy Provisions Required

(i) Consultant shall provide the Stadium Manager at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the

Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the Stadium Manager at least ten (10) days prior to the effective date of cancellation or expiration.

(ii) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, self-insurance or other coverage maintained by the Stadium Manager or any named insureds shall not be called upon to contribute to any loss.

(iii) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(iv) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to provide a waiver of subrogation in favor of the Stadium Manager, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against Stadium Manager, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(v) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the Stadium Manager and shall not preclude the Stadium Manager from taking such other actions available to the Stadium Manager under other provisions of the Agreement or law.

h. Qualifying Insurers

(i) All policies required shall be issued by insurance companies that satisfy the following minimum requirements:

(1) Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

i. Additional Insurance Provisions

(i) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the Stadium Manager, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(ii) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, Stadium Manager has the right but not the duty to obtain the insurance it deems necessary and any premium paid by Stadium Manager will be promptly reimbursed by Consultant or Stadium Manager will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, Stadium Manager may cancel this Agreement.

(iii) The Stadium Manager may require the Consultant to provide complete copies of all insurance policies in effect for the duration of the Project.

(iv) Neither the Stadium Manager nor any of its officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

j. Subconsultant Insurance Requirements. Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the Stadium Manager that they have secured all insurance required under this section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the Stadium Manager as an additional insured using ISO forms CG 20 10 10 01 and 20 37 10 01 or an endorsement providing the exact same coverage. If requested by Consultant, Stadium Manager may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

12. Indemnification.

a. To the fullest extent permitted by law, Consultant shall defend (for claims other than professional liability claims -- with counsel reasonably acceptable to Stadium Manager), indemnify and hold Stadium Manager, the Santa Clara Stadium Authority, the City of Santa Clara, their affiliates, and each of their respective officers, directors, managers, members, partners, owners, employees and authorized volunteers, each tenant and event promoter of Levi's Stadium, and any mortgagee, bond trustee or other financial institution from time to time holding a line or indenture upon an interest in Levi's Stadium, and each of them (collectively, the "Indemnified Parties") free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, to the extent caused by any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's services, the Project, any Task Order or this Agreement, including without limitation the payment of all damages recoverable under applicable law,

reasonable attorney's fees and other related costs and expenses. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, the Indemnified Parties.

b. If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance of "design professional" services (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

13. California Labor Code Requirements.

a. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). If the services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant shall defend, indemnify and hold the Indemnified Parties free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

b. If the services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such services must be registered with the Department of Industrial Relations. Consultant shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

c. It shall be Consultant's sole responsibility to comply with, and maintain adequate records of its adherence to, all applicable registration and labor compliance requirements. Proof of such compliance may include Contractor registration with the Department of Industrial Relations, California certified payroll form A-131, statements of non-performance for work not

undertaken at any point during the project, DAS 140/142 forms for all apprenticeable crafts or trades, and proper fringe benefits statements. At any time during or subsequent to the full performance of the services under this Agreement, Stadium Manager and/or the Santa Clara Stadium Authority may require Contractor to produce complete and adequate compliance records, subject to Stadium Manager and/or the Santa Clara Stadium Authority's satisfaction, prior to release of payment.

d. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. Any stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the Stadium Manager. Consultant shall defend, indemnify and hold the Indemnified Parties free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor.

14. Verification of Employment Eligibility.

By executing this Agreement, Consultant verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time, and shall require all subconsultants and sub-subconsultants to comply with the same.

15. **Reserved**

16. Laws and Venue.

This Agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of Santa Clara, State of California.

17 Termination or Abandonment

a. Stadium Manager has the right to terminate or abandon any portion or all of the work under this Agreement by giving ten (10) calendar days written notice to Consultant. In such event, Stadium Manager shall be immediately given title and possession to all original field notes, drawings and specifications, written reports and other documents produced or developed for that portion of the work completed and/or being abandoned. Stadium Manager shall pay Consultant the reasonable value of services rendered for any portion of the work completed prior to termination. If said termination occurs prior to completion of any task for the Project for which a payment request has not been received, the charge for services performed during such task shall be the reasonable value of such services, based on an amount mutually agreed to by Stadium Manager and Consultant of the portion of such task completed but not paid prior to said termination. Stadium Manager shall not be liable for any costs other than the charges or portions thereof which are specified herein. Consultant shall not be entitled to payment for unperformed services, and shall not be entitled to damages or compensation for termination of work.

b. Consultant may terminate its obligation to provide further services under this Agreement upon thirty (30) calendar days' written notice to Stadium Manager only in the event of substantial failure by Stadium Manager to perform in accordance with the terms of this Agreement through no fault of Consultant.

18 Documents. Except as otherwise provided in "Termination or Abandonment," above, all original field notes, written reports, Drawings and Specifications and other documents, produced or developed for the Project shall, upon payment in full for the services described in this Agreement, be furnished to and become the property of the Stadium Manager.

19. Organization

a. Consultant shall assign _____ as Project Manager. The Project Manager shall not be removed from the Project or reassigned without the prior written consent of the Stadium Manager.

b. Consultant represents that all persons or entities who provide or directly supervise any architectural or engineering services for the Project will be duly licensed to practice under the laws of the State of California. Each Task Order shall set forth a list of the key personnel and subconsultants who will be providing the services under the Task Order (the "Key Personnel and Subconsultants"). Prior to the parties' execution of a Task Order Consultant shall provide, for Stadium Manager's review and approval, it proposed list of the key personnel and subconsultants. No substitutions of any Key Personnel and Subconsultants may be made by Consultant without the prior written consent of Stadium Manager, which consent shall not be unreasonably withheld. If any Key Personnel are no longer employed by Consultant, then Consultant shall notify Stadium Manager within five (5) days after learning of such event. Consultant shall provide a replacement of any Key Personnel within fourteen (14) days after such event. Stadium Manager shall have the right to approve the proposed replacement in advance of an assignment to the Project.

20. Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described above and in each Task Order.

21. Notice

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to:

STADIUM MANAGER:	CONSULTANT:
Forty Niners Stadium Management Company LLC 4900 Marie DeBartolo Way Santa Clara, CA 95054 Attn: Ryan van Maarth, Vice President, Stadium Operations and Strategic Planning	HKS Architects, Inc. 539 Bryant Street Suite 100 San Francisco, CA 94107

Attn:

With copy to:

Legal Affairs
Forty Niners Stadium Management Company LLC
4949 Marie P. DeBartolo Way
Santa Clara, CA 95054

and shall be effective upon receipt thereof.

22. Third Party Rights

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Stadium Manager and the Consultant.

23. Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or other interests protected by the State or Federal Constitutions. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

24. Entire Agreement

This Agreement, with its exhibits, represents the entire understanding of Stadium Manager and Consultant as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

25. Severability

The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the remaining provisions unenforceable, invalid or illegal.

26. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of Stadium Manager. Any attempted assignment without such consent shall be invalid and void.

27. Non-Waiver

None of the provisions of this Agreement shall be considered waived by either party, unless such waiver is specifically specified in writing.

28. Time of Essence

Time is of the essence for each and every provision of this Agreement.

29. Stadium Manager's Right to Employ Other Consultants

Stadium Manager reserves its right to employ other consultants, including engineers, in connection with this Project or other projects.

30. Disputes

All disputes between Consultant and the Stadium Manager relating in any way to this Agreement or any work performed under this Agreement (including, but not limited to, claims for breach of contract, tort, discrimination, harassment and any violation of federal or state law, regulation or constitution) ("Arbitrable Claims") shall be resolved by binding arbitration under the Federal Arbitration Act, in conformity with the procedures of the California Arbitration Act (Cal. Code Civ. Proc. § 1280 *et seq*., including § 1283.05 and all of the Act's other mandatory and permissive rights to discovery). In addition to any other requirements imposed by law, the arbitrator selected shall be a retired California Superior Court Judge, or otherwise qualified individual to whom the parties mutually agree, and shall be subject to disqualification on the same grounds as would apply to a judge of such court. All rules of pleading (including the right of demurrer), all rules of discovery, all rules of evidence, all rights to resolution of the dispute by means of motions for summary judgment, judgment on the pleadings and all other dispositive motions, and judgment under Code of Civil Procedure § 631.8 shall apply and be observed. Resolution of the dispute shall be based solely upon the law governing the claims and defenses pleaded, and the arbitrator may not invoke any basis other than such controlling law. The arbitrator shall have the immunity of a judicial officer from civil liability when acting in the capacity of an arbitrator, which immunity supplements any other existing immunity. Likewise, all communications during or in connection with the arbitration proceedings are privileged in accordance with Cal. Civil Code § 47(b). As reasonably required to allow full use and benefit of this agreement's modifications to the Act's procedures, the arbitrator shall extend the times set by the Act for the giving of notices and setting of hearings. Awards shall include the arbitrator's written reasoned opinion. **The Parties understand and agree to this binding arbitration provision, and both Consultant and the Stadium Manager give up their right to trial by jury of any claim they may have against each other.**

31. Prohibited Interests

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission,

percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, Stadium Manager shall have the right to rescind this Agreement without liability. For the term of this Agreement, no director, official, officer or employee of Stadium Manager, during the term of his or her service with Stadium Manager, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURE PAGE FOR ON-CALL PROFESSIONAL SERVICES AGREEMENT
ARCHITECTURAL AND ENGINEERING SERVICES
BETWEEN THE FORTY NINERS STADIUM MANAGEMENT COMPANY LLC
AND HKS ARCHITECTS, INC.

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the Effective Date.

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC	**HKS ARCHITECTS, INC.**
By: _____	By: _____
Its: _____	Its: _____
Printed Name:_____	Printed Name:_____

EXHIBIT A

Scope of Services

The architectural and engineering services that may be included in a Task Order for a Project include, but are not limited to, the following:

A. Architectural and Engineering:

1. Architectural design
2. Electrical engineering
3. Mechanical engineering
4. Plumbing engineering
5. Civil engineering
6. Landscape architectural
7. Structural engineering
8. Fire protection engineering
9. Fire alarm and EMS design
10. Hazardous abatement assessment
11. Waterproofing
12. Geotechnical engineering
13. Acoustic design
14. Audio, video, communications, low voltage and information Technology design
15. Security engineering
16. Wayfinding signage design
17. Signage, branding, theming graphics, and experiential design
18. ADA design and consulting
19. Concessions, merchandising and catering services / kitchen service equipment design services
20. Interior design
21. Sport and specialty lighting design
22. Vertical transportation design and engineering
23. Traffic and pedestrian engineering
24. Telecommunications, high density Wi-Fi and neutral host Distributed Antenna System (DAS)
25. Survey and Mapping

B. Other Services:

1. Project verification and analysis
2. Project schedule and phasing
3. Project development
4. Building code analysis
5. Field investigation
6. ADA evaluations

7. Site Line Evaluations
8. Design development of bid documents including
    a. Schematic Design
    b. Design Development
    c. Construction Documents and Specifications Building Information Modeling (BIM) Services, if needed
    d. Permit Approval from Authorities Having Jurisdiction
9. Bid and contract award assistance
10. Construction Administration services including
    a. Submittal and shop drawing reviews
    b. Contractor Requests For Information (RFI) response
    c. Site visits
    d. Field observation reports
    e. Change order administration
    f. Punch list administration
    g. Mechanical commissioning as needed
    h. Preparation of final record drawings from the Contractor's as-built drawings, as necessary
    i. Close out support, including cost estimates for outstanding or unfinished elements.
11. LEED and sustainability studies, including energy modeling, building analysis and commissioning
12. Energy consumption analysis
13. Data collection
14. Cost estimating

EXHIBIT B

Schedule of Charges/Payments

Consultant will invoice Stadium Manager on a monthly cycle. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each task. Consultant will inform Stadium Manager regarding any out-of-scope work being performed by Consultant. Any mutually agreed upon unexpected costs to be reimbursed by Stadium Manager shall be approved in writing by Stadium Manager prior to being incurred by Contractor, provided Consultant has furnished proper documentation of such authorized expenses as the Stadium Manager may reasonably request. This is a time-and-materials contract.

Consultant's Cost Proposal is attached hereto as **Attachment B-1** and includes the hourly billing rates that will apply throughout the term of this Agreement for services provided by Consultant and its Subconsultants.

Attachment B-1

CONSULTANT'S COST PROPOSAL

1. General

Consultant's pricing for architectural and engineering services is set forth in the tables provided below:

Respondent: HKS					
Position/Title	Year 1	Year 2	Year 3	Year 4	Year 5
Principal	$365	$365	$385	$405	$425
Senior Vice President	$335	$335	$350	$370	$390
Vice President	$290	$290	$305	$320	$335
Associate	$265	$265	$280	$295	$310
Professional Staff	$210	$210	$220	$230	$240
Technical Staff	$160	$160	$170	$175	$185

Subconsultant 1	**ME Engineers**				
Position/Title	Year 1	Year 2	Year 3	Year 4	Year 5
Senior Principal	$300	$300	$310	$320	$330
Principal	$280	$280	$290	$300	$310
Associate Principal	$260	$260	$270	$280	$285
Sr. Associate	$240	$240	$250	$255	$265
Associate	$225	$225	$235	$240	$250
Senior Project Manager	$215	$215	$225	$230	$235
Project Manager	$190	$190	$200	$205	$210
Project Engineer	$160	$160	$165	$170	$175
Designer	$140	$140	$145	$150	$155
Sr. BIM Coordinator	$130	$130	$135	$140	$145
BIM Coordinator	$125	$125	$130	$135	$140
CAD Technician	$115	$115	$120	$125	$130
Administrative Staff	$110	$110	$115	$120	$125

Subconsultant 2	**Kimley-Horn and Associates, Inc.**				
Position/Title	Year 1	Year 2	Year 3	Year 4	Year 5
Analyst	$115 - $150	$121 - $158	$127 - $165	$133 - $174	$140 - $182
Professional	$150 - $195	$158 - $205	$165 - $215	$174 - $226	$182 - $237
Senior Professional I	$190 - $270	$200 - $284	$209 - $298	$220 - $313	$231 - $328
Senior Professional II	$255 - $295	$268 - $310	$281 - $325	$295 - $341	$310 - $359
Senior Technical Support	$115 - $175	$121 - $184	$127 - $193	$133 - $203	$140 - $213
Support Staff	$90 - $110	$95 - $116	$99 - $121	$104 - $127	$109 - $134
Technical Support	$100 - $120	$105 - $126	$110 - $132	$116 - $139	$122 - $146

Subconsultant 3	**SWA Group**				
Position/Title	Year 1	Year 2	Year 3	Year 4	Year 5
John Loomis, Principal	$245	$245	$257	$270	$283
Shuntaro Yahiro, Principal	$215	$226	$237	$249	$261
Sergio Lima, Associate Principal	$177	$186	$195	$205	$215
Bill Hynes, Associate Principal	$172	$181	$190	$199	$209
Taizo Horikawa, Associate	$131	$138	$145	$152	$160
Minyoung Choi, Landscape Designer	$115	$121	$127	$133	$140
Vaan Surajaras, Landscape Designer	$103	$108	$113	$119	$125
Shaun Loomis, Field Associate	$125	$131	$138	$145	$152

Subconsultant 4	**Magnusson Klemencic Associates**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Ron Klemencic	$400	$412	$424	$437	$450
Senior Principal (Senior VP)	$350	$361	$372	$383	$394
Principal	$300	$309	$318	$328	$338
Senior Associate	$250	$258	$266	$274	$282
Associate	$215	$221	$228	$235	$242
Senior Engineer	$180	$185	$191	$197	$203
Engineer	$150	$155	$160	$165	$170
Senior BIM Specialist	$175	$180	$186	$192	$198
BIM Specialist	$140	$144	$148	$152	$157
Administrative Support	$105	$108	$111	$114	$117

Subconsultant 5	**Simpson Gumpertz & Heger, Inc.**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Kenneth Klein, QA/QC	$350	$350	$360	$371	$382
James Mendygral, PIC	$310	$310	$319	$329	$339
Lauren DiCenzo, Engineer	$175	$175	$180	$185	$190
John Stuart, Staff Engineer	$175	$175	$180	$185	$190

Subconsultant 6	**Wrightson, Johnson, Haddon & Williams, Inc. (WJHW)**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Chris Williams, PIC	$200	$204	$209	$214	$219
Daniel Riess, Project Manager	$185	$189	$193	$197	$201
Kevin Day, Sound, AV	$200	$204	$209	$214	$219
Michael Darby, Telecom & DAS	$185	$189	$193	$197	$201
Jack McCallum, Low Voltage, Broadcast	$200	$204	$209	$214	$219
Emily Piersol, Acoustics	$185	$189	$193	$197	$201
Kevin Walrad, Security	$185	$189	$193	$197	$201

Subconsultant 7	**Ed Roether Consulting**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Ed Roether/President	$275	$280.50	$286	$292	$298

Subconsultant 8	**Duray J.F. Duncan Industries, Inc.**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Project Executive	200	200	200	225	225
Senior Design Principal	175	175	175	195	195
Project Manager	150	150	150	180	180
Technical Service Manager	125	125	125	140	140
Designer/Revit Modeler	100	100	100	115	115
Project Administrator	75	75	75	85	85

Subconsultant 9	**Lam Partners**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Matt Latchford, PIC	$275	$282	$289	$296	$304
James Perry, Con. Design Prin.	$275	$282	$289	$296	$304
Sr. Assoc. Parametic Modeling Coordinator	$200	$205	$210	$215	$220
Sr. Lighting Designer, PM	$150	$154	$158	$162	$166
Lighting Designer	$125	$128	$132	$136	$140
Designer	$100	$103	$107	$110	$113

Subconsultant 10	**Persohn-Hahn Associates**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Tom Ford/Vice President	$195	$205	$210	$215	$220
Herb Smith/President	$195	$205	$210	$215	$220
Bob Newmeyer/Associate	$195	$205	$210	$215	$220
Les Cline/Associate	$195	$205	$210	$215	$220
Note: All code inspections requested are by the Authority Having Jurisdiction (AHJ)					

Subconsultant 11	FP&C Consultants KC, LLC				
Position/Title	Year 1	Year 2	Year 3	Year 4	Year 5
Justin Burton, Owner, Life Safety Code Consultant	$175	$175	$178.50	$182.07	$185.71
Jeff Scott, Project Manager, Fire Protection Engineer	$175	$175	$178.50	$182.07	$185.71
*2% escalation on Y3, Y4, Y5					

2. Prevailing Wage Requirements (If Applicable to a particular Project)

a. In the cost proposal for each Task Order, identify the assigned employees/staff positions who shall be paid in accordance with State of California prevailing wage requirements.

b. It's Consultant's responsibility to comply with prevailing wage requirements and assure assigned staff are property classified and paid at the proper rate.

3. Reimbursable Expenses

Reimbursable Expenses are in addition to compensation for Consultant's services and include reasonable expenses incurred by and Consultant and its subconsultants directly related to the performance of services under a Task Order. Such Reimbursable Expenses are as follows:

a. Transportation and out-of-town travel and subsistence, if authorized in advance by the Stadium Manager.

b. Dedicated data and communication services and project websites, and extranets, if authorized in advance by the Stadium Manager.

c. Permitting and other fees required by authorities having jurisdiction over any project Consultant is tasked with performing under the awarded contract.

d. Printing, reproductions, plots and standard form documents.

e. Postage, handling, and delivery of any instruments of service or deliverables.

f. Renderings, physical models, mock-ups, professional photography and presentation materials requested by the Stadium Manager or required under a Task Order, excluding computer-generated renderings, models and mockups prepared by the Architect's in-house staff during the course of design.

g. All taxes (except sales tax and B&O tax) levied on professional services and on reimbursement expenses.

h. Site office expenses, if authorized in advance by the Stadium Manager.

i. Other similar project-related expenditures, if authorized in advance by the Stadium Manager.

j. Consultant will be required to prepare an estimate of reimbursable expenses in connection with each Task Order issued by the Stadium Manager. Consultant shall not

exceed the estimated cost of such expenses without the Stadium Manager's prior written approval.

EXHIBIT C

Sample Task Order Form

TASK ORDER

Task Order No. _____

Agreement: Professional Services Agreement, dated as of November 15, 2021

Consultant: HKS Architects, Inc.

The Consultant is hereby authorized to perform the following services subject to the provisions of the Agreement identified above:

The following are the Key Personnel and Subconsultants who will be providing the services:

List any attachments: (Please provide if any.)

Dollar Amount of Task Order: Not to exceed $_____

Completion Date: _____

The undersigned Consultant hereby agrees that it will provide all equipment, furnish all materials, except as may be otherwise noted above, and perform all services for the work above specified in accordance with the Agreement identified above and will accept as full payment therefore the amount shown above. The terms and conditions of the Agreement identified above are incorporated herein by reference.

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC	**HKS ARCHITECTS, INC.**
Dated: _____	Dated: _____
By: _____	By: _____

Contract Number: XXXXX

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC
PROFESSIONAL SERVICES AGREEMENT
ARCHITECTURAL AND ENGINEERING SERVICES

This Agreement is made and entered into as of the Fifteenth day of November, 2021 (the "Effective Date"), by and between the Forty Niners Stadium Management Company LLC, a Delaware limited liability company ("Stadium Manager"), and M. Arthur Gensler Jr. & Associates, Inc., a California corporation having an address at 225 West Santa Clara St., Suite 1100, San Jose, CA 90071 ("Consultant"). Stadium Manager and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

RECITALS

A. Stadium Manager is managing Levi's Stadium, which is owned by the Santa Clara Stadium Authority, a joint exercise of powers entity, created through Government Code sections 6500 *et seq*. and is in need of professional services for the following project:

Professional architectural and engineering services at Levi's Stadium, 4900 Marie P. DeBartolo Way, Santa Clara, CA 95054 (the "Stadium") as part of a multi-year on-call service agreement, including, but not limited to, programming, schematic design, design development, construction documents, construction administration services in connection with construction projects, large repair projects and other projects at the Stadium as identified in subsequently issued task orders (hereinafter referred to as the "Project").

B. Consultant is duly licensed and has the necessary qualifications to provide such services on the Project. Consultant desires to perform and assume responsibility for the provision of certain professional services required by Stadium Manager on the terms and conditions set forth in this Agreement and in the task order(s) to be issued pursuant to this Agreement ("Task Order").

C. The Parties desire by this Agreement to establish the terms for Stadium Manager to retain Consultant to provide the services described herein.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Services.

Consultant shall provide the Stadium Manager with the services described in the Scope of Services attached hereto as Exhibit "A." The services shall be more particularly described in the individual Task Order issued by the Stadium Manager or its designee. No services shall be performed unless authorized by a fully executed Task Order in the form attached hereto as Exhibit "C".

2. Compensation.

a. Consultant shall receive compensation, including authorized reimbursements, for all services rendered under this Agreement at the rates set forth in the Schedule of Charges attached hereto as Exhibit "B" and incorporated herein by this reference.

b. The maximum compensation for services to be provided pursuant to each Task Order shall be set forth in the relevant Task Order. Each Task Order shall set forth the total aggregate compensation paid to Consultant for the services set forth in the Task Order and a separate not-to-exceed amount for all printing and other reimbursable expenses (as defined in Exhibit "B" attached hereto). The Stadium Manager will not pay for any printing or other reimbursable expenses incurred in excess of the not-to-exceed amount set forth in the Task Order.

c. Periodic payments shall be made within 30 days of receipt of an invoice which includes a detailed description of the work performed. Payments to Consultant for work performed will be made on a monthly billing basis.

3. Additional Work.

If changes in the work seem merited by Consultant or the Stadium Manager, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a letter outlining the changes shall be forwarded to the Stadium Manager by Consultant with a statement of estimated changes in fee or time schedule. An amendment to this Agreement shall be prepared by the Stadium Manager and executed by both Parties before performance of such services, or the Stadium Manager will not be required to pay for the changes in the scope of work. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

4. Maintenance of Records.

Books, documents, papers, accounting records, and other evidence pertaining to costs incurred shall be maintained by Consultant and made available at all reasonable times during the contract period and for four (4) years from the date of final payment under the contract for inspection by Stadium Manager.

5. Time of Performance.

The term of this Agreement shall be five (5) years from **November 15, 2021 to November 14, 2026**, unless earlier terminated as provided herein. Consultant shall complete the services within the term of this Agreement, and shall meet any other established schedules and deadlines set forth in each individual Task Order issued by the Stadium Manager. All applicable indemnification provisions of this Agreement shall remain in effect following the termination of this Agreement.

6. Delays in Performance.

a. Neither Stadium Manager nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this Agreement, such circumstances include but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; pandemics; war; riots and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage or judicial restraint.

b. Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

7. Compliance with Law.

a. Consultant shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government, including Cal/OSHA requirements.

b. If required, Consultant shall assist the Stadium Manager, as requested, in obtaining and maintaining all permits required of Consultant by federal, state and local regulatory agencies.

c. If applicable, Consultant is responsible for all costs of clean up and/ or removal of hazardous and toxic substances spilled as a result of his or her services or operations performed under this Agreement.

8. Standard of Care

Consultant's services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

9. Assignment and Subconsultant

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the Stadium Manager, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement. Nothing contained herein shall prevent Consultant from employing independent associates, and subconsultants as Consultant may deem appropriate to assist in the performance of services hereunder.

10. Independent Contractor

Consultant is retained as an independent contractor and is not an employee of Stadium Manager. No employee or agent of Consultant shall become an employee of Stadium Manager.

The work to be performed shall be in accordance with the work described in this Agreement, subject to such directions and amendments from Stadium Manager as herein provided.

11. Insurance. Consultant shall not commence work for the Stadium Manager until it has provided evidence satisfactory to the Stadium Manager it has secured all insurance required under this section. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required under this section.

a. Commercial General Liability

(i) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the Stadium Manager.

(ii) Coverage for Commercial General Liability insurance shall be at least as broad as the following:

(1) Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent.

(iii) Commercial General Liability Insurance must include coverage for the following:

(1) Bodily Injury and Property Damage
(2) Personal Injury/Advertising Injury
(3) Premises/Operations Liability
(4) Products/Completed Operations Liability
(5) Aggregate Limits that Apply per Project
(6) Explosion, Collapse and Underground (UCX) exclusion deleted
(7) Contractual Liability with respect to this Agreement
(8) Property Damage
(9) Independent Contractors Coverage

(iv) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(v) The policy shall give Stadium Manager, Forty Niners SC Stadium Company LLC, Forty Niners Football Company LLC, the Santa Clara Stadium Authority, and the City of Santa Clara, their officials, officers, employees, agents and designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(vi) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the Stadium

Manager, and provided that such deductibles shall not apply to the Stadium Manager as an additional insured.

b. Automobile Liability

(i) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for any auto, including those owned, non-owned, hired or otherwise operated or used by or on behalf of Contractor, in a form and with insurance companies acceptable to the Stadium Manager.

(ii) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(iii) The policy shall give Stadium Manager, Forty Niners SC Stadium Company LLC, Forty Niners Football Company LLC, the Santa Clara Stadium Authority, and the City of Santa Clara, their officials, officers, employees, agents and designated volunteers additional insured status.

(iv) Subject to written approval by the Stadium Manager, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the Stadium Manager as an additional insured, but not a self-insured retention.

c. Workers' Compensation/Employer's Liability

(i) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(ii) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this section.

d. Professional Liability (Errors and Omissions)

At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the Stadium Manager and in an amount

indicated herein. This insurance shall be endorsed to include contractual liability applicable to this Agreement and shall be written on a policy form specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

e. Minimum Policy Limits Required

(i) The following insurance limits are required for this Agreement:

	Combined Single Limit
Commercial General Liability	$2,000,000 per occurrence/$4,000,000 aggregate for bodily injury, personal injury, and property damage
Automobile Liability	$1,000,000 combined single limit
Employer's Liability	$1,000,000 per accident or disease
Professional Liability	$5,000,000 per claim and aggregate (errors and omissions)

(ii) Defense costs shall be payable in addition to the limits.

(iii) Requirements of specific coverage or limits contained in this section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

f. Evidence Required

Prior to execution of the Agreement, the Consultant shall file with the Stadium Manager evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

g. Policy Provisions Required

(i) Consultant shall provide the Stadium Manager at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires

during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the Stadium Manager at least ten (10) days prior to the effective date of cancellation or expiration.

(ii) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, self-insurance or other coverage maintained by the Stadium Manager or any named insureds shall not be called upon to contribute to any loss.

(iii) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(iv) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to provide a waiver of subrogation in favor of the Stadium Manager, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against Stadium Manager, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(v) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the Stadium Manager and shall not preclude the Stadium Manager from taking such other actions available to the Stadium Manager under other provisions of the Agreement or law.

h. Qualifying Insurers

(i) All policies required shall be issued by acceptable insurance companies, as determined by the Stadium Manager, which satisfy the following minimum requirements:

(1) Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

i. Additional Insurance Provisions

(i) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the Stadium Manager, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(ii) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, Stadium Manager has the right but not the duty to obtain the insurance it deems necessary and any premium paid by Stadium Manager will be promptly reimbursed by Consultant or Stadium Manager will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, Stadium Manager may cancel this Agreement.

(iii) At the Stadium Manager's request, the Consultant shall permit the Stadium Manager and its agents and designees to inspect complete copies of all insurance policies required by this Agreement.

(iv) Neither the Stadium Manager nor any of its officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

j. Subconsultant Insurance Requirements. Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the Stadium Manager that they have secured all insurance required under this section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the Stadium Manager as an additional insured using ISO forms CG 20 10 10 01 and 20 37 10 01 or an endorsement providing the exact same coverage. If requested by Consultant, Stadium Manager may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

12. Indemnification.

a. To the fullest extent permitted by law, Consultant shall defend (for claims other than professional liability claims -- with counsel of Stadium Manager's choosing), indemnify and hold Stadium Manager, the Santa Clara Stadium Authority, the City of Santa Clara, their affiliates, and each of their respective officers, directors, managers, members, partners, owners, employees, agents and authorized volunteers, each tenant and event promoter of Levi's Stadium, and any mortgagee, bond trustee or other financial institution from time to time holding a line or indenture upon an interest in Levi's Stadium, and each of them (collectively, the "Indemnified Parties") free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's services, the Project, any Task Order or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses. Consultant's obligation to

indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, the Indemnified Parties.

b. If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance of "design professional" services (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

13. California Labor Code Requirements.

a. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). If the services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant shall defend, indemnify and hold the Indemnified Parties free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

b. If the services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such services must be registered with the Department of Industrial Relations. Consultant shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

c. It shall be Consultant's sole responsibility to comply with, and maintain adequate records of its adherence to, all applicable registration and labor compliance requirements. Proof of such compliance may include Contractor registration with the Department of Industrial Relations, California certified payroll form A-131, statements of non-performance for work not undertaken at any point during the project, DAS 140/142 forms for all apprenticeable crafts or trades, and proper fringe benefits statements. At any time during or subsequent to the full

performance of the services under this Agreement, Stadium Manager and/or the Santa Clara Stadium Authority may require Contractor to produce complete and adequate compliance records, subject to Stadium Manager and/or the Santa Clara Stadium Authority's satisfaction, prior to release of payment.

d. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. Any stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the Stadium Manager. Consultant shall defend, indemnify and hold the Indemnified Parties free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor.

14. Verification of Employment Eligibility.

By executing this Agreement, Consultant verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time, and shall require all subconsultants and sub-subconsultants to comply with the same.

15. **Reserved**

16. Laws and Venue.

This Agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of Santa Clara, State of California.

17 Termination or Abandonment

a. Stadium Manager has the right to terminate or abandon any portion or all of the work under this Agreement by giving ten (10) calendar days written notice to Consultant. In such event, Stadium Manager shall be immediately given title and possession to all original field notes, drawings and specifications, written reports and other documents produced or developed for that portion of the work completed and/or being abandoned. Stadium Manager shall pay Consultant the reasonable value of services rendered for any portion of the work completed prior to termination. If said termination occurs prior to completion of any task for the Project for which a payment request has not been received, the charge for services performed during such task shall be the reasonable value of such services, based on an amount mutually agreed to by Stadium Manager and Consultant of the portion of such task completed but not paid prior to said termination. Stadium Manager shall not be liable for any costs other than the charges or portions thereof which are specified herein. Consultant shall not be entitled to payment for unperformed services, and shall not be entitled to damages or compensation for termination of work.

b. Consultant may terminate its obligation to provide further services under this Agreement upon thirty (30) calendar days' written notice to Stadium Manager only in the event of substantial failure by Stadium Manager to perform in accordance with the terms of this Agreement through no fault of Consultant.

18 Documents. Except as otherwise provided in "Termination or Abandonment," above, all original field notes, written reports, Drawings and Specifications and other documents, produced or developed for the Project shall, upon payment in full for the services described in this Agreement, be furnished to and become the property of the Stadium Manager.

19. Organization

a. Consultant shall assign Rikki D. Dy-Liacco as Project Manager. The Project Manager shall not be removed from the Project or reassigned without the prior written consent of the Stadium Manager.

b. Consultant represents that all persons or entities who provide or directly supervise any architectural or engineering services for the Project will be duly licensed to practice under the laws of the State of California. Each Task Order shall set forth a list of the key personnel and subconsultants who will be providing the services under the Task Order (the "Key Personnel and Subconsultants"). Prior to the parties' execution of a Task Order Consultant shall provide, for Stadium Manager's review and approval, it proposed list of the key personnel and subconsultants. No substitutions of any Key Personnel and Subconsultants may be made by Consultant without the prior written consent of Stadium Manager, which consent shall not be unreasonably withheld. If any Key Personnel are no longer employed by Consultant, then Consultant shall notify Stadium Manager within five (5) days after learning of such event. Consultant shall provide a replacement of any Key Personnel within fourteen (14) days after such event. Stadium Manager shall have the right to approve the proposed replacement in advance of an assignment to the Project.

20. Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described above and in each Task Order.

21. Notice

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to:

STADIUM MANAGER:	CONSULTANT:
Forty Niners Stadium Management Company LLC 4900 Marie DeBartolo Way Santa Clara, CA 95054 Attn: Ryan van Maarth, Vice President, Stadium Operations and Strategic Planning	M. Arthur Gensler Jr. & Associates, Inc. 225 West Santa Clara St., Suite 1100 San Jose, CA 90071 Attn: Peter Weingarten

With copy to:

Legal Affairs
Forty Niners Stadium Management Company LLC
4949 Marie P. DeBartolo Way
Santa Clara, CA 95054

and shall be effective upon receipt thereof.

22. Third Party Rights

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Stadium Manager and the Consultant.

23. Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or other interests protected by the State or Federal Constitutions. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

24. Entire Agreement

This Agreement, with its exhibits, represents the entire understanding of Stadium Manager and Consultant as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

25. Severability

The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the remaining provisions unenforceable, invalid or illegal.

26. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of Stadium Manager. Any attempted assignment without such consent shall be invalid and void.

27. Non-Waiver

None of the provisions of this Agreement shall be considered waived by either party, unless such waiver is specifically specified in writing.

28. Time of Essence

Time is of the essence for each and every provision of this Agreement.

29. Stadium Manager's Right to Employ Other Consultants

Stadium Manager reserves its right to employ other consultants, including engineers, in connection with this Project or other projects.

30. Disputes

All disputes between Consultant and the Stadium Manager relating in any way to this Agreement or any work performed under this Agreement (including, but not limited to, claims for breach of contract, tort, discrimination, harassment and any violation of federal or state law, regulation or constitution) ("Arbitrable Claims") shall be resolved by binding arbitration under the Federal Arbitration Act, in conformity with the procedures of the California Arbitration Act (Cal. Code Civ. Proc. § 1280 *et seq*., including § 1283.05 and all of the Act's other mandatory and permissive rights to discovery). In addition to any other requirements imposed by law, the arbitrator selected shall be a retired California Superior Court Judge, or otherwise qualified individual to whom the parties mutually agree, and shall be subject to disqualification on the same grounds as would apply to a judge of such court. All rules of pleading (including the right of demurrer), all rules of discovery, all rules of evidence, all rights to resolution of the dispute by means of motions for summary judgment, judgment on the pleadings and all other dispositive motions, and judgment under Code of Civil Procedure § 631.8 shall apply and be observed. Resolution of the dispute shall be based solely upon the law governing the claims and defenses pleaded, and the arbitrator may not invoke any basis other than such controlling law. The arbitrator shall have the immunity of a judicial officer from civil liability when acting in the capacity of an arbitrator, which immunity supplements any other existing immunity. Likewise, all communications during or in connection with the arbitration proceedings are privileged in accordance with Cal. Civil Code § 47(b). As reasonably required to allow full use and benefit of this agreement's modifications to the Act's procedures, the arbitrator shall extend the times set by the Act for the giving of notices and setting of hearings. Awards shall include the arbitrator's written reasoned opinion. **The Parties understand and agree to this binding arbitration provision, and both Consultant and the Stadium Manager give up their right to trial by jury of any claim they may have against each other.**

31. Prohibited Interests

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission,

percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, Stadium Manager shall have the right to rescind this Agreement without liability. For the term of this Agreement, no director, official, officer or employee of Stadium Manager, during the term of his or her service with Stadium Manager, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURE PAGE FOR ON-CALL PROFESSIONAL SERVICES AGREEMENT
ARCHITECTURAL AND ENGINEERING SERVICES
BETWEEN THE FORTY NINERS STADIUM MANAGEMENT COMPANY LLC
AND M. ARTHUR GENSLER JR. & ASSOCIATES, INC.

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the Effective Date.

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC	**M. ARTHUR GENSLER JR. & ASSOCIATES, INC.**
By: _____	By: _____
Its: _____	Its: _____
Printed Name:_____	Printed Name:_____

EXHIBIT A

Scope of Services

The architectural and engineering services that may be included in a Task Order for a Project include, but are not limited to, the following:

A. Architectural and Engineering:

1. Architectural design
2. Electrical engineering
3. Mechanical engineering
4. Plumbing engineering
5. Civil engineering
6. Landscape architectural
7. Structural engineering
8. Fire protection engineering
9. Fire alarm and EMS design
10. Hazardous abatement assessment
11. Waterproofing
12. Geotechnical engineering
13. Acoustic design
14. Audio, video, communications, low voltage and information Technology design
15. Security engineering
16. Wayfinding signage design
17. Signage, branding, theming graphics, and experiential design
18. ADA design and consulting
19. Concessions, merchandising and catering services / kitchen service equipment design services
20. Interior design
21. Sport and specialty lighting design
22. Vertical transportation design and engineering
23. Traffic and pedestrian engineering
24. Telecommunications, high density Wi-Fi and neutral host Distributed Antenna System (DAS)
25. Survey and Mapping

B. Other Services:

1. Project verification and analysis
2. Project schedule and phasing
3. Project development
4. Building code analysis
5. Field investigation
6. ADA evaluations

7. Site Line Evaluations
8. Design development of bid documents including
    a. Schematic Design
    b. Design Development
    c. Construction Documents and Specifications Building Information Modeling (BIM) Services, if needed
    d. Permit Approval from Authorities Having Jurisdiction
9. Bid and contract award assistance
10. Construction Administration services including
    a. Submittal and shop drawing reviews
    b. Contractor Requests For Information (RFI) response
    c. Site visits
    d. Field observation reports
    e. Change order administration
    f. Punch list administration
    g. Mechanical commissioning as needed
    h. Preparation of final record drawings from the Contractor's as-built drawings, as necessary
    i. Close out support, including cost estimates for outstanding or unfinished elements.
11. LEED and sustainability studies, including energy modeling, building analysis and commissioning
12. Energy consumption analysis
13. Data collection
14. Cost estimating

EXHIBIT B

Schedule of Charges/Payments

Consultant will invoice Stadium Manager on a monthly cycle. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each task. Consultant will inform Stadium Manager regarding any out-of-scope work being performed by Consultant. Any mutually agreed upon unexpected costs to be reimbursed by Stadium Manager shall be approved in writing by Stadium Manager prior to being incurred by Contractor, provided Consultant has furnished proper documentation of such authorized expenses as the Stadium Manager may reasonably request. This is a time-and-materials contract.

Consultant's Cost Proposal is attached hereto as **Attachment B-1** and includes the hourly billing rates that will apply throughout the term of this Agreement for services provided by Consultant and its Subconsultants.

Attachment B-1

CONSULTANT'S COST PROPOSAL

1. General

Consultant's pricing for architectural and engineering services is set forth in the tables provided below:

Respondent: M. Arthur Gensler Jr. & Associates, Inc.					
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Regional Managing Principal	$400	$400	$425	$425	$450
Managing Director, PIC	$375	$375	$400	$400	$425
Principal	$350	$350	$375	$375	$400
Practice Area Leader	$325	$325	$350	$350	$375
Design Director – PA Leader	$250	$250	$275	$275	$300
Design Director	$225	$225	$235	$235	$250
Project Architect	$225	$225	$235	$235	$250
Senior Design Manager	$200	$205	$210	$215	$220
Designer 3	$180	$185	$190	$195	$200
Designer 2	$150	$155	$160	$165	$170
Designer 1	$130	$135	$140	$145	$150
Job Captain 3	$175	$180	$185	$190	$195
Job Captain 2	$160	$165	$170	$175	$180
Job Captain 1	$140	$145	$150	$155	$160
BIM Specialist	$160	$165	$170	$175	$180
Draftsman	$125	$130	$135	$140	$145
Admin/Clerical	$75	$80	$85	$90	$95

Notes-
Reimbursable expenses will be invoiced at cost plus 10%. The owner may contract directly any consultants included in this proposal, but if Gensler sub-contracts any consultants their fees will be invoiced at cost plus 10%.

Subconsultant 1	**Name: Syska Hennessy Group, Inc.**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Senior Principal/PIC	$305	$315	$325	$335	$345
Project Manager	$255	$265	$275	$280	$290
Project Designer	$205	$210	$220	$225	$235
Project Coordinator	$120	$125	$130	$135	$140
Senior Principal/PIC	$305	$315	$325	$335	$345

Subconsultant 2	**Name: BrightView Design Group- Landscape Architecture Design**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Vice President	$225	$225	$225	$225	$225
Director	$210	$220	$220	$220	$220
Managing Principal	$210	$215	$215	$215	$215
Principal	$210	$210	$210	$210	$210
Associate Principal	$185	$185	$185	$185	$185
Associate Lead	$170	$170	$170	$170	$170
Associate	$155	$160	$160	$160	$160
Senior Design Manager	$140	$145	$145	$145	$145
Senior Designer	$130	$135	$135	$135	$135
Project Designer	$115	$120	$120	$120	$120
Designer	$95	$105	$105	$105	$105
Admin/Clerical	$75	$85	$85	$85	$85

Subconsultant 3	**Name: Brailsford & Dunlavey**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
President	$560	$577	$594	$612	$630
Senior Vice President	$430	$443	$456	$470	$484
Vice President	$365	$376	$387	$399	$411
Director	$330	$340	$350	$361	$371
Senior Associate	$285	$294	$302	$311	$321
Associate	$245	$252	$260	$268	$276
Senior Analyst	$215	$221	$228	$235	$242
Analyst	$205	$211	$217	$224	$231

Subconsultant 4	**Name: Glumac**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Sr. Vice President	$275	$286	$297	$309	$322
Vice President	$250	$260	$270	$281	$292
Project Manager	$235	$244	$254	$264	$275
Commissioning Authority	$185	$192	$200	$208	$216
Commissioning Agent	$150	$156	$162	$169	$175
Commissioning Technician	$125	$130	$135	$141	$146
Commissioning Coordinator	$100	$104	$108	$112	$117

Subconsultant 5	**Name: Langan**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Staff Engineer	$160	$166	$173	$180	$187
Senior Staff Engineer	$190	$198	$206	$214	$222
Project Engineer	$225	$234	$243	$253	$263
Senior Project Engineer	$270	$280	$292	$304	$316
Principal	$350	$360	$370	$380	$390

Notes-

1. All subcontracted services including lab tests and analyses, borings, test pits, report reproduction, outside computer services, surveying, etc., will be billed at cost plus 15%.

2. All expenses incurred for special supplies, plan reproduction, long distance communications, travel and subsistence and other project related expenses will be billed at cost plus 10%. Sampling vans/Field Vehicles are billed at a daily rate of $195.

Subconsultant 6	**Name: ME Engineers**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Senior Principal	$300	$310	$320	$330	$340
Principal	$280	$290	$300	$310	$315
Associate Principal	$260	$270	$280	$285	$295
Sr. Associate	$240	$250	$255	$265	$270
Associate	$225	$235	$240	$250	$255
Senior Project Manager	$215	$225	$230	$235	$245
Project Manager	$190	$200	$205	$210	$215
Project Engineer	$160	$165	$170	$175	$180
Designer	$140	$145	$150	$155	$160
Sr. BIM Coordinator	$130	$135	$140	$145	$150
BIM Coordinator	$125	$130	$135	$140	$145
CAD Technician	$115	$120	$125	$130	$135
Administrative Staff	$110	$115	$120	$125	$130
Senior Principal	$300	$310	$320	$330	$340
Principal	$280	$290	$300	$310	$315
Associate Principal	$260	$270	$280	$285	$295
Sr. Associate	$240	$250	$255	$265	$270

Subconsultant 7	**Name: Magnusson Klemencic Associates**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Ron Klemencic	$400	$412	$424	$437	$450
Senior Principal (Senior VP)	$350	$361	$372	$383	$394
Principal	$300	$309	$318	$328	$338
Senior Associate	$250	$258	$266	$274	$282
Associate	$215	$221	$228	$235	$242
Senior Engineer	$180	$185	$191	$197	$203
Engineer	$150	$155	$160	$165	$170
Senior BIM Specialist	$175	$180	$186	$192	$198
BIM Specialist	$140	$144	$148	$152	$157
Administrative Support	$105	$108	$111	$114	$117

Subconsultant 8	**Name: S2O Consultants, Inc.**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Principal/Lead Designer	$225	$230	$235	$240	$245
Project Manager	$200	$205	$210	$215	$220
Associates	$175	$180	$185	$190	$195
Revit/CAD Technicians	$150	$155	$160	$165	$170

Subconsultant 9	**Name: Wiss, Janney, Elstner Associates, Inc. (WJE)**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Senior Principal	$350	$350	$365	$365	$365
Principal	$290	$290	$305	$305	$305
Associate Principal	$235	$235	$245	$245	$245
Senior Associate	$205	$205	$215	$215	$215
Associate III	$185	$185	$195	$195	$195
Associate II	$160	$160	$170	$170	$170
Associate I	$130	$130	$135	$135	$135

Subconsultant 10	**Name: Wrightson, Johnson, Haddon & Williams, Inc. (WJHW)**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Principal-In-Charge	$200	$204	$209	$214	$219
Project Manager / Associate	$185	$189	$193	$197	$201
Associate Principal	$200	$204	$209	$214	$219
Senior Consultant	$185	$189	$193	$197	$201
Associate Principal	$200	$204	$209	$214	$219
Associate	$185	$189	$193	$197	$201

Subconsultant 11	**Name: Ashdown Architecture**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Dwight Ashdown	$250	$262	$275	$290	$300

2. <u>Prevailing Wage Requirements (If Applicable to a particular Project)</u>

a. In the cost proposal for each Task Order, identify the assigned employees/staff positions who shall be paid in accordance with State of California prevailing wage requirements.

b. It's Consultant's responsibility to comply with prevailing wage requirements and assure assigned staff are property classified and paid at the proper rate.

3. <u>Reimbursable Expenses</u>

Reimbursable Expenses are in addition to compensation for Consultant's services and include reasonable expenses incurred by and Consultant and its subconsultants directly related to the performance of services under a Task Order. Such Reimbursable Expenses are as follows:

a. Transportation and out-of-town travel and subsistence, if authorized in advance by the Stadium Manager.

b. Dedicated data and communication services and project websites, and extranets, if authorized in advance by the Stadium Manager.

c. Permitting and other fees required by authorities having jurisdiction over any project Consultant is tasked with performing under the awarded contract.

d. Printing, reproductions, plots and standard form documents.

e. Postage, handling, and delivery of any instruments of service or deliverables.

f. Renderings, physical models, mock-ups, professional photography and presentation materials requested by the Stadium Manager or required under a Task Order, excluding computer-generated renderings, models and mockups prepared by the Architect's in-house staff during the course of design.

g. All taxes (except sales tax and B&O tax) levied on professional services and on reimbursement expenses.

h. Site office expenses, if authorized in advance by the Stadium Manager.

i. Other similar project-related expenditures, if authorized in advance by the Stadium Manager.

j. Consultant will be required to prepare an estimate of reimbursable expenses in connection with each Task Order issued by the Stadium Manager. Consultant shall not exceed the estimated cost of such expenses without the Stadium Manager's prior written approval.

EXHIBIT C

Sample Task Order Form

TASK ORDER

Task Order No. _____

Agreement: Professional Services Agreement, dated as of November 15, 2021

Consultant: M. Arthur Gensler Jr. & Associates, Inc.

The Consultant is hereby authorized to perform the following services subject to the provisions of the Agreement identified above:

The following are the Key Personnel and Subconsultants who will be providing the services:

List any attachments: (Please provide if any.)

Dollar Amount of Task Order: Not to exceed $_____

Completion Date: _____

The undersigned Consultant hereby agrees that it will provide all equipment, furnish all materials, except as may be otherwise noted above, and perform all services for the work above specified in accordance with the Agreement identified above and will accept as full payment therefore the amount shown above. The terms and conditions of the Agreement identified above are incorporated herein by reference.

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC	**M. ARTHUR GENSLER JR & ASSOCIATES, INC.**
Dated: _____	Dated: _____
By: _____	By: _____

Contract Number: XXXXX

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC
PROFESSIONAL SERVICES AGREEMENT
ARCHITECTURAL AND ENGINEERING SERVICES

This Agreement is made and entered into as of the Fifteenth day of November, 2021 (the "Effective Date"), by and between the Forty Niners Stadium Management Company LLC, a Delaware limited liability company ("Stadium Manager") and Populous, Inc., a Missouri corporation having an address at 4800 Main Street, Suite 300, Kansas City, MO 64112 ("Consultant"). Stadium Manager and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

RECITALS

A. Stadium Manager is managing Levi's Stadium, which is owned by the Santa Clara Stadium Authority, a joint exercise of powers entity, created through Government Code sections 6500 et seq. and is in need of professional services for the following project:

Professional architectural and engineering services at Levi's Stadium, 4900 Marie P. DeBartolo Way, Santa Clara, CA 95054 (the "Stadium") as part of a multi-year on-call service agreement, including, but not limited to, programming, schematic design, design development, construction documents, construction administration services in connection with construction projects, large repair projects and other projects at the Stadium as identified in subsequently issued task orders (hereinafter referred to as the "Project").

B. Consultant is duly licensed and has the necessary qualifications to provide such services on the Project. Consultant desires to perform and assume responsibility for the provision of certain professional services required by Stadium Manager on the terms and conditions set forth in this Agreement and in the task order(s) to be issued pursuant to this Agreement ("Task Order").

C. The Parties desire by this Agreement to establish the terms for Stadium Manager to retain Consultant to provide the services described herein.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Services.

Consultant shall provide the Stadium Manager with the services described in the Scope of Services attached hereto as Exhibit "A." The services shall be more particularly described in the individual Task Order issued by the Stadium Manager or its designee. No services shall be performed unless authorized by a fully executed Task Order in the form attached hereto as Exhibit "C".

2. Compensation.

a. Consultant shall receive compensation, including authorized reimbursements, for all services rendered under this Agreement at the rates set forth in the Schedule of Charges attached hereto as Exhibit "B" and incorporated herein by this reference.

b. The maximum compensation for services to be provided pursuant to each Task Order shall be set forth in the relevant Task Order. Each Task Order shall set forth the total aggregate compensation paid to Consultant for the services set forth in the Task Order and a separate not-to-exceed amount for all printing and other reimbursable expenses (as defined in Exhibit "B" attached hereto). The Stadium Manager will not pay for any printing or other reimbursable expenses incurred in excess of the not-to-exceed amount set forth in the Task Order.

c. Periodic payments shall be made within 30 days of receipt of an invoice which includes a detailed description of the work performed. Payments to Consultant for work performed will be made on a monthly billing basis.

3. Additional Work.

If changes in the work seem merited by Consultant or the Stadium Manager, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a letter outlining the changes shall be forwarded to the Stadium Manager by Consultant with a statement of estimated changes in fee or time schedule. An amendment to this Agreement shall be prepared by the Stadium Manager and executed by both Parties before performance of such services, or the Stadium Manager will not be required to pay for the changes in the scope of work. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

4. Maintenance of Records.

Books, documents, papers, accounting records, and other evidence pertaining to costs incurred shall be maintained by Consultant and made available at all reasonable times during the contract period and for four (4) years from the date of final payment under the contract for inspection by Stadium Manager.

5. Time of Performance.

The term of this Agreement shall be five (5) years from **November 15, 2021 to November 14, 2026**, unless earlier terminated as provided herein. Consultant shall complete the services within the term of this Agreement, and shall meet any other established schedules and deadlines set forth in each individual Task Order issued by the Stadium Manager. All applicable indemnification provisions of this Agreement shall remain in effect following the termination of this Agreement.

6. Delays in Performance.

a. Neither Stadium Manager nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this Agreement, such circumstances include but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; pandemics; war; riots and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage or judicial restraint.

b. Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

7. Compliance with Law.

a. Consultant shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government, including Cal/OSHA requirements.

b. If required, Consultant shall assist the Stadium Manager, as requested, in obtaining all permits required of Consultant by federal, state and local regulatory agencies.

c. If applicable, Consultant is responsible for all costs of clean up and/ or removal of hazardous and toxic substances spilled as a result of his or her services or operations performed under this Agreement.

8. Standard of Care

Consultant's services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

9. Assignment and Subconsultant

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the Stadium Manager, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement. Nothing contained herein shall prevent Consultant from employing independent associates, and subconsultants as Consultant may deem appropriate to assist in the performance of services hereunder.

10. Independent Contractor

Consultant is retained as an independent contractor and is not an employee of Stadium Manager. No employee or agent of Consultant shall become an employee of Stadium Manager.

The work to be performed shall be in accordance with the work described in this Agreement, subject to such directions and amendments from Stadium Manager as herein provided.

11. Insurance. Consultant shall not commence work for the Stadium Manager until it has provided evidence satisfactory to the Stadium Manager it has secured all insurance required under this section. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required under this section.

a. Commercial General Liability

(i) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies reasonably acceptable to the Stadium Manager.

(ii) Coverage for Commercial General Liability insurance shall be at least as broad as the following:

(1) Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or equivalent.

(iii) Commercial General Liability Insurance must include coverage for the following, subject to policy terms, conditions and exclusions:

(1) Bodily Injury and Property Damage
(2) Personal Injury/Advertising Injury
(3) Premises/Operations Liability
(4) Products/Completed Operations Liability
(5) General Aggregate Limits that Apply per location
(6) Explosion, Collapse and Underground (UCX) exclusion deleted
(7) Contractual Liability
(8) Property Damage
(9) Independent Contractors Coverage

(iv) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(v) The policy shall give Stadium Manager, Forty Niners SC Stadium Company LLC, Forty Niners Football Company LLC, the Santa Clara Stadium Authority, and the City of Santa Clara, their officials, officers, and employees, additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or their equivalent.

(vi) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the Stadium

Manager, and provided that such deductibles shall not apply to the Stadium Manager as an additional insured.

b. Automobile Liability

(i) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for any auto, including those owned, non-owned, hired or otherwise operated or used by or on behalf of Contractor, in a form and with insurance companies reasonably acceptable to the Stadium Manager.

(ii) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(iii) The policy shall give Stadium Manager, Forty Niners SC Stadium Company LLC, Forty Niners Football Company LLC, the Santa Clara Stadium Authority, and the City of Santa Clara, their officials, officers, and employees additional insured status.

(iv) Subject to written approval by the Stadium Manager, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the Stadium Manager as an additional insured, but not a self-insured retention.

c. Workers' Compensation/Employer's Liability

(i) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(ii) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this section.

d. Professional Liability (Errors and Omissions)

At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies reasonably acceptable to the Stadium Manager and in an

amount indicated herein. This insurance shall be written on a policy form specifically designed to protect against negligent acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend the Consultant.

e. Minimum Policy Limits Required

(i) The following insurance limits are required for this Agreement (which can be met through a combination of primary and excess policies):

	Combined Single Limit
Commercial General Liability	$2,000,000 per occurrence/$4,000,000 general aggregate for bodily injury, personal injury, and property damage/$2,000,000 personal and advertising injury/$2,000,000 products/completed operations
Automobile Liability	$1,000,000 combined single limit per accident
Employer's Liability	$1,000,000 bodily injury per accident/$1,000,000 bodily injury by diseases – policy limit/$1,000,000 bodily injury by disease – each employee
Professional Liability	$5,000,000 per claim and aggregate (errors and omissions)

(ii) Defense costs shall be payable in addition to the limits, except as respects Professional Liability.

(iii) Requirements of specific coverage or limits contained in this section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

f. Evidence Required

Prior to execution of the Agreement, the Consultant shall file with the Stadium Manager evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original Certificates

of Insurance (Acord Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

g. Policy Provisions Required

(i) Consultant shall provide the Stadium Manager at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the Stadium Manager at least ten (10) days prior to the effective date of cancellation or expiration.

(ii) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, self-insurance or other coverage maintained by the Stadium Manager or any named insureds shall not be called upon to contribute to any loss.

(iii) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(iv) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to provide a waiver of subrogation in favor of the Stadium Manager, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against Stadium Manager, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(v) With respect to the General Liability, Auto Liability and Umbrella/Excess Liability, the limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the Stadium Manager and shall not preclude the Stadium Manager from taking such other actions available to the Stadium Manager under other provisions of the Agreement or law.

h. Qualifying Insurers

(i) All policies required shall be issued by reasonably acceptable insurance companies, as determined by the Stadium Manager, which satisfy the following minimum requirements:

(1) Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

i. Additional Insurance Provisions

(i) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the Stadium Manager, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(ii) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, Stadium Manager has the right but not the duty to obtain the insurance it deems necessary and any premium paid by Stadium Manager will be promptly reimbursed by Consultant or Stadium Manager will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, Stadium Manager may cancel this Agreement.

(iii) The Stadium Manager may require the Consultant to provide complete copies of its General Liability, Auto Liability, and Umbrella/Excess Liability insurance policies in effect for the duration of the Project. Should the Stadium Manager request a review of the Consultant's Professional Liability policy, such review shall be performed upon prior written notice to Consultant and at a mutually agreed upon location and time. Consultant shall not be required to provide electronic copies of its Professional Liability policy.

(iv) Neither the Stadium Manager nor any of its officials, officers, and employees shall be personally responsible for any liability arising under or by virtue of this Agreement.

j. Subconsultant Insurance Requirements. Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the Stadium Manager that they have secured all insurance required under this section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the Stadium Manager as an additional and Consultant shall use good faith efforts to obtain ISO forms CG 20 10 10 01 and 20 37 10 01 or an endorsement providing substantially similar coverage in all material respects. If requested by Consultant, Stadium Manager may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

12. Indemnification.

a. To the fullest extent permitted by law, Consultant shall defend (for claims other than professional liability claims -- with counsel of Stadium Manager's choosing), indemnify

and hold Stadium Manager, the Santa Clara Stadium Authority, the City of Santa Clara, their affiliates, and each of their respective officers, directors, managers, members, partners, owners, employees, agents and authorized volunteers, each tenant and event promoter of Levi's Stadium, and any mortgagee, bond trustee or other financial institution from time to time holding a line or indenture upon an interest in Levi's Stadium, and each of them (collectively, the "Indemnified Parties") free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, to the extent caused by any negligent acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's services, the Project, any Task Order or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, the Indemnified Parties.

b. If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance of "design professional" services (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

13. California Labor Code Requirements.

a. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). If the services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant shall defend, indemnify and hold the Indemnified Parties free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which are applicable to the services being provided by Consultant, which may include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

b. If the services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant

and all subconsultants performing such services must be registered with the Department of Industrial Relations. Consultant shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

c. It shall be Consultant's sole responsibility to comply with, and maintain adequate records of its adherence to, all applicable registration and labor compliance requirements. Proof of such compliance may include Contractor registration with the Department of Industrial Relations, California certified payroll form A-131, statements of non-performance for work not undertaken at any point during the project, DAS 140/142 forms for all apprenticeable crafts or trades, and proper fringe benefits statements. At any time during or subsequent to the full performance of the services under this Agreement, Stadium Manager and/or the Santa Clara Stadium Authority may require Contractor to produce complete and adequate compliance records, subject to Stadium Manager and/or the Santa Clara Stadium Authority's satisfaction, prior to release of payment.

d. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. Any stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the Stadium Manager. Consultant shall defend, indemnify and hold the Indemnified Parties free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor.

14. Verification of Employment Eligibility.

By executing this Agreement, Consultant verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time, and shall require all subconsultants and sub-subconsultants to comply with the same.

15. **Reserved**

16. Laws and Venue.

This Agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of Santa Clara, State of California.

17 Termination or Abandonment

a. Stadium Manager has the right to terminate or abandon any portion or all of the work under this Agreement by giving ten (10) calendar days written notice to Consultant. In

such event, and upon payment to Consultant to all sums due and payable through the date of termination, Stadium Manager shall be immediately given title and possession to all original field notes, drawings and specifications, written reports and other documents produced or developed for that portion of the work completed and/or being abandoned. Stadium Manager shall pay Consultant the reasonable value of services rendered for any portion of the work completed prior to termination. If said termination occurs prior to completion of any task for the Project for which a payment request has not been received, the charge for services performed during such task shall be the reasonable value of such services, based on an amount mutually agreed to by Stadium Manager and Consultant of the portion of such task completed but not paid prior to said termination. Stadium Manager shall not be liable for any costs other than the charges or portions thereof which are specified herein. Consultant shall not be entitled to payment for unperformed services, and shall not be entitled to damages or compensation for termination of work.

b. Consultant may terminate its obligation to provide further services under this Agreement upon thirty (30) calendar days' written notice to Stadium Manager only in the event of substantial failure by Stadium Manager to perform in accordance with the terms of this Agreement through no fault of Consultant. Stadium Manager's failure to make payment to Consultant pursuant to the terms of this Agreement shall be considered substantial failure.

18 Documents. Except as otherwise provided in "Termination or Abandonment," above, all original field notes, written reports, Drawings and Specifications and other documents, produced or developed for the Project shall, upon payment in full for the services described in this Agreement, be furnished to and become the property of the Stadium Manager.

19. Organization

a. Consultant shall assign Jason Perryman as Project Manager. The Project Manager shall not be removed from the Project or reassigned without the prior written consent of the Stadium Manager.

b. Consultant represents that all persons or entities who provide or directly supervise any architectural or engineering services for the Project will be duly licensed to practice under the laws of the State of California. Each Task Order shall set forth a list of the key personnel and subconsultants who will be providing the services under the Task Order (the "Key Personnel and Subconsultants"). Prior to the parties' execution of a Task Order Consultant shall provide, for Stadium Manager's review and approval, it proposed list of the key personnel and subconsultants. No substitutions of any Key Personnel and Subconsultants may be made by Consultant without the prior written consent of Stadium Manager, which consent shall not be unreasonably withheld. If any Key Personnel are no longer employed by Consultant, then Consultant shall notify Stadium Manager within five (5) days after learning of such event. Consultant shall provide a replacement of any Key Personnel within fourteen (14) days after such event. Stadium Manager shall have the right to approve the proposed replacement in advance of an assignment to the Project.

20. Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described above and in each Task Order.

21. Notice

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to:

STADIUM MANAGER:

Forty Niners Stadium Management Company LLC
4900 Marie DeBartolo Way
Santa Clara, CA 95054
Attn: Ryan van Maarth, Vice President, Stadium Operations and Strategic Planning

With copy to:

Legal Affairs
Forty Niners Stadium Management Company LLC
4949 Marie P. DeBartolo Way
Santa Clara, CA 95054

CONSULTANT:

Populous, Inc.
4800 Main Street, Suite 300
Kansas City, MO 64112
Attn: Jason Perryman

With a copy to:

Populous, Inc.
4800 Main Street, Suite 300
Kansas City, MO 64112
Attn: Zachary Rudman, Chief Legal Officer

and shall be effective upon receipt thereof.

22. Third Party Rights

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Stadium Manager and the Consultant.

23. Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or other interests protected by the State or Federal Constitutions. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

24. Entire Agreement

This Agreement, with its exhibits, represents the entire understanding of Stadium Manager and Consultant as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

25. Severability

The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the remaining provisions unenforceable, invalid or illegal.

26. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of Stadium Manager. Any attempted assignment without such consent shall be invalid and void.

27. Non-Waiver

None of the provisions of this Agreement shall be considered waived by either party, unless such waiver is specifically specified in writing.

28. Time of Essence

Time is of the essence for each and every provision of this Agreement.

29. Stadium Manager's Right to Employ Other Consultants

Stadium Manager reserves its right to employ other consultants, including engineers, in connection with this Project or other projects.

30. Disputes

All disputes between Consultant and the Stadium Manager relating in any way to this Agreement or any work performed under this Agreement (including, but not limited to, claims for breach of contract, tort, discrimination, harassment and any violation of federal or state law, regulation or constitution) ("Arbitrable Claims") shall be resolved by binding arbitration under the Federal Arbitration Act, in conformity with the procedures of the California Arbitration Act (Cal. Code Civ. Proc. § 1280 *et seq*., including § 1283.05 and all of the Act's other mandatory and permissive rights to discovery). In addition to any other requirements imposed by law, the arbitrator selected shall be a retired California Superior Court Judge, or otherwise qualified

individual to whom the parties mutually agree, and shall be subject to disqualification on the same grounds as would apply to a judge of such court. All rules of pleading (including the right of demurrer), all rules of discovery, all rules of evidence, all rights to resolution of the dispute by means of motions for summary judgment, judgment on the pleadings and all other dispositive motions, and judgment under Code of Civil Procedure § 631.8 shall apply and be observed. Resolution of the dispute shall be based solely upon the law governing the claims and defenses pleaded, and the arbitrator may not invoke any basis other than such controlling law. The arbitrator shall have the immunity of a judicial officer from civil liability when acting in the capacity of an arbitrator, which immunity supplements any other existing immunity. Likewise, all communications during or in connection with the arbitration proceedings are privileged in accordance with Cal. Civil Code § 47(b). As reasonably required to allow full use and benefit of this agreement's modifications to the Act's procedures, the arbitrator shall extend the times set by the Act for the giving of notices and setting of hearings. Awards shall include the arbitrator's written reasoned opinion. **The Parties understand and agree to this binding arbitration provision, and both Consultant and the Stadium Manager give up their right to trial by jury of any claim they may have against each other.**

31. Prohibited Interests

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, Stadium Manager shall have the right to rescind this Agreement without liability. For the term of this Agreement, no director, official, officer or employee of Stadium Manager, during the term of his or her service with Stadium Manager, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

[SIGNATURES ON FOLLOWING PAGE]

Contract Number: XXXXX

SIGNATURE PAGE FOR ON-CALL PROFESSIONAL SERVICES AGREEMENT ARCHITECTURAL AND ENGINEERING SERVICES BETWEEN THE FORTY NINERS STADIUM MANAGEMENT COMPANY LLC AND POPULOUS, INC.

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the Effective Date.

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC	**POPULOUS, INC.**
By: _____	By: _____
Its: _____	Its: _____
Printed Name:_____	Printed Name:_____

EXHIBIT A

Scope of Services

The architectural and engineering services that may be included in a Task Order for a Project include, but are not limited to, the following:

A. Architectural and Engineering:

1. Architectural design
2. Electrical engineering
3. Mechanical engineering
4. Plumbing engineering
5. Civil engineering
6. Landscape architectural
7. Structural engineering
8. Fire protection engineering
9. Fire alarm and EMS design
10. Hazardous abatement assessment
11. Waterproofing
12. Geotechnical engineering
13. Acoustic design
14. Audio, video, communications, low voltage and information Technology design
15. Security engineering
16. Wayfinding signage design
17. Signage, branding, theming graphics, and experiential design
18. ADA design and consulting
19. Concessions, merchandising and catering services / kitchen service equipment design services
20. Interior design
21. Sport and specialty lighting design
22. Vertical transportation design and engineering
23. Traffic and pedestrian engineering
24. Telecommunications, high density Wi-Fi and neutral host Distributed Antenna System (DAS)
25. Survey and Mapping

B. Other Services:

1. Project verification and analysis
2. Project schedule and phasing
3. Project development
4. Building code analysis
5. Field investigation
6. ADA evaluations

7. Site Line Evaluations
8. Design development of bid documents including
    a. Schematic Design
    b. Design Development
    c. Construction Documents and Specifications Building Information Modeling (BIM) Services, if needed
    d. Permit Approval from Authorities Having Jurisdiction
9. Bid and contract award assistance
10. Construction Administration services including
    a. Submittal and shop drawing reviews
    b. Contractor Requests For Information (RFI) response
    c. Site visits
    d. Field observation reports
    e. Change order administration
    f. Punch list administration
    g. Mechanical commissioning as needed
    h. Preparation of final record drawings from the Contractor's as-built drawings, as necessary
    i. Close out support, including cost estimates for outstanding or unfinished elements.
11. LEED and sustainability studies, including energy modeling, building analysis and commissioning
12. Energy consumption analysis
13. Data collection
14. Cost estimating

EXHIBIT B

Schedule of Charges/Payments

Consultant will invoice Stadium Manager on a monthly cycle. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each task. Consultant will inform Stadium Manager regarding any out-of-scope work being performed by Consultant. Any mutually agreed upon unexpected costs to be reimbursed by Stadium Manager shall be approved in writing by Stadium Manager prior to being incurred by Consultant, provided Consultant has furnished proper documentation of such authorized expenses as the Stadium Manager may reasonably request. This is a time-and-materials contract.

Consultant's Cost Proposal is attached hereto as **Attachment B-1** and includes the hourly billing rates that will apply throughout the term of this Agreement for services provided by Consultant and its Subconsultants.

Attachment B-1

CONSULTANT'S COST PROPOSAL

1. General

Consultant's pricing for architectural and engineering services is set forth in the tables provided below:

Respondent: Populous					
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Senior Principal	$420	$433	$446	$459	$462
Senior Architect – PIC	$325	$335	$345	$355	$365
Senior Project Manager	$275	$283	$291	$299	$307
Senior Project Architect	$275	$283	$291	$299	$307
Senior Project Designer	$275	$283	$291	$299	$307
Project Architect	$205	$211	$217	$223	$229
Project Designer	$205	$211	$217	$223	$229
Architecture Designer II	$140	$145	$150	$155	$160
Senior Interior Designer	$220	$227	$234	$231	$238
Interior Designer	$155	$160	$165	$170	$175
Specifications Writer	$205	$211	$217	$223	$229
Reimbursables	at cost	at cost	at cost	at cost	at cost

Subconsultant 1	**Name: ME Engineers**				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Senior Principal	$300	$310	$320	$330	$340
Principal	$280	$290	$300	$310	$315
Associate Principal	$260	$270	$280	$285	$295
Sr. Associate	$240	$250	$255	$265	$270
Associate	$225	$235	$240	$250	$255
Senior Project Manager	$215	$225	$230	$235	$245
Project Manager	$190	$200	$205	$210	$215
Project Engineer	$160	$165	$170	$175	$180
Designer	$140	$145	$150	$155	$160
Sr. BIM Coordinator	$130	$135	$140	$145	$150
BIM Coordinator	$125	$130	$135	$140	$145
CAD Technician	$115	$120	$125	$130	$135
Administrative Staff	$110	$115	$120	$125	$130
Reimbursables	at cost	at cost	at cost	at cost	at cost

Subconsultant 2	Name: Magnusson Klemencic Associates				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Ron Klemencic	$400	$412	$424	$436	$448
Senior Principal (Senior VP)	$350	$361	$372	$383	$394
Principal (VP)	$300	$309	$318	$327	$336
Senior Associate	$250	$258	$266	$274	$282
Associate	$215	$221	$227	$233	$239
Senior Engineer	$180	$185	$190	$195	$200
Engineer	$150	$155	$160	$165	$175
Senior BIM Specialist	$175	$180	$185	$190	$195
BIM Specialist	$140	$144	$148	$152	$156
Administrative Support	$105	$108	$111	$114	$117
Reimbursables	at cost	at cost	at cost	at cost	at cost

Subconsultant 3	Name: Howe Engineers				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Principal/Partner	$230	$237	$244	$251	$258
Associate Principal	$215	$221	$227	$233	$239
Project Director	$210	$215	$220	$225	$230
Project Manager	$185	$190	$195	$200	$205
Senior Engineer	$175	$180	$185	$190	$195
Associate Engineer/Consultant	$160	$165	$170	$175	$180
Fire Protection Engineer/Consultant	$145	$149	$153	$157	$161
Fire Protection Designer	$110	$113	$116	$119	$122
Fire Protection Technician	$95	$98	$101	$104	$107
Reimbursables	at cost	at cost	at cost	at cost	at cost

Subconsultant 4	Name: S2O Consultants				
Position/Title	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
Principal	$225	$235	$240	$250	$255
Project Manager	$200	$206	$212	$218	$224
Associate	$175	$180	$185	$190	$195
REVIT/CAD Technicians	$150	$155	$160	$165	$175
Reimbursables	at cost	at cost	at cost	at cost	at cost

2. Prevailing Wage Requirements (If Applicable to a particular Project)

a. In the cost proposal for each Task Order, identify the assigned employees/staff positions who shall be paid in accordance with State of California prevailing wage requirements.

b. It's Consultant's responsibility to comply with prevailing wage requirements and assure assigned staff are property classified and paid at the proper rate.

3. <u>Reimbursable Expenses</u>

Reimbursable Expenses are in addition to compensation for Consultant's services and include reasonable expenses incurred by and Consultant and its subconsultants directly related to the performance of services under a Task Order. Such Reimbursable Expenses are as follows:

a. Transportation and out-of-town travel and subsistence, if authorized in advance by the Stadium Manager.

b. Dedicated data and communication services and project websites, and extranets, if authorized in advance by the Stadium Manager.

c. Permitting and other fees required by authorities having jurisdiction over any project Consultant is tasked with performing under the awarded contract.

d. Printing, reproductions, plots and standard form documents.

e. Postage, handling, and delivery of any instruments of service or deliverables.

f. Renderings, physical models, mock-ups, professional photography and presentation materials requested by the Stadium Manager or required under a Task Order, excluding computer-generated renderings, models and mockups prepared by the Architect's in-house staff during the course of design.

g. All taxes (except sales tax and B&O tax) levied on professional services and on reimbursement expenses.

h. Site office expenses, if authorized in advance by the Stadium Manager.

i. Other similar project-related expenditures, if authorized in advance by the Stadium Manager.

j. Consultant will be required to prepare an estimate of reimbursable expenses in connection with each Task Order issued by the Stadium Manager. Consultant shall not exceed the estimated cost of such expenses without the Stadium Manager's prior written approval.

Contract Number: XXXXX

EXHIBIT C

Sample Task Order Form

TASK ORDER

Task Order No. _____

Agreement: Professional Services Agreement, dated as of November 15, 2021

Consultant: Populous, Inc.

The Consultant is hereby authorized to perform the following services subject to the provisions of the Agreement identified above:

The following are the Key Personnel and Subconsultants who will be providing the services:

List any attachments: (Please provide if any.)

Dollar Amount of Task Order: Not to exceed $_____

Completion Date: _____

The undersigned Consultant hereby agrees that it will provide all equipment, furnish all materials, except as may be otherwise noted above, and perform all services for the work above specified in accordance with the Agreement identified above and will accept as full payment therefore the amount shown above. The terms and conditions of the Agreement identified above are incorporated herein by reference.

FORTY NINERS STADIUM MANAGEMENT COMPANY LLC	**POPULOUS, INC.**
Dated: _____	Dated: _____
By: _____	By: _____

21-1468 **Agenda Date: 11/9/2021**

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT
Report from the Stadium Authority Regarding the Stadium Manager's Request to Execute Agreements with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., and Populous, Inc. for Architectural and Engineering Professional Services

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 result of Ordinance No. 2005, the Stadium Manager is 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.

As the Stadium Manager, Forty Niners Stadium Management Company, LLC (ManCo), is responsible for maintaining "the Stadium in the Required Condition and operate the Stadium as a quality NFL and multi-purpose public sports, public assembly, exhibit and entertainment facility" as required by the Management Agreement between ManCo and the Stadium Authority.

The Stadium Manager is requesting approval for the following:

1. Execute five-year Master Agreements with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., and Populous, Inc. for architectural and engineering professional services. The aggregate compensation for the four agreements will not exceed an aggregate maximum of $1M per contract year. Collectively, the request is for an aggregate maximum amount of $5M over the five-year period for the four agreements and is subject to the Board's funding approval as part of the annual budgeting process. The services will be charged to applicable CapEx and Shared Stadium Expense line items; and

2. Issue individual task orders to the four firms for services based on various criteria including demonstrated experience and expertise in specific areas that best meets the needs of a given project and availability of staff for specific projects. Compensation to the firms will be tracked through approved task orders, and total compensation shall not exceed an aggregate maximum of $1M across the four firms per contract year.

Chapter 17.30.070 of the City Code states that, "Except for reserved purchase order numbers

assigned by the purchasing officer, the purchasing officer shall not issue any purchase order or award any contract for supplies, materials, or equipment unless there exists an unencumbered appropriation in the proper account of the Stadium Authority to which the purchase is to be charged." However, the Stadium Manager does note in its Recommendation for Award memo that the term for subsequent fiscal years shall be conditioned upon approval of the Stadium Authority budget for the applicable fiscal year that includes the amounts due under these contracts.

DISCUSSION

On October 5, 2021, Stadium Authority staff received the Stadium Manager's original Recommendation for Award memo, supporting procurement documents, and agreements with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc. (these documents are attached to corresponding report #21-1467). The original Recommendation for Award memo requested five-year agreements with the four firms, each with a not to exceed amount of $1M per contract year and not to exceed amount of $5M over the initial five-year term (for a combined not to exceed amount of $20M over the five years between the four agreements). However, the memo stated that the Stadium Manager did not foresee a situation where it would issue task orders to all four firms for $1M in any single year.

Architectural and engineering design services are normally incorporated into a capital project's budget and on average are about 15% of the project's construction cost. The City follows an approach of requesting delegated authority from the Council to amend agreements to increase and/or defund within an approved aggregate amount when there are multiple vendor agreements for identical services. The aggregate amount is based on the anticipated spend. Staff shared this information with the Stadium Manager, asked for information regarding the Stadium Manager's anticipated aggregate spend, and proposed a modification to the request so that it reflects the actual anticipated aggregate spend.

The Stadium Manager agreed with staff's recommendation to adjust its request for funding to reflect the anticipated aggregate spend and submitted a revised Recommendation for Award memo and new Master Agreements with Task Order Forms. This approach allows for the flexibility desired by the Stadium Manager, maintains the Stadium Manager's ability to receive competitive pricing from multiple proposals, streamlines the Board approval process, and does not tie up unnecessary public funds.

Staff recommends approval of the Agreements with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., with maximum compensation up to an aggregate maximum of $1M per contract year and a maximum aggregate amount of $5M over the five years, subject to appropriations of funds for subsequent fiscal years, and delegated authority to the Stadium Manager to issue task orders to the four firms for required services so long as they do not exceed the maximum aggregate of $1M per contract year. Additionally, staff recommends that the Board delegates authority to the Executive Director to approve amendments to the maximum aggregate funding amount as needed, subject to the appropriation of funds, without further Board action. This last recommendation will streamline the approval process if any additional funds are required by the Stadium Manager, while ensuring funding oversight.

The Stadium Authority will require full supporting documentation including compliance with prevailing wage laws, if applicable, before respectively releasing public funds upon completion of work. This requirement is consistent with the Stadium Authority Board's March 27, 2019 direction to staff to stop

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payment of any additional invoices for services unless there is substantial documentation of services rendered which must also be in compliance with State law and City Code.

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 term of each Master Agreement is five years beginning on November 15, 2021 and ending on November 14, 2026. The Agreements will be funded as tasks are assigned, subject to the appropriation of funds.

FY 2021/22 funding for the agreements is available in specific Stadium Manager capital projects within the FY 2021/2022 Stadium Authority CapEx Budget and Legal Contingency for Shared Stadium Manager Expenses. As part of its March 23, 2021 approval of the FY 2021/22 Budget, the Stadium Authority Board delegated budget amendment authority to the Executive Director for Shared Expenses from the Legal Contingency. The Executive Director will approve budget amendments as needed to reallocate funds from the Legal Contingency to specific Shared Expenses line items upon the Board’s approval of staff’s recommendations and as needed for these services.

COORDINATION

This report has been coordinated with the City’s Director of Public Works and Purchasing Manager, Stadium Treasurer’s Office, and Chief Assistant City Attorney.

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

1. Approve the Stadium Manager’s request to execute Master Agreements with Task Order Forms with Hellmuth, Obata & Kassabaum, Inc., HKS Architects, Inc., M. Arthur Gensler Jr. & Associates, Inc., and Populous, Inc. with a term ending on November 14, 2026 and for a maximum aggregate amount of $1M per contract year and maximum aggregate amount of $5M over the five year term, subject to the appropriation of funds;
2. Authorize the Stadium Manager to execute task orders to the four firms up to a maximum aggregate amount of $1M per contract year without further Stadium Authority Board action and subject to the appropriation of funds; and
3. Authorize the Executive Director to approve amendments to the maximum aggregate funding amount as needed, subject to the appropriation of funds, without further Stadium Authority Board action.

Prepared by: Christine Jung, Assistant to the Executive Director
Reviewed by: Deanna J. Santana, Executive Director

21-1523 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Information and Update on the Ad Hoc Committee on the Apology Letter Relating to the City's California Voting Rights Act Litigation

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
At the July 13, 2021 City Council meeting, Council acted on a written petition submitted by Councilmember Becker requesting a public apology to the residents of Santa Clara for the California Voting Rights Act (CVRA) lawsuit. A draft letter was submitted along with the written petition and is provided in Attachment 1. At this meeting a motion was made by Councilmember Jain, seconded by Councilmember Becker, that the Council (1) issue an apology for having consumed the City's treasury for fighting a CVRA lawsuit, (2) establish a publicly noticed meeting of an Ad-Hoc Committee comprised of Councilmember Becker and Councilmember Park, and (3) return to Council for ratification of the letter at a later time.

The Ad-Hoc Committee on the CVRA Apology Letter Relating to the City's California Voting Rights Act Litigation (Ad-Hoc Committee) held its first meeting on October 13, 2021.

DISCUSSION
The purpose of the Ad-Hoc Committee is to edit the draft apology letter submitted by Councilmember Becker and return to the full City Council with a revised letter for review and approval.

At the October 13th Ad-Hoc Committee meeting, Councilmembers Becker and Park expressed interest in expanding the scope of the Ad-Hoc Committee by increasing community outreach to encourage the community to provide input on the letter. Specifically, the Ad-Hoc Committee members requested the following via a motion:

1. Schedule another Ad-Hoc Committee meeting **with full City staff support including livestreaming of the meeting as the City Council meetings are streamed and advertised.**
2. Set the Ad-Hoc Committee meetings for 7:00 p.m.
3. Promote the Ad-Hoc Committee and the survey on social media.
4. Have the Task Force on Diversity, Equity and Inclusion provide input on the draft letter.
5. Host a community workshop.
6. Place a survey on the City's website seeking feedback on the draft apology letter with the following materials for reference:
   a. The draft apology letter submitted by Councilmember Becker;
   b. An un-biased background/history on the CVRA Lawsuit, which is to be developed and

approved by the City Council; and

c. The recent City of San Jose Resolution Apologizing to the Chinese Immigrants and their Descendants for Acts of Fundamental Injustice and Discrimination, Seeking Forgiveness and Committing to the Rectification of Past Policies and Misdeeds (Attachment 2),

The City Manager noted at the meeting that she would return to City Council to report out on the expanded scope of the Ad-Hoc Committee.

Regarding the background and history on the CVRA lawsuit, a report was submitted to Council at its June 8, 2021 meeting outlining the history (Attachment 3). At that meeting, Council directed the City Attorney to return to a Council meeting with an updated report on California Voter Rights Act (CVRA) litigation to include the Councilmember recommended historical events additions. On August 18, 2021, the City Attorney sent a memo (Attachment 4) to City Council noting that as of the date of the memo, aside from a copy of the 2011 letter to the City from Robert Rubin sent by Councilmember Becker, no other information was received; therefore, there was no additional information to include in a revised report. Therefore, the only CVRA history on file is the one provided in Attachment 3.

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 associated with this report other than administrative staff time.

COORDINATION

This report was coordinated between the City Attorney’s Office and the City Manager’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. Review expanded scope and provide direction on staff resources to support the committee; and
2. Review the provided history and background and provide feedback on what should be posted on the Open City Hall survey as a history.

Reviewed by: Sujata Reuter, Assistant City Attorney
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Draft Letter
2. San Jose Resolution
3. CVRA Background - RTC 21-803

4. Memo to City Council re referral on CVRA Litigation Report

7-13-21

ITEM #11
RTC # 21-978

To the people of the City of Santa Clara, July 11, 2021

In 2011, the City of Santa Clara received a letter and was advised that its at-large by-seat election system was infringing on the voting rights of the City's Asian American citizens which at the time made up 39% of the city's residents. The City of Santa Clara is a minority-majority city, yet Santa Clara didn't have a single minority Council Member since the Charter was approved in 1952.

The Council dismissed the concerns of a demographer's analysis which concluded the city was in jeopardy of a costly California Voting Rights Act (CVRA) lawsuit.

For the next six years City continued to ignore legal advice that the City remained in jeopardy. In 2016 before the elections, the city tried to avoid the fact that Santa Clara had received a letter threatening a CVRA lawsuit.

In 2017, the lawsuit we feared was filed. Instead of acknowledging the wrongdoing that had been done to Santa Clara's Asian American residents, the City chose to fight the lawsuit, insisting that not having a minority Council Member didn't prove that minorities were disadvantaged by the at-large system.

In 2018 Santa Clara lost the lawsuit. The judge ordered Santa Clara to adapt to 6 districts to elect council members and faced $3.1 million to be awarded to the plaintiff's attorneys and over $700,000 in its own legal bills. In result the city appealed the verdict and didn't back down.

In the end the city lost the appeal and their argument. After 10 years, the city owed the plaintiffs' attorneys over $4 million in legal fees and paid $1.5 million to its own attorney. Since going to districts Santa Clara has elected three minorities to council.

The Santa Clara City Council past and present owes an apology to its minority-majority population for clinging to a system that prevented them from exercising their rights under the Constitution to elect representatives of their choice.

The Santa Clara City Council also owes an apology to all of its residents for wasting over $5 million that could make a difference in the City's fiscal circumstances right now.

We humbly offer those apologies today, and hope that with the support and participation of all our community, we will live up to our democratic ideals and truly make Santa Clara the center of what's possible for all our residents.

Sincerely,
The Santa Clara City Council and the City of Santa Clara.
Counilmember District Councilmember District
Councilmember District Mayor
Councilmember District
Councilmember District

POST MEETING MATERIAL

RESOLUTION NO. 80238

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APOLOGIZING TO CHINESE IMMIGRANTS AND THEIR DESCENDANTS FOR ACTS OF FUNDAMENTAL INJUSTICE AND DISCRIMINATION, SEEKING FORGIVENESS AND COMMITTING TO THE RECTIFICATION OF PAST POLICIES AND MISDEEDS

WHEREAS, between 1849 and 1853 about 24,000 young Chinese men immigrated to California and by 1870 there were an estimated 63,000 Chinese in the United States, 77% of whom resided in California; and

WHEREAS, Chinese immigrants were the primary workforce in developing Santa Clara County as the “fruit bowl of America” and San José was home to five Chinatowns including the first Market Street Chinatown (1866-1870), the Vine Street Chinatown (1870-1872), the Second Market Street Chinatown (1872-1887), the Woolen Mills Chinatown (1887-1902), and Heinlenville (1887-1931); and

WHEREAS, San José was a center of agriculture, and Chinese immigrants were critical to the economy, industry and progress of Santa Clara Country including in manufacturing and heavy construction, notably as workers on the San José Railroad and Santa Cruz-Monterey Line in the 1870s; and

WHEREAS, Chinese immigrants were met with virulent racism, xenophobia and the violence of anti-Chinese forces in San José from early on and denied equal protection before the law; and

WHEREAS, in 1869, the First Methodist Episcopal Church on 2nd and Santa Clara streets which taught Sunday school to Chinese immigrants was burned to the ground and the minister, Thomas S. Dunn, received death threats; and

WHEREAS, after passage of the Chinese Exclusion Act of 1882, which denied naturalization to U.S. citizenship and restricted Chinese immigration, anti-Chinese acts became institutionalized and empowered by federal, state, and local acts and anti-Chinese conventions were held in San José, including the first State Convention of the Anti-Chinese League in 1886; and

WHEREAS, the policies, resolutions, and other actions of the City of San José ("City") and the City Council directly contributed to the xenophobic discrimination and racial violence faced by Chinese immigrants; and

WHEREAS, the City Council condemned all Chinese laundries on the basis they operated in wooden buildings after denying fourteen Chinese laundry operators who filed a petition on January 14, 1886 requesting to continue their laundry businesses, and Mayor G. T. Settle broke the tie vote and the motion before San José's City Council to condemn Chinese laundries was carried; and

WHEREAS, the City made plans to remove San José's Market Street Chinatown for the building of the new City Hall downtown and on March 25, 1887, an order declaring the Chinatown at Market and San Fernando Streets a public nuisance was unanimously approved by Mayor C. W. Breyfogle and the entire City Council; and

WHEREAS, the Market Street Chinatown succumbed to arson on May 4, 1887 before official action could be taken, leading to the destruction of homes and businesses and the displacement of 1,400 members of San José's Chinese community; and

WHEREAS, on June 2, 1887, after the burning of the Market Street Chinatown, when John Heinlen requested permits for building a new Chinatown on his property, his request was declared out of order by the Mayor; and

WHEREAS, on June 8, 1887 at a mass rally of citizens gathered on the corner of Fifth and Jackson Street to protest the building of a new Chinatown a resolution drafted by Mayor Breyfogle and the entire City Council was read to the crowd stating that a Chinatown is “a public nuisance, injurious to private property adjacent thereto, dangerous to the health and welfare of all citizens who live and have homes in its vicinity, and a standing menace to both public and private morals, peace, quiet and good order, and etc.”; and

WHEREAS, on July 25, 1887 the City Council voted to allow only materials made by white labor in the construction of the new city hall; and

WHEREAS, in 1888, despite vehement opposition from the City and its citizenry, John Heinlen finished construction of the new Chinatown which would be known as Heinlenville and last for 44 years until 1931; and

WHEREAS, in 1949, the City voted to demolish the historic Ng Shing Gung Temple building and take over the property despite attempts by the Chinese community to save the temple as a historic landmark; and

WHEREAS, the City stored the historic Ng Shing Gung altar under the Municipal Stadium where it suffered damage from outdoor exposure for the next 40 years until the Chinese Historical and Cultural Project (“CHCP”) was asked to work with the city on collection and maintenance of artifacts found in the building of the Fairmont Hotel in 1987; and

WHEREAS, the Chinese Exclusion Laws were repealed in 1943 and subsequent federal legislation officially banned racial bias in immigration and citizenship, a fundamental step in the struggle for racial equality and justice in the United States;

WHEREAS, the CHCP built a replica of the historic temple building, installed exhibits of Chinese American history of the Santa Clara Valley, and gifted the Museum to the City as a token of friendship and forgiveness from the Chinese American community in 1991; and

WHEREAS, the recent rise in anti-Asian violence and racial discrimination demonstrates that xenophobia remains deeply rooted in our society; and

WHEREAS, Asian-Americans are still considered perpetual foreigners; and

WHEREAS, the story of Chinese immigrants and the dehumanizing atrocities committed against them in the 19th and early 20th century should not be purged from or minimized in the telling of San José's history; and

WHEREAS, the City must acknowledge and take responsibility for the legacy of discrimination against early Chinese immigrants as part of our collective consciousness that helps contribute to the current surge in anti-Asian and Pacific Islander hate; and

WHEREAS, a genuine apology for the role of the City in this history and legacy is an important and necessary step in the process of racial reconciliation; and

WHEREAS, an apology for grievous injustices cannot erase the past, but admission of the historic wrongdoings committed can aid us in solving the critical problems of racial discrimination facing America today;

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF SAN JOSE:

1) Apologizes to all Chinese immigrants and their descendants who came to San José and were the victims of systemic and institutional racism, xenophobia, and discrimination;

2) Acknowledges acts of fundamental injustice, terror, cruelty, and brutality, including the dismantling and destruction of the city's Chinatowns;

3) Recognizes the contributions and resilience of the Chinese community and their commitment to fostering reconciliation and friendship; and

4) Resolves to rectify the lingering consequences of the discriminatory policies of the City of San José, and to use this resolution as a teaching moment for the public to move forward towards justice for all.

ADOPTED this 28th day of September, 2021, by the following vote:

AYES:	ARENAS, CARRASCO, COHEN, DAVIS, ESPARZA, FOLEY, JONES, JIMENEZ, MAHAN, PERALEZ, LICCARDO.
NOES:	NONE.
ABSENT:	NONE.
DISQUALIFIED:	NONE.

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

21-803 **Agenda Date: 6/8/2021**

REPORT TO COUNCIL

SUBJECT

Report from the City Attorney on California Voter Rights Act (CVRA) Litigation (Continued from May 25, 2021)

COUNCIL PILLAR

Enhance Community Engagement and Transparency

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		

CVRA Chronology

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."		

CVRA Chronology

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

Council and Authorities Concurrent Meeting on 2021-06-08 4:00 PM

Meeting Time: 06-08-21 16:00

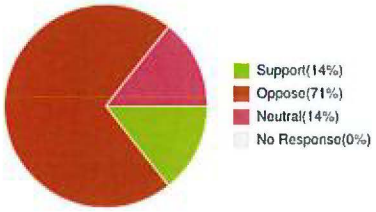
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Council and Authorities Concurrent Meeting on 2021-06-08 4:00 PM	06-08-21 16:00	61	7	1	5	1

Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Council and Authorities Concurrent Meeting on 2021-06-08 4:00 PM

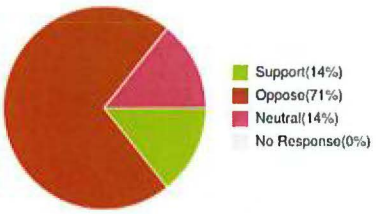
06-08-21 16:00

Agenda Name	Comments	Support	Oppose	Neutral
STUDY SESSION	2	0	1	1
4.P 21-803 Report from the City Attorney on California Voter Rights Act (CVRA) Litigation (Continued from May 25, 2021)	1	0	1	0
6. 21-810 Public Hearing: Adoption of a Resolution Setting Rates for Overall Solid Waste Services and Annual Clean-up Campaign in the Exclusive Franchise Area (Continued from May 25, 2021)	3	1	2	0
12. 21-824 Action on Censure of Councilmember Watanabe and Admonishment of Mayor Gillmor	1	0	1	0

Sentiments for All Agenda Items

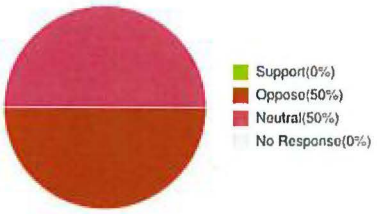
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for STUDY SESSION

Overall Sentiment



Annabel Gong

Location:
Submitted At: 8:07pm 06-08-21

Thank you City Council and Mayor for supporting RJJT. I had a comment about the $20 flat rate ticket fee: im not sure it is equitable to have such a high price (more than a movie ticket) for families to come see a community theatre show. I hope we can find a way to make theatre more affordable for all audience members and theatre participants in Santa Clara.

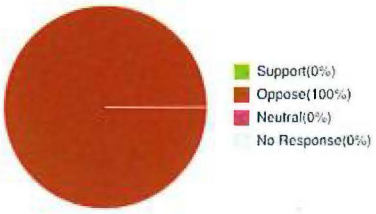
Sally SC

Location:
Submitted At: 6:03pm 06-08-21

No cuts to public safety! If our city was really in such a bad way, we wouldn't still be trying to hire more positions in the City Manager's office. How do you justify hiring there, yet not in other departments? Give the residents the level of service they deserve in this city, a fully staffed police department and fire department.

Agenda Item: eComments for 4.P 21-803 Report from the City Attorney on California Voter Rights Act (CVRA) Litigation (Continued from May 25, 2021)

Overall Sentiment

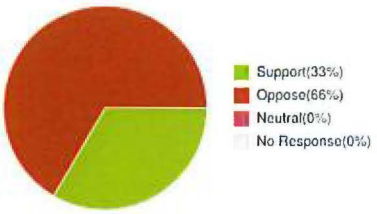


Sally SC
Location:
Submitted At: 6:08pm 06-08-21

The public apology people are asking for is ridiculous. Let's just all move along already.

Agenda Item: eComments for 6. 21-810 Public Hearing: Adoption of a Resolution Setting Rates for Overall Solid Waste Services and Annual Clean-up Campaign in the Exclusive Franchise Area (Continued from May 25, 2021)

Overall Sentiment



David Bonafede
Location:
Submitted At: 12:06am 06-09-21

The fact that this continues to be pushed and argued is quite ridiculous. The city and Green Waste are already in contract. This was already voted upon by council, and the city staff has moved forward based on that vote. THIS IS HOW A DEMOCRACY WORKS! If the current city council does not like the result, then they must wait until the current contract ends before a new negotiation can take place. Please stop this nonsense and move forward. This council is becoming an absolute embarrassment.

Adam Thompson
Location:
Submitted At: 7:37pm 06-08-21

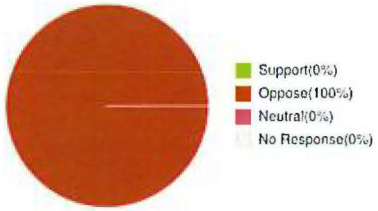
The waste fee increase will have a large impact on many families within the city and should be investigated further prior to signing a long term contract. I understand the state has put additional requirements on local entities to sort garbage. The trial wasn't received well but many did not understand why there was a change or that the impact of not complying with the new requirements would result it masive fee increases. Please work on alternatives before signing. SC needs to get creative!

Adolfo Garcia
Location:
Submitted At: 7:52pm 06-07-21

Thank you for the opportunity to voice my opinion. Further to my letter of 19 May 21 to the City Clerk and based on additional information received on 5/27/21 and on 6/1/21 from the Director of Public Works, I continue to voice my opposition to and encourage the City Council to reject the proposed CY2021/2022 Solid Waste rate increases.

Agenda Item: eComments for 12. 21-824 Action on Censure of Councilmember Watanabe and Admonishment of Mayor Gillmor

Overall Sentiment



Sally SC
Location:
Submitted At: 6:10pm 06-08-21

Councilmember already apologized. And quite honestly this whole situation was blown completely out of proportion just because others told a certain councilmember he should be offended. As far as Mayor Gillmor is concerned, this had nothing to do with here and she should have never been dragged into this. It's time to move along already. Especially since other councilmembers shouldn't throw any stones at glass houses.

City of Santa Clara
The Center of What's Possible

City Attorney's Office
Memorandum

Date: August 18, 2021

To: Honorable Mayor Gillmor and City Council

From: Brian Doyle, City Attorney

Subject: Referral from June 8, 2021 Council Meeting re: CVRA Litigation Report

In response to my report to Council on the CVRA litigation on June 8, 2021, Council directed that I bring the report back to Council with additional information that several councilmembers thought should be included in a revised report. I requested that interested Councilmembers send me the information that they wanted me to put into the report. The following is an excerpt from the Council discussion:

WHY DO WE DO THAT, WHY DON'T EACH OF
03:16:32 THE COUNCILMEMBERS SEND ME WHAT THEY
03:16:33 THINK NEEDS TO GO IN THE REPORTAND THEN
03:16:38 I WILL JUST SEND A CONFIDENTIAL VERSION
03:16:40 OF THE REPORT BACK TO THE COUNCIL, BUT
03:16:41 I CAN'TBRING A PUBLIC REPORT TO THE
03:16:44 COUNCILUNLESSWITH CONFIDENTIAL MATERIAL
03:16:50 AND AT THIS POINT COUNCIL HAS NOT
03:16:55 WAIVED CONFIDENTIALITY, SO ANY
03:16:57 SETTLEMENT LETTERS OR DISCUSSIONS OF
03:16:58 SETTLEMENTARE STILL CONFIDENTIAL UNLESS
03:17:01 COUNCIL WAIVES IT.
03:17:04 >>I THINK THAT'S AN ODD WAY TO RUN THE
03:17:08 FORMAL PROCESS, BUT I THINK WE CAN
03:17:09 START WITH THAT AND SEE WHAT COMES UP.
03:17:10 >>WHY DON'T YOU DO THAT.
03:17:16 [CROSSTALK]
03:17:17 >>FILE ANYBODY THAT HAS ANY
03:17:18 DOCUMENTATION SENT IT TO THE CITY
03:17:19 ATTORNEY.

To date, aside from a copy of the 2011 letter to the City from Robert Rubin that I received from Councilmember Becker and that I transmitted to the Council, I have not received any information from any Councilmember. I have no additional information to include in a revised report.

Brian Doyle
City Attorney

cc: City Manager

21-1435 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Introduction of Ordinance to Amend Chapter 2.120, Entitled Boards and Commissions, to Update Boards and Commission Members Qualifications and Create the City's Housing Commission and Establish the Powers, Functions, and Duties of the Commission; Direction About the Formation of a Homelessness Taskforce

COUNCIL PILLAR
Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND
On February 5, 2019, the City Council approved a broad restructuring of City Committees including the City's Housing Rehabilitation Loan Committee (HRLC). The primary function of the HRLC was to review proposed loans to finance rehabilitation work on housing occupied by low-income residents in Santa Clara as part of the City's Neighborhood Conservation and Improvement Program (NCIP) administered by the Community Development Department, Housing and Neighborhood Services Division.

As part of the restructuring of the HRLC the City removed the councilmember position from the committee. At that time, staff noted that the HRLC's scope did not require a Council Committee to consider loan approvals since these approvals are administrative in nature and funding for the NCIP has already been approved by the City Council in the annual appropriation of the budget. In review of the legislative history for the HRLC, the City never adopted a City Code to establish this committee and thus loan approvals are now strictly administrative and approved by an administrative staff credit committee.

At the February 10, 2020 Governance and Ethics Committee meeting, the Committee inquired about restructuring and renaming the Housing Rehabilitation Loan Committee (HRLC) to a Housing Commission and noted that a name change may be appropriate given the Council Committee restructuring that was approved by the Council in 2019.

At the September 14, 2020 Governance and Ethics Committee meeting, the Committee provided direction for staff under Item 2 (Discussion and Consideration of Approving a New Boards, Commission and Committee) to bring back a recommendation on restructuring and renaming the HRLC, that reflected the input of both the Committee and HRLC members, to the December 7, 2020 Governance and Ethics Committee meeting.

On June 23, 2020, the Santa Clara County Board of Supervisors established the Unhoused Taskforce to identify and contribute feasible strategies to address homelessness across the county with a focus on emergency shelter and transitional housing solutions. At the December 7, 2020

Governance and Ethics Committee, the Committee approved the renaming and restructuring of the City's Housing Rehab Loan Committee so that the HRLC would be replaced by the Housing Commission with the intention that the City's Housing Commission would study and advance the needs of Santa Clara's unhoused populations, specifically working to implement recommendations proposed by the County's Unhoused Taskforce.

Separately, on June 19, 2021, Councilmember Jain submitted a written request to the City Manager's Office to have an item included on a future City Council meeting agenda to direct staff: 1) to study the needs of Santa Clara unhoused populations in RV's and along creeks and 2) to create an Ad Hoc Homelessness Taskforce consisting of residents and housing advocacy groups to discuss issues concerning our unhoused population.

At the August 24, 2021 council meeting, an ordinance to formally establish the Housing Commission was introduced in response to the December 2020 direction of the Council Governance and Ethics Committee. The City Council deferred the discussion of a Homelessness Taskforce to a later date to address commission membership criteria and to evaluate the duties for both and relationship between the proposed Housing Commission and the proposed Ad Hoc Committee.

DISCUSSION

While the proposed Housing Commission and Homelessness Taskforce would overlap in terms of possible recommendations and the City services they may address, the Taskforce is intended to have a more informal, temporary structure with a strong focus on homelessness issues, while the Housing Commission would be a formal, ongoing City Commission to discuss a variety of housing issues, including homelessness. The two bodies could thus fulfill different roles and timeframes, but to avoid duplication of effort and potential inconsistencies, as well as to strategically limit impacts on staffing resources, it would be best to proceed with convening the Taskforce as a near-term activity and delay formation of the Commission until after the completion of the Taskforce work.

Given current staffing capacity issues as well as staff needed to support some other new initiatives such as the Diversity, Equity and Inclusion Taskforce, the Independent Redistricting Commission as well as the newly formed Ad Hoc Committee on the apology for the CVRA Lawsuit, it would be prudent to prioritize which body should be filled now to address current needs.

The two bodies are further discussed below.

Housing Commission

The City's Housing Commission will include advisory functions related to the administration of the City's Federal entitlement grants and programs, which include neighborhood enhancement, homeless programs, and public service grants. Additionally, the Housing Commission will study and advance the needs of Santa Clara's unhoused populations, approved by the Community Plan to End Homelessness and the County's Unhoused Taskforce to address homelessness in Santa Clara County. The City of Santa Clara could also partner with Homebase, Destination Home, and the County Office of Supportive Housing to receive technical assistance that supports creating an implementation plan and facilitating Housing Commission workgroup meetings.

Housing Commission - Proposed Scope

Advises City Council on programs, policies, and other issues regarding housing and community

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services. Responsibilities include:

- Study and advance the needs of Santa Clara's unhoused populations, including providing recommendations to Council regarding the implementation of recommendations approved by the Community Plan to End Homelessness and the County's Unhoused Taskforce to address homelessness in Santa Clara County
- Review proposed funding and grant applications by eligible public service agencies for Community Development Block Grant (CDBG), HOME and/or other available funds for public services and/or housing projects and help form funding recommendations to Council.
    - Activities include: 1) reading proposals, 2) developing questions for agencies, 3) interviewing agencies and 4) making funding recommendations
- Review and provide feedback on Housing and Urban Development (HUD) Consolidated Plans and Annual Action Plans to provide recommendations to Council regarding the content of those plans, including oversight of the City's Neighborhood Conservation and Investment Program (NCIP) and the Tenant Based Rental Assistance Program (TBRA).

Staff is recommending that the City Council enact an ordinance that clearly sets forth the composition of the membership, which shall consist of five council appointed members who shall not hold any paid office or employment in the City government, and shall have the powers, functions, and duties as noted above and in the attached Ordinance.

Boards and Commissions Member Qualifications (SCCC 2.120.010)
In addition to amending SCCC Chapter 2.120, to establish the City's Housing Commission, the ordinance will also amend SCCC Section 2.120.010, to allow residents to serve as members of the City's non-charter Boards, Commissions and Committees. This will eliminate the current requirement that all members of non-charter Boards and Commissions, except for Youth Commission, be qualified electors of the City. However, City Charter Commissions, which include Planning, Parks and Recreation, Civil Service, and Board of Library Trustees, will continue to require members to be qualified electors of the City. The Charter Commission qualifications may only be revised by Charter amendment which will require a ballot measure.

Homelessness Taskforce

The intended purpose for a City Taskforce on Homelessness is to allow community residents and stakeholders to come together in the near-term to identify and recommend potential strategies that City may wish to pursue to address the needs of Santa Clara's homeless population. Membership would be informal so that a wide variety of people might participate and brainstorm possible approaches. The Taskforce structure and limited duration would allow more frequent meetings over the near-term as part of a focused effort.

Survey of Other Jurisdictions
A survey of neighboring cities highlights a wide array of approaches amongst local jurisdictions in forming Taskforces or other bodies to address homelessness. Some city Taskforces are more technical while others emphasize community engagement. They also vary in degrees of formality, meeting frequency and duration:

- The City of Cupertino established a Homeless Taskforce in July 2020, comprised of one

representative each from the City Manager's Office, Public Works, Emergency Services, and Community Development. They are an internal group that focuses on outreach efforts and pathways to housing in their community.

- On January 5, 2021, the City of Milpitas established a Homelessness Taskforce. The purpose of their Taskforce is to expand resident participation in addressing homelessness issues within the City. Staff supports the Taskforce with meeting facilitation and with recommendations provided to the City Council on a quarterly basis.

- The City of Fremont formed a TriCity Taskforce to collaborate and communicate efforts to effectively address homelessness throughout the city. The Taskforce is not appointed or elected as a subcommittee of the city council; it's an unofficial group of stakeholders who meet monthly, bringing together a coalition of City departments and divisions, service providers, advocates, faith-based organizations, medical practitioners, and nonprofit and civic organizations.

- The cities of San Jose, Sunnyvale, and Mountain View do not have Homelessness Taskforces but do address these issues through their varying forms of Housing and Human Services Commissions or smaller ad-hoc subcommittees.

Taskforce Structure

Recognizing that a potentially large number of community members will want to participate in the discussion, Taskforce meetings should be public and include opportunities for public input. The Taskforce Members would be required to file a Statement of Economic Interest Form 700 upon appointment. The Political Reform Act prohibits a public official from participating in governmental decisions in which he or she has a financial interest that may be materially affected. To help identify potential conflicts of interest, the law requires officials to file Statement of Economic Interest Form 700. Agencies must ensure that their public officials (designated board and commission members, employees, and consultants) file the forms and disclose their interests on or before the statutory deadline.

If the Council directs the formation of an Ad Hoc Homelessness Taskforce, Council direction should include a proposed term and goals for the Taskforce, as well as input and guidance on meeting agendas, meeting frequency, and composition of the Taskforce (e.g., nominations, appointments, or open membership). In addition to interested community members, membership of the Taskforce could include the following partners:

- Destination Home
- Bill Wilson Center
- Abode Services
- HomeFirst
- Santa Clara County Office of Supportive Housing
- Community and Neighborhood Representatives

Homebase Assistance

To support city implementation activities aligned with the county-wide Community Plan to End Homelessness, the County of Santa Clara Office of Supportive Housing has offered cities up to 10 hours of technical assistance from Homebase, the County's contractor that supported development and implementation of the county-wide plan. Homebase is a nationally recognized expert on homelessness and a skilled technical assistance provider based in San Francisco, CA. Homebase is a mission-driven nonprofit organization known for their ability to successfully build community capacity to end homelessness and to foster thriving, inclusive communities. As technical assistance providers in Santa Clara County, Homebase is deeply familiar with the County. Homebase facilitated the development of the Community Plan to End Homelessness and is working with individual cities in the County, including the City of Santa Clara, on alignment with plan goals and implementation. Along with the formation of a Homelessness Taskforce, City Council may direct staff to engage with Homebase as the meeting facilitator and to help structure meeting topics and agendas.

A proposed scope of work with Homebase would include the following:

1. Facilitate monthly Homelessness Taskforce meetings
2. Plan and prepare meeting agendas and relevant materials
3. Community Education and Engagement
4. Goals, Policies, Programs and Quantified Objectives
5. Conclude Taskforce with a Draft City Plan to End Homelessness

Estimated Budget: ~$75,000
Timeline: January 2022 - June 2022 or longer
Draft Proposal Attached (Attachment #2)

Conclusion

As proposed, the Santa Clara Housing Commission is intended to serve an ongoing advisory function related to the administration of the City's Federal entitlement grants and programs, which include neighborhood enhancement, homeless programs, and public service grants. Additionally, the Housing Commission will study and advance the needs of Santa Clara's unhoused populations, approved by the Community Plan to End Homelessness and the County's Unhoused Taskforce to address homelessness in Santa Clara County.

The proposed Ad Hoc Homelessness Taskforce, as discussed, would be a more informal community led body consisting of a mix of stakeholders and community members, intended to identify strategies to address homelessness in a near-term timeframe. Due to the overlap of the intended goals of both the proposed Ad Hoc Homelessness Taskforce and the Housing Commission, as well as limited staffing capacity as described above, staff is recommending that City Council consider appointing a near-term, focused Ad Hoc Homelessness Taskforce. This Taskforce will address immediate homelessness issues over the next 6-12 months, and then transition this activity to the appointment of a more permanent and formal Housing Commission which could continue discussion around homelessness as well as other housing issues.

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 budget of $75,000 is an estimate. If the ordinance is passed, a budget amendment will be brought forward at a subsequent meeting to fund activities related to the Homelessness Taskforce.

COORDINATION

This report was coordinated with the City Attorney's Office, City Clerk's Office, and Department of Finance.

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. Direct Staff on the formation of an Ad Hoc Homelessness Taskforce; and
2. Approve the Introduction of an Ordinance to amend Chapter 2.120, entitled Boards and Commissions, to add the City's Housing Commission and establish the powers, functions, and duties of the commission with the Commission to begin activity after conclusion of the Ad Hoc Homelessness Taskforce.

Reviewed by: Jonathan Veach, Assistant to the City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Ordinance
2. Homebase Facilitation Proposal
3. Presentation from August 18, 2021 City Council Study Session

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, ADDING A NEW SECTION SCCC SECTION 2.120.160 (“HOUSING COMMISSION”) TO CHAPTER 2.120 ("BOARDS AND COMMISSIONS") OF TITLE 2 ("ADMINISTRATION AND PERSONNEL") OF "THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA"

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, at the February 5, 2019 City Council meeting, the Council approved a broad restructuring of the City’s Committees, which included removal of the Councilmember position from the Housing Rehabilitation Loan Committee HRLC;

WHEREAS, at the February 10, 2020 Governance and Ethics Committee meeting, the Committee inquired about restructuring and renaming the (HRLC) to a Housing Commission;

WHEREAS, at the September 14, 2020 Governance and Ethics Committee meeting, the Committee directed staff to bring back a recommendation on restructuring and renaming the HRLC, that reflects the input of both the Committee and HRLC members;

WHEREAS, at the November 12, 2020 HRLC meeting, the Committee discussed possibilities for responsibilities and scope that would include advisory functions related to the administration of the City’s Federal entitlement grants and programs, as well as a potential name change; and,

WHEREAS, at the December 7, 2020 Governance and Ethics Committee meeting, the Committee approved the restructure and recommended that the City Council enact an ordinance that clearly sets forth the composition of the membership of the Committee and the scope of the committee’s jurisdiction.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

SECTION 1: That Section 2.120.160 (entitled "Housing Commission") is added to Chapter 2.120 (entitled "Boards and Commissions") of Title 2 (entitled "Administration and Personnel") of "The Code of the City of Santa Clara, California," to read as follows:

"2.120.160 Housing Commission.

The Housing Commission shall consist of five members, who shall not hold any paid office or employment in the City government and shall have the following powers, functions, and duties:

(a) Study and advance the needs of Santa Clara's unhoused populations, including providing recommendations to the City Council regarding the implementation of recommendations approved by the County Board of Supervisors to address homelessness in Santa Clara County

(b) Review proposed funding and grant applications by eligible public service agencies and make recommendations to City Council for Community Development Block Grant (CDBG), HOME and/or other available funds for public services and/or housing projects and help form funding recommendations to the City Council. Activities may include: 1) reading proposals, 2) developing questions for agencies, 3) interviewing agencies and 4) making funding recommendations.

(c) Review and make recommendations on Housing and Urban Development (HUD) Consolidated Plans and Annual Action Plans to provide recommendations to the City Council regarding the content of those plans, including oversight of the City's Neighborhood Conservation and Investment Program (NCIP) and the Tenant Based

Rental Assistance Program (TBRA).

(e) Perform other such duties and exercise such powers as the City Council may impose or require."

SECTION 4: Ordinances repealed. With exception of the provisions protected by the savings clause, all ordinances (or parts of ordinances) in conflict with or inconsistent with this ordinance are hereby repealed.

SECTION 5: **Savings clause**. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

SECTION 6: **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."

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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: None

870 Market Street | Suite 1228 | San Francisco, CA 94102
Ph: 415.788.7961 | fax: 415.788.7965 | www.homebaseccc.org

Homebase Proposal

For Development of a Draft City Plan to End Homelessness

Prepared for the City of Santa Clara

November 1, 2021

Homebase

ADVANCING SOLUTIONS TO HOMELESSNESS

Homebase
ADVANCING SOLUTIONS TO HOMELESSNESS

870 Market Street I Suite 1228 I San Francisco, CA 94102
Ph: 415.788.7961 I fax: 415.788.7965 I www.homebaseccc.org

November 1, 2021

Jonathan Veach
Division Manager
Community Development Department
Housing & Community Services Division
1500 Warburton Ave.
Santa Clara, CA 95050

Dear Jonathan Veach,

On behalf of Homebase, I am pleased to submit the following proposal in response to the City of Santa Clara's request for proposals for the administration of a City Plan to End Homelessness.

Homebase is a mission-driven nonprofit organization based in San Francisco, CA. For more than 30 years, we have supported communities to develop, implement, and improve programs and systems to prevent and end homelessness. In the attached proposal, we describe our qualifications and proposed approach to successfully carry out this work. Our team facilitated the development of the Santa Clara County Plan to End Homelessness, and we continue to support its implementation. We will build upon that work in Santa Clara to develop a City Plan that aligns with the strategies and goals outlined in the County Plan.

At Homebase, we offer a flexible approach that is tailored to meet the goals of the community and that draws from our extensive experience facilitating community-driven strategic planning processes. We have proposed a team of highly skilled individuals with experience providing a range of support to homeless service systems around the country.

We appreciate your consideration of our proposal. Additional information about Homebase is available at https://www.homebaseccc.org. If you have any questions or would like to discuss this proposal in further detail, please contact Bridget Kurtt DeJong at bridget@homebaseccc.org.

Best regards,

Nikka Rapkin, Executive Director
Homebase

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EXECUTIVE SUMMARY

Homebase proposes to work with the City of Santa Clara to convene a Housing Taskforce in order to prepare a City Plan to End Homelessness, grounded in evidence-based practices, lessons learned, and input from members of the community including but not limited to unhoused residents, service providers, and community members at-large. The plan will be developed through an inclusive, community-based planning process with an equity lens that aligns with the Santa Clara County Community Plan to End Homelessness and addresses the unique challenges and opportunities of the City. Based on staff and community engagement, our team will identify goals, policies, programs, and quantified objectives to include in the City Plan to End Homelessness to ensure an effective response to the housing and homelessness needs and constraints in Santa Clara.

As technical assistance providers in Santa Clara County, we are deeply familiar with the region. Our proposed team includes staff who facilitated the development of the Community Plan to End Homelessness and who are working with individual cities in the County, including Santa Clara, on alignment with plan goals and implementation. We will develop a tailored roadmap that is based on Santa Clara's local needs and strategies that work to reduce homelessness within a regional context.

Homebase proposes a process that is equitable, inclusive, and responsive. Our team will utilize an approach tailored to the specific needs and priorities of the City and informed by experience conducting successful planning processes.

ABOUT HOMEBASE

Homebase/The Center for Common Concerns is a nationally recognized expert on homelessness and a skilled technical assistance provider based in San Francisco, CA. We are a mission-driven nonprofit organization known for our ability to successfully build community capacity to end homelessness and to foster thriving, inclusive communities.

We have more than 30 years of experience providing high-quality services and support to communities in California and throughout the nation. Our technical assistance is concrete and outcome-oriented and focuses on both system and program-level capacity building and performance improvement. Our portfolio of services ranges from targeted guidance regarding compliance with federal Continuum of Care (CoC) requirements and implementation of best practices, to broader change management, including facilitation

of system redesign efforts aimed at improving outcomes and ensuring strategic allocation of resources.

We provide community-based strategic planning facilitation; partnership development to enhance cross-sector and cross-agency collaboration; assistance in the design and operation of a wide range of homeless housing and services; support and training in implementing best practice housing and service design; and advanced data collection, visualization, and analysis to guide planning and policy/program development. In all of our work, we tailor our services to offer customized solutions responsive to each community's particular needs, foster sustained performance over the long term, and build system and program capacity to end homelessness.

Homebase works on the national and state levels on homelessness policy, program design, and funding allocations, and at the local level, assisting communities to develop effective systems and programs to prevent and end homelessness. We combine national presence and leadership on homelessness and affordable housing issues with deep local connections that enable us to remain grounded in the needs, concerns, and priorities of communities. Together, these assets have made us effective, able to translate policy, priorities, and regulations to communities in a way that fosters understanding and empowerment and builds compliance and improved performance.

A key area of focus for Homebase is assisting communities and agencies with the development of strategic plans. Homebase has facilitated numerous planning processes that have engaged local, county, and state departments and supports the implementation of many of these plans. Our experience includes:

- Dozens of community-wide strategic planning processes to address homelessness at city, county, and regional levels;
- Action and implementation plans to facilitate local stakeholders in collective impact approaches across systems and sectors;
- Plans to end youth homelessness, chronic homelessness, and homelessness among veterans / service members and their families;
- Over 30 plans to integrate health, housing, and homeless systems; and
- Numerous agency-specific strategic plans.

Each planning process relies on the engagement of a wide range of stakeholders and involves numerous cross-sector and cross-department stakeholders. Our staff are skilled at facilitating conversations on priorities and needs and building consensus and enthusiasm for implementation with diverse stakeholders.

We are flexible in our approach in order to be responsive to evolving conditions and guidance from public health authorities during the ongoing COVID-19 pandemic. We will work with the City to determine whether in-person or virtual activities are preferred, and to create a safe environment if in-person activities will be taking place.

Homebase has developed strategies to ensure that virtual community engagement (including interviews, focus groups, workshops, and meetings) is inclusive of people with varying degrees of access, comfort, and facility with technology. In addition to addressing health concerns, our aim for well-structured virtual engagement is to increase participation by avoiding participant travel. Our team will work with City staff and Housing Taskforce members to ensure that logistics and outreach are conducted in a way that will support robust community engagement in the process.

PROPOSED TEAM

We propose a highly qualified team of housing and homelessness experts with diverse skillsets and experience facilitating strategic planning processes. Our proposed staff for this project make up a talented Project Team, skilled in conducting needs assessments, strategy and recommendation development, and planning; with local experience, cross-sector expertise, and knowledge of best practices and innovative strategies to sustainably and equitably address homelessness.

Project Lead:

Jessie Hewins, Directing Attorney

Our Project Team Lead for this project will be the contract manager and primary point-of contact for the City, ensuring that the work plan is carried out and all deadlines achieved. She will provide day-to-day management and oversight for the project team and will ensure quality control for all activities and deliverables. Jessie leads and provides technical assistance, oversight, and support for one of Homebase's local teams, working in numerous communities in California and across the country, including in Santa Clara County where she championed the creation and growth of the Lived Experience Advisory Board and facilitated the development and ongoing implementation of the Community Plan to End Homelessness.

Project Staff:

Monica Porter, Senior Staff Attorney

Nikole Joseph Thomas, Policy Analyst II

Joy Balinbin, Policy Analyst

Our Project Staff will conduct all activities and develop all deliverables necessary for successful completion of this project, including conducting the environmental scan and review of current programs, services, and resources; facilitation and documentation of community engagement activities and meetings (i.e., focus groups, community workshops, interviews, and surveys); development of recommendations and reports; and presentation of findings, recommendations, and strategies. The members of this team are experienced technical assistance providers and facilitators who have worked with Santa Clara County and cities within the county. Proposed staff supported the development of the County Plan to End Homelessness and have worked with cities in the county to align strategies with the County Plan.

Project Support:

Tania Morales, Project Coordinator

Our Project Support team member will support meeting logistics and facilitation as well as drafting of documents and materials. As Project Coordinator at Homebase, Tania assists with scheduling and coordination of community and stakeholder meetings, assists with meeting logistics, manages community listservs and contact information, coordinates outreach and communications for events and meetings, supports development of written materials and provides support for projects as needed.

SCOPE OF WORK

Based on our experience and our understanding of the City of Santa Clara's goals and priorities for this project, we propose the following scope of work. We are happy to adjust as needed to meet your goals, budget, and desired timeline.

Phase I: Housing Task Force Facilitation

Facilitate Monthly Housing Task Force Meetings — Month 1, Ongoing

In our experience with strategic planning, Homebase has found that the engagement of a steering committee has been key to the overall success of the planning process, resulting in shared strategies across departments and stakeholder groups city-wide. In this case, Homebase will support the development of the Housing Taskforce, including a Kick-Off meeting and subsequent monthly meetings. The Housing Taskforce will oversee and advance the strategic planning process with facilitative support from the Homebase team. It is essential for the Taskforce to consist of stakeholders with a range of perspectives and experience, which may include City officials and staff, unhoused individuals or members of the community with lived experience of homelessness, and other stakeholders identified by the City.

Homebase will attend and facilitate monthly meetings via a virtual platform. A Kick-Off meeting will be held to introduce members and develop a shared vision and goals for the project. At that time, the Homebase team will present existing materials such as the County strategic plan and the implementation outline to bring all members up to speed on plan development. During the initial phases of this project, the Taskforce will be a forum for discussion of persistent challenges and emerging opportunities for critical investment. The Taskforce will also review and approve Homebase's Planning Process and Stakeholder Engagement Plan to establish a guiding vision and goals for the planning process and subsequent Plan development.

Plan and Prepare Meeting Agendas and Relevant Materials — Month 1, Ongoing

In preparation for Housing Taskforce meetings, the Homebase team will develop all agendas, announcements, and meeting materials. This may require research on topics of interest to the Taskforce as they develop strategies and policy solutions, information on established and emerging best practices, and successful strategies in place in other communities. Homebase will serve as a neutral facilitator, providing information and support as needed while enabling robust discussion among stakeholders on the Taskforce.

Phase II: Community Education and Engagement

Conduct Environmental Scan — Months 1-2

Homebase will gather information and data to develop a baseline understanding of the City of Santa Clara's strengths, needs, and gaps in relation to homelessness. Homebase will carry out an environmental scan that identifies existing housing and homelessness needs and constraints in the City as well as existing policies and programs that reduce and prevent homelessness and meet the housing needs of the future unhoused or near-unhoused. This assessment will consider both the need for new programs as well as improvements to the operation of existing housing and services. Our team will review and analyze initiatives underway in the city, county, and region (including the implementation of the Santa Clara County Community Plan to End Homelessness) to ensure that the plan is informed by and aligned with the work that has already begun.

Create a Community Outreach Plan — Months 2-4

We have found that engaging a wide range of stakeholders in the planning process and providing meaningful opportunities for input and feedback is paramount for a successful strategic plan and future implementation. Stakeholder engagement not only supports

the development of a community-informed strategic plan; it also serves to build momentum and enthusiasm, building consensus and buy-in on strategies and next steps. As such, Homebase will facilitate a comprehensive community engagement process that ensures that planning and recommendation development is based on concrete information about local needs and resources. Building upon the environmental scan, we will conduct a deeper assessment of strengths and needs grounded in community engagement via a community kick-off event, virtual or in-person stakeholder interviews, and focus groups.

Homebase will work with City staff and the Housing Taskforce to design and facilitate virtual and/or in-person convenings according to current public health conditions. Our team has the capability and experience necessary to successfully conduct engaging online meetings with diverse stakeholders that leverage technology, use adult learning principles, and are inclusive of people with varying degrees of access, comfort, and facility with technology. We will work with the City to develop agendas, discussion questions, infographics, and other materials necessary for the following community engagement activities.

Community Kick-Off Event and Planning Workshop

We propose to initiate community engagement with a community kick-off event / workshop. This event would be an open (most likely virtual) meeting aimed at achieving early engagement and buy-in from key stakeholders, and the session would be scheduled to ensure broad participation and attendance. The event will be organized with the goal of inviting everyone with any interest in contributing to the planning process, including City officials and staff, housing and service providers, representatives from schools, law enforcement, healthcare and other adjacent systems, business and community leaders, unhoused residents and individuals with lived experience of homelessness, and community members at-large. This event will be structured to both build community-wide support for the planning process and gather initial information to guide planning. As such, meeting participants will receive information about homelessness in the City and general information on best practices and will have the opportunity to provide initial feedback to the process about needs, gaps, and existing service system performance.

Key Stakeholder Interviews

Identifying key stakeholders to provide in-depth information via individual interviews is an important element of the strategic planning process. We will work with the City and/or Housing Taskforce to identify 3-4 key stakeholders for interviews. We have also found that stakeholders who may best inform the process via interviews are often identified during the process of community meetings and outreach.

Focus Group Meetings

To further contextualize our analysis of gaps, needs and resources, and to solicit additional input from the community, we also propose a series of 3-4 meetings with key stakeholders, with the participation and structure developed in partnership with City staff and Taskforce members. We expect to host most of these meetings virtually but may hold in-person meetings if desired and appropriate. These meetings will include focus groups with stakeholders and may also include an internal inter-departmental City staff meeting, and/or topical subcommittee sessions. We will engage the knowledge and experiences of a cross-section of those closest to the issue of homelessness in the City, which may include City staff, housing and homeless service providers, public and behavioral health providers, business groups, civil rights organizations, court officials, public safety providers, education providers, economic and workforce development providers, neighborhood associations, and which will include focus groups with unhoused people and people with lived experience of homelessness. Focus groups with people with direct experiences of homelessness may be organized by geography, sub-population, or program component. The structure of these focus groups, participants, and outreach and engagement methods will be determined in consultation with the Housing Taskforce and/or City staff and will take into consideration logistical constraints due to COVID-19 as necessary. We propose to provide gift cards to honor the time of individuals with lived experience of homelessness who participate in focus groups.

Stakeholder / Provider Survey

In addition to the community-wide kickoff event, individual interviews, and work sessions/focus groups, we propose conducting an e-survey for stakeholders including housing and service providers. We have found that e-surveys allow for an additional avenue to gain input from stakeholders while being respectful of time constraints and other obligations.

Phase III: Goals, Policies, Programs, and Quantified Objectives

Identification of Goals, Policies, Programs, and Objectives to Include in the City Plan to End Homelessness — Months 4-5

Homebase will analyze the information gathered during the environmental scan and stakeholder engagement processes to develop a set of findings and recommendations that identify goals, policies, programs, and quantified objectives to include in the City Plan to End Homelessness to ensure an effective response to the housing and homelessness needs and constraints in Santa Clara. Our team will compile a draft of these findings and recommendations in order to work with the Housing Taskforce to

flesh out and refine the mission, goals, objectives, and strategies to guide the City in addressing homelessness.

Compliment to Santa Clara County Plan to End Homelessness Month 5

The Homebase team will work with the Housing Taskforce to identify how each priority area for action and related goals, objectives, and strategy recommendations align with strategies and goals outlined in the Santa Clara County Plan. Identified goals and strategies will support County and regional efforts without duplication in order to support a collective impact on homelessness.

Conclude Taskforce with a Draft city Plan to End Homelessness Months 5-6

Based on the environmental scan, identified goals, policies, programs, and objectives, and on input from community stakeholders, City staff, and the Housing Taskforce, the Homebase team will develop a draft strategic plan. The Plan draft will include:

- Information from the environmental scan and community engagement activities, identifying strengths, unmet needs, and opportunities;
- Priority areas for action, as defined by the Housing Taskforce and other stakeholders;
- Goals, objectives, and recommendations for each priority area of action;
- Identification of City actions that support County and regional efforts without duplication; and
- Support for implementation.

The full draft document will be provided to City staff and the Housing Taskforce at a concluding Taskforce meeting, along with a summary document outlining key elements of the Plan. This summary document will be a clear, concise outline of the Plan that can be used to share information about the draft Plan with community stakeholders.

PROPOSED TIMELINE AND BUDGET

At Homebase, we pride ourselves on meeting the needs of the communities we work with. We have created a scope of work and budget that is based on our understanding of the City's goals for this project and the tasks involved. We are happy to adjust as necessary.

Project Timeline: 6 months (January 2022 – June 2022)

Total Budget: $75,000

CONTACT INFORMATION

Homebase appreciates the opportunity to submit this proposal and would be pleased to answer any questions you may have. Please contact Bridget Kurtt DeJong, Director of Capacity Building, at bridget@homebaseccc.org or 415-788-7961 x324.

The information provided in this proposal does not constitute legal advice or advertise legal services. Homebase does not enter into attorney-client relationships.

Homelessness in Santa Clara

1

Governance and Ethics Committee 12/7/2020

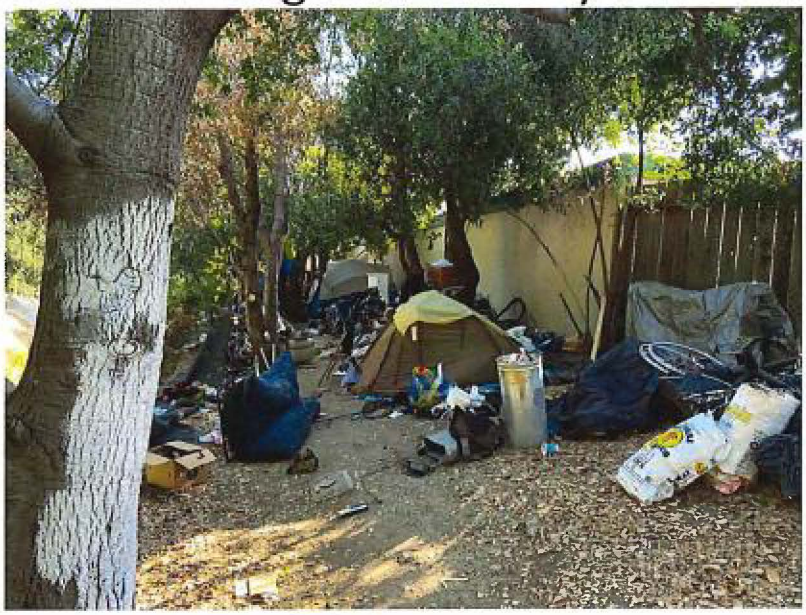
RECOMMENDATION
Approve the restructuring and renaming of the Housing Rehabilitation Loan Committee (HRLC) and direct staff to bring an ordinance formalizing the Housing Commission for full Council consideration.

Advisory functions related to the administration of the City's Federal entitlement grants and programs, which include neighborhood enhancement, homeless programs, and public service grants.

- Council and Staff receive many calls and emails about unhoused in creeks
- Also receive many calls about people living in cars and RVs
- The numbers of unhoused keeps increasing
- Lots of concerns about trash, safety and fires
- Many neighboring cities are committing staff, money and resources
- Stanta Clara needs to step up.

2

Homeridge Park – May 2021



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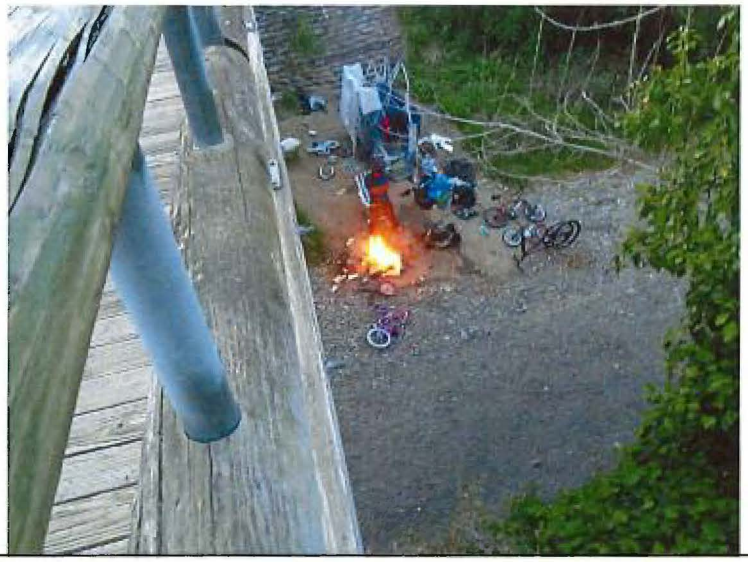
Homeridge Park – May 2021

4

Homeridge Park – May 2021

5

Saratoga Creek near Maywood Park April 2021

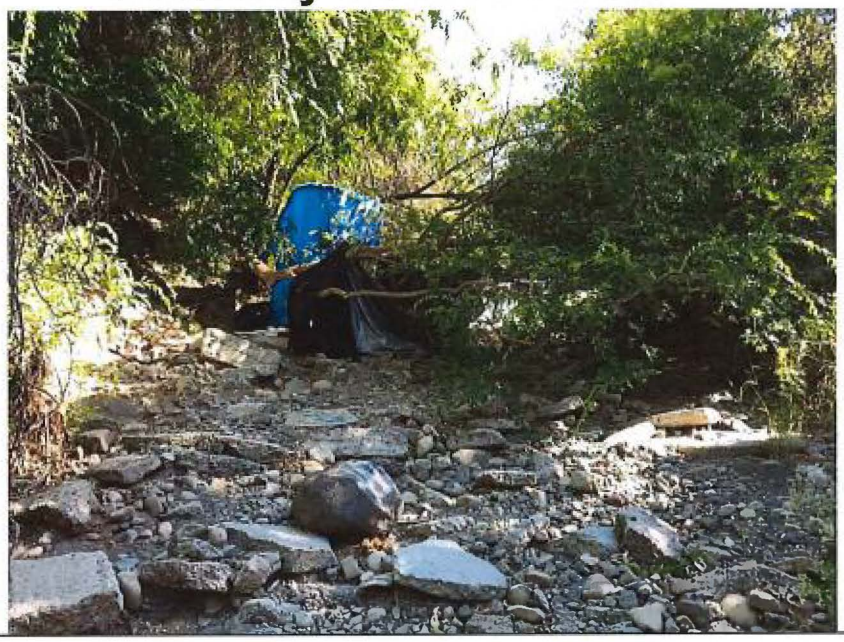


6

Anthony Becker Photos

7

Anthony Becker Photos



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Anthony Becker Photos

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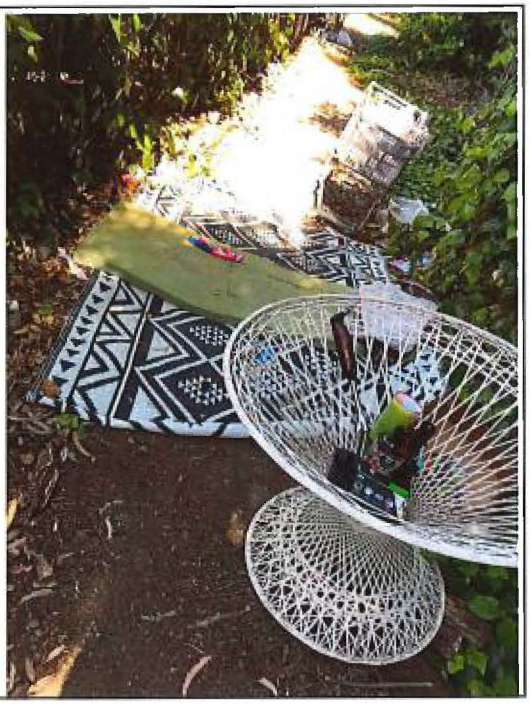
Anthony Becker Photos



10

Letter from SC Aquamaids

- Off Richards Ave.
- Staff member counted 28 RV or tent encampments
- Needles, feces, trash
- Soliciting for money
- Hired Armed guards

11

California Laws

- *Desertrain v. Los Angeles* rulings that limit a city's ability to prohibit using vehicles as sleeping quarters, prosecute homeless for sleeping on public property when no other sleeping spaces are practically available, or towing vehicles whose owners have an inability to pay citations.
- State law prescribes what cities may do in the regulation of street parking

12

Statistics

- Based on the 2019 Homeless Census and Survey, more than 80 percent of the 10,000 homeless individuals in Santa Clara County are unsheltered.

- 2020-2025 Santa Clara County community plan to end homelessness calls for the county to house 20,000 people through the supportive housing system and double the amount of shelter beds available in the county

13

Mt View (March 19, 2019)

- **Homeless increased from 139 in 2013, 276 in 2015, to 416 in 2017, to 606 in 2019**
- **Three-pronged approach**
  - funding basic hygiene services
  - link people to comprehensive health and social services
  - assistance to find housing
- 290 vehicles that appeared to be used for habitation, including 192 RVs, 89 standard passenger vehicles
- Provided portable restrooms and hand washing stations around the City
- five active **safe parking lots** for Mountain View participants with 24/7 services
- The Council approved funding for a Mobile Outreach Worker based at CSA
- For the first half of Fiscal Year 2018-19, the monthly average was 419 hours of staff time across all departments with an average of 177 incidents per month.
- Mt View maintains a webpage (www.mountainview.gov/homeless)

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RV Parking in Mt View

- Oversize vehicle parking ordinance 2019
- Oversize : > 22 ft long, > 7 ft wide, or >7 ft high
- No RV parking on streets narrower than 40 feet wide
- Vehicles may not intrude in bike lanes
- Mt View must put signs on all narrow streets
- Mt View will fund 100 safe parking sites
- vouchers at the local sanitary waste facility in Redwood City

15

Safe Parking in Fremont

- 26% of people who are unhoused in Fremont have underlying chronic medical conditions
- Deploy portable handwashing and restroom facilities at 8 different locations throughout Fremont, where there are known congregations of unsheltered community members.
- Approximately 50% of Fremont's unsheltered homeless population—about 238 individuals—is currently living in an RV or passenger car.
- City staff found that approximately 70% of those living in vehicles in Fremont also last had a permanent home address in Fremont
- The most popular services that people would like to see were utility hook ups (electrical, water, etc.), health and sanitation facilities (showers, laundry, restrooms, handwashing), waste disposal and management, as well as additional storage area.

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Potential Partners

- Alta Housing
- Bill Wilson Center
- Community Services Agency (CSA)
- COVID-19 Community-Based Organization (CBO) Team
- Destination: Home
- Dignity on Wheels (DOW)
- Fight the Hate Ministry food distribution program
- HomeFirst
- Homeless/Safe Parking Teams
- Hope's Corner
- Los Altos United Methodist Church
- Mountain View Day Worker Center
- Human Relations Commission (HRC)
- LifeMoves
- Live Nation
- MOVE Mountain View
- New Directions – A Program of Peninsula Healthcare Connections
- Reach Potential Movement (RPM)
- Santa Clara County
  - Valley Homeless Healthcare Program (VHHCP)
  - County Housing Authority
  - Office of Supportive Housing
- Second Harvest Food Bank (Second Harvest)
- St. Athanasius food distribution program

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Santa Clara Ad Hoc Committee

- Modeled after Affordable Housing Nexus Study Committee or the El Camino Real Specific Area Plan Committee – consists of concerned residents, "experts", and potentially members of partner agencies
- Allocated budget to provide education to the public on complexities of homelessness (with food and childcare)
- Recommend measures to reduce homelessness and to provide services to unhoused persons – short-term and long-term solutions
- Recommend City ordinances to reduce impacts to the community from behavior of unhoused persons.

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21-785 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Action on Formalization of the Bicycle and Pedestrian Advisory Committee

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
The Bicycle and Pedestrian Advisory Committee (BPAC) is an advisory body to the City Council on matters relative to modifying or expanding the City's recreational and commuter bikeway system. The BPAC's goal is to encourage recreational and commuter bicycling by promoting safe, convenient, well -designed facilities and by evaluating local bicycle-related projects. The purpose, membership, and policies/procedures were established through City Council's past approval of the BPAC's Policy Guidelines, with the most recent version being amended by City Council on March 25, 2014 (Attachment 1).

The Governance and Ethics Committee (Committee) provided direction to staff at the September 14, 2020 meeting to formalize policy guidelines for the BPAC. Although the City Council approved the formation of the BPAC and the BPAC Policy Guidelines, there is no City Code section specifically addressing it. The Committee requested that an ordinance be considered to amend the City Code to clearly set forth the composition of the membership and the scope of the BPAC's jurisdiction. The Committee directed staff to bring back a recommendation on formalizing the BPAC through a draft ordinance that reflected the input of both the BPAC and the Committee.

Over the course of the next six months staff engaged the BPAC on multiple occasions to provide a framework for the proposed ordinance and solicit feedback from members. These engagements took place on October 26, 2020, December 10, 2020, and January 25, 2021. During these meetings the proposed changes to the City Code were refined and the BPAC policy guidelines were updated to align with all other City Boards, Commissions, and Committees. The BPAC also formed a special Subcommittee to review the changes and provide further input and recommendations.

At the March 29, 2021 Governance and Ethics Committee meeting (Attachment 2), staff presented the updated draft City Code amendments, draft policy guideline revisions, and analysis of BPAC's requested changes. The Committee discussed several topics, including:

1. Removing qualified elector requirements for other boards and commissions;
2. Requiring members of BPAC to file Form 700;
3. Whether or not the Chair should be a Councilmember or a BPAC member;
4. Possibly creating a new BPAC Advisory Committee to specifically advise and discuss bicycle and pedestrian topics. The new advisory committee would not be members but would report to the BPAC. This would not require additional staff support;

5. Reducing the number of BPAC members and discussion about having representation in Council Districts; and
6. Whether BPAC should continue to interview applicants to fill vacancies or if Council should interview and select similar to other Boards and Commissions.

DISCUSSION

In researching how to formalize the BPAC per the Committee's direction, staff has determined that several existing BPAC policies and procedures are different than other City Boards, Commissions, and Committees. Some of these differences include the BPAC application and interview process; how members are appointed; and the term of office. In order to formalize the BPAC to make it more consistent with other Boards and Commissions, changes are being proposed to the City Code (to be enacted by ordinance) and the BPAC Policy Guidelines to align with all other Boards, Commissions, and Committees. Table 1 below summarizes the existing and proposed BPAC procedures.

Table 1. Existing and Proposed BPAC Procedures

Item	***Existing BPAC Reference***	***Proposed BPAC Reference***	***Other Boards Commissions, Committees***
Purpose and Membership	BPAC Policy Guidelines	City Code Chapter 2.120	City Code Chapter 2.120
Membership term and meeting rules	BPAC Policy Guidelines	City Charter	City Charter
Membership appointment	Public Works solicits applications, BPAC interviews applicants and recommends appointments to Council	City Clerk procedures and Council interviews and appoints applicants	City Clerk procedures and Council interviews and appoints applicants

The draft City Code amendments relate to City Code Chapter 2.120 Boards and Commissions and will establish the existence, purpose, and membership of the BPAC. Including the BPAC within the City Code will make it consistent with how other Boards, Commissions, and Committees have been established. The draft revisions to the BPAC Policy Guidelines will modify procedures to follow membership terms and meeting rules established within the City Charter and to follow the City Clerk's procedures to appoint members.

At the March 29, 2021 Governance and Ethics Committee meeting, the Committee did not vote on the draft policy guidelines or draft City Code amendments, but did vote on the following:

- Member Eligibility - BPAC members be at least 18 years of age, live or work in the City, and do not have to be a qualified elector of the City.
- Membership - BPAC to consist of seven members instead of nine and phase in this change so no current member loses their position during the current term.
- Applications and Appointments - Council to consider whether to continue having BPAC interview applicants, vote for applicants, and make recommendations to Council; or whether Council should interview applicants and make selections similar to other Boards and Commissions

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- BPAC Chair - Council to consider whether to continue the practice of having a Councilmember Chair, or whether BPAC should elect their own Chair from the seven members.

Additional information on these changes, as well as a staff recommendation for each item, are provided below.

Member Eligibility
Both the BPAC and the Committee requested that the draft City Code amendment state that members shall be at least 18 years of age and live or work in the City. Therefore, unlike other Boards and Commissions, BPAC members would not have to be a qualified elector of the City. This requirement is in alignment with the Metropolitan Transportation Commission (MTC) Resolution requiring the City to create a BPAC and is similar to the current practice of the BPAC; however, the BPAC did recommend adding a new requirement that members be at least 18 years of age.

Upon review, allowing members who live or work in the City may capture more input from those who directly utilize City bicycle and pedestrian facilities, which provides additional perspectives and valuable input to the BPAC. Therefore, staff supports incorporating this request into the draft City Code amendment.

BPAC Membership
The Committee discussed options for reducing the number of BPAC members to either seven or five. Ultimately, the Committee voted to recommend reducing BPAC membership from nine members to seven. The Committee also recommended “grandfathering” in existing members until the expiration of current terms.

Upon reviewing the number of BPAC members in neighboring cities of similar size, staff confirmed the following: the cities of Milpitas and Mountain View have five members and the city of Sunnyvale has seven members. Based on this information staff supports incorporating this request to limit BPAC members to seven in the draft City Code amendment.

Applications and Appointments
The BPAC requested that they continue to review membership applications, interview applicants, vote for applicants, and make recommendations for appointments to Council. The Governance and Ethics Committee members discussed the appointment process but had no preference on whether the City Council or BPAC should interview applicants.

As shown in Table 1, the BPAC is the only City Board, Commission, or Committee that does not follow the City Clerk’s procedures and rules for member appointments. The intent of revising the BPAC Policy Guidelines is for BPAC to align more with other City Boards, Commissions, and Committees. In addition, this nuance proved to be a point of controversy amongst the group when the BPAC recently interviewed and voted for new members and potential conflict of interest issues were raised. Making the BPAC process consistent with the other boards and commissions will help to alleviate these types of issues in the future. Staff reviewed neighboring cities of similar size and the process for selecting members in Mountain View, Milpitas, and Sunnyvale involves the mayor and/or councilmembers interviewing and approving BPAC members.

Upon review, the establishment and purpose of BPAC is similar to other Boards, Commissions, and Committees. Staff recommends draft revisions to the BPAC Policy Guidelines that Council interview and select BPAC applicants to follow the City Clerk's procedures and rules for appointments to align with other Boards, Commissions, or Committees.

BPAC Chair

The BPAC requested to elect its own Chair, similar to how the Chair of the Planning Commission is appointed. Currently a Councilmember serves as Chair of the BPAC and this has proved helpful to frequently clarify the role of the BPAC to members, and to run meetings in an efficient, orderly manner. This has been very valuable in keeping meetings focused, managing the agenda, informing members of Council Policy, and reminding the BPAC members of their roles.

Since the current members of the BPAC were not interviewed by Council, staff does not support making this change now and feels that it is essential to have a Councilmember in the role of BPAC Chair to run meetings in an efficient and orderly manner. However, if Council approves the recommendation that Council should interview and select BPAC applicants, then staff recommends reconsidering BPAC's request to select its own Chair in July 2025. At that time, all the members of the BPAC will be comprised of those who were interviewed and selected by Council.

ENVIRONMENTAL REVIEW

There is no environmental impact anticipated with this report.

FISCAL IMPACT

There is no fiscal impact anticipated with this recommendation.

COORDINATION

This report was coordinated with the City Manager's Office, City Attorney's Office, and City Clerk'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. Modify BPAC membership eligibility and require that applicants must be at least 18 years of age and live or work in the City.
2. Modify BPAC membership eligibility and require that applicants must be qualified electors of the City (at least 18 years of age and a citizen who lives in the City).
3. Reduce the number of BPAC members from the current maximum of nine members to seven members and phase in this change so no current member loses their position during the current term.
4. Do not modify the maximum number of BPAC members.
5. Modify how BPAC members are interviewed and appointed similar to other Boards and Commissions by having Council interview applicants and make selections.

6. Do not modify how BPAC members are interviewed and appointed and continue to have BPAC interview applicants, vote for applicants, and make recommendations to Council.
7. Continue to require that a Councilmember chair the BPAC.
8. Remove the requirement that a Councilmember chair the BPAC and allow the BPAC to select its own chair in July 2025 once all members of the BPAC are comprised of those who were interviewed by Council.
9. Direct staff to bring an ordinance and revised BPAC Policy Guidelines formalizing the BPAC for Council consideration.

RECOMMENDATION

Alternatives 1, 3, 5, 7 and 9:

1. Modify BPAC membership eligibility to require that applicants must be at least 18 years of age and live or work in the City;
3. Reduce the number of BPAC members from the current maximum of nine members to seven members and phase in this change so no current member loses their position during the current term;
5. Modify how BPAC members are interviewed and appointed similar to other Boards and Commissions by having Council interview applicants and make selections;
7. Continue to require that a Councilmember chair the BPAC; and
9. Direct staff to bring an ordinance and revised BPAC Policy Guidelines formalizing the BPAC for Council consideration.

Reviewed by: Craig Mobeck, Director of Public Works
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Existing BPAC Policy Guidelines, 2014
2. Governance and Ethics Committee March 29, 2021 meeting, Report 21-64
3. Draft Ordinance
4. Revised Draft BPAC Policy Guidelines (clean)
5. Revised Draft BPAC Policy Guidelines (with redlines)

City of Santa Clara
Bicycle and Pedestrian Advisory Committee
Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council.

Section 1. Purpose

The purpose of the BPAC is to serve as an advisory body to the City Council on matters relative to modifying or expanding the City's public recreational and commuter bikeway and pedestrian walkway system. Its intent shall be to encourage recreational and commuter bicycling and walking in the City by promoting safe, convenient, well-designed facilities, and by evaluating local bicycle and pedestrian related projects.

Section 2. Membership

The BPAC is comprised of nine (9) regular members as appointed by the City Council. The Chairperson or alternate will be the Mayor or Councilperson designated by City Council and shall be considered a member. The remaining eight (8) members shall be citizens at large with a representative from the following groups strongly encouraged to be members: Santa Clara Unified School District and the Silicon Valley Bicycle Coalition. BPAC members must either reside or work in the City of Santa Clara.

Section 3. Term of Office and Removal

The term of office for BPAC members will be three years.

Members may be re-appointed but will be considered along with all other new applicants.

To allow for staggered terms, 2 members appointed by City Council in November of 2011 will have a term of office expiring on December 31, 2014, 3 members appointed in November of 2012 will have a term of office expiring on December 31, 2015, and 3 members appointed on November of 2013 will have a term of office expiring on December 31, 2016.

Any members of the BPAC may be removed from office by a majority vote of the City Council at a regularly scheduled Council meeting.

Section 4. Vacancies

Vacancies will be filled for the unexpired portion of the term, of the member being replaced, in the same manner as the original appointment.

Section 5. Meetings

The BPAC shall hold meetings on the third Wednesday in January, March, June, August and October at 4:00 p.m. at City Hall. The actual date of meeting can be changed or additional meetings can be approved by a quorum of the committee. All meetings shall be open to the public and notices and agendas shall be posted at City Hall as required by law.

Section 6. Quorum

Any five members shall constitute a quorum for voting on action items.

Section 7. Voting

Only the appointed BPAC members have voting authority. The committee shall determine the voting procedure for items prior to voting.

Section 8. Duties of BPAC to be Advisory Only

It is intended that the BPAC shall be an advisory committee to the City Council. Nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.

Section 9. Assistance of Staff

The City Manager of the City of Santa Clara shall provide the BPAC with information and staff assistance but the BPAC's requests may from time to time be prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to staff the BPAC.

Section 10. Code of Ethics and Values

The City of Santa Clara adopted a Code of Ethics and Values to provide clear, positive statements of ethical behavior reflecting the core values of the community. The actions and words of members of City's boards, commissions and committees should represent the community's values: ethical, professional, service-oriented, fiscally responsible, organized, communicative, collaborative, and progressive.

Section 11. Amendments

These guidelines may be amended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council.

PASSED AND RECOMMENDED FOR ADOPTION by the Bicycle Advisory Committee this 29 day of January, 2014.

PASSED AND ADOPTED by the Santa Clara City Council this 25 day of March, 2014.

21-64 **Agenda Date: 3/29/2021**

REPORT TO GOVERNANCE AND ETHICS COMMITTEE

SUBJECT
Review Formalization of the Bicycle and Pedestrian Advisory Committee

BACKGROUND
The Bicycle and Pedestrian Advisory Committee (BPAC) is an advisory body to the City Council on matters relative to modifying or expanding the City's recreational and commuter bikeway system. Its goal is to encourage recreational and commuter bicycling by promoting safe, convenient, well-designed facilities and by evaluating local bicycle-related projects. The BPAC's purpose, membership, and policies/procedures are established through City Council's past approval of the BPAC's Policy Guidelines (Attachment 1), with the most recent version being amended by City Council on March 25, 2014.

At the September 14, 2020 Governance and Ethics Committee (Committee) meeting, the Committee provided direction to staff regarding policy guidelines for the BPAC under Item 2 ("Discussion and Consideration of Approving a New Boards, Commission and Committee". Although the City Council approved the formation of the BPAC and the BPAC Policy Guidelines, there is no City Code section addressing the BPAC. The Committee discussed an option that an ordinance be considered to clearly set forth the composition of the membership of the BPAC and the scope of the BPAC's jurisdiction. The Committee directed staff to bring back a recommendation on formalizing the BPAC through an ordinance, that reflects the input of both the Committee and the BPAC, to the December 7, 2020 Committee meeting.

To formalize the BPAC through amendments to the City Code, staff prepared a report for the BPAC's consideration that included the proposed changes to the City Code (to later be enacted by ordinance) and updated the BPAC Policy Guidelines to align with all other boards, commissions, and committees. At the October 26, 2020 BPAC meeting, staff presented the report, draft City Code amendments and draft policy guidelines revisions. The BPAC members provided numerous comments as individuals, declined to vote to approve or modify staff's recommendations, and formed a special BPAC Subcommittee to review the changes. Staff reviewed and incorporated changes to reflect comments shared by multiple BPAC members from the October 26, 2020 BPAC meeting. This included the BPAC's purpose to oversee encouragement programs as well as the maintenance of the bicycle and pedestrian transportation systems.

At the December 7, 2020 Governance and Ethics Committee meeting (Attachment 2), staff provided an update to the Committee on formalizing the BPAC and recommended deferral of the item based on the upcoming BPAC subcommittee review of the proposed changes to the City Code and BPAC Policy Guidelines. The Committee accepted staff's recommendation for deferral and directed staff to return to the Committee in March 2021 for further updates.

At the December 10, 2020 BPAC meeting, BPAC Subcommittee members provided individual reports to staff and the full BPAC. The BPAC Subcommittee stated they did not come to a full agreement on all their proposed changes or comments.

DISCUSSION

In researching how to formalize the BPAC per the Committee's direction, staff has determined that several existing policies and procedures utilized by the BPAC are different than other boards, commissions, and committees. Some of these differences included the BPAC application/interview process, how members were appointed, and the term of office. In order to formalize the BPAC and make it more consistent with other Boards and Commissions changes are being proposed to the City Code (to later be enacted by ordinance) and the BPAC Policy Guidelines to align with all other boards, commissions, and committees. Below is a summary table (Table 1) for the existing and proposed procedures.

Table 1. Existing and Proposed BPAC Procedures

Item	***Existing BPAC Reference***	***Proposed BPAC Reference***	***Other Boards Commissions, Committees***
Purpose	BPAC Policy Guidelines	City Code Chapter 2.120	City Code Chapter 2.120
Membership and meeting rules	BPAC Policy Guidelines	BPAC Policy Guidelines referencing City Charter Article X	City Charter Article X
Membership appointment	Public Works solicits applications and BPAC reviews applications, conducts interviews and makes recommendations for Council approval	BPAC Policy Guidelines referencing City Clerk procedures and Council interviews applicants	City Clerk procedures and Council interviews applicants

At the January 25, 2021 BPAC meeting (Attachment 3), staff presented updated draft City Code amendments and draft policy guidelines revisions based on past discussions for final BPAC consideration.

The draft City Code amendments are related to City Code Chapter 2.120 and will establish the existence and purpose of the BPAC. Including the BPAC within the City Code will provide consistency with how other Boards, Commissions, and Committees have been established.

The draft revisions to the BPAC's Policy Guidelines will change procedures to follow rules established within City Charter Article X ("Appointive Boards and Commissions"), except for electing its own Chair, and to follow the City Clerk's procedures to appoint members.

The BPAC voted in support of the recommended draft City Code amendments and draft policy

guidelines revisions with four requested changes.

1. Member Eligibility - BPAC members to be at least 18 years of age, live or work in the City, and do not have to be a qualified elector of the City.
2. Applications and Appointments - the BPAC to review membership applications, interview applicants, vote for applicants, and make recommendations to Council
3. BPAC Chair - the BPAC to elect their own Chair instead of the Chair being a Councilmember
4. Meetings - the BPAC to have a minimum of 8 meetings, 12 preferred, each year

These four requests were discussed at the meeting and below is more information on the request as well as a staff recommendation for each item.

1. Member Eligibility - Staff reviewed the BPAC's request not to change member eligibility requirements which include living or working in the City and not having to be a qualified elector of the City. This is the current practice of the BPAC and has been in use since the committee's creation in 1991. It is also in alignment with the Metropolitan Transportation Commission (MTC), which requires the creation of a BPAC, and stipulates members may live or work in the City. However, the BPAC did recommend adding a new requirement that members be at least 18 years of age. Staff supports the change requested by the BPAC since members do not need to be qualified electors. Allowing members who live or work in the City may capture more input from those who directly utilize City bicycle and pedestrian facilities which provides additional perspectives and valuable input to the committee. Therefore, staff updated the draft City Code amendment and recommends incorporating this request.

2. Applications and Appointments - Staff reviewed the BPAC's request for the committee to review membership applications, interview applicants, vote for applicants, and make recommendations to Council. As shown in Table 1, the BPAC is the only City board, commission, or committee that does not follow the City Clerk's procedures and rules. The intent of revising the BPAC Policy Guidelines is for BPAC to align more with all other boards, commissions, and committees. In addition, this nuance proved to be a point of controversy amongst the group when the BPAC recently interviewed and voted for new members and conflict of interest issues where raised. Making the BPAC process consistent with the other boards and commissions will help to alleviate these types of issues in the future. Based on this information staff did not support the request and it is not included in the proposed revisions.

3. BPAC Chair - Staff reviewed the BPAC's request to elect its own Chair. Currently a Councilmember serves as Chair, helps clarify the role of the BPAC, and runs meetings in an orderly manner. This has proved to be very valuable in trying to keep meetings focused, manage the agenda, inform members of Council Policy, and remind the BPAC members of their roles. Since the current members of the BPAC interviewed themselves, staff feels that it is essential to have a Councilmember in the role of the BPAC Chair. However, if changes are implemented and the BPAC members are eventually composed of members interviewed and appointed by Council, this request could be reconsidered. Staff would only recommend reconsidering this request once all the members of the BPAC are comprised of members who were appointed by Council.

4. Meetings - Staff reviewed the BPAC's request to increase the number of meetings each year from five to a minimum of eight. This request has been made previously, but budget and staffing levels were unable to support the request. Typical meetings average a duration of five hours and require additional upfront work to set agendas, prepare reports, respond to comments and requests, and prepare minutes. Currently, the Public Works Traffic Division has staffing levels sufficient to support the five (5) meetings stated in the policy guidelines. Recently, 22% of the staffing budget was reduced to reach targeted budget savings and it is challenging for staff to support the five planned meetings. Additional meetings will result in a workload that will far exceed the capacity of available resources and would have a significant impact on workload resulting in delays to other duties, such as traffic inquiries/complaints, construction permits, land development applications, analysis, reports and capital projects. Based on this staff is unable to support the request.

Based on this information staff has updated the proposed changes to the City Code and BPAC Policy Guidelines and is recommending the Committee to recommend them for Council approval. See Attachment 4 (clean version with changes) and Attachment 5 (shown in track changes) for the recommended draft City Code amendments. See Attachment 6 (clean version with changes) and Attachment 7 (shown in track changes) for the recommended draft revisions to the BPAC Policy Guidelines.

ENVIRONMENTAL REVIEW
There is no environmental impact anticipated with this report.

FISCAL IMPACT
There is no fiscal impact anticipated with this recommendation.

COORDINATION
This report was coordinated with the City Manager's Office, City Attorney's Office, and City Clerk's Office.

PUBLIC CONTACT
Public contact was made by posting the Governance and Ethics Committee 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. Recommend that the City Council enact an ordinance to amend the City Code as shown in Attachment 4 to define the purpose of the Bicycle and Pedestrian Advisory Committee; and
2. Recommend that the City Council approve revisions to the Bicycle and Pedestrian Advisory Committee Policy Guidelines as shown in Attachment 6.

Reviewed by: Craig Mobeck, Director of Public Works
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Existing BPAC Policy Guidelines, 2014
2. Governance and Ethics Committee December 7, 2020 meeting, Report 20-991 Regarding BPAC
3. BPAC January 21, 2021 meeting, Report 21-1332 Regarding Governance
4. Proposed City Code Amendments (clean)
5. Proposed City Code Amendments (track changes)
6. Proposed BPAC Policy Guidelines Revisions (clean)
7. Proposed BPAC Policy Guidelines Revisions (track changes)

City of Santa Clara
Bicycle and Pedestrian Advisory Committee
Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council.

Section 1. Purpose

The purpose of the BPAC is to serve as an advisory body to the City Council on matters relative to modifying or expanding the City's public recreational and commuter bikeway and pedestrian walkway system. Its intent shall be to encourage recreational and commuter bicycling and walking in the City by promoting safe, convenient, well-designed facilities, and by evaluating local bicycle and pedestrian related projects.

Section 2. Membership

The BPAC is comprised of nine (9) regular members as appointed by the City Council. The Chairperson or alternate will be the Mayor or Councilperson designated by City Council and shall be considered a member. The remaining eight (8) members shall be citizens at large with a representative from the following groups strongly encouraged to be members: Santa Clara Unified School District and the Silicon Valley Bicycle Coalition. BPAC members must either reside or work in the City of Santa Clara.

Section 3. Term of Office and Removal

The term of office for BPAC members will be three years.

Members may be re-appointed but will be considered along with all other new applicants.

To allow for staggered terms, 2 members appointed by City Council in November of 2011 will have a term of office expiring on December 31, 2014, 3 members appointed in November of 2012 will have a term of office expiring on December 31, 2015, and 3 members appointed on November of 2013 will have a term of office expiring on December 31, 2016.

Any members of the BPAC may be removed from office by a majority vote of the City Council at a regularly scheduled Council meeting.

Section 4. Vacancies

Vacancies will be filled for the unexpired portion of the term, of the member being replaced, in the same manner as the original appointment.

Section 5. Meetings

The BPAC shall hold meetings on the third Wednesday in January, March, June, August and October at 4:00 p.m. at City Hall. The actual date of meeting can be changed or additional meetings can be approved by a quorum of the committee. All meetings shall be open to the public and notices and agendas shall be posted at City Hall as required by law.

Section 6. Quorum

Any five members shall constitute a quorum for voting on action items.

Section 7. Voting

Only the appointed BPAC members have voting authority. The committee shall determine the voting procedure for items prior to voting.

Section 8. Duties of BPAC to be Advisory Only

It is intended that the BPAC shall be an advisory committee to the City Council. Nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.

Section 9. Assistance of Staff

The City Manager of the City of Santa Clara shall provide the BPAC with information and staff assistance but the BPAC's requests may from time to time be prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to staff the BPAC.

Section 10. Code of Ethics and Values

The City of Santa Clara adopted a Code of Ethics and Values to provide clear, positive statements of ethical behavior reflecting the core values of the community. The actions and words of members of City's boards, commissions and committees should represent the community's values: ethical, professional, service-oriented, fiscally responsible, organized, communicative, collaborative, and progressive.

Section 11. Amendments

These guidelines may be amended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council.

PASSED AND RECOMMENDED FOR ADOPTION by the Bicycle Advisory Committee this 29 day of January, 2014.

PASSED AND ADOPTED by the Santa Clara City Council this 25 day of March, 2014.

City of Santa Clara

1500 Warburton Avenue
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Agenda Report

20-991 **Agenda Date: 12/7/2020**

REPORT TO GOVERNANCE AND ETHICS COMMITTEE

SUBJECT
Formalization of the Bicycle and Pedestrian Advisory Committee

BACKGROUND
At the September 14, 2020 Governance and Ethics Committee (Committee) meeting, the Committee provided direction to staff regarding policy guidelines for the Bicycle and Pedestrian Advisory Committee (BPAC) under Item 2 ("Discussion and Consideration of Approving a New Boards, Commission and Committee"). Although the City Council approved the formation of the BPAC and the BPAC Policy Guidelines (Attachment 1), there is no City Code section addressing the BPAC. The Committee discussed an option that an ordinance be considered to clearly set forth the composition of the membership of the BPAC and the scope of the BPAC's jurisdiction.

The Committee directed staff to bring back a recommendation on formalizing BPAC through an ordinance, that reflects the input of both the Committee and BPAC, to the December 7, 2020 Governance and Ethics Committee meeting.

DISCUSSION
The BPAC is an advisory body to the City Council on matters relative to modifying or expanding the City's recreational and commuter bikeway system. Its goal is to encourage recreational and commuter bicycling by promoting safe, convenient, well-designed facilities and by evaluating local bicycle-related projects. BPAC's purpose, membership, and policies/procedures are established through City Council's past approval of the BPAC's Policy Guidelines, with the most recent version being amended by City Council on March 25, 2014.

In researching how to formalize the BPAC per the Committee's direction, staff has determined that the existing policies and procedures utilized by BPAC are different than other boards, commissions, and committees. For example, BPAC appointments are made using applications administered by Public Works and then reviewed by BPAC members for the BPAC to make recommendations to City Council.

To formalize the BPAC through amendments to the City Code, staff prepared a report (Attachment 2) for BPAC consideration that included the proposed changes to the City Code (to later be enacted by ordinance) and updated BPAC Policy Guidelines to align with all other boards, commissions, and committees. Below is a summary table (Table 1) for the existing and proposed procedures.

Table 1. Existing and Proposed BPAC Procedures

Item	***Existing BPAC Reference***	***Proposed BPAC Reference***	***Other Boards Commissions, Committees***
Purpose	BPAC Policy Guidelines	City Code Chapter 2.120	City Code Chapter 2.120
Membership and meeting rules	BPAC Policy Guidelines	BPAC Policy Guidelines referencing City Charter Article X	City Charter Article X
Membership appointment	Public Works solicits applications and BPAC reviews applications, conducts interviews and makes recommendations for Council approval	Policy Guidelines referencing City Clerk procedures and Council interviews applicants	City Clerk procedures and Council interviews applicants

At the October 26, 2020 BPAC meeting, staff presented the draft City Code amendments and draft policy guidelines revisions. The BPAC provided numerous comments (Attachment 3), declined to vote on staff's recommendations, and formed a special BPAC subcommittee to review the changes. The BPAC subcommittee formed for this Governance item and is scheduled to present their work at the upcoming December 10, 2020 BPAC meeting. It is noteworthy that BPAC has an Annual Work Plan and one of the workplan items for 2021 includes reviewing the BPAC bylaws.

Below is a summary of the proposed City Code amendments and BPAC Policy Guidelines revisions, the BPAC's comments from the October 26, 2020 meeting, and staff's responses to the comments to date.

Proposed City Code amendments relating to the BPAC

Staff had drafted City Code amendments relating to City Code Chapter 2.120 to establish the existence and purpose of BPAC. Including the BPAC within the City Code will provide consistency with how other Boards, Commissions, and Committees have been established.

At the October 26, 2020 BPAC meeting, staff presented the draft City Code amendments to the BPAC. BPAC members provided general comments as listed below:

1. Add "to advise staff in addition to Council."
2. Add "to advise council on maintenance of bicycle and pedestrian systems."
3. Add "to advise on bike and scooter share programs."
4. Add "aid in the development of bike/ped masterplans."
5. Add "transportation policies" to the policies that the BPAC considers when the BPAC review projects.
6. Add "Vision Zero, Climate Change, and Greenhouse gas policies to be included in the BPAC's roles and responsibilities."
7. Include "Communities of Concern" as a focus for BPAC's review of projects/programs.

Upon review and analysis of BPAC's comments, staff updated the draft City Code amendments to incorporate comments #2, #3, and #6. Staff does not propose to incorporate the other BPAC recommended changes as BPAC is not authorized to advise staff on work direction (#1), does not work directly on bike/ped masterplans or develop planning documents (#4), does not currently review projects for other transportation policies (i.e. such as Vehicle Miles Travelled or Level of Service) and instead focuses on Complete Streets Policy review (#5), and "Communities of Concern" have been factored into the prioritization of projects within the City's Bicycle Plan and Pedestrian Plan and further review is not warranted (#7). Incorporation of these suggestions would result in a governance issue with respect to how staff is directed to implement policy from the City Council, which would set precedent and also may conflict with future policy making. See Attachment 4 for the updated proposed City Code amendments based on staff's review of BPAC's comments from the October 26, 2020 BPAC meeting.

BPAC Policy Guidelines Revision

Staff drafted proposed revisions to the BPAC's Policy Guidelines to follow rules established within City Charter Article X ("Appointive Boards and Commissions") and to follow the City Clerk's procedures to appoint members. At the October 26, 2020 BPAC meeting, staff presented the proposed revisions to the BPAC Policy Guidelines to the BPAC. BPAC members provided general comments as listed below:

1. BPAC should be a Commission instead of a Committee
2. BPAC should elect the BPAC chair vs. the chair being a Councilmember

Upon review and analysis of the BPAC's comments, staff does not propose to incorporate BPAC's comments into the proposed revisions to the BPAC Policy Guidelines as the intent of updating the Policy Guidelines is not to change to a commission (#1) or elect its own Chair (#2). The intent is for BPAC to follow the same rules as other boards, commissions, and committees, such as:

- Membership terms are four years and start on July 1
- Action requires a vote of a majority of the entire membership
- Members must be a qualified elector (defined as a citizen eligible to vote)
- Appointments are made using applications administered by the City Clerk and interviews with Council members

See Attachment 5 for the proposed revisions to the BPAC Policy Guidelines.

BPAC Subcommittee related to Governance

At the October 26, 2020 BPAC meeting, the BPAC formed a subcommittee to review in more detail the proposed City Code amendments and Policy Guidelines revisions. The subcommittee will present its work at the upcoming December 10, 2020 BPAC meeting. The full BPAC and staff will receive and review the subcommittee report and staff will prepare and present a staff analysis at the January 25, 2021 BPAC meeting. The intent is for staff to thoroughly review the subcommittee report and take into consideration the Governance and Ethics Committee's comments from the December 7, 2020 meeting.

Governance and Ethics Committee Alternatives
Based on the formation of the BPAC subcommittee and the upcoming subcommittee report on December 10, 2020, staff proposes to return to the Governance and Ethics Committee at its first quarter meeting in 2021 tentatively scheduled on March 1, 2021, with a report on the BPAC's January 25, 2021 meeting related to this topic.

ENVIRONMENTAL REVIEW
There is no environmental impact anticipated with this report.

FISCAL IMPACT
There is no fiscal impact anticipated with this recommendation.

COORDINATION
This report was coordinated with the City Manager's Office, City Attorney's Office, and City Clerk's Office.

PUBLIC CONTACT
Public contact was made by posting the Governance and Ethics Committee 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.

ALTERNATIVES
Alternatives 1 and 2:
1. Recommend that the City Council enact the proposed City Code amendments by ordinance to establish the purpose and membership of the BPAC and approve the proposed BPAC Policy Guidelines revision to ensure the BPAC follows the same rules and procedures used by other boards, commissions, and committees.
2. Defer consideration of the proposed City Code amendments and BPAC Policy Guidelines revision until after the BPAC and staff have received the BPAC subcommittee December 10, 2020 report on governance.

RECOMMENDATION
Alternative 2: Defer consideration of the proposed City Code amendments and BPAC Policy Guidelines revision until after the BPAC and staff have received the BPAC subcommittee December 10, 2020 report on governance.

Reviewed by: Craig Mobeck, Director of Public Works
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS
1. Bicycle and Pedestrian Advisory Committee Policy Guidelines, 2014
2. October 26, 2020 BPAC Report Regarding Governance
3. BPAC Comments on Draft City Code Amendments and Draft Policy Guidelines Revisions

4. Proposed City Code Amendments
5. Proposed BPAC Policy Guidelines Revisions

Attachment 1

City of Santa Clara
Bicycle and Pedestrian Advisory Committee
Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council.

Section 1. Purpose

The purpose of the BPAC is to serve as an advisory body to the City Council on matters relative to modifying or expanding the City's public recreational and commuter bikeway and pedestrian walkway system. Its intent shall be to encourage recreational and commuter bicycling and walking in the City by promoting safe, convenient, well-designed facilities, and by evaluating local bicycle and pedestrian related projects.

Section 2. Membership

The BPAC is comprised of nine (9) regular members as appointed by the City Council. The Chairperson or alternate will be the Mayor or Councilperson designated by City Council and shall be considered a member. The remaining eight (8) members shall be citizens at large with a representative from the following groups strongly encouraged to be members: Santa Clara Unified School District and the Silicon Valley Bicycle Coalition. BPAC members must either reside or work in the City of Santa Clara.

Section 3. Term of Office and Removal

The term of office for BPAC members will be three years.

Members may be re-appointed but will be considered along with all other new applicants.

To allow for staggered terms, 2 members appointed by City Council in November of 2011 will have a term of office expiring on December 31, 2014, 3 members appointed in November of 2012 will have a term of office expiring on December 31, 2015, and 3 members appointed on November of 2013 will have a term of office expiring on December 31, 2016.

Any members of the BPAC may be removed from office by a majority vote of the City Council at a regularly scheduled Council meeting.

Section 4. Vacancies

Vacancies will be filled for the unexpired portion of the term, of the member being replaced, in the same manner as the original appointment.

Section 5. Meetings

The BPAC shall hold meetings on the third Wednesday in January, March, June, August and October at 4:00 p.m. at City Hall. The actual date of meeting can be changed or additional meetings can be approved by a quorum of the committee. All meetings shall be open to the public and notices and agendas shall be posted at City Hall as required by law.

Section 6. Quorum

Any five members shall constitute a quorum for voting on action items.

Section 7. Voting

Only the appointed BPAC members have voting authority. The committee shall determine the voting procedure for items prior to voting.

Section 8. Duties of BPAC to be Advisory Only

It is intended that the BPAC shall be an advisory committee to the City Council. Nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.

Section 9. Assistance of Staff

The City Manager of the City of Santa Clara shall provide the BPAC with information and staff assistance but the BPAC's requests may from time to time be prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to staff the BPAC.

Section 10. Code of Ethics and Values

The City of Santa Clara adopted a Code of Ethics and Values to provide clear, positive statements of ethical behavior reflecting the core values of the community. The actions and words of members of City's boards, commissions and committees should represent the community's values: ethical, professional, service-oriented, fiscally responsible, organized, communicative, collaborative, and progressive.

Section 11. Amendments

These guidelines may be amended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council.

PASSED AND RECOMMENDED FOR ADOPTION by the Bicycle Advisory Committee this 29 day of January, 2014.

PASSED AND ADOPTED by the Santa Clara City Council this 25 day of March, 2014.

Attachment 2

City of Santa Clara

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Agenda Report

20-1002 **Agenda Date: 10/26/2020**

REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE

SUBJECT
Governance Committee Findings (Liw)

BACKGROUND
At the September 14, 2020 Governance and Ethics Committee (Committee) meeting (item 20-313, Attachment 1), the Committee provided direction to staff to formalize the Bicycle and Pedestrian Advisory Committee (BPAC). As a result, the Committee recommended staff to coordinate with the BPAC to draft an ordinance to update the City Code and to also update the BPAC Policy Guidelines.

DISCUSSION
The City currently has several boards, commissions, and committees (Commissions). While the BPAC has policy guidelines that have been approved by the City Council, there is no reference to the BPAC within the City Code and Charter. In addition to providing language within the City Code related to BPAC, staff is proposing that the BPAC appoint members and fill vacancies using procedures established by the City Clerk's office to maintain consistency amongst the BPAC and Commissions.

Staff has drafted the proposed language below to update the City Code and the BPAC Policy Guidelines to align BPAC with other City commissions.

2.120.150 Bicycle and Pedestrian Advisory Committee
The Bicycle and Pedestrian Advisory Committee shall consist of nine members. Eight members shall not hold any paid office or employment in the City government and one member is a Council Member serving as Chair. The Bicycle and Pedestrian Advisory Committee shall have the following powers, functions, and duties:

(a) Act in an advisory capacity to Council on matters pertaining to modifying or expanding the City's public recreational and commuter bikeway and pedestrian walkway system.
(b) Recommend to Council on the priority of bicycle and pedestrian projects for which the City will seek funding under Article 3 of the Transportation Development Act, and other state, federal, and local funding programs.
(c) Review and advise Council on comprehensive bicycle and pedestrian master plans.
(d) Recommend roadway modification per the City's Complete Streets policy.
(e) Support educational, recreational, and cultural activities for bicyclists and pedestrians

Attachment 2 is the BPAC Policy Guidelines with recommended updates. Attachments 3 and 4 are the Charter and Code with rules governing boards and commissions. Attachments 5, 6, and 7 contain references for Commission members.

20-1002 **Agenda Date: 10/26/2020**

RECOMMENDATION

Review and approve staff's recommendations to update the City Code and the BPAC Policy Guidelines language to align BPAC with other City Commissions.

Reviewed by: Jonathan Yee, Transportation Manager, Public Works
Approved by: Michael Liw, Assistant Director/City Engineer, Public Works

ATTACHMENTS

1. September 14, 2020 Governance and Ethics Committee Report
2. BPAC Policy Guidelines with recommended updates
3. City of Santa Clara City Charter Article X
4. City of Santa Clara City Code Chapter 2.120
5. Application for Board, Commissions, and Committee
6. Voting Guidelines for the Appointment of Applicants to Boards and Commissions
7. Guide for Board, Commissions, and Committee Applicants

Attachment 1

September 14, 2020 Governance and Ethics Committee Report

City of Santa Clara
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Agenda Report

20-313 **Agenda Date: 9/14/2020**

REPORT TO GOVERNANCE AND ETHICS COMMITTEE

SUBJECT
Discussion and Consideration of Approving a New Boards, Commission and Committee Policy

BACKGROUND
At the first quarterly Governance and Ethics Committee (Committee) meeting held on April 25, 2019, the Committee adopted its 2019 quarterly workplan, which included the review of the Boards, Commissions, and Committees policy regarding how business activities are conducted, and meeting attendance.

At the November 21, 2019 Governance and Ethics Committee meeting, the Committee deferred the Boards, Commissions, and Committees policy report to the first 2020 quarterly Governance and Ethics Committee meeting.

At the February 10, 2020,Governance and Ethics Committee meeting, the Committee reviewed a proposed new Boards, Commissions and Committees policy and provided feedback and directed staff to return on September 14, 2020 with a revised version.

Staff has attached the current City Council committees and outside agency committees approved on February 11, 2020, for reference (Attachment 1).

DISCUSSION
The current Boards and Commission policy was approved by Council on July 21,1998. Staff is recommending it be repealed and replaced with the new version which is more in line with best practices and addresses the Committee's concerns related to absences, code of ethics, conduct, trainings and much more. A redline version is attached with the Committee's requested changes (Attachment 2).

In addition to the redline edits incorporated in the proposed policy, there were additional questions related to:

- Bicycle Pedestrian Advisory Committee (BPAC) membership
- Renaming of the Housing Rehabilitation Loan Committee
- Reinstatement of International Exchange Commission
- Violation of Code of Ethics by member and Council recourse to remove a member beyond absences

Summary of Bicycle and Pedestrian Advisory Committee (BPAC) History
The Citizens Committee on Bicycles was established in 1991. The Citizens Committee on Bicycles was comprised of 7 members (Chair - Councilmember, 1 member at large, 1 PTA representative, 1

SCUSD Administrator, 1 member representing Santa Clara Valley Bicycle Association, and 2 City Staff members [Traffic Engineering and Traffic Lieutenant from the Police Department]). The requirement to serve on the Committee was to either live or work in the City of Santa Clara. The City Council approved the BPAC structure found in their Guidelines (Attachment 3). It does not appear that the City has a City Code section addressing this Committee. If the Governance and Ethics Committee chooses, it may recommend to the City Council to enact an ordinance that clearly sets forth the composition of the membership of the Committee and the scope of the committee's jurisdiction.

Renaming the Housing Rehabilitation Loan Committee

At the February 10, 2020 Governance and Ethics Committee meeting, the Committee inquired about renaming the Housing Rehabilitation Loan Committee (HRLC) to a Commission and noted that a name change may be appropriate given the Council Committee restructuring that was approved by the Council in 2019. As background, on February 5, 2019, the City Council approved the broad restructuring of Committees, which removed the Councilmember position from the HRLC. At that time, staff noted that the HRLC's scope did not require a Council Committee to consider loan approvals since these approvals are administrative in nature and funding has already been approved by the City Council in the annual appropriation of the budget. As part of the proposed change, loan approvals would be strictly administrative and approved by an internal credit Committee, while the restructured and renamed commission (Housing Commission) would include advisory functions related to the administration of the City's Federal entitlement grants and programs, which include neighborhood enhancement, homeless programs, and public service grants. The HRLC is currently comprised of a three-member body of Santa Clara residents. Staff looks forward to adding those new items and reporting quarterly on the loan portfolio to the advisory functions of the HRLC.

In review of the legislative history for the HRLC, it does not appear that the City ever established a City Code section addressing this committee. The Governance and Ethics may recommend to the City Council to enact an ordinance that clearly sets forth the composition of the membership of the Committee and the scope of the committee's jurisdiction.

Reinstatement of International Exchange Commission

At the January 2020 City Council Priority Setting Session, the Council directed staff to evaluate the resources needed to reinstate the International Exchange Commission (IEC).

Staff began researching and assembling information to assist City Council in its decision to reinstate the IEC, which includes administrative, staffing and financial considerations. Due to the impact of the COVID-19 pandemic, international travel to and from our Sister and Friendship Cities for staff and delegations has ceased for the time being.

Currently, there is no timeline for the resumption of international travel; however, staff is prepared to reinstate the IEC in January 2021 when there will be more known information about international travel activity. To that end, Council appointment to the IEC will be integrated with the regular process used by the City Council to appoint members of the Council to boards, commissions, and regional organizations. Because reinstatement of the IEC will impact the powers, functions, and duties of the Cultural Commission, staff proposes bringing the information forward to the Governance and Ethics Committee for review and discussion prior to taking this to the City Council.

Removal of a Member beyond Absences

On February 10, 2020, the Governance and Ethics Committee inquired about what happens if a member was to violate codes of ethics and what the Council's recourse was for removal of members beyond absences.

The City Charter states in Section 1002 "Except as otherwise provided in this article, the members of each of such boards or commissions shall be appointed, and shall be subject to removal, by motion of the City Council adopted by at least four affirmative votes." The Council has not set forth the ground for Council to exercise their power. After review of what other jurisdictions have done to address removal of a member beyond absences, staff has provided below some reasons for Committee consideration.

Potential Reasons for Commission member Removal
The members of each board or commission may be subject to removal by motion of the City Council for the following reasons:

- Failure to maintain eligibility requirements
- Failure to complete required training
- Failure to adhere to Council policy governing board and commission member interaction with City Council, the public, staff, and/or other board or commission members
- Violation of Code of Ethics and Conduct

To provide due process, the Committee may choose to include in the policy a process whereby Council places commission member removal recommendations on a council meeting agenda, and/or at a hearing during an open council meeting.

In addition, there is currently a policy in place regarding complaints received about a commissioner, Policy and Procedure #032 (Attachment 4), found in the Boards and Commissions Handbook.

FISCAL IMPACT
There was no fiscal impact associated with this report

COORDINATION
This report was coordinated with the City Attorney's Office.

PUBLIC CONTACT
Public contact was made by posting the Governance and Ethics Committee 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. Recommend that the City Council enact ordinances that clearly set forth the composition of the membership of each commission and the scope of the commission's jurisdiction; and
2. Approve the revised Boards and Commissions Policy that will be included in the Boards, Commissions, and Committee handbook.

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

ATTACHMENTS
1. 2020 City Council and Outside Agencies Committees
2. Redline Version of Proposed Policy
3. Bicycle and Pedestrian Advisory Committee Guidelines
4. Boards and Commissions Handbook - Policy and Procedure #032

Attachment 2

BPAC Policy Guidelines with recommended updates

City of Santa Clara
Bicycle and Pedestrian Advisory Committee
Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council.

Section 1. Purpose

The purpose and responsibilities of the BPAC are described in Section 2.120.150 of the City Code. ~~The purpose of the BPAC is to serve as an advisory body to the City Council on matters relative to modifying or expanding the City's public recreational and commuter bikeway and pedestrian walkway system.~~ Its intent shall be to encourage recreational and commuter bicycling and walking in the City by promoting safe, convenient, well-designed facilities, and by evaluating local bicycle and pedestrian related projects.

Commented [JY1]: Covered by new City Code

It is intended that the BPAC shall be an advisory committee to the City Council as provided in Article X of the City Charter and Chapter 2.120 of the City Code. Nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.

Commented [JY2]: Moved from Section 8

Section 2. Membership

The BPAC is comprised of nine (9) members, which consists of eight (8~~9~~) regular members and one (1) ~~as appointed by the City Council. The~~ Chairperson or alternate that ~~will be~~is the Mayor or Councilperson designated by City Council.

Members must meet requirements of Article X of the City Charter and Chapter 2.120 of the City Code.

Applications for BPAC membership shall be in a format determined by the City of Santa Clara City Clerk's Office.

Voting for BPAC membership shall be in accordance with the City of Santa Clara Voting Guidelines for the Appointment of Applicants to Boards and Commissions. ~~and shall be considered a member.~~

The ~~remaining~~ eight (8) regular members shall be citizens at large with a representative from the following groups strongly encouraged to be members:

Santa Clara Unified School District and the Silicon Valley Bicycle Coalition. BPAC members must either reside or work in the City of Santa Clara.

Section 3. Term of Office, ~~and~~ Removal, and Vacancies

The term of office and removal of members are described in Article X of the City Charter~~for BPAC members will be three years.~~ .

~~Members may be re-appointed but will be considered along with all other new applicants.~~

~~To allow for staggered terms, 2 members appointed by City Council in November of 2011 will have a term of office expiring on December 31, 2014, 3 members appointed in November of 2012 will have a term of office expiring on December 31, 2015, and 3 members appointed on November of 2013 will have a term of office expiring on December 31, 2016.~~

~~Any members of the BPAC may be removed from office by a majority vote of the City Council at a regularly scheduled Council meeting.~~

Commented [JY3]: Covered by Charter. Staggered terms expirations have been memorialized on BPAC roster roll

~~**Section 4. Vacancies**~~

Commented [JY4]: Moved to Section 3

~~Vacancies will be filled for the unexpired portion of the term, of the member being replaced, in the same manner as the original appointment.~~

Section ~~5~~4. Meetings

Meetings must meet requirements of Article X of the City Charter and Chapter 2.120 of the City Code.

The BPAC shall hold meetings on the ~~third~~ fourth Monday~~Wednesday~~ in January, March, June, August and October at 4:00 p.m. at City Hall. The actual date of meeting can be changed. ~~or a~~Additional meetings can be ~~approved~~ recommended by a quorum of the committee and approved by the City Manager. All meetings shall be open to the public and notices and agendas shall be posted at City Hall as required by law.

~~**Section 6. Quorum**~~

Commented [JY5]: Covered by Section 4. Meetings

~~Any five members shall constitute a quorum for voting on action items.~~

~~Section 7. Voting~~

~~Only the appointed BPAC members have voting authority. The committee shall determine the voting procedure for items prior to voting.~~

Commented [JY6]: Covered by Section 4. Meetings

~~Section 8. Duties of BPAC to be Advisory Only~~

~~It is intended that the BPAC shall be an advisory committee to the City Council. Nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.~~

Commented [JY7]: Moved to Section 1

Section ~~9~~6. Assistance of Staff

The BPAC may utilize City personnel as described in Section 2.120.040 of the City Code.~~The City Manager of the City of Santa Clara shall provide the BPAC with information and staff assistance but~~ ~~the~~ The BPAC's requests may from time to time be prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to staff the BPAC.

Commented [JY8]: Covered by City Code

~~Section 10. Code of Ethics and Values~~

~~The City of Santa Clara adopted a Code of Ethics and Values to provide clear, positive statements of ethical behavior reflecting the core values of the community. The actions and words of members of City's boards, commissions and committees should represent the community's values: ethical, professional, service-oriented, fiscally responsible, organized, communicative, collaborative, and progressive.~~

Commented [JY9]: Covered by Section 2. Membership

Section ~~11~~8. Amendments

~~These~~ Amendments to the guidelines may be ~~amended~~ recommended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council.

PASSED AND RECOMMENDED FOR ADOPTION by the Bicycle Advisory Committee this ___day of _____.

PASSED AND ADOPTED by the Santa Clara City Council this __ day of _____.

Attachment 3

City of Santa Clara City Charter Article X

CITY CHARTER

Article X. Appointive Boards and Commissions

Sec. 1000 In general.
There shall be the following enumerated boards and commissions which shall have the powers and duties herein stated, and such other powers and duties as may be conferred by the City Council which are not inconsistent herewith. In addition, the City Council may create by ordinance such boards or commissions as in its judgment are required and may grant to them such powers and duties as are consistent with the provisions of this Charter.

Sec. 1001 Appropriations.
The City Council shall include in its annual budget sufficient appropriations of funds for the efficient and proper functioning of such boards and commissions.

Sec. 1002 Appointments; terms.
Except as otherwise provided in this article, the members of each of such boards or commissions shall be appointed, and shall be subject to removal, by motion of the City Council adopted by at least four affirmative votes. Except as otherwise provided in this article, the members of such boards and commissions shall serve for a term of four years and until their respective successors are appointed and qualified; provided, however, the members first appointed to those boards and commissions shall so classify themselves by lot that each succeeding July 1st the term of at least one of their number shall expire.

Sec. 1003 Meetings; Chair.
As soon as practicable, following the first day of July of every year, each of such boards and commissions shall organize by electing one of its members to serve as presiding officer at the pleasure of such board or commission. Each board or commission shall hold regular meetings as required by ordinance of the City Council, and such special meetings as it may require. All proceedings shall be open to the public unless the nature of any proceeding is such that in the opinion of such board or commission the public interest would be best served by closing a particular proceeding to the public, and the reasons therefor are declared in any action closing such proceeding. Upon conclusion of any such proceeding any final action which is to be taken by such board or commission, with respect to such proceedings, shall be taken in open meeting.

The affirmative or negative vote of a majority of the entire membership of such board or commission shall be necessary for it to take action. Each board or commission shall keep a record of its proceedings and transactions. Each board or commission may prescribe its own rules and regulations which shall be consistent with this Charter and copies of which shall be kept on file in the office of the City Clerk where they shall be available for public inspection. It shall have the same power as the City Council to compel the attendance of witnesses, to examine them under oath and to compel the

production of evidence before it. (Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*)

Sec. 1004 Compensation, vacancies.
The members of boards and commissions shall serve without compensation for their services as such, but may receive reimbursement for necessary traveling and other expenses when on official duty on order of the City Council.

Except as otherwise herein provided, any vacancies in any board or commission from whatever cause arising, shall be filled by appointment by the City Council. Upon a vacancy occurring leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term. If a member of a board or commission absents himself/herself from three regular meetings of such board or commission, consecutively, unless with permission of such board or commission expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be a qualified elector of the City, his/her office shall be vacant and shall be so declared by the City Council. (As amended, 1967 Statutes, Senate Concurrent Resolution No. 35; Chapter 61; Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*)

Sec. 1005 Oaths; affirmations.
Each member of any such board or commission shall have the power to administer oaths and affirmations in any investigation or proceeding pending before such board or commission.

Attachment 4

City Code Chapter 2.120

CITY CODE

Chapter 2.120 BOARDS AND COMMISSIONS

Article I. Establishment, Powers and Duties Generally

2.120.010 Names, membership, qualifications and terms of office.

There shall be and there are established within the City the following boards and commissions:

(a) Planning Commission. (SCCC 2.120.050)

(b) Parks and Recreation Commission. (SCCC 2.120.060)

(c) Civil Service Commission. (SCCC 2.120.070)

(d) Board of Library Trustees. (SCCC 2.120.080)

(e) Historical and Landmarks Commission. (SCCC 2.120.100)

(f) Senior Advisory Commission. (SCCC 2.120.110)

(g) Youth Commission. (SCCC 2.120.130)

(h) Cultural Commission. (SCCC 2.120.140)

All members of boards and commissions, except for members of the Youth Commission, shall be qualified electors of the City and shall serve at the pleasure of the City Council. (Ord. 947; Ord. 1088; Ord. 1241 § 3, 4-13-71; Ord. 1276 § 1, 6-26-73; Ord. 1625 § 1, 7-16-91; Ord. 1673 § 1, 6-20-95; Ord. 1809 § 1, 9-26-06; Ord. 1908 § 1, 7-16-13. Formerly § 2-90).

2.120.020 Powers and duties generally.

The boards and commissions of the City shall have the following general powers, duties and responsibilities in addition to those set forth in Article X of the Charter:

(a) To establish rules and regulations governing the election of their officers, the holding of meetings and the conduct of business.

(b) To utilize all appropriate techniques in crystallizing and testing public sentiment on major public issues in their respective fields.

(c) To make budget recommendations.

(d) To hold official hearings as required by law or requested by the City Council.

(e) To advise and recommend on City policies and procedures pertinent to their respective activities and functions.

(f) To support and adhere to all City policies promulgated by the City Council and to establish needed interim policies in the absence of the same.

(g) To provide information and promote good public relations between the City and the general public.

(h) To receive at least two hours of training in general ethics principles and ethics laws relevant to their public service every two years, as required by state law and the City Council.

(i) To perform such other related functions as may be assigned to them by the City Council. (Ord. 947; Ord. 1837 § 1, 5-6-08. Formerly § 2-91).

2.120.030 Meetings.
Each board or commission of the City with members thereon appointed by the City Council shall hold regular meetings at the times and on the days indicated by resolution of the City Council except when such day falls on a City holiday, and shall hold such special meetings as it may require. The times and days for holding regular meetings are subject to amendment from time to time by resolution of the City Council. A copy of the applicable resolution(s) is and will be available for public inspection in the office of the City Clerk. (Ord. 1298 § 2, 10-15-74; Ord. 1300 § 1, 11-12-74; Ord. 1569 § 1, 5-26-87. Formerly § 2-91.1).

2.120.040 Utilization of City personnel.
The various boards and commissions may utilize the services of the appropriate City departmental personnel in carrying out their respective functions, subject to the administrative control of the City Manager. (Ord. 947. Formerly § 2-92).

City of Santa Clara
The Center of What's Possible

Public Works/Engineering

Attachment 5

Application for Board, Commissions, and Committee

APPLICATION
BOARD, COMMISSIONS, AND COMMITTEE

City of Santa Clara
The Center of What's Possible

CITY OF SANTA CLARA
City Clerk's Office 1500 Warburton Avenue,
Santa Clara, California 95050
Phone: 408-615-2220 E-mail: Clerk@santaclaraca.gov

*If you are having trouble viewing or submitting this form please download the free version of Adobe Reader: http://get.adobe.com/reader

Board/ Commission/ Committee Applying For:

Name:

Address:

City:

State: Zip Code:

E-mail Address:

Primary Phone Number

Secondary Phone Number

Are you eligible to register to vote in Santa Clara? ☐ Yes ☐ No ☐ Unsure

Are you a registered voter of Santa Clara? ☐ Yes ☐ No ☐ Unsure

Have you attended a meeting of this Board/ Commission/Committee? ☐ Yes ☐ No ☐ Unsure

Present Employer:

Job Title:

Previous Governmental Bodies/ Elective Offices Applicant has served:	Position/ Office Held:	Dates:

Civic or Charitable Organizations to which Applicant has belonged:	Position(s) Held:	Dates:

Special Interests, Hobbies or Talents:

College, Professional, Vocational Schools attended:	Major Subject:	Degree/Dates:

Special awards or recognition received:

Please state reasons why you want to become a member of this Board/Commission/Committee, including what specific objectives you would be working toward as a member of this advisory board:

Any other information which you feel would be useful to the City Council in reviewing your application:

Are you associated with any Organization/Employment that might be deemed a conflict of interest in performing your duties if appointed to this position? ☐ Yes ☐ No ☐ Unsure

If yes, please name the Organization or Employment.

City policy directs all advisory body members not to vote on matters where there exists a potential conflict of interest. Would you be willing to abstain from voting if such a conflict arises? ☐ Yes ☐ No ☐ Unsure

Signature of Applicant:

Date Signed:

By clicking submit you are confirming that you are the person listed in this application, and that all information provided is truthful and correct. You can also submit the completed application in person at: City Clerk's Office, 1500 Warburton Avenue, Santa Clara, California 95050. All information provided will be public information.

Attachment 6

Voting Guidelines for the Appointment of Applicants to Boards and Commissions

CITY OF SANTA CLARA
VOTING GUIDELINES FOR THE APPOINTMENT OF APPLICANTS TO BOARDS AND COMMISSIONS

1) Council is given a copy of the applications in their weekly packet to review and consider applicant qualifications.

2) Council interviews applicant. Interviews are held at a City Council Meeting for the Planning Commission and Civil Service Commission. Interviews are held in a less formal area of City Hall for all other Boards and Commissions.

    A) Each applicant is given three (3) minutes for an opening statement. The applicant may respond to questions from the Council. The applicant has one (1) minute for a closing statement.

3) Council votes for applicants:

    A) If there are four (4) or fewer applicants the Council will cast one vote each for their desired appointee.

    B) If there are five (5) or more applicants, the Council will cast one vote each for their two desired appointees. Only one vote per applicant is allowed. A Councilmember may choose to vote for only one applicant but will relinquish the other vote.

4) The votes are tallied:

    A) If there are four (4) or fewer applicants the Clerk will announce the winner.
        i. If there is a tie, there will be 3 re-votes for the Council to reconsider the applicants. The Council has the opportunity to deliberate between each round of re-voting.
        ii. If there is still a tie and there is not a full Council present, the Council will defer the decision until a full Council is present, and re-interview the top two applicants.
        iii. If there is a full Council present, the Members will draw straws, with the person drawing the long straw abstaining from voting at the next round. The Council has the opportunity to deliberate.
        iv. The Council votes, with the applicant receiving the highest number of votes being the winner. The City Clerk will announce the winner.

    B) If there are five (5) or more applicants, the Clerk will announce the two applicants who received the highest number of votes. The Council then has an opportunity to deliberate regarding the remaining two applicants.

The Council will then cast one vote each for their desired appointee. The City Clerk will announce the winner.

i. If there is a tie, there will be 3 re-votes for the Council to reconsider the applicants. The Council has the opportunity to deliberate between each round of re-voting.
ii. If there is still a tie and there is not a full Council present, the Council will defer the decision until a full Council is present, and re-interview the top two applicants.
iii. If there is a full Council present, the Members will draw straws, with the person drawing the long straw abstaining from voting at the next round. The Council has the opportunity to deliberate.
iv. The Council votes, with the applicant receiving the highest number of votes being the winner. The City Clerk will announce the winner.

5) A Council Member makes a motion to appoint the applicant that received the highest number of votes. The Council has the opportunity to vote unanimously to appoint the applicant using the Council Chambers electronic voting equipment.

Attachment 7

Guide for Board, Commissions, and Committee Applicants

City of Santa Clara

The Center of What's Possible

GUIDE FOR BOARD, COMMISSIONS AND COMMITTEE APPLICANTS

A Guide for Board, Commissions and Committee Applicants

The City Charter requires that all members of the Board, Commissions or Committee (referred to collectively as "Commissioners") be residents and qualified electors in the City of Santa Clara (Section 1004). While membership on a Commission requires no definite qualifications, there are desirable characteristics which the City Council will be looking for as they review applications:

Familiarity with Community:
The City Council expects that all appointees have lived in Santa Clara for at least a year immediately prior to their appointment and are somewhat familiar with the physical, social and economic make-up of the City. Applicants should demonstrate an active interest and involvement in the community.

Familiarity with Major Issues:
While it will be assumed that applicants are familiar with the specific issues that are being addressed by the Commission for which they are applying, it is also expected that applicants are aware of far reaching issues that impact all sectors of City programs and services.

Knowledge of the Commission:
It is assumed that during the application process, applicants will become familiar with the responsibilities and role of the Commission in the City's policymaking structure.

Commitment to Serve:
It is fully expected that appointed Commissioners will serve their full term of office. While personal or professional circumstances might necessitate an unexpected resignation, applicants who are aware of any reasons why they may not be able to complete a full term or attend regularly scheduled meetings, should indicate this on their application. While time commitments will vary depending upon schedules and workload, Commissioners are expected to attend all scheduled meetings and in addition, may be expected to participate in study sessions or serve on subcommittees and attend Special Meetings, as necessary.

Relations with the Community:
The actions of Commissioners will reflect on the City of Santa Clara. Commissioners are expected to relate to the community with impartiality and courtesy, fostering government at its best.

Tips for Applying for a Commission

The application can be found online at *www.santaclaraca.gov/commissions*.

Type or Neatly Print your Application:
Staff must be able to read your application in order to process it efficiently.

Answer All Questions on the Application:
The City Council reviews your application to get an understanding of your background and experience, and what skills and talents you believe you could bring to a particular Commission. Do not forget to sign your application.

Attend one or two Meetings of the Commission for which you are Applying:
Find out what kinds of issues the Commission is currently facing and what issues may be coming in the future. Review the minutes of the Commission's meetings which are available online and in the City Clerk's Office.

Talk to Commissioners:
Contact the City Clerk's Office or visit the City's website at *www.santaclaraca.gov/commissions* for a roster of Commissioners. Commissioners can share with you their experience on the Commission, give you an estimate of the time commitment involved in serving, and share with you what they see as current and future issues for the Commission.

Talk to City Staff Liaisons to the Commission:
Listed on the above-mentioned roster is a City staff liaison who is assigned to work with a particular Commission. The City staff liaison is a good resource in learning more about the function and role of serving as a Commissioner. (City staff cannot recommend or lobby for any applicant for a Commission).

Find out City Council's Priorities and Interests:
Attend City Council meetings and review meeting minutes. Contact the City Clerk's Office for a schedule of meetings or visit *www.santaclaraca.gov*.

Review the Code of Ethics for Appointed and Elected Officials:
Included at the end of this Guide is a copy of the Code of Ethics. Review it and understand that if you are appointed to a Commission, you will be required to abide by it.

Prepare for the Interview:
Although we do not know what specific questions the City Council will ask, it is suggested that you clarify for yourself why you are applying for a specific Commission, understand the role and function of the Commission, and be familiar with the current issues it is examining.

Treat the Interview with the City Council like a Business Interview:
Professional business dress is appropriate. Understand that the City Council is not only considering what experience, skills and talents you bring to a Commission, but also how well you will represent the City.

Application Process/Appointments

When a vacancy on a Commission occurs, the City Manager's Office staff prepares a press release which is distributed to all local media, including the *Santa Clara Weekly*. The vacancy is announced during a scheduled City Council meeting, on the City's Municipal Cable Channel 15, on the City's website and through the City's social media channels. Copies of the announcement are sent to those individuals on the list of interested parties. Anyone may have their name added to the list of interested parties to be notified by contacting the City Clerk's Office or by filling out the interest form found at *www.santaclaraca.gov/commissions*.

Applications for vacancies are obtained online at *www.santaclaraca.gov/commissions* or from the City Clerk's Office at 1500 Warburton Avenue. Completed applications can be submitted online at *www.santaclaraca.gov/commissions*, via email to *clerk@santaclaraca.gov* or to the City Clerk's Office. The completed applications are forwarded to the City Council in the regular agenda packets for public review. The City Council interviews all applicants (except for the Youth Commission) at a date certain. The official appointment of Commissioners is made at a City Council meeting by at least four affirmative votes of the City Council. Applications will be kept confidential until placed on the Council agenda, at which time applications are made public in their entirety.

Youth Commission applications are distributed and available to middle school and high school students in the City of Santa Clara. The Staff Liaison will coordinate the interview process. A list of recommended applicants and alternates to the Youth Commission will be submitted to the City Council. The Council approves the final selection and appointment of Youth Commissioners.

Term of Office

Commissioners generally are appointed for a four-year term. The City Council may reappoint an existing member or fill the vacancy with a new applicant. The maximum time a Commissioner may serve is two consecutive full terms, except the Youth Commission who serve for a one-year term with a maximum of 4 years (4 terms). If an individual is appointed to fill a partial term he or she may still serve two additional full terms of office. After a lapse of at least two years, an individual is eligible to reapply to serve on the same Commission and the same application process would apply as for individuals who have never served. Individuals may apply to serve on a different Commission once their term of office expires for their current commitment (minutes of City Council meetings 12/1/59 and 10/17/78). The term of office officially begins when the new member takes the oath of office administered by the City Clerk and meets with the Staff Liaison to the Commission. There is no monetary compensation or benefits for Commissioners.

Disclosure Statements - Economic Conflicts of Interests

Disclosure statements must be filed by Planning Commissioners, Civil Service Commissioners and Housing Rehabilitation Loan Committee Members.

Commissioners of these three entities are required to file an Annual Statement of Economic Interests to disclose the investments and interest in real property held and income received each year. Newly appointed Commissioners to these groups must file an Assuming Office Statement that discloses any investments or interests in real property held by the Commissioners on the date he or she assumed office, and during the twelve (12) months prior to the date the office was assumed. All outgoing Commissioners to these groups must also file a Leaving Office Statement when he or she resigns or at the end of his or her term(s).

The City Clerk administers disclosure statements and maintains original file copies of all statements. These are available for public review in the City Clerk's Office. The statements of Planning Commissioners are forwarded to the Fair Political Practices Commission and copies are retained for public review in the City Clerk's Office.

No Contracts with the City:
Commissioners cannot have any contracts with the City. Penalties for violation of Government Code Section 1090 are severe: the contract is invalidated, the individual is disqualified for life from public office, and the individual can be charged with criminal action.

Purpose

How Commissioners Serve the Citizens of Santa Clara

"You make a living by what you get, but you make a life by what you give."
Winston Churchill

Commissioners play a critical role in the City of Santa Clara. They serve as a conduit for citizen input - a way of gathering, analyzing and recommending options to the City Council which has the final responsibility for making policy decisions. City staff can provide professional and technical expertise and, of course, any citizen can come before the City Council to offer an opinion or make a suggestion. Commissioners provide another important avenue for determining the community's feelings about an issue. The individuals who serve on Commissions are among the most respected and appreciated volunteers in the community.

The formal descriptions of the roles and responsibilities of Commissioners, as set in the City Charter and City Code, are included in the back of this guide. Here is a brief summary of how Commissions serve the democratic process in the City of Santa Clara.

The Purpose of Commissions in Santa Clara is to:

- Hold public meetings and use other means to determine how the community feels about issues related to their respective fields.

- Recommend policies and procedures related to their respective fields to the City Council.

- Serve as an intermediary between the public, City staff, and the City Council by providing information, explanation, and support for different points of view.

- Exemplify the mission statement of City government in Santa Clara which is "to promote a living and working environment that allows for the best quality of life by serving the community with resourceful, efficient, progressive and professional leadership."

City Government Background Information

Putting Commissions into Context

"Those in high places are more than the administrators of government bureaus. They are more than the writers of law. They are the custodians of a nation's ideals, of the beliefs it cherishes, of its permanent hopes, of the faith which makes a nation out of a mere aggregation of individuals."

Walter Lippmann

The City of Santa Clara is a Charter City, incorporated in 1852 under the laws of the State of California. Santa Clara uses a Council-Manager form of government. The City Council serves as the legislative body, sets policies and procedures, and represents the citizens of Santa Clara. The City Manager, as the Chief Executive Officer appointed by the City Council, implements City Council policies and procedures. The City Attorney and the City Auditor are also appointed by the City Council while the City Clerk and the Chief of Police are full-time elected positions. The City Council also serves as the governing board for the Stadium Authority, Sports and Open Space Authority, and Housing Authority, with the City Manager, City Attorney, and City Clerk serving in comparable roles.

City Council

The Santa Clara City Council, the governing body of the City, is made up of six Council Members and a directly elected Mayor, who are elected in a non-partisan election and serve "at large," representing the whole City; not a particular district. The City Council is accountable to the citizens it serves. Elections are held in November of even calendar years except when special elections are held. City Council Members and the Mayor serve four-year terms and each may serve a maximum of two consecutive terms. Four council terms are up in one election; two other council terms and the Mayor's term are up two years later.

The City Council formulates policies, approves programs, appropriates funds and establishes local taxes and assessments. The decisions of the City Council are reached by a majority vote. The City Council enacts local laws (ordinances) and regulations for governing of the City. The local ordinances adopted by the City Council are in the City Code. Other City Council directives and policies are recorded in resolutions or council minutes.

The Santa Clara City Council generally meets twice per month, separately but concurrently with the Santa Clara Stadium Authority, Sports and Open Space Authority and City of Santa Clara Housing Authority. Meetings generally start in the evening at various times between 5:00 pm and 7:00 pm. Copies of the concurrent City Council agenda are available 72 hours before the meetings at the City Clerk's Office, Central Park Library, Mission Library Family Reading Center, Northside Branch Library and on the City's website *www.santaclaraca.gov/commissions.* Agenda packets, which contain the agenda and information on each agenda item, are available in the City Clerk's Office, on the City's website, and can also be viewed at all City libraries. Summaries of the actions from previous City Council meetings can also be found on the City's website.

Council meetings are broadcast live on Cable Channel 15, "Mission City TV." Council meetings are also streamed live on the City's website. Agendas and back-up reports can also be found on the City's website. Following the Council Meeting, a rebroadcast of the meeting will be

shown on Cable Channel 15 on Wednesday at 7:00 pm and Thursday at 1:00 pm. Call 1-408-615-2210 for broadcast information. DVD's of the meetings are placed at all three City Libraries for checkout by patrons. Council meeting highlights and other municipal announcements appear weekly on "Mission City TV."

City Manager
The City Manager is the chief executive officer and the head of the administrative branch of the City government. The City Manager is appointed by the City Council. The City Manager attends all City Council meetings, implements policies and procedures initiated by the City Council, prepares and administers the municipal budget, advises the City Council of future financial needs of the City, initiates and supervises business relationships, and directs the daily operations of City government. The use of City-owned property and economic development are handled through the City Manager's Office, as are community and media relations, special projects, research and contracts, emergency services, training and safety, redevelopment, special agency activities, and the overall general administration budget. The City Manager's Office also administers the franchise for cable systems within City boundaries and manages the City's government cable channel and video services. The City Manager is responsible for all City personnel and serves as a liaison to each commission. The City Manager also serves as the Executive Director of the Santa Clara Stadium Authority; City of Santa Clara Housing Authority; and Contract Administrator for the Sports and Open Space Authority.

City Attorney
The City Attorney is appointed by the City Council. The City Attorney advises the City Council and City officers (in their official capacity) in legal matters; attends all City Council meetings and some board/commissions/committee meetings; represents the City in legal actions and proceedings; and retains, supervises and monitors outside legal counsel. The office of the City Attorney also approves the form of all bonds and contracts made by the City; prepares/approves all ordinances, resolutions and amendments for the City; and prosecutes criminal cases for violation of the Charter and City ordinances. The members of the City Attorney's Office (attorneys and staff) maintain an attorney-client relationship with the City, its officers, agents and employees, so their official communications are protected as confidential attorney-client privilege.

City Clerk
The City Clerk is directly elected by the residents and serves as the City's elections official, implements Santa Clara's good-government community outreach programs, and protects the public record of City Council proceedings. The City Clerk conducts municipal elections for candidates and initiatives, as well as implements Fair Political Practices Commission statements of economic interest and campaign disclosure statements of candidates. The City Clerk implements many of the City's good government and community outreach efforts as they relate to elections, voter registration, board and commission recruitment, and citizenship outreach. The City Clerk attends all City Council meetings and is responsible for the recording, writing and maintenance of the records of City Council proceedings. The City Clerk publishes ordinances, resolutions, and other official City documents as well as stores and indexes official documents and City records for retrieval. The City Clerk is also the custodian of the Seal of the City, administers oaths, receives and records claims and official notices pertaining to the affairs and business of the City, and certifies copies of official records.

City Auditor
The City Auditor is one of three positions appointed by the City Council. The City Auditor audits and approves all bills, invoices, payrolls, demands, or charges against the City government. With the advice of the City Attorney, the City Auditor also advises the City Council as to the regularity, legality and correctness of any claims, demands or charges. Additionally, the City Auditor works closely with the City Manager and the Director of Finance for the effective administrative implementation of Council goals in conformity with City, County, State and Federal laws and regulations.

Santa Clara Stadium Authority
The Santa Clara Stadium Authority ("Stadium Authority") was created on February 22, 2011 with the approval of a Joint Powers Agreement between the City Council and the Redevelopment Agency [Resolution No. 11-7825 and 11-7 (RA)]. It was formed as a Joint Powers Authority to facilitate the development, ownership and operation of the Stadium and to fulfill the mandates of Measure J, "The Santa Clara Stadium Taxpayer Protection and Economic Progress Act." The Stadium Authority is structured so that the City will be liable for the debts or obligations of the Stadium Authority. The members of the City Council shall serve as Board Members on the Stadium Authority [Resolution No. 11-7 (STADIUM AUTHORITY) approved March 29, 2011]. The Stadium Authority generally meets on Tuesdays, separately but concurrently with City Council meeting in the City Hall Council Chambers at 1500 Warburton Avenue, Santa Clara, California. Call 1-408-615-2210 for additional information.

Sports and Open Space Authority (SOSA)
The Sports and Open Space Authority of the City of Santa Clara was created in 1974, establishing a separate agency to deal with the problems of acquisition and preservation of open space within the City and the development of local sports activities. Since its creation, the Sports and Open Space Authority has been involved in a number of successful projects for and on behalf of the City, including the Santa Clara Golf and Tennis Club, and the Ulistac Natural Area. The Sports and Open Space Authority meets on Tuesdays, separately but concurrently with the City Council meetings in the Council Chambers at City Hall, 1500 Warburton Avenue, Santa Clara, California. Call 1-408-615-2210 for additional information.

City of Santa Clara Housing Authority
The City of Santa Clara Housing Authority was created on February 22, 2011 by the City Council due to findings that unsanitary and/or unsafe inhabited dwelling accommodations existed and that there was a shortage of safe or sanitary dwelling accommodations in the City available to persons of low income at rentals they can afford by the City of Santa Clara on February 22, 2011 (Resolution No. 11-7827). The members of the City Council shall serve as Commissioners on the Housing Authority [Resolution No. 11-3 (HOUSING AUTHORITY) approved March 15, 2011]. The Housing Authority administers the Affordable Housing Fund to provide financing assistance for various programs and projects in the City of Santa Clara that provide affordable housing opportunities, projects and programs for very low, low and moderate income households. The Housing Authority generally meets on Tuesdays, separately but concurrently with the City Council meetings in the Council Chambers at City Hall, 1500 Warburton Avenue, Santa Clara, California. Call 1-408-615-2490 for additional information.

City Board, Commissions, and Committee Information

Board, Commissions, and Committee
The City of Santa Clara currently has nine advisory groups categorized as a board, commission or committee. Each has a specific focus and serves to make recommendations to the City Council on issues related to that specific policy field. The City Manager is the official liaison to each group and either serves personally as the liaison or appoints a staff member to serve in this capacity.

Commissioners are volunteers who are appointed by the City Council and serve at the pleasure of the City Council. Commissioners must be residents of Santa Clara and be qualified electors in the City of Santa Clara. The Youth Commission is open to Santa Clara residents between the ages of 12-19 years old.

Members of Charter-established Commissions (Planning Commission, Civil Service Commission, Parks and Recreation Commission and the Board of Library Trustees) have the power to administer oaths and affirmations in any investigation or proceeding pending before that group. Generally, only the Planning Commission, Civil Service Commission and Housing Rehabilitation Loan Committee conduct investigations or proceedings.

Board of Library Trustees	Generally 1st Monday, 6:30 pm	Central Park Library Board Room 2635 Homestead Road
Establishes, accepts and supervises the public library program. The Board also makes and enforces by-laws, rules and regulations for the administration of the public library. (5 members)		
Civil Service Commission	Generally 2nd Monday, 7:00 pm Every other month	City Hall Council Chambers 1500 Warburton Avenue
Advises the City Council on matters pertaining to Civil Service rules and regulations and acts as a Board of Review to hear petitions by Civil Service employees and applicants. (5 members)		
Cultural Commission	Generally 1st Monday, 7:00 pm	City Hall Staff Conference Room 1500 Warburton Avenue
Advises the City Council on matters pertaining to the enhancement of multicultural experiences and beautification of the City through art. (7 members)		
Historical and Landmarks Commission	Generally 1st Thursday, 7:00 pm	City Hall Council Chambers 1500 Warburton Avenue
Advises the City Council on matters pertaining to historical landmarks, names and renaming of streets, and the marking and preservation of historical landmarks. (7 members)		

Housing Rehabilitation Loan Committee	Quarterly, Generally 2nd Thursday, 8:00 am	Housing and Community Services Division 1500 Warburton Avenue
Reviews applicant proposals from low to moderate income homeowners for City loans or grants for home improvements. (4 members)		
Parks and Recreation Commission	Generally 3rd Tuesday, 7:00 pm	City Hall Cafeteria 1500 Warburton Avenue
Advises the City Council in all matters pertaining to parks, recreation, playgrounds and entertainment. The Commission oversees an annual Art & Wine Festival held in Central Park. (7 members)		
Planning Commission	Generally 2nd and 4th Wednesdays, 7:00 pm	City Hall Council Chambers 1500 Warburton Avenue
Advises the City Council in all matters pertaining to the physical development of Santa Clara, and makes recommendations with respect to land subdivisions, zoning (as prescribed by ordinances) and more. (7 members)		
Senior Advisory Commission	Generally 4th Monday, 10:00 am	Senior Center 1303 Fremont Street
Advises the City Council in matters affecting people age 50 and older in Santa Clara, including health, education, employment, housing, transportation and recreation. (7 members)		
Youth Commission	Generally 2nd Tuesday, 6:00 pm September through May	Teen Center 2446 Cabrillo Avenue
Advises the City Council on community programs for youth and teens, and encourages youth involvement in local government. (15 members)		

Specific Responsibilities of Commissions

Board of Library Trustees

There shall be a Board of Library Trustees consisting of five members to be appointed by the City Council from the qualified electors of the City and no member of said Board shall hold any paid office or employment in the City government. (Charter Sec. 1012)

The Board of Library Trustees shall have charge of the administration of the Santa Clara Free Public Library and shall have power and be required to:

(a) Make and enforce such by-laws, rules and regulations as it may deem necessary for the administration and protection of the City library;

(b) Approve or disapprove the appointment of a librarian who shall be the department head;

(c) Accept into the library fund and administer money, personal property or real estate donated to the City or otherwise acquired for library purposes subject to the approval of the City Council;

(d) Contract with school, county or other governmental agencies to render or receive library services or facilities, subject to the approval of the City Council. (Charter Sec. 1013)

The Board of Library Trustees shall be primarily responsible for the following:

(a) Establishing, accepting and supervising a significant public library program.

(b) Providing for balanced library collections and services which represent the diverse perspectives of the community.

(c) Making recommendations to the City Council on library policies which ensure maximum public access to library collections and services.

(d) Serving as a central focus for citizen comment on library operations and materials and the provision of appropriate recommendations or response.

(e) Supporting educational, recreational and cultural activities for citizens of all age groups, consistent with the mission of the library program.

(f) Representing the library program to the City, the community, other government agencies and organizations.

(g) Performing such other duties and exercising such powers as the City Council may impose or require. (City Code Section 2.120.080)

Civil Service Commission

There shall be a Civil Service Commission consisting of five members to be appointed by the City Council from the qualified electors of the City, none of whom shall hold any paid office or employment in the City government. (Charter Sec. 1010)

Civil Service Commission – Powers and duties.

(a) The Civil Service Commission is charged with the duty of providing qualified persons for appointment to the service of the City. All appointments in the public service shall be made for the good of that service, and solely upon merit and fitness, as established by appropriate test, without regard to partisan politics, race, color or religious belief.

(b) Act as Board of Review to hear petitions by civil service employees, and applicants for civil service positions, and to grant or deny such petitions.

(c) Perform such other duties as may be required by the civil service rules and regulations. (Charter Sec. 1011)

The Civil Service Commission shall be primarily responsible for the following:

(a) The establishment, acceptance and continued supervision of a well-rounded civil service program.

(b) The recruiting, examining and establishing of a list of eligibles for appointment to the City service in accordance with established merit principles.

(c) The hearing of appeals by members of the classified service and acting upon the same. (City Code Section 2.120.070)

Cultural Commission

The Cultural Commission shall consist of seven members, whose members shall not hold any paid office or employment in the City government, and shall be primarily responsible for the following:

(a) Act in an advisory capacity to the City Council in all matters pertaining to cultural enrichment and beautification of the city.

(b) Encourage the beautification of the City and programs for the cultural enrichment of the City.

(c) Perform such other duties and exercise such powers as the City Council may impose or require.
(City Code Section 2.120.090).

Historical and Landmarks Commission

The Historical and Landmarks Commission shall consist of seven members, whose members shall not hold any paid office or employment in the City government, and shall have power and be required to do the following:

(a) Act in an advisory capacity to the City Council in all matters pertaining to historical landmarks, names and renaming of streets, museums and the establishment thereof in the City, and the marking and preservation of historical landmarks and places.

(b) Exercise such other functions as it may be required to perform by the City Council. (City Code Section 1.120.100)

Parks and Recreation Commission

There shall be a City Parks and Recreation Commission consisting of seven members to be appointed by the City Council from the qualified electors of the City, none of whom shall hold any paid office or employment in the City government. (Charter Sec. 1008)

The Parks and Recreation Commission shall have power and be required to:

(a) Act in advisory capacity to the City Council in all matters pertaining to parks, recreation, playgrounds and entertainment.

(b) Consider the annual budget of the Parks and Recreation Department during the process of its preparation and make recommendations with respect thereto to the City Manager and the City Council.

(c) Assist in the planning and supervision of a recreation program for the inhabitants of the City, promote and stimulate public interest therein and to that end, solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein. (Charter Section 1009)

The Parks and Recreation Commission shall be primarily responsible for the following:

(a) The establishment, acceptance and continued supervision of a long-range parks and recreational program for the City.

(b) Planning and implementing an annual program of recreational and cultural activities for all age groups.

(c) Recommending and supervising all the City's contractual relationships with other agencies in the recreational field.

(d) Serve as a correlating agency between the City and other units of government on recreational undertakings.

(e) The planning and supervision of the City cemetery. (City Code Section 2.120.060)

Planning Commission

There shall be a City Planning Commission consisting of seven members to be appointed by the City Council from the qualified electors of the City, none of whom shall hold any paid office or employment in the City government except that the City Manager, and the Director of Public Works and Utilities, or their designated representatives, shall serve as ex-officio members of the commission. (Charter Sec. 1006)

The Planning Commission shall have power and be required to:

(a) After a public hearing thereon, recommend to the City Council the adoption, amendment, or repeal of the General Plan or any part thereof for the physical development of the City.

(b) Exercise such functions with respect to land subdivisions, planning, and zoning as may be prescribed by ordinance.

(c) Exercise such planning, zoning, environmental or other function as now or may be hereafter authorized by the provisions of the State of California in so far as they do not conflict with the provisions of this Charter. (Charter Section 1007)

The Planning Commission shall be primarily responsible for and have the following duties:

(a) The establishment, acceptance and continued supervision of a long-range master plan for the future development of the City.

(b) The proper application and preservation of the zoning and land use regulations of the City and recommending such revisions and amendments as may be deemed necessary.

(c) The processing of subdivision tract maps and property development applications in accordance with prescribed standards.

(d) Serve as a correlating agency for the capital improvement program of the City. (City Code Section 1.120.050)

Senior Advisory Commission

The Senior Advisory Commission shall consist of seven members who shall not hold any paid office or employment in the City government, and shall have the following powers, functions, and duties:

(a) Study, review, evaluate and make recommendations to the City Council relative to any and all matters affecting elderly people in the City of Santa Clara.

(b) Make such studies and submit to the Council such reports or recommendations respecting matters affecting elderly people, and such matters as the Council may from time to time request. (City Code Section 2.120.110)

Youth Commission

The Youth Commission shall consist of no more than fifteen youth members who shall be residents of the City and be primarily responsible for the following:

(a) To act in an advisory capacity to the City Council in all matters pertaining to the youth and teen population within Santa Clara, especially as related to municipal programs and projects of the City.

(b) To perform such other related functions as may be assigned to them by the City Council.

Additional powers and duties of the Youth Commission shall be as determined by the City Council, by resolution, and may be amended, from time to time, to properly reflect changes in qualifications, composition and responsibilities of the Youth Commission as the City Council deems necessary. (City Code Section 2.120.130)

Housing Rehabilitation Loan Committee

The Housing Rehabilitation Loan Committee consists of four members: a City Councilmember and three residents. The Committee meets quarterly to vote on projects and issues related to the Community Services Division Neighborhood Conservation and Improvement Program (NCIP) which utilizes federal Community Development Block Grant (CDBG) and Home Investment Partnerships Act Entitlement (HOME) monies to rehabilitate homes of low to moderate income homeowners who reside within the City limits.

City of Santa Clara, CA
Code of Ethics and Values

PREAMBLE

The proper operation of democratic government requires that decision-makers be independent, impartial, and accountable to the people they serve. The City of Santa Clara has adopted this Code of Ethics and Values to promote and maintain the highest standards of personal and professional conduct in the City's government. All elected and appointed officials, City employees, volunteers, and others who participate in the city's government are required to subscribe to this Code, understand how it applies to their specific responsibilities, and practice its eight core values in their work. Because we seek public confidence in the City's services and public trust of its decision-makers, our decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this code.

1. As a Representative of the City of Santa Clara, I will be *ethical.*
In practice, this value looks like:

a.) I am trustworthy, acting with the utmost integrity and moral courage.

b.) I am truthful, do what I say I will do, and am dependable.

c.) I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action.

d.) I am fair, distributing benefits and burdens according to consistent and equitable criteria.

e.) I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions.

f.) I show respect for persons, confidences, and information designated as "confidential."

g.) I use my title(s) only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority.

2. As a Representative of the City of Santa Clara, I will be *professional.*
In practice, this value looks like:

a.) I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner.

b.) I approach my job and work-related relationships with a positive attitude.

c.) I keep my professional knowledge and skills current and growing.

3. As a Representative of the City of Santa Clara, I will be *service-oriented*.
In practice, this value looks like:

a.) I provide friendly, receptive, courteous service to everyone.

b.) I am attuned to, and care about, the needs and issues of citizens, public officials, and city workers.

c.) In my interactions with constituents, I am interested, engaged, and responsive.

4. As a Representative of the City of Santa Clara, I will be *fiscally responsible*
In practice, this value looks like:

a.) I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability.

b.) I demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds) and follow established procedures.

c.) I make good financial decisions that seek to preserve programs and services for City residents.

5. As a Representative of the City of Santa Clara, I will be *organized.*
In practice, this value looks like:

a.) I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long term goals.

b.) I follow through in a responsible way, keeping others informed, and responding in a timely fashion.

c.) I am respectful of established City processes and guidelines.

6. As a Representative of the City of Santa Clara, I will be *communicative.*
In practice, this value looks like:

a.) I convey the City's care for and commitment to its citizens.

b.) I communicate in various ways that I am approachable, open-minded and willing to participate in dialog.

c.) I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations.

7. As a Representative of the City of Santa Clara, I will be *collaborative.*
In practice, this value looks like:

a.) I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.

b.) I work towards consensus building and gain value from diverse opinions.

c.) I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.

d.) I consider the broader regional and State-wide implications of the City's decisions and issues.

8. As a Representative of the City of Santa Clara, I will be *progressive*.
In practice, this value looks like:

a.) I exhibit a proactive, innovative approach to setting goals and conducting the City's business.

b.) I display a style that maintains consistent standards, but is also sensitive to the need for compromise, "thinking outside the box," and improving existing paradigms when necessary.

c.) I promote intelligent and thoughtful innovation in order to forward the City's policy agenda and City services.

Approved by City Council on April 4, 2000; modified by Council on August 21, 2001

PRACTICAL CAMPAIGN ETHICS IN SANTA CLARA

If I pledge that . . .	because our community values	then is this behavior appropriate?
1. I shall conduct my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing the record and policies of my opponent or political parties which merit such criticism.	• **integrity** • **truth** • **moral courage** • **professionalism**	—avoiding tough issues and instead focusing on personalities and innuendo —sending out a "hit piece" that distorts my opponent's record, educational background, and positions on issues —timing this "distortion piece" so it arrives when it's too late for opponent's response
2. I shall not use or permit the use of character defamation, whispering campaigns or scurrilous attacks on any candidate or his or her personal or family life.	• **ethics** • **respect** • **fairness** • **compassion**	—reveal that my opponent is a recovering alcoholic —exploit the criminal record of my opponent's child —instruct my aide to give the press the name and phone number of a person who claims to have had an affair with my opponent
3. I shall not use or permit any appeal to negative prejudice based upon race, sex, religion, national origin, physical health status, or age.	• **tolerance** • **diversity** • **fairness** • **respect**	—portray my opponent as too old to be an effective leader —make the claim that because of my religious beliefs I am better able to respect certain community values —question the person's patriotism simply because they were not born in this country
4. I shall not use or permit any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections, or which hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.	• **fairness** • **integrity** • **participation** • **justice** • **honesty** • **service-orientation**	—use my current public position as an early campaign soapbox, altering my previous behavior, paying attention to current matters only if they advance my campaign. —encourage the misuse of the absentee ballot —publish erroneous poll data that skews the public's perception —support third-party mailers which give the impression that you have been endorsed by parties, people, politicians when you haven't been.
5. I shall not coerce election help or campaign contributions for myself or any other candidate from my employees.	• **respect** • **freedom**	—promise future perks to groups who help organize and facilitate campaign appearances
6. I shall immediately and publicly repudiate support deriving from any individual or group which resorts, on behalf on my candidacy, or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any who violates any provision of this code or the laws governing elections	• **integrity** • **accountability** • **role modeling**	—a third party group who supports you because of one issue on which you see eye to eye, distribute false information about your opponent. When asked about it by the press, you say "no comment." —a supporter of yours organizes a "beer bus" to bring students to the polls; your name is featured prominently on the bus
7. I shall defend and uphold the right of every qualified American voter to full and equal participation in the electoral process	• **participation** • **justice**	—on the day before the election your staff plants a rumor that people in a certain neighborhood supporting your opponent have had their polling location changed leading to confusion and fewer votes.
NOTES Prepared by Thomas Shanks and Barry Stenger, Markkula Center for Applied Ethics		

A COUNCIL OF TRUST
PRINCIPLES, NORMS, STANDARDS AND BEST PRACTICES

At a Special Meeting on "Managing Change" held on Monday, July 29, 2002, the Council discussed managing change brought about by the implementation of *The Code of Ethics and Values.* The Council's goal was to draft a set of norms to guide those running for elected office. By the end of the session, the Council had described "running for office and living our values" as looking like:

1. Following These Guiding Principles

- Look at the law and also at "the right thing to do."
- Hold yourself and each other to the higher standard.
- Honor the common good. Represent community.
- Separate role as Council Member from role as candidate. Honor your role as a Council Member. Act as a member of the Council Team.
- Assume all are here for service of city.
- Think strategically. Educate.
- Communicate consistently that ethics is upfront in this campaign.

2. Using These Specific Norms and Standards

- Don't jump to conclusions.
- Avoid finger- pointing.
- Stick to the issues.
- Tell the truth. Don't mislead.
- Rely on facts and interpret them as fairly as you can.
- Avoid impression of representing city, overstating our contributions.
- Don't assume you know someone else's motive. Attribute positive motive of service to community.
- Treat others with respect. Golden Rule ("Treat others as you would want to be treated." Alternately: "What you do not wish done to yourself, do not do to others.")
- Respect the process.
- Respect City resources.

3. Adopting These Best Practices:

- Wait. Get Facts.
- Talk to each other. Go directly to the other person. Discuss.
- Arrive at ground-rules with your opponents beforehand, if at all possible.
- Communicate your ethics clearly ahead of time to your staff and workers.
- Make clear to all your supporters how you are running your campaign and what you will do if anyone distorts that or attacks an opponent in an unethical manner.
- Appoint and empower a staff conscience to help when time is short and stressed.
- Ask the ethics questions by habit: Use the decision-making tool, and especially ask: How does this decision advance the City's values in best practice? What ethics reasons make this the right thing to do?
- Use ethics language to explain your decisions.
- Have something written stand "the test of time."
- Maintain a sense of humor. Take the responsibility of the office seriously – don't take yourself too seriously.
- Be able to look at yourself in the mirror at the end of the day…and set a high standard for what you want to see. The Council agreed that these practices would create behavior that they and others would trust, thus the "Council of Trust".

Approved by Council August 20, 2004 (revised during April 27, 2004 Council Workshop)

City of Santa Clara

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Agenda Report

21-1332 **Agenda Date: 1/25/2021**

REPORT TO BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE

SUBJECT
Update on Governance Item/Revise BPAC Bylaws (Liw)

BACKGROUND
At the September 14, 2020 Governance and Ethics Committee meeting (Item 20-313), the Committee provided direction to staff to formalize the Bicycle and Pedestrian Advisory Committee (BPAC) and ensure that the BPAC is consistent with other boards, commissions, and committees (Commissions). In addition, in October 2019, member Kratz requested an annual work plan topic (Attachment 1) to discuss changes to the BPAC bylaws.

In response, staff prepared changes to amend the City Code and BPAC Policy guidelines. At the October 26, 2020 BPAC meeting, staff presented proposed changes to the City Code and BPAC Policy guidelines (Attachment 2) and BPAC members provided numerous comments. BPAC voted to table the item and form an adhoc subcommittee (Subcommittee) comprised of three BPAC members to review the proposed changes to the City Code and BPAC Policy guidelines and to draft changes and comments to present to staff and the full BPAC.

At the December 7, 2020 Governance and Ethics Committee meeting (Item 20-991, Attachment 3), staff provided an update to the Committee on formalizing the BPAC and requested deferral of the item based on the upcoming BPAC subcommittee review of the proposed changes to the City Code and BPAC Policy Guidelines. The Committee accepted staff's recommendation for deferral and directed staff to return to the Committee in March 2021 for further updates. At the December 10, 2020 BPAC meeting (Attachment 4), Subcommittee members provided individual reports to staff and the full BPAC. The Subcommittee stated they could not come to full agreement on all of their proposed changes or comments.

DISCUSSION
Staff reviewed and considered all of the BPAC comments from the October 26, 2020 and December 10, 2020 BPAC meetings and recommends further changes to formalize BPAC and ensure the BPAC is consistent with other Commissions. These changes include:

- City Code amendment with final changes (Attachment 5)
- BPAC Policy Guidelines amendment with final changes (Attachment 6)
- Compliance with Charter, Code, and Clerk rules for Commissions
    - Committee action must be supported by a majority (5 of 9)
    - Members must be qualified electors of the City, defined as a United States citizen, 18 years of age or older, and living within the city limits of Santa Clara. An appointee may not hold any paid office or employment in the City. The person does not need to be a registered voter.

- Members are limited to two consecutive terms
- Membership terms will expire in June instead of December
- Membership applications are to be administered by the City Clerk and applicants are to be interviewed and appointed by City Council

Below is a table summarizing the existing and proposed procedures for BPAC.

Item	Existing	Proposed	Other Commissions
Purpose	BPAC Policy guideline	City Code Chapter 2.120	City Code Chapter 2.120
Membership and meeting rules	BPAC Policy guideline	BPAC Policy guideline revised to reference City Charter Article X	City Charter Article X
Filling membership vacancies	BPAC Policy guideline	BPAC Policy guideline revised to reference City Clerk procedures	City Clerk procedures
New member application administration	Public Works	City Clerk	City Clerk
New member interviews and voting	BPAC	City Council	City Council
New member appointment	City Council	City Council	City Council

The City Code and Policy Guidelines amendments presented in this report are the final changes proposed. Staff recommends BPAC approve the changes and staff will present the recommendations to the Governance and Ethics Committee in March 2021.

RECOMMENDATION

BPAC to recommend amendments to the City Code and BPAC Policy Guidelines for Governance and Ethics Committee approval.

Written by: Jonathan Yee, Transportation Manager, Public Works
Reviewed by: Carol Shariat, Principal Transportation Planner, Public Works
Approved by: Michael Liw, Assistant Director/City Engineer, Public Works

ATTACHMENTS

1. Annual Work Plan Topic Request Form - BPAC Bylaws
2. October 26, 2020 BPAC Report on Governance
3. December 7, 2020 Governance and Ethics Committee Report on BPAC Governance
4. December 10, 2020 BPAC Subcommittee Report on Governance
5. Recommended City Code Amendment
6. Recommended BPAC Policy Guidelines Amendment

21-64 ATTACHMENT 4-RECOMMENDED CITY CODE AMENDMENT (CLEAN)

Chapter 2.120 BOARDS, COMMISSIONS, AND COMMITTEES

Article I. Establishment, Powers and Duties Generally

2.120.010 Names, membership, qualifications and terms of office.

There shall be and there are established within the City the following boards, commissions, and committees:

(a) Planning Commission. (SCCC 2.120.050)

(b) Parks and Recreation Commission. (SCCC 2.120.060)

(c) Civil Service Commission. (SCCC 2.120.070)

(d) Board of Library Trustees. (SCCC 2.120.080)

(e) Historical and Landmarks Commission. (SCCC 2.120.100)

(f) Senior Advisory Commission. (SCCC 2.120.110)

(g) Youth Commission. (SCCC 2.120.130)

(h) Cultural Commission. (SCCC 2.120.140)

(i) Bicycle and Pedestrian Advisory Committee. (SCCC 2.120.150)

All members of boards, commissions, and committees, except for members of the Youth Commission and the Bicycle and Pedestrian Advisory Committee, shall be qualified electors of the City and shall serve at the pleasure of the City Council. Members of the Bicycle and Pedestrian Advisory Committee shall be 18 years of age or older and must live or work in the City. (Ord. 947; Ord. 1088; Ord. 1241 § 3, 4-13-71; Ord. 1276 § 1, 6-26-73; Ord. 1625 § 1, 7-16-91; Ord. 1673 § 1, 6-20-95; Ord. 1809 § 1, 9-26-06; Ord. 1908 § 1, 7-16-13. Formerly § 2-90).

2.120.020 Powers and duties generally.

The boards, commissions, and committees of the City shall have the following general powers, duties and responsibilities in addition to those set forth in Article X of the Charter:

(a) To establish rules and regulations governing the election of their officers, the holding of meetings and the conduct of business.

(b) To utilize all appropriate techniques in crystallizing and testing public sentiment on major public issues in their respective fields.

(c) To make budget recommendations.

(d) To hold official hearings as required by law or requested by the City Council.

(e) To advise and recommend on City policies and procedures pertinent to their respective activities and functions.

(f) To support and adhere to all City policies promulgated by the City Council and to establish needed interim policies in the absence of the same.

(g) To provide information and promote good public relations between the City and the general public.

(h) To receive at least two hours of training in general ethics principles and ethics laws relevant to their public service every two years, as required by state law and the City Council.

(i) To perform such other related functions as may be assigned to them by the City Council. (Ord. 947; Ord. 1837 § 1, 5-6-08. Formerly § 2-91).

2.120.030 Meetings.
Each board, commission, or committee of the City with members thereon appointed by the City Council shall hold regular meetings at the times and on the days indicated by resolution of the City Council except when such day falls on a City holiday, and shall hold such special meetings as it may require. The times and days for holding regular meetings are subject to amendment from time to time by resolution of the City Council. A copy of the applicable resolution(s) is and will be available for public inspection in the office of the City Clerk. (Ord. 1298 § 2, 10-15-74; Ord. 1300 § 1, 11-12-74; Ord. 1569 § 1, 5-26-87. Formerly § 2-91.1).

2.120.040 Utilization of City personnel.
The various boards, commissions, and committees may utilize the services of the appropriate City departmental personnel in carrying out their respective functions, subject to the administrative control of the City Manager. (Ord. 947. Formerly § 2-92).

2.120.150 Bicycle and Pedestrian Advisory Committee

The Bicycle and Pedestrian Advisory Committee shall consist of nine members. Eight members shall not hold any paid office or employment in the City government and one member is a Council Member serving as Chair. The Bicycle and Pedestrian Advisory Committee shall have the following powers, functions, and duties:

(a) Act in an advisory capacity to Council on matters pertaining to modifying, expanding, and maintaining the City's public bicycle and pedestrian transportation systems.
(b) Recommend to Council on the priority of bicycle and pedestrian projects for which the City will seek funding under Article 3 of the Transportation Development Act, and other state, federal, and local funding programs.
(c) Review and advise Council on comprehensive bicycle and pedestrian master plans.
(d) Recommend complete streets features be incorporated into relevant transportation projects consistent with the City's Complete Streets policy.
(e) Support educational, encouragement, recreational, and cultural activities for bicyclists and pedestrians.

21-64 ATTACHMENT 5-RECOMMENDED CITY CODE AMENDMENT (TRACK CHANGES)

Chapter 2.120 BOARDS, COMMISSIONS, AND COMMITTEES

Article I. Establishment, Powers and Duties Generally

2.120.010 Names, membership, qualifications and terms of office.

There shall be and there are established within the City the following boards, commissions, and committees:

(a) Planning Commission. (SCCC 2.120.050)

(b) Parks and Recreation Commission. (SCCC 2.120.060)

(c) Civil Service Commission. (SCCC 2.120.070)

(d) Board of Library Trustees. (SCCC 2.120.080)

(e) Historical and Landmarks Commission. (SCCC 2.120.100)

(f) Senior Advisory Commission. (SCCC 2.120.110)

(g) Youth Commission. (SCCC 2.120.130)

(h) Cultural Commission. (SCCC 2.120.140)

(i) Bicycle and Pedestrian Advisory Committee. (SCCC 2.120.150)

All members of boards, commissions, and committees, except for members of the Youth Commission and the Bicycle and Pedestrian Advisory Committee, shall be qualified electors of the City and shall serve at the pleasure of the City Council. Members of the Bicycle and Pedestrian Advisory Committee shall be 18 years of age or older and must live or work in the City. (Ord. 947; Ord. 1088; Ord. 1241 § 3, 4-13-71; Ord. 1276 § 1, 6-26-73; Ord. 1625 § 1, 7-16-91; Ord. 1673 § 1, 6-20-95; Ord. 1809 § 1, 9-26-06; Ord. 1908 § 1, 7-16-13. Formerly § 2-90).

2.120.020 Powers and duties generally.

The boards, commissions, and committees of the City shall have the following general powers, duties and responsibilities in addition to those set forth in Article X of the Charter:

(a) To establish rules and regulations governing the election of their officers, the holding of meetings and the conduct of business.

(b) To utilize all appropriate techniques in crystallizing and testing public sentiment on major public issues in their respective fields.

(c) To make budget recommendations.

(d) To hold official hearings as required by law or requested by the City Council.

(e) To advise and recommend on City policies and procedures pertinent to their respective activities and functions.

(f) To support and adhere to all City policies promulgated by the City Council and to establish needed interim policies in the absence of the same.

(g) To provide information and promote good public relations between the City and the general public.

(h) To receive at least two hours of training in general ethics principles and ethics laws relevant to their public service every two years, as required by state law and the City Council.

(i) To perform such other related functions as may be assigned to them by the City Council. (Ord. 947; Ord. 1837 § 1, 5-6-08. Formerly § 2-91).

2.120.030 Meetings.
Each board, commission, or committee of the City with members thereon appointed by the City Council shall hold regular meetings at the times and on the days indicated by resolution of the City Council except when such day falls on a City holiday, and shall hold such special meetings as it may require. The times and days for holding regular meetings are subject to amendment from time to time by resolution of the City Council. A copy of the applicable resolution(s) is and will be available for public inspection in the office of the City Clerk. (Ord. 1298 § 2, 10-15-74; Ord. 1300 § 1, 11-12-74; Ord. 1569 § 1, 5-26-87. Formerly § 2-91.1).

2.120.040 Utilization of City personnel.
The various boards, commissions, and committees may utilize the services of the appropriate City departmental personnel in carrying out their respective functions, subject to the administrative control of the City Manager. (Ord. 947. Formerly § 2-92).

2.120.150 Bicycle and Pedestrian Advisory Committee

The Bicycle and Pedestrian Advisory Committee shall consist of nine members. Eight members shall not hold any paid office or employment in the City government and one member is a Council Member serving as Chair. The Bicycle and Pedestrian Advisory Committee shall have the following powers, functions, and duties:

(a) Act in an advisory capacity to Council on matters pertaining to modifying, expanding, and maintaining the City's public bicycle and pedestrian transportation systems.
(b) Recommend to Council on the priority of bicycle and pedestrian projects for which the City will seek funding under Article 3 of the Transportation Development Act, and other state, federal, and local funding programs.
(c) Review and advise Council on comprehensive bicycle and pedestrian master plans.
(d) Recommend complete streets features be incorporated into relevant transportation projects consistent with the City's Complete Streets policy.
(e) Support educational, encouragement, recreational, and cultural activities for bicyclists and pedestrians.

21-64 ATTACHMENT 6-RECOMMENDED BPAC POLICY GUIDELINES REVISIONS (CLEAN)

City of Santa Clara
Bicycle and Pedestrian Advisory Committee
Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council.

Section 1. Purpose

The purpose and responsibilities of the BPAC are established in Section 2.120.150 of the City Code. It is intended that the BPAC shall be an advisory committee to the City Council and nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.

Section 2. Membership

The BPAC is comprised of nine (9) members, which consists of eight (8) regular members and one (1) Chairperson or alternate that is the Mayor or Councilperson designated by City Council. Representatives from Mission College, the Santa Clara Unified School District, and the Silicon Valley Bicycle Coalition are encouraged to be members.

Members must meet requirements of Article X of the City Charter and Chapter 2.120 of the City Code.

Applications for BPAC membership shall be in a format determined by the City of Santa Clara City Clerk's Office.

Voting for BPAC membership shall be in accordance with the City of Santa Clara Voting Guidelines for the Appointment of Applicants to Boards and Commissions.

Section 3. Term of Office, Removal, and Vacancies

The term of office and removal of members are described in Article X of the City Charter.

Section 4. Meetings

Meetings must meet requirements of Article X of the City Charter and Chapter 2.120 of the City Code.

The BPAC shall hold meetings on the fourth Monday in January, March, June, August and October at 4:00 p.m. at City Hall. The actual date of meeting may be changed. Additional meetings may be recommended by a quorum of the committee and approved by the City Manager. All meetings shall be open to the public and notices and agendas shall be posted at City Hall as required by law.

Section 5. Assistance of Staff

The BPAC may utilize City personnel as described in Section 2.120.040 of the City Code. The BPAC's requests may from time to time be prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to staff the BPAC.

Section 6. Amendments

Amendments to the guidelines may be recommended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council.

PASSED AND RECOMMENDED FOR ADOPTION by the Bicycle Advisory Committee this __day of _____.

PASSED AND ADOPTED by the Santa Clara City Council this __ day of _____.

21-64 ATTACHMENT 7-RECOMMENDED BPAC POLICY GUIDELINES REVISIONS (TRACK CHANGES)

City of Santa Clara
Bicycle and Pedestrian Advisory Committee
Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council.

Section 1. Purpose

The purpose and responsibilities of the BPAC are established in Section 2.120.150 of the City Code. It is intended that the BPAC shall be an advisory committee to the City Council and nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.

Section 2. Membership

The BPAC is comprised of nine (9) members, which consists of eight (8) regular members and one (1) Chairperson or alternate that is the Mayor or Councilperson designated by City Council. Representatives from Mission College, the Santa Clara Unified School District, and the Silicon Valley Bicycle Coalition are encouraged to be members.

Members must meet requirements of Article X of the City Charter and Chapter 2.120 of the City Code.

Applications for BPAC membership shall be in a format determined by the City of Santa Clara City Clerk's Office.

Voting for BPAC membership shall be in accordance with the City of Santa Clara Voting Guidelines for the Appointment of Applicants to Boards and Commissions.

Section 3. Term of Office, Removal, and Vacancies

The term of office and removal of members are described in Article X of the City Charter.

Section 4. Meetings

Meetings must meet requirements of Article X of the City Charter and Chapter 2.120 of the City Code.

The BPAC shall hold meetings on the fourth Monday in January, March, June, August and October at 4:00 p.m. at City Hall. The actual date of meeting may be changed. Additional meetings may be recommended by a quorum of the committee and approved by the City Manager. All meetings shall be open to the public and notices and agendas shall be posted at City Hall as required by law.

Section 5. Assistance of Staff

The BPAC may utilize City personnel as described in Section 2.120.040 of the City Code. The BPAC's requests may from time to time be prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to staff the BPAC.

Section 6. Amendments

Amendments to the guidelines may be recommended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council.

PASSED AND RECOMMENDED FOR ADOPTION by the Bicycle Advisory Committee this __day of _____.

PASSED AND ADOPTED by the Santa Clara City Council this __ day of _____.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, AMENDING SECTION 2.120.010 AND ADDING SECTION 2.120.160 TO CHAPTER 2.120 "BOARDS AND COMMISSIONS" OF TITLE 2 "ADMINISTRATION AND PERSONNEL" OF THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA PERTAINING TO THE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the members of the Bicycle and Pedestrian Advisory Committee unanimously voted in support of formalizing the Bicycle and Pedestrian Advisory Committee; and

WHEREAS, the members of the Governance and Ethics Committee unanimously voted in support of formalizing the Bicycle and Pedestrian Advisory Committee;

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

SECTION 1: That Section 2.120.010 of Chapter 2.120 (entitled "Boards and Commissions") of Title 2 (entitled "Administration and Personnel") of "The Code of the City of Santa Clara, California" ("SCCC") is amended to read as follows:

"**2.120.010 Names, membership, qualifications and terms of office.**

There shall be and there are established within the City the following boards, commissions, and committees:

(a) Planning Commission. (SCCC 2.120.050)

(b) Parks and Recreation Commission. (SCCC 2.120.060)

(c) Civil Service Commission. (SCCC 2.120.070)

(d) Board of Library Trustees. (SCCC 2.120.080)

(e) Historical and Landmarks Commission. (SCCC 2.120.100)

(f) Senior Advisory Commission. (SCCC 2.120.110)

(g) Youth Commission. (SCCC 2.120.130)

(h) Cultural Commission. (SCCC 2.120.140)

(i) International Exchange Commission (SCCC 2.120.150)

(j) Bicycle and Pedestrian Advisory Committee. (SCCC 2.120.160)

All members of boards, commissions, and committees, except for members of the Youth Commission and the Bicycle and Pedestrian Advisory Committee, shall be qualified electors of the City and shall serve at the pleasure of the City Council. Members of the Bicycle and Pedestrian Advisory Committee shall be 18 years of age or older and must live or work in the City."

SECTION 2: That a new Section 2.120.160 is added to Chapter 2.120 (entitled "Boards and Commissions") of Title 2 (entitled "Administration and Personnel") of "The Code of the City of Santa Clara, California" to read as follows:

"**2.120.160 Bicycle and Pedestrian Advisory Committee.**

The Bicycle and Pedestrian Advisory Committee shall consist of seven members. Six members shall be appointed by the City Council and shall not hold any paid office or employment in the City government and one member is a Council Member serving as Chair. The Bicycle and Pedestrian Advisory Committee shall have the following powers, functions, and duties:

(a) Act in an advisory capacity to Council on matters pertaining to modifying, expanding, and maintaining the City's public bicycle and pedestrian transportation systems.

(b) Recommend to Council on the priority of bicycle and pedestrian projects for which the City will seek funding under Article 3 of the Transportation Development Act, and

other state, federal, and local funding programs.

(c) Review and advise Council on comprehensive bicycle and pedestrian master plans.

(d) Recommend complete streets features be incorporated into relevant transportation projects consistent with the City's Complete Streets policy.

(e) Support educational, encouragement, recreational, and cultural activities for bicyclists and pedestrians.

SECTION 3: 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)(2) in that it is a general policy making activity that will not result in direct or indirect changes in the environment.

SECTION 4: Ordinances Repealed. With exception of the provisions protected by the savings clause, all ordinances (or parts of ordinances) in conflict with or inconsistent with this ordinance are hereby repealed.

SECTION 5: **Savings clause**. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

SECTION 6: **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 XXst day of XXXXX, 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: None

City of Santa Clara
Bicycle and Pedestrian Advisory Committee
Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council.

Section 1. Purpose

The purpose and responsibilities of the BPAC are established in Section 2.120.160 of the City Code. It is intended that the BPAC shall be an advisory committee to the City Council and nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.

Section 2. Membership

Members shall be 18 years of age or older and must live or work in the City.

The BPAC is comprised of seven (7) members, which consists of six (6) regular members and one (1) Chairperson or alternate that is the Mayor or Councilperson designated by City Council. Representatives from Mission College, the Santa Clara Unified School District, and the Silicon Valley Bicycle Coalition are encouraged to be members.

The City of Santa Clara adopted a Code of Ethics and Values to promote and maintain the highest standards of personal and professional conduct in the City's government. All members are required to subscribe to this Code, understand how it applies to their specific responsibilities, and practice its core values in their work.

Section 3. Term of Office, Vacancies, and Removal

Members shall serve for a term of four years and until their respective successors are appointed and qualified. The maximum time a member may serve is two consecutive full terms. If an individual is appointed to fill a partial term, they may still serve two additional full terms of office. After a lapse of at least two years, an individual is eligible to reapply to serve on the committee and the same application process would apply as for individuals who have never served.

The application process for membership shall be in accordance with the City of Santa Clara Guide for Board, Commissions, and Committee Applicants.

To allow for staggered terms, 2 members are appointed by City Council in June of each fiscal year.

Any vacancies from whatever cause arising shall be filled by appointment by the City Council. Upon a vacancy occurring leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term.

The members shall be appointed, and shall be subject to removal, by motion of the City Council adopted by at least four affirmative votes.

Section 4. Meetings

A majority of the members of the BPAC shall constitute a quorum for the transaction of business.

The affirmative or negative vote of a majority of the entire membership shall be necessary for it to take action.

The BPAC shall hold meetings on the fourth Monday in January, March, June, August and October at 4:00 p.m. at City Hall. The actual date of meeting may be changed. Additional meetings may be recommended by a quorum of the committee and approved by the City Manager. All meetings shall be open to the public and notices and agendas shall be posted at City Hall as required by law.

Section 5. Assistance of Staff

The BPAC may utilize City personnel as described in Section 2.120.040 of the City Code. The BPAC's requests may from time to time be prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to staff the BPAC.

Section 6. Amendments

Amendments to the guidelines may be recommended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council.

RECOMMENDED FOR ADOPTION by the Bicycle and Pedestrian Advisory Committee this ___ day of [MONTH, YEAR].

ADOPTED by the Santa Clara City Council this ___ day of [MONTH, YEAR].

City of Santa Clara
Bicycle and Pedestrian Advisory Committee
Policy Guidelines

The Bicycle Advisory Committee (BAC) was established by the Santa Clara City Council on May 28, 1991. On March 25, 2014 the Bicycle Advisory Committee was changed to the Bicycle and Pedestrian Advisory Committee (BPAC) by the Santa Clara City Council.

Section 1. Purpose

The purpose and responsibilities of the BPAC are established in Section 2.120.1~~5~~60 of the City Code. ~~The purpose of the BPAC is to serve as an advisory body to the City Council on matters relative to modifying or expanding the City's public recreational and commuter bikeway and pedestrian walkway system. Its intent shall be to encourage recreational and commuter bicycling and walking in the City by promoting safe, convenient, well-designed facilities, and by evaluating local bicycle and pedestrian related projects.~~
It is intended that the BPAC shall be an advisory committee to the City Council and nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.

Commented [JY1]: From Section 8

Section 2. Membership

Members shall be 18 years of age or older and must live or work in the City.

Commented [JY2]: Match Code 2.120.010. BPAC requested code language be in the Guidelines

The BPAC is comprised of ~~nine~~ seven (7~~9~~) members, which consists of ~~eight~~six (6~~8~~~~9~~) regular members and one (1) ~~as appointed by the City Council. The~~ Chairperson or alternate that ~~will be~~is the Mayor or Councilperson designated by City Council. Representatives from Mission College, the Santa Clara Unified School District, and the Silicon Valley Bicycle Coalition are encouraged to be members.
~~and shall be considered a member. The remaining eight (8) members shall be citizens at large with a representative from the following groups strongly encouraged to be members: Santa Clara Unified School District and the Silicon Valley Bicycle Coalition. BPAC members must either reside or work in the City of Santa Clara.~~

Commented [SR3]: The RTC recommendation is 7 members?

The City of Santa Clara adopted a Code of Ethics and Values to promote and maintain the highest standards of personal and professional conduct in the City's government. All members are required to subscribe to this Code, understand how it applies to their specific responsibilities, and practice its core values in their work.~~provide clear, positive statements of ethical behavior reflecting the core values of the community. The actions and words of members of City's boards, commissions and committees should represent the community's values: ethical, professional, service-oriented, fiscally responsible, organized, communicative, collaborative, and progressive.~~

Commented [JY4]: From Guide for Board, Commissions, and Committee Applicants

Section 3. Term of Office, Vacancies, and Removal

Members shall serve for a term of four years and until their respective successors are appointed and qualified. The maximum time a member may serve is two consecutive full terms. If an individual is appointed to fill a partial term, they may still serve two additional full terms of office. After a lapse of at least two years, an individual is eligible to reapply to serve on the committee and the same application process would apply as for individuals who have never served.
~~term of office for BPAC members will be three years.~~

The application process for membership shall be in accordance with the City of Santa Clara Guide for Board, Commissions, and Committee Applicants.
~~Members may be re-appointed but will be considered along with all other new applicants.~~

To allow for staggered terms, 2 members are appointed by City Council in June of each fiscal year.
~~To allow for staggered terms, 2 members appointed by City Council in November January of 2011 2021 will have a term of office expiring on December June 3130, 20142024, 3 members appointed in November January of 2012 2019 will have a term of office expiring on December June 3130, 20152022, and 3 members appointed in November December of 2013 2019 will have a term of office expiring on December June 3130, 20162023.~~

Any vacancies from whatever cause arising shall be filled by appointment by the City Council. Upon a vacancy occurring leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term.

The members shall be appointed, and shall be subject to removal, by motion of the City Council adopted by at least four affirmative votes.~~Any members of the BPAC may be removed from office by a majority vote of the City Council at a regularly scheduled Council meeting.~~

Section ~~5~~4. Meetings

A majority of the members of the BPAC shall constitute a quorum for the transaction of business.

The affirmative or negative vote of a majority of the entire membership shall be necessary for it to take action.

The BPAC shall hold meetings on the ~~third~~ fourth Monday~~Wednesday~~ in January, March, June, August and October at 4:00 p.m. at City Hall. The actual date of meeting ~~can~~ may be changed. ~~or a~~Additional meetings ~~can~~ may be ~~approved~~ recommended by a quorum of the committee and approved by the City Manager. All meetings shall be

Commented [JY5]: From Charter Section 1002. BPAC requested Charter language be in the Guidelines

Commented [JY6]: From Guide for Board, Commissions, and Committee Applicants

Commented [JY7]: Change term expirations from December to the following June to align with Clerk procedures

Commented [JY8]: From Charter 1002. BPAC requested Charter language be in the Guidelines

Commented [JY9]: From Charter Section 1003. BPAC requested Charter language be in the Guidelines

open to the public and notices and agendas shall be posted at City Hall as required by law.

~~**Section 6. Quorum**~~

Commented [JY10]: Moved to Meetings

~~Any five members shall constitute a quorum for voting on action items.~~

~~**Section 7. Voting**~~

Commented [JY11]: Moved to Meetings

~~Only the appointed BPAC members have voting authority. The committee shall determine the voting procedure for items prior to voting.~~

~~**Section 8. Duties of BPAC to be Advisory Only**~~

Commented [JY12]: Moved to Purpose

~~It is intended that the BPAC shall be an advisory committee to the City Council. Nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel, which are under their jurisdictions.~~

Section ~~9~~5. Assistance of Staff

The BPAC may utilize City personnel as described in Section 2.120.040 of the City Code. The City Manager of the City of Santa Clara shall provide the BPAC with formal and staff assistance to the BPAC sequestrations from the other prioritized subject to staff limitations. The City Manager has appointed the Director of Public Works and the Chief of Police or their designees to staff the BPAC.

~~**Section 10. Code of Ethics and Values**~~

Commented [JY13]: Moved to Membership

~~The City of Santa Clara adopted a Code of Ethics and Values to provide clear, positive statements of ethical behavior reflecting the core values of the community. The actions and words of members of City's boards, commissions and committees should represent the community's values: ethical, professional, service-oriented, fiscally responsible, organized, communicative, collaborative, and progressive.~~

Section ~~11~~6. Amendments

~~These~~ Amendments to the guidelines may be ~~amended~~ recommended by a quorum of the BPAC membership at any legal BPAC meeting, subject to approval by City Council.

~~PASSED AND~~ RECOMMENDED FOR ADOPTION by the Bicycle and Pedestrian Advisory Committee this - __day of [MONTH, YEAR]..

~~PASSED AND~~ ADOPTED by the Santa Clara City Council this ~~31st~~ ___day of [MONTH, YEAR] ~~August, 2021~~.

21-1563 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Introduction of Ordinance to Amend Chapter 2.120, Entitled Boards and Commissions, to Update Boards and Commission Members Qualifications

COUNCIL PILLAR
Enhance Community Engagement and Transparency

BACKGROUND
The Santa Clara City Charter and Santa Clara City Code currently require City Boards and Commission members, except for Youth Commission, to be qualified electors of the City. A “qualified elector” is a person registered to vote and is of at least eighteen years of age. The existing regulations prohibit a person from serving on a board or commission, if the person is not 18 years of age and a U.S. citizen. In order to allow greater participation by and inclusion of all residents within the City, the City Council directed staff to remove the requirement that Boards and Commission members be qualified electors of the City.

This issue has been raised on several occasions by the Governance Committee, as well as the City Council, to remove the residency requirement related to being a registered voter.

DISCUSSION
The proposed ordinance will also amend SCCC Section 2.120.010, to allow residents that are 18 years of age to serve as members of the City’s non-charter Boards, Commissions and Committees. This ordinance will eliminate the current requirement that all members of non-Charter Boards and Commissions be qualified electors of the City.

However, City Charter Commissions, which include Planning, Parks and Recreation, Civil Service, and Board of Library Trustees, will continue to require members to be a qualified electors of the City. The Charter Commission qualifications may only be revised by Charter amendment which will require a ballot measure.

The proposed ordinance also reflects the addition of Housing Commission to the list of Boards and Commissions in section 2.120.010. The creation of the Housing Commission was discussed earlier (RTC 21-1435). Should Council not approve the introduction of the ordinance adding the Housing Commission to Chapter 2.120, entitled Boards and Commissions, the reference to the commission will be removed prior to second reading.

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 with the adoption of this ordinance.

COORDINATION
This report was coordinated with the City Attorney's Office and City Clerk'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 Introduction of an Ordinance to amend Chapter 2.120, entitled Boards and Commissions, to update Boards and Commissions qualifications to be residents of the City instead of qualified electors.

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

ATTACHMENTS
1. Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, AMENDING SECTION 2.120.010 ("NAMES, MEMBERSHIP, QUALIFICATIONS, AND TERMS OF OFFICE"), TO REQUIRE BOARDS AND COMMISSIONS MEMBERS TO BE RESIDENTS OF THE CITY INSTEAD OF QUALIFIED ELECTORS

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City Council of the City of Santa Clara desires to remove barriers that prevent active participation by all City residents in City Government;

WHEREAS, the City Council desires for greater participation by and inclusion of all residents within the City of Santa Clara; and

WHEREAS, the City Council has directed the removal of the requirement that Boards and Commission members be a "qualified elector" of the City. Instead, Board and Commission members will be required to be a resident of the City.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

SECTION 1: That Section 2.120.010 (entitled "Names, membership, qualifications and terms of office") of Chapter 2.120 (entitled "Boards and Commissions") of Title 2 (entitled "Administration and Personnel") of "The Code of the City of Santa Clara, California" ("SCCC") is amended to read as follows:

"2.120.010 Names, membership, qualifications and terms of office.

There shall be and there is established within the City the following boards and commissions:

(a) Planning Commission. (SCCC 2.120.050)

(b) Parks and Recreation Commission. (SCCC 2.120.060)

(c) Civil Service Commission. (SCCC 2.120.070)

(d) Board of Library Trustees. (SCCC 2.120.080)

(e) Historical and Landmarks Commission. (SCCC 2.120.100)

(f) Senior Advisory Commission. (SCCC 2.120.110)

(g) Youth Commission. (SCCC 2.120.130)

(h) Cultural Commission. (SCCC 2.120.140)

(i) International Exchange Commission (SCCC 2.120.150)

(j) Housing Commission (SCCC 2.12.160)

All members of boards, commissions, and committees, except for members of the Youth Commission, shall be 18 years of age or older and residents of the City. All members of boards and commissions established by City Charter (i.e., Planning Commission, Parks and Recreation Commission, Civil Service Commission and Board of Library Trustees) shall also be qualified electors of the City."

SECTION 2: Ordinances Repealed. With exception of the provisions protected by the savings clause, all ordinances (or parts of ordinances) in conflict with or inconsistent with this ordinance are hereby repealed.

SECTION 3: **Savings clause**. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

<u>SECTION 4</u>: **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: None

21-1246 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT

Action on the Adoption and Certification of an Environmental Impact Report; Adoption of a Mitigation Monitoring or Reporting Program; and Architectural Approval of a Data Center project located at 1200 -1310 Memorex Drive

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

EXECUTIVE SUMMARY

On August 8, 2019, Skybox Development LLC ("Applicant") filed an application for the 9.18-acre site at 1200-1310 Memorex Drive that is currently developed with three buildings: a three-story, approximately 350,037 square foot building; a two-story, approximately 45,986 square foot building; and a one-story, approximately 2,944 square foot building.

The proposed project (PLN2019-14055) is the development of a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440, along with the associated electrical substation, paved parking areas and landscaping. The data center building would be approximately 85 feet in height, with additional screening features extending to a height of 99 feet. The data center portion of the building would house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 60 megawatts (MW) of information technology (IT) power.

The project includes the demolition of the existing historic industrial buildings on-site, and a minor modification to the Zoning Code standards to allow the increased height of 99 feet and a reduction in the zoning code parking standards for a data center. An Environmental Impact Report was prepared to fulfill the California Environmental Quality Act (CEQA) requirements for the project.

The City Council will be considering both the adoption of the Environmental Impact Report (EIR) and approval of the architectural review of the proposed project.

BACKGROUND

Existing Site Conditions:

The project site is located at the intersection of Memorex Drive and Ronald Street. The project site is bounded by parcels developed with industrial uses to the north, commercial and industrial uses to the west, industrial uses to the east and residential uses to the south. The Assessor's Parcel Number is 224-66-006.

The 9.18-acre subject project site is developed with three buildings: a three-story, approximately

350,037 square foot building; a two-story, approximately 45,986 square foot building; and a one story, approximately 2,944 square foot building. The buildings are concentrated in the northwestern portion of the site adjacent to Memorex Drive and consist of a mix of architectural styles and materials typical of light industrial warehouse uses, including cinderblocks, stucco, and large windows. The site currently has four driveways on Memorex Drive and three driveways on Ronald Street/Di Giulio Avenue. Trees and ornamental landscaping are located along a portion of the Memorex Drive frontage of the property, as well as the eastern property boundary. As part of the project, the existing buildings would be demolished, and the associated parking lot would be removed.

Land use zoning designations surrounding the project site consist of Light Industrial to the north, east, and west and Single Family Residential to the south, separated from the site by a railway corridor. General plan designations surrounding the project site consist of Light Industrial to the north and east, Low Intensity Office/Research and Development to the west, and Very Low Density Residential to the south.

Historical and Landmarks Commission

This project was first heard at the July 1, 2021 Historical and Landmarks Commission (HLC) meeting and was continued to the September 2, 2021 HLC meeting. At the July 1, 2021 HLC meeting, the HLC made a motion to continue this item until after the public comment period for the Environmental Impact Report (EIR) was complete, so that the HLC could review the Final EIR prior to their discussion of the project. After a lengthy discussion at the September 2, 2021 HLC meeting, the HLC voted (5-0-1), with Commissioner Vargas-Smith abstaining, to recommend that the City Council certify the EIR and further recommended selection of one of the project alternatives as the project, the “Preservation Alternative - Retain Historical Resource.” The HLC also voted to make the following recommendations if the City Council declined to adopt the alternative as the project, or if the Council selected another alternative: 1) the City historian is to review Historic American Buildings Survey (HABS) documentation prior to issuance of the demolition permit; 2) the HLC is to review the historical monuments prior to issuance of Certificate of Occupancy; and 3) character defining elements of original building are to be incorporated into the new design.

DISCUSSION

The following discussion addresses the two actions before the City Council, consideration of the project Environmental Impact Report (EIR) and approval of the project’s architectural design. Certification of the EIR is an independent consideration from the project design review, focused upon the adequacy of the EIR to meet the legal requirements of CEQA. The design review process is similarly focused upon the project’s fulfillment of site and architectural design requirements. Also discussed below is the topic of noise, as it has been a topic of community interest.

Environmental Impact Report

An EIR was prepared for the project due to its potential impact upon a historic resource and includes an analysis of the potential impact as well as mitigation measures.

The existing buildings located at 1200-1310 Memorex Drive are the former headquarters of the Memorex Corporation. A Historic Resource Evaluation completed by the Architectural Resources Group (ARG) in December 2019 for the EIR determined that the project site is eligible for listing in the California Register of Historical Resources (CRHR) under Criterion 1, Association with Significant Events. This eligibility is based on the site’s association with the development of the modern electronics industry and the broader context of Silicon Valley’s development in the 1960s and 1970s. Under CEQA, the significance of a historical resource is considered to be “materially impaired” when

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a project demolishes or materially alters the physical characteristics that justify the determination of a historical resources' significance. The project includes demolition of the existing improvements on site and therefore would, per the CEQA thresholds, have a significant and unavoidable impact on a historical resource.

To be considered eligible for listing under CRHR Criterion 1, a property must be associated with one or more events important in a defined historic context. This criterion recognizes properties associated with single events, a pattern of events, repeated activities, or historic trends. The event or trends, however, must clearly be important within the associated context. Further, mere association of the property with historic events or trends is not enough, in and of itself, to qualify under this criterion: the specific association must be considered important as well.

The EIR requires that the project incorporate four mitigation measures (MM CUL-1.1 to CUL-1.4) to reduce the impact to historic resources, including a HABS Recordation, video documentation, interpretive display, and oral history collection. Prior to project implementation, the applicant has agreed that the historical resource will be recorded to HABS standards established by the National Park Service. Video documentation of the subject property will supplement HABS documentation, including recording the exterior and interior of the industrial complex at 1200 - 1310 Memorex Drive, as it appears, prior to project implementation. Using visuals in combination with active narration, the documentation shall include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200 - 1310 Memorex Drive. Onsite displays should be located in a prominent space within the new development, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200 - 1310 Memorex Drive and its operation during the property's period of significance. The project applicant will prepare an oral history collection that focuses on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. To the extent feasible, at least one former employee of the Memorex Corporation who was employed at the subject property shall be interviewed for the oral history.

According to CEQA Guidelines Section 15126.4(b), all feasible mitigation must be completed even if it does not mitigate project impacts below a level of significance. Although recordation of a resource prior to demolition does not mitigate the physical impact on the resource, it is considered to serve a "legitimate archival purpose." The project would thus include as mitigation the recordation of the building as described above. However, the mitigation would not fully offset the loss and the impact would remain significant and unavoidable. Per CEQA, the City is required to adopt a Statement of Overriding Consideration when an EIR determines that a project would result in a significant and unavoidable impact.

Statement of Overriding Considerations
In order to adopt the Environmental Impact Report, the City Council must also adopt a Statement of Overriding Considerations per CEQA to explain the reasons for why the project's benefits outweigh the significant impact that is not mitigated to a less than significant level. In the case of this project, the significant impact is related to the demolition of structures with significant historical association. The Statement of Overriding Considerations includes several positive attributes of the project including recognition that redevelopment of the site has a beneficial use to support the growing

demand for internet use and will provide a net positive impact in terms of revenue provided to the City in comparison to services needed.

Zoning and General Plan Conformance

The proposed redevelopment would be consistent with the City's General Plan land use Light Industrial designation in that the proposed project would implement specific goals and policies of the City's General Plan and result in land development that is compatible with City standards, surrounding land uses, and the overall General Plan strategies, goals and policies. Specifically, development of data centers furthers the City's General Plan Goal 4.6 *Maintain the City's Fiscal Health and Quality Services*. This strategy acknowledges the need for the City to ensure that new growth strengthens and diversifies the City's tax base and address any demands placed on infrastructure and services. Data centers create a net positive contribution to the City's fiscal health.

This project is also largely consistent with the Light Industrial (ML) district standards in which data centers are a by right use. The applicant is requesting a Minor Modification to allow proposed modifications for increased height and reduced parking.

The proposed minor modification would allow reduced parking (113 spaces) where 140 parking spaces are required per strict adherence to Chapter 18.74 of the Zoning Ordinance which establishes a standard parking requirement for data centers of one space per four thousand (4,000) square feet of gross floor area. As is typical with other recent data center projects, the one space per four thousand square feet standard would result in an excess of parking in relation to the operational needs of the data center based upon the projected actual number of employees and visitors to the site.

The applicant is requesting a minor modification for increased height where a maximum of 70 feet is allowed per the Light Industrial (ML) Zoning District. The data center building would be approximately 85 feet in height. An additional acoustical screening feature, which includes a noise attenuating parapet wall along the southern façade would extend to a height of 99 feet. The City has granted similar height exceptions in industrial areas where it would not negatively impact surrounding properties.

Project Design and Architecture

The building facades are articulated with details and materials to provide an attractive appearance and to minimize the massing of the four-story building. The project includes infrastructure improvements and site design measures consistent with City requirements. Monuments are proposed to be placed on site to commemorate the historic events that took place at the existing buildings (Attachment #4). Mature landscaping will be planted along the southern project boundary to reduce visibility of the project from the single-family residences south of the existing railroad tracks.

Noise

All data centers are subject to the City's noise ordinance and required to operate below set noise levels. Due to several complaints received in the past year regarding night-time noise issues, the City contracted with a consultant to investigate the noise levels and identify the source as the noise resulting in complaints is still from a non-determined source. The City's acoustical consultant installed temporary noise monitors at various locations in the City to determine where the source of the noise is coming from and how to move forward to address this concern; but, during a 2-week

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installation period, they were not able to identify a specific noise source or observe noise levels exceeding City standards. City staff have previously taken noise measurements late at night and early in the morning in proximity to data centers and other industrial uses, as well as within the nearby neighborhoods, but have not been able to identify noise levels that exceed the City's standards.

To avoid an impact related to operation of the proposed data center, the project has included noise reduction measures. The project has an air-cooling system that has been designed to address the noise source of the associated rooftop cooling equipment. Specifically, the cooling rooftop equipment will be wrapped with acoustical blankets. In addition, the project includes an acoustical parapet rooftop wall along the southern elevation of the building to further minimize noise traveling to the south, where single family residences are located across existing railroad tracks. Noise resulting from operations of rooftop equipment and associated electrical substation would meet the 55 dBA daytime and 50 dBA nighttime criteria at the nearest residences.

<u>Transmission Line Extension</u>
A 60 kilovolt (kV) overhead transmission line would be extended to the site to connect the proposed new substation associated with the data center project to the existing electrical grid. The transmission line would be 3200 feet and form a loop, with the route starting on the east side of Lafayette Street and heading west on Shulman Avenue to Memorex Drive. From there, the route would continue west to Ronald Street and then head south to Di Giulio Avenue to connect to the proposed substation. The route would then head east from the substation to Lafayette Street and turn north towards Mathew Street to close the loop. The majority of the transmission line will be overhead, but SVP staff analyzed a possible underground alternative for the portion of the transmission line located on Di Giulio Street fronting existing residential uses (approximately 750 feet).

The development of an underground design was extremely difficult due to constrained utility spacing within the street. Staff and the consultants spent approximately nine months analyzing different options to develop a constructable underground alternative. Although a possible underground alternative was ultimately identified, staff is recommending this 750-foot section for overhead construction due to near-term construction and access constraints, long-term operational constraints, and limited aesthetic benefits with the underground option.

Summary of Overhead Alternative
- It is consistent with typical City residential design standards and installations.
- Will only require 6-8 weeks of intermittent construction activity spread over 4 months (not continuous construction).
- No additional poles would be installed within this section.
    - Taller (20 additional feet) wooden poles will replace the existing distribution poles at the same location.

Summary of Underground Alternative
- Construction will require significant trenching along Di Giulio Ave for 9-12 months.
    - Restricted or no street access on Di Giulio Ave and to Di Giulio Court during construction hours
    - Removal of residential street parking along Di Giulio Ave during construction

- Requires an above ground water service and water service interruptions during construction (approximately 9 months).
- The existing wooden distribution poles fronting residential development will remain in place.
- Will required a large riser pole at property Lafayette and Di Giulio Ave
- Will require substandard spacing between utilities and the underground transmission line which will affect future maintenance and operations
    - Will require shutting down the transmission line when any work occurs on the water main, sewer main, and water and sewer laterals.

Community Meeting
A community meeting was held on November 1, 2021 for property owners and tenants affected by the transmission line construction to receive feedback on the two underground and overhead configuration alternatives. The meeting had 11 attendees with four members of the community speaking. All who spoke expressed support for the overhead configuration option.

ENVIRONMENTAL REVIEW

An Environmental Impact Report was prepared for the project by the environmental consultant firm David J. Powers & Associates, in accordance with the California Environmental Quality Act (CEQA). The Environmental Impact Report (EIR) and Notice of Availability were posted on the City's website at <https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/372/3649> on June 17, 2021, and circulated for 45-day review from June 17, 2021 to August 2, 2021, in accordance with CEQA requirements. The Planning Department received comments in response to the EIR from the Bay Area Air Quality Management District (BAAQMD). No other comments on the EIR were received by staff.

The EIR examined environmental impacts associated with project development and identified potentially significant biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, and transportation impacts. With incorporation of mitigation measures, most of the potentially significant impacts would be reduced to less than significant, with the exception of cultural resources. A detailed discussion of the potential impacts and mitigation measures to be applied to the project are specified in the EIR and would be implemented through project conditions of approval for the project. In addition, a set of CEQA Findings has been prepared for all of the significant impacts identified in the EIR, and a Statement of Overriding Considerations has been prepared for those impacts that would not be reduced to less than significant with mitigation applied. Responses to the comment letter on the Draft EIR (DEIR) are incorporated in the Final EIR (FEIR). The DEIR and FEIR constitute the EIR for the Project.

FISCAL IMPACT

There is no fiscal impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by the applicant. As previously discussed with the City Council, the development and ongoing operation of data centers provides a fiscal benefit to the City.

COORDINATION
This report was coordinated with the City Attorney's Office.

PUBLIC CONTACT
On October 14, 2021, the notice of public hearing for the October 26, 2021 City Council meeting for this item was posted in three conspicuous locations within 300 feet of the project site and was mailed to property owners and tenants within a 1,000-foot radius of the project boundaries. The public hearing was continued from the October 26, 2021 City Council meeting to the November 9, 2021 City Council meeting. A second notice was mailed on October 29, 2021 to property owners and tenants within a 1,000-foot radius of the project boundaries and the notice was posted within three conspicuous locations within 300 feet of the project site in advance of the November 9 City Council meeting.

A community meeting was held on November 1, 2021 to discussion transmission line extension options for partial undergrounding or aerial configuration options. Notices were sent to property owners and tenants on DiGiulio Avenue, DiGiulio Court, Ronald Street, and Lafayette Street, that could be affected by the transmission line construction.

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 approving and certifying the Final Environmental Impact Report prepared for the demolition of the existing buildings located at 1200-1310 Memorex Drive and the construction of a new data center project, including CEQA Findings, a statement of overriding considerations, and a Mitigation Monitoring or Reporting Program.
2. Adopt a resolution approving and certifying the Final Environmental Impact Report prepared for the demolition of the existing buildings located at 1200-1310 Memorex Drive and the construction of a new data center project, including CEQA Findings, and a statement of overriding considerations, and a Mitigation Monitoring or Reporting Program, and accept the recommendation from the Historical and Landmarks Commission to add the following conditions of approval: 1) the City historian is to review HABS documentation prior to issuance of the demolition permit; 2) HLC is to review the historical monuments prior to a public hearing prior to issuance of Certificate of Occupancy; and 3) the Developer shall incorporate character defining elements of original building into the new design to the satisfaction of the Director of Community Development.
3. Adopt a resolution approving and certifying the Final Environmental Impact Report prepared for the construction of a new data center project at 1200-1310 Memorex Drive, but selecting the "Preservation Alternative - Retail Historical Resource" as the Project, which disallows the demolition of the existing buildings on site; and adopt CEQA Findings, a statement of overriding considerations, and a Mitigation Monitoring or Reporting Program.
4. Adopt a resolution to approve the architectural review for the 1200 Memorex Data Center located at 1200-1310 Memorex Drive.
5. Disapprove the architectural review for the 1200 Memorex Data Center located at 1200-1310 Memorex Drive, and direct staff to bring back a resolution of denial at a future meeting.

RECOMMENDATION

Alternatives 1 & 4

1. Adopt a resolution approving and certifying the Final Environmental Impact Report prepared for the demolition of the existing buildings located at 1200-1310 Memorex Drive and the construction of a new data center project, including CEQA Findings, a statement of overriding considerations, and a Mitigation Monitoring or Reporting Program; and
4. Adopt a resolution to approve the architectural review for the 1200 Memorex Data Center located at 1200-1310 Memorex Drive.

Reviewed by: Andrew Crabtree, Director of Community Development
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Historical and Landmarks Commission Report of July 1, 2021
2. Historical and Landmarks Commission Minutes of July 1, 2021
3. Historical and Landmarks Commission Report of September 2, 2021
4. Applicant Renderings of Historical Monuments
5. Draft Environmental Impact Report
6. Final Environmental Impact Report and MMRP
7 CEQA Findings
8. Statement of Overriding Considerations
9. BAAQMD Comment Letter
10. Resolution Adopting the Environmental Impact Report
12. Resolution Approving the Architectural Review
12. Conditions of Approval
13. Development Plans
14. 1200 Memorex Data Center Renderings

21-728 **Agenda Date: 7/1/2021**

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Public Hearing: Consideration of an Environmental Impact Report for the demolition of historically significant properties and the new construction of a data center at 1200-1310 Memorex Drive

BACKGROUND

Skybox Development LLC filed an application on August 8, 2019 proposing to demolish the existing industrial buildings on-site and to construct a new four-story data center at 1200 Memorex Drive. The 9.18-acre subject project site was developed with three buildings: a three-story, approximately 350,037 square foot building, a two-story, approximately 45,986 square foot building, and a one-story, approximately 2,944 square foot building. The buildings are concentrated in the northwestern portion of the site adjacent to Memorex Drive and consist of a mix of architectural styles and materials typical of light industrial warehouse uses, including cinderblocks, stucco, and large windows.

The property was developed in 1961, with additions constructed in 1964 and 1966, as the first world headquarters of Memorex Corporation, one of the many electronics start-up companies that catalyzed the Santa Clara Valley's transformation into "Silicon Valley" during the postwar era. As a multifaceted industrial campus including a manufacturing plant, research and development facilities, and administrative offices, the subject property conveys popular trends in industrial development during the postwar era. Memorex Corporation holds particular significance within the context of the development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and the product itself was both developed and manufactured at the subject property in the late 1960's. The Memorex Corporation continued operations on the site through approximately 1993. The buildings have since been divided into numerous suites utilized by various industrial tenants.

A Historic Resource Evaluation completed by the Architectural Resources Group (ARG) in December 2019 determined that the project site is eligible for listing in the California Register of Historical Resources (CRHR) for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s. The Draft EIR evaluates the potential for the project to impact the historic resource on the site. The Historic Resource Evaluation completed for the site determined that the property is eligible for listing in the CRHR under Criterion 1, Association with Significant Events. To be considered eligible for listing under CRHR Criterion 1, a property must be associated with one or more events important in a defined historic context. This criterion recognizes properties associated with single events, a pattern of events,

repeated activities, or historic trends. The event or trends, however, must clearly be important within the associated context. Further, mere association of the property with historic events or trends is not enough, in and of itself, to qualify under this criterion: the specific association must be considered important as well. The subject property is eligible under Criterion 1 for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s.

In order for a building to qualify for listing on the CRHR, it must display significance under one or more of the California Register criteria and retain historical integrity. Based on an integrity analysis completed for the property, the building currently retains its integrity of location, design, setting, material, feeling, and association. The property retains a degree of integrity of workmanship.

Because the property is eligible for listing on the CRHR under Criterion 1, and the three buildings retain their integrity, the existing development on the site is considered a historical resource under CEQA.

The proposed development is a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440, along with the associated substation, generator equipment yard, paved parking areas and landscaping. The data center building would be approximately 85 feet in height, with additional screening features extending to a height of 99 feet.

A Draft Environmental Impact Report (DEIR) was prepared in accordance with CEQA and was released on June 15, 2021 for 45-day public and will close on July 30, 2021. The Draft EIR is available for review on the City's website at www.santaclaraca.gov/CEQA.]

DISCUSSION

The DEIR examined environmental impacts associated with project development and identified potential cultural resources, air quality, geology and soils, biological resources, and hazardous and hazardous materials impacts that with incorporation of mitigation measures into the project would reduce all but cultural resources impacts to less than significant. Despite implementing all feasible mitigation measures, the DEIR concluded that the proposed project would result in significant unavoidable cultural resources impacts with demolition of the former headquarters of the Memorex Corporation and the final site design of the proposed data center. While the former headquarters of the Memorex Corporation are not currently listed on the City's Inventory of Architecturally or Historically Significant Properties, they are buildings proposed for demolition that are eligible for listing on the California Register of Historic Resources as determined in the DEIR analysis.

In considering a project, CEQA requires decision-makers to balance economic, legal, social and technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. To approve a project that has a significant unavoidable environmental impact, decisionmakers must make findings, supported by substantial evidence, that the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable environmental effects. In accordance with CEQA Guidelines 15124 (b), the City of Santa Clara and Developer have identified project objectives for evaluation of the proposed project and the development of a range of alternatives in the EIR for consideration in the findings or statement of overriding considerations.

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The former headquarters of the Memorex Corporation located on the site qualifies as a historical resource under CEQA due to its eligibility for listing on the CRHR under Criterion 1, Association with Significant Events. The significance of an historical resource is considered to be “materially impaired” when a project demolishes or materially alters the physical characteristics that justify the determination of an historical resources’ significance. The project would demolish the existing improvements on site and therefore would have a significant and unavoidable impact on a historical resource.

According to CEQA Guidelines Section 15126.4(b), all feasible mitigation must be completed even if it does not mitigate project impacts below a level of significance. Although recordation of a resource prior to demolition does not mitigate the physical impact on the resource, it serves a “legitimate archival purpose. The project would include the following mitigation to record the building, however, the mitigation would not fully offset the loss and the impact would remain significant and unavoidable.

The project would demolish the existing improvements on site and therefore would have a significant and unavoidable impact on the historical resource. Mitigation measures that may be incorporated include a Historic American Buildings Survey (HABS) Recordation, video documentation, interpretive display, and oral history collection. Prior to project implementation, the historical resource will be recorded to Historic American Buildings Survey (HABS) standards established by the National Park Service. Video documentation of the subject property will supplement HABS documentation by recording the exterior and interior of the industrial complex at 1200 - 1310 Memorex Drive, as it appears, prior to project implementation. Using visuals in combination with active narration, the documentation shall include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200 - 1310 Memorex Drive. Onsite displays should be located in a prominent space, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200 - 1310 Memorex Drive and its operation during the property’s period of significance. The project will prepare an oral history collection that focuses on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. To the extent feasible, at least one former employee of the Memorex Corporation who was employed at the subject property shall be interviewed.

The project may result in impacts to unknown subsurface cultural resources; however, this is determined to have less than significant impact on the historical resource. In the event that prehistoric or historical resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. If the find is deemed significant, a Treatment Plan will be prepared and provided to the Director of Community Development.

The project could disturb human remains, should they be encountered on the site, however this is determined to have less than significant impact on the historical resource. In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and shall determine whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native

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American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

The project description and full discussion of the impacts and mitigation measures can be found in Section 2.0 Project Information and Description and Section 3.0 Environmental Setting, Impacts, and Mitigation of this DEIR.

ENVIRONMENTAL REVIEW

An Environmental Impact Report was prepared for the project by the environmental consultant firm David J. Powers & Associates, in accordance with the California Environmental Quality Act (CEQA). The Draft Environmental Impact Report (DEIR) and Notice of Availability were posted on the City's website at <https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/372/3649> on June 17, 2021, and circulated for 45-day review from June 17, 2021 to August 2, 2021, , in accordance with CEQA requirements.

The DEIR examined environmental impacts associated with project development and identified potentially significant cultural resources, biological resources, geology and soils, and noise impacts that with incorporation of mitigation measures
would reduce the potentially significant impacts to less than significant. A detailed discussion of the potential impacts and mitigation measures to be applied to the project are specified in the DEIR and would be implemented through project conditions of approval for the project.]

PUBLIC CONTACT

The notice of public meeting for this item was posted at three locations within 300 feet of the project site and was mailed to property owners within 300 feet of the project site. No public comments have been received at the time of preparation of this report.

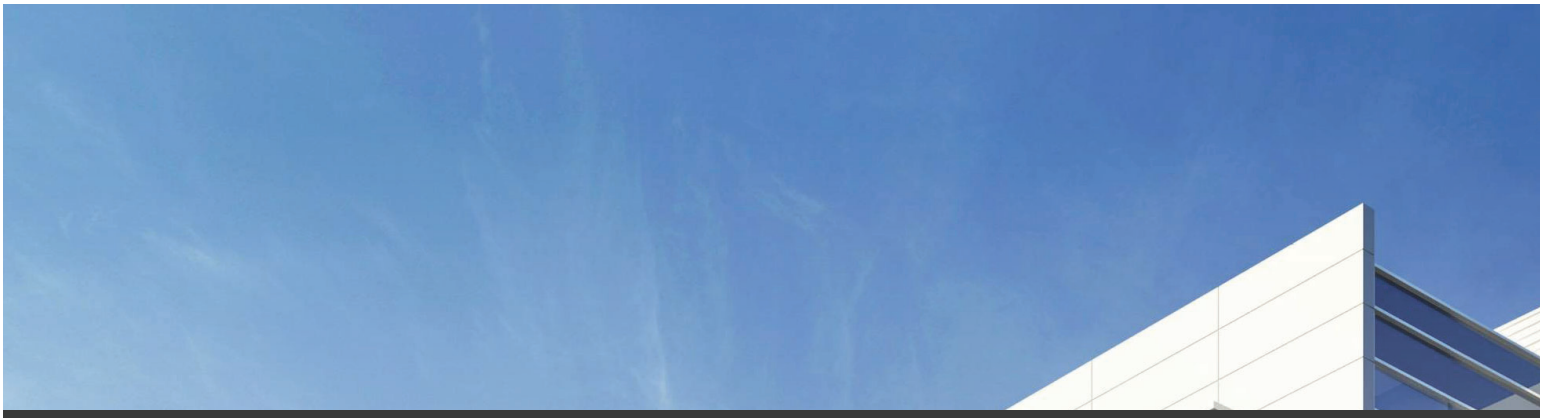
RECOMMENDATION

Staff recommends that the Historical and Landmarks Commission recommend that the City Council approve and certify the Environmental Impact Report for the proposed data center project at 1200-1310 Memorex Drive.

Prepared by: Tiffany Vien, Assistant Planner
Approved by: Gloria Sciara, Development Review Officer

ATTACHMENTS

1. Draft Environmental Impact Report
2. Historic Resource Evaluation
3. Historic Resource Impact Analysis
4. Preservation Alternative Analysis
5. Development Plans



Draft Environmental Impact Report

Memorex Data Center

Prepared by the

City of Santa Clara

In Consultation with

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

June 2021

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All appendices are incorporated herein by this reference. No other documents are incorporated by reference.

SUMMARY

The City of Santa Clara, as the Lead Agency, has prepared this Draft Environmental Impact Report (EIR) for the Memorex Data Center in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

As described in CEQA Guidelines Section 15121(a), an EIR is an informational document that assesses potential environmental impacts of a proposed project, as well as identifies mitigation measures and alternatives to the proposed project that could reduce or avoid adverse environmental impacts (CEQA Guidelines 15121(a)). As the CEQA Lead Agency for this project, the City of Santa Clara is required to consider the information in the EIR along with any other available information in deciding whether to approve the project. The basic requirements for an EIR include discussions of the environmental setting, significant environmental impacts including growth-inducing impacts, cumulative impacts, mitigation measures, and alternatives. It is not the intent of an EIR to recommend either approval or denial of a project.

Summary of the Project

The 9.18-acre project site is located at 1200 Memorex Drive. The site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Roughly 100,000 square feet of active outdoor uses are located on the eastern portion of the site.

The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440. The structure would have a height of 85 feet to the top of building, with rooftop metal screening reaching a height of 99 feet. The data center portion of the building would house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 60 megawatts (MW) of information technology (IT) power. The ancillary use portion of the building would be used for office (roughly 51,000 square feet) and storage uses.

The project would also construct a 150 megavolt amps (MVA) electrical substation on the eastern portion of the site. The substation would have three 50 MVA transformers, one of which would be redundant and would only become active if one of the other transformers fails. The substation capacity would be a nominal 100 MVA.

A 60 kilovolt (kV) overhead transmission line would be extended to the site to connect the substation to the existing electrical grid. The transmission line would form a loop, with the route starting on the east side of Lafayette Street and heading west on Shulman Avenue to Memorex Drive. From there, the route would continue west to Ronald Street and then head south to Di Giulio Avenue to connect to the proposed substation. The route would then head east from the substation to Lafayette Street and turn north towards Mathew Street to close the loop. The portion of the transmission line located on Di Giulio Street may be undergrounded, if determined to be feasible by the City.

Summary of Significant Impacts and Mitigation Measures

The following table is a summary of the significant environmental impacts identified and discussed in the EIR, and the mitigation measures proposed to avoid or reduce those impacts. The project description and full discussion of the impacts and mitigation measures can be found in Section 2.0 Project Information and Description and Section 3.0 Environmental Setting, Impacts, and Mitigation of this EIR.

Summary of Significant Impacts and Mitigation Measures	
Impact	**Mitigation Measure**
Biological Resources	
Impact BIO-1: Tree removal during the nesting season could impact protected raptors and/or other protected migratory birds. Any loss of fertile bird eggs, or individual nesting birds, or any activities resulting in nest abandonment during construction would constitute a significant impact. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM BIO-1.1:** Construction shall be scheduled to avoid the nesting bird season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay Area extends from February 1 through August 31. If it is not possible to schedule construction activities between September 1 and January 31, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure no nest shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game Code shall not be disturbed during project construction. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal.

Impact BIO-5: Trees to be retained on-site may be injured during project construction activities including demolition and site grading. Additionally, trees adjacent to the proposed overhead transmission line may require substantial pruning to ensure clearance. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM BIO-5.1:** Barricades – Prior to initiation of construction activity, temporary barricades would be installed around all trees in the construction area. Six-foot high, chain link fences would be mounted on steel posts, driven two feet into the ground, at no more than 10-foot spacing. The fences shall enclose the entire area under the drip line of the trees or as close to the drip line area as practical. These barricades will be placed around individual trees and/or groups of trees. **MM BIO-5.2:** Root Pruning (if necessary) – During and upon completion of any trenching/grading operation within a tree's drip line, should any roots greater than one inch in diameter be damaged, broken or severed, root pruning to include flush cutting and sealing of exposed roots should be accomplished under the supervision of a qualified Arborist to minimize root deterioration beyond the soil line within 24 hours. **MM BIO-5.3:** Pruning – Pruning of the canopies to include removal of deadwood should be initiated prior to construction operations. Such pruning will provide any necessary construction clearance, will lessen the likelihood or potential for limb breakage, reduce 'windsail' effect and provide an environment suitable for healthy and vigorous growth. **MM BIO-5.4:** Fertilization – Fertilization by means of deep root soil injection should be used for trees to be impacted during construction in the spring and summer months. **MM BIO-5.5:** Mulch – Mulching with wood chips (maximum depth of three inches) within tree environments should be used to lessen moisture evaporation from soil, protect and encourage adventitious roots and minimize possible soil compaction.

Cultural Resources	
Impact CUL-1: The project would demolish the existing improvements on site and therefore would have a significant and unavoidable impact on a historical resource. **(Significant and Unavoidable Impact with Mitigation Incorporated)**	**MM CUL-1.1:** Historic American Buildings Survey (HABS) Recordation. Prior to project implementation, the historical resource will be recorded to Historic American Buildings Survey (HABS) standards established by the National Park Service, as detailed below:[1] • A HABS written report will be completed to document the physical history and description of the historical resource, the historic context for its construction and use, and its historic significance. The report will follow the standard outline format described in the *Historic American Buildings Survey Guidelines for Historical Reports* in effect at the time of recording. The report shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History. • Large-format, black and white photographs of the historical resource will be taken and processed for archival permanence in accordance with Historic American Building Survey (HAB), Historic American Engineering Record (HAER), and HALS (Historic American Landscapes Survey) Photography Guidelines in effect at the time of recording. The photographs shall be taken by a professional with HABS photography experience. The number and type of views required will be determined in consultation with the local jurisdiction. • Existing drawings, where available, will be reproduced on archival paper. If existing drawings are not available, a full set of measured drawings depicting existing conditions will be prepared. The drawings shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Architecture or Historic Architecture. • The HABS documentation, including the written report, large-format photographs, and drawings, shall be submitted to appropriate

[1] National Park Service, "HABS Guidelines," accessed April 8, 2020, https://www.nps.gov/hdp/standards/habsguidelines.htm.

repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. The documentation shall be prepared in accordance with the archival standards outlined in the Transmittal Guideline for Preparing HABS/HAER/HALS Documentation in effect at the time of recording. A professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History shall manage production of the HABS documentation.

MM CUL-1.2: Video Documentation. Video documentation of the subject property will supplement HABS documentation by recording the exterior and interior of the industrial complex at 1200 – 1310 Memorex Drive, as it appears, prior to project implementation. Using visuals in combination with active narration, the documentation shall include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. The documentation shall be conducted by a professional videographer, preferably one with experience recording architectural resources, and produced in conjunction with a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth by the Secretary of the Interior's Professional Qualification Standards.

It is recommended that the video documentation be preserved in an electronic format that is cross-platform and nonproprietary. Like HABS documentation, archival copies of the video documentation shall be submitted to appropriate repositories, such as the SCCHGS, Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. It may also be shared online via a freely accessible platform such as YouTube.

MM CUL-1.3: Interpretive Display. Interpretive displays vary widely in size, style, construction, and information capacity. Specifications for a particular interpretive display should consider a number of factors, including but not limited to the nature of the resource, the intended audience, and the location of the display. Although typically located at the subject property, offsite interpretive displays may be appropriate in certain cases, such as when the property is not publicly accessible for security or other reasons. In all instances, interpretive displays should be conducted by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards, in coordination with an exhibit designer.

Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200 – 1310 Memorex Drive. Onsite displays should be located in a prominent space, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200 – 1310 Memorex Drive and its operation during the property's period of significance.

Because of the nature of the proposed replacement project, however, the subject property may not be easily accessible by the public, and an offsite interpretive display may be recommended in place of or in addition to the onsite display. An offsite interpretive display should be located in a place with a connection to the subject property or its historical context. For example, the Computer History Museum in Mountain View may be an appropriate location for an interpretive display because of the substantial, contextual connection between the museum's mission and the subject property's significance within the development of the modern computer industry. The Computer History Museum also holds hundreds of Memorex Corporation artifacts and records in its repository, which would complement an interpretive display related to the subject property.

MM CUL-1.4: Oral History Collection. Oral history is a method of gathering and preserving the memories of people and communities, including personal commentaries of historical significance. Best practices for performing oral interviews are outlined by the Oral History Association (OHA), which was founded in 1966 and serves as the principal membership organization for those involved in the field of oral history.

The project will prepare an oral history collection that focuses on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. To the extent feasible, at least one former employee of the Memorex Corporation who was employed at the subject property shall be interviewed. A list of guests at the Memorex at Fifty reunion, hosted at the Computer History Museum in Mountain View in 2011, may serve as a preliminary list of potential narrators.

Oral history audio and visual files collected as part of a mitigation effort for the 1200 – 1310 Memorex Drive will be conducted by a professional oral historian and preserved in an accessible, electronic format and submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, Oral History Center at the Bancroft Library in Berkeley, and/or the Computer History Museum, which currently houses more than one hundred oral history interviews related to the development of the modern computer industry. In the event that no appropriate narrators are identified, or in the event that all potential narrators decline to participate, a memorandum will be prepared to document the project methodology and efforts.

Impact CUL-2: The project may result in impacts to unknown subsurface cultural resources. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM CUL-2.1:** In the event that prehistoric or historical resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. If the find is deemed significant, a Treatment Plan will be prepared and provided to the Director of Community Development. The key elements of a Treatment Plan shall include the following: • Identify scope of work and range of subsurface effects (include location map and development plan), • Describe the environmental setting (past and present) and the historic/prehistoric background of the parcel (potential range of what might be found), • Develop research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information), • Detail field strategy used to record, recover, or avoid the finds (photogs, drawings, written records, provenience data maps, soil profiles, excavation techniques, standard archaeological methods) and address research goals. • Analytical methods (radiocarbon dating, obsidian studies, bone studies, historic artifacts studies [list categories and methods], packaging methods for artifacts, etc.). • Report structure, including a technical and layman's report and an outline of document contents in one year of completion of development (provide a draft for review before a final report), • Disposition of the artifacts, • Appendices: site records, update site records, correspondence, consultation with Native Americans, etc.

Impact CUL-3: The project could disturb human remains, should they be encountered on the site. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM CUL-3.1:** In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.
Geology and Soils	
Impact GEO-6: Paleontological resources could be encountered during construction. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM GEO-6.1:** In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.
Hazards and Hazardous Materials	
Impact HAZ-2: Construction workers could be exposed to contaminated soil and/or groundwater during excavation, grading, and construction activities. Future users of the site could be exposed to hazardous soil vapor. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM HAZ-2.1:** For on-site construction activities, the project shall implement the approved Soil Management Plan prepared for the site under the oversight of the Regional Water Quality Control Board. **MM HAZ-2.2:** For off-site construction activities associated with the underground transmission line, a qualified environmental specialist shall collect shallow soil samples within the areas of proposed construction activities and have the samples analyzed to determine if contaminated soil is present with concentrations above established construction/trench worker and residential thresholds. Once the soil sampling analysis is complete, a report of the findings will be provided to the Director of Community Development for review. The report shall indicate whether any off-site contaminated soils found during sampling are related to the known on-site contamination, or whether they are from a different off-site contamination source.

	If contaminated soils are found in concentrations above established regulatory environmental screening levels, and are determined to be related to the known on-site contamination, the project shall incorporate the off-site contamination into the approved Soil Management Plan for the site. If the off-site contamination is determined to be unrelated to the known on-site contamination, the applicant shall enter into the Santa Clara County Department of Environmental Health's (SCCDEH) Voluntary Cleanup Program (VCP) to formalize regulatory oversight for remediation of contaminated soil to ensure the site is safe for construction workers and the public after development. The project applicant must remove contaminated soil in order to achieve detection levels acceptable to the SCCDEH. With approval of the SCCDEH, some of the contaminated soil may be allowed to be left in-place buried under hardscape and/or several feet of clean soil. The project applicant shall prepare and implement a Removal Action Plan, Soil Mitigation Plan or other similar report describing the remediation process and to document the removal and/or capping of contaminated soil. All work and reports produced shall be performed under the regulatory oversight and approval of the SCCDEH.
	Noise
Impact NOI-1: To avoid impacts related to construction noise, the project will be required to implement a construction noise control plan. **(Less than Significant Impact with Mitigation Incorporated)**	**MM NOI-1.1:** The project shall implement a construction noise control plan to regulate the hours of construction, reduce construction noise levels emanating from the site, and minimize disruption and annoyance at existing noise-sensitive receptors in the project vicinity. The control plan would include the following controls: • Construction activities shall be limited to hours between 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or Holidays. • Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment from adjacent properties. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the

line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.

- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Unnecessary idling of internal combustion engines should be strictly prohibited.

- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.

- Utilize "quiet" air compressors and other stationary noise sources where technology exists.

- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

- Control noise from construction workers' radios to a point where they are not audible at existing residential uses to the north of the project site.

- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.

- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures

	be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.
Impact NOI-2: To avoid impacts related to operation of the proposed data center, the project will be required to incorporate noise reduction measures into the project design. **(Less than Significant Impact with Mitigation Incorporated)**	**MM NOI-1.2:** The building shall include a rooftop screen wall reaching 14 feet in height above the roof, meeting a minimum surface weight of three pounds per square foot (such as one-inch-thick wood, ½-inch laminated glass, masonry block, concrete, or one-inch metal). The screen wall shall extend along the full length of the building's southern façade, a minimum distance of 225 feet north of the southwestern corner of the building along the western façade, and a minimum distance of 135 feet north of the southeastern corner of the building along the eastern façade. **MM NOI-1.3:** Each chiller shall meet a sound power level goal of 100 dBA or less. **MM NOI-1.4:** Each generator shall meet a design goal of 70 dBA or less at a lateral distance of 23 feet and a height of five feet above ground under full load. Generators shall be tested one at a time during daytime hours only. **MM NOI-1.4:** Each generator shall be equipped with an exhaust silencer so that noise from the exhaust would not exceed 63 dBA at a lateral distance of 23 feet and a height of five feet above ground.
Transportation	
Impact TRN-1: The project's vehicle miles traveled (VMT) per employee would be above the relevant significance threshold. **(Less than Significant Impact with Mitigation Incorporated)**	**MM TRN-2.1:** The project shall implement a TDM program sufficient to demonstrate that VMT associated with the project would be reduced to 14.14 or less per employee. The TDM program may include, but is not limited to, the following measures which have been determined to be a feasible method for achieving the required VMT reduction: • Provide commute trip reduction marketing and education for all eligible employees. ○ Implement marketing campaign targeting all project employees and visitors that encourages the use of transit, shared rides, and active modes. Marketing strategies may include new

employee orientation on alternative commute options, event promotions, and publications. Providing information and encouragement to use transit, share ride modes, and active modes, reducing drive-alone trips and thereby reducing VMT.

- Provide a subsidized or discounted transit program for all eligible employees.
  - This strategy requires the project employer to subsidize transit passes for participating employees.
- Provide a rideshare program for all eligible employees.
  - Organize a program to match individuals interested in carpooling who have similar commute patterns. Strategy encourages the use of carpooling, reducing the number of vehicle trips and thereby reducing VMT.

The TDM program shall be submitted and approved by the Director of Community Development and shall be monitored annually to gauge its effectiveness in meeting the required VMT reduction. The TDM program shall establish an appropriate estimate of initial vehicle trips generated by the occupant of the proposed project and shall conduct driveway traffic counts annually to measure peak-hour entering and exiting vehicle volumes. The volumes will be compared to trip thresholds established in the TDM program to determine whether the required reduction in vehicle trips is being met. In addition to monitoring driveway volumes, a survey will be developed as part of the TDM program to determine actual mode splits for employees. The survey will also gather information on usage of individual TDM program components. The results of the annual vehicle counts and survey will be reported in writing to the Director of Community Development.

If TDM program monitoring results show that the trip reduction targets are not being met, the TDM program shall be updated to identify replacement and/or additional feasible TDM measures to be implemented. The updated TDM program shall be subject to the same approvals and monitoring requirements listed above.

	If monitoring and reporting demonstrates that the project is non-compliant (i.e, did not fulfill the requirements of the TDM program, meet the drive-alone reduction targets, etc.), the City as the enforcing agency may impose penalties including fines and/or permit limitations.

Summary of Alternatives to the Proposed Project

CEQA requires that an EIR identify alternatives to a project as it is proposed. CEQA Guidelines Section 15126.6 specifies that the EIR should identify alternatives which "would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." Below is a summary of the project alternatives analyzed in this EIR. A full analysis of the project alternatives is provided in Section 7.0 Alternatives.

Alternatives Considered but Rejected

The following alternatives were considered but rejected and described in detail in Section 7.3.1 Project Alternatives Considered but Rejected:

- Location Alternative – development of the project on an alternative site.
- Adaptive Reuse of the Historical Resource – reuse of the existing structures on the site through renovations that avoid demolition.
- Preservation Alternative - Retain Portion of Historical Resource – retain a portion of the historical resource on the site, but not enough to avoid the significant impact.

Analyzed Alternatives

The following were evaluated as alternatives to the project and described in detail in Section 7.3 Project Alternatives:

- No Project Alternative as required by CEQA – no new development, with continued operation of the existing uses on the project site.
- Preservation Alternative - Retain Historical Resource – retain the majority of the character defining features of the historical resource while demolishing other portions of the existing development not considered character defining features, allowing for the construction of the data center facility without a significant impact.

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. The environmentally superior alternatives to the proposed project are the No Project Alternative and the Preservation Alternative - Retain Historical Resource Alternative, as further detailed in Section 7.4 Environmentally Superior Alternative.

SECTION 1.0 INTRODUCTION

1.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The City of Santa Clara, as the Lead Agency, has prepared this Draft Environmental Impact Report (EIR) for the Memorex Data Center in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

As described in CEQA Guidelines Section 15121(a), an EIR is an informational document that assesses potential environmental impacts of a proposed project, as well as identifies mitigation measures and alternatives to the proposed project that could reduce or avoid adverse environmental impacts (CEQA Guidelines 15121(a)). As the CEQA Lead Agency for this project, the City of Santa Clara is required to consider the information in the EIR along with any other available information in deciding whether to approve the project. The basic requirements for an EIR include discussions of the environmental setting, significant environmental impacts including growth-inducing impacts, cumulative impacts, mitigation measures, and alternatives. It is not the intent of an EIR to recommend either approval or denial of a project.

1.2 EIR PROCESS

1.2.1 Notice of Preparation and Scoping

In accordance with Section 15082 of the CEQA Guidelines, the City of Santa Clara prepared a Notice of Preparation (NOP) for this EIR. The NOP was circulated to local, state, and federal agencies on July 17, 2020. The standard 30-day comment period concluded on August 17, 2020. The NOP provided a general description of the proposed project and identified possible environmental impacts that could result from implementation of the project. The City of Santa Clara also held a public scoping meeting on July 27, 2020 to discuss the project and solicit public input as to the scope and contents of this EIR. Due to Covid-19 restrictions, the meeting was held virtually through Zoom Video Communications, Inc. Appendix A of this EIR includes the NOP and comments received on the NOP.

1.2.2 Draft EIR Public Review and Comment Period

Publication of this Draft EIR will mark the beginning of a 45-day public review period. During this period, the Draft EIR will be available to the public and local, state, and federal agencies for review and comment. Notice of the availability and completion of this Draft EIR will be sent directly to every agency, person, and organization that commented on the NOP, as well as the Office of Planning and Research. Written comments concerning the environmental review contained in this Draft EIR during the 45-day public review period should be sent to:

Tiffany Vien
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
408.615.2466
TVien@santaclaraca.gov

1.3 FINAL EIR/RESPONSES TO COMMENTS

Following the conclusion of the 45-day public review period, the City of Santa Clara will prepare a Final EIR in conformance with CEQA Guidelines Section 15132. The Final EIR will consist of:

- Revisions to the Draft EIR text, as necessary;
- List of individuals and agencies commenting on the Draft EIR;
- Responses to comments received on the Draft EIR, in accordance with CEQA Guidelines (Section 15088);
- Copies of letters received on the Draft EIR.

Section 15091(a) of the CEQA Guidelines stipulates that no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings. If the lead agency approves a project despite it resulting in significant adverse environmental impacts that cannot be mitigated to a less than significant level, the agency must state the reasons for its action in writing. This Statement of Overriding Considerations must be included in the record of project approval.

1.3.1 Notice of Determination

If the project is approved, the City of Santa Clara will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office and available for public inspection for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15094(g)).

1.4 JURISDICTION

As described previously, the City of Santa Clara is the Lead Agency under CEQA for the proposed project. The California Energy Commission (CEC) sometimes acts as the Lead Agency for large data center projects where the proposed backup power generating capacity is 50 MW or more. This is because the CEC regulates thermal power plants with 50 MW or more of power generating capacity and considers backup generators for data centers to be thermal power plants. The CEC determines the power generating capacity of data center projects based on the total electricity demand of the project that would require backup power from thermal power generating sources (i.e., diesel-fueled generators) in the event of a power outage. Although the overall electricity demand of the proposed project exceeds 50 MW, the project is designed in a manner so that only 48 MW of the project would require backup power from thermal power generating sources in the event of an outage. As a result, the project does not fall under the jurisdiction of the CEC. This was confirmed by the CEC in a letter issued after completion of a review of the project design. The letter, referring to the project as MDC, short for Memorex Data Center, stated "…(a)s the total backup generation capability of the facility would be less than CEC's 50 MW jurisdictional threshold, staff concludes that MDC is not subject to either the CEC's licensing or exemption process, and instead would be subject to local government permitting."[2]

[2] California Energy Commission. Jurisdictional Determination - Memorex Data Center. September 30, 2020.

SECTION 2.0 PROJECT INFORMATION AND DESCRIPTION

2.1 PROJECT LOCATION

The 9.18-acre project site is located at 1200 Memorex Drive. A regional map, vicinity map, and aerial photograph showing the site and surrounding land uses are shown on Figures 2.1, 2.2, and 2.3, respectively.

2.2 PROJECT DESCRIPTION

2.2.1 Existing Development

The 9.18-acre project site is located at 1200 Memorex Drive. The site is zoned ML-Light Industrial and has a General Plan designation of Light Industrial. The site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Roughly 100,000 square feet of active outdoor uses are located on the eastern portion of the site. Existing uses on the site are light industrial in nature and include operations such as aluminum plating, metal cleaning/polishing, a machine shop, construction contractors, a brewery, material storage, vehicle storage, and hauling. The vehicle storage and hauling operations are primarily located in the outdoor areas on the site.

2.2.2 Proposed Development

The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440. The structure would have a height of 85 feet to the top of building, with rooftop metal screening reaching a height of 99 feet. The data center portion of the building would house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 60 megawatts (MW) of information technology (IT) power. The ancillary use portion of the building would be used for office (roughly 51,000 square feet) and storage uses. The proposed site plan is shown on Figure 2.4.

Three floors of the data center portion of the building would consist of production data hall space, which requires backup power generation, while one floor would consist of development data hall space, which does not require backup power generation. Standby backup emergency electrical generators would be installed to provide an uninterrupted power supply to the production data hall space. A total of 24 three-MW diesel-fueled engine generators would be located on the south side of the building, with 16 primary generators providing 48 MW of backup power generation capacity and eight additional generators providing redundancy for the primary generators. The generators would be housed within a ground-level generator yard, with 22 of the generators double-stacked and two of the generators single-stacked. One additional 500-kW diesel-fueled generator would be located on the south side of the building to provide backup power generation for the ancillary use portion of the building. Mechanical cooling equipment would be located on the roof with metal panel perimeter screening above the building parapet.

The project would also construct a 150 megavolt amps (MVA) electrical substation on the eastern portion of the site. The substation would have three 50 MVA transformers, one of which would be redundant and would only become active if one of the other transformers fails. The substation capacity would be a nominal 100 MVA. The substation would have an all-weather asphalt surface underlain by an aggregate base.

2.2.2.1 *Electric Transmission Line*

A 60 kilovolt (kV) overhead transmission line would be extended to the site to connect the substation to the existing electrical grid. As shown on Figure 2.5, the transmission line would form a loop, with the route starting on the east side of Lafayette Street and heading west on Shulman Avenue to Memorex Drive. From there, the route would continue west to Ronald Street and then head south to Di Giulio Avenue to connect to the proposed substation. The route would then head east from the substation to Lafayette Street and turn north towards Mathew Street to close the loop. The transmission line would be supported by 15 utility poles, 10 of which would be steel poles up to 85 feet in height with a diameter of four feet, and five of which would be wood poles up to 57 feet in height with a diameter of 21 inches. The portion of the transmission line located on Di Giulio Street may be undergrounded, if determined to be feasible by the City (refer to Figure 2.5). The underground portion would be located in the street right-of-way and would be approximately 900 feet long and with a trench that is four feet wide and 12-15 feet deep. Under this scenario, the overhead portion of the transmission line would be supported by up to 10 steel poles with no wood poles. The impacts of both transmission line scenarios are analyzed in this EIR.

Under both the overhead and partial overhead/partial underground transmission line scenarios, the project would require easements through several properties. The properties requiring easements are listed in Table 2.2-1, below.

Table 2.2-1: Transmission Line Easements

Site Address	APN	Zoning	Easement Size
Overhead-Only Route			
2380 Lafayette St.	224-63-020	MH – Heavy Industrial	1,200 sq. ft.
965 Shulman Ave.	224-63-005	ML – Light Industrial	500 sq. ft.
2191 Ronald St.	224-67-023	ML – Light Industrial	900 sq. ft.
2222 Ronald St.	224-66-005	ML – Light Industrial	400 sq. ft.
2122 Ronald St.	224-66-003	ML – Light Industrial	200 sq. ft.
1040 Di Giulio Ave.	224-05-093	ML – Light Industrial	1,500 sq. ft.
2206 Lafayette St.	224-67-042	ML – Light Industrial	500 sq. ft.
2222 Lafayette St.	224-67-048	ML – Light Industrial	100 sq. ft.
2234 Lafayette St.	224-67-028	ML – Light Industrial	100 sq. ft.
2265 Lafayette St.	224-03-080	MH – Heavy Industrial	1,200 sq. ft.
Partial Overhead/Partial Underground Scenario			
2380 Lafayette St.	224-63-020	MH – Heavy Industrial	1,200 sq. ft.
965 Shulman Ave.	224-63-005	ML – Light Industrial	500 sq. ft.

Table 2.2-1: Transmission Line Easements			
2191 Ronald St.	224-67-023	ML – Light Industrial	900 sq. ft.
2222 Ronald St.	224-66-005	ML – Light Industrial	400 sq. ft.
2122 Ronald St.	224-66-003	ML – Light Industrial	200 sq. ft.
2206 Lafayette St.	224-67-042	ML – Light Industrial	1,100 sq. ft.
2222 Lafayette St.	224-67-048	ML – Light Industrial	100 sq. ft.
2234 Lafayette St.	224-67-028	ML – Light Industrial	100 sq. ft.
2265 Lafayette St.	224-03-080	MH – Heavy Industrial	1,200 sq. ft.

2.2.2.2 *Site Access and Parking*

The site currently has four driveways on Memorex Drive and three driveways on Ronald Street/Di Giulio Avenue, all of which would be removed by the project. Access to the site would be provided by two new driveways on Memorex Drive and one new driveway on Di Giulio Avenue. The project would result in a net decrease in driveways accessing the site, reducing curb cuts and eliminating hazards associated with site distances from current driveways located near intersections and roadway bends. The project proposes to provide 113 parking spaces in surface parking lots located on the eastern portion of the site. Five parking spaces would be ADA accessible, and 11 parking spaces would be dedicated for clean air vehicles. Electric vehicle charging stations would be located adjacent to the clean air vehicle spaces.

2.2.2.3 *Building Height and Floor Area Ratio*

The project would construct a building with a maximum height of 85 feet, with additional screening extending to a height of 99 feet, which would exceed the maximum height of 70 feet allowed under the ML – Light Industrial zoning district regulations. The project is requesting a Zoning Administrator Modification to allow a building height above what is allowed in the Zoning Ordinance.

2.2.2.4 *Landscaping and Stormwater Control*

Currently, landscaping on the site is sparse. Mature trees are located on the site's frontage with Memorex Drive, and additional trees and shrubbery are located along portions of the site's perimeter. Trees and ornamental landscaping would be planted along the perimeter of the project site, and in landscaped islands between parking lot aisles. Although the project would remove 36 of the 38 existing trees and landscaping on the site, the project would plant 226 replacement trees that would meet or exceed required replacement ratios, resulting in an increase in trees and landscaping on the site. The proposed landscaping plan is shown on Figure 2.6.

Stormwater runoff from the site's impervious surfaces would be directed to treatment systems before being collected in a series of pipes sized for a 10-year storm event in accordance with the City's design requirements. The biotreatment basins would be located throughout the surface parking on the eastern section of the site, along the southern and northern site boundaries, and along the central section of the northern site boundary. These pipes would ultimately leave the site, connecting to the existing City storm drainage pipes in Memorex Drive and/or Di Giulio Avenue.

2.2.2.5 *Construction*

It is anticipated that construction would begin in the spring (April) of 2021 and be completed in the spring (March) of 2023, a total of 23 months or 506 workdays (average of 22 work days per month). This schedule assumes that the entire project would be constructed in the following phases: demolition and site preparation, grading, trenching and foundations, exterior and interior building construction, paving, and architectural coating. Subsequent to building completion, as server space is sold to customers, the server racks and support equipment would be installed in the building.

The project would require excavation to depths of up to 12 feet for the on-site construction work and 12-15 feet for trenching related to the potential underground portion of the transmission line along Di Giulio Avenue.

2.3 PROJECT OBJECTIVES

Pursuant to CEQA Guidelines Section 15124, the EIR must identify the objectives sought by the proposed project. The project applicant has stated the following objectives:

1. Redevelop the 9.18-acre site with a state of the art data center capable of supporting at least 60 MW of IT power in an environmentally controlled structure with redundant subsystems (cooling, power, network links, storage, fire suppression, etc.) along with sufficient ancillary office and storage space to accommodate the needs of future tenants (estimated to require up to 472,920 square feet of data center space and 87,520 square feet of ancillary space). The data center shall be located near a reliable large power source, and emergency response access, and being located such that it can be protected, to the maximum extent feasible, from security threats, natural disasters, and similar events. The project shall include backup power generation facilities that provide sufficient generation capacity, reliability, and redundancy to meet the needs of future tenants.

2. Provide operational electric power to the proposed data center via an electric substation, and provide other utility infrastructure to serve the project, including water, storm drainage, sanitary sewer, electric, natural gas, and telecommunications. Extend a 60 kilovolt (kV) overhead transmission line to connect the substation to the existing electrical grid.

3. Meet high sustainability and green building standards by designing the data center to meet US Green Building Code LEED and Cal-Green standards for any new construction.

4. Incorporate the most reliable and flexible form of backup electric generating technology considering the following evaluation criteria.
   - <u>Commercial Availability and Feasibility.</u> The selected backup electric generation technology must currently be in use and proven as an accepted industry standard for technology. It must be operational within a reasonable timeframe where permits and approvals are required.
   - <u>Technical Feasibility.</u> The selected backup electric generation technology must utilize systems that are compatible with one another.
   - <u>Reliability.</u> The selected backup electric generation technology must be extremely reliable in the case of an emergency loss of electricity from the utility.

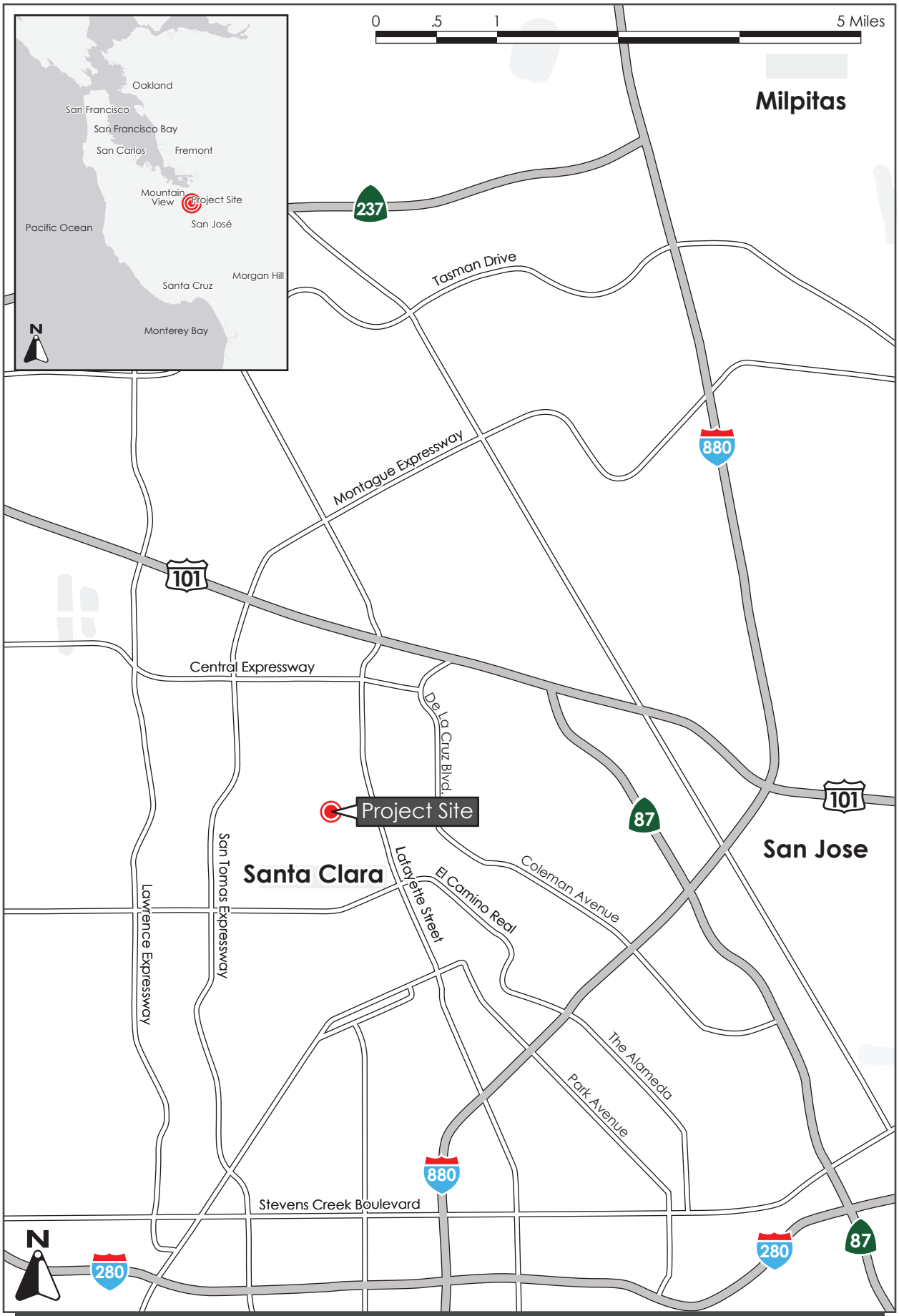
- Industry Standard. The selected backup electric generation technology must be considered industry standard or best practice.

5. Construct a high-quality data center that is marketable and produces a reasonable return on investment for the project applicant and its investors and is able to attract investment capital and construction financing.

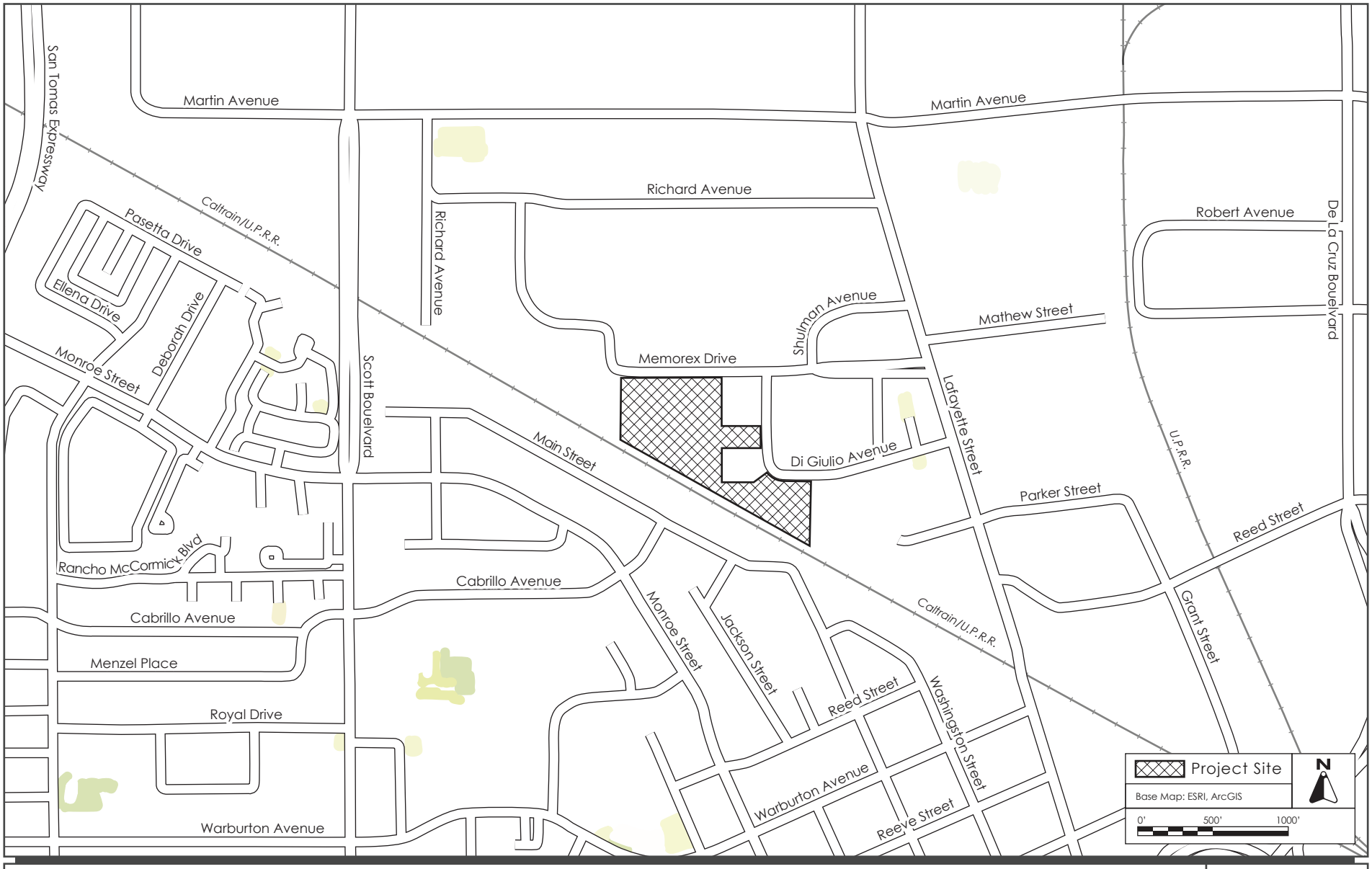
2.4 USES OF THE EIR

This EIR would provide decision-makers in the City of Santa Clara, other public agencies, and the general public with relevant environmental information to use in considering the project. If the proposed project is approved, the EIR could be used by the City in conjunction with appropriate discretionary approvals including, but not limited to, the following:

- Architectural Approval
- Zoning Administrator Modification
- Issuance of Demolition, Grading, Building, and Occupancy permits.
- Tree Removal Permits

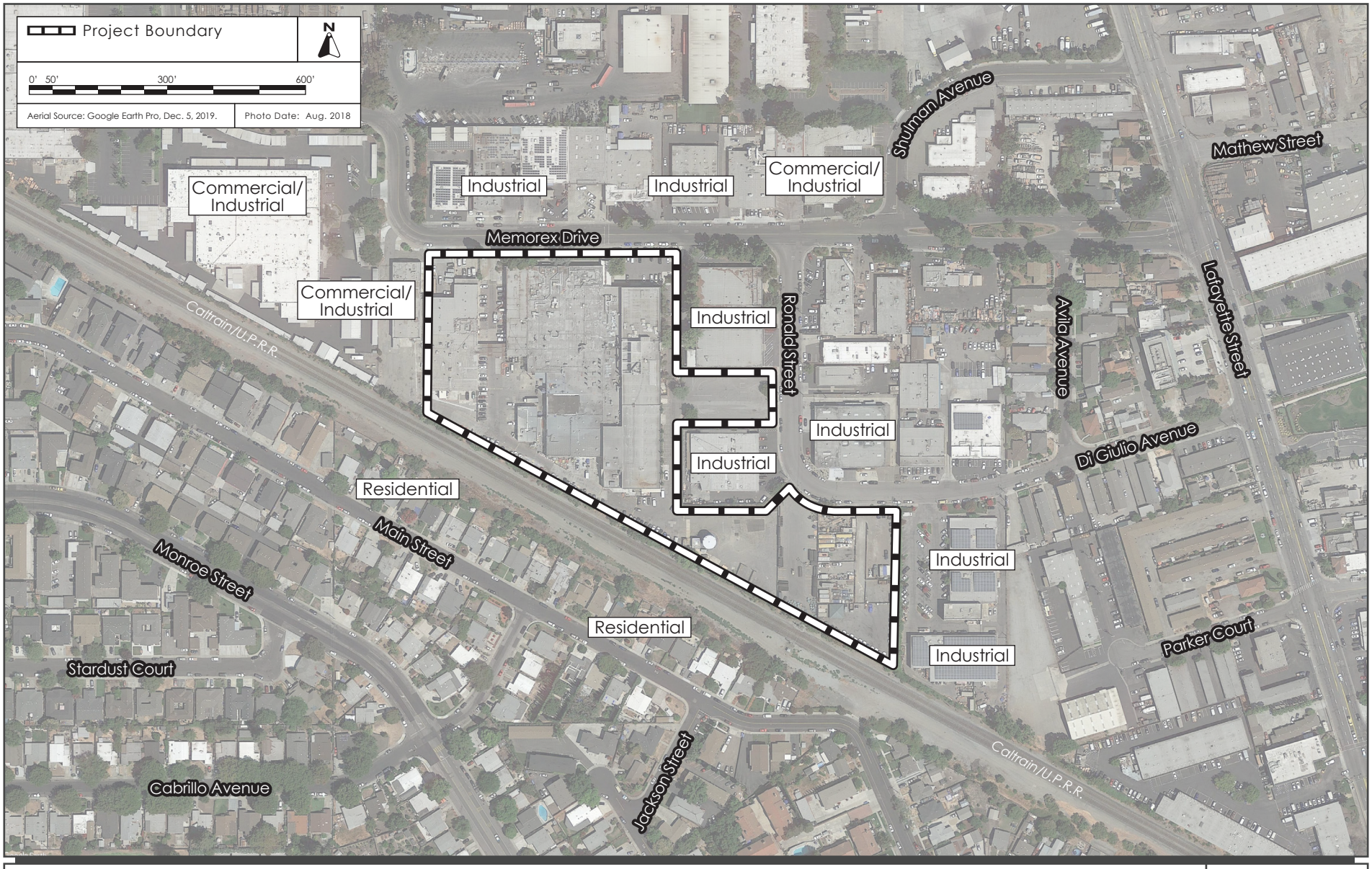


REGIONAL MAP | FIGURE 2.1



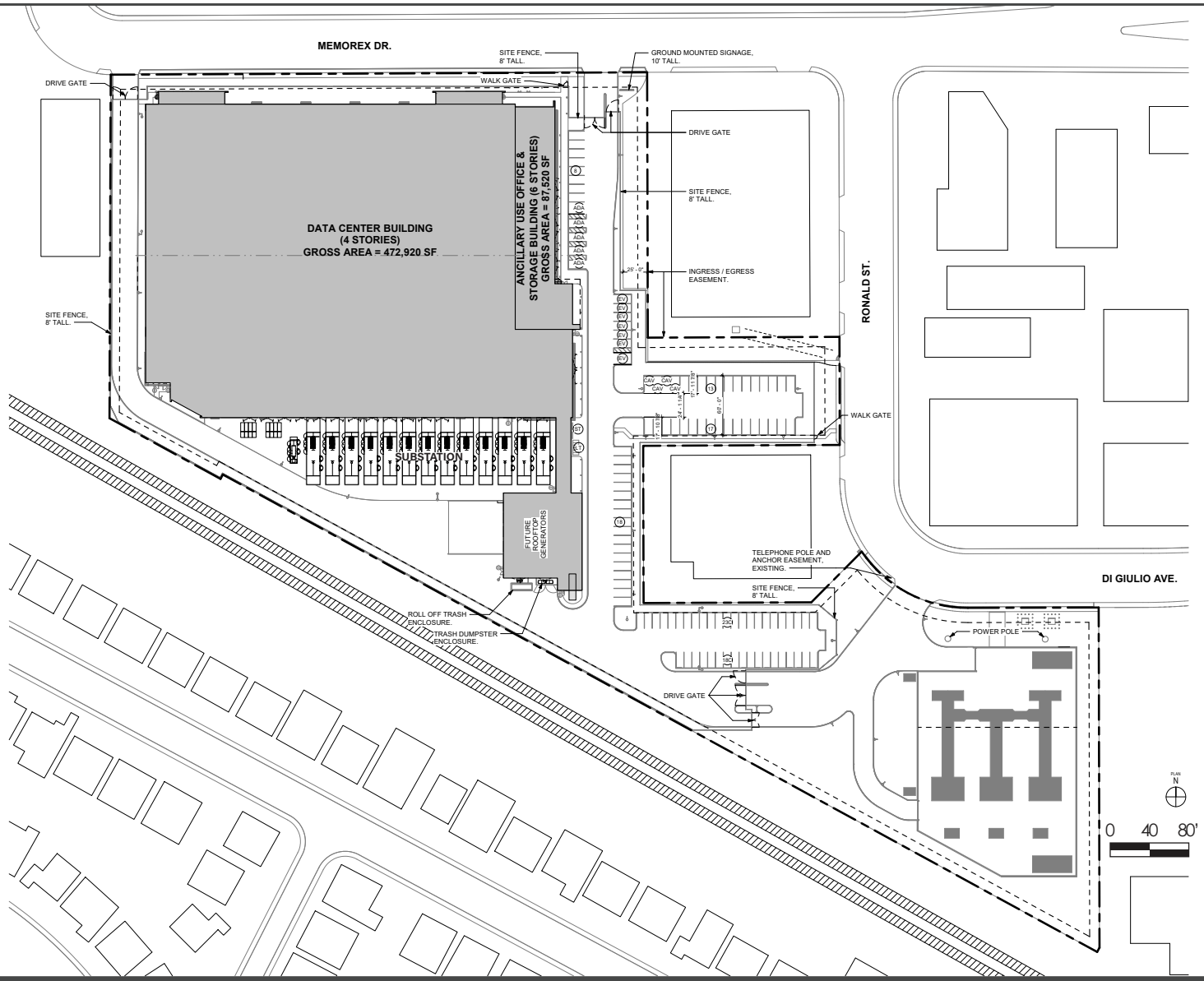
VICINITY MAP

FIGURE 2.2



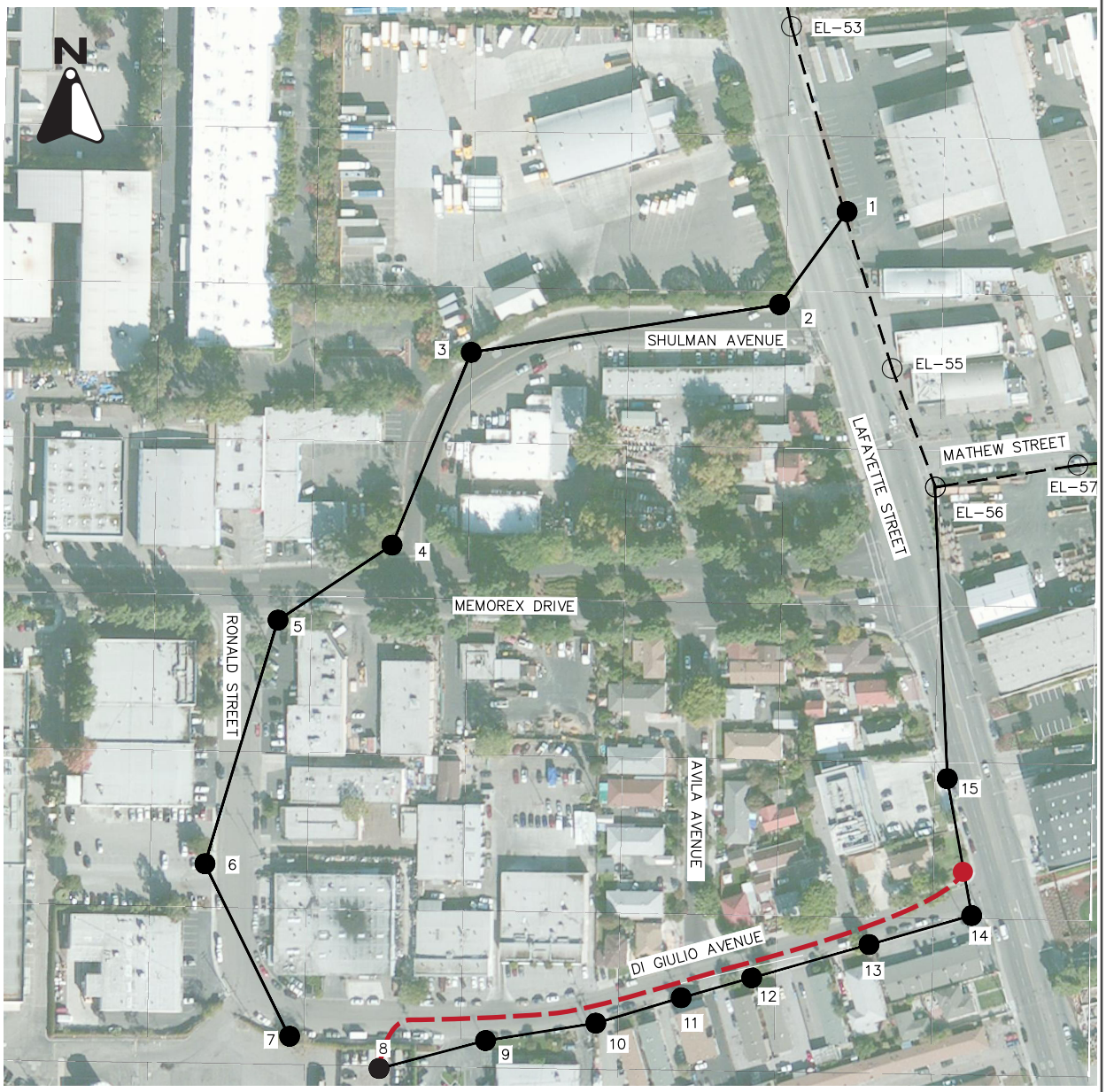
AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.3



SITE PLAN

FIGURE 2.4



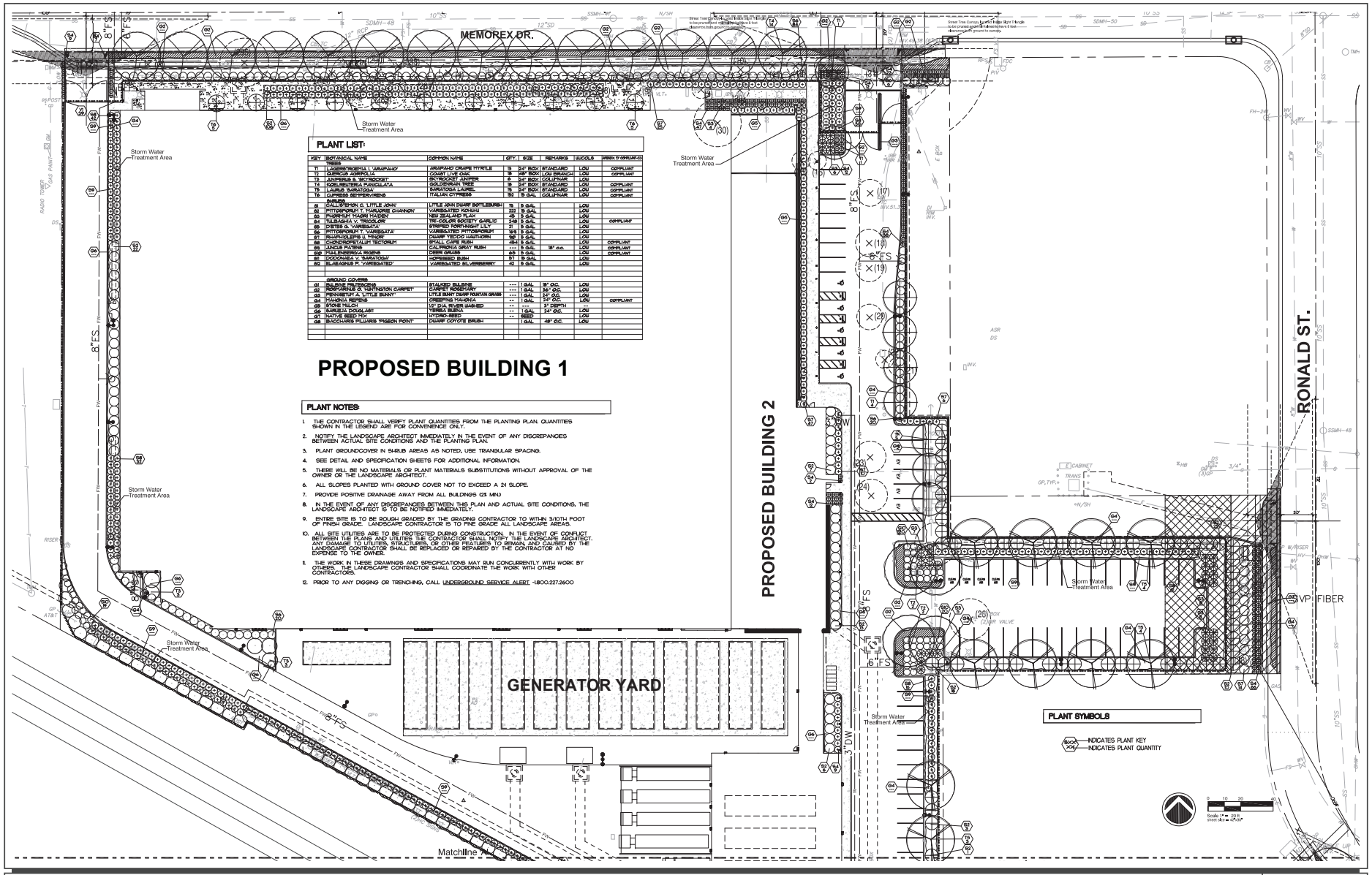
LEGEND

Overhead Transmission Line

Potential Underground Transmission Line

Source: Electrical Consulants, Inc., October 27, 2020.

60 kV TRANSMISSION LINE | FIGURE 2.5



PLANT LIST:

KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	W/UCOLS	XERIC 'Y' COMPLIANT
	TREES						
T1	LAGERSTROEMIA L. 'MUSKOGEE'	MUSKOGEE CRAPE MYRTLE	13	24" BOX	STANDARD	LOW	COMPLIANT
T2	QUERCUS AGRIFOLIA	COAST LIVE OAK	9	48" BOX	LOW BRANCH	LOW	COMPLIANT
T3	JUNIPERUS S. 'SKYROCKET'	SKYROCKET JUNIPER	6	24" BOX	COLUMNAR	LOW	
T4	KOELREUTERIA PANICULATA	GOLDENRAIN TREE	18	24" BOX	STANDARD	LOW	COMPLIANT
T5	LAURUS 'SARATOGA'	SARATOGA LAUREL	18	24" BOX	STANDARD	LOW	COMPLIANT
T6	CUPRESSUS SEMPERVIRENS 'SARGENTII'	ITALIAN CYPRESS	32	15 GAL.	COLUMNAR	LOW	COMPLIANT
S1	CALLISTEMON C. 'LITTLE JOHN'	LITTLE JOHN DWARF BOTTLEBRUSH	18	5 GAL		LOW	
S2	PITTOSPORUM T. 'MARJORIE CHANNON'	VARIEGATED KOHUHU	222	5 GAL		LOW	
S3	PHORMIUM 'COOK'S HYBRID'	NEW ZEALAND FLAX	49	5 GAL		LOW	
S4	YUCCA/AGAVE V. 'RECORDS'	TRI-COLOR SOCIETY GARLIC	248	5 GAL		LOW	COMPLIANT
S5	DIETES G. 'VARIEGATA'	STRIPED FORTNIGHT LILY	21	5 GAL		LOW	
S6	PITTOSPORUM T. 'VARIEGATA'	VARIEGATED PITTOSPORUM	193	5 GAL		LOW	
S7	RHAPHIOLEPIS I. 'YEDDO'	DWARF YEDDO HAWTHORN	18	5 GAL		LOW	
S8	CHAMAEROPS/ELIUM TEXORUM	SMALL CAPE RUSH	454	5 GAL		LOW	COMPLIANT
S9	ARCTOSTAPHYLOS	CAL PRINCE GRAY BUSH	---	5 GAL	18" o.c.	LOW	COMPLIANT
S10	MUHLENBERGIA RIGENS	DEER GRASS	65	5 GAL		LOW	COMPLIANT
S1	DODONAEA V. 'SARATOGA'	HOPSEED BUSH	51	5 GAL		LOW	
S2	ELAEAGNUS P. 'VARIEGATED'	VARIEGATED SILVERBERRY	42	5 GAL		LOW	
	GROUND COVERS						
G1	RUELLIA PENTECONIA	STALKED BULBINE	---	1 GAL	18" O/C.	LOW	
G2	ROSMARINUS OF. 'HUNTINGTON CARPET'	CARPET ROSEMARY	---	1 GAL	36" O/C.	LOW	
G3	PENNISETUM A. 'LITTLE BUNNY'	LITTLE BUNNY DWARF FOUNTAIN GRASS	---	1 GAL	24" O/C.	LOW	
G4	TRACHELO SPERMUM	CREEPING TRACHELO	---	1 GAL	24" O/C.	LOW	COMPLIANT
G5	STONE MULCH	1/2" DIA. RIVER WASHED	--	---	3" DEPTH	--	
G6	SUMULEA DOUGLASI	"SIMULA BUENA"	--	1 GAL	24" O/C.	LOW	
G7	NATIVE SEED MIX	HYDRO-SEED	--	SEED		LOW	
G8	BACCHARIS PILULARIS 'PIGEON POINT'	DWARF COYOTE BRUSH		1 GAL	48" O/C.	LOW	

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN THE LEGEND ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUNDCOVER IN SHRUB AREAS AS NOTED, USE TRANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. ALL SLOPES PLANTED WITH GROUND COVER NOT TO EXCEED A 2:1 SLOPE.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS @2 MIN.
8. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THIS PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
9. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GRADING CONTRACTOR TO WITHIN 3/10TH FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
10. ALL SITE UTILITIES ARE TO BE PROTECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN, AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
11. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MAY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
12. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT 1-800.227.2600

LANDSCAPE PLAN

FIGURE 2.6

SECTION 3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

3.1	Aesthetics	3.11	Land Use and Planning
3.2	Agriculture and Forestry Resources	3.12	Mineral Resources
3.3	Air Quality	3.13	Noise
3.4	Biological Resources	3.14	Population and Housing
3.5	Cultural Resources	3.15	Public Services
3.6	Energy	3.16	Recreation
3.7	Geology and Soils	3.17	Transportation
3.8	Greenhouse Gas Emissions	3.18	Tribal Cultural Resources
3.9	Hazards and Hazardous Materials	3.19	Utilities and Service Systems
3.10	Hydrology and Water Quality	3.20	Wildfire

The discussion for each environmental subject includes the following subsections:

Environmental Setting – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.

Impact Discussion – This subsection includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts.

- **Project Impacts** – This subsection discusses the project's impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered to correspond to the checklist question being answered. For example, Impact BIO-1 answers the first checklist question in the Biological Resources section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section.
- **Cumulative Impacts** – This subsection discusses the project's cumulative impact on the environmental subject. Cumulative impacts, as defined by CEQA, refer to two or more individual effects, which when combined, compound or increase other environmental impacts. Cumulative impacts may result from individually minor, but collectively significant effects taking place over a period of time. CEQA Guideline Section 15130 states that an EIR should discuss cumulative impacts "when the project's incremental effect is cumulatively considerable." The discussion does not need to be in as great detail as is necessary for project impacts, but is to be "guided by the standards of practicality and reasonableness." The purpose of the cumulative analysis is to allow decision makers to better understand the

impacts that might result from approval of past, present, and reasonably foreseeable future projects, in conjunction with the proposed project addressed in this EIR.

The CEQA Guidelines advise that a discussion of cumulative impacts should reflect both their severity and the likelihood of their occurrence (CEQA Guidelines Section 15130(b)). To accomplish these two objectives, the analysis should include either a list of past, present, and probable future projects or a summary of projections from an adopted general plan or similar document (CEQA Guidelines Section 15130(b)(1)). This EIR uses the list of projects approach.

The analysis must determine whether the project's contribution to any cumulatively significant impact is cumulatively considerable, as defined by CEQA Guideline Section 15065(a)(3). The cumulative impacts discussion for each environmental issue accordingly addresses the following issues: 1) would the effects of all of past, present, and probable future (pending) development result in a significant cumulative impact on the resource in question; and, if that cumulative impact is likely to be significant, 2) would the contribution from the proposed project to that significant cumulative impact be cumulatively considerable?

Table 3.0-1 identifies the approved (but not yet constructed or occupied) and pending projects in the project vicinity (within one mile) that are evaluated in the cumulative analysis.

Table 3.0-1: Cumulative Projects List

Name and Location	Description	Distance to Proposed Project
1444 Madison Street Residential Project	Rezone site from Medium-density Multiple Dwelling to Planned Development and construct three new single-family dwellings.	3,400 feet
1627 Monroe Street Residential Project	Develop a vacant single-family residential property to construct three single-family homes	2,270 feet south
1900 Warburton Avenue Residential Townhouse Project	Rezone site from General Office to Planned Development and develop 12 three-story townhouse units.	2,400 feet southwest
2232 El Camino Real Mixed Use Project (SummerHill)	Rezone from Community Commercial to Planned Development and construct a four-story mixed-use development with 17,909 square feet of ground floor retail space, 151 senior apartment units, and parking structure.	4,170 feet southwest
2330 Monroe Street Affordable Housing Project	General Plan Amendment and rezone site from Single Family residential to Planned Development and construct three-story building with 65 residential affordable units.	3,332 feet west

Table 3.0-1: Cumulative Projects List		
Name and Location	**Description**	**Distance to Proposed Project**
575 Benton Street Mixed-Use Project (Prometheus)	Construct 355 apartment units including eight live-work units, 650 parking spaces, 1,601 square feet of leasing office space, 346 square feet pet spa area,1,528 square feet of bike amenity space, an amenity roof deck with 4,341 square feet of club room and a fitness center, three private courtyards and a public courtyard facing The Alameda.	4,940 feet southeast
651 Walsh Avenue Data Center Project	Demolish an existing warehouse building and construct a 435,050 square-foot, four-story data center, generator yard, electric substation, and surface parking lot.	3,400 feet northeast
917 Warburton Avenue Residential Project	Construct six, two-story single family detached homes.	1,930 feet southeast
1890 El Camino Real Residential Project (Anatara Villas)	Construct 56 condominium units over a podium parking structure.	3,680 feet southwest
1375, 1385, and 1399 El Camino Real (Catalina I Residential Development Project)	Construct 54 townhouse units, including eight live-work units.	3,340 feet south
1433 – 1493 El Camino Real (Catalina II Residential Development Project)	Demolish existing commercial buildings and construct five, three-story buildings with 39 townhomes.	3,170 feet south
1313 Franklin Street (Downtown Gateway)	Construct a building with 44 condominium units and 14,477 square feet of ground retail.	4,800 feet southeast
2600, 2788, and 2800 San Tomas Expressway and 2400 Condensa Street (NVIDIA)	Construct three eight-story, 1,950,000 square foot office/research and development	4,225 feet northwest

For each resource area, cumulative impacts may occur over different geographic areas. For example, the project effects on air quality would combine with the effects of projects in the entire air basin, whereas noise impacts would primarily be localized to the surrounding area. The geographic area that could be affected by the proposed project varies depending upon the type of environmental issue being considered. Section 15130(b)(3) of the CEQA Guidelines states that lead agencies should define the geographic scope of the area affected by the cumulative effect. Table 3.0-2 provides a summary of the different geographic areas used to evaluate cumulative impacts.

Table 3.0-2: Geographic Considerations in Cumulative Analysis	
Resource Area	**Geographic Area**
Aesthetics	Project site and adjacent parcels
Agriculture and Forestry Resources	Countywide
Air Quality	San Francisco Bay Area Air Basin
Biological Resources	Project site and adjacent parcels
Cultural Resources	Project site and adjacent parcels
Energy	Energy provider's territory
Geology and Soils	Project site and adjacent parcels
GHGs	Planet-wide
Hazards and Hazardous Materials	Project site and adjacent parcels
Hydrology and Water Quality	San Tomas Aquino Creek watershed
Land Use and Planning/Population and Housing	Citywide
Minerals	Identified mineral recovery or resource area
Noise and Vibration	Project site and adjacent parcels
Public Services and Recreation	Citywide
Transportation/Traffic	Citywide
Tribal Cultural Resources	Project site and adjacent parcels
Utilities and Service Systems	Citywide
Wildfire	Within or adjacent to the wildfire hazard zone

3.1 AESTHETICS

3.1.1 Environmental Setting

3.1.1.1 *Regulatory Framework*

State

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways in Santa Clara.

Interstate 280 from the San Mateo County line to SR 17 is an Eligible State Scenic Highway, yet not officially designated.

Local

Santa Clara General Plan

General Plan policies applicable to aesthetics include, but are not limited to, the following listed below.

Policies	Description
General Land Use	
5.3.1-P3	Support high quality design consistent with adopted design guidelines and the City's architectural review process.
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.

City Code

The City Code includes regulations associated with protection of the City's visual character. The Code includes regulations for the maintenance of property or premises, to promote a sound and attractive community appearance that is in character with the City. The City Code also includes an Architectural Review process, as outlined in Zoning Ordinance Chapter 18.76. The Architectural Review process is intended to serve the following purposes:

- Encourage the orderly and harmonious appearance of structures and properties;
- Maintain the public health, safety, and welfare;
- Maintain property and improvement values throughout the City;
- Encourage the physical development of the City that is consistent with the General Plan and other City regulations; and

- Enhance the aesthetic appearance, functional relationships, neighborhood compatibility and excellent design quality.

No building permit shall be issued, and no structure, building, or sign shall be constructed or undergo exterior alternations until such plans and drawings have been approved by the City's architectural review process.

Architectural Review Process – Community Design Guidelines

The City's architectural review process requires that the Director of Community Development or a designee review plans and drawings submitted for design, aesthetic considerations, and consistency with zoning standards, generally prior to submittal for building permits. The review takes place at a publicly noticed Development Review Hearing and the hearing officer follows the City's Community Design Guidelines. The intent of these guidelines for architectural review is to provide a manual of consistent development standards in the interest of continued maintenance and enhancement of the high-quality living and working environment in the City.

3.1.1.2 *Existing Conditions*

The 9.18-acre subject project site is developed with three buildings: a three-story, approximately 350,037 square foot building, a two-story, approximately 45,986 square foot building, and a one-story, approximately 2,944 square foot building. The buildings are concentrated in the northwestern portion of the site adjacent to Memorex Drive and consist of a mix of architectural styles and materials typical of light industrial warehouse uses, including cinderblocks, stucco, and large windows. The site currently has four driveways on Memorex Drive and three driveways on Ronald Street/Di Giulio Avenue. Trees and ornamental landscaping are located along a portion of the Memorex Drive frontage of the property, as well as the eastern property boundary.

The site is within a fully developed area in Santa Clara with flat topography. Views of the eastern and western foothills from public viewpoints are partially blocked by existing industrial structures in the area. Views of the project site can be seen in Photos One to Four.

3.1.1.3 *Surrounding Land Uses*

A one-story office machine shop, two-story warehouse, and two-story industrial facility are located directly east of the project site. A one-story commercial building and two, one-story industrial buildings are located to the west of the project site. The Union Pacific Railroad (UPRR) tracks are located south of the project site, beyond which are one- and two-story single-family residences. Multiple one-story industrial buildings are located north of the project site. The project area consists primarily of industrial land uses, with the exception of residential uses located south of the UPRR tracks. Buildings in the area range from one to two stories and vary in scale. The Norman Y. Mineta San José International Airport is located approximately 0.65 miles east of the site. Aircraft, along with truck and other vehicle traffic, are readily apparent in the area. Views of the surrounding land uses can be seen in Photos Five and Six.

There are no scenic vistas within the City of Santa Clara. There are also no scenic resources on-site, and the site is not visible from a scenic highway.

Photo 1: Existing Building on Western Portion of Site.

Photo 2: Existing Building on Central Portion of Site.

PHOTOS 1 & 2

Photo 3: Existing Building on Central Portion of Site.

Photo 4: Existing Building on Southeastern Portion of Site.

Photo 5: Surrounding Industrial Use to North.

Photo 6: Railroad South of Site.

3.1.2 Impact Discussion

For the purpose of determining the significance of the project's impact on aesthetics, except as provided in Public Resources Code Section 21099, would the project:

1) Have a substantial adverse effect on a scenic vista?
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings?[3] If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

3.1.2.1 *Project Impacts*

Impact AES-1:	The project would not have a substantial adverse effect on a scenic vista. **(No Impact)**

There are no scenic vistas within the City of Santa Clara. The project, therefore, would not have a substantial adverse effect on a scenic vista.

Impact AES-2:	The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. **(No Impact)**

The site is not visible from a scenic highway. The project, therefore, would not substantially damage scenic resources within a state scenic highway.

Impact AES-3:	The project is located in an urbanized area and would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

Aesthetic values are subjective. Opinions as to what constitutes a degradation of visual character differs among individuals. One of the best methods for assessing what constitutes a visually acceptable standard for new buildings are the City's design standards and implementation of those standards through the City's design process. The following discussion addresses the proposed changes to the visual setting of the project area and factors that are part of the community's assessment of the aesthetic values of a project's design.

The current character of the project area is built-up with single- and multi-story industrial buildings and has few landscaped areas. As described in Section 3.1.1.2 *Existing Conditions*, the project site

[3] Public views are those that are experienced from publicly accessible vantage points.

consists of three industrial buildings, a one-story commercial building and two, one-story industrial buildings. The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440, along with the associated substation, generator equipment yard, paved parking areas and landscaping. The data center building would be approximately 85 feet in height, with additional screening features extending to a height of 99 feet. Rooftop screening would screen roof mounted mechanical equipment from view along the public right-of-way. The east facade of the building would include large ribbon windows arranged horizontally, spandrel glass (opaque glass used as a facade material intended to give the appearance of a window), and metal panels. The remainder of the building includes small portions of glazing and ribbon windows, but would mainly consist of precast concrete wall assembly and metal panels.

The generator equipment yard would be located in the southwestern portion of the site adjacent to the southern façade of the data center building. An eight-foot tall, wrought iron fence would surround the property perimeter.

An electrical substation with an all-weather asphalt surface underlain by an aggregate base and surrounded by a 12-foot precast concrete wall would be located on the southeastern portion of the site.

The project would remove 36 existing trees. Landscaping consisting of trees, shrubs, and groundcover would be planted throughout the site, including along portions of the building's perimeter and property boundaries.

The project would construct a building with a maximum height of 85 feet, with additional screening features extending to a height of 99 feet, which would exceed the maximum height of 70 feet allowed under the ML – Light Industrial zoning district regulations. The project is requesting a Zoning Administrator Modification to allow a building height above what is allowed in the Zoning Ordinance. While the project would be larger in mass and scale to nearby development, the project location is largely industrial. The project would be subject to the City's design review process and would conform to current community design guidelines and landscaping standards for the Light Industrial (ML) zoning district. The guidelines were developed to support community aesthetic values, preserve neighborhood character, and promote a sense of community and place throughout the City. The project, therefore, would not conflict with applicable zoning and other regulations governing scenic quality.

Overhead Transmission Line

The project would include an approximately 0.6 mile off-site 60kV transmission line extension that forms a loop from Lafayette Street to the project site and back. Overhead utility poles roughly 40 feet in height currently exist along proposed route of the transmission line. The utility poles proposed by the project would consist of 10 steel poles up to 85 feet in height with a base diameter of four feet, and five wood poles up to 57 feet in height with a base diameter of 21 inches. The proposed poles would in some cases replace existing poles in the locations they are proposed. Although the proposed steel poles are larger in size than existing poles in the project area, they would be consistent with the dominant visual character of the area, which has been established by the existing buildings, streets,

light standards, trees, overhead transmission lines, and other urban elements in the project area. Utility lines are an accepted use in the zoning districts through which the proposed transmission line would pass. The proposed transmission line, therefore, not conflict with applicable zoning and other regulations governing scenic quality.

Impact AES-4:	The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. **(Less than Significant Impact)**

The project would include light fixtures along the site perimeter, as well as along the perimeter of the generator equipment yard, and outdoor security lighting along the data center building and driveway entrances. The outside lighting would comply with the City's lighting requirements (City Code Section 18.48.140) and would be comparable in brightness to the ambient lighting in the surrounding area. Additionally, outdoor lighting would be angled downward and would include light visors and light hoods. The exterior surfaces of the project would consist primarily of precast concrete and would not be a significant source of glare during daytime hours. The exterior surface on the southern and western portions of the building would consist primarily of precast concrete wall assembly and metal panels with minimal windows. Therefore, residents south of the site would not experience bright lighting from the project at night.

Building materials and lighting plans would be reviewed through the City's architectural review process by the Planning Division staff prior to issuance of building permits to ensure that the project would not create a substantial new source of light or glare. The project, therefore, would not create a new source of substantial light or glare, nor would it adversely affect day or nighttime views in the area.

3.1.2.2 *Cumulative Impacts*

Impact AES-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant aesthetics impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative aesthetic impacts is limited, given the flat topography of the area, to the project site and adjacent properties in which the project site would be visible. The project site is not located along or visible from a designated state scenic highway or a scenic vista. The final design of the project and all future projects would be reviewed through the City's architectural review process, which will ensure projects conform to the City's adopted Community Design Guidelines. For these reasons, the project would not result in a significant cumulative aesthetic impact.

3.2 AGRICULTURE AND FORESTRY RESOURCES

3.2.1 Environmental Setting

3.2.1.1 *Regulatory Framework*

State

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is called Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.[4]

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.[5]

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.[6] Programs such as CAL FIRE's Fire and Resource Assessment Program and are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.[7]

3.2.1.2 *Existing Conditions*

The project site is not designated as farmland or the subject of a Williamson Act contract.[8] According to the Santa Clara County Important Farmlands 2016 Map, the project site is designated

[4] California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed October 8, 2020. http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx.
[5] California Department of Conservation. "Williamson Act." http://www.conservation.ca.gov/dlrp/lca.
[6] Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).
[7] California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed September 26, 2020. http://frap.fire.ca.gov/.
[8] Agricultural lands in California can be protected from development and reserved for agricultural purposes or open-space conservation under the California Land Conservation Act, commonly known as the Williamson Act.

as *Urban and Built-Up Land*.[9] *Urban and Built-Up Land* is defined as land with at least six structures per 10 acres and utilized for residential, institutional, industrial, commercial, landfill, golf course, and other urban-related purposes.

The project site and surrounding properties are designated for and developed (or planned to be developed) with urban uses. The project site is currently developed with an industrial building. There are no agricultural or forest lands in the vicinity of the project site.

3.2.2 Impact Discussion

For the purpose of determining the significance of the project's impact on agriculture and forestry resources, would the project:

1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?
4) Result in a loss of forest land or conversion of forest land to non-forest use?
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

3.2.2.1 *Project Impacts*

Impact AG-1:	The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. **(No Impact)**

As discussed in Section 3.2.1.2 *Existing Conditions*, the project site is not designated as farmland pursuant to the Farmland Mapping and Monitoring Program. The project site and surrounding properties are designated for and developed with urban uses. For these reasons, the project would not convert designated farmland to non-agricultural use. **(No Impact)**

[9] California Department of Conservation. *Santa Clara County Important Farmland 2016 Map*. September 2018.

Impact AG-2:	The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(No Impact)**

The site is zoned *ML – Light Industrial*. According to Santa Clara County Office of the Assessor, the site is not subject to a Williamson Act contract. The project, therefore, would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(No Impact)**

Impact AG-3:	The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

The site is zoned *ML – Light Industrial.* The project, therefore, would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

Impact AG-4:	The project would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)**

No forestland is located on or near the site. The project, therefore, would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)**

Impact AG-5:	The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. **(No Impact)**

As described above, no farmland or forest land is located on or near the site. The project, therefore, would not involve other changes in the existing environment which could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use. **(No Impact)**

3.2.2.2 *Cumulative Impacts*

Impact AG-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant agricultural and forestry resources impact. **(No Impact)**

The geographic area for cumulative agricultural and forestry resource impacts is the County of Santa Clara. The project would have no impact on agricultural and forestry resources and, therefore, the project has no potential to combine with other projects to result in cumulative impacts to these resources. **(No Cumulative Impact)**

3.3 AIR QUALITY

The following discussion is based in part on an Air Quality and GHG Emissions Assessment prepared for the project by Atmospheric Dynamics in March 2021. A copy of the report is attached as Appendix B.

3.3.1 Environmental Setting

3.3.1.1 *Background Information*

Criteria Pollutants

Air quality in the Bay Area is assessed related to six common air pollutants (referred to as criteria pollutants), including ground-level ozone (O_3), nitrogen oxides (NO_x), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO_x), and lead.[10] Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health are summarized in Table 3.3-1. The most commonly regulated criteria pollutants in the Bay Area are discussed further below.

Table 3.3-1: Health Effects of Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O_3)	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	• Aggravation of respiratory and cardiovascular diseases • Irritation of eyes • Cardiopulmonary function impairment
Nitrogen Dioxide (NO_2)	Motor vehicle exhaust, high temperature stationary combustion, atmospheric reactions	• Aggravation of respiratory illness • Reduced visibility
Fine Particulate Matter ($PM_{2.5}$) and Coarse Particulate Matter (PM_{10})	Stationary combustion of solid fuels, construction activities, industrial processes, atmospheric chemical reactions	• Reduced lung function, especially in children • Aggravation of respiratory and cardiorespiratory diseases • Increased cough and chest discomfort • Reduced visibility
Toxic Air Contaminants (TACs)	Cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; building materials and products	• Cancer • Chronic eye, lung, or skin irritation • Neurological and reproductive disorders

High O_3 levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO_x. These precursor pollutants react under certain meteorological conditions to form high O_3 levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to

[10] The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further.

reduce O_3 levels. The highest O_3 levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources.

PM is a problematic air pollutant of the Bay Area. PM is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM_{10}) and fine particulate matter where particles have a diameter of 2.5 micrometers or less ($PM_{2.5}$). Elevated concentrations of PM_{10} and $PM_{2.5}$ are the result of both region-wide emissions and localized emissions.

Toxic Air Contaminants

TACs are a broad class of compounds known to have health effects. They include but are not limited to criteria pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway).

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).[11] Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

Sensitive Receptors

Some groups of people are more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools.

3.3.1.2 *Regulatory Framework*

Federal and State

Clean Air Act

At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously), including PM, O_3, CO, SO_x, NO_x, and lead.

[11] California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed November 3, 2020. https://www.arb.ca.gov/research/diesel/diesel-health.htm.

CARB is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce DPM (in additional to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO_X.

Regional

2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.[12]

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by BAAQMD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

[12] BAAQMD. *Final 2017 Clean Air Plan.* April 19, 2017. http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

Community Air Risk Evaluation Program

Under the Community Air Risk Evaluation (CARE) program, BAAQMD has identified areas with high TAC emissions, and sensitive populations that could be affected by them, and uses this information to establish policies and programs to reduce TAC emissions and exposures. Impacted communities identified to date are located in Concord, Richmond/San Pablo, San José, eastern San Francisco, western Alameda County, Vallejo, San Rafael, and Pittsburg/Antioch. The main objectives of the program are to:

- Evaluate health risks associated with exposure to TACs from stationary and mobile sources;
- Assess potential exposures to sensitive receptors and identify impacted communities;
- Prioritize TAC reduction measures for significant sources in impacted communities; and
- Develop and implement mitigation measures to improve air quality in impacted communities.

Local

Santa Clara General Plan

General Plan policies applicable to air quality include, but are not limited to, the following listed below.

Policies	Description
Stationary Source Control Measures	
5.10.2-P1	Support alternative transportation modes and efficient parking mechanisms to improve air quality.
5.10.2-P2	Encourage development patterns that reduce vehicle miles traveled and air pollution.
5.10.2-P3	Encourage implementation of technological advances that minimize public health hazards and reduce the generation of air pollutants.
5.10.2-P4	Encourage measures to reduce greenhouse gas emissions to reach 30 percent below 1990 levels by 2020.
5.10.2-P5	Promote regional air pollution preventing plans for local industry and businesses.
5.10.2-P6	Require “Best Management Practices” for construction dust abatement.
Transportation Demand Management	
5.8.5-P1	Require new development and City employees to implement transportation demand management programs that can include site-design measures, including preferred carpool and vanpool parking, enhanced pedestrian access, bicycle storage and recreational facilities.

3.3.1.3 *Existing Conditions*

The Bay Area is considered a non-attainment area for ground-level O_3 and $PM_{2.5}$ under both the federal Clean Air Act and state Clean Air Act. The area is also considered nonattainment for PM_{10} under the state act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO. As part of an effort to attain and maintain ambient air quality standards for O_3 and PM_{10}, BAAQMD has established thresholds of significance for these air pollutants and their

precursors. These thresholds are for O_3 precursor pollutants (ROG and NO_X), PM_{10}, and $PM_{2.5}$, and apply to both construction period and operational period impacts.

Climate and Topography

Topography can restrict horizontal dilution and mixing of pollutants by creating a barrier to air movement. The South Bay has significant terrain features that affect air quality. The Santa Cruz Mountains and Diablo Range on either side of the South Bay restrict horizontal dilution, and this alignment of the terrain also channels winds from the north to south, carrying pollution from the northern Peninsula toward Santa Clara.

The combined effects of moderate ventilation, frequent inversions that restrict vertical dilution and terrain that restricts horizontal dilution give Santa Clara a relatively high atmospheric potential for pollution compared to other parts of the San Francisco Bay Air Basin and provide a high potential for transport of pollutants to the east and south.

Existing Air Pollutant Levels

BAAQMD monitors air pollution at various sites within the Bay Area. The nearest official monitoring station to the City of Santa Clara is located at 158 East Jackson Street in San José, approximately 3.3 miles southeast of the site. Pollutant monitoring results for the years 2016 to 2018 at the San José monitoring station are shown in Table 3.3-2.

Table 3.3-2: Ambient Air Quality Standards Violations and Highest Concentrations

Pollutant	Standard	Days Exceeding Standard		
		2016	2017	2018
SAN JOSÉ STATION				
Ozone	State 1-hour	0	3	0
	Federal 8-hour	0	4	0
Carbon Monoxide	Federal 8-hour	0	0	0
	State 8-hour	0	0	0
Nitrogen Dioxide	State 1-hour	0	0	0
PM_{10}	Federal 24-hour	0	0	0
	State 24-hour	0	6	4
$PM_{2.5}$	Federal 24-hour	0	6	15

Source: BAAQMD. Air Pollution Summaries (2016-2018). Available at: http://www.baaqmd.gov/about-air-quality/air-quality-summaries.

The Bay Area, as a whole, does not meet state or federal ambient air quality standards for ground level O_3 and $PM_{2.5}$, nor does it meet state standards for PM_{10}. The Bay Area is considered in attainment or unclassified for all other pollutants.

Sensitive Receptors

The closest sensitive receptors are existing residences approximately 140 feet south of the site, adjacent to the railroad that runs along the southern boundary of the site.

Odors

Common sources of odors and odor complaints include wastewater treatment plants, transfer stations, coffee roasters, painting/coating operations, and landfills. Significant sources of offending odors are typically identified based on complaint histories received and compiled by BAAQMD. Typical large sources of odors that result in complaints are wastewater treatment facilities, landfills including composting operations, food processing facilities, and chemical plants. Other sources, such as restaurants, paint or body shops, and coffee roasters typically result in localized sources of odors.

The project site is in an industrial area and is not surrounded by facilities that produce substantial odors.

3.3.2 Impact Discussion

For the purpose of determining the significance of the project's impact on air quality, would the project:

1) Conflict with or obstruct implementation of the applicable air quality plan?
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
3) Expose sensitive receptors to substantial pollutant concentrations?
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

3.3.2.1 *Thresholds of Significance*

Impacts from the Project

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of Santa Clara has considered the air quality thresholds updated by BAAQMD in May 2017 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and $PM_{2.5}$. The BAAQMD CEQA Air Quality thresholds used in this analysis are identified in Table 3.3-3 below.

Table 3.3-3: BAAQMD Air Quality Significance Thresholds			
Pollutant	**Construction Thresholds**	**Operation Thresholds**	
	Average Daily Emissions (pounds/day)	**Average Daily Emissions (pounds/day)**	**Annual Average Emissions (tons/year)**
Criteria Air Pollutants			
ROG, NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	
Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)			
Health Hazard	**Single Source**	**Combined Cumulative Sources**	
Excess Cancer Risk	10 per one million	100 per one million	
Hazard Index	1.0	10.0	
Incremental Annual $PM_{2.5}$	0.3 µg/m^3	0.8 µg/m^3 (average)	
Notes: ROG = reactive organic gases, NOx = nitrogen oxides, PM10 = course particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM2.5 = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less, µm/m3 = micrograms per cubic meter.			

3.3.2.2 *Project Impacts*

Impact AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan**. (Less than Significant Impact)**

2017 BAAQMD Clean Air Plan

The BAAQMD CEQA Air Quality Guidelines set forth criteria for determining consistency with the Clean Air Plan. In general, a project is considered consistent if, a) the plan supports the primary goals of the Clean Air Plan; b) includes relevant control measures; and c) does not interfere with implementation of Clean Air Plan control measures. The project supports the goals of the 2017 BAAQMD CAP of protecting public health and protecting the climate and is consistent with BAAQMD CAP transportation, building, natural and working lands, and water control measures by:

- Implementing standard measures to reduce criteria air pollutant emissions during construction,
- Complying with applicable regulations that would result in energy and water efficiency including Title 24 and California Green Building Standards Code,
- Planting new trees in accordance with the City's tree ordinance to reduce the urban heat island effect, and
- Complying with the City's construction debris diversion ordinance and state waste diversion requirements to reduce the amount of waste in landfills.
- Obtaining and maintaining all required air quality related permits from the BAAQMD.
- Complying with all applicable rules and regulations of the BAAQMD regarding emissions of toxic pollutants.
- Complying with the applicable federal Tier 2 emissions standards for emergency standby electrical generation engines.

Stationary equipment to be installed on the project site will be subject to the permit requirements of BAAQMD, which incorporate BAAQMD measures to reduce emissions from stationary sources such as the diesel-fueled emergency backup generators. Emissions of non-attainment air pollutants from the proposed project are addressed under Impact AIR-2. Additionally, exposure of sensitive receptors to TAC and $PM_{2.5}$ emissions associated with the project is addressed under Impact AIR-3. As noted in those discussions, the project would result in air quality impacts that are less than significant with the incorporation of standard measures and mitigation. The project would not conflict with implementation of the 2017 CAP. **(Less than Significant Impact)**

Impact AIR-2:	The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. **(Less than Significant Impact)**

Construction Criteria Pollutant Emissions

The California Emissions Estimator Model (CalEEMod) was used to predict criteria pollutant emissions from project construction and operation at full build-out. The project land use types and size, and anticipated construction schedule were input to CalEEMod. Construction period emissions were modeled based on an equipment list and schedule information provided by the project applicant. Construction is scheduled to begin in the spring (April) 2021 and be completed in the spring (March) of 2023, a total of 23 months or 506 workdays (average of 22 work days per month).[13] Refer to Appendix B for details about the modeling, data inputs, and assumptions. Table 3.3-4 summarizes the average daily emissions of ROG, NO_X, PM_{10} exhaust, and $PM_{2.5}$ exhaust that would occur during construction of the project. Emissions were calculated for the entire construction period, then divided by the total number of construction work days to determine the average daily emissions.

[13] Construction emissions associated with the transmission line are included in this calculation.

Table 3.3-4: Construction Emissions				
	ROG	**NO_x**	**PM_{10} Exhaust**	**$PM_{2.5}$ Exhaust**
	(lbs./day)			
Average Daily Emissions	13.1	22.7	0.75	0.60
BAAQMD Thresholds	*54*	*54*	*82*	*54*
Exceeds Threshold?	**No**	**No**	**No**	**No**
Note: It is estimated that the construction duration of the project would be 506 workdays.				

Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit dirt/mud on local streets, which could be an additional source of airborne dust after it dries. BAAQMD considers construction emission impacts that are below the thresholds of significance (such as those of the project) less than significant if BMPs are implemented. The amount of dust generated would be highly variable and would be dependent on the size of the area disturbed at any given time, amount of activity, soil conditions, and meteorological conditions. Nearby areas could be adversely affected by dust generated during construction activities. Nearby land uses are primarily commercial, and office uses that are separated by roadways or open areas.

The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are employed to reduce these emissions. The following measures are included in the project, consistent with BAAQMD best management practices, to reduce construction dust generation and other particulate matter:

Standard Permit Conditions:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Operational Emissions

The primary emission sources associated with operation of the proposed project would be from the testing and maintenance of the 24 diesel-fueled 3-MW emergency backup generators supporting the data center, and the smaller 500-kW house engine supporting ancillary building uses.

There would also be emissions from traffic and area sources associated with operation of the data center facilities. Emissions from these sources are described below. The 24 3-MW generators would be housed in either double stack or single stack enclosures as described previously and located within the generator yard located adjacent to southwest side of the building.

Emergency Generator Emissions

During normal facility operation, the generators would not be operated other than for periodic testing and maintenance requirements. The generator engines would be fueled using ultra low sulfur diesel fuel with a maximum sulfur content of 15 ppm. The 24 3-MW diesel engines would meet U.S. EPA Tier 4 emission standards while the 500-kW house engine would meet U.S. EPA Tier 2 emission standards. The engines would be fueled using ultra low sulfur diesel fuel with a maximum sulfur content of 15 parts per million (ppm), which minimizes both particulate matter and sulfur dioxide (SO_2) emissions.

The backup generators would have maintenance testing performed throughout the year to ensure performance when needed during a power failure. The operations of these generators are limited to 50 hours per year of non-emergency use (i.e. testing and maintenance) by the State's Air Toxic Control Measure for Stationary Compression Ignition Engines. The project proposes a weekly testing schedule that would result in roughly 18 hours of operation per generator per year, all at zero percent load with the exception of an annual load bank test that would reach up to 100 percent load. However, for purposes of estimating emissions and potential air quality impacts from the engines, it was assumed that each engine could be operated for 50 hours per year (maximum operation hours allowed by the State's Air Toxic Control Measure and BAAQMD for testing and maintenance) at a maximum load of 100 percent. The emissions were calculated with CalEEMod and are shown in Table 3.3-5.

Diesel Fuel Storage Emissions

Diesel fuel for each emergency generator would be stored in tanks under each generator housing unit. Diesel fuel has a very low vapor pressure, and emissions of ROG (VOC) from fuel storage would be negligible, with average daily emissions of less than 0.3 pounds per day from all tanks combined.

Total Project Emissions

Total annual emissions from the emergency generators, mobile and area sources are summarized in Table 3.3-5.

Table 3.3-5: Operational Emissions				
	ROG	**NO_x**	**PM_{10}**	**$PM_{2.5}$**
	(tons/year)			
Existing Emissions				
Existing Land Uses	2.39	3.03	2.34	0.67
Project Emissions				
Emergency Generators[1]	0.82	8.76	0.12	0.12
Other Direct/Indirect Emissions[2]	2.54	1.16	0.63	0.21
Project Total	3.36	9.92	0.75	0.33
Net Increase	0.97	6.89	-1.59	-0.34
BAAQMD Threshold	*10*	*10*	*15*	*10*
Significant?	*No*	*No*	*No*	*No*

[1] Maintenance and readiness testing scenario.

[2] Area, mobile, energy, waste, and water, from CalEEMod

As shown in Table 3.3-5, the project would not result in significant emissions during operation. As described previously, operation of each generator is limited to a maximum of 50 hours per year of non-emergency use (i.e. testing and maintenance) by the State's Air Toxic Control Measure for Stationary Compression Ignition Engines.[14] The maintenance and readiness emissions were estimated based on a conservative scenario where the engines would operate for 50 hours/year at 100 percent load (worst case). Under normal project conditions, the engines would operate for 18 hours per generator per year, all at zero percent load with the exception of an annual load bank test that would reach up to 100 percent load. This would result in lower emissions than reported in Table 3.3-5. **(Less than Significant Impact)**

Impact AIR-3: The project would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact)**

The proposed project would be a source of air pollutant emissions during project construction and during operation of emergency generators for testing and maintenance purposes. The proposed generators are diesel fueled, so they would emit DPM, which is a toxic air contaminant (TAC). The generators are also a source of $PM_{2.5}$, which has known adverse health effects.

[14] Similar to the State's Air Toxic Control Measure for Stationary Compression Ignition Engines, this EIR does not evaluate the project's emissions under emergency conditions, which would require substantial speculation in regards to the nature, extent, and duration of the emergency and its effect on project operations. CEQA does not require analysis of emergency events, nor worst-case events that may never occur, or very rarely over a project's lifespan. The evaluation of emissions generated by typical project operations under normal conditions in the EIR is, therefore, appropriate for the analysis of air quality impacts.

The BAAQMD CEQA Air Quality Guidelines considers exposure of sensitive receptors to air pollutant levels that result in an unacceptable cancer risk or hazard to be significant. BAAQMD recommends a 1,000-foot zone of influence around project boundaries.

Since the proposed project would emit DPM from the generator engines over the project lifetime, an analysis was performed to assess what ambient concentrations would result from their operation, and to quantify potential long-term health risks at the closest sensitive receptors. Construction DPM health risk impacts were combined with operational DPM health risk impacts (summed) to calculate a total project impact on health risk. DPM concentrations and potential cancer risks from operation of the generators were evaluated at existing residences in the vicinity of the proposed data center site. The closest sensitive receptors to the proposed project site are residences approximately 140 feet southwest of the project boundary. The maximum average annual off-site DPM concentrations were used to calculate potential increased cancer risks from the project. Average annual DPM concentrations were used as being representative of long-term (30-year) exposures for calculation of cancer risks.

The maximum modeled annual DPM and $PM_{2.5}$ concentration from operation and construction was 0.041 $\mu g/m^3$. Based on the maximum modeled DPM concentrations that assume operation for 50 hours per year per generator, maximum increased cancer risks and non-cancer health impacts were calculated using BAAQMD recommended methods (see Table 3.3-6). The maximum increased cancer risk at the maximally exposed individual (MEI) receptor, located roughly 140 feet from the project site on Main St. across the railroad tracks from the southeast corner of the site, would be 7.44 per million. The maximum hazard index would be less than 0.01 from construction and operation of the proposed emergency generators and would be below the BAAQMD maximum hazard index significance threshold of 1.0.[15]

Table 3.3-6: Health Risk Assessment

Source	Maximum Cancer Risk (per million)	Hazard Index	$PM_{2.5}$ concentration ($\mu g/m^3$)
Construction	4.86	0.0028	0.041
Operation	4.27	0.00098	0.0049
Combined Construction and Operation[1]	7.44	0.0038	--
BAAQMD Threshold	***10***	***1.0***	***0.3***

[1] Construction and operational health risks were combined for a total project risk. Construction cancer risks were based on two years of activity and included infant exposure (3rd trimester through two years of age) while operational risks started at the beginning of year two (2) and included child and adult exposure for the remaining 28 years.

The project would not have a significant impact to community risk caused by the construction or operational activities and would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact)**

[15] Bay Area Air Quality Management District. California Environmental Quality Act Air Quality Guidelines. May 2017.

Impact AIR-4:	The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **(Less than Significant Impact)**

The project would generate localized emissions of diesel exhaust during construction equipment operation, and routine maintenance of emergency generators of the site. The odor emissions may be noticeable from time to time by adjacent receptors; however, the odors would be localized and temporary. **(Less Than Significant Impact)**

3.3.2.3 *Cumulative Impacts*

Impact AIR-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant air quality impact. **(Less than Significant Cumulative Impact)**

Cumulative Air Pollutant Emissions

By its very nature, air pollution is largely a cumulative impact. The geographic area for cumulative air quality impacts is the San Francisco Bay Area Air Basin. Past, present, and future development projects contribute to the region's adverse air quality impacts. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts.

In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified project-level criteria pollutant significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. The project's criteria air pollutant emissions would be below BAAQMD thresholds and would, therefore, not result in a cumulatively considerable net increase in criteria pollutants (refer to Sections 3.2.2.2 and 3.2.2.3). The project would not contribute substantially to existing or projected violations of BAAQMD standards for these regional air pollutants or local carbon monoxide emissions. **(Less Than Significant Cumulative Impact)**

Cumulative Health Risks

Community health risk assessments typically evaluate all substantial sources of TACs that can affect sensitive receptors that are located within 1,000 feet of the project site (i.e. influence area). These sources include rail line, freeways or highways, busy surface streets, and stationary sources identified by BAAQMD. A review of the project area indicates that traffic on the existing roadways within 1,000 feet of the project site have an average daily traffic (ADT) much less 10,000 vehicles.

There are stationary sources that were identified within the 1,000-foot influence area using the BAAQMD's stationary source geographic information systems (GIS) map tool.[16] This tool identified 11 sources within 1,000 feet of the boundaries of the project and are listed in Table 3.3-7, below.

In addition to the stationary sources that were identified with the BAAQMD GIS tool, rail lines are located adjacent to the southern project site boundary. Rail activity on these lines currently generates TAC and $PM_{2.5}$ emissions from locomotive exhaust. These rail lines are used for Caltrain passenger and Union Pacific Railroad freight service with trains using diesel fueled locomotives. The Peninsula Corridor Electrification Project is a key component of the Caltrain Modernization Program that would electrify the Caltrain Corridor from San Francisco to San Jose. Under this program, diesel-locomotive hauled trains would begin to be converted to Electric Multiple Unit (EMU) trains beginning in 2022.

Currently all of Caltrain's trains use diesel locomotives. As part of the program to modernize operation of the Caltrain rail corridor between San Jose and San Francisco, Caltrain is planning to switch from diesel locomotives to use of electric trains in the near future.[17] Nearly all of the trains in the future are planned to be EMU trains, which are self-propelled electric rail vehicles. Electrified service is anticipated to begin in 2022.[18]

Based on the normal Caltrain schedule, there are 92 trains passing the project site during the weekdays, 32 trains during the weekend, and four trains that only run on Saturday. On an annual average basis there would be a total of 75 daily trains using diesel locomotives. Electrification of Caltrain would eliminate DPM emissions from most of these trains and would increase the total number of weekday trains from 92 to 114. In addition to the Caltrain trains, there are about four freight trains that also use this rail line on a daily basis.[19]

Caltrain plans that 2022 service between San Jose and San Francisco would use a mixed fleet of EMUs and diesel locomotives, with approximately 75 percent of the service being electric and 25 percent being diesel. Caltrain's diesel-powered locomotives would continue to be used to provide service between the San Jose Diridon Station and Gilroy. It is expected that all of the San Jose to San Francisco fleet would be EMUs by 2026 to 2029.[20]

Starting in 2022 with Caltrain electrification, there would be 24 daily weekday trips and four daily weekend trips using trains with diesel locomotives[21]. On an annual average basis this would be a total of 18 daily trains using diesel locomotives. Use of these diesel trains by Caltrain between San Francisco and San Jose would be phased out from 2026 to 2029 and replaced by EMUs. All trains used for freight service were assumed to use diesel powered locomotives.

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[16] BAAQMD, https://baaqmd.maps.arcgis.com/apps/webappviewer/index.html?id=2387ae674013413f987b1071715daa65
[17] Caltrain, 2014. *Peninsula Corridor Electrification Project. Final Environmental Impact Report*. December 2014.
[18] Caltrain, 2020. *See Caltrain.org, accessed October 23, 2020*.
[19] *See FTA Rail Crossings at https://safetydata.fra.dot.gov/OfficeofSafety/PublicSite/Crossing/Xingqryloc.aspx accessed October 29, 2020*.
[20] Caltrain 2015. *Short Range Transit Plan:FY2015-2024*. October 1, 2015
[21] Caltrain 2015. *Short Range Transit Plan:FY2015-2024*. October 1, 2015.

In calculating cancer risks from DPM emissions from rail line diesel locomotives, a 30-year exposure period is used per BAAQMD health risk guidance.[22] In this case, based on the anticipated year the project would become operational, the exposure period would be from 2024 through 2053. It was assumed that the configuration of diesel trains described above, an average of 18 trains per day, would be in operation for the entire 30-year exposure period. Rail line DPM emissions from diesel trains were conservatively calculated using emissions for 2024. Modeled concentrations from the rail lines for 2024 were used to calculate potential increased cancer risks at the project site and construction maximally exposed individual (MEI) assuming almost continual exposure (350 days per year for 24 hours per day) over the 30-year exposure period. Use of 2024 emissions is conservative in that after 2025 there would fewer Caltrain diesel trains in service until such time as all Caltrain diesel trains between San Francisco and San Jose are replaced by EMUs. The freight trains were assumed to continue to use diesel locomotives over the entire 2024 to 2053 period. DPM emissions from diesel-fueled locomotives will be reduced over time due to regulatory requirements for reduced particulate matter emissions from diesel locomotives.

DPM and $PM_{2.5}$ emissions from trains on the rail line were calculated using EPA emission factors for locomotives[23] and CARB adjustment factors to account for fuels used in California.[24] Dispersion modeling of locomotive emissions was conducted using the EPA's AERMOD dispersion model. Based on the rail line modeling, the maximum annual $PM_{2.5}$ and DPM concentrations occurred at a single-family home just south of the rail line. The maximum cancer risk at this location from rail traffic is 28.4 in one million and the maximum $PM_{2.5}$ concentration was 0.04 $\mu g/m^3$. Potential non-cancer health effects due to chronic exposure to DPM were computed as a hazard index (HI) of less than 0.01.

Table 3.3-7 shows the cancer and non-cancer risks at the project MEI associated with each source affecting the project site.

[22] BAAQMD, 2016. *BAAQMD Air Toxics NSR Program Health Risk Assessment (HRA) Guidelines*. January 2016.
[23] *Emission Factors for Locomotives*, USEPA 2009 (EPA-420-F-09-025)
[24] *Off-road Modeling, Change Technical Memo*, Changes to the Locomotive Inventory, CARB July 2006.

Table 3.3-7: Cumulative Health Risk Assessment			
Source	**Maximum Cancer Risk (per million)**	**Hazard Index**	**$PM_{2.5}$ concentration ($\mu g/m^3$)**
Plant 2206 Streamline Circuits		0.0034	0.0024
Plant 4400 FMG Enterprises Inc	0.0413	0.0001	--
Plant 4712 Byington Steel Treating, Inc	--	--	0.0000
Plant 5269 M's Refinishing	0.9813	0.0271	--
Plant 8313 Mission Trail Waste Systems[1]	0.2480	0.0013	0.35[1]
Plant 16964 Bay Area Surgical Group	2.6855	0.0053	0.0034
Plant 17000 Choice Auto Body	--	0.0001	--
Plant 17041 Process Stainless Lab, Inc	--	0.0003	--
Plant 19686 Microsoft Corporation	--	--	0.1049
Plant 21965 West Coast Auto Body	--	--	--
Plant 22660 1200 Partners	2.3845	0.0076	0.0029
CALTRAIN/Union Pacific Rail Line	28.4	<0.01	0.04
Project Combined Construction and Operation	7.44	0.0038	0.041
Combined Sources[2]	42.18	<1.0	0.55
BAAQMD Threshold – Combined Sources	***100***	***10.0***	***0.8***

[1] Mission Trail Waste Systems PM2.5 concentration was 21.35 $\mu g/m^3$ but the distance to the MEI exceeded BAAQMD 1,000-foot radius requirements. This facility's PM emissions of 1.8 tpy were modeled at the MEI to calculate the value listed in the table.
[2]The combined source level is an overestimate because the maximum impact from each source is assumed to occur at the same location.

The sum of impacts from combined sources (i.e., all sources within 1,000 feet of the project) would be below the BAAQMD risk thresholds when added to the MEI impacts. Therefore, the impact from combined community risk would be considered less than significant. **(Less than Significant Cumulative Impact)**

3.4 BIOLOGICAL RESOURCES

3.4.1 Environmental Setting

3.4.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To "take" a listed species, as defined by the State of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds.[25] Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

[25] United States Department of the Interior. "Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take." Accessed October 20, 2020. https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf.

Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

Regional and Local

Santa Clara Valley Habitat Plan/Natural Community Conservation Plan

The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (Habitat Plan) covers approximately 520,000 acres, or approximately 62 percent of Santa Clara County. It was developed and adopted through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District (Valley Water), Santa Clara Valley Transportation Authority (VTA), USFWS, and CDFW. The Habitat Plan is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in southern Santa Clara County. The Santa Clara Valley Habitat Agency is responsible for implementing the plan. The City of Santa Clara is not located within nor a Habitat Plan participant.

Santa Clara General Plan

The General Plan includes several land use and conservation policies designed to protect biological resources in the City, specifically trees. These policies include the following:

Policy 5.3.1-P10: Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.

Policy 5.10.1-P4: Protect all healthy cedars, redwoods, oaks, olives, bay laurel and pepper trees of any size, and all other trees over 36 inches in circumference measured from 48 inches above-grade on private and public property as well as in the public right-of-way.

3.4.1.2 *Existing Conditions*

The site is currently developed with three buildings: a three-story approximately 350,037 square foot building, a two-story approximately 45,986 square foot building, and a one-story approximately 2,944 square foot building. Roughly 100,000 square feet of active outdoor uses are located on the eastern portion of the site. Existing uses on the site are light industrial in nature and include operations such as aluminum plating, metal cleaning/polishing, a machine shop, construction contractors, a brewery, material storage, vehicle storage, and hauling. The vehicle storage and hauling operations are primarily located in the outdoor areas on the site.

Currently, landscaping on the site is sparse. Mature trees are located along the site's frontage on Memorex Drive, and additional trees and shrubbery are located along portions of the site's perimeter.

Wildlife habitats in such developed urban areas are low in species diversity. Species that use the habitat on the site are predominantly urban adapted birds, such as rock doves, mourning doves, house sparrows, finches, and starlings.

Special Status Species

Special status plant and wildlife species are not present on the highly urbanized project site, although raptors (birds of prey) could use the trees on-site for nesting or as a roost. Raptors are protected by the Federal Migratory Bird Treaty Act (MBTA) (16 U.S.C. Section 703, et seq.).

Trees

There are 38 trees on the project site, 30 in good health, seven in poor health and one in fair health.[26] Table 4.4-1 below includes the species and number of trees on the site.

Table 4.4-1: Existing Tree Summary

Common Name	Species	Number of Trees Present	Overall Health	Status
Canary Island Pine	*Pinus Canariensis*	8	Good	To be removed
Red Maple	*Acer P. 'Red Sunset"*	14	Good	13 to be removed, 1 to be saved
Ornamental Pear	*Pyrus C. 'Capital'*	1	Good	To be removed
Crape Myrtle	*Lagerstroemia*	2	Good	To be removed
Brush Box	*Lophostemon*	1	Good	To be removed
Juniper	*Juniperus*	1	Poor	To be removed
Bottle Brush	*Callistemon*	5	Poor	To be removed
Sumac	*Rhus*	1	Fair	To be removed
Liquidamber	*Liquidamber*	1	Good	To be removed
Cedar	*Cedar*	1	Poor	To be removed
Southern Magnolia	*Magnolia*	2	Good	1 to be removed, 1 to remain
Evergreen Pear	*Pyrus*	1	Good	To be removed

City policy is to protect all healthy cedars, redwoods, oaks, olives, bay laurel and pepper trees of any size and all other trees over 36 inches in circumference (approximately 11 inches in diameter) as measured from 48 inches above the ground surface. The City's Design Guidelines also require that mature trees removed or proposed for removal be replaced on-site, at a minimum, with a 24- or 36-inch box. Other standards may apply in cases where particular planting requirements must be met. This includes providing specimen size material for protected trees and installing appropriately sized trees, such as less than or equal to 15 gallons where there are physical limitations.

[26] Reed Associates. Arborist Report. April 9, 2020.

3.4.2 Impact Discussion

For the purpose of determining the significance of the project's impact on biological resources, would the project:

1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

3.4.2.1 *Project Impacts*

Impact BIO-1:	As mitigated, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. **(Less than Significant Impact with Mitigation Incorporated)**

As previously discussed, special status plant and wildlife species are not expected on the developed site. Urban adapted raptors (birds of prey), however, could use the trees on the site for nesting. Potential construction impacts to nesting raptors are discussed below.

Potential Construction Impacts to Nesting Birds

If tree-nesting birds, including raptors, were to nest on the site or on the location of off-site improvements, construction activities associated with the project could result in the abandonment of active nests or direct mortality to these birds. Nesting birds are protected by the California Fish and Game Code 3503, which reads, "It is unlawful to take, posses, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or could otherwise lead to nest abandonment. Nest abandonment and/or loss of reproductive effort caused by disturbance are considered "take" by the CDFW, and therefore would constitute a significant impact.

Migratory birds, including nesting raptors, are protected under the Migratory Bird Treaty Act and the California Fish and Game Code Sections 3503, 3503.5, and 2800. Migratory birds, especially raptors, utilize mature trees for nesting and foraging habitat. If any migratory birds were to nest on site, construction of the proposed project may result in a loss of fertile eggs or nestlings, or lead to nest abandonment in raptor habitat.

The CDFW defines "taking" as causing abandonment and/or loss of reproductive efforts through disturbance.

Although unlikely at this location, tree removal during the nesting season could impact protected raptors and/or other protected migratory birds. Any loss of fertile bird eggs, or individual nesting birds, or any activities resulting in nest abandonment during construction would constitute a significant impact.

Mitigation Measure:

MM BIO-1.1: Construction shall be scheduled to avoid the nesting bird season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay Area extends from February 1 through August 31.

If it is not possible to schedule construction activities between September 1 and January 31, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure no nest shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).

During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game Code shall not be disturbed during project construction.

A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal.

The project, with implementation of the above mitigation measure, would reduce impacts to nesting birds (if present) by avoiding construction during nesting bird season or completing pre-construction nesting bird surveys to minimize and/or avoid impacts to nesting birds. **(Less than Significant Impact with Mitigation Incorporated)**

Impact BIO-2:	The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. **(Less than Significant Impact)**

Because the site is fully developed, no natural or sensitive habitats are present on the project site. As a result, no substantial impacts to natural plant communities or habitats would occur as a result of the proposed project. **(Less than Significant Impact)**

Impact BIO-3:	The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. **(No Impact)**

The project is located in a developed industrial area and would not directly affect any federally protected wetlands. **(No Impact)**

Impact BIO-4:	The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. **(No Impact)**

The project is located in a developed industrial area and would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites. **(No Impact)**

Impact BIO-5:	As mitigated, the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **(Less than Significant Impact with Mitigation Incorporated)**

The project would remove 36 trees on-site, 16 of which are considered protected trees by the City. The project proposes to plant new landscaping around the perimeter of the site, along the street frontage, and adjacent to the data center building. The City's General Plan (Policy 5.3.1-P10) requires new development to include new street trees and at least 2:1 on or off-site replacement for removal of existing trees. The project currently proposes to plant 226 trees, predominantly Italian Cypress, which exceeds the City's replacement requirement. Because the project would comply with the City's tree replacement policy, the loss of trees on-site would result in a less than significant impact on trees in the project area.

The project would include an approximately 0.6 mile off-site 60kV transmission line extension. The proposed transmission line would not require the removal of any trees, but may require trimming of some trees to accommodate the line in certain locations. If any trees are determined to require removal, the 226 trees to be planted by the project would meet the City's required tree replacement ratio.

Trees to be retained on-site may be injured during project construction activities including demolition and site grading. Additionally, trees adjacent to the proposed overhead transmission line may require substantial pruning to ensure clearance. The following mitigation measures would be implemented to reduce impacts to existing trees to less than significant levels.

Mitigation Measures:

MM BIO-5.1: Barricades – Prior to initiation of construction activity, temporary barricades would be installed around all trees in the construction area. Six-foot high, chain link fences would be mounted on steel posts, driven two feet into the ground, at no more than 10-foot spacing. The fences shall enclose the entire area under the drip line of the trees or as close to the drip line area as practical. These barricades will be placed around individual trees and/or groups of trees.

MM BIO-5.2: Root Pruning (if necessary) – During and upon completion of any trenching/grading operation within a tree's drip line, should any roots greater than one inch in diameter be damaged, broken or severed, root pruning to include flush cutting and sealing of exposed roots should be accomplished under the supervision of a qualified Arborist to minimize root deterioration beyond the soil line within 24 hours.

MM BIO-5.3: Pruning – Pruning of the canopies to include removal of deadwood should be initiated prior to construction operations. Such pruning will provide any necessary construction clearance, will lessen the likelihood or potential for limb breakage, reduce 'windsail' effect and provide an environment suitable for healthy and vigorous growth.

MM BIO-5.4: Fertilization – Fertilization by means of deep root soil injection should be used for trees to be impacted during construction in the spring and summer months.

MM BIO-5.5: Mulch – Mulching with wood chips (maximum depth of three inches) within tree environments should be used to lessen moisture evaporation from soil, protect and encourage adventitious roots and minimize possible soil compaction.

With implementation of mitigation measures MM BIO-5.1 - 5.5, the project would result in a less than significant impact to trees. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact BIO-6:	The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

The project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The City of Santa Clara is not located within, nor a Habitat Plan participant. **(No Impact)**

3.4.2.2 *Cumulative Impacts*

Impact BIO-C:	As mitigated, the project would not result in a cumulatively considerable contribution to a cumulatively significant biological resources impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

The geographic area for cumulative biological resources impacts includes the project site and its surrounding area. The project site does not contain sensitive, wetland, or riparian habitat and, therefore, the project has no potential to combine with other projects to result in cumulative impacts to these resources. **(No Cumulative Impact)**

Implementation of the proposed project could result in impacts to nesting raptors, migratory birds, and trees. All projects, however, would be subject to federal and state regulations that protect nesting birds and the City's General Plan Policy requiring the replacement of trees removed would avoid and/or reduce the cumulative impact to nesting birds and trees. Finally, through implementation of the mitigation measures described in this section, the project's contribution to a biological impact would not be cumulatively considerable. For these reasons, the proposed project would not result in a significant cumulative impact to biological resources. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

3.5 CULTURAL RESOURCES

The discussion in this section is based in part upon an Archaeological Literature Search prepared for the project by Holman & Associates, Inc. in December 2019 (see Appendix D), as well as a Historic Resource Evaluation and a Historic Resource Impacts Analysis prepared by *Architectural Resources Group* in December 2019 and April 2020, respectively (see Appendices E and F).

3.5.1 Environmental Setting

3.5.1.1 *Regulatory Framework*

Federal and State

National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

The NRHP is the nation's master inventory of historic resources that are considered significant at the national, state, or local level. The minimum criteria for determining NRHP eligibility include:

- The property is at least 50 years old (properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP);
- It retains integrity of location, design, setting, materials, workmanship, feeling, and associations; and
- It possesses at least one of the following characteristics:
    - Association with events that have made a significant contribution to the broad patterns of history;
    - Association with the lives of persons significant in the past;
    - Distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant, distinguishable entity whose components may lack individual distinction; or
    - Has yielded, or may yield, information important to prehistory or history.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local

planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.[27]

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance." The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource's eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

Public Resources Code Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

[27] California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." Accessed August 31, 2020. http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf.

Local

City of Santa Clara Criteria for Local Significance

The City of Santa Clara's Criteria for Local Significance establishes an evaluation framework that help to determine significance for properties not yet included in the City's Historic Resources Inventory (HRI). Any building, site, or property in Santa Clara that is 50 years old or older and meets at least one of the following criteria for cultural, historical, architectural, geographical, or archaeological significance is potentially eligible.[28]

To be historically or culturally significant, a property must meet at least one of the following criteria:

1. The site, building or property has character, interest, integrity, and reflects the heritage and cultural development of the City, region, state, or nation.
2. The property is associated with a historical event.
3. The property is associated with an important individual or group who contributed in a significant way to the political, social, and/or cultural life of the community.
4. The property is associated with a significant industrial, institutional, commercial, agricultural, or transportation activity.
5. A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.
6. A notable historical relationship between a site, building, or property's site and its immediate environment, including original native trees, topographical features, outbuildings or agricultural setting.

To be architecturally significant, a property must meet at least one of the following criteria:

1. The property characterizes an architectural style associated with a particular era and/or ethnic group.
2. The property is identified with a particular architect, master builder or craftsman.
3. The property is architecturally unique or innovative.
4. The property has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.
5. The property has a visual symbolic meaning or appeal for the community.
6. A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.
7. A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

[28] City of Santa Clara. City of Santa Clara General Plan – 8.9 Historic Preservation and Resource Inventory. 8.9-18 and 8.9-19. Accessed April 10, 2020.

To be geographically significant, a property must meet at least one of the following criteria:

1. A neighborhood, group, or unique area directly associated with broad patterns of local area history.
2. A building's continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings.
3. An intact, historical landscape or landscape features associated with an existing building.
4. A notable use of landscaping design in conjunction with an existing building.

3.5.1.2 *Existing Conditions*

Archaeological Resources

A records search was completed at the Northwest Information Center of the California Historical Resources Information System (CHRIS) in December 2019. All records of identified archaeological resources within a quarter mile, and all other cultural resources and archaeological resources reports for projects within 50 meters (165 feet) of the project site were reviewed. The project area has been previously studied for its cultural resources potential during investigations for two large infrastructure projects. No cultural resources are recorded within the project site or within the study zone. In this portion of Santa Clara County, Native American archaeological resources have been identified adjacent to springs and major creeks, and within and along the edges of marshlands. Wetlands would include both Goldrush era bayshore margins that once framed much of southern San Francisco Bay and discrete wetlands such as one that was once located north, west, and south of the Mineta San Jose International Airport. Other sensitive locations include confluences with other creeks, and on habitable lands within a half mile from the various Mission Santa Clara locations. The project site is located more than 0.65 miles from the closest Mission location. The site is approximately 1.25 miles west of the Guadalupe River and is approximately 0.75 miles from San Tomas Aquino Creek to the west. Based on this geographic information, the site has a low potential for Native American resources.

Historic-era maps for the project area were examined to identify the potential for archaeological resources that might elaborate on the history of the property and general area. In 1857, the bay margins were north of what is now State Route 237. In 1876, the project site was part of 18 acres owned by J.R. Carpstein with no nearby improvements depicted. At that time, the property was beyond Santa Clara's city limits. No improvements were depicted within or near the site; however, much of the surrounding lands were planted in orchards. After 1953 and by 1961, the site was developed and likely included within the city limits. In 1993, aerial images show the site configured approximately the same as today. Based on the review of historical land use patterns, there is a low potential for specific historic-era archaeological deposits on the site.

Historical Resources

The property was constructed in 1961, with additions constructed in 1964 and 1966, as the first world headquarters of Memorex Corporation, one of the many electronics start-up companies that catalyzed the Santa Clara Valley's transformation into "Silicon Valley" during the postwar era. As a multifaceted industrial campus including a manufacturing plant, research and development facilities, and administrative offices, the subject property conveys popular trends in industrial development during the postwar era. Memorex Corporation holds particular significance within the context of the

development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Because IBM dominated 71 to 83 percent of the global computer market at the time, the introduction of compatible computer equipment established an important avenue for smaller electronics firms to establish themselves within the field. Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and the product itself was both developed and manufactured at the subject property in the late 1960's. The Memorex Corporation continued operations on the site through approximately 1993. The buildings have since been divided into numerous suites utilized by various tenants.

The Historic Resource Evaluation completed for the site determined that the property is eligible for listing in the CRHR under Criterion 1, Association with Significant Events. To be considered eligible for listing under CRHR Criterion 1, a property must be associated with one or more events important in a defined historic context. This criterion recognizes properties associated with single events, a pattern of events, repeated activities, or historic trends. The event or trends, however, must clearly be important within the associated context. Further, mere association of the property with historic events or trends is not enough, in and of itself, to qualify under this criterion: the specific association must be considered important as well. The subject property is eligible under Criterion 1 for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s.

In order for a building to qualify for listing on the CRHR, it must both display significance under one or more of the California Register criteria and retain historical integrity. Based on an integrity analysis completed for the property, the building currently retains its integrity of location, design, setting, material, feeling, and association. The property retains a degree of integrity of workmanship.

Because the property is eligible for listing on the CRHR under Criterion 1, and the three buildings retain their integrity, the existing development on the site is considered a historical resource under CEQA.

3.5.2 Impact Discussion

For the purpose of determining the significance of the project's impact on cultural resources, would the project:

1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?
3) Disturb any human remains, including those interred outside of dedicated cemeteries?

3.5.2.1 *Project Impacts*

Impact CUL-1:	The project would cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **(Significant and Unavoidable Impact with Mitigation Incorporated)**

As described above, the former headquarters of the Memorex Corporation located on the site qualifies as a historical resource under CEQA due to its eligibility for listing on the CRHR under Criterion 1, Association with Significant Events. The significance of an historical resource is considered to be "materially impaired" when a project demolishes or materially alters the physical characteristics that justify the determination of an historical resources' significance. The project would demolish the existing improvements on site and therefore would have a significant and unavoidable impact on a historical resource.

According to CEQA Guidelines Section 15126.4(b), all feasible mitigation must be completed even if it does not mitigate project impacts below a level of significance. Although recordation of a resource prior to demolition does not mitigate the physical impact on the resource, it serves a "legitimate archival purpose.[29] The project would include the following mitigation to record the building, however, the mitigation would not fully offset the loss and the impact would remain significant and unavoidable.

MM CUL-1.1: Historic American Buildings Survey (HABS) Recordation. Prior to project implementation, the historical resource will be recorded to Historic American Buildings Survey (HABS) standards established by the National Park Service, as detailed below:[30]

- A HABS written report will be completed to document the physical history and description of the historical resource, the historic context for its construction and use, and its historic significance. The report will follow the standard outline format described in the *Historic American Buildings Survey Guidelines for Historical Reports* in effect at the time of recording. The report shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History.
- Large-format, black and white photographs of the historical resource will be taken and processed for archival permanence in accordance with Historic American Building Survey (HAB), Historic American Engineering Record (HAER), and HALS (Historic American Landscapes Survey) Photography Guidelines in effect at the time of recording. The photographs shall be taken by a professional with HABS photography experience. The number and type of views required will be determined in consultation with the local jurisdiction.
- Existing drawings, where available, will be reproduced on archival paper. If existing drawings are not available, a full set of measured drawings

[29] California Office of Historic Preservation, "California Environmental Quality Act (CEQA) and Historical Resources."
[30] National Park Service, "HABS Guidelines," accessed April 8, 2020, https://www.nps.gov/hdp/standards/habsguidelines.htm.

depicting existing conditions will be prepared. The drawings shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Architecture or Historic Architecture.

- The HABS documentation, including the written report, large-format photographs, and drawings, shall be submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. The documentation shall be prepared in accordance with the archival standards outlined in the Transmittal Guideline for Preparing HABS/HAER/HALS Documentation in effect at the time of recording. A professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History shall manage production of the HABS documentation.

MM CUL-1.2: Video Documentation. Video documentation of the subject property will supplement HABS documentation by recording the exterior and interior of the industrial complex at 1200 – 1310 Memorex Drive, as it appears, prior to project implementation. Using visuals in combination with active narration, the documentation shall include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. The documentation shall be conducted by a professional videographer, preferably one with experience recording architectural resources, and produced in conjunction with a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth by the Secretary of the Interior's Professional Qualification Standards.

It is recommended that the video documentation be preserved in an electronic format that is cross-platform and nonproprietary. Like HABS documentation, archival copies of the video documentation shall be submitted to appropriate repositories, such as the SCCHGS, Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. It may also be shared online via a freely accessible platform such as YouTube.

MM CUL-1.3: Interpretive Display. Interpretive displays vary widely in size, style, construction, and information capacity. Specifications for a particular interpretive display should consider a number of factors, including but not limited to the nature of the resource, the intended audience, and the location of the display. Although typically located at the subject property, offsite interpretive displays may be appropriate in certain cases, such as when the property is not publicly accessible for security or other reasons. In all instances, interpretive displays should be conducted by an architectural historian or historian who meets the

Secretary of the Interior's Professional Qualification Standards, in coordination with an exhibit designer.

Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200 – 1310 Memorex Drive. Onsite displays should be located in a prominent space, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200 – 1310 Memorex Drive and its operation during the property's period of significance.

Because of the nature of the proposed replacement project, however, the subject property may not be easily accessible by the public, and an offsite interpretive display may be recommended in place of or in addition to the onsite display. An offsite interpretive display should be located in a place with a connection to the subject property or its historical context. For example, the Computer History Museum in Mountain View may be an appropriate location for an interpretive display because of the substantial, contextual connection between the museum's mission and the subject property's significance within the development of the modern computer industry. The Computer History Museum also holds hundreds of Memorex Corporation artifacts and records in its repository, which would complement an interpretive display related to the subject property.

MM CUL-1.4: Oral History Collection. Oral history is a method of gathering and preserving the memories of people and communities, including personal commentaries of historical significance. Best practices for performing oral interviews are outlined by the Oral History Association (OHA), which was founded in 1966 and serves as the principal membership organization for those involved in the field of oral history.

The project will prepare an oral history collection that focuses on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. To the extent feasible, at least one former employee of the Memorex Corporation who was employed at the subject property shall be interviewed. A list of guests at the Memorex at Fifty reunion, hosted at the Computer History Museum in Mountain View in 2011, may serve as a preliminary list of potential narrators.

Oral history audio and visual files collected as part of a mitigation effort for the 1200 – 1310 Memorex Drive will be conducted by a professional oral historian and preserved in an accessible, electronic format and submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, Oral History Center at the Bancroft Library in Berkeley, and/or the Computer History Museum, which currently houses more than one hundred oral history interviews related to the development of the modern computer industry. In the event that no appropriate

narrators are identified, or in the event that all potential narrators decline to participate, a memorandum will be prepared to document the project methodology and efforts.

The project would result in a significant and unavoidable impact to the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5, even with incorporation of mitigation measures. A discussion of alternatives that would involve preservation and adaptive reuse of the building while achieving most basic project objectives is presented in Section 7.0 Alternatives. **(Significant and Unavoidable Impact with Mitigation Incorporated)**

Impact CUL-2:	As mitigated, the project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact with Mitigation Incorporated)**

The project would require excavation to depths of up to 12 feet for the on-site construction work and 12-15 feet for trenching related to the potential underground portion of the transmission line along Di Giulio Avenue. Based upon the results of the Archaeological Literature Search completed for the project, the site has a low potential for containing prehistoric archaeological resources. Additionally, the underground portion of the transmission line would be located within the street right-of-way adjacent to existing underground utilities in previously disturbed soils. Although the analysis completed for Archaeological Literature Search deemed that no further investigation or monitoring would be necessary, the project would implement the following measures to prevent damage in case unrecorded subsurface resources are encountered during trenching and excavation of the site.

Mitigation Measures:

The following project-specific mitigation measures would be implemented during construction to avoid significant impacts to unknown subsurface cultural resources:

MM CUL-2.1: In the event that prehistoric or historical resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. If the find is deemed significant, a Treatment Plan will be prepared and provided to the Director of Community Development. The key elements of a Treatment Plan shall include the following:

- Identify scope of work and range of subsurface effects (include location map and development plan),
- Describe the environmental setting (past and present) and the historic/prehistoric background of the parcel (potential range of what might be found),

- Develop research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information),

- Detail field strategy used to record, recover, or avoid the finds (photogs, drawings, written records, provenience data maps, soil profiles, excavation techniques, standard archaeological methods) and address research goals.

- Analytical methods (radiocarbon dating, obsidian studies, bone studies, historic artifacts studies [list categories and methods], packaging methods for artifacts, etc.).

- Report structure, including a technical and layman's report and an outline of document contents in one year of completion of development (provide a draft for review before a final report),

- Disposition of the artifacts,

- Appendices: site records, update site records, correspondence, consultation with Native Americans, etc.

With implementation of the measures identified above, the project would not cause a substantial adverse change in the significance of an archaeological resource. **(Less than Significant Impact with Mitigation Incorporated)**

Impact CUL-3:	As mitigated, the project would not result in any substantial disturbance to human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact with Mitigation Incorporated)**

Although unlikely, trenching and excavation activities could disturb human remains, should they be encountered on the site.

Mitigation Measures:

The following project-specific mitigation measures will be implemented during construction to avoid significant impacts to unknown human remains:

MM CUL-3.1: In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

With implementation of these measures, impacts to unknown human remains would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

3.5.2.2 *Cumulative Impacts*

Impact CUL-C:	As mitigated, the project would not result in a cumulatively considerable contribution to a cumulatively significant cultural resources impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

The geographic area for cumulative cultural resources impacts is the project site and adjacent parcels. The proposed project requires excavation, grading, and other construction activities that may affect unknown subsurface historic and prehistoric archaeological resources. All projects in the City of Santa Clara would be required to implement mitigation measures that would avoid impacts to subsurface archaeological resources and human remains and/or reduce them to a less than significant level. For these reasons, the cumulative projects, including the proposed project, would not result in significant cumulative impacts to archaeological resources or human remains.

As described above, the proposed project would result in a significant and unavoidable impact to a historical resource. The significance of the historical resource is tied to its association with significant events (association with the development of the modern electronics industry), as opposed to its architectural style or location within a historic district. No other approved or pending projects in the City would result in identified significant impacts to historical resources associated with the same significant events as the resource located on the project site. Therefore, the project would not result in a cumulatively considerable contribution to a cumulatively significant cultural resources impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

3.6 ENERGY

3.6.1 Environmental Setting

3.6.1.1 *Regulatory Framework*

Federal and State

Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

Executive Order B-55-18 To Achieve Carbon Neutrality

In September 2018, Governor Brown issued an executive order, EO-B-55-18 To Achieve Carbon Neutrality, setting a statewide goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." The executive order requires CARB to "ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal." EO-B-55-18 supplements EO S-3-05 by requiring not only emissions reductions, but also that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO_2 from the atmosphere through sequestration.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years.[31] Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[32]

[31] California Building Standards Commission. "California Building Standards Code." Accessed October 21, 2020. https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo.
[32] California Energy Commission (CEC). "2019 Building Energy Efficiency Standards." Accessed October 21, 2020. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency.

California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.[33]

Regional and Local

Santa Clara General Plan

The General Plan includes several energy use and conservation policies designed to protect energy resources in the City. These policies include the following:

Policies	Description
5.10.3-P1	Promote the use of renewable energy resources, conservation and recycling programs.
5.10.3-P4	Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.
5.10.3-P5	Reduce energy consumption through sustainable construction practices, materials and recycling.
5.10.3-P6	Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.
5.10.4-P8	Provide incentives for LEED certified, or equivalent development.

3.6.1.2 *Existing Conditions*

Total energy usage in California was approximately 7,881 trillion British thermal units (Btu) in the year 2017, the most recent year for which this data was available.[34] Out of the 50 states, California is ranked second in total energy consumption and 48th in energy consumption per capita. The breakdown by sector was approximately 18 percent (1,416 trillion Btu) for residential uses, 19 percent (1,473 trillion Btu) for commercial uses, 23 percent (1,818 trillion Btu) for industrial uses,

[33] California Air Resources Board. "The Advanced Clean Cars Program." Accessed October 21, 2020. https://www.arb.ca.gov/msprog/acc/acc.htm.
[34] United States Energy Information Administration. "State Profile and Energy Estimates, 2017." Accessed October 27, 2020. https://www.eia.gov/state/?sid=CA#tabs-2.

and 40 percent (3,175 trillion Btu) for transportation.[35] This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Electricity

Silicon Valley Power (SVP) is the City of Santa Clara's energy utility and would provide electricity service to the project site. For commercial customers, SVP offers several options for participation in green energy programs, including a carbon-free energy option.[36]

Natural Gas

PG&E provides natural gas services within the City of Santa Clara. In 2018, approximately one percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.[37] In 2018, residential and commercial customers in California used 34 percent of the state's natural gas, power plants used 35 percent, the industrial sector used 21 percent, and other uses used 10 percent. Transportation accounted for one percent of natural gas use in California. In 2018, Santa Clara County used approximately 3.5 percent of the state's total consumption of natural gas.[38]

Fuel for Motor Vehicles

In 2018, 15.5 billion gallons of gasoline were sold in California.[39] The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 24.9 mpg in 2018.[40] Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was subsequently revised to apply to cars and light trucks model years 2011 through 2020. [41,42]

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[35] United States Energy Information Administration. "State Profile and Energy Estimates, 2017." Accessed October 26, 2020. https://www.eia.gov/state/?sid=CA#tabs-2.

[36] Silicon Valley Power. "Did you Know." Accessed October 26, 2020. https://www.siliconvalleypower.com/svp-and-community/about-svp/faqs.

[37] California Gas and Electric Utilities. 2019 *California Gas Report.* Accessed October 23, 2020. https://www.socalgas.com/regulatory/documents/cgr/2019_CGR_Supplement_7-1-19.pdf.

[38] California Energy Commission. "Natural Gas Consumption by County." Accessed October 23, 2020. http://ecdms.energy.ca.gov/gasbycounty.aspx.

[39] California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed October 27, 2020. https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist.

[40] United States Environmental Protection Agency. "The 2020 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." January 2021.

[41] United States Department of Energy. *Energy Independence & Security Act of 2007.* Accessed October 27, 2020. http://www.afdc.energy.gov/laws/eisa.

[42] Public Law 110–140—December 19, 2007. *Energy Independence & Security Act of 2007.* Accessed October 27, 2020. http://www.gpo.gov/fdsys/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf.

3.6.2 Impact Discussion

For the purpose of determining the significance of the project's impact on energy, would the project:

1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
3) Result in a substantial increase in demand upon energy resources in relation to projected supplies?

3.6.2.1 *Project Impacts*

Impact EN-1:	The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. **(Less than Significant Impact)**

Construction

Construction of the project would require energy for the demolition of existing buildings, manufacture and transportation of building materials, site preparation and grading, and the actual construction of the buildings and infrastructure. As discussed in Section 3.3 Air Quality, the project would implement measures to minimize the idling of construction equipment. Additionally, the project would participate in the City's Construction and Demolition Debris Recycling Program by recycling or diverting at least 50 percent of materials generated for discards by the project in order to reduce the amount of demolition and construction waste going to the landfill. Diversion saves energy by reusing and recycling materials for other uses (instead of landfilling materials and using additional non-renewable resources).

Operation

Operation of the project would consume energy for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances and electronics. Energy would also be consumed during each vehicle trip generated by employees and visitors.

The projected maximum load for information technology (IT) equipment in the data center would be 60 MW. Additional electricity would be required for mechanical cooling equipment and other building functions. Power Usage Effectiveness (PUE) is a metric used to compare the operating efficiency of data center facilities. PUE is defined as the ratio of total power use of a facility to the power used strictly by the information technology (IT) equipment (e.g. PUE=Total Facility Power/IT Equipment Power). For example, with a PUE of 2.0 a data center would use (2) watts of total power for every (1) watt of power used by the IT equipment. The ideal PUE is one (1) where all power drawn by the facility goes to the IT infrastructure.

Based on anticipated operating conditions, the annualized PUE of the proposed data center would be 1.29. A PUE of 1.29 is considered efficient. Based on industry surveys, the average PUE for data centers is 1.67, although newly constructed data centers typically have PUEs ranging from 1.1 to

1.4.[43] If it is conservatively assumed that the data center would operate at full capacity 24 hours per day, 365 days per year, the project could consume up to 678,024 MW hours (MWh) per year. For comparison, the current industrial use on the site is estimated to consume roughly 3,295 MWh of electricity per year.[44] In 2019, California generated 277,704 gigawatt-hours (GWh) of electricity, meaning the maximum demand of the project would represent 0.24 percent of the State's electricity supply.

The project would be built in accordance with Title 24 and CalGreen and include green building measures to reduce energy consumption. The project would also utilize lighting control to reduce energy usage for new exterior lighting and air economization for building cooling. Water efficient landscaping and ultra-low flow plumbing fixtures in the building would be implemented to limit water consumption. Due to the energy efficiency measures incorporated into the facility, the project would not result in a wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources.

Energy would be consumed by the generator facility during regular testing and maintenance of the 25 emergency backup generators. Each generator would be limited to a maximum of 50 hours per year of operation. Assuming a worst-case scenario where all generators are tested at full load for the full 50 hours per year, the generators would consume up to 257,650 gallons of fuel per year. According to the California Energy Commission's 2019 Weekly Fuel's Watch Report, the annual capacity of CARB Diesel Fuel in California was 1,736,000 barrels, or roughly 72,912,000 gallons, annually.[45] The proposed consumption of CARB Diesel Fuel by the generators is less than 0.004 percent of the total California capacity. Because the generators would only be operated when necessary for testing and maintenance, and would not be used regularly for electricity generation, the generator facility would not result in a wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources. Additionally, the project would not have a significant adverse effect on local or regional energy supplies and will not create a significant adverse impact on California's energy resources. **(Less than Significant Impact)**

Impact EN-2:	The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

The project would be consistent with the regulations described in 3.6.1.1 (including General Plan Policies) by:

- Complying with Title 24 and CalGreen,
- Incorporating measures such as lighting control, air economization and evaporative cooling, water conservation measures, clean air vehicle parking, and other energy conservation measures such as reflective roof surface, low-e insulated glass, and daylight penetration to offices.
- Providing clean air vehicle parking

[43] Uptime Institute. Annual Data Center Survey Results - 2019. Available at: https://datacenter.com/wp-content/uploads/2019/06/data-center-survey-2019.pdf
[44] Based on CalEEMod default electricity consumption rates for general light industrial land uses applied to the existing development on the site.
[45] Addition of the total weekly Production Capacity and total weekly Refinery Stock reported for June 14, 2019.

- Participating in the City's Construction and Demolition Debris Recycling Program
- Implementing TDM measures to promote walking, bicycling and transit use.

The project, therefore, would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

Impact EN-3:	The project would not result in a substantial increase in demand upon energy resources in relation to projected supplies. **(Less than Significant Impact)**

Operation of the project would consume energy for multiple purposes including building heating and cooling, lighting, and appliance use. Additionally, operational energy would be consumed by employee vehicle use to and from the site. The table below compares the energy use under project conditions with the energy use under existing conditions.

Table 3.6-1: Estimated Annual Energy Use of Proposed Development

Proposed Development	Electricity Use (MWh)	Natural Gas Use (kBtu)	Gasoline (gallons)[1]	Diesel Fuel (gallons)[2]
Existing Development	3,295	10,524,700	255,491	0
Proposed Development	678,024	14,277,455	64,413	257,650
Net Increase/Decrease:	**674,729 Increase**	**3,752,755 Increase**	**191,078 Decrease**	**257,650 Increase**

Source: Atmospheric Dynamics, Inc. Memorex Data Center and Office Project. Attachment 1.

[1]Gasoline demand was calculated by dividing the project's estimated VMT by 24 mpg (Source: California Department of Energy. Average Fuel Economy by Major Vehicle Category. https://afdc.energy.gov/data/10310)

[2] Diesel fuel usage presented in this table is associated with on-site operations only, not vehicle trips. Available data on vehicular fuel use does not distinguish between diesel fuel and gasoline. As a result, all vehicular fuel use is included in the total for "Gasoline".

As shown in Table 3.6-1, implementation of the development would increase electricity use by approximately 1,949,535 kWh per year, natural gas usage by approximately 3,752,755 kBtu and diesel fuel consumption by approximately 257,650 gallons, while reducing gasoline consumption for vehicles by 252,931.

The project would be built to the most recent CALGreen requirements and Title 24 energy efficient standards, which would improve the efficiency of the overall project. Due to population increases, it is estimated that future demand in California (for electricity) will increase by approximately one percent each year through 2027. Efficiency and production capabilities would help meet increased electricity demand in the future, such as improving energy efficiency in existing and future buildings, establishing energy efficiency targets, inclusion of microgrids and zero-net energy buildings, and integrating renewable technologies.[46] As a result, the project's increase in electricity use would not result in a significant increase in demand on electrical energy resources in relation to projected supplies statewide.

[46] California Energy Commission. "2016 Integrated Energy Policy Report." Accessed October 28, 2020. http://www.energy.ca.gov/2016_energypolicy/.

In 2016, California consumed approximately 2.2 billion MBtu of natural gas. Based on the relatively small increase in natural gas demand (approximately 5,970,200 kBtu annually) compared to the growth trends in natural gas supply and the existing available supply in California, the proposed project would not result in a substantial increase in natural gas demand relative to projected supply.

Project trips would decrease gasoline use by 191,078 gallons per year compared to existing conditions. Therefore, implementation of the project would not result in an increase on transportation-related energy uses. However, the project would increase the use of diesel fuel by 257,650 gallons per year compared to existing uses. This increase is small when compared to the 4.2 billion gallons of diesel fuel consumed in California in 2015[47]. **(Less Than Significant Impact)**

3.6.2.2 *Cumulative Impacts*

Impact EN-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant energy impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative energy impacts is the State of California. Past, present, and future development projects contribute to the state's energy impacts. If the project is determined to have a significant energy impact, it is concluded that the impact is cumulatively considerable. As discussed under Impact EN-1, EN-2, and EN-3, the project would not result in significant energy impacts. Therefore, the project would not have a cumulatively considerable contribution to a significant cumulative energy impact. **(Less than Significant Impact)**

[47] California Department of Energy. Diesel Fuel Data, Facts, and Statistics. Accessed November 11, 2020. https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/diesel-fuel-data-facts-and-statistics#:~:text=Diesel%20fuel%20is%20the%20second,including%20offroad%20diesel%2C%20was%20sold.

3.7 GEOLOGY AND SOILS

The following discussion is based in part on a Geotechnical Investigation Report and a Soil, Soil Vapor and Groundwater Quality Evaluation both prepared for the project by Cornerstone Earth Group in September 2019. Copies of these reports are attached as Appendices G and H, respectively.

3.7.1 Environmental Setting

3.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

California Building Standards Code

The California Building Standards Code (CBC) prescribes standards for constructing safe buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years.

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and

Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals and plants, trace remains, and microfossils. These materials are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the CEQA Guidelines, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

Local

Santa Clara General Plan

General Plan policies applicable to geology and soils include, but are not limited to, the following listed below.

Policies	Description
5.6.3-P5	In the event that archaeological/paleontological resources are discovered, require that work be suspended until the significance of the find and recommended actions are determined by a qualified archaeological/paleontologist.
5.10.5-P5	Regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards, including flooding, seismic, erosion, liquefaction and subsidence dangers.
5.10.5-P6	Require that new development is designed to meet current safety standards and implement appropriate building code to reduce risks associated with geologic conditions.
5.10.5-P7	Implement all recommendations and design solutions identified in project soils reports to reduce potential adverse effects associated with unstable soils or seismic hazards.

City Code

Title 15 of the Santa Clara City Code includes the City's adopted Building and Construction Code. These regulations are based on the CBC and include requirements for building foundations, walls, and seismic resistant design. Requirements for grading and excavation permits and erosion control are included in Chapter 15.15 (Building Code). Requirements for building safety and earthquake reduction hazard are addressed in Chapter 15.55 (Seismic Hazard Identification).

3.7.2.1 *Existing Conditions*

The project site is located in the Santa Clara Valley, a relatively flat alluvial basin, bounded by the Santa Cruz Mountains to the southwest and west, the Diablo Mountain Range to the east, and the San Francisco Bay to the north.

Soil Conditions

The project site is underlain by approximately four to 32 inches of base rock. Beneath the base rock layer are native lean clays and saturated, poorly-graded to well-graded sand. The site also includes fill of well-graded sand, poorly-graded sand with gravel, and poorly-graded gravel. Moderately to highly expansive surficial soils generally blanket the site.

Because the topography of the project area is flat, with elevations ranging from 50 to 55 feet above sea level, erosion hazards are limited and there are no landslide hazards.

Groundwater

Based on soil borings completed for the Soil, Soil Vapor, and Groundwater Quality Evaluation (refer to Appendix H), depth to groundwater in the area is approximately 13-18 feet below ground surface (bgs). Fluctuations in groundwater levels are common due to seasonal fluctuations, underground drainage patterns, regional fluctuations, and other factors.

Seismicity and Seismic Hazards

The San Francisco Bay Area is one of the most seismically active areas in the United States. While seismologists cannot predict earthquake events, the U.S. Geological Survey's Working Group on California Earthquake Probabilities estimates there is a 72 percent chance of at least one magnitude 6.7 earthquake occurring in the Bay Area region between 2002 and 2032. Higher levels of shaking and damage would be expected for earthquakes occurring at closer distances. The faults considered capable of generating significant earthquakes in the area are generally associated with the well-defined areas of crustal movement, which trend northwesterly.

The three major faults in the region are the Calaveras Fault (approximately 10 miles east of the site), the San Andreas Fault (approximately 10.7 miles west of the site), and the Hayward Fault (approximately 7.25 miles east of the site). The project site is not located within a fault rupture zone.[48]

Ground shaking at the project site is predicted to be very strong as determined by the Association of Bay Area Governments (ABAG)[49]. The project site is not located within the limits of an Alquist-Priolo Earthquake Fault Zone and there are no known active faults within the City limits of Santa Clara.

[48] Santa Clara County. *Santa Clara County Geologic Hazard Zones.* October 26, 2012.
[49] Association of Bay Area Governments. Santa Clara County Earthquake Hazard. Accessed November 11, 2019. http://resilience.abag.ca.gov/earthquakes/santaclara/

Liquefaction

Soil liquefaction is a condition where saturated granular soils near the ground surface undergo a substantial loss of strength during seismic events. Loose, water-saturated soils are transformed from a solid to a liquid state during ground shaking. Liquefaction can result in significant deformations and ground rupture or sand boils. Soils most susceptible to liquefaction are loose, uniformly graded, saturated, fine-grained sands that lie close to the ground surface. The project site is located within a State-designated Liquefaction Hazard Zone and a Santa Clara County Liquefaction Hazard Zone.[50]

Lateral Spreading

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open face, such as the steep bank of a stream channel.

There are no stream channels on or adjacent to the site, therefore the project site would not be subject to lateral spreading.

Paleontological Resources

The City of Santa Clara is situated on alluvial fan deposits of the Holocene age. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. However, these recent sediments overlie sediments of older Pleistocene sediments with high potential to contain paleontological resources. These older sediments, often found at depths of ten feet or more below the ground surface, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates. Ground disturbing activities of ten feet or more have the potential to impact undiscovered paleontological resources in older Pleistocene sediments. [51]

3.7.3 Impact Discussion

For the purpose of determining the significance of the project's impact on geology and soils, would the project:

1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?
    - Strong seismic ground shaking?
    - Seismic-related ground failure, including liquefaction?
    - Landslides?
2) Result in substantial soil erosion or the loss of topsoil?

[50] Santa Clara County Geologic Hazard Zones. *County Geologic Hazard Zones.* 2012
[51] City of Santa Clara. City of Santa Clara Draft 2010-2035 General Plan. January 2011. Page 328.

3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

3.7.3.1 *Project Impacts*

Existing Geologic Conditions Affecting the Project – Planning Considerations

The California Supreme Court in a December 2015 opinion (BIA v. BAAQMD) confirmed CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project; nevertheless, the City has policies that address existing conditions (e.g. geologic hazards) affecting a proposed project, which are addressed below.

The policies of the City of Santa Clara 2035 General Plan have been adopted for the purpose of avoiding or mitigating environmental effects resulting from planned development within the City. Santa Clara General Plan Policy 5.10-P6 requires that new development is designed to meet current safety standards and implement appropriate building codes to reduce risk associated with geologic conditions.

Impact GEO-1:	As mitigated, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides**. (Less than Significant Impact with Mitigation Incorporated)**

As discussed in Section 4.7.1.2, there are no known active or potentially active faults crossing the project site. The site is not located within an Earthquake Fault Zone as defined by the State of California Alquist-Priolo Earthquake Fault Zoning Act. The project site is not located within a fault rupture zone.

The project site is located in a seismically active region. Geologic conditions on the site would require the new building be designed and constructed in accordance with standard engineering techniques and current California Building Code requirements, to avoid or minimize potential damage from seismic shaking and liquefaction on the site.

The project site is located in a mapped liquefaction hazard zone. The site is not located within a landslide hazard zone. The following standard City of Santa Clara permit condition would be implemented.

Standard Permit Condition:

To avoid or minimize potential damage from seismic shaking, the project would be built using standard engineering and seismic safety design techniques. Building redevelopment design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report to the City. The report shall be reviewed and approved by the City of Santa Clara's Building Division as part of the building permit review and issuance process. The building shall meet the requirements of applicable Building and Fire Codes, including the 2019 California Building Code, as adopted or updated by the City. The project shall be designed to withstand potential geologic hazards identified on the site and the project shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.

With incorporation of the Standard Permit Condition, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides. **(Less than Significant Impact)**

Impact GEO-2:	The project would not result in substantial soil erosion or the loss of topsoil. **(Less than Significant Impact)**

Ground disturbance at the site would be required for demolition and on-site improvements. Ground disturbance would expose soils and increase the potential for wind or water related erosion and sedimentation at the site until construction is complete. Compliance with the erosion control measures, as required by the National Pollutant Discharge Elimination System (NPDES) (see Section 4.10) is the primary means of enforcing erosion control measures through the grading and building permit process. In accordance with General Plan policies, construction activities would be subject to the requirements of the regulatory programs and policies in place and, therefore, would have a less than significant soil erosion impact. **(Less than Significant Impact)**

Impact GEO-3:	The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. **(Less than Significant Impact)**

The project site is located in a mapped liquefaction hazard zone. The site is not located within a landslide hazard zone. Compliance with the Standard Permit Condition discussed under Impact GEO-1 and incorporated into the project design as mitigation would avoid or reduce impacts related to the stability of soil on-site. The project would not change or exacerbate the geologic conditions of

the project area and would not result in a significant geology hazards impact. **(Less than Significant Impact)**

Impact GEO-4:	Although the project is located on expansive soil, as defined in the current California Building Code, the project would not create substantial direct or indirect risks to life or property. **(Less than Significant Impact)**

The project site is located on expansive soil as defined in Section 1803.5.3 of the CBC. The project would be required to adhere to the SHMA and CBC, which would reduce impacts related to expansive soils to a less than significant level. The policies of the City of Santa Clara 2010-2035 General Plan have been adopted for the purpose of avoiding or mitigating environmental effects resulting from planned development within the City. Santa Clara General Plan Policy 5.10.5-P6 requires that new development be designed to meet current safety standards and implement appropriate building codes to reduce risk associated with geologic conditions. As a result, development of the proposed project would not expose future occupants of the site or nearby properties to hazards related to expansive soils. **(Less Than Significant Impact)**

Impact GEO-5:	The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. **(No Impact)**

The project site is located within an urban area of Santa Clara where sewers are available to dispose wastewater from the project site. Therefore, the project site would not need to support septic tanks or alternative wastewater disposal systems. **(No Impact)**

Impact GEO-6:	As mitigated, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact with Mitigation Incorporated)**

There are no known unique paleontological resources or unique geological features within the City. However, ground disturbing activities of 10 feet or more have the potential to impact undiscovered paleontological resources. The project would require excavation to depths of up to 12 feet. Although unlikely, paleontological resources could be encountered during construction.

<u>Mitigation Measures:</u>

MM GEO-6.1: In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.

With implementation of these measures, impacts to undiscovered paleontological resources would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

3.7.3.2 *Cumulative Impacts*

Impact GEO-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant geology and soils impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative geological impacts would be locations adjacent to the site since geological impacts are limited to the project site and adjacent properties. All projects in the City of Santa Clara are required to comply with mitigation measures to reduce construction-related erosion impacts. The project will comply with the CBC to reduce seismic-related impacts on people and/or property. Therefore, implementation of the cumulative projects would not result in significant cumulative impact (related to geology and soils) to people and/or property. **(Less Than Significant Cumulative Impact)**

3.8 GREENHOUSE GAS EMISSIONS

The following discussion is based in part on an Air Quality and GHG Emissions Assessment prepared for the project by Atmospheric Dynamics in November 2020. A copy of the report is attached as Appendix B.

3.8.1 Environmental Setting

3.8.1.1 *Background Information*

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO_2 equivalents (CO_2e). The most common GHGs are carbon dioxide (CO_2) and water vapor but there are also several others, most importantly methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO_2 and N_2O are byproducts of fossil fuel combustion.
- N_2O is associated with agricultural operations such as fertilization of crops.
- CH_4 is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and SF_6 emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and/or loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

3.8.1.2 *Regulatory Framework*

State

Assembly Bill 32

Under the California Global Warming Solutions Act, also known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of CO_2E ($MMTCO_2e$). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 $MMTCO_2e$.

Senate Bill 375

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035. The per-capita GHG emissions reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2040. Plan Bay Area 2040 establishes a course for reducing per-capita GHG emissions through the promotion of compact, high-density, mixed-use neighborhoods near transit, particularly within identified Priority Development Areas (PDAs).

Regional and Local

2017 Clean Air Plan

To protect the climate, the 2017 CAP (prepared by BAAQMD) includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The

guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

3.8.1.3 *Existing Conditions*

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth and changes in weather patterns.

Other Implementing Laws and Regulations

There are a number laws that have been adopted as a part of the State of California's efforts to reduce GHG emissions and their contribution to climate change. State laws and regulations related to growth, development, planning and municipal operations in Santa Clara include, but are not limited to:

- California Mandatory Commercial Recycling Law (AB 341)
- California Water Conservation in Landscaping Act of 2006 (AB 1881)
- California Water Conservation Act of 2009 (SBX7-7)
- Various Diesel-Fuel Vehicle Idling regulations in Chapter 13 of the California Code of Regulations
- Building Energy Efficiency Standards (Title 24, Part 6)
- California Green Building Code (Title 24, Part 11)
- Appliance Energy Efficiency Standards (Title 20)

Implementation of the policies in the City's General Plan as a part of the City's development permitting and other programs provides for meeting building standards for energy efficiency, recycling, and water conservation, consistent with the laws and regulations designed to reduce GHG emissions.

Local

<u>City of Santa Clara General Plan</u>

The Santa Clara 2010-2035 General Plan includes policies that address the reduction of GHG gas emissions during the planning horizon of the General Plan. Goals and policies that address sustainability (see Appendix 8.13: Sustainability Goals and Policies Matrix in the General Plan) are aimed at reducing the City's contribution to GHG emissions. As described below, the development of a comprehensive GHG emissions reduction strategy for the City is also included in the General Plan.

<u>Climate Action Plan</u>

The City of Santa Clara has a comprehensive GHG emissions reduction strategy (Climate Action Plan) to achieve its fair share of statewide emissions reductions for the 2020 timeframe consistent with AB 32, the Global Warming Solutions Act. The Climate Action Plan was adopted on December 3, 2013. The City of Santa Clara Climate Action Plan specifies the strategies and measures to be

taken for a number of focus areas (coal-free and large renewables, energy efficiency, water conservation, transportation and land use, waste reduction, etc.) citywide to achieve the overall emission reduction target, and includes an adaptive management process that can incorporate new technology and respond when goals are not being met.

A key reduction measure that is being undertaken by the City of Santa Clara under the Climate Action Plan is in the *Coal-Free and Large Renewables* focus area. The City of Santa Clara operates Silicon Valley Power (SVP), a publicly owned utility that provides electricity for the community of Santa Clara, including the project site. Data centers constitute a large portion of the electricity used in the City of Santa Clara; about 28 percent on average. Since nearly half (48 percent) of Santa Clara's GHG emissions result from electricity use, removing GHG-intensive sources of electricity generation (such as coal) is a major focus area in the Climate Action Plan for achieving the City's GHG reduction goals.

CEQA clearance for all discretionary development proposals are required to address the consistency of individual projects with reduction measures in the Climate Action Plan and goals and policies in the General Plan designed to reduce GHG emissions. Compliance with appropriate measures in the Climate Action Plan would ensure an individual project's consistency with an adopted GHG reduction plan.

In December 2018, SVP published an updated Strategic Plan that outlines goals and actions for achieving 2030 GHG emission reductions consistent with the legislation described above. All electricity from SVP has been coal-free since January 2018. SVP's 2018 Integrated Resource Plan lays out needed steps to meet the 50 percent Renewable Portfolio Standard set by SB 32. SVP plans to exceed the 50 percent target.[52]

3.8.1.4 *Existing Conditions*

The project site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Roughly 100,000 square feet of active outdoor light industrial uses are located on the eastern portion of the site. The main source of GHG emissions associated with the existing uses on-site is the electricity use of the existing buildings. Additional emissions also result from vehicle trips and equipment usage associated with daily operations on the site.

[52] Silicon Valley Power. 2018 Integrated Resource Plan. November 12, 2018. Available at: http://www.siliconvalleypower.com/home/showdocument?id=62481.

3.8.2 Impact Discussion

For the purpose of determining the significance of the project's impact on greenhouse gas emissions, would the project:

1) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

3.8.2.1 *Project Impacts*

GHG emissions worldwide contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single land use project could generate sufficient GHG emissions on its own to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects in Santa Clara, the entire state of California, and across the nation and around the world, contribute cumulatively to the phenomenon of global climate change and its associated environmental impacts.

Per the CEQA Guidelines, a lead agency may analyze and mitigate significant GHG emissions in a plan for the reduction of GHG emissions that has been adopted in a public process following environmental review. The City of Santa Clara adopted its CAP (a GHG reduction strategy) in 2013 in conformance with its most recent General Plan Update. The City's projected emissions and the CAP are consistent with measures necessary to meet statewide 2020 goals established by AB 32 and addressed in the Climate Change Scoping Plan. For projects that would be operational by the end of 2020, the threshold of significance for whether a development project in the City of Santa Clara would generate GHG emissions that would have a significant impact on the environment therefore would be whether or not the project conforms to the applicable reduction measures in the City's CAP. Because the project would not become operational prior to the end of 2020, consistency with the CAP cannot be used to determine significance under CEQA. The project, however, would still be required to be consistent with the requirements of the CAP, and implementation of required CAP measures would reduce GHG emissions from the project.

Per BAAQMD guidance for stationary-sources such as the projects backup generators, the threshold to determine the significance of an impact from GHG emissions is 10,000 metric tons of CO_2e per year. This threshold is consistent with stationary source thresholds adopted by other air quality management districts throughout the state and is intended to capture 95 percent of all GHG emissions from new permit applications from stationary sources in the San Francisco Bay Area Basin. Stationary-source projects include land uses that would accommodate processes and equipment that emit GHG emissions and would require a BAAQMD permit to operate. The standby generators included as part of the project would be permitted sources, and as such, the BAAQMD's 10,000 metric tons of CO2e per year threshold is appropriate for analyzing the significance of emissions produced by the generators. If annual emissions of operational-related GHGs from the generators exceed these levels, the project would result in a cumulatively considerable contribution of GHG emissions and a cumulatively significant impact to global climate change. Emissions from mobile sources and area sources, such as electricity use and water delivery, associated with data center operation would not be included for comparison to this threshold, based on guidance in the

BAAQMD's CEQA Guidelines. Instead, GHG impacts from data center operation would be considered to have a less than significant impact if the project is consistent with applicable regulatory programs and policies adopted by CARB or other California agencies.

Impact GHG-1:	The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Less than Significant Impact)**

Overview of GHG Emissions

GHG emissions from the project would consist of emissions from vehicle trips to and from the site, emissions from routine testing and maintenance of the backup generators, and indirect emissions related to the generation of electricity used in the data center buildings. Data centers are an energy-intensive land use, requiring more electricity than other types of development. The primary function of the data center is to house computer servers, which require electricity and cooling 24 hours a day to operate.

Silicon Valley Power Electricity Generation

Electricity for the data center facility is provided by SVP, which is the public electric utility of the City of Santa Clara. Santa Clara currently has ownership interest, or has purchase agreements for 1,062 megawatt (MW) of electricity. This capacity far exceeds City of Santa Clara's current peak electricity demand of approximately 587 MW.[53] No new generation peak capacity is necessary to meet the capacity requirements of new construction, or redeveloped facilities within the City to meet the near or projected future demand. SVP's 2019 power mix for non-residential uses consisted of 39.3 percent eligible renewable resources. When large hydroelectric resources are included, SVP's non-residential power mix was 67.2 percent GHG free.[54]

The City of Santa Clara follows the State's preferred loading order in procuring new energy resources. First, the current load (customer) is encouraged to participate in energy efficiency programs to reduce their usage, thus freeing up existing resources (and any related emissions) for the new load (electricity demand). In addition, the City of Santa Clara encourages the use of renewable resources and clean distributed generation, and has seen a significant increase in its applications for large and small rooftop photovoltaics (PV). Demand displaced by customer-based renewable projects is also available to meet new load requests.

The City of Santa Clara will meet its Renewable Portfolio Standard (RPS) through the addition of new renewable resources. In order to meet anticipated increases in energy needs (as separate from peak generation capacity requirements) the City of Santa Clara has contracted for additional wind energy including the Big Horn II Wind Project that would provide the City of Santa Clara up to an additional 17.5 MW of GHG-emission-free electricity.

[53] Silicon Valley Power. 2018 Integrated Resource Plan. Accessed: November 8, 2020. Available at: https://www.siliconvalleypower.com/home/showdocument?id=62481.
[54] Silicon Valley Power. 2019 Power Content Label. Accessed: March 19, 2021. Available at: https://www.siliconvalleypower.com/svp-and-community/about-svp/power-content-label

SVP has a lower emission rate than the statewide California power mix because it utilizes a higher portion of renewable sources. A comparison of SVP's and the statewide power mix for the year 2019, which is the most recent year for which data is available, is shown in Table 3.8-1.

Table 3.8-1: Comparison of SVP And Statewide Power Mix

Energy Resources	2019 SVP Non-Residential Power Mix	2019 CA Power Mix (For Comparison)
Eligible Renewables (Biomass & Waste, Geothermal, Eligible Hydro, Solar, Wind)	39.3%	31.7%
Coal	0.0%	3.0%
Large Hydro	27.9%	14.6%
Natural Gas	23.1%	34.2%
Nuclear	0%	9.0%
Other	0%	0.2%
Unspecified Source of Power (Not Traceable to Specific Sources)	9.7%	7.3%
Total	100.0%	100.0%

Proposed Efficiency Measures

Overview: Power Usage Effectiveness During Operation

Power Usage Effectiveness, or PUE, is a metric used to compare the efficiency of facilities that house computer servers. PUE is defined as the ratio of total facility energy use to Information Technology (IT) (i.e., server) power draw (e.g., PUE = Total Facility Source Energy/ IT Source Energy). For example, a PUE of two (2), means that the data center or laboratory must draw two (2) watts of electricity for every one (1) watt of power consumed by the IT/server equipment. It is equal to the total energy consumption of a data center (for all fuels) divided by the energy consumption used for the IT equipment. The ideal PUE is one (1) where all power drawn by the facility goes to the IT infrastructure.

The annualized PUE for the proposed project would be 1.29, which would be considered efficient. Based on industry surveys, the average PUE for data centers is 1.67, although newly constructed data centers typically have PUEs ranging from 1.1 to 1.4.[55]

Energy and Water Use Efficiency Measures in Building Design

Due to the heat generated by the data center equipment, cooling is one of the main uses of electricity in data center operations. In order to reduce GHG emissions and reduce the use of energy related to building operations, the project proposes to implement the following efficiency measures:

- Air economization and evaporative cooling instead of mechanical cooling.
- Meet or exceed Title 24 requirements.
- Reflective roof surface.

[55] Uptime Institute. Annual Data Center Survey Results - 2019. Available at: https://datacenter.com/wp-content/uploads/2019/06/data-center-survey-2019.pdf

- Low-e Insulated glass.
- Daylight penetration to offices.
- Lighting control
- Clean air vehicle parking.
- Low flow plumbing fixtures.
- Landscaping would meet City of Santa Clara requirements for low water use.

Construction-Related Emissions

GHG emissions associated with construction were computed to be 1,828 MT of CO_2e for the total construction period. These are the emissions from on-site operation of construction equipment, vendor and hauling truck trips, and worker trips. Neither the City of Santa Clara nor BAAQMD have a threshold for construction emissions. These emissions would be temporary in nature and would be less than the indirect emissions associated with operation of the proposed uses. Construction emissions would occur during building construction, trenching and minor paving and landscape installation.

As a Best Management Practice (BMP), the project would participate in the City's Construction and Demolition Debris Recycling Program by recycling or diverting at least 50 percent of materials generated for discards by the project in order to reduce the amount of demolition and construction waste going to the landfill. The project would also use at least ten percent local building materials.

Stationary Equipment Emissions from Routine Testing of Generators

The consumption of diesel fuel to test generators would result in direct CO_2 emissions. On an annual basis, the project's total operational emissions related to emergency backup generator maintenance and testing use would be approximately 2,650 metric tons of CO_2e per year. This is well below the BAAQMD threshold for stationary sources of 10,000 metric tons per year of CO_2e for stationary sources.

Operational Emissions

SVP's carbon intensity factor was determined to be 341 pounds of CO2e per MWh in 2019, and projected to be 271 pounds of CO2e per MWh in 2021.[56] SVP's carbon intensity factor for electricity generation will continue to change as SVP's power mix continues to reduce the percentage of electricity produced by coal-fired power plants and increase the use of renewable resources. As noted above, the City and SVP have committed to be coal-free and increased large renewables power generation as a part of the City's CAP.

<u>Project Electricity Usage.</u> Data centers are an energy-intensive land use, requiring more electricity than other types of development. The primary function of the data center is to house computer servers, which require electricity and cooling 24 hours a day to operate. The projected maximum demand for the project is 60 MW. On an annual basis, the project could consume up to the maximum electrical usage of 678,024 MWh per year.

[56] Kathleen Hughes, City of Santa Clara. Personal Communication. February 6, 2019.

Project Mobile Emission Sources. Trip generation rates for the proposed project were based on Institute of Transportation Engineers' (ITE) Trip Generation Manual, Tenth Edition's trip generation rates for data centers (land use code 160) and general office buildings (land use code 710). The data center trip rate was applied to the data center and storage components, while the general office building trip rate was applied to the office component. Using these trip generation rates, the project would generate roughly 1,001 daily vehicle trips. This represents a conservative estimate based on default trip rates and does not reflect the anticipated trip generation of the project. The applicant anticipates a maximum of 90 employees/visitors to the site per day, which would generate far fewer trips than projected by the default rates. Existing vehicle trips associated with the project site are estimated to be roughly 2,780, meaning the project would result in a reduction in vehicle trips and associated emissions (refer to Section 3.17 Transportation for a discussion of existing vehicle trips associated with the site).

Building Operation. This category includes all other emissions generated by general operation of the project such as natural gas consumption, water and wastewater conveyance, and solid waste disposal.

GHG emissions generated by the project are summarized in Table 3.8-2.

Table 3.8-2: Annual Project GHG Emissions (CO_2e) in Tons/Yr

Source Category	Existing Uses in 2021	Proposed Project in 2024
Direct Emissions		
Mobile	2,536.7	580.5
Area Source	0.0084	0.016
Generator Testing	0	2,920
Subtotal	2,536.7	3,500.5
Subtotal Net Emissions	+963.8	
Indirect Emissions		
Energy Consumption (General Office/Light Industrial Uses under Title 24)[1]	1,104.9	1,612
Energy Consumption (Data Center Needs)[2]	0	73,742
Solid Waste Generation	274.3	305
Water Usage	211.8	3.2
Subtotal	1,519	75,662.2
Subtotal Net Emissions	+74,143.2	
Total Net Emissions	**+75,107**	

Notes:

[1]CalEEMod calculated the GHG emissions for the general office/light industrial use for energy consumption based on the assumptions presented for Title 24 and non-Title 24 uses.

[2]The CO_2e emissions from energy use for the servers were calculated outside of CalEEMod as follows:

1. A composite CO_2e intensity factor for SVP for 2024 was established at 280.6 lbs. CO_2e/Mw-hr.
2. The servers in the data center were estimated to require approximately 60 MW of power per hour.
3. Server center ops were conservatively estimated to be 8760 hours/yr.
4. Total MW/yr would be 525,600.
5. Total CO_2e tons/yr would be 73,742.

The emissions in Table 3.8-1 are separated into direct emissions and indirect emissions. Per the BAAQMD CEQA Guidelines, direct emissions refer to emissions produced from onsite combustion of energy, such as natural gas used in furnaces and boilers, emissions from industrial processes, and fuel combustion from mobile sources. Indirect emissions are emissions produced offsite from energy production and water conveyance due to a project's energy use and water consumption.

Although the project's indirect emissions are reported in this EIR, these emissions have already been accounted for at the emission source. For example, emissions associated with the project's electricity consumption occur at power production facilities within the SVP (and outside suppliers) system. These emissions are accounted for and reported by SVP pursuant to State GHG reporting regulations. Attributing these emissions to the proposed project is, therefore, a form of double counting. Nevertheless, to be conservative, the project's indirect emissions are included in the analysis of the project's GHG impacts.

As shown in Table 3.8-1, the primary source of GHG emissions from the project is electricity use. As described above, electricity would be provided by SVP, a utility that is on track to meet the 2030 GHG emissions reductions target established by AB 32. To reduce GHG emissions and the use of energy related to building operations, the project includes a variety of energy efficiency measures, as described above. The project would comply with all applicable City and state green building measures, including Title 24, Part 6, California Energy Code baseline standard requirements for energy efficiency, based on the 2019 Energy Efficiency Standards requirements, and the 2019 California Green Building Standards Code, commonly referred to as CALGreen (California Code of Regulations, Part 11). Because the project would receive electricity from a utility on track to meet the State's 2030 GHG emission reduction target, would include energy efficiency measures to reduce emissions to the extent feasible, and would be consistent with applicable plans and policies adopted to reduce GHG emissions, the project would not GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Less than Significant Impact)**

Impact GHG-2:	The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(Less than Significant Impact)**

Santa Clara Climate Action Plan

As described previously, the *City of Santa Clara Climate Action Plan* was adopted in December 2013. The CAP, which is part of the City's General Plan, identifies a series of GHG emissions reduction measures to be implemented by development projects that would allow the City to achieve its GHG reduction goals. The measures center around seven focus areas: coal-free and large renewables, energy efficiency, water conservation, waste reduction, off-road equipment, transportation and land use, and urban heat island effect.

The CAP includes measures applicable to City government, existing development and new development projects in Santa Clara. The project's conformance with applicable reduction measures for new development in the CAP are discussed below.

Energy Efficiency Measures

For new data center projects with an average rack power rating[57] of 15 kilowatts or more, *Measure 2.3 Data Centers* calls for completion of a feasibility study of energy efficient practices to achieve a power usage effectiveness (PUE) of 1.2 or lower. The average rack power rating would be six to eight kilowatts and, therefore, the project is not required to complete a feasibility study. As described previously, the project includes energy efficiency measures to reduce emissions to the extent feasible.

Water Conservation Measures

Measure 3.1 Water Conservation calls for a reduction in per capita water use to meet Urban Water Management targets by 2020. Development standards for water conservation would be applied to increase efficiency in indoor and outdoor water use areas. Water conservation measures include the use of:

- recycled or non-potable graywater for landscape irrigation;
- water efficient landscaping with low water usage plant material to minimize irrigation requirements; and
- ultra-low flow toilets and plumbing fixtures in the building.

Waste Reduction Measures

Measure 4.2 Increased Waste Diversion calls for an increase in solid waste diversion rate through recycling efforts, curbside food waste pickup, and construction and demolition waste programs. The project would divert construction and demolition waste during project construction to help the City reach its 80 percent waste diversion rate.

Off-Road Equipment

Measure 5.2 Alternative Construction Fuels requires construction projects to comply with BAAQMD best management practices, including alternative-fueled vehicles and equipment. The project would adopt BAAQMD best management practices, as described in *Section 4.3 Air Quality.*

Transportation and Land Use

Measure 6.1 Transportation Demand Management Program requires new development located in the City's transportation districts to implement a transportation demand program (TDM) to reduce drive-alone trips. The project site is located within Transportation District 1 – North of Caltrain. Based on Table 9: Minimum Vehicle Miles Traveled Reduction Requirements by Transportation District and Land Use Designation of the Climate Action Plan, the project is not obligated to provide a TDM program, because it is located on a site with a land use designation of Light Industrial. Nevertheless, the project will be required to implement a TDM program to reduce vehicle miles traveled (VMT) in accordance with mitigation measure MM TRN-2.1 (refer to Section 3.17.2.1).

[57] Average rack power rating is a measure of the power available for use on a rack used to store computer servers. The higher the value of kilowatts, the greater power density per rack and generally more energy use per square foot of building area in a data center.

Measure 6.3 Electric Vehicle Parking directs the City to revise parking standards for new nonresidential development to allow that a minimum of one parking space, and a recommended level of five percent of all new parking spaces, be designated for electric vehicle charging. Of the 113 parking spaces proposed by the project, 11 would be designated for clean air vehicles, representing 9.7 percent of all spaces.

Applicable General Plan Policies

In addition to the reduction measures in the Climate Action Plan, the City of Santa Clara General Plan has goals and policies to address sustainability (see Appendix 8.13: Sustainability Goals and Policies Matrix in the General Plan) aimed at reducing the City's contribution to GHG emissions. For the proposed project, implementation of policies that increase energy efficiency or reduce energy use would effectively reduce indirect GHG emissions associated with energy generation. The consistency of the proposed project with the Land Use, Air Quality, Energy, and Water Policies of the General Plan is described in Table 3.8-2.

Bay Area 2017 Clean Air Plan

The Bay Area 2017 Clean Air Plan includes performance objectives, consistent with the State's climate protection goals under AB 32, SB 375, and SB 32, designed to reduce emissions of GHG emissions to 1990 levels by 2020 and 40 percent below 1990 levels by 2030. The 2017 Clean Air Plan identifies a range of control measures that make up the Clean Air Plan's control strategy for emissions, including GHGs.

Due to the relatively high electrical demand of the data center uses on the site, energy efficiency measures have been included in the design and operation of the electrical and mechanical systems on the site. This is in keeping with the general purpose of Energy Sector Control Measures in the Clean Air Plan.

Plan One Bay Area/ California Senate Bill 375 – Redesigning Communities to Reduce Greenhouse Gases

Under the requirements of SB 375, the Metropolitan Planning Organizations (MPO) in partnership with ABAG have developed a Sustainable Community Strategy with the adopted *Plan One Bay Area* to achieve the Bay Area's regional GHG reduction target. Targets for the MTC in the San Francisco Bay Area, originally adopted in September 2010 by CARB, include a seven (7) percent reduction in GHG per capita from passenger vehicles by 2020 compared to emissions in 2005. The adopted target for 2035 is a 15 percent reduction per capita from passenger vehicles when compared to emissions in 2005. The emission reduction targets are for those associated with land use and transportation strategies only.

The project has a low concentration of employment and would not contribute to a substantial increase in passenger vehicle travel within the region.

Table 3.8-2: General Plan Sustainability Policies	
Emission Reduction Policies	**Project Consistency**
Air Quality Policies	
5.10.2-P3 Encourage implementation of technological advances that minimize public health hazards and reduce the generation of air pollutants.	The project proposes to use emergency generators with advanced air pollution controls. The generator testing schedule includes measures to reduce local air quality impacts. Water conservation and energy efficiency measures included in the project would reduce GHG emissions associated with the generation of electricity
5.10.2-P4 Encourage measures to reduce GHG emissions to reach 30 percent below 1990 levels by 2020.	
Energy Policies	
5.10.3-P1 Promote the use of renewable energy resources, conservation and recycling programs.	The project would divert at least 50 percent of construction waste. The project would utilize lighting control to reduce energy usage for new exterior lighting and air economization for building cooling. Water efficient landscaping and ultra-low flow plumbing fixtures in the building would be installed to limit water consumption.
5.10.3-P4 Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.	
5.10.3-P5 Reduce energy consumption through sustainable construction practices, materials and recycling.	
5.10.3-P6 Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.	
5.10.3-P8 Provide incentives for LEED certified, or equivalent development.	
Water Policies	
5.10.4-P7 Require installation of native and low-water consumption plant species with landscaping new development and public spaces to reduce water usage.	The project would use water efficient landscaping with low water usage plant material to minimize irrigation requirements.

Applicable State Climate Change Strategies and Policies

In 2008, the Governor of California issued Executive Order S-13-08 that specifically asked the Natural Resources Agency to identify how State agencies can respond to rising temperatures, changing precipitation patterns, sea level rise, and extreme natural events. The 2009 *California Climate Adaptation Strategy* was developed in response to the executive order. Adaptation to projected sea level rise is addressed in Section 3.10 Hydrology and Water Quality.

The CARB-approved *Climate Change Scoping Plan* outlines a comprehensive set of actions intended to reduce overall GHG emissions in California, improve the environment, reduce dependence on oil, diversify California's energy sources, save energy, create new jobs, and enhance public health. Actions associated with energy efficiency standards and renewables portfolio standards are measures that would most greatly influence GHG emissions of the project over time.

The project would be generally consistent with the Climate Change Scoping Plan, as updated, and appropriate GHG Control Measures in the Bay Area 2017 Clean Air Plan (as discussed above). As discussed above, the project would not conflict with plans, policies or regulations adopted for the purpose of reducing the emissions of GHG. Therefore, the project would not conflict with any currently adopted local plans, policies, or regulations pertaining to GHG emissions and would not generate GHG emissions that would have a significant impact on the environment. **(Less than Significant Impact)**

3.8.2.2 *Cumulative Impacts*

Impact GHG-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact. **(Less than Significant Cumulative Impact)**

As discussed in Section 3.8.2.1, GHG emissions worldwide contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single land use project could generate sufficient GHG emissions on its own to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects in Santa Clara, the entire state of California, and across the nation and around the world, contribute cumulatively to the phenomenon of global climate change and its associated environmental impacts. The above analysis of the project's GHG emissions impacts is, therefore, also an analysis of the project's contribution to cumulative GHG emissions impacts. **(Less than Significant Impact)**

3.9 HAZARDS AND HAZARDOUS MATERIALS

The discussion in this section is based in part upon a Soil Management Plan prepared for the project by Cornerstone Earth Group in June 2020. A copy of this report is included in Appendix I of this EIR.

3.9.1 Environmental Setting

3.9.1.1 *Regulatory Framework*

Overview

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. Cal/OSHA enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

Federal and State

Federal Aviation Regulations Part 77

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, $1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

- Established prohibitions and requirements concerning closed and abandoned hazardous waste sites;
- Provided for liability of persons responsible for releases of hazardous waste at these sites; and
- Established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and
- Long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life-threatening. These actions can be completed only at sites listed on the EPA's National Priorities List.

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.[58]

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is the principal federal law in the United States governing the disposal of solid waste and hazardous waste. RCRA gives the EPA the authority to control hazardous waste from the "cradle to the grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.[59]

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous

[58] United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed May 11, 2020. https://www.epa.gov/superfund/superfund-cercla-overview.
[59] United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed May 11, 2020. https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act.

substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).[60]

Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of property. Facilities that are required to participate in the CalARP program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The City of Santa Clara Fire Department reviews CalARP risk management plans as the Certified Unified Program Agency (CUPA).

Asbestos-Containing Materials

Friable asbestos is any asbestos-containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA phased out use of friable asbestos products between 1973 and 1978. National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by the Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

Regional and Local

Municipal Regional Permit Provision C.12.f

Polychlorinated biphenyls (PCBs) were produced in the United States between 1955 and 1978 and used in hundreds of industrial and commercial applications, including building and structure

[60] California Environmental Protection Agency. "Cortese List Data Resources." Accessed May 28, 2020. https://calepa.ca.gov/sitecleanup/corteselist/.

materials such as plasticizers, paints, sealants, caulk, and wood floor finishes. In 1979, the EPA banned the production and use of PCBs due to their potential harmful health effects and persistence in the environment. PCBs can still be released to the environment today during demolition of buildings that contain legacy caulks, sealants, or other PCB-containing materials.

With the adoption of the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015, Provision C.12.f requires that permittees develop an assessment methodology for applicable structures planned for demolition to ensure PCBs do not enter municipal storm drain systems.[61] Municipalities throughout the Bay Area are currently modifying demolition permit processes and implementing PCB screening protocols to comply with Provision C.12.f. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit. Single family homes and wood-frame structures are exempt from these requirements.

Norman Y. Mineta San José International Airport Comprehensive Land Use Plan

The project site is located approximately 0.65 miles west of the San José International Airport, and is located within the Airport Influence Area (AIA) defined by the Santa Clara County Airport Land Use Commission's Comprehensive Land Use Plan (CLUP) for the San José International Airport.

Federal Aviation Administration Regulations

Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways.

Santa Clara Emergency Operations Plan

In June 2016, the City of Santa Clara adopted an Emergency Operations Plan (EOP) to address the planned response of the City of Santa Clara to emergency situations associated with natural disasters and technological incidents, as well as chemical, biological, radiological, nuclear and explosive emergencies. The EOP establishes the emergency organization, assign tasks, specifies policies and general procedures, and provides for coordination of planning efforts for emergency events such as earthquake, flooding, dam failure, and hazardous materials responses.

[61] California Regional Water Quality Control Board. *San Francisco Bay Region Municipal Regional Stormwater NPDES Permit.* November 2015.

3.9.1.2 *Existing Conditions*

Historic Site Uses

The project site was developed as agricultural land since at least the early 1900s. Between 1964 and the late 1970s, the site was developed with the existing commercial structures in multiple phases for use by Memorex for the manufacture of magnetic tape. Memorex operations through 1993 included the use of up to 30 underground storage tanks (USTs), installed between 1965 and 1991. The USTs were used for the storage of predominantly cyclohexanone and methyl ethyl ketone (MEK), and lesser amounts of xylenes, isopropanol, acetone, ethylene glycol monoethyl ether (trade name: Cellosolve), diesel fuel, waste solvent and waste process water. The Memorex USTs reportedly were removed between 1983 and 1996. Several releases from the USTs and associated aboveground and underground piping have been identified as impacting soil, soil vapor and groundwater. After ceasing magnetic tape manufacturing operations in 1993, Memorex secured a permit with the City for facility closure for the production areas (exclusive of the remaining USTs).

Since approximately 1993, the three existing buildings have been divided into multiple commercial suites that have been occupied by various businesses including multiple metal processing operations (plating, polishing, anodizing and powder coating), automotive parts sales and light repair, pharmaceutical manufacturing, office and storage space, biological research/testing and machining. Some of these operations have included the use and storage of hazardous materials and generation of hazardous wastes, including solvents, acids and bases, as well as installation of two additional USTs; one UST reportedly used for the storage of waste solvent and the other UST reportedly utilized to capture fire suppression system overflow. Both USTs were reportedly closed-in-place in 2004 by filling with water and locking.

Impacted Soil

Prior studies have identified several release areas related to former Memorex operations which have left residual soil impacts on-site. Below is a brief description of site environmental soil conditions based on the readily available information reviewed.

<u>Old Tank Farm (OTF)</u>

In 1990, eight USTs were removed from the Old Tank Farm (OTF). Soil samples were collected from the sidewalls of the excavation and from the excavation bottom. These samples were analyzed for MEK, cyclohexanone, acetone, xylenes, toluene and cellosolve. The greatest concentration was reported at 1,100 milligrams per kilogram (mg/kg) for cyclohexanone.

After bioremediation efforts in the OTF area, soil sampling was performed in 1990 and 1991 to depths of up to approximately 15 feet. Organic solvent concentrations up to 976 mg/kg total COC (MEK, cyclohexanone and xylenes) were detected. In 1994, ten soil samples were collected at depths of approximately five and 10 feet. Analysis of the samples detected concentrations of total VOCs above site cleanup goals (one mg/kg) in all ten samples, and MEK was detected up to 420 mg/kg.

Former Memorex Process Area

In 1994, facility closure activities included soil sampling and laboratory analyses. Soil samples were analyzed for the site chemicals of concern (acetone, cyclohexanone, MEK and BTEX compounds). Of the 17 soil samples collected in the former process area, 13 samples contained measurable VOC concentrations, of which 10 contained concentrations above the site cleanup goal (one mg/kg). Cyclohexanone and MEK were detected up to concentrations of 3,200 and 1,700 mg/kg, respectively.

To remediate the impacts identified beneath the Process Area, soil vapor extraction (SVE) was initiated in the former mix room area in 1995. Although soil vapor sampling performed in 2015 and 2016 showed significant reductions in VOC concentrations in soil gas, it is unknown to what extent soil VOC concentrations were reduced. It is assumed that residual soil impacted with VOCs remains beneath this area.

Waste Solvent UST Piping Release Beneath 1230/1232 Memorex Drive

In 1991, Tank 7 (used to store waste solvent) and associated piping leading from the tank to the existing building (near present day 1230/1232 Memorex Drive) were removed. Soil samples were collected within the excavation and along the pipe trenching; they were analyzed for BTEX, acetone, MEK and cyclohexanone. Significant concentrations of solvents, including cyclohexanone up to 5,400 mg/kg, were detected in the pipe excavation. Final soil excavations were completed in 1992. The Water Board closed this area with known residual impacts in place above cleanup goals (one mg/kg total VOCs). Residual concentrations above cleanup goals were left in place due to inaccessible soil beneath the tape manufacturing building where below grade piping entered. The precise location of existing piping, the extent and depth of piping and residual soil impacts beneath the existing building is unknown.

New Tank Farm (NTF)

By 1990, four USTs were installed in the New Tank Farm (NTF) to store cyclohexanone and MEK. In January 1990 a release of cyclohexanone occurred from above ground piping. Soil sampling was performed to define the extent of possible impacts to soil. Impacted soil was identified in a reportedly narrow area that was previously unpaved and exposed to the release (presumably within or near the NTF area). Impacted soils were excavated to a depth of approximately 15 feet, and a sample collected from the base of the excavation detected cyclohexanone at a concentration of 30 mg/kg. The Water Board determined that additional excavation would not be necessary, and the excavation was backfilled with reportedly “clean” soil. The USTs were removed under permit in 1997.

Organochlorine Pesticides

Organochlorine pesticides were detected in seven of nine samples analyzed. Total DDT (the total amount of DDT and its breakdown products DDE and DDD), exceeded its total threshold limit concentration (TTLC), California’s hazardous waste criteria, in one sample located in the northwestern area of the site. Dieldrin was detected in one of nine samples at a concentration that was above its Tier 1 ESL (based on leaching to groundwater concern). No detected organochlorine pesticide concentrations were in exceedance of their respective construction worker or commercial direct exposure ESLs.

Soil Vapor

In 2009, the Water Board issued a letter requiring soil vapor sampling and a vapor intrusion evaluation to assess potential impacts to indoor air at the subject property. The letter presented three areas of concern to be addressed: 1) soil vapor sampling had not been performed in areas of the mix room and adjacent to trenches where elevated VOC concentrations were identified in soil samples, 2) residual impacted soil above shallow ground water remaining beneath the main building and the OTF area that may pose a risk to building occupants; 3) five of 13 soil vapor extraction wells were disconnected from the SVE system due to high concentrations of VOCs in SVE system effluent that were above levels permitted by the Bay Area Air Quality Management District (BAAQMD).

Memorex Process Area

In response to the Water Board letter (2009), the SVE system in the Process Area was reconfigured to become a dedicated sub-slab depressurization system; it was completed in 2010. At the request of the Water Board, in 2011, three sub-slab vapor samples were collected in the mix room area. Analysis detected numerous VOCs including PCE, MEK, acetone, xylenes, and toluene. Between 2011 and 2016, multiple soil vapor sampling events (from existing SVE wells and installed soil vapor probes) were performed. The greatest detected concentrations of VOCs reported for this area are below January 2019, commercial ESL screening criteria with the exception of benzene (45 micrograms per cubic meter [µg/m3]), ethylbenzene (170 µg/m3) and PCE (150 µg/m3).

Extent of Subsurface VOC Vapors

The most recent work to characterize soil vapor and sub-slab vapor conditions at the site were performed by Rosso Environmental (Rosso) in 2014 and Cornerstone Earth Group in 2019. Rosso collected 23 exterior soil vapor samples and 11 interior sub-slab vapor samples across the site. Cornerstone collected two soil vapor samples from the exterior perimeter of the former Memorex Process Area. Benzene was detected above commercial Water Board ESLs throughout the majority of the site. PCE, vinyl chloride, bromodichloromethane, ethylbenzene and xylene also were detected;

Groundwater

Based on prior investigations on the site, groundwater is typically encountered between depths of approximately 10 and 18 feet. Groundwater appears to be under confined conditions and will rise multiple feet in elevation when encountered. Historic high groundwater levels are mapped at an approximate depth of six feet. In general, fluctuations in groundwater levels occur due to many factors including seasonal fluctuation, underground drainage patterns, regional fluctuations, and other factors.

Rosso and Cornerstone collected groundwater samples at the site during their respective 2014 and 2019 subsurface investigations. In all, 20 groundwater samples were collected from across the site and analyzed. All detected compounds were below their respective screening criteria except for methyl tert-butyl ether (MTBE), which was detected above its 2019 Water Board Tier 1 ESL in one sample.

3.9.1.3 *Other Hazards*

Airports

The Norman Y. Mineta San José International Airport is located approximately 0.65 miles east of the project site. As previously mentioned, FAR Part 77 requires that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any structure exceeding 35 feet in height above grade would require submittal to the FAA for airspace safety review. As the proposed project would have a maximum height of 99 feet, notification to the FAA is required to determine the potential for the project to create an aviation hazard.

The project site is located within the Airport Influence Area (AIA) defined by the Santa Clara County Airport Land Use Commission's Comprehensive Land Use Plan (CLUP) for the Airport. Development within the AIA can be subject to hazards from aircraft and also pose hazards to aircraft travelling to and from the airport. The AIA is a composite of areas surrounding the airport that are affected by noise, height and safety considerations. These hazards are addressed in Federal and State regulations as well as in land use regulations and policies in the CLUP. The most recent CLUP for the Airport was adopted in 2011 and updated in 2016. The project is also in the Traffic Pattern Zone (TPZ), which requires ten percent of the gross area located within one-half mile of the Airport to be open space, and also does not allow land uses with very high concentrations of people.[62]

Wildfire Hazards

The project site is located in an urbanized area of Santa Clara. According to the California Department of Forestry and Fire Protection (CAL FIRE), the project site is not located within a moderate, high, or very high fire hazard severity zone.[63]

3.9.1.4 *Impact Discussion*

For the purpose of determining the significance of the project's impact on hazards and hazardous materials, would the project:

1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

[62] Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan.* Figure 6. Amended November 16, 2016.
[63] CAL FIRE. "Draft Fire Hazard Severity Zones." Accessed October 29, 2019. http://frap.fire.ca.gov/webdata/maps/statewide/fhszl06_1_map.jpg.

4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?
6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

3.9.1.5 *Project Impacts*

Impact HAZ-1:	The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **(Less than Significant Impact)**

Some oils and lubricants could be stored on-site for maintenance of mechanical equipment in the equipment yards. Additionally, operation of the proposed project would include the use and storage of diesel fuel for testing and maintenance of the backup generators. Each backup generator would be a fully independent package system with dedicated and integrated fuel tanks located on a skid below the bottom level generator. The top-level generators would each have a day tank capable of storing 600 gallons, which would be fed from the 16,000-gallon lower level belly fuel tank.

Each generator unit and its integrated fuel tanks would be designed with double walls. The interstitial space between the walls of each tank would be continuously monitored electronically for the existence of liquids. This monitoring system would be electronically linked to an alarm system in the security office that would alert personnel if a leak is detected. Additionally, the standby generator units would be housed within a self-sheltering enclosure that prevents the intrusion of storm water.

To prevent potential spills during refueling, a spill catch basin is located at each fill port for the generators. To prevent a release from entering the storm drain system, drains would be blocked off by the truck driver and/or facility staff during fueling events. Rubber pads or similar devices would be kept in the generator yard to allow quick blockage of the storm sewer drains during fueling events. To further minimize the potential for diesel fuel to end up in stormwater, to the extent feasible, fueling operations would be scheduled at times when storm events are improbable.

Hazardous materials storage at the proposed data center would be regulated under local, state and federal regulations. For example, the project would be subject to the Aboveground Petroleum Storage Act (APSA) due to the volume of fuel that would be stored in aboveground tanks. Tank facilities under APSA must comply with all APSA requirements and prepare and implement a Spill Prevention, Control, and Countermeasure Plan. The spill prevention measures described above would be incorporated into the Plan. Additionally, a Hazardous Materials Business Plan would be completed for the safe storage and use of chemicals and would incorporate all relevant regulations.

Conformance with relevant laws and regulations would minimize the likelihood of hazardous material releases from the proposed fuel storage tanks and the use or storage of diesel fuel, oils and lubricants by the project would not create a significant impact on the environment. **(Less Than Significant Impact)**

Impact HAZ-2:	As mitigated, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **(Less than Significant Impact with Mitigation Incorporated)**

Project Operation

As described in the discussion under Impact HAZ-1, the proposed project would include the use and storage of diesel fuel for testing and maintenance of the backup generators. A Hazardous Materials Business Plan would be completed for the safe storage and use of chemicals. Conformance with relevant laws and regulations would minimize the likelihood of hazardous material releases from the proposed fuel storage tanks and the use or storage of diesel fuel, oils and lubricants by the project would not create a significant impact on the environment. **(Less than Significant Impact)**

Soil and Groundwater Contamination Impacts during Construction

As described in Section 3.9.1.2, the project site contains contaminated soil, groundwater, and soil vapor from previous on-site uses. Construction workers could be exposed to contaminated soil and/or groundwater during excavation, grading, and construction activities. Future users of the site could be exposed to hazardous soil vapor. Additionally, although construction activities associated with the potential underground transmission line would occur in the street right-of-way in previously disturbed soils, it is possible that unknown contaminated soils would be encountered.

A Soil Management Plan (SMP) was prepared for the site in June 2020 (see Appendix I). The SMP establishes management practices for handling impacted groundwater and/or soil material that may be encountered during site development and soil-disturbing activities. Components of the SMP include: a detailed discussion of the site background; a summary of the analytical results from soil and groundwater sampling; protocols for preparation of a Health and Safety Plans; protocols for conducting earthwork activities in areas where impacted soil and/or groundwater are present or suspected; worker training requirements, health and safety measures and soil handing procedures; on-site soil reuse guidelines; sampling and laboratory analyses of excess soil requiring disposal at an appropriate off-site waste disposal facility; soil stockpiling protocols; protocols to manage groundwater that may be encountered during trenching and/or subsurface excavation activities; protocols for air monitoring during construction activities; and mitigation of soil vapor emissions. The Regional Water Quality Control Board (RWQCB) provides regulatory oversight for remediation of contamination on the site. The RWQCB reviewed and approved the SMP in its capacity as the regulatory agency. Implementation of the approved SMP would reduce impacts associated with on-site contamination to less than significant levels (refer to MM HAZ-2.1, below).

Additionally, implementation mitigation measure MM HAZ-2.2 would reduce impacts associated with potential off-site contaminated soils to a less than significant level.

Mitigation Measures:

MM HAZ-2.1: For on-site construction activities, the project shall implement the approved Soil Management Plan prepared for the site under the oversight of the Regional Water Quality Control Board.

MM HAZ-2.2: For off-site construction activities associated with the underground transmission line, a qualified environmental specialist shall collect shallow soil samples within the areas of proposed construction activities and have the samples analyzed to determine if contaminated soil is present with concentrations above established construction/trench worker and residential thresholds. Once the soil sampling analysis is complete, a report of the findings will be provided to the Director of Community Development for review. The report shall indicate whether any off-site contaminated soils found during sampling are related to the known on-site contamination, or whether they are from a different off-site contamination source.

If contaminated soils are found in concentrations above established regulatory environmental screening levels, and are determined to be related to the known on-site contamination, the project shall incorporate the off-site contamination into the approved Soil Management Plan for the site. If the off-site contamination is determined to be unrelated to the known on-site contamination, the applicant shall enter into the Santa Clara County Department of Environmental Health's (SCCDEH) Voluntary Cleanup Program (VCP) to formalize regulatory oversight for remediation of contaminated soil to ensure the off-site location is safe for construction workers and the public after development. The project applicant must remove contaminated soil in order to achieve detection levels acceptable to the SCCDEH. With approval of the SCCDEH, some of the contaminated soil may be allowed to be left in-place buried under hardscape and/or several feet of clean soil.

The project applicant shall prepare and implement a Removal Action Plan, Soil Mitigation Plan or other similar report describing the remediation process and to document the removal and/or capping of contaminated soil. All work and reports produced shall be performed under the regulatory oversight and approval of the SCCDEH. **(Less than Significant Impact with Mitigation Incorporated)**

Asbestos and Lead Based Paint Impacts

Due to the age of the existing building on site (pre-1980 construction), asbestos-containing materials (ACMs) and lead-based paint may be present.

Demolition of the existing building on the project site could expose construction workers or residents in the vicinity of the project site to harmful levels of ACMs or lead. The project is required to

conform to the following regulatory programs and to implement the following measures to reduce impacts to the presence of ACMs and/or lead-based paint:

- In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site buildings to determine the presence of asbestos-containing materials and/or lead-based paint.
- Prior to demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations (CCR) 1523.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings would be disposed of at landfills that meet acceptance criteria for the waste being disposed.
- All potentially friable ACMs shall be removed in accordance with NESGAP guidelines prior to any building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards contained in Title 8 of CCR, Section 1529, to protect workers from exposure to asbestos.
- A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.
- Materials containing more than one percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with BAAQMD requirements.

Conformance with aforementioned regulatory requirements will result in a less than significant impact from ACMs and lead. **(Less than Significant Impact)**

Impact HAZ-3:	The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **(Less than Significant Impact)**

The nearest school to the project site is Scott Lane Elementary School (1925 Scott Boulevard), approximately 0.2 miles southwest of the site[64]. The project site is, therefore, within one-quarter mile of an existing school. As described in Section 3.3 Air Quality, the project would not generate significant levels of hazardous air emissions. Although hazardous materials may be encountered during construction activities, potential exposure would be limited to the project site, and mitigation measures would be implemented to reduce impacts to nearby receptors (including schools and residences) to less than significant levels (see MM HAZ-2.1). The project would not handle acutely hazardous materials or hazardous waste during project operation. For these reasons, the project would not impact schools within the project area. **(Less Than Significant Impact)**

[64] The school is located .35 miles southwest in a straight line (as the crow flies), or 1.5 miles via car (as referenced in Section 3.16).

Impact HAZ-4:	The project would is located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, as mitigated, the project would not create a significant hazard to the public or the environment. **(Less than Significant Impact with Mitigation Incorporated)**

Due to the known contamination on the site, the site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Implementation of identified mitigation measures (see MM HAZ-2.1) would ensure that the project would not create a significant hazard to the public or the environment. **(Less than Significant Impact with Mitigation Incorporated)**

Impact HAZ-5:	The project would be located within an airport land use plan. Nevertheless, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(Less than Significant Impact)**

The proposed project site is located approximately 0.65 miles northwest of the San José Norman Y. Mineta International Airport. Aircraft noise levels at the project site are discussed in Section 3.13 Noise and Vibration of this EIR.

As described previously, the project site is located within an Airport Safety Zone: the Traffic Pattern Zone (TPZ). The TPZ does not limit population density, but does require that at least 10 percent of the gross area be devoted to open space. More than 10 percent of the site would be free of buildings and other obstructions. Therefore, the project would comply with TPZ requirements.

As described previously, FAR Part 77 requires that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any structure exceeding 45 feet in height above grade would require submittal to the FAA for airspace safety review. The proposed building would be approximately 99 feet in height. As a result, notification to the FAA is required to determine the potential for the project to create an aviation hazard. FAA issuance of "determination of no hazard" clearances, and subsequent applicant compliance with any conditions set forth in such FAA determinations, would ensure that the project does not have an adverse impact on airspace safety. The proposed project, therefore, would be compatible with applicable CLUP policies and the Airport Influence Area for building height.

The project site is not located in the vicinity of a private airstrip. **(Less Than Significant Impact)**

Impact HAZ-6:	The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(No Impact)**

In June 2016, the City adopted an Emergency Response Plan, which addresses the planned response of the City of Santa Clara to emergency situations associated with natural disasters, technological incidents, and chemical, biological, radiological, nuclear and explosive emergencies. The project

would include development of a data center facility on a site designated for light industrial uses and would comply with relevant building and fire codes. The proposed project would not, therefore, impair or interfere with the implementation of an adopted emergency response plan or emergency evacuation plan. **(No Impact)**

Impact HAZ-7:	The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. **(No Impact)**

The project site is located in an urbanized area of Santa Clara. According to the California Department of Forestry and Fire Protection (CAL FIRE), the project site is not located within a moderate, high, or very high fire hazard severity zone.[65] **(No Impact)**

3.9.1.6 *Cumulative Impacts*

Impact HAZ-C:	As mitigated, the project would not result in a cumulatively considerable contribution to a cumulatively significant hazards and hazardous materials impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

The geographic area for cumulative hazards and hazardous materials impacts is the project site and immediate vicinity.

As described in the discussion under Impact HAZ-1, the proposed project would include the use and storage of diesel fuel for testing and maintenance of the backup generators. A Hazardous Materials Business Plan would be completed for the safe storage and use of chemicals. Conformance with relevant laws and regulations would minimize the likelihood of hazardous material releases from the proposed fuel storage tanks and the use or storage of diesel fuel, oils and lubricants by the project would not result in or substantially contribute to a significant cumulative impact related to the use and storage of hazardous materials.

Because the project would implement mitigation measures to remediate existing soil and groundwater contamination on the site (see MM HAZ-2.1), thereby reducing contamination in the project area, the project would not result in or substantially contribute to a cumulative impact related to soil and groundwater contamination.

As described in Section 3.3 Air Quality, the project would not result in or substantially contribute to a cumulative impact related to hazardous air emissions. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

[65] CAL FIRE. "Draft Fire Hazard Severity Zones." Accessed October 29, 2019. http://frap.fire.ca.gov/webdata/maps/statewide/fhszl06_1_map.jpg.

3.10 HYDROLOGY AND WATER QUALITY

3.10.1 Environmental Setting

3.10.1.1 *Regulatory Framework*

Federal and State

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality in California. Regulations set forth by the EPA and the SWRCB have been developed to fulfill the requirements of this legislation. EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the Regional Water Quality Control Boards (RWQCBs). The project site is within the jurisdiction of the San Francisco Bay RWQCB.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

Statewide Construction General Permit

The State Water Resources Control Board (SWRCB) has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) must be filed with the RWQCB by the project sponsor, and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional and Local

San Francisco Bay Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff

discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in 2015 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.[66] Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g. rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if they do not meet the minimized size threshold, drain into tidally influenced areas or directly into the Bay, or drain into hardened channels, or if they are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious.

Municipal Regional Permit Provision C.12.f

Provision C.12.f of the MRP requires co-permittee agencies to implement a control program for PCBs that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs wasteload allocation in the Basin Plan by March 2030.[67] Programs must include focused implementation of PCB control measures, such as source control, treatment control, and pollution prevention strategies. Municipalities throughout the Bay Area are updating their demolition permit processes to incorporate the management of PCBs in demolition building materials to ensure PCBs are not discharged to storm drains during demolition.

Water Resources Protection Ordinance and District Well Ordinance

Valley Water operates as the flood control agency for Santa Clara County. Their stewardship also includes creek restoration, pollution prevention efforts, and groundwater recharge. Permits for well construction and destruction work, most exploratory boring for groundwater exploration, and projects within Valley Water property or easements are required under Valley Water's Water Resources Protection Ordinance and District Well Ordinance.

[66] MRP Number CAS612008
[67] San Francisco Bay Regional Water Quality Control Board. *Municipal Regional Stormwater Permit, Provision C.12.* November 19, 2015.

Dam Safety

Since August 14, 1929, the State of California has regulated dams to prevent failure, safeguard life, and protect property. The California Water Code entrusts dam safety regulatory power to California Department of Water Resources, Division of Safety of Dams (DSOD). The DSOD provide oversight to the design, construction, and maintenance of over 1,200 jurisdictional sized dams in California.[68]

As part of its comprehensive dam safety program, Valley Water routinely monitors and studies the condition of each of its 10 dams. Valley Water also has its own Emergency Operations Center and a response team that inspects dams after significant earthquakes. These regulatory inspection programs reduce the potential for dam failure.

Construction Dewatering Waste Discharge Requirements

Each of the RWQCBs regulate construction dewatering discharges to storm drains or surface waters within its Region under the NPDES program and Waste Discharge Requirements.

3.10.1.2 *Existing Conditions*

Flooding

The site is not located within a 100-year flood (one percent annual flood) hazard zone. According to the FEMA's Flood Insurance Rate Map, the project site is located within Zone X.[69] Zone X is defined as "areas of the 0.2 percent annual chance flood; area of one percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from one percent annual chance flood." The existing elevation is approximately 50 to 55 feet above mean sea level (msl).

A portion of Shulman Avenue over which the proposed transmission line would traverse is located in Zone AH, which is defined as having 100-year flood depths of one to three feet.

Inundation Hazards

The proposed project site is located approximately 1.25 miles west of the Guadalupe River and approximately 0.75 miles east of the San Tomas Aquino Creek. The project is within the San Tomas Aquino Creek Watershed. The project site is within the Lexington Dam failure inundation area under the "fair weather" scenario, which assumes that dam failure occurs during non-storm conditions with a normal full pool elevation in the reservoir and normal flow conditions downstream of the dam.[70]

In the ocean, seismically-induced waves are caused by displacement of the sea floor by a submarine earthquake and are called tsunamis. Seiches are waves produced in a confined body of water such as

[68] California Department of Water Resources, Division of Safety of Dams. https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams#:~:text=Since%20August%2014%2C%201929%2C%20the,Safety%20of%20Dams%20(DSOD). Accessed June 9, 2020.
[69] Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel No. 06085C0227H, November 18, 2019.
[70] Santa Clara Valley Water District. Lenihan (Lexington) Dam Flood Inundation Maps. 2016.

a lake or reservoir by earthquake ground shaking or landsliding. Seiches are possible at reservoir, lake or pond sites. The project area is not subject to inundation from a seiche, tsunami, or mudflow.[71]

Storm Drainage

The City of Santa Clara owns and maintains the municipal storm drainage system in the project vicinity. Stormwater on site currently drains to an on-site catch basin or drains as sheet flow towards the storm drainage system on Memorex Drive. The runoff eventually empties into the Guadalupe River and flows into the San Francisco Bay.

Groundwater

The project site is located within the Santa Clara Valley groundwater basin and the Santa Clara sub-basin.[72] [73] The site is within the Santa Clara Plain Confined Area and is not within an area used for in-stream or other groundwater recharge.[74] Depth to groundwater beneath the project site is typically encountered at 13-18 feet below ground surface (bgs), and flows in a northeasterly direction.[75] The depth to groundwater can vary due to factors such as variations in rainfall, temperature, runoff, irrigation, and groundwater withdrawal and/or recharge. The regional topographic gradient is generally north northeast towards the bay.

3.10.2 Impact Discussion

For the purpose of determining the significance of the project's impact on hydrology and water quality, would the project:

1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    - result in substantial erosion or siltation on- or off-site;
    - substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
    - create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

[71] Association of Bay Area Governments, San Francisco Bay Area Hazards, November 14, 2019.
[72] California Department of Water Resources. *A Comprehensive Groundwater Protection Evaluation for the South San Francisco Bay Basins.* May 2003. Figure 9.
[73] Santa Clara Valley Water District. Groundwater Management Plan. 2016.
[74] Santa Clara Valley Water District. Groundwater Management Plan. 2016.
[75] Cornerstone Earth Group. *Phase 2 Environmental Site Assessment – 1220-1320 Memorex Drive.* September 25, 2019.

- impede or redirect flood flows?

4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

3.10.2.1 *Project Impacts*

Impact HYD-1:	The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. **(Less than Significant Impact)**

The project would create or replace more than 10,000 square feet of impervious surface area and, therefore, is classified as a Regulated Project under the MRP's Provision C.3, meaning it is subject to the LID source control, site design and stormwater treatment control requirements of Provision C.3. The project would include stormwater quality best management practices (BMPs) such as directing site runoff into bioswales. In addition, the use of beneficial landscaping (i.e., minimizing irrigation, pesticides and fertilizer application) would be implemented. These measures are consistent with the site design, treatment control and source control requirements of Provision C.3.

Construction Impacts

Implementation of the project would disturb approximately 9.18 acres. Therefore, requirements under the City's MRP would apply to the project. Construction activities could generate dust, sediment, litter, oil, and other pollutants that could temporarily contaminate water runoff from the site. The City of Santa Clara has developed Standard Permit Conditions based on the RWQCB BMPs to reduce construction-related water quality impacts.

<u>Standard Permit Condition</u>

The project will incorporate the following measures into the project to reduce construction-related water quality impacts:

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities shall be suspended during periods of high winds.
- All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust, as necessary.
- Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.
- All trucks hauling soil, sand, and other loose materials shall be required to cover all trucks or maintain at least two feet of freeboard.

- All paved access roads, parking areas, and staging areas adjacent to the construction sites shall be swept daily (with water sweepers).
- Vegetation in disturbed areas shall be replanted as quickly as possible.
- All unpaved entrances to the site shall be filled with rock to knock mud from truck tires prior to entering City streets. A tire wash system may also be employed at the request of the City.

The project would include the above measures to avoid or reduce construction-related water quality impacts to less than significant level.

Impervious and Pervious Surfaces

The project drainage infrastructure would include overland stormwater management basins and would connect to the existing City of Santa Clara storm drain system. Bioretention areas would be installed in on-site landscape areas as part of the project, which would help to detain stormwater runoff and infiltrate water into the soil. Additional C.3/post-construction measures, such as directing runoff to vegetated swales, would be implemented. On-site drainage facilities would be designed to meet City of Santa Clara standards and would drain to the existing storm drain system.

The current site includes 95 percent impervious cover (roof top and pavements) and five percent pervious cover (gravels, weeds). The project would become approximately 80 percent impervious cover (building, paving) and 20 percent pervious cover (manicured landscape), as shown in Table 4.10-1.

Table 4.10-1: Pervious/Impervious Surfaces

	Impervious (sf)	Pervious (sf)	Total Area (sf)	Percent Impervious
Existing	381,353	18,686	400,039	95
Proposed	319,843	80,196	400,039	80

Because the project would increase the amount of pervious surface area on the site, the project could potentially reduce the overall amount of runoff that leaves the site and enters the existing storm drain system. The project would, therefore, not contribute runoff water that would exceed the capacity of the existing City of Santa Clara stormwater drainage systems. **(Less than Significant Impact)**

Impact HYD-2:	The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **(Less than Significant Impact)**

The project does not propose to pump groundwater or install groundwater extraction wells. In addition, as discussed in Section 3.10.1.2, the project site is not within an area used for groundwater recharge. For these reasons, the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. **(Less than Significant Impact)**

Impact HYD-3:	The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. **(Less than Significant Impact)**

The project would not alter the course of a stream, river, or other waterway. As discussed under Impact HYD-1, the project would result in a decrease in surface runoff from the site compared to existing conditions due to an increase in pervious surface area. As a result, no off-site flooding would occur. In addition, as discussed under Impact HYD-1, the project would implement best management practices to reduce stormwater runoff water quality impacts to a less than significant level.

The project site is outside of the 100-year flood hazard zone, and therefore, would not impede or redirect flood flows. A portion of Shulman Avenue over which the transmission line would traverse is located in FEMA Flood Zone AH, which is defined as having 100-year flood depths of one to three feet. The poles for the proposed transmission line are very small relative to the width of the floodplain and would not pose a substantial obstruction to flood flows such that flood flows would be impeded or redirected in any substantial way **(Less than Significant Impact)**

Impact HYD-4:	The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(Less than Significant Impact)**

Flooding, Tsunami and Seiche

As described previously, the project site is outside of the 100-year flood hazard zone, and therefore, would not expose people or structures to 100-year flood hazards. Additionally, as discussed in Section 4.10.1.2, the project area is not subject to inundation from a seiche, tsunami, or mudflow.

Although a portion of Shulman Avenue over which the transmission line would traverse is located in FEMA Flood Zone AH, the installation of poles for the new transmission line would not risk release of pollutants.

Dam Inundation Hazards

The project area is within the dam failure inundation area for Lexington Reservoir (Lenihan Dam)[76]. Lexington Reservoir is maintained by the Santa Clara Valley Water District (SCVWD) and the dam is continuously monitored for seepage and settling and inspected when an earthquake occurs. Due to the inspection and monitoring program, the distance from the site, and the nature of the on-site uses,

[76] Santa Clara Valley Water District. *Lenihan (Lexington) Dam 2016 Flood Inundation Maps*. 2016. Accessed: November 18, 2019. https://www.valleywater.org/sites/default/files/Lexington%20Dam%20Inundation%20Map%202016.pdf

proposed site improvements are not anticipated to result in a new substantial hazard from dam failure. While inundation resulting from dam failure could result in damage to structures, the probability of such a failure is extremely remote. The project, therefore, would not be subject to a significant risk of inundation from dam failure. **(Less than Significant Impact)**

Impact HYD-5:	The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(Less than Significant Impact)**

As discussed under Impacts HYD-1 and HYD-2, the project would comply with applicable water quality control regulations and would not substantially decrease groundwater supplies or interfere with groundwater recharge. **(Less than Significant Impact)**

3.10.2.2 *Cumulative Impacts*

Impact HYD-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant hydrology and water quality impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative hydrology and water quality impacts is the San Tomas Aquino Creek watershed. With the implementation of best management practices to reduce impacts to water quality discussed and applicable regulations discussed in Section 3.10.1, development projects that could impact this watershed (including the proposed project) are required to undertake steps to avoid, minimize, and/or mitigate flooding and water quality impacts. For these reasons, the cumulative projects in compliance with applicable regulations would not result in significant cumulative hydrology or water quality impacts. **(Less than Significant Cumulative Impact)**

3.11 LAND USE AND PLANNING

3.11.1 Environmental Setting

3.11.1.1 *Regulatory Framework*

City of Santa Clara

General Plan Land Use Designation

The Land Use Diagram of the *2010-2035 General Plan* contains three phases: Phase 1: 2010-2015, Phase II: 2015-2023, and Phase III: 2023-2035. The project site is designated as *Light Industrial* and would retain its designation for Phases I, II and III. The *Light Industrial* classification allows for a range of light industrial uses, including general service, warehousing, storage, distribution, and manufacturing. It includes flexible space, such as buildings that allow combinations of single and multiple users, warehouses, data centers and ancillary office uses (permitted to a maximum of 20 percent of the building area). Because uses in this designation may be noxious or include hazardous materials, places of assembly, such as religious institutions and schools, and uses catering to sensitive receptors, such as children and the elderly, as well as entertainment uses such as clubs, theaters and sports venues south of U.S. Highway 101, are prohibited. The maximum floor area ratio (FAR) allowed under this designation is 0.6.

Zoning District

The project site is zoned *ML - Light Industrial*. The *ML – Light Industrial* zoning district (Chapter 18.48 of the City Code) is intended for (but not limited to) commercial storage and wholesale distribution warehouses, plants and facilities for the manufacturing, processing, and repair of equipment and merchandise, and retail sales of industrial products, and uses of a similar nature. Retail commercial and services uses, kennels, and lumber yards (and other similar uses) may also be allowed as a conditional; use with City approval of a Use Permit. The maximum permitted building height within this zone is 70 feet and the maximum building coverage is 75 percent.

Norman Y. Mineta San José International Airport

The proposed project site is approximately 0.65 miles west of the Norman Y. Mineta San José International Airport (Airport) and is located within the Airport Influence Area (AIA) defined by the Santa Clara County Airport Land Use Commission's Comprehensive Land Use Plan (CLUP) for the Airport. Development within the AIA can be subject to hazards from aircraft and also pose hazards to aircraft travelling to and from the airport. The AIA is a composite of areas surrounding the airport that are affected by noise, height and safety considerations. These hazards are addressed in Federal and State regulations as well as in land use regulations and policies in the CLUP. The most recent CLUP for the Airport was adopted in 2011 and updated in 2016.

The project is also in the Traffic Pattern Zone (TPZ), which requires ten percent of the gross area located within one-half mile of the airport to be open space, and also does not allow with very high concentrations of people.[77] Additionally, FAA Part 77 would require any proposed structure on the

[77] Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan.* Figure 6. Amended November 16, 2016.

site higher than approximately 35 feet above ground to be submitted to the FAA for airspace safety review.[78] As the project proposes a maximum building height of 99 feet, review by the FAA is required, including the proposed off-site transmission line poles.

3.11.1.2 *Surrounding Land Uses*

A one-story office machine shop, and one and two-story industrial facilities are located directly east of the project site. Two, one-story commercial/industrial buildings and a one-story industrial building are located to the west of the project site. The Union Pacific Railroad (UPRR) tracks are located south of the project site, beyond which are one- and two-story single-family residences. One-story, industrial and commercial buildings are located north of the project site. The project area consists primarily of industrial land uses. Buildings in the area are similar in height and scale to the existing building on the project site. The Norman Y. Mineta San José International Airport is located approximately 0.65 miles east of the site. Views of the surrounding land uses can be seen in Photos Five and Six (See Section 3.1).

3.11.2 Impact Discussion

For the purpose of determining the significance of the project's impact on land use and planning, would the project:

1) Physically divide an established community?
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

3.11.2.1 *Project Impacts*

Impact LU-1:	The project would not physically divide an established community. **(No Impact)**

The project site is located in an industrial area surrounded by industrial development and commercial uses. It would not include any physical features that would physically divide the community (e.g., blocking of roadways or sidewalks) and would not interfere with the movement of residents through a neighborhood. For these reasons, construction of the proposed project would not divide an established community. **(No Impact)**

[78] Norman Y. Mineta San José International Airport. "Notice Requirement Criteria for Filing FAA Form 7460-1". September 2013.

Impact LU-2:	The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

Santa Clara General Plan

The project site is designated *Light Industrial* and would retain its designation. The *Light Industrial* classification allows data for warehousing and distribution, as well as data centers and supporting backup generation facilities. Therefore, the proposed project is consistent with the uses contemplated in the General Plan for the Light Industrial land use designation on the site. The proposed FAR of the project 1.4, is inconsistent with the maximum FAR of 0.6 specified in the General Plan for the Light Industrial land use classification. While the project is not strictly consistent with this component of the General Plan's land use classification, the maximum FAR described in the General Plan is not a policy adopted for the purpose of avoiding or mitigating an environmental effect. The City maintains the discretion to allow an increased FAR for qualifying projects where findings can be made that the project is otherwise consistent with the General Plan. As described in this section and throughout the EIR, the project is consistent with the policies in the General Plan. Therefore, the proposed project is consistent with the General Plan land use designation on the site.

The project area consists primarily of industrial land uses, including other data centers. The nearest sensitive receptors to the proposed project site are existing residences along Main Street, about 140 feet southwest of the southern project boundary. The residences are separated from the site by the UPRR tracks. The Airport is located approximately 0.65 miles east of the site. Aircraft, along with truck and other vehicle traffic, are readily apparent in the area. Noise and lighting levels associated with the proposed project are not anticipated to adversely affect adjacent properties. The proposed project, therefore, would not introduce a land use to the site that would create a land use compatibility conflict in the project area.

City Code

As stated above, the project site is zoned *ML - Light Industrial*. The City has routinely approved of data centers and supporting backup generation facilities as a use consistent with the *ML* zoning designation. The maximum permitted building height within this zone is 70 feet. The City allows up to a 25 percent increase in permitted building heights with a minor modification to the zoning requirements. The data center building would be approximately 85 feet in height, with additional screening and decorative features extending to a height of 99 feet. With approval of a minor modification, the proposed building height of 85 feet would be consistent with the zoning on the site. Per Section 18.64.010(a), the proposed parapets are not subject to the height restrictions. Additionally, noise generated by the project operation would comply with the City Code noise limits for adjacent land uses (refer to Section 3.13 Noise). The proposed project, therefore, would not conflict with the City's General Plan or Zoning Ordinance.

Consistency with the San José International Airport Comprehensive Land Use Plan

The project site is located within the AIA of the San José International Airport and within the Traffic Pattern Zone that extends to the northwest from the end of the airport runways. Potential conflicts

related to the building height or aircraft noise are discussed in Section 3.9 and Section 3.13, respectively. Additionally, the CLUP requires that an Avigation Easement setting forth acceptance of elevation restrictions and associated aircraft overflight impacts be granted to the Airport operator (City of San Jose) prior to approval of construction. The project would not conflict with the CLUP.

The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

3.11.2.2 *Cumulative Impacts*

Impact LU-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant land use and planning impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative land use impacts is the City of Santa Clara. Construction of the cumulative projects within the City would consist of redevelopment of currently (or previously) developed sites. Development on a number of these sites would result in a change of uses and/or an intensification of development.

The compatibility of new development with adjacent land uses, and the general character of surrounding areas are considered as a part of the City of Santa Clara's architectural and environmental review processes.

All Santa Clara projects listed in Table 3.0-1 and the proposed project are subject to conformance with applicable land use plans (including the General Plan) for the purposes of avoiding or mitigating environmental effects. In addition, the setback, design, and operational requirements of the City Code minimize land use compatibility issues. The cumulative projects, in conformance with the applicable General Plan goals and policies, would not result in significant cumulative land use compatibility impacts or conflict with a policies or regulation adopted for the purpose of avoiding or mitigating an environmental impact. For these reasons, the cumulative projects, combined with the proposed project, would not result in significant cumulative land use impacts. **(Less Than Significant Cumulative Impact)**

3.12 MINERAL RESOURCES

3.12.1 Environmental Setting

3.12.1.1 *Regulatory Framework*

State

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act (SMARA) was enacted by the California legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State.

3.12.1.2 *Existing Conditions*

The City of Santa Clara is located in an area zoned MRZ-1 for aggregate materials by the State of California. MRZ-1 zones are areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence. The area is not known to support significant mineral resources of any type. No mineral resources are currently being extracted in the City. The State Office of Mine Reclamation's list of mines (AB 3098 list) regulated under the Surface Mining and Reclamation Act does not include any mines within the City.

3.12.2 Impact Discussion

For the purpose of determining the significance of the project's impact on mineral resources, would the project:

1) Result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state?
2) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

3.12.2.1 *Project Impacts*

Impact MIN-1:	The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. **(No Impact)**

The project site does not contain any known or designated mineral resources. The project, therefore, would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. **(No Impact)**

Impact MIN-2:	The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. **(No Impact)**

The project site is not delineated in the General Plan or other land use plan as a locally important mineral resource recovery site. For this reason, the project would not result in the loss of availability of locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. **(No Impact)**

3.12.2.2 *Cumulative Impacts*

Impact MIN-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant mineral resources impact. **(No Cumulative Impact)**

As mentioned in Section 3.12.2.1, no mineral resources have been identified within the City. Since the project would not result in impacts to mineral resources, the project has no potential to combine with other projects to result in cumulative impacts to these resources. **(No Cumulative Impact)**

3.13 NOISE

The discussion in this section is based in part upon a Noise and Vibration Assessment and a supplemental Noise Assessment of Changes to Generators Memo prepared for the project by Illingworth & Rodkin, Inc. in November 2020 and March 2021, respectively. Copies of these reports are included in Appendix J of this EIR.

3.13.1 Environmental Setting

3.13.1.1 *Background Information*

Noise

Factors that influence sound as it is perceived by the human ear, include the actual level of sound, period of exposure, frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including L_{eq}, DNL, or CNEL.[79] These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. PPV has been routinely used to measure and assess ground-borne construction vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 inches/second (in/sec) PPV.

[79] L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq}.

3.13.1.2 *Regulatory Framework*

State and Local

California Green Building Standards Code

For commercial uses, CalGreen (Section 5.507.4.1 and 5.507.4.2) requires that wall and roof-ceiling assemblies exposed to the adjacent roadways have a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when the commercial property falls within the 65 dBA L_{dn} or greater noise contour for a freeway or expressway, railroad, or industrial or stationary noise source. The state requires interior noise levels to be maintained at 50 dBA $L_{eq(1\text{-}hr)}$ or less during hours of operation at a proposed commercial use.

Santa Clara General Plan

The City of Santa Clara General Plan identifies noise and land use compatibility standards for various land uses (General Plan Table 5.10-2). The noise standard is 70 dBA Community Noise Equivalent Level (CNEL) for uses with an industrial land use designation and 55 dBA CNEL for uses with a residential land use designation. The following policies are applicable to the project:

Policies	Description
5.10.6-P1	Review all land use and development proposals for consistency with the General Plan compatibility standards and acceptable noise exposure levels defined on Table 5.10-1.
5.10.6-P2	Incorporate noise attenuation measures for all projects that have noise exposure levels greater than General Plan "normally acceptable" levels, as defined on Table 5.10-1.
5.10.6-P3	New development should include noise control techniques to reduce noise to acceptable levels, including site layout (setbacks, separation and shielding), building treatments (mechanical ventilation system, sound-rated windows, solid core doors and baffling) and structural measures (earthen berms and sound walls)
5.10.6-P4	Encourage the control of noise at the source through site design, building design, landscaping, hours of operation and other techniques.
5.10.6-P5	Require noise-generating uses near residential neighborhoods to include solid walls and heavy landscaping along common property lines, and to place compressors and mechanical equipment in sound-proof enclosures.
5.10.6-P6	Discourage noise sensitive uses, such as residences, hospitals, schools, libraries and rest homes, from areas with high noise levels, and discourage high noise generating uses from areas adjacent to sensitive uses.
5.10.6-P7	Implement measures to reduce interior noise levels and restrict outdoor activities in areas subject to aircraft noise in order to make Office/research and Development uses compatible with the Norman Y. Mineta International Airport land use restrictions.

City Code

Chapter 9.10 "Regulation of Noise and Vibration," of the City of Santa Clara City Code identifies allowable hours for construction to limit impacts to sensitive uses within 300 feet of a project site. The nearest sensitive receptors to the proposed project site are the Granada Islamic School about 0.5 miles northwest of the site and existing residences along Layfette Street in Santa Clara about 0.6 miles north of the site. The project is, therefore, not subject to the City Code regulations on construction hours.

The City Code also includes standards for maximum noise levels according to zoning districts for fixed sources of noise, as shown in Table 3.13-1 below.

Table 3.13-1: Noise Limits for Zoning Districts		
Receiving Zone	**Daytime Noise Limit (dBA)**	**Nighttime Noise Limit (DBA)**
Single-family and duplex residential	55	50
Multiple-family residential, public space	55	50
Commercial, Office	65	60
Light Industrial	70	70
Heavy Industrial	75	75

Santa Clara County Airport Land Use Commission Land Use Plan

The comprehensive land use plan adopted by the Santa Clara County Airport Land Use Commission (ALUC) contains standards for projects within the vicinity of Norman Y. Mineta International Airport which are relevant to this project:

Policies	Description
N-1	The Community Noise Equivalent Level (CNEL) method of representing noise levels shall be used to determine if a specific land use is consistent with the CLUP.
N-2	In addition to the other policies herein, the Noise Compatibility Policies presented in Table 4-1 shall be used to determine if a specific land use is consistent with this CLUP.
N-3	Noise impacts shall be evaluated according to the Aircraft Noise Contours presented on the 2027 CNEL Noise Contours for the Airport Master Plan.
N-6	Noise level compatibility standards for other types of land uses shall be applied in the same manner as the above residential noise level criteria. Table 4-1 presents acceptable noise levels for other land uses in the vicinity of the Airport.

3.13.1.3 *Existing Conditions*

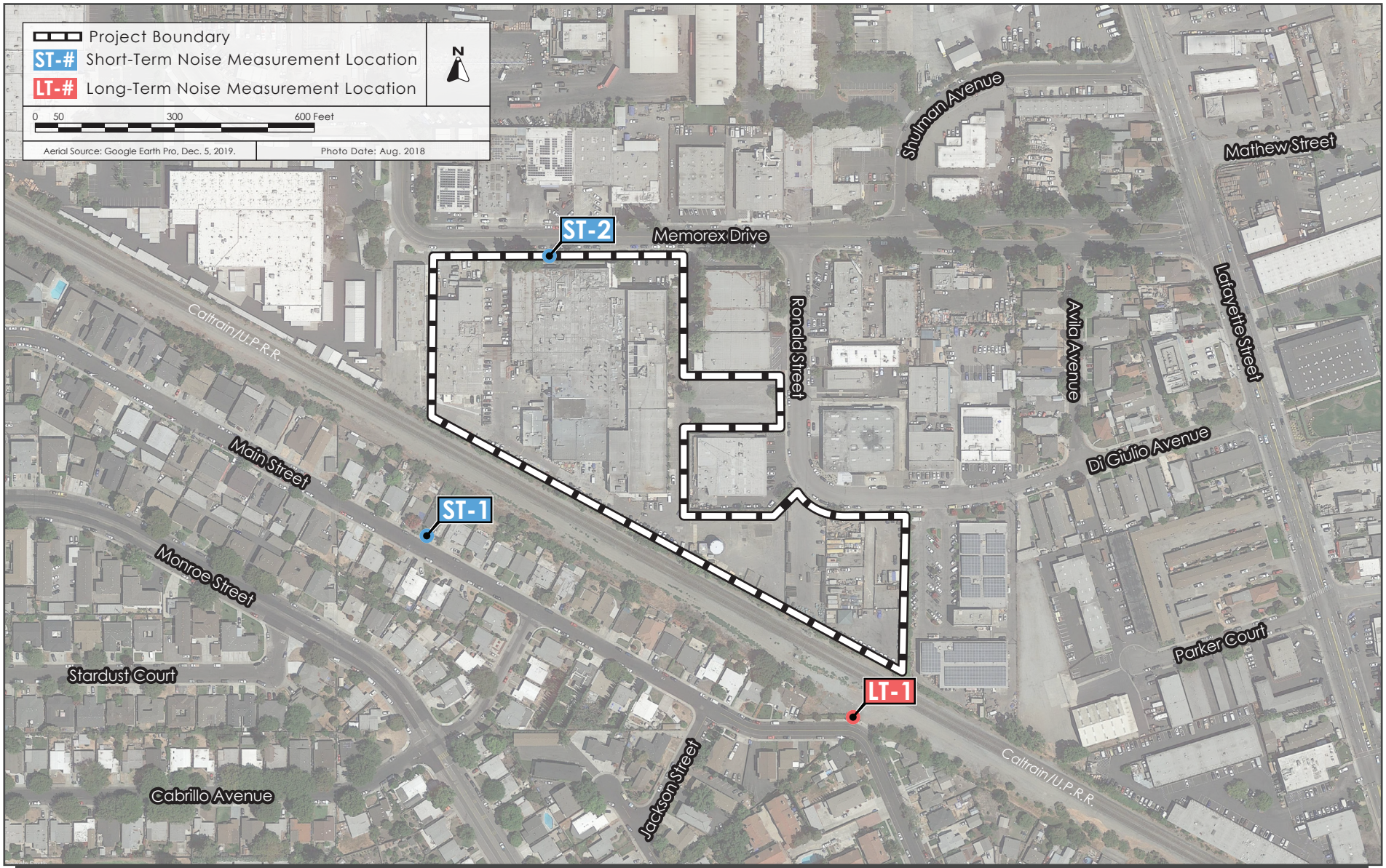
The predominant sources of noise in the project vicinity include traffic on Memorex Drive, mechanical equipment noise from surrounding uses, intermittent noise from Caltrain passbys, and intermittent noise from aircraft associated with Norman Y. Mineta International Airport.

A noise monitoring survey at the project site was conducted Friday, October 25, 2019 and Friday, November 1, 2019. One long-term noise measurement (LT-1) and three short-term noise measurements (ST-1 through ST-3), as shown in Figure 3.13-1, were made as part of the monitoring survey.

Long term measurement LT-1 was located along Main Street, approximately 130 feet southwest of the site. The primary noise sources at this location were Caltrain passbys and local traffic, with occasional noise generated by aircraft flyovers. Hourly average noise levels varied between 52 and

688 dBA Leq during daytime hours, and from 47 to 63 dBA Leq at night. Daily average community noise equivalent levels (CNEL) ranged between 61 and 66 dBA CNEL.

Short term measurements ST-1 and ST-2 were made on Tuesday March 10, 2020. Short term measurement ST-1 was made at the front of the residence located at 2109 Main Street. The primary noise sources at this location were local traffic and aircraft flyovers. The equivalent sound level at this location was 52 dBA L_{eq}. Short term measurement ST-2 was made along Memorex Drive at the north side of the site. The primary noise sources at this location were traffic along Memorex Drive, mechanical equipment operating at the site to north, and forklift operations. The equivalent sound level at this location was 67 dBA L_{eq}.



NOISE MEASUREMENT LOCATIONS

FIGURE 3.13-1

3.13.2 Impact Discussion

For the purpose of determining the significance of the project's impact on noise, would the project result in:

1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
2) Generation of excessive groundborne vibration or groundborne noise levels?
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

3.13.2.1 *Project Impacts*

Impact NOI-1:	As mitigated, the project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. **(Less than Significant Impact with Mitigation Incorporated)**

Construction

Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time. Maximum instantaneous noise levels generated by typical construction equipment at 50 feet are shown in Table 3.13-2. Typical hourly average construction-generated noise levels for construction of various types of facilities are shown in Table 3.13-3.

The construction of the proposed project would involve demolition of the existing structure and pavement, site preparation, grading and excavation, trenching, building erection, interior/architectural coating, and paving. Less intensive construction activities associated with the transmission line pole installation would occur for brief periods of time at each pole location or along the length of the potential underground portion of the line. The highest maximum noise levels generated by project construction typically range from about 81 to 90 dBA L_{max} at a distance of 50 feet from the noise source and typical hourly average construction-generated noise levels for this type of facility are about 74 to 89 dBA L_{eq} measured at a distance of 50 feet from the center of the site during busy construction periods (e.g., earth moving equipment, impact tools, etc.). Construction-generated noise levels drop off at a rate of about six dBA per doubling of the distance between the source and receptor. Shielding by buildings or terrain can provide an additional five to 10 dBA noise reduction at distant receptors.

Table 3.13-2: Construction Equipment 50-Foot Noise Emission Limits		
Equipment Category	**L_{max} Level (dBA)[1,2]**	**Impact/Continuous**
Arc Welder	73	Continuous
Auger Drill Rig	85	Continuous
Backhoe	80	Continuous
Bar Bender	80	Continuous
Boring Jack Power Unit	80	Continuous
Chain Saw	85	Continuous
Compressor[3]	70	Continuous
Compressor (other)	80	Continuous
Concrete Mixer	85	Continuous
Concrete Pump	82	Continuous
Concrete Saw	90	Continuous
Concrete Vibrator	80	Continuous
Crane	85	Continuous
Dozer	85	Continuous
Excavator	85	Continuous
Front End Loader	80	Continuous
Generator	82	Continuous
Generator (25 KVA or less)	70	Continuous
Gradall	85	Continuous
Grader	85	Continuous
Grinder Saw	85	Continuous
Horizontal Boring Hydro Jack	80	Continuous
Hydra Break Ram	90	Impact
Impact Pile Driver	105	Impact
Insitu Soil Sampling Rig	84	Continuous
Jackhammer	85	Impact
Mounted Impact Hammer (hoe ram)	90	Impact
Paver	85	Continuous
Pneumatic Tools	85	Continuous
Pumps	77	Continuous
Rock Drill	85	Continuous
Scraper	85	Continuous

Table 3.13-2: Construction Equipment 50-Foot Noise Emission Limits		
Equipment Category	**L_{max} Level (dBA)[1,2]**	**Impact/Continuous**
Slurry Trenching Machine	82	Continuous
Soil Mix Drill Rig	80	Continuous
Street Sweeper	80	Continuous
Tractor	84	Continuous
Truck (dump, delivery)	84	Continuous
Vacuum Excavator Truck (vac-truck)	85	Continuous
Vibratory Compactor	80	Continuous
Vibratory Pile Driver	95	Continuous
All other equipment with engines larger than 5 HP	85	Continuous

[1] Measured at 50 feet from the construction equipment, with a "slow" (1 sec.) time constant.

[2] Noise limits apply to total noise emitted from equipment and associated components operating at full power while engaged in its intended operation.

[3]Portable Air Compressor rated at 75 cfm or greater and that operates at greater than 50 psi

Table 3.13-3: Typical Ranges of Construction Noise Levels at 50 Feet, L_{eq} (dBA)								
	Domestic Housing		**Office Building, Hotel, Hospital, School, Public Works**		**Industrial Parking Garage, Religious Amusement & Recreations, Store, Service Station**		**Public Works Roads & Highways, Sewers, and Trenches**	
	I	**II**	**I**	**II**	**I**	**II**	**I**	**II**
Ground Clearing	83	83	84	84	84	83	84	84
Excavation	88	75	89	79	89	71	88	78
Foundations	81	81	78	78	77	77	88	88
Erection	81	65	87	75	84	72	79	78
Finishing	88	72	89	75	89	74	84	84

I - All pertinent equipment present at site.
II - Minimum required equipment present at site.

Noise sensitive uses surrounding the site include residential buildings along Main Street, located approximately 140 feet southwest of the project site, commercial buildings along Ronald Street, located approximately 25 feet east of the project site, and commercial buildings along Memorex Drive approximately 75 feet north and 15 feet west of the project site. Anticipated hourly average

and maximum noise levels at the surrounding uses are shown in Table 3.13-4. Noise levels at each use would be lower as construction moves away from shared property lines or into shielded areas.

Table 3.13-4: Calculated Construction Noise Levels at Surrounding Noise-Sensitive Uses			
Receptor Location	**Use**	**L_{eq} (dBA)**	**L_{max} (dBA)**
Main Street, ~150 ft. Southwest of Site	Residential	64 – 79	71 – 80
2100 – 2250 Ronald Street, ~25 ft. East of Site	Commercial	80 – 95	87 – 96
1330 Memorex Drive, ~15 ft. West of Site	Commercial	84 – 99	91 – 100
1125 – 1250 Memorex Drive, ~75 ft. North of Site	Commercial	70 – 85	77 – 86

As described previously, construction activities would also occur at the locations of each pole proposed as part of the overhead transmission line extension, or along the length of the potential underground portion of the line. The majority of the transmission line route is located adjacent to commercial and industrial uses, but in some locations on Di Giulio Avenue poles and/or the underground portion of the line would be installed adjacent to existing residential uses. Intermittent noise would be caused by periodic, short-term equipment operation. For example, a drill rig would need to be used with a backhoe or loader to create foundations for the pole installations, and this would require one or two days of work at each pole site. For the underground portion of the line, equipment such as excavators and backhoes would operate intermittently during the construction period along various segments of the line.

Mitigation Measures:

MM NOI-1.1: The project shall implement a construction noise control plan to regulate the hours of construction, reduce construction noise levels emanating from the site, and minimize disruption and annoyance at existing noise-sensitive receptors in the project vicinity. The control plan would include the following controls:

- Construction activities shall be limited to hours between 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or Holidays.
- Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment from adjacent properties. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines should be strictly prohibited.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors,

adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.

- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- Control noise from construction workers' radios to a point where they are not audible at existing residential uses to the north of the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

With implementation of identified mitigation measures, the project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project due to construction noise. **(Less than Significant Impact with Mitigation Incorporated)**

Operational Noise

The primary source of noise from operation of the project would be related to mechanical equipment associated with data center operations. Vehicle trips associated with the project would be low, substantially lower than site baseline traffic volumes, and would not result in a substantial noise generation.

Section 9.10.040 of the City Code establishes noise level performance standards for fixed sources of noise. At single- or multi-family residences, hourly average noise levels exceeding 55 dBA L_{eq} between the hours of 7:00 a.m. and 10:00 p.m. or 50 dBA L_{eq} between 10:00 p.m. and 7:00 a.m. would constitute a significant noise impact. At commercial uses, hourly average noise levels exceeding 65 dBA L_{eq}, between the hours of 7:00 a.m. and 10:00 p.m. or 60 dBA L_{eq} between 10:00 p.m. and 7:00 a.m. would constitute a significant noise impact. At light industrial land uses, hourly average noise levels exceeding 70 dBA L_{eq} at any time would constitute a significant noise impact. At heavy industrial uses, hourly average noise levels exceeding 75 dBA L_{eq} at any time would constitute a significant noise impact. The City Code states that noise limits set forth in the code are

not applicable to the performance of emergency work, including the operation of emergency generators and pumps or other equipment necessary to provide services during an emergency. However, the City has applied the noise limits to testing of the standby generators for previous data center buildings in Santa Clara.

Heating, ventilation, and air conditioning (HVAC) equipment would be located on the rooftop of the data center building. Proposed rooftop equipment includes sixty (60) 345T air-cooled chillers. An electrical distribution substation would be located at the southeastern corner of the site. Data sheets including noise levels for the generators and HVAC equipment were provided by the project applicant. Under full load, each chiller would be designed to meet a sound power level goal of 100 dBA or less. Other mechanical and electrical equipment located inside the building would not be anticipated to emit audible noise outside. The data center building would have a solid rooftop screen wall reaching 14 feet in height above the roof. In order to effectively shield the nearest residences from HVAC noise, the screen wall would need to extend along the full length of the building's southern façade, a minimum distance of 225 feet north of the southwestern corner of the building along the western façade, and a minimum distance of 135 feet north of the southeastern corner of the building along the eastern façade. The remaining roof line would incorporate louvers which are not anticipated to provide substantial noise reduction.

The project would include a generator yard located on the south side of the proposed data center building. The generator yard would include twenty-four (24) CAT 3-MW emergency backup generators and one CAT 500-kW house generator. The layout of the generator yard would have 22 generators double-stacked from ground level and two single units at ground level, all aligned with the southern façade of the data center building. Each generator would be enclosed and only tested during daytime hours. Based on the proposed generator testing schedule, only one generator would be tested at a time.

The backup generators would undergo weekly readiness testing. Readiness testing would occur between 9:00 a.m. and 11:30 a.m. on Mondays and Wednesdays, and between 9:00 a.m. and 10:15 a.m. on Fridays. Readiness testing would last 15 minutes per generator and be under zero percent load. Quarterly and annual PM tests would occur under zero percent load and last for 30 minutes and 60 minutes, respectively. Generators would also undergo annual load bank testing, with 15-minute stages under 25 percent, 50 percent, and 75 percent load, and for 75 minutes under 100 percent load. There will be a total of 437.5 hours of generator testing per year, with 31.25 total hours of testing under full load. Under full load, each three MW double-stacked or individual generator would meet a design goal of 70 dBA at a distance of 23 feet. Under zero percent load, generator noise would reach approximately 59 dBA at a distance of 23 feet. The generators would be equipped with an exhaust silencer so that noise from the exhaust would not exceed 63 dBA at a lateral distance of 23 feet and a height of five feet above ground.

As shown in Table 3.13-5 and in Figure 3.13-2, noise resulting from operations of rooftop chillers and the electrical substation would meet the 55 dBA daytime and 50 dBA nighttime criteria at the nearest residences along Main Street, assuming the use of chillers with sound power levels of 100 dBA or lower.

As seen in Table 3.13-5 and Figure 3.13-3, generator testing concurrent with HVAC and substation operations would result in noise levels reaching, but not exceeding, 55 dBA L_{eq} at the nearest

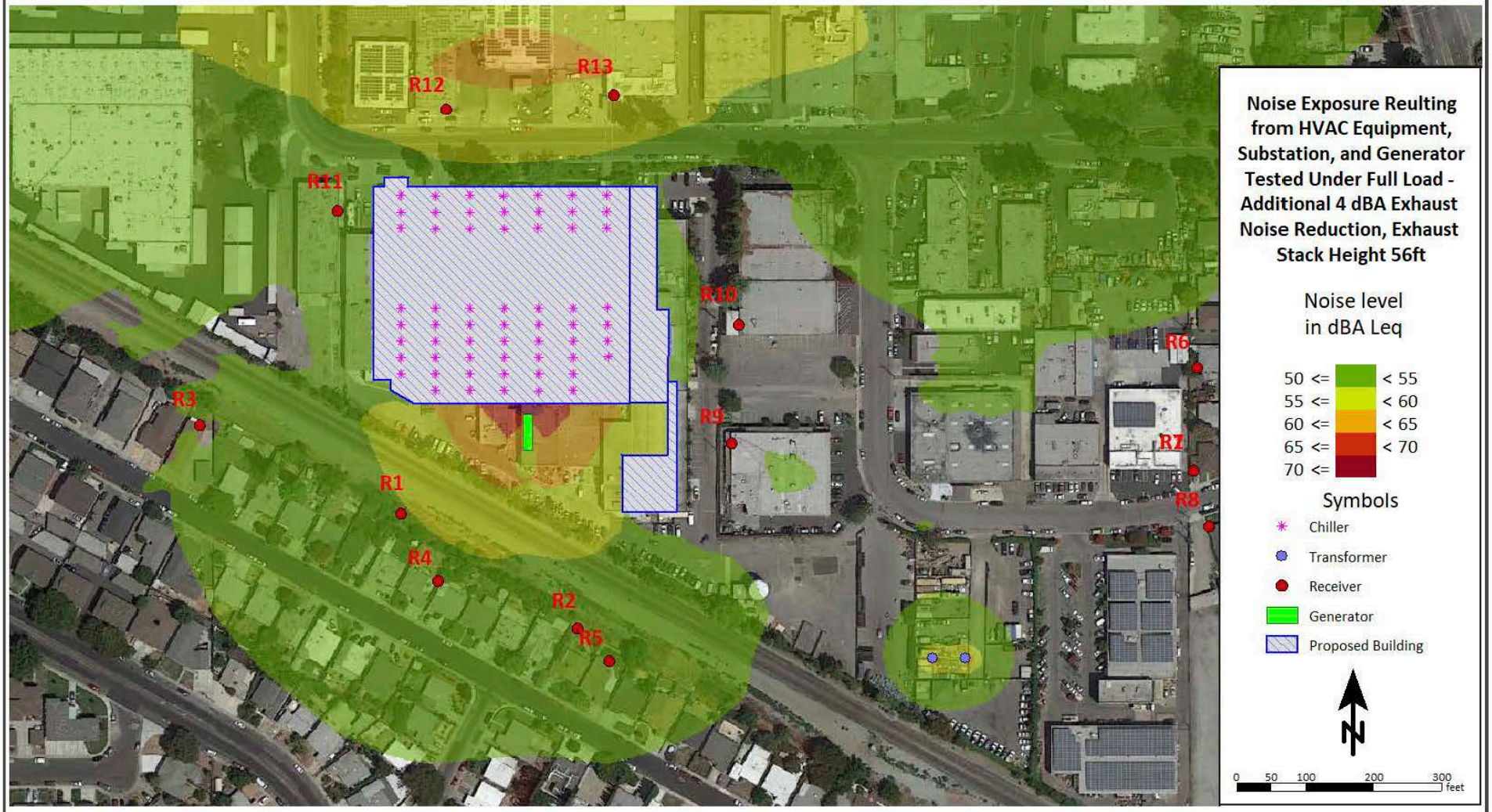
property line of the residences along Main Street. As generator testing will only take place during daytime hours, this would not result in standards being exceeded. Daytime and nighttime light industrial limits of 70 dBA L_{eq} would not be exceeded at any time. Again, this assumes that the design goal of 70 dBA at a distance of 23 feet under full load is achieved for each 3-MW double-stacked or individual generator.

Table 3.13-5: Calculated Noise Levels Resulting from Mechanical Equipment Operations

Receiver Location	Receiver Number	Calculated Noise Levels, dBA L_{eq}		Nighttime Threshold, dBA L_{eq}	Daytime Threshold, dBA L_{eq}	Exceedances
		Mechanical Equipment Only (Nighttime)	Mechanical Equipment and Generator Testing under 100% Load (Daytime)			
Main Street	R1	50	55	50	55	None None
	R2	50	52	50	55	None None
	R3	49	50	50	55	None None
	R4	49	54	50	55	None None
	R5	49	52	50	55	None None
Avila Avenue	R6	50	50	50	55	None None
	R7	35	49	50	55	None None
Di Giulio Avenue	R8	49	49	50	55	None None
2100 – 2300 Ronald Street	R9	47	50	70	70	None None
	R10	49	49	70	70	None None
1330 Memorex	R11	51	51	70	70	None None
Byington Steel	R12	59	59	70	70	None None
	R13	58	58	70	70	None None

Source: Illingworth & Rodkin, Inc., November 2, 2020.

NOISE EXPOSURE RESULTING FROM HVAC EQUIPMENT AND ELECTRICAL SUBSTATION | FIGURE 3.13-2



Source: Illingworth & Rodkin, Inc., March 30, 2021.

NOISE EXPOSURE RESULTING FROM HVAC EQUIPMENT, SUBSTATION, AND SINGLE GENERATOR TESTED UNDER FULL LOAD | FIGURE 3.13-3

To ensure the project conditions assumed in this noise analysis are enforceable, the project would be required to implement the following mitigation measures to reduce operational noise to less than significant levels.

Mitigation Measures:

MM NOI-1.2: The building shall include a rooftop screen wall reaching 14 feet in height above the roof, meeting a minimum surface weight of three pounds per square foot (such as one-inch-thick wood, ½-inch laminated glass, masonry block, concrete, or one-inch metal). The screen wall shall extend along the full length of the building's southern façade, a minimum distance of 225 feet north of the southwestern corner of the building along the western façade, and a minimum distance of 135 feet north of the southeastern corner of the building along the eastern façade.

MM NOI-1.3: Each chiller shall meet a sound power level goal of 100 dBA or less.

MM NOI-1.4: Each generator shall meet a design goal of 70 dBA or less at a lateral distance of 23 feet and a height of five feet above ground under full load. Generators shall be tested one at a time during daytime hours only.

MM NOI-1.4: Each generator shall be equipped with an exhaust silencer so that noise from the exhaust would not exceed 63 dBA at a lateral distance of 23 feet and a height of five feet above ground.

With implementation of the identified mitigation measures, noise from on-site equipment operations would not result in exceedances of criteria set in Section 9.10.040 of the City of Santa Clara City Code. **(Less than Significant Impact with Mitigation Incorporated)**

Impact NOI-2: The project would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact)**

The City of Santa Clara does not specify a construction vibration limit. For structural damage, the California Department of Transportation recommends a vibration limit of 0.5 in/sec PPV for new residential and modern commercial/industrial structures, 0.3 in/sec PPV for older residential structures, and a limit of 0.25 in/sec PPV for historic and some old buildings. The 0.3 in/sec PPV vibration limit would be applicable to residences along Main Street. The 0.5 in/sec PPV vibration limit would be applicable to other properties in the vicinity of the project site.

The construction of the project may generate perceptible vibration when heavy equipment or impact tools are used. Construction activities would include demolition, site preparation, grading and excavation, trenching, building (exterior), interior/architectural coating, and paving. Other project construction activities, such as the use of jackhammers, rock drills, and other high-power or vibratory tools, and rolling stock equipment may potentially generate substantial vibration in the immediate vicinity. Erection of the building structure is not anticipated to be a source of substantial vibration

with the exception of sporadic events such as dropping of heavy objects, which should be avoided to the extent possible.

The closest structures to the project site are residences to the south along Main Street, located 140 feet from the site, commercial buildings along Ronald Street to the east, located about 25 feet from the site, and commercial buildings along Memorex Drive to the north and east, located approximately 75 and 15 feet from the site.

Table 3.13-6 presents typical vibration levels that could be expected from construction equipment at a reference distance of 25 feet and calculated levels at distances of 15 feet, 75 feet, and 150 feet.

Table 3.13-6: Vibration Source Levels for Construction Equipment

Equipment		**Distance from Vibration Source**			
		Reference PPV at 25 feet (in/sec)	**PPV at 15 feet (in/sec)**	**PPV at 75 feet (in/sec)**	**PPV at 150 feet (in/sec)**
Clam shovel drop		0.202	0.354	0.060	0.028
Hydromill (slurry wall)	In soil	0.008	0.014	0.001	0.001
	In rock	0.017	0.030	0.002	0.002
Vibratory Roller		0.210	0.368	0.063	0.029
Hoe Ram		0.089	0.156	0.027	0.012
Large bulldozer		0.089	0.156	0.027	0.012
Caisson drilling		0.089	0.156	0.027	0.012
Loaded trucks		0.076	0.133	0.023	0.011
Jackhammer		0.035	0.061	0.010	0.005
Small bulldozer		0.003	0.005	0.001	0.000

As indicated in Table 3.13-6, construction vibration levels associated with the proposed data center facility are not anticipated to exceed 0.3 in/sec PPV at the nearest residences, located 140 feet from the site, or exceed 0.5 in/sec PPV at the nearest commercial structures, located 15 to 75 feet from the site. Vibration levels would be further below the threshold at more distant locations.

Construction of the proposed transmission line would generate less vibration than construction of the data center facility. Installation of the overhead poles could occur as close as 20 feet from existing residences on Di Giulio Avenue, but would not involve the use of equipment that generates substantial vibration (i.e., clam shovel drop, vibratory roller, etc.). Construction activities associated with the potential underground portion of the transmission line would occur in the street right-of-way at a distance greater than 25 feet from nearby buildings and would not generate substantial vibration at nearby structures. **(Less than Significant Impact)**

Impact NOI-3:	The project would not be located within the vicinity of a private airstrip, but is subject to an airport land use plan. Nevertheless, the project would not expose people residing or working in the project area to excessive noise levels. **(Less than Significant Impact)**

Norman Y. Mineta International Airport is located approximately 0.65 mile east of the project site. The project site located outside of the 60 dBA CNEL airport noise exposure contour shown in the Norman Y. Mineta International Airport Master Plan Update Project Report. This noise level would be considered compatible with the proposed industrial use. **(Less than Significant Impact)**

3.13.2.2 *Cumulative Impacts*

Impact NOI-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant noise impact. **(Less than Significant Cumulative Impact)**

Temporary Construction Noise

The geographic area for cumulative construction noise impacts is the immediate project vicinity. The nearest pending/approved projects are located at 917 Warburton Avenue, approximately 1,930 feet southeast of the project site, and 1627 Monroe Street, approximately 2,270 feet south of the project site. Noise from sources at this distance would not overlap in a manner that noticeably increases noise levels in the immediate vicinity of either project. Construction noise would be temporary and construction measures (required by the City Code) would be implemented to reduce construction noise. Therefore, construction of the projects would not result in a significant cumulative construction noise impact. **(Less Than Significant Cumulative Impact)**

Permanent Noise

The geographic area for cumulative permanent noise impacts includes the project site and surrounding roadways. A significant impact would occur if the cumulative traffic noise level increase was three dBA CNEL or greater for future levels exceeding normally acceptable levels or was five dBA CNEL or greater for future levels at or below normally acceptable levels and if the project would make a “cumulatively considerable” contribution to the overall traffic noise increase. As discussed in Section 3.13.2.1, the project would decrease daily roadway volumes compared to existing site uses, and would not exceed acceptable noise levels. Therefore, the cumulative projects (including the proposed project) would not result in a significant cumulative permanent noise increase. **(Less than Significant Cumulative Impact)**

3.14 POPULATION AND HOUSING

3.14.1 Environmental Setting

3.14.1.1 *Regulatory Framework*

State

Housing-Element Law

State requirements mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.[80]

The City of Santa Clara Housing Element and related land use policies were last updated in December of 2014.

Regional and Local

Plan Bay Area 2040

Plan Bay Area 2040 is a long-range transportation, land-use, and housing plan intended support a growing economy, provide more housing and transportation choices, and reduce transportation-related pollution and GHG emissions in the Bay Area. Plan Bay Area 2040 promotes compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified Priority Development Areas (PDAs).[81]

ABAG allocates regional housing needs to each city and county within the nine-county San Francisco Bay Area, based on statewide goals. ABAG also develops forecasts for population, households, and economic activity in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Regional Forecast of Jobs, Population, and Housing, which is an integrated land use and transportation plan through the year 2040 (upon which Plan Bay Area 2040 is based).

[80] California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed October 28, 2020. http://hcd.ca.gov/community-development/housing-element/index.shtml.
[81] Association of Bay Area Governments and Metropolitan Transportation Commission. "Project Mapper." http://projectmapper.planbayarea.org/. Accessed October 28, 2020.

3.14.1.2 *Existing Conditions*

According to the California Department of Finance data, the City had a population of approximately 129,104 residents as of January 1, 2020.[82] The Association of Bay Area Governments projects the Santa Clara population to be 137,215 in 2025 and 159,500 in 2040.[83]

The job/housing ratio quantifies the relationship between the number of housing units required as a result of local jobs and the number of residential units available in the City. When the ratio reaches 1.0, a balance is struck between the supply of local housing and local jobs. The jobs/housing ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing. The City of Santa Clara has fewer employed residents than jobs with a ratio of approximately two jobs per employed resident.[84] Accordingly, most employees within the City are required to seek housing outside of the community. ABAG estimates that the City of Santa Clara had 102,950 jobs in 2010, will have 151,310 jobs by 2025, and 170,575 jobs by 2040.[85]

The project site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Existing uses on the site are light industrial in nature and include operations such as aluminum plating, metal cleaning/polishing, a machine shop, construction contractors, a brewery, material storage, vehicle storage, and hauling. There are no residences on-site.

3.14.2 <u>Impact Discussion</u>

For the purpose of determining the significance of the project's impact on population and housing, would the project:

1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

[82] State of California, Department of Finance, E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change — January 1, 2019 and 2020.
[83] Association of Bay Area Governments. Plan Bay Area Projections 2040. November 2018. http://mtcmedia.s3.amazonaws.com/files/Projections_2040-ABAG-MTC-web.pdf
[84] Based on the ABAG-projected 106,750 jobs in 2010 and Santa Clara General Plan Housing Element.
[85] Association of Bay Area Governments. Plan Bay Area Projections 2040. November 2018. http://mtcmedia.s3.amazonaws.com/files/Projections_2040-ABAG-MTC-web.pdf

3.14.2.1 *Project Impacts*

Impact POP-1:	The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). **(Less than Significant Impact)**

The project would demolish the existing industrial buildings on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use component (of which roughly 51,000 square feet would be office space), for a combined square footage of 560,440. The project would be a low employment-generating use, supporting fewer jobs than the existing site buildings, therefore approval of the project would not substantially increase jobs in the City. The proposed project would not induce substantial population growth in the City or substantially alter the City's job/housing ratio and would, therefore, result in a less than significant population and housing impacts. **(Less than Significant Impact)**

Impact POP-2:	The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

The existing project site does not include residents or housing units and, therefore, the project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

3.14.2.2 *Cumulative Impacts*

Impact POP-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant population and housing impact. **(Less than Significant Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

The geographic area for cumulative population and housing impacts is the City of Santa Clara. The cumulative job-producing projects in the City would be inconsistent with applicable land use policies aimed at improving the City's jobs/housing balance and related assumptions in the existing General Plan. Worsening the City's jobs-housing imbalance results in secondary impacts of traffic, air quality and GHG emissions. The project would be a low employment-generating use, supporting fewer jobs than the existing site buildings, therefore approval of the project would be a minor increment of the overall jobs represented by the cumulative projects. For this reason, the jobs added by the project would not make a cumulatively considerable contribution to a worsening of the jobs/housing imbalance. **(Less than Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

3.15 PUBLIC SERVICES

3.15.1 Environmental Setting

3.15.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Regional and Local

Countywide Trails Master Plan

The Santa Clara County Trails Master Plan Update is a regional trails plan approved by the Santa Clara County Board of Supervisors. It provides a framework for implementing the County's vision of providing a contiguous trail network that connects cities to one another, cities to the county's regional open space resources, County parks to other County parks, and the northern and southern urbanized regions of the County. The plan identifies regional trail routes, sub-regional trail routes, connector trail routes, and historic trails.

Santa Clara General Plan

Applicable public services General Plan policies include, but are not limited to, the following listed below.

Policies	Description
5.9.3-P3	Maintain a City-wide average three-minute response time for 90 percent of police emergency service calls.
5.9.3-P4	Maintain a City-wide average three-minute response time for fire emergency service calls.

3.15.1.2 *Existing Conditions*

Fire Service

Fire protection services for the project site are provided by the City of Santa Clara Fire Department (SCFD). The SCFD consists of 10 stations (Station 10 is temporarily closed while it is relocated) consisting of eight engines, two trucks, one rescue/light unit, two ambulances, one hazardous materials unit and one command vehicle. The closest fire station to the project site is Station 2, located at 1900 Walsh Avenue, which is 1.1 miles northwest of the project site and Station 1, located at 777 Benton St, which is also 1.1 miles away from the site to the southeast.[86]

The Fire Department responds with highly trained and equipped personnel to emergency scenes, maintaining a City-wide response time of less than 5:30 minutes to 90 percent of all high-level emergency calls. Response time is measured from time of dispatch to the time of arrival at the call.[87]

Police Service

Police protection services are provided by the City of Santa Clara Police Department (SCPD). The SCPD consists of 239 full-time employees and a varying number of part-time or per diem employees, community volunteers, Police Reserves and Chaplains. Police headquarters are located at 601 El Camino Real, approximately 1.3 miles southeast of the project site.[88]

The General Plan identifies a public service goal to maintain the SCPD response time average of three minutes for all areas of the City.[89]

Parks and Schools

The nearest neighborhood park to the project site is Larry J. Marsalli Park, located at 1425 Lafayette Street (approximately 0.8 miles southeast of the site) and it is farther than a 10-minute walk.

The nearest public schools to the project site are Scott Lane Elementary School, located at 1925 Scott Boulevard (approximately 1.5 miles southwest of the site[90]), Cabrillo Middle School, located at 2550 Cabrillo Avenue (approximately 2.1 miles southwest of the site), and Santa Clara High School, located at 3000 Benton Street (approximately 3.2 miles southwest of the site). The nearest private

[86] City of Santa Clara Fire Department. "About Us." http://santaclaraca.gov/government/departments/fire/about-us. Accessed on November 11, 2019.
[87] City of Santa Clara. "Emergency Services." Accessed November 13, 2019. http://santaclaraca.gov/residents/emergency-services.
[88] City of Santa Clara Police Department. "About Us." Accessed on November 13, 2019. http://santaclaraca.gov/government/departments/police-department/about-us.
[89] City of Santa Clara. *City of Santa Clara 2010-2035 General Plan*. Section 5.9.3. November 2010.
[90] The school is located 1.5 miles via car or .35 miles southwest in a straight line (as the crow flies), as referenced in Section 3.10.

school to the site is Saint Clare School, located at 725 Washington Street (approximately 1.4 miles southeast of the site).

3.15.2 Impact Discussion

For the purpose of determining the significance of the project's impact on public services, would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

1) Fire protection?
2) Police protection?
3) Schools?
4) Parks?
5) Other public facilities?

3.15.2.1 *Project Impacts*

Impact PS-1:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. **(Less than Significant Impact)**

The project site is currently served by the SCFD. The proposed project may result in an incremental increase in the need for fire services associated with increased building area (though lower employment) but would not require the construction of new facilities or stations.

The project would be constructed in conformance with current building and fire codes, and the SCFD would review project plans to ensure appropriate safety features are incorporated to reduce fire hazards. The potential incremental increase in fire protection services would not require new or expanded fire protection facilities (the construction of which could cause significant environmental impacts) in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. **(Less than Significant Impact)**

Impact PS-2:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services. **(Less than Significant Impact)**

The project site is currently served by the SCPD. The project may result in an incremental increase in the need for police services associated with increased building area (though lower employment) but would not require the construction of new facilities or stations.

The Police Department would review the final site design, including proposed landscaping, access, and lighting, to ensure that the project provides adequate safety and security measures. The potential incremental increase in police protection services would not require new or expanded police protection facilities (the construction of which could cause significant environmental impacts) in order to maintain acceptable service rations, response times or other performance objectives for police protection services. **(Less than Significant Impact)**

Impact PS-3:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools. **(No Impact)**

The proposed project would not generate substantial population growth in the project area or result in the use of public facilities in the area by new residents. The project proposes a data center facility, not a residential use, and would therefore not generate students. The project would not require new or expanded school facilities, the construction of which could cause environmental impacts. **(No Impact)**

Impact PS-4:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. **(Less than Significant Impact)**

The proposed project would not generate substantial population growth in the project area or result in the use of public facilities in the area by new residents. Some employees at the project site may visit local parks; however, this would be a reduction compared to current site employment levels and this use would not create the need for any new facilities or adversely impact the physical condition of existing facilities. **(Less than Significant Impact)**

Impact PS-5:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities. **(No Impact)**

The proposed project would not generate substantial population growth in the project area or result in the use of public facilities in the area by new residents. Some employees at the project site may visit library facilities; however, this would be a reduction compared to current site employment levels and this would not create the need for any new facilities or adversely impact the physical condition of existing facilities. **(No Impact)**

3.15.2.2 *Cumulative Impacts*

Impact PS-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant public services impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative public services impacts is the City of Santa Clara. All cumulative projects would be built in conformance with current codes and public safety requirements in the General Plan. The project would not develop residences, and therefore, would not result in a cumulatively considerable contribution to a cumulative park and recreational facility impacts. For this reason, the cumulative projects would result in a less than significant cumulative impact to police, fire, and recreational facilities. **(Less than Significant Cumulative Impact)**

The project does not propose construction of residences, and therefore, would not contribute to cumulative school or library impacts. **(No Cumulative Impact)**

3.16 RECREATION

3.16.1 Environmental Setting

3.16.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Local

Santa Clara General Plan

Applicable recreational services General Plan policies, include, but are not limited to, the following listed below.

Policies	Description
Prerequisite	
5.1.1-P20	Prior to 2023, identify the location for new parkland and/or recreational facilities to serve employment centers and pursue funding to develop these facilities by 2035.

3.16.1.2 *Existing Setting*

The City of Santa Clara Parks & Recreation Department (Department) provides parks and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreation facilities, and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of April 2021, the Department maintains and operates Central Park, a 45.04-acre community park (45.04 acres improved and Central Park North 34.93 acres unimproved, resulting in 79.97 acres), 30 neighborhood parks (124.517 acres improved and 6.132 acres unimproved resulting in 130.65 acres), 13 mini parks (2.59 acres improved and 3.189 acres unimproved resulting in 5.779 acres), public open space (16.13 acres improved and 40.08 acres unimproved resulting in 56.21 acres), recreational facilities (23.898 acres excluding the Santa Clara Golf and Tennis Club/BMX track), recreational trails (7.59 acres improved and 0.20 acres unimproved resulting in 7.79 acres), and joint use facilities (48.588 acres) throughout the City totaling approximately 268.354 improved acres and 84.531 unimproved acres. Community parks are over fifteen acres, neighborhood parks are one to fifteen acres and mini parks are typically less than one acres in size.

The Department of Parks and Recreation also maintains a strong recreational program that supports a wide variety of activities. The Community Recreation Center, is the hub of the City's recreation

programs. The area in Central Park west of Saratoga Creek contains group and individual picnic facilities, playgrounds, restroom facilities, an amphitheater, two lighted tennis courts, basketball courts, and the Veterans Memorial. East of the creek is the world famous George F. Haines International Swim Center, Bob Fatjo Sports Center which includes the Tony Sanchez Field as well as a second lighted softball field, the Santa Clara Tennis Center with eight lighted tennis courts and a practice wall, open space, a lake, large group picnic areas, restroom facilities, a lawn bowling green, and an exercise course.

In addition to the parklands and facilities within Central Park, the City currently has a gymnastics center, a bicycle track, dog parks, a youth activity center, a teen center, a senior center, and a skate park. The City's recreational system is augmented by local school facilities, which are available to the general public after normal school hours.

The nearest neighborhood park to the project site is Larry J. Marsalli Park, located at 1425 Lafayette Street (approximately 0.8 miles southeast of the site) and it is farther than a 10-minute walk.

3.16.2 Impact Discussion

For the purpose of determining the significance of the project's impact on recreation:

1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

3.16.2.1 *Project Impacts*

Impact REC-1:	The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. **(Less than Significant Impact)**

The proposed project would be a reduction compared to current site employment levels. Some employees may use nearby parks and recreational facilities; however, this would not have an impact on these facilities such that adverse physical effects would result. **(Less than Significant Impact)**

Impact REC-2:	The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. **(Less than Significant Impact)**

The proposed project would not include recreational facilities. Some employees may use nearby parks and recreational facilities; however, this would be a reduction compared to current site employment levels and this would not require the construction or expansion of recreational facilities. **(Less than Significant Impact)**

3.16.2.2 *Cumulative Impacts*

Impact REC-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant recreation impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative park/recreational facility impacts is the City of Santa Clara. The proposed project would be an industrial development and would not include new residences. While employees of the project may use nearby parks and trails during lunch breaks, this would be a reduction compared to current site employment levels and the project would not result in permanent new residents that would substantially increase park use such that physical deterioration would occur. The project would not substantially contribute to the cumulative impacts to parks in the area. For these reasons, cumulative impacts to recreational facilities would be less than significant. **(Less Than Significant Cumulative Impact)**

3.17 TRANSPORTATION

The discussion in this section is based in part upon a VMT Evaluation completed using the VMT Evaluation Tool in May 2021. A copy of this assessment is included in Appendix K of this EIR.

3.17.1 Environmental Setting

3.17.1.1 *Regulatory Framework*

State

Regional Transportation Plan

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2040 in July 2017, which includes a Regional Transportation Plan to guide regional transportation investment for revenues from federal, state, regional and local sources through 2040.

Senate Bill 743

SB 743 establishes criteria for determining the significance of transportation impacts using a vehicle miles traveled (VMT) metric intended to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires analysis of VMT in determining the significance of transportation impacts. Local jurisdictions were required by Governor's Office of Planning and Research (OPR) to implement a VMT policy by July 1, 2020.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant.

Regional and Local

Congestion Management Program

VTA oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that urbanized counties in California prepare a CMP in order to obtain each county's share of gas tax revenues. State legislation requires that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management plan, a land use impact analysis program, and a capital improvement element. VTA has review responsibility for proposed development projects that are expected to affect CMP-designated intersections.

Vehicle Miles Traveled Transportation Analysis Policy

The City of Santa Clara currently adopted its VMT policy in June 2020. For industrial projects the City's VMT policy states that a project would have a significant impact if the project's VMT per employee is greater than 15 percent below the existing Countywide VMT per employee.

Santa Clara General Plan

General Plan policies applicable to transportation/traffic relevant to the proposed project include the following.

Policies	Description
5.4.1-P11	Locate parking at the side or rear of parcels and active uses along street frontages.
5.8.1-P5	Work with local, regional, State and private agencies, as well as employers and residents, to encourage programs and services that reduce vehicle miles traveled.
5.8.2-P1	Require that new and retrofitted roadways implement "Full-Service Streets" standards, including minimal vehicular travel lane widths, pedestrian amenities, adequate sidewalks, street trees, bicycle facilities, transit facilities, lighting and signage, where feasible.
5.8.3-P8	Require new development to include transit stop amenities, such as pedestrian pathways to stops, benches, traveler information and shelters.
5.8.3-P9	Require new development to incorporate reduced on-site parking and provide enhanced amenities, such as pedestrian links, benches and lighting, in order to encourage transit use and increase access to transit services.
5.8.4-P6	Require new development to connect individual sites with existing and planned bicycle and pedestrian facilities, as well as with on-site and neighborhood amenities/services, to promote alternate modes of transportation.
5.8.4-P8	Require new development and public facilities to provide improvements, such as sidewalks, landscaping and bicycling facilities, to promote pedestrian and bicycle use.
5.8.4-P9	Encourage pedestrian- and bicycle-oriented amenities, such as bicycle racks, benches, signalized mid-block crosswalks, and bus benches or enclosures.
5.8.4-P10	Encourage safe, secure and convenient bicycle parking and end-of-trip, or bicycle "stop" facilities, such as showers or bicycle repair near destinations for all users, including commuters, residents, shoppers, students and other bicycle travelers.
5.8.5-P1	Require new development and City employees to implement TDM programs that can include site-design measures, including preferred carpool and vanpool parking, enhanced pedestrian access, bicycle storage and recreational facilities.
5.8.5-P5	Encourage transportation demand management programs that provide incentives for the use of alternative travel modes to reduce the use of single-occupancy vehicles.
5.8.6-P3	Encourage flexible parking standards that meet business and resident needs as well as avoid an oversupply in order to promote transit ridership, bicycling and walking.
5.8.6-P11	Encourage development to "unbundle" parking spaces from leases and purchases to provide greater choices.

Santa Clara Bicycle and Pedestrian Master Plans

The City of Santa Clara Bicycle Plan Update 2018 establishes a long-term vision for improving bicycling in Santa Clara through policy, program, and project recommendations. Through the implementation of this Plan, the City intends to become a world-class bicycle community that prioritizes health and sustainability for its residents and visitors.

The City of Santa Clara Pedestrian Master Plan 2019 establishes a blueprint for creating safe, comfortable and enjoyable walking for current and future residents and visitors. The Plan is intended to make Santa Clara a walkable community that provides a comprehensive network of safe, convenient, and comfortable pedestrian routes for people of all ages and abilities.

3.17.1.2 *Existing Conditions*

Regional Roadway Access

Regional access to the project site is provided by Highway 101 (US 101) and Central Expressway as described below.

US 101 provides access to the project site via Lafayette Street and Mission College Boulevard. US 101 is a regional north/south freeway with six mixed-flow lanes and two high occupancy vehicle lanes in the project area. US 101 extends through the entire Bay Area north of San Francisco and south of San José.

Central Expressway is a regional east/west expressway with four lanes. Central Expressway extends from San Antonio Road in Mountain View to De La Cruz Boulevard in Santa Clara.

Local Roadway Access

Local access to the project site is provided via Lafayette Street, Memorex Drive, and Martin Avenue. These roadways are described below.

Lafayette Street is a north/south four-to-five-lane arterial road in the vicinity of the site. It extends from Alviso in North San Jose to Poplar Street in Santa Clara. North of Reed Street, Lafayette Street operates as a five-lane roadway with two lanes in each direction and a center turn lane. South of Reed Street, Lafayette Street is a four-lane roadway with two lanes in each direction. Lafayette Street is east of the project site and provides access via Memorex Drive.

Martin Avenue is an east/west four-lane roadway in the vicinity of the project site. It extends from Walsh Avenue to De la Cruz Boulevard. Martin Avenue is north of the project site and provides access via Memorex Drive. Parking is allowed on both sides of the roadway.

Memorex Drive is an east/west two-to-three-lane roadway in the vicinity of the project site (west of the project site the roadway curves north). The roadway extends from Lafayette Street to Richard Avenue. It has a posted speed of 25 miles per hour (mph). Two project driveways would be located along Memorex Drive.

Ronald Street begins at Memorex Drive and ends at Lafayette Street. Ronald Street is also known as Di Giulio Avenue beginning at the bend in the roadway. A project driveway would be located on Di Giulio Avenue.

Existing Transit Service

Bus Service

The nearest bus stop to the project site is the Scott Boulevard and Walsh Avenue stop, approximately 0.8 miles northwest of the project site. Local route 60 provides bus service to the Scott Boulevard and Walsh Avenue stop.[91]

Caltrain and ACE

The Santa Clara Caltrain station is located approximately 1.5 miles southeast of the project site, near Railroad Avenue and El Camino Real. Caltrain commuter rail service between San Francisco to Gilroy and the Altamont Commuter Express (ACE) rail service between Stockton and San Jose both stop at the Santa Clara Caltrain Station. Caltrain provides service with 15- to 30-minute headways during commute hours. The ACE rail service operates four trains during the morning and afternoon commute periods.

Bicycle and Pedestrian Facilities

Bicycle Facilities

Bicycle facilities comprise paths (Class I), lanes (Class II), routes (Class III), and protected bike lanes (Class IV). Bicycle paths are paved trails that are separate from roadways. Bicycle lanes are lanes on roadways designated for bicycle use by striping, pavement legends, and signs. Bicycle routes are roadways designated for bicycle use by signs only. Protected bike lanes are on-street bicycle facilities that are physically separated from motor vehicle traffic by a vertical element or barrier, such as a curb, bollards, or vehicle parking aisle. Class II bike lanes are located on portions of Scott Boulevard, west of the project site.[92]

Pedestrian Facilities

Pedestrian access to the site is provided by sidewalks on the site's northern frontage on Memorex Drive. Sidewalks are also located on the west side of Ronald Street/Di Giulio Avenue.

3.17.2 Impact Discussion

For the purpose of determining the significance of the project's impact on transportation, would the project:

1) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?

[91] Santa Clara Valley Transportation Authority. *Bus and Rail Map.* https://www.vta.org/sites/default/files/2019-07/VTA%20Main%20Map%20JUL%202019.pdf Accessed on November 11, 2019.
[92] Silicon Valley Bicycle Coalition. *Maps.* https://bikesiliconvalley.org/maps/ Accessed November 12, 2019.

2) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
4) Result in inadequate emergency access?

3.17.2.1 *Project Impacts*

Impact TRN-1:	The project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities. **(Less than Significant Impact)**

The VTA Congestion Management Plan (CMP) guidelines state that a project's traffic impacts should be analyzed during the weekday AM and PM peak periods if it will add more than 100 peak hour trips to the roadway network. Based upon Trip Generation analysis below, the project would not exceed the 100 peak hour trips threshold. As a result, no formal traffic impact analysis to evaluate changes in intersection level of service is required or proposed.

Vehicle Trips

The project would have low employment intensity and would not generate substantial vehicle trips. A trip generation estimate was completed to determine the net change in trips compared to existing conditions on the site (refer to Table 3.17-1, below). Trip generation rates for existing uses on the site were based on the Institute of Transportation Engineers' (ITE) Trip Generation Manual, Tenth Edition's trip generation rates for general light industrial land uses (land use code 110). Trip generation rates for the proposed project were based on ITE rates for data centers (land use code 160) and general office buildings (land use code 710). The trip rates for existing uses were applied to 348,950 square feet of light industrial building area and roughly 100,000 square feet of active outdoor light industrial uses, resulting in an estimated total of 2,227 existing daily trips, with 314 occurring in the AM peak hour and 283 occurring in the PM peak hour. For the proposed uses, the general office building trip rate was applied to the 51,000 square feet of office area, and the data center trip rate was applied to the remaining 509,440 square feet of the project, resulting in an estimated total of 1,001 daily project trips, with 115 occurring in the AM peak hour and 105 occurring in the PM peak hour. Based on ITE trip rates, the project would result in a net reduction of 1,226 daily vehicle trips, 129 AM peak hour trips, and 115 PM peak hour trips. The project, therefore, would not conflict with programs, plans, ordinances or polices addressing the circulation system as it pertains to roadways.

Table 3.17-1: Trip Generation							
Methodology	**Size (square feet)**	**Weekday**		**AM Peak Hour**		**PM Peak Hour**	
		Rate	**Trips**	**Rate**	**Total**	**Rate**	**Total**
Existing Uses							
General Light Industrial (ITE Land Use Code 110)	448,950	4.96	2,227	0.70	314	0.63	283
Proposed Uses							
Data Center (ITE Land Use Code 160)	509,440	0.99	504	0.11	56	0.09	46
General Office Building (ITE Land Use Code 710)	51,000	9.74	497	1.16	59	1.15	59
Net Trip Generation							
Total		--	-1,226	--	-199	--	-178
Source: Institute of Transportation Engineers. Trip Generation Manual, 10th Edition. 2017.							

Bicycle and Pedestrian Facilities

The project would retain the existing sidewalk on Memorex Drive, Ronald Street, and Di Giulio Avenue. In addition, the project would reduce the number of driveways on Memorex Drive and replace those driveways with a new sidewalk. The project, therefore, would not conflict with pedestrian circulation in the area, and would be consistent with the City's adopted Pedestrian Master Plan.

No bicycle lanes are located adjacent to the project site along Memorex Drive, Ronald Street, or Di Giulio Avenue. Thus, the project would not conflict with any existing or planned bicycle facilities within the project area, and would be consistent with the City's adopted Bicycle Master Plan. Additionally, as described previously, the project would provide bicycle parking, which is consistent with plans and policies intended to facilitate alternative modes of transportation and reduce VMT.

Transit Facilities

VTA, Caltrain and ACE provide transit service within the project vicinity. The nearest bus stop to the project site is the Scott Boulevard and Walsh Avenue stop, approximately 0.8 miles northwest of the project site, which is served by local route 60. There are adequate pedestrian pathways connecting the project site to the bus stop.

The project is not proposing public improvements that would disrupt existing transit services or facilities nor conflict with an existing or planned transit facility. Additionally, as described below, mitigation measure MM TRN-2.1 would require the project to implement a TDM program that would include measures such as commute trip reduction education and transit subsidies, which is

consistent with plans and policies intended to facilitate transit use and reduce VMT. **(Less than Significant Impact)**

Impact TRN-2:	The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(Less than Significant Impact with Mitigation Incorporated)**

The CEQA Guidelines Section 15064.3, Subdivision (b)(1) states that land use projects with vehicle miles traveled (VMT) exceeding an applicable threshold of significance may indicate a significant impact. The City of Santa Clara currently adopted its VMT policy in June 2020. For industrial projects such as the proposed data center, the City's VMT policy states that a project would have a significant impact if the VMT per employee is greater than 15 percent below the existing Countywide VMT per employee. The Countywide VMT per employee is 16.64, meaning a project-level VMT greater than 14.14 would be considered significant. The VTA's VMT Evaluation Tool was used to determine the project's VMT in comparison to the Countywide average (refer to Appendix K). The VMT Evaluation Tool determined that the project's VMT per employee would be 15.53, which is above the threshold of 15 percent below the Countywide average.

MM TRN-2.1: The project shall implement a TDM program sufficient to demonstrate that VMT associated with the project would be reduced to 14.14 or less per employee. The TDM program may include, but is not limited to, the following measures which have been determined to be a feasible method for achieving the required VMT reduction:

- Provide commute trip reduction marketing and education for all eligible employees.
  - Implement marketing campaign targeting all project employees and visitors that encourages the use of transit, shared rides, and active modes. Marketing strategies may include new employee orientation on alternative commute options, event promotions, and publications. Providing information and encouragement to use transit, share ride modes, and active modes, reducing drive-alone trips and thereby reducing VMT.
- Provide a subsidized or discounted transit program for all eligible employees.
  - This strategy requires the project employer to subsidize transit passes for participating employees.
- Provide a rideshare program for all eligible employees.
  - Organize a program to match individuals interested in carpooling who have similar commute patterns. Strategy encourages the use of carpooling, reducing the number of vehicle trips and thereby reducing VMT.

The TDM program shall be submitted and approved by the Director of Community Development and shall be monitored annually to gauge its effectiveness in meeting the required VMT reduction. The TDM program shall

establish an appropriate estimate of initial vehicle trips generated by the occupant of the proposed project and shall conduct driveway traffic counts annually to measure peak-hour entering and exiting vehicle volumes. The volumes will be compared to trip thresholds established in the TDM program to determine whether the required reduction in vehicle trips is being met. In addition to monitoring driveway volumes, a survey will be developed as part of the TDM program to determine actual mode splits for employees. The survey will also gather information on usage of individual TDM program components. The results of the annual vehicle counts and survey will be reported in writing to the Director of Community Development.

If TDM program monitoring results show that the trip reduction targets are not being met, the TDM program shall be updated to identify replacement and/or additional feasible TDM measures to be implemented. The updated TDM program shall be subject to the same approvals and monitoring requirements listed above.

If monitoring and reporting demonstrates that the project is non-compliant (i.e, did not fulfill the requirements of the TDM program, meet the drive-alone reduction targets, etc.), the City as the enforcing agency may impose penalties including fines and/or permit limitations.

The TDM measures listed in MM TRN-2.1 would be made available to all eligible employees. This analysis assumes that 100 percent of employees would participate in commute trip reduction marketing and education, the transit subsidy would be 50 percent, and 10 percent of employees would participate in a rideshare program. At these rates of participation, MM TRN-2.1 would reduce the project's VMT to 13.9 per employee, which is below the threshold of 14.14. As a result, the project's VMT would be reduced to a less than significant level with implementation of MM TRN-2.1. The project, therefore, would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(Less than Significant Impact with Mitigation Incorporated)**

Impact TRN-3:	The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **(No Impact)**

The project would not alter the shape of adjacent roadways or create any sharp curves or dangerous intersections. The project would reduce the number of driveways accessing public streets compared to current site conditions. The project, therefore, would not substantially increase hazards. **(No Impact)**

Impact TRN-4:	The project would not result in inadequate emergency access. **(Less than Significant Impact)**

The City of Santa Clara standards require two-way driveways providing access to all properties be a minimum width of 22 feet (20-foot pavement with one-foot clearance on each side). Access to the site would be provided by two two-way driveways on Memorex Drive and one two-way driveway on

Di Giulio Avenue at similar locations to current driveways (refer to Figure 2.4). The western driveway on Memorex Drive would have a width 26 feet and the driveway on Di Giulio Avenue would have a width of 40 feet. These driveways would provide emergency vehicle access. The eastern driveway on Memorex Drive would have a two-foot wide median in the center of the driveway, with a width of 20 feet for vehicles entering the site and a width of 12 feet for vehicles exciting the site. This driveway would not meet width requirements for emergency vehicles. While this driveway would not meet width requirements for emergency vehicles, the project would provide full access to the site via the other two driveways (mentioned above) that meet emergency vehicle access requirements. The final site design would be required to be consistent with regulatory requirements for fire truck access. **(Less Than Significant Impact)**

3.17.2.2 *Cumulative Impacts*

Impact TRN-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant transportation impact. **(Less than Significant Cumulative Impact)**

VMT

The City has established a VMT policy to ensure development in the City does not result in a significant cumulative increase in VMT. For industrial projects such as the proposed data center facility, the City requires a project VMT that does not exceed 15 percent below the Countywide average. As described in the discussion under Impact TRN-2, the project's VMT would be below the Countywide average with implementation of TDM measures, as required by MM TRN-2.1. Additionally, the project would result in a net reduction in daily trips to/from the site, and a net reduction in employment levels, all of which would serve to reduce total VMT generated at the site. As a result, the project would not result in, or contribute substantially to, a significant cumulative VMT impact. **(Less than Significant Cumulative Impact)**

General Plan Transportation Policies

The project would be consistent with applicable General Plan policies regarding transportation and, therefore, would not have a cumulatively considerable contribution to a significant cumulative conflict with those policies. **(Less than Significant Cumulative Impact)**

Emergency Access and Geometric Design

All cumulative projects (including the project) would comply with current building and fire codes and be reviewed by the Fire Department to ensure adequate emergency access. For these reasons, the cumulative projects would not result in a significant cumulative impact to emergency access. The project would provide adequate sight distance and would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). For these reasons, the cumulative projects would not result in a significant cumulative impact due to transportation hazards. **(Less than Significant Cumulative Impact)**

3.18 TRIBAL CULTURAL RESOURCES

3.18.1 Environmental Setting

3.18.1.1 *Regulatory Framework*

State

Assembly Bill 52

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
    - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
    - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency to be a TCR.

3.18.1.2 *Existing Conditions*

No Native American tribes have contacted the City pursuant to AB 52 to be notified about projects within the City for the purposes of requesting consultation.

3.18.2 Impact Discussion

For the purpose of determining the significance of the project's impact on tribal cultural resources, would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

3.18.2.1 *Project Impacts*

Impact TCR-1:	The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact)**

No tribes have requested consultation for projects in the area under AB 52 and there are no known TCRs on-site. A record search of the NAHC Sacred Lands File was completed for the site and the results were negative.[93] While there is the potential for unknown Native American resources or human remains to be present in the project area, impacts would be less than significant with implementation of the City's General Plan policies and Standard Permit Conditions related to discovery of archaeological resources or human remains as well as implementation of mitigation incorporated into the project (described in detail in Section 3.5 Cultural Resources).

On December 5, 2019, letters were sent to the following Native American tribes based on the recommendation of the Native American Heritage Commission (NAHC): Amah Mutsun Tribal Band, the Ohlone Indian Tribe, Amah Mutsun Tribal Band of Mission San Juan Bautista, Indian Canyon Mutsun Band of Costanoan, Muwekma Ohlone Indian Tribe of the San Francisco Bay Area, and North Valley Yokuts Tribe. The letters contained information about the project; an inquiry for any unrecorded Native American cultural resources or other areas of concern within or adjacent to the project site; and a solicitation of comments, questions, or concerns with regard to the project. To date, one response was received from the Ohlone Indian Tribe requesting access to a "Phase I Literature Search and/or a Foot Survey" if they had been completed for the project. It is unclear whether the request is referring to a Phase I Environmental Site Assessment, which assesses potential hazardous materials conditions on the site and surrounding area, or a Cultural Resources Literature Search, which assesses potential archaeological resources on the site and surrounding area. Regardless, Appendices L and M include summaries of previous Phase I Environmental Site Assessments completed for the site, and Appendix D includes a Cultural Resources Literature Search completed for the site.

Because the record search of the NAHC Sacred Lands File did not identify the presence of TCRs on the site or surrounding area, and because no tribes responded to outreach letters indicating that TCRs are present on the site, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact)**

[93] Nancy Gonzalez-Lopez, NAHC. Personal Communication. December 2, 2019.

Impact TCR-2:	The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact)**

As discussed under Impact TCR-1, there are no known TCRs on-site, and the project includes measures to reduce potential impacts to less than significant levels should TCRs be unexpectedly discovered during project construction. For this reason, the project would not cause a substantial adverse change in the significance of a TCR that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact)**

3.18.2.2 *Cumulative Impacts*

Impact TCR-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant tribal cultural resources impact. **(No Cumulative Impact)**

The geographic study area for cumulative impacts to tribal cultural resources is the surrounding area (within 1,000 feet of the project site). No tribal cultural features, including sites, features, places, cultural landscapes or sacred place have been identified at the site based on available information. Additionally, no tribes have sent written requests for notification of projects to the City of Santa Clara under AB 52. As a result, the project would not contribute to a cumulative impact to tribal resources. **(No Cumulative Impact)**

3.19 UTILITIES AND SERVICE SYSTEMS

3.19.1 Environmental Setting

3.19.1.1 *Regulatory Framework*

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Santa Clara adopted its most recent UWMP in November 2016.

Assembly Bill 939

The California Integrated Waste Management Act of 1989, or AB 939, established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

Assembly Bill 341

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

In January 2010, the State of California adopted the California Green Building Standards Code, establishing mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental quality. These standards include the

following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 50 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupants.

Local

General Plan

General Plan policies applicable to utilities and service systems include, but are not limited to, the following listed below.

Policies	Description
Prerequisite Policies	
5.1.1-P3	Prior to the implementation of Phase III of the General Plan, undertake a comprehensive assessment of water, sanitary sewer conveyance, wastewater treatment, solid waste disposal, storm drain, natural gas, and energy demand and facilities in order to ensure adequate capacity and funding to implement the necessary improvements to support development in the next phase.
5.1.1-P21	Prior to 2023, identify and secure adequate solid waste disposal facilities to serve development in Phase III.
5.10.1-P6	Require adequate wastewater treatment and sewer conveyance capacity for all new development.
General Land Use	
5.3.1-P9	Require that new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.
5.3.1-P11	Encourage new developments proposed within a reasonable distance of an existing or proposed recycled water distribution system to utilize recycled water for landscape irrigation, industrial processes, cooling and other appropriate uses to reduce water use consistent with the CAP.
5.3.1-P27	Encourage screening of above-ground utility equipment to minimize visual impacts.
5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.
Safety	
5.10.5-P20	Maintain, upgrade and replace storm drains throughout the City to reduce potential flooding.
5.10.5-P21	Require that storm drain infrastructure is adequate to serve all new development and is in place prior to occupancy.

3.19.1.2 *Existing Conditions*

Water Service

Potable Water

Water services to the site are provided by the City of Santa Clara Department of Water and Sewer Utilities. The water system consists of more than 335 miles of water mains, 27 active water wells and seven storage tanks with 28.8 million gallons of water storage capacity.[94] Drinking water is provided by an extensive underground aquifer (accessed by the City's wells) and by two wholesale water importers: the Santa Clara Valley Water District (imported from the Sacramento-San Joaquin Delta) and the San Francisco Hetch-Hetchy System (imported from the Sierra Nevada). About 30 percent of the City's water comes from these imported treated water supplies. The remaining 70 percent is pumped from the City's system of 26 active water wells.[95] The three sources are used interchangeably or are blended together. In 2015, the Water Utility had approximately 25,715 water service connections with an average potable water demand of 16.8 million gallons per day (MGD) potable water and an average demand of 3.2 MGD recycled water demand.[96]

The existing water use on-site is approximately 2.2 million gallons per year.[97]

Recycled Water

Tertiary treated (or 'recycled') water serves as a fourth source of water supply and comprises approximately 16 percent of the City's overall water supply.[98] Recycled water is supplied from South Bay Recycled Water, which provides advanced tertiary treated water from the San Jose—Santa Clara Regional Wastewater Facility (formerly known as the San Jose/Santa Clara Water Pollution Control Plant). The City of Santa Clara recycles approximately one percent of its water through non-potable uses by businesses, industries, parks, and schools along pipeline routes. The City's recycled water program delivers recycled water throughout the City for landscaping, parks, public services and businesses. The nearest recycled water lines are located in Lafayette Street as well as in the northern section of Martin Avenue off of Walsh Avenue.[99]

Wastewater

The City of Santa Clara Departments of Public Works and Water and Sewer Utilities are responsible for the wastewater collection system within the City. Wastewater is collected by sewer systems in Santa Clara and is conveyed by pipelines to the Regional Wastewater Facility (RWF) located in San José. The RWF is one of the largest advanced wastewater treatment facilities in California and serves over 1,400,000 people in San José, Santa Clara, Milpitas, Campbell, Cupertino, Los Gatos, Saratoga,

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[94] City of Santa Clara. *2015 Urban Water Management Plan, City of Santa Clara Water Utility*. Page 12. Adopted November 2016. Accessed: November 21, 2019. http://santaclaraca.gov/index.aspx?page=1984.
[95] *Ibid.*
[96] *Ibid.*
[97] Estimate based on 2018-2019 utility bills for the site provided by the project applicant.
[98] City of Santa Clara. *Water Utility*. Updated July 2012. Accessed: November 21, 2019. http://santaclaraca.gov/government/departments/water-sewer-utilities/water-utility.
[99] City of Santa Clara. *Recycled Water System Map. City of Santa Clara, California.* Updated July 2012. Accessed: November 12, 2020. http://santaclaraca.gov/home/showdocument?id=14883.

and Monte Sereno.[100] The RWF has available capacity to treat up to 167 million gallons per day (mgd). The RWF presently operates at an average dry weather flow of 110 mgd, which is 57 mgd (or 35 percent) under the facility's 167 mgd treatment capacity.[101] Approximately 10 percent of the plant's effluent is recycled for non-potable uses and the remainder flows into San Francisco Bay.

The existing wastewater generation on-site is approximately 1.98 million gallons per year.[102] Wastewater from the existing buildings on-site currently discharges to a ten inch sanitary sewer line along the western border of the site and a ten inch sanitary sewer line along Ronald Street, which both connect to a ten inch sanitary sewer line that flows east along Memorex Drive and is eventually conveyed to the RWF. Sanitary sewer lines that serve the project site are maintained by the City of Santa Clara Sewer Utility.

Storm Drainage

The City of Santa Clara owns and maintains the municipal storm drainage system which serves the project site. The on-site drainage system is comprised of overland flows. Stormwater from the western portion of the existing site flows into a 24 inch stormdrain that flows north to a 24 inch stormdrain in Memorex Drive. Stormwater from the eastern portion of the existing site flows into a 12 inch stormdrain in Memorex Drive flowing east, which then flows into a 24 inch stormdrain. The stormdrain eventually discharges to the Guadalupe River, which ultimately flows to the San Francisco Bay.

Solid Waste

Solid waste collection in the City of Santa Clara is provided by Mission Trail Waste System through a contract with the City. The City has an arrangement with the owners of Newby Island Sanitary Landfill (NISL), located in San José, to provide disposal capacity for the City of Santa Clara through 2024. Recycling services are provided through Stevens Creek Disposal and Recycling. The site currently produces approximately 495 tons of waste per year.[103]

Natural Gas and Electricity Services

Electric service is provided to the site by Silicon Valley Power and natural gas is provided by Pacific Gas and Electric (PG&E).

3.19.2 Impact Discussion

For the purpose of determining the significance of the project's impact on utilities and service systems, would the project:

[100] City of San José. "San José-Santa Clara Regional Wastewater Facility." Accessed: November 21, 2020. http://www.sanjoseca.gov/index.aspx?NID=1663.
[101] City of Santa Clara. 2010-2035 General Plan Integrated Final Environmental Impact Report. SCH# 2008092005. January 2011.
[102] This number equates to 90 percent of the estimated water usage in the existing buildings.
[103] Atmospheric Dynamics, Inc. Memorex Data Center and Office Project Air Quality and GHG Emissions Assessment. Attachment 1. November 2020.

1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
5) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?

Impact UTL-1:	The project would require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. **(Less than Significant Impact)**

Water Facilities

The project would install water lines on-site with service connections to the existing water main in Memorex Drive. The new and existing water system infrastructure would be adequate to meet the demands of the project.

Sanitary Sewer System/Wastewater Treatment Facilities

The proposed project would replace existing sanitary sewer lines on the site with six-inch sanitary lines with manhole connections. The new sanitary lines would connect to existing sewer lines on Memorex Drive. The project's estimated sanitary sewer discharge was added to the City's Sanitary Sewer Hydraulic Model (SSHM) to determine if there is enough conveyance capacity in the sanitary sewer trunk system to accommodate the proposed development. The SSHM output indicated that there would be enough sanitary sewer conveyance capacity to accommodate the proposed project, and no capacity improvement would be needed.

Based on the City's General Plan, the RWF has the capacity to treat 167 million gallons of wastewater a day. Based on 2020 data, the City's peak week flow is 15.5 mgd while the treatment capacity is 25.17 mgd.[104] The proposed project would generate approximately 4.23 million gallons per year of wastewater, or 0.012 mgd. The RWF has the ability to treat wastewater generated by the proposed project and, as a result, the project would not have a significant impact on the capacity of the RWF.

[104] City of San Jose, Environmental Services Department. San Jose - Santa Clara Regional Wastewater Facility Tributary Agencies' Estimated Available Plant Capacity – 2020. December 2020. Available at: https://www.sanjoseca.gov/Home/ShowDocument?id=68283

Storm Drainage System

The project would remove the existing on-site storm drain line and catch basins. Stormwater runoff from the site's impervious surfaces would be directed to treatment systems before being collected in a series of pipes sized for a 10-year storm event in accordance with the City's design requirements. The biotreatment basins would be located throughout the surface parking on the eastern section of the site, along the southern and northern site boundaries, and along the central section of the northern site boundary. These pipes would ultimately leave the site, connecting to the existing City storm drainage pipes in Memorex Drive and/or Di Giulio Avenue.

The project would result in a net decrease of 61,510 sf in impervious surfaces at the site, thereby resulting in a corresponding net decrease in runoff. The project, therefore, would not result in a net increase in runoff from the site and the existing and new storm drainage system would be adequate to serve the project.

Electric Power

The project would include construction of a new 150 megavolt amps (MVA) electrical substation in the eastern portion of the site to provide electric power to the proposed data center. A 60 kilovolt (kV) overhead transmission line would be extended to the site to connect the substation to the existing electrical grid. As shown on Figure 2.5, the transmission line would form a loop, with the route starting on the east side of Lafayette Street and heading west on Shulman Avenue to Memorex Drive. From there, the route would continue west to Ronald Street and then head south to Di Giulio Avenue to connect to the proposed substation. The route would then head east from the substation to Lafayette Street and turn north towards Mathew Street to close the loop. The transmission line would be supported by utility poles up to 85 feet in height. The portion of the transmission line located on Di Giulio Street may be undergrounded, if determined to be feasible by the City (refer to Figure 2.5). Under this scenario, the overhead portion of the transmission line would be supported by up to 10 steel poles with no wood poles. The impacts of both transmission line scenarios are analyzed in this EIR and determined not to result in significant environmental impacts.

Natural Gas

PG&E owns natural gas distribution facilities within the City of Santa Clara. The project would incrementally increase natural gas use, but would not require the construction of any additional off-site facilities.

The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. The project would require the expansion of an overheard transmission line, however, the expansion would not cause significant environmental effects. **(Less than Significant Impact)**

Impact UTL-2:	The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. **(Less than Significant Impact)**

The project would require up to 14.4 acre-feet (or 4.7 million gallons) of water per year. The City of Santa Clara Water Department Staff has reviewed the anticipated water demand of the project and determined that the demand does not meet any of the regulatory criteria that would require the preparation of a WSA.[105]

The City has determined that the projected increase in water demand associated with the proposed project is consistent with the growth projections and future water demand assumed in the preparation and analysis of the City's 2015 Urban Water Management Plan (UWMP).[106] The City's 2015 UWMP concluded that sufficient water supplies are available to meet the project demand. As such, there is a sufficient water supply to serve the project site under normal water year (non-drought) conditions.

In addition to normal water years, the UWMP assessed the ability of Santa Clara to meet forecasted water demands (including the proposed project) during multiple dry weather (drought) years. The City concluded that with projected supply totals and implementation of conservation measures consistent with its Water Shortage Contingency Plan, the retailer would be able to meet the projected demand during multiple dry water years.

Implementation of the project would not have a significant impact on existing or future water supplies. **(Less than Significant Impact)**

Impact UTL-3:	The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. **(Less than Significant Impact)**

Based on the City's General Plan, the RWF has the capacity to treat 167 million gallons of wastewater a day. Based on 2009 data, the City's average dry weather flow is 13.3 mgd while the treatment capacity is 23 mgd. The proposed project would generate approximately 4.23 million gallons per year of wastewater, or 0.012 mgd. The RWF has the ability to treat wastewater generated by the proposed project and, as a result, the project would not have a significant impact on the capacity of the RWF.

[105] City of Santa Clara, Water & Sewer Utilities. Memorandum: Water Supply Assessment for 1200 Memorex Data Center. November 27, 2019.
[106] City of Santa Clara. "2015 Urban Water Management Plan." November 22, 2016.

Impact UTL-4:	The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

The proposed project would generate a total of approximately 695 tons of solid waste per year.[107] This is 200 tons per year more than the solid waste currently generated on-site. The proposed project would comply with the City's construction debris diversion ordinance and State waste diversion requirements.

The Newby Island Landfill, located in San José, has an agreement with the City to provide disposal capacity through 2024. If the Newby Island Landfill is not available to accept waste after 2024, the City will prepare a contract with another landfill with capacity, such as Guadalupe Mines in San José, which is not anticipated to close until 2048. Because the project can be served by a landfill with capacity, the project's impacts related to solid waste and landfill capacity would be less than significant. **(Less than Significant Impact)**

Impact UTL-5:	The project would not be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste. **(Less than Significant Impact)**

The construction and operation of the project would comply with federal, state, and local regulations related to diversion of materials from disposal and appropriate disposal of solid waste. **(Less than Significant Impact)**

3.19.2.1 *Cumulative Impacts*

Impact UTL-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant utilities and service systems impact. **(Less than Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

Water Supply and System

The geographic area for cumulative water supply and system impacts is the service area of the City of Santa Clara water system. The cumulative projects (including the proposed project) are accounted for in population and employment assumptions of the UWMP, which evaluates growth in water demand based on planned growth through the year 2040. For this reason, there is adequate water supply (with the implementation of the City's Water Shortage Contingency Plan if needed) for the cumulative projects. The project, therefore, would not result in a considerable contribution to a significant cumulative water supply impact. **(Less than Significant Cumulative Impact)**

[107] The solid waste generation is based on CalEEMod's solid waste generation rate of 1.24 tons per 1,000 square feet per year for light industrial uses. This is likely an overestimation of the project's solid waste generation, as data centers typically do not generate as much waste as typical light industrial projects.

Sanitary Sewer System/Wastewater Treatment

The geographic area for cumulative sanitary sewer system and wastewater treatment is the City's sanitary sewer system service area. Build-out of the General Plan would result in an increase in sewage generated within the City. As discussed in the certified General Plan EIR, the average dry weather flows projected from the full build-out of the General Plan were projected to be within the City's allocated treatment capacity at RWF, which at the time of the certification of the General Plan EIR was 20.1 mgd[108] and below the City's 2017 flow allocation of approximately 20.5 mgd.

Since the certification date of the General Plan EIR, however, the City has approved development applications that have included General Plan amendments, each of which have incrementally increased the potential sewage generation at full build-out. Consequently, it is conceivable that at some point prior to 2035, the City could exceed its current capacity allocation, and the proposed project is anticipated to generate an additional 0.012 mgd. The RWF has excess flow capacity of approximately 59.7 mgd and the City has a process to obtain additional capacity rights at the RWF should the need arise.[109]

Based on the above discussion, there is sufficient treatment capacity at the RWF to serve the build-out of the General Plan and the cumulative projects (including the proposed project). The cumulative projects (including the proposed project) would not result in a significant cumulative impact on wastewater treatment capacity. **(Less than Significant Cumulative Impact)**

Storm Drainage System

The geographic area for cumulative storm drain impacts includes the project site and surrounding area, specifically areas upstream and downstream of the project site that also drain to the San Tomas Aquino Creek. Build out of the cumulative projects would involve redevelopment of existing developed sites that contain impervious surfaces, and these projects would be required to comply with applicable regulations regarding stormwater runoff and infrastructure. For these reasons, the cumulative projects would not result in a significant cumulative impact to the storm drain system. As described above, the project would result in decrease in stormwater runoff from the site as a result of increasing the amount of pervious area on the site and reducing the amount of impervious area. The project, therefore, would not result in a considerable contribution to a significant cumulative storm drain system impact. **(Less than Significant Cumulative Impact)**

Electricity, Natural Gas, and Telecommunication Services

Energy is a cumulative resource. The geographic area for cumulative electricity, natural gas, and telecommunication services is the State of California. If a project is determined to have a significant energy impact, it is concluded that the impact is a cumulative impact. As discussed under Impact EN-3 in Section 3.6, the project would not result in a significant energy impact. In addition, the cumulative projects are within urban areas already served by existing electricity, natural gas, and

[108] City of Santa Clara. *2010-2035 General Plan Integrated Final Environmental Impact Report.* SCH# 2008092005. January 2011. Page 228.

[109] The total flow capacity at the RWF is 167 mgd, and the joint owners (Santa Clara and San José) have agreements with several tributary agencies, which have capacity rights of approximately 35 mgd. Pursuant to Section V.B.3 of the 1983 agreements with the tributary agencies, Santa Clara can purchase additional capacity from those tributary agencies.

telecommunication infrastructure. The project, therefore, would not result in a considerable contribution to a significant cumulative impact to electricity, natural gas, and telecommunication infrastructure. **(Less than Significant Cumulative Impact)**

Solid Waste

Build-out of the City and the proposed project would generate solid waste that would need to be disposed of appropriately. Consistent with the conclusion in the certified General Plan and City Place Santa Clara Project FEIR,[110] without a specific plan for disposing of solid waste beyond 2024, the solid waste generated by development in the City post-2024 (including waste from the proposed project and other cumulative projects such as City Place Santa Clara) would result in a significant unavoidable cumulative impact.

As described above, the project would result in a net increase of 200 tons of solid waste per year.[111] The General Plan EIR determined that the total increase in solid waste (residential + nonresidential) associated with net new General Plan growth in 2035 would be approximately 37,000-42,000 tons per year. The project would represent a small fraction of the overall solid waste generation in the City. The proposed project, by itself, would not have a considerable contribution towards a significant cumulative solid waste impact. **(Less than Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

[110] City of Santa Clara. *City Place Santa Clara Project Draft Environmental Impact Report.* SCH# 2014072078. Certified June 2016. Pages 3.14-38 and 3.14-39.

[111] As stated previously, the estimate of the project's solid waste generation relies on standard rates for light industrial uses, and likely overstates the actual solid waste generation of the proposed data center facility.

3.20 WILDFIRE

3.20.1 Environmental Setting

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.[112]

3.20.2 Impact Discussion

For the purpose of determining the significance of the project's impact on wildfire, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

1) Substantially impair an adopted emergency response plan or emergency evacuation plan?
2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

3.20.2.1 *Project Impacts*

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in wildfire impacts. **(No Impact)**

3.20.2.2 *Cumulative Impacts*

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in cumulative wildfire impacts. **(No Cumulative Impact)**

[112] State of California Department of Forestry and Fire Protection. Santa Clara County Fire Hazard Severity Zones in SRA. Adopted November 7, 2007.

SECTION 4.0 GROWTH-INDUCING IMPACTS

Impact GRO-1:	The project would not foster or stimulate significant economic or population growth in the surrounding environment. **(Less than Significant Impact)**

The CEQA Guidelines require that an EIR identify the likelihood that a proposed project could "foster" or stimulate "economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment" (Section 15126.2(d)). This section of the EIR is intended to evaluate the impacts of such growth in the surrounding environment.

The project is proposed on an infill site in the City of Santa Clara. The site is developed with industrial buildings and is surrounded by existing infrastructure and both existing and planned development. The project does not include expansion of the existing infrastructure that would facilitate growth in the project area or other areas of the City. The project would reduce the employment levels on the site compared to current levels in existing buildings, as data centers are very low employment uses.

Development of the project site would place a new data center in the middle of an industrial area. The proposed project would be compatible with the surrounding land uses and would not pressure adjacent industrial, office, and commercial properties to redevelop with new or different land uses.

The project would not have a significant growth inducing impact. **(Less Than Significant Impact)**

SECTION 5.0 SIGNIFICANT AND IRREVERSIBLE ENVIRONMENTAL CHANGES

This section was prepared pursuant to CEQA Guidelines Section 15126.2(c), which requires a discussion of the significant irreversible changes that would result from the implementation of a proposed project. Significant irreversible changes include the use of nonrenewable resources, the commitment of future generations to similar use, irreversible damage resulting from environmental accidents associated with the project, and irretrievable commitments of resources. Applicable environmental changes are described in more detail below.

5.1 USE OF NONRENEWABLE RESOURCES

The proposed project, during construction and operation, would require the use and consumption of nonrenewable resources. Renewable resources, such as lumber and other wood byproducts, could also be used. Additionally, building materials present in the existing buildings on site that would not be suitable for recycling would be landfilled and the energy embedded in those materials wasted. Unlike renewable resources, nonrenewable resources cannot be regenerated over time. Nonrenewable resources include fossil fuels and metals.

Energy would be consumed during both the construction and operational phases of the project. The construction phase would require the use of nonrenewable construction material, such as concrete, metals, and plastics, and glass. Nonrenewable resources and energy would also be consumed during the manufacturing and transportation of building materials, preparation of the site, and construction of the buildings. The operational phase would consume energy for multiple purposes including, building heating and cooling, lighting, appliances, and electronics. Energy, in the form of fossil fuels, would be used to fuel vehicles traveling to and from the project site.

The project would result in a substantial increase in demand for nonrenewable resources. The project would, however, be subject to the standard California Code of Regulations Title 24 Part 6 and CALGreen energy efficiency requirements.

As discussed in *Section 3.5, Energy*, the project is consistent with the City's General Plan policies regarding energy use, which fosters development that reduces the use of nonrenewable energy resources in transportation, buildings, and urban services (utilities).

SECTION 6.0 SIGNIFICANT AND UNAVOIDABLE IMPACTS

A significant unavoidable impact is an impact that cannot be mitigated to a less than significant level if the project is implemented as it is proposed. The following significant unavoidable impacts have been identified as resulting from the proposed project:

- **Cultural Resources:** The proposed project would demolish existing structures on the site and result in a significant unavoidable impact to the significance of a historical resource (i.e. the former Memorex campus) pursuant to CEQA Guidelines Section 15064.5.

All other significant impacts of the proposed project would be reduced to a less than significant level with the implementation of mitigation measures identified in this EIR.

SECTION 7.0 ALTERNATIVES

CEQA requires that an EIR identify and evaluate alternatives to a project as it is proposed. Two key provisions from the CEQA Guidelines pertaining to the discussion of alternatives are included below:

> **Section 15126.6(a). Consideration and Discussion of Alternatives to the Proposed Project.** An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.
>
> **Section 15126.6(b). Purpose.** Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or be more costly.

Other elements of the Guidelines discuss that alternatives should include enough information to allow a meaningful evaluation and comparison with the proposed project. The CEQA Guidelines state that if an alternative would cause one or more additional impacts, compared to the proposed project, the discussion should identify the additional impact, but in less detail than the significant effects of the proposed project.

The three critical factors to consider in selecting and evaluating alternatives are: (1) the significant impacts from the proposed project that could be reduced or avoided by an alternative, (2) consistency with the project's objectives, and (3) the feasibility of the alternatives available. Each of these factors is discussed below.

7.1 OBJECTIVES OF THE PROJECT

While CEQA does not require that alternatives be capable of meeting all project objectives, their ability to meet most of the objectives is considered relevant to their consideration. The stated objectives of the project proponent are to:

1. Redevelop the 9.18-acre site with a state of the art data center capable of supporting at least 60 MW of IT power in an environmentally controlled structure with redundant subsystems (cooling, power, network links, storage, fire suppression, etc.) along with sufficient ancillary office and storage space to accommodate the needs of future tenants (estimated to require up to 472,920 square feet of data center space and 87,520 square feet of ancillary space). The data center shall be located near a reliable large power source, and emergency response

access, and being located such that it can be protected, to the maximum extent feasible, from security threats, natural disasters, and similar events. The project shall include backup power generation facilities that provide sufficient generation capacity, reliability, and redundancy to meet the needs of future tenants.

2. Provide operational electric power to the proposed data center via an electric substation, and provide other utility infrastructure to serve the project, including water, storm drainage, sanitary sewer, electric, natural gas, and telecommunications. Extend a 60 kilovolt (kV) overhead transmission line to connect the substation to the existing electrical grid.

3. Meet high sustainability and green building standards by designing the data center to meet US Green Building Code LEED and Cal-Green standards for any new construction.

4. Incorporate the most reliable and flexible form of backup electric generating technology considering the following evaluation criteria.
   - Commercial Availability and Feasibility. The selected backup electric generation technology must currently be in use and proven as an accepted industry standard for technology. It must be operational within a reasonable timeframe where permits and approvals are required.
   - Technical Feasibility. The selected backup electric generation technology must utilize systems that are compatible with one another.
   - Reliability. The selected backup electric generation technology must be extremely reliable in the case of an emergency loss of electricity from the utility.
   - Industry Standard. The selected backup electric generation technology must be considered industry standard or best practice.

5. Construct a high-quality data center that is marketable and produces a reasonable return on investment for the project applicant and its investors and is able to attract investment capital and construction financing.

7.2 SIGNIFICANT IMPACTS FROM THE PROJECT

The significant unavoidable impacts identified in this EIR resulting from the proposed project include:

- **Cultural Resources:** The proposed project would demolish existing structures on the site and result in a significant unavoidable impact to the significance of a historical resource (i.e. the former Memorex campus) pursuant to CEQA Guidelines Section 15064.5.

Alternatives may also be considered if they would further reduce impacts that are already less than significant because of identified mitigation. The project would result in potentially significant impacts in the following areas, but mitigation measures have been identified that would reduce the impacts to less than significant levels:

- **Biological Resources:** Construction activities associated with the proposed project could result in damage to existing trees and/or the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment.
- **Cultural Resources:** Construction activities associated with the proposed project could result damage to unrecorded subsurface resources during trenching and excavation of the site. The project could disturb human remains, including those interred outside of dedicated cemeteries.
- **Geological Resources:** The project could directly or indirectly destroy a unique paleontological resource or site or unique geological feature.
- **Hazardous Materials:** The project could create a significant hazard to the public or the environment resulting from disturbance of existing soil and groundwater contamination on the site.
- **Noise:** Construction and operation of the project could result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies/

7.3 PROJECT ALTERNATIVES

The discussion in this section is based in part upon a Preservation Alternatives Analysis prepared by Architectural Resources Group in September 2020 (see Appendix N).

7.3.1 Project Alternatives Considered but Rejected

The following alternatives were considered for the project but rejected.

7.3.1.1 *Location Alternative*

There is no rule requiring an EIR to explore off-site project alternatives in every case. As stated in the Guidelines: "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." (Guidelines, § 15126.6, subd. (a), italics added.) As this implies, "an agency may evaluate on-site alternatives, off-site alternatives, or both." (*Mira Mar, supra*, 119 Cal.App.4th at p. 491.) The Guidelines thus do not require analysis of off-site alternatives in every case. Nor does any statutory provision in CEQA "expressly require a discussion of alternative project locations." (119 Cal.App.4th at p. 491 citing §§ 21001, subd. (g), 21002.1, subd. (a), 21061.)

In considering an alternative location in an EIR, the CEQA Guidelines advise that the key question is "whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location".[113] The proposed project is a data center development within the City of Santa Clara. The project would result in a significant unavoidable impact to a historical resource that is currently on the site. An alternative location would avoid this impact. However, for a variety of reasons, an alternative location is not considered feasible for this project. The proposed

[113] CEQA Guidelines Section 15126.6(f)(2)(A)

development is a joint venture between the applicant and current property owner. The applicant does not have purchasing rights (i.e. site control) to any other properties in the area, and thus would have no ability to develop the project at an alternative location. Prior to filing the application for the proposed project, the applicant completed due diligence in the project area to determine potential sites for development. The project site is the only site that was found that was available for redevelopment and had the required site characteristics to accommodate the proposed development. For these reasons, developing a project that would meet the stated objectives at an alternative location is not feasible. Consideration of an alternative location is most relevant for a public agency choosing to locate a project, where the public agency could potentially use eminent domain to acquire another suitable site. This ability does not exist for private applicants.

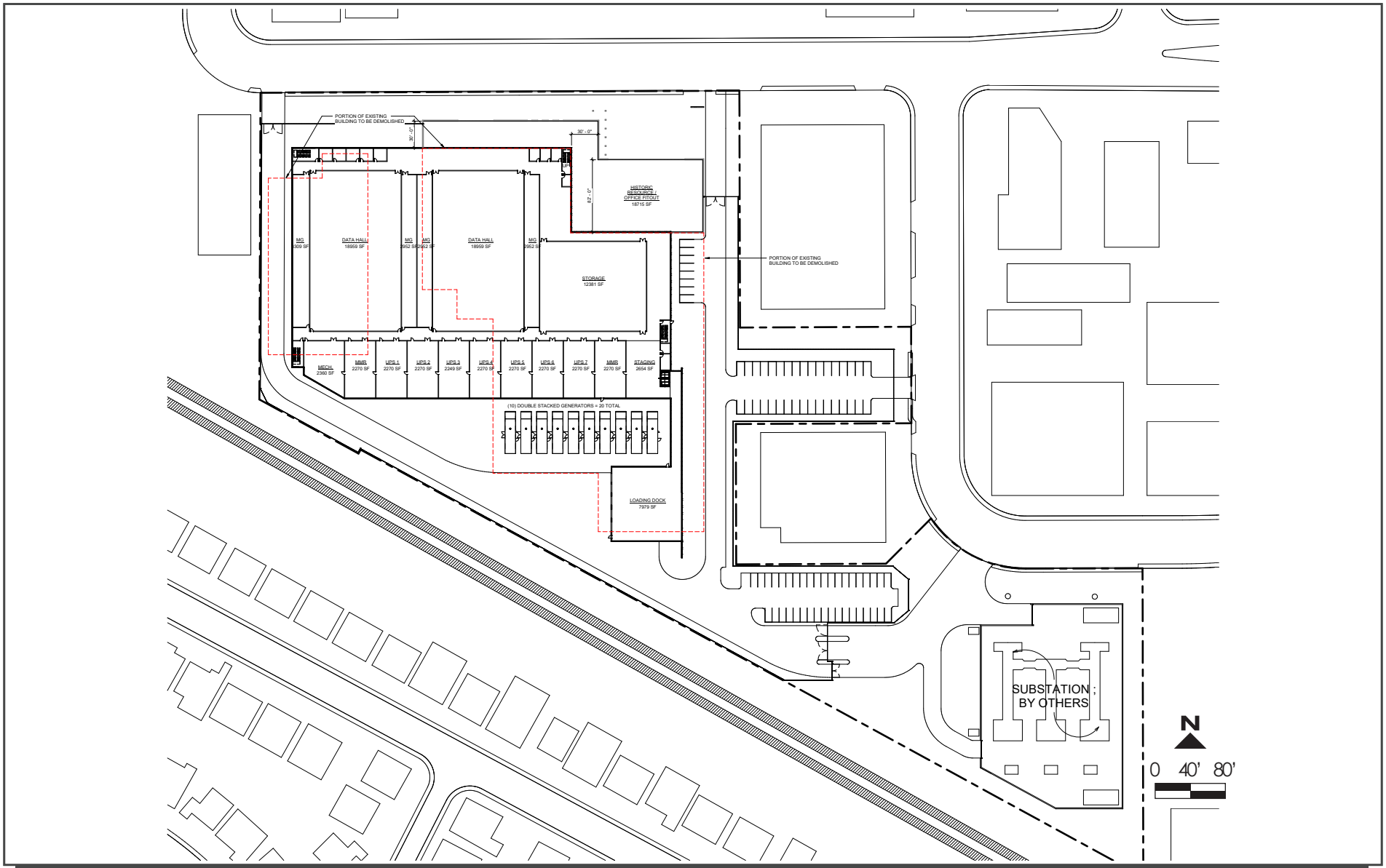
7.3.1.2 *Adaptive Reuse of the Historical Resource*

Adaptive reuse of the historical resource, with no demolition of the exterior of the former Memorex headquarters building and circa 1960 warehouse building, was considered but rejected due to this alternative's failure to meet project objectives. Reuse and interior alteration of these buildings (including the demolition of the mezzanines in the former headquarters building) would allow approximately 204,990 square feet of space for the proposed data center and ancillary office and storage uses, or about two-fifths of the approximately 560,000 square feet identified in the project description. Based on the configuration of the site, reuse of the existing building would allow for the construction of only six generators, rather than the 25 proposed by the project. Additionally, the existing structure is not designed to support the heavy infrastructure required to operate the data center, such as large rooftop equipment, and would require substantial renovation that may impact the integrity of the historical resource. Additionally, even if the building were able to be renovated to accommodate the proposed data center, the site constraints would greatly reduce the potential capacity of the proposed data center, leaving the project unable to meet its objectives. For these reasons, it is not a viable project alternative.

7.3.1.3 *Preservation Alternative – Retain Portion of Historical Resource*

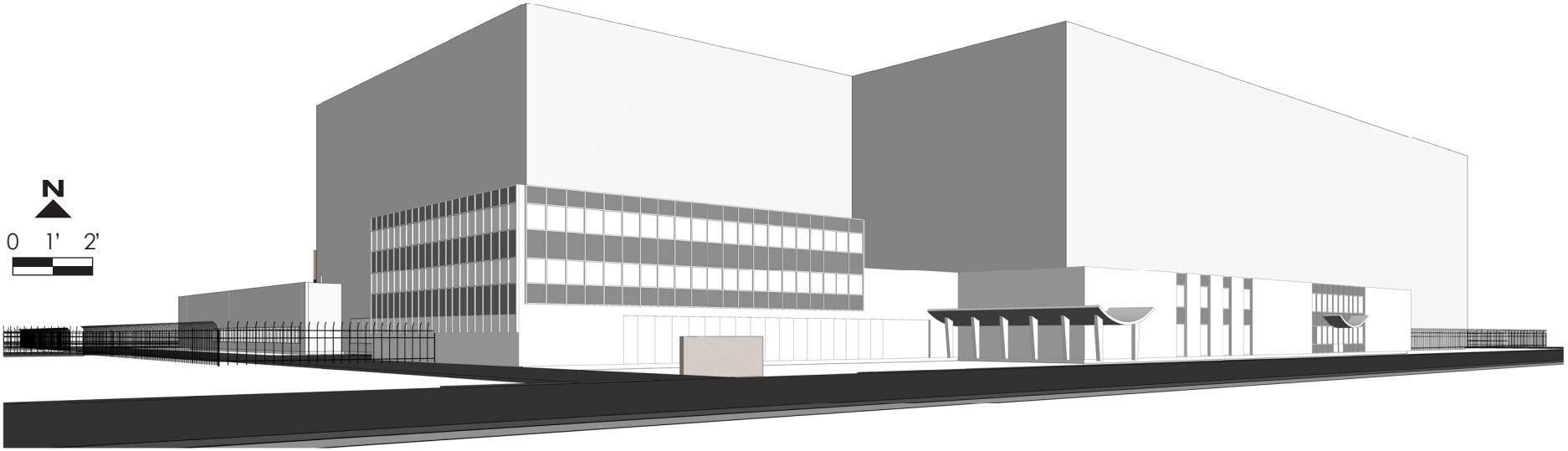
The Preservation Alternative – Retain Portions of Historical Resource would retain the former headquarters building along Memorex Drive to a depth of between 30 feet and 82 feet from the project boundary (See Figures 7.3-1 and 7.3-2). This alternative would demolish 158,202 square feet and retain 46,185 square feet of the existing buildings on the site. This alternative would construct a four-story 444,513 square feet data center building behind the retained historic structure. The historic structure would be utilized for office (36,000 square feet) and storage (10,185 square feet). The combined square footage of the facility would be 490,698 square feet. The project would include 20 three MW diesel-fueled generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site.

The purpose of Preservation Alternative – Retain Portion of Historical Resources is to consider a plan that would lessen the significant impacts of the proposed project on the existing historical resource while achieving a majority of project objectives. The alternative would retain a portion of the headquarters building behind the north (primary) and east facades and adapt this space for office and lobby use. The circa 1960 warehouse and circa 1966 gable-roofed building would be demolished. New construction would be located south and west of the retained portion of the headquarters building.



PRESERVATION ALTERNATIVE - RETAIN PORTION OF HISTORICAL RESOURCE (SITE PLAN)

FIGURE 7.3-1



PRESERVATION ALTERNATIVE – RETAIN PORTION OF HISTORICAL RESOURCE (MASSING) | FIGURE 7.3-2

The alternative would maintain several of the character-defining features on the primary and east facades of the former headquarters building, including a portion of its smooth stucco finish, alternating aluminum windows and metal spandrel panels, and curvilinear porch roofs. However, the proposed four-story addition to the south and west portion of the building would substantially alter the appearance of the building and its characteristic broad, low profile. The proposed new construction would also mean substantial alteration or loss of additional character-defining features of the former headquarters building and wholesale loss of the warehouse and gable-roofed building. New construction would occupy a much larger footprint than the existing building and be immediately discernible from Memorex Drive, which is the public face of the property. As a result, it would not be in conformance with the Secretary of the Interior's Standards for Rehabilitation.

While this alternative would retain a portion of the existing historical resource, it would materially impair the historical resource and would not reduce impacts to a less than significant level. The property would no longer qualify for listing on the CRHR, meaning it would no longer be considered a historical resource. Because this alternative would still result in a significant unavoidable impact to the historical resource on the site and would result in a property that no longer qualifies as a historical resource, the project's impacts would not be substantially lessened, and it is not a viable project alternative.

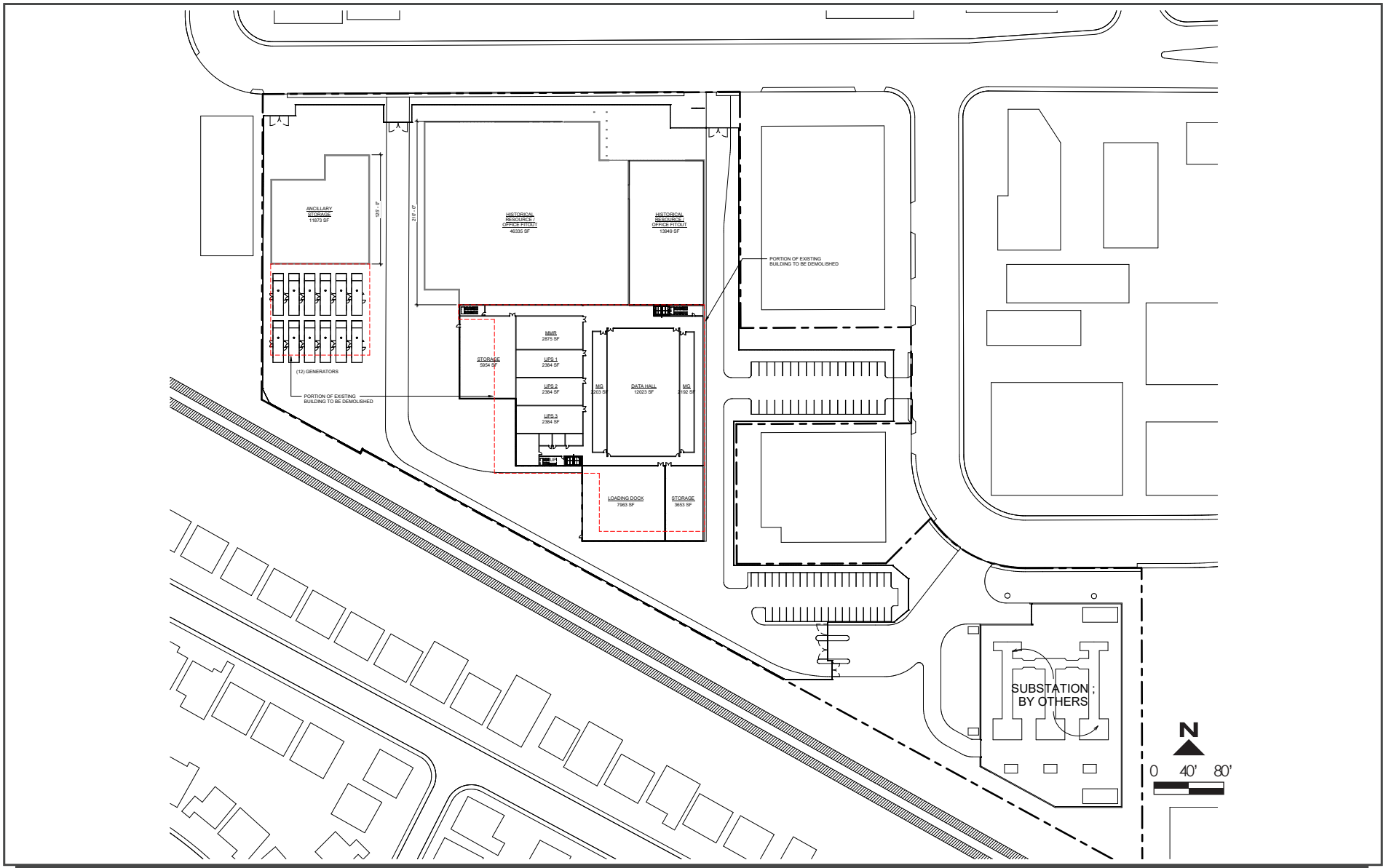
7.3.2 No Project Alternative

The CEQA Guidelines [Section 15126(d)4] require an EIR specifically include a "No Project" alternative. The purpose of including a No Project alternative is to allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project. The Guidelines specifically advise that the No Project alternative is "what would be reasonably expected to occur in the foreseeable future if the project is not approved, based on current plans and consistent with available infrastructure and community services." [Section 15126.6(e)(2)] The Guidelines emphasize that an EIR should take a practical approach, and not "…create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment [Section 15126.6(e)(3)(B)]."

The No Project Alternative would retain the existing three buildings and surface parking lot. The existing development is consistent with the General Plan designation. If the site were to remain as is, there would be no new impacts, and the historic Memorex campus would remain intact. New tenants may occupy the site buildings over time, consistent with current zoning regulations. None of the project objectives would be met under the No Project Alternative.

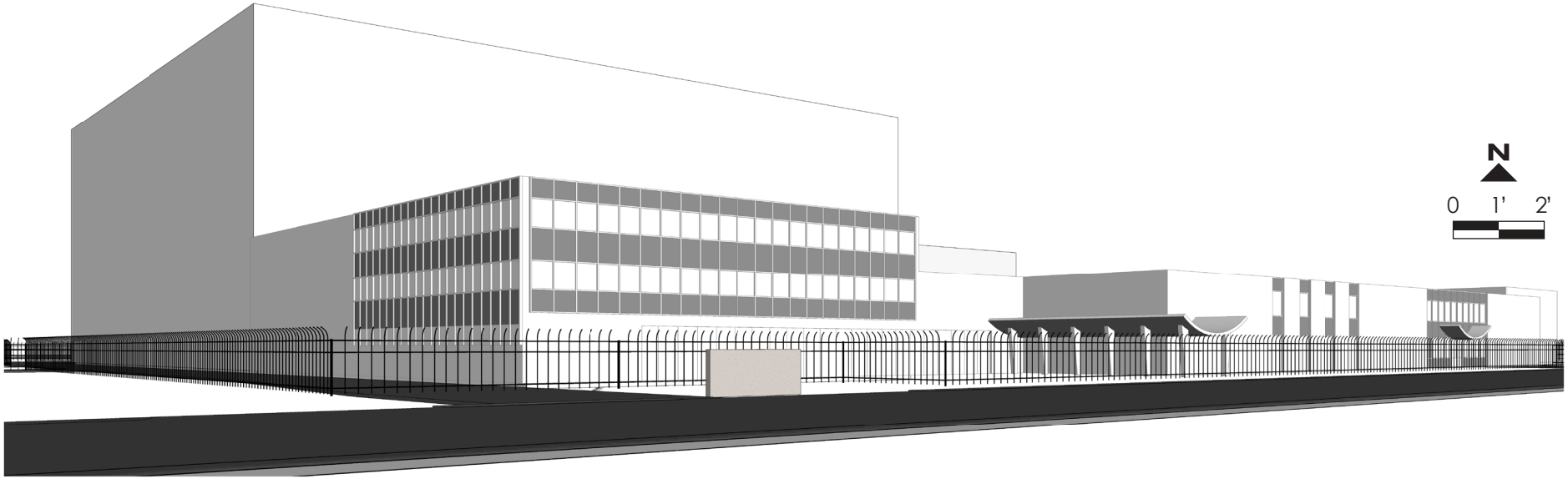
7.3.3 Preservation Alternative – Retain Historical Resource

The Preservation Alternative – Retain Historical Resource would retain the majority of the character defining features of the historical resource while demolishing other portions of the existing development not considered character defining features, allowing for the construction of the data center facility (See Figures 7.3-3 and 7.3-4). This alternative would retain the historical resources along Memorex Drive to depths of 210 feet (former headquarters building) and 125 feet (former



PRESERVATION ALTERNATIVE - RETAIN HISTORICAL RESOURCE (SITE PLAN)

FIGURE 7.3-3



PRESERVATION ALTERNATIVE – RETAIN HISTORICAL RESOURCE (MASSING)

FIGURE 7.3-4

warehouse building) from the project boundary. Overall, this alternative would demolish 93,736 square feet and retain 111,254 square feet of the existing buildings on site. This alternative would construct a four-story, 209,296 square feet data center building behind the retained historic structures. The historic structures would be utilized for office (89,000 square feet) and storage (22,254 square feet). The combined square footage of the facility would be 320,550 square feet. The project would include 12 three MW diesel-fueled engine generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site.

7.3.3.1 *Alternative Impacts*

Cultural Resources

The purpose of Preservation Alternative – Retain Historical Resource is to consider a plan that would retain a substantial portion of the historical resources at the project site and adapt it for use as office space, while also integrating a new addition to house the data center. The alternative would maintain the majority of the character-defining features and form of the existing historical resource as visible from Memorex Drive. The character defining features are summarized in Table 7.3-1, below.

Table 7.3-1: Character Defining Features
Site
Vehicular access from Memorex Drive, along the northern property boundary
Vehicular and pedestrian circulation through the site along north/south-oriented alleyways on either side of the original 1961 building and its additions and along one northwest/southeast-oriented alleyway along the southern property boundary
Exposed aggregate walkways and shallow stairs linking the primary entrances on the northern façade to the sidewalk along Memorex Drive
Paved surfaces throughout the site
All extant buildings, including the original 1961 headquarters building and its additions; the ca. 1960 warehouse building that was purchased and added to the property in 1964; and the ca. 1966 gable-roofed building located at the southern end of the property
North/south orientation of major building elements
Low-profile, landscaped vegetation at the northern façade of the 1961 building and its 1964 addition
Former Memorex Headquarters Building and Additions
Rectangular plan of building and additions, with primary façades fronting Memorex Drive
Broad, horizontal profile, with verticality emphasized through fenestration
One- to three-story height
Flat roofs with simple parapets
Steel-frame construction
Smooth stucco finish on exterior walls
Aluminum fixed windows throughout
Curtain walls with glazing and metal spandrel panels centered in the northern façade of the 1961 building and 1964 addition
Curtain walls with glazing and metal spandrel panels dominating the northern and, to a slightly lesser

Table 7.3-1: Character Defining Features
extent, the eastern façades of the 1966 three-story addition
Near-continuous glazing across the northern façade of the 1966 three-story addition and the eastern façade of the 1964 addition
Symmetrical curvilinear porch hood over the primary entrance to the 1961 building
Asymmetrical curvilinear porch roof with angular columns at the primary entrance to the 1964 addition
Physical connection (i.e., the ca. 1967 breezeway) between the main building and the ca. 1960 warehouse building
Loading facilities on the western and southern façades

Under this alternative, the primary (north) facades of the former Memorex headquarters building and the circa 1960 warehouse building to its west would be retained to a depth of 210 feet and 125 feet from the northern boundary, respectively. Vehicular access from Memorex Drive would be retained, as would the exposed aggregate walkways along the north façade of the former headquarters building and its addition. The smooth stucco finish, aluminum windows and metal spandrel panels, and curvilinear porch roofs of the headquarters building would be preserved, along with the primary façade of the ca. 1960 warehouse building to its east. While the circa 1966 gable-roofed building located at the southern end of the property would be removed under this preservation alternative, the building is not readily visible from Memorex Drive. Additionally, as this building did not historically contain offices or research and development facilities, it is of comparatively lesser significance with regard to the property's role in the development of Memorex's IBM-compatible hard disk drives in the late 1960s.

The new four-story addition to the rear of the headquarters building would be taller than the retained portion; this would somewhat diminish the horizontality of the headquarters building, which has been identified as a character-defining feature. However, the potential visual impact of new construction on the building is reduced because the addition would be set back 210 feet from the northern project boundary. The massing and flat roof of the addition would echo to the form of the retained portions of the headquarters building, while also being clearly differentiated from the historical resource. No addition would be constructed to the rear of the warehouse building, as this space would be given over to 12 three MW generators. Alterations to the retained portions of the headquarters and warehouse buildings would be limited to the interior in order to repurpose them for offices and storage.

Under this alternative, most of the character-defining features of the historical resource at the project site would remain intact, such that the property would remain eligible for listing in the California Register. Because the alternative retains a majority of the property's character-defining features and because new construction would be visibly differentiated from the existing buildings, this alternative appears to be in conformance with the Secretary of the Interior's Standards for Rehabilitation. As a result, this alternative would avoid the project's significant unavoidable impact to a historical resource.

Other Impact Areas

As described previously, the project's only significant unavoidable impact is associated with the proposed demolition of a historical resource. Other significant impacts were identified that would be reduced to less than significant levels with implementation of mitigation measures (refer to Section 7.2).

Under this alternative, physical impacts associated with development of the site and the proposed overhead transmission line, such as those related to trees and nesting birds, buried archeological and/or paleontological resources, and construction noise, would be essentially identical to the proposed project since substantial construction and ground disturbing activities would still occur.

Impacts associated with operation, such as increases in noise levels, would be lessened under this alternative due to the decrease in the amount of mechanical equipment required to operate the reduced size data center. However, as mentioned previously, mitigation is already identified to reduce the project's noise impacts to less than significant levels. Under this alternative, the decrease in mechanical equipment would allow for less restrictive mitigation measures, such as less restrictive requirements for noise reduction related to the rooftop mechanical equipment (MM NOI 2.1 through 2.3). In other words, the operational impacts in either scenario would likely be similar, just with different mitigation measures.

7.3.3.2 *Conclusion*

The alternative would not meet project objectives one and five to the same extent as the project. The alternative would reduce the size of the data center by approximately 263,624 square feet and reduce the number of generators by 12. This reduction in size would reduce the project's marketability and return on investment for the project applicant to some degree, potentially to the point where the project may not be able to attract the investors needed to facilitate its development. The alternative would reduce the significant and unavoidable impact to cultural resources to a less than significant level, and would result in similar impacts to the project in other impact areas.

7.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The CEQA Guidelines state than an EIR shall identify an environmentally superior alternative. If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (Section 15126.6(e)(2)).
The environmentally superior alternative would be the No Project Alternative, which would avoid all project impacts; however, this alternative would not meet any project objectives.

The Preservation Alternative – Retain Historical Resource Alternative would reduce project impacts to historical resources to a less than significant level. The alternative result in similar impacts to the project in other impact areas. This alternative would not meet project objectives one and five. Due to the fact that the alternative reduces impacts to historical resources to a less than significant level, the Preservation Alternative – Retain Historical Resource Alternative would be the environmentally superior alternative.

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SECTION 9.0 LEAD AGENCY AND CONSULTANTS

9.1 LEAD AGENCY

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Community Development Department
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Tiffany Vien, Assistant Planner

9.2 CONSULTANTS

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Desiree Dei Rossi, *Associate Project Manager*
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Architectural Resources Group
Historic Resources Consultants

Atmospheric Dynamics, Inc
Air Quality and Greenhouse Gas

Cornerstone Earth Group
Geotechnical Engineering Consultants

Holman and Associates
Archaeological Consultants

Illingworth & Rodkin
Noise and Vibration

SECTION 10.0 ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ADT	Average Daily Traffic
AIA	Airport Influence Area
ALUC	Airport Land Use Commission
BAAQMD	Bay Area Air Quality Management District
bgs	Below ground surface
BMP	Best Management Practice
Btu	British thermal units
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
CalEEMod	California Emissions Estimator Model
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CAP	Clean Air Plan
CARB	California Air Resources Board
CARE	Community Air Risk Evaluation
CBC	California Building Standards Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH_4	Methane
CHRIS	California Historical Resources Information System
CLUP	Comprehensive Land Use Plan
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalents
CNEL	Community Noise Equivalent Level
CRHR	California Register of Historical Resources
DPM	Diesel Particulate Matter
DSOD	California Division of Safety of Dams

EIR	Environmental Impact Report
EMU	Electric Multiple Unit
EO	Executive Order
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FIRMs	Flood Insurance Rate Maps
FMMP	Farmland Mapping and Monitoring Program
GHG	Greenhouse Gases
GIS	Geographic Information Systems
HABS	Historic American Building Survey
HAER	Historic American Engineering Record
HALS	Historic American Landscapes Survey
HFCs	Hydrofluorocarbons
HI	Hazard Index
HRI	Historic Resources Inventory
HVAC	Heating, Ventilation, and Air Conditioning
IT	Information Technology
ITE	Institute of Transportation Engineers
kV	Kilovolt
LID	Low Impact Development
LOS	Level of Service
MBTA	Migratory Bird Treaty Act
MDC	Memorex Data Center
MEI	Maximally Exposed Individual
$MMTCO_2e$	Million Metric Tons of Carbon Dioxide Equivalent
MND	Mitigated Negative Declaration
MPO	Metropolitan Planning Organizations
MTC	Metropolitan Transportation Commission
MW	Megawatts
MWh	Megawatt Hours
MVA	Megavolt Amps

N_2O	Nitrous Oxide
NAHC	Native American Heritage Commission
NFIP	National Flood Insurance Program
NOD	Notice of Determination
NOI	Notice of Intent
NOP	Notice of Preparation
NO_2	Nitrogen dioxide
NO_x	Nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O_3	Ground-level ozone
OHA	Oral History Association
PDAs	Priority Development Areas
PFCs	Perfluorocarbons
PM	Particulate Matter
$PM_{2.5}$	Fine Particulate Matter
PM_{10}	Coarse Particulate Matter
Ppm	Parts Per Million
PPV	Peak Particle Velocity
PUE	Power Usage Effectiveness
PV	Photovoltaics
RHNA	Regional Housing Need Allocation
ROG	Reactive Organic Gases
RPS	Renewable Portfolio Standard
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCCHGS	Santa Clara County Historical & Genealogical Society
SCFD	City of Santa Clara Fire Department
SCPD	City of Santa Clara Police Department
SCS	Sustainable Communities Strategy
SCVWD	Santa Clara Valley Water District
SHMA	Seismic Hazards Mapping Act
SF_6	Sulfur Hexafluoride

SFHA	Special Flood Hazard Area
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board
SO_x	Sulfur Oxides
SO_2	Sulfur Dioxide
SVP	Silicon Valley Power
SWPPP	Storm Water Pollution Prevention Plan
TACs	Toxic Air Contaminants
TCRs	Tribal Cultural Resources
TDM	Transportation Demand Management
TPZ	Traffic Pattern Zone
UPRR	Union Pacific Railroad
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
VTA	Santa Clara Valley Transportation Authority

HISTORIC RESOURCE EVALUATION

1200-1310 Memorex Drive
Santa Clara, California

David J. Powers & Associates, Inc. | *December 2019*

Architecture
Planning
Conservation

Architectural
Resources Group

Architectural Resources Group

1200-1310 Memorex Drive
Historic Resource Evaluation
Santa Clara, California

December 2019

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1. Introduction

1.1 Project Background

At the request of David J. Powers & Associates, Inc., Architectural Resources Group (ARG) prepared this Historic Resource Evaluation (HRE) for the property at 1200-1310 Memorex Drive (APN 224-66-006) in Santa Clara, California (Figure 1). The property consists of a multitenant office, warehouse, and industrial building originally constructed for Memorex Corporation in 1961. Prior to the property's development, the land was cultivated as an agricultural field.

This report provides a physical description and historical summary of the property at 1200-1310 Memorex Drive. The property is also evaluated for listing in the California Register of Historical Resources (California Register) to determine whether it qualifies as an historical resource under the California Environmental Quality Act (CEQA). The California Energy Commission (CEC) is the lead agency under CEQA.

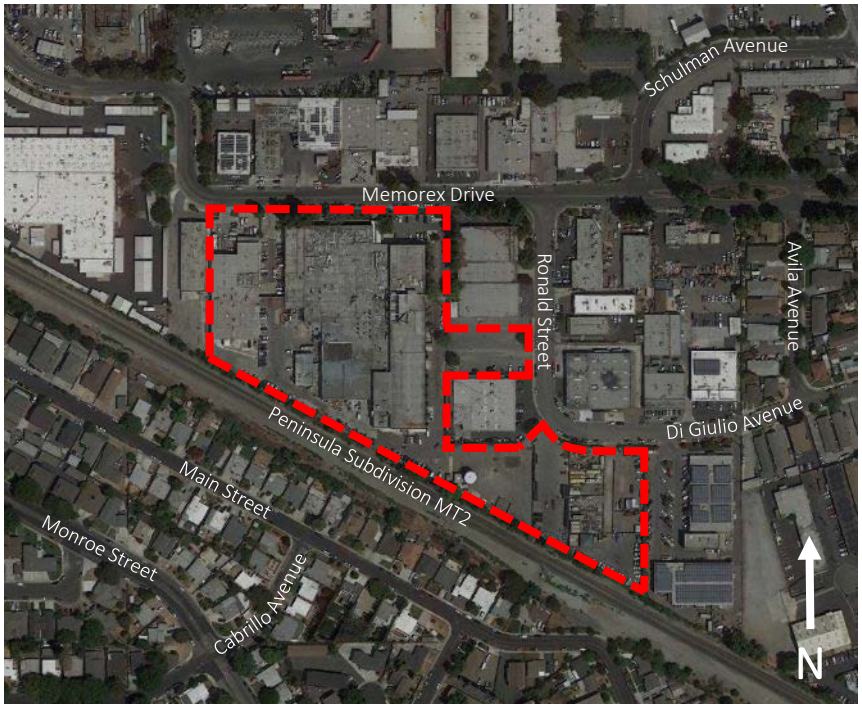

Figure 1. Aerial photograph of the subject property and immediate vicinity (Google Earth, amended by author).

1.2 Current Historic Status

On November 21, 2019, staff at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) completed a records search (NWIC File No. 19-0841) for the proposed project. Cultural resources records and studies for the City of Santa Clara are on file at the NWIC. The purpose of the records search for this investigation is to verify if the subject property and adjacent parcels have been previously recorded and evaluated for listing in the National Register of

Historic Places (National Register), California Register, County of Santa Clara's Heritage Resource Inventory, and City of Santa Clara's Historic Properties List.

The records search indicates that the industrial complex at 1200-1310 Memorex Drive and the adjacent parcels have not been previously recorded in the national, state, or local registers (Table 1). Likewise, the properties have not been evaluated as a contributor to an historic district eligible at the national, state, or local level.

Figure 2. Aerial photograph showing parcel adjacent to the subject property (Google Earth, amended by author; see Table 1 for additional information).

Table 1. Properties Adjacent to 1200-1310 Memorex Drive

Figure 2 Identifier	APN	Address	Property Type	Construction Date[1]	Previously Recorded or Evaluated Status
1	224-66-001	1330 Memorex Dr., 1331 Memorex Dr.	Industrial	1959	Not Recorded or Evaluated
2	224-63-015	No Address	Undeveloped	Undeveloped	Not Recorded or Evaluated
3	224-63-014	1255 Memorex Dr., 1257 Memorex Dr., 1259 Memorex Dr., 1261 Memorex Dr.	Industrial	1962	Not Recorded or Evaluated

[1] City of Santa Clara, *MAP Santa Clara*, accessed November 15, 2019, https://map.santaclaraca.gov/public/index.html?viewer=regional.

Figure 2 Identifier	APN	Address	Property Type	Construction Date[1]	Previously Recorded or Evaluated Status
4	224-63-013	1225 Memorex Dr.	Industrial	1958	Not Recorded or Evaluated
5	224-63-012	1175 Memorex Dr., 1185 Memorex Dr.	Industrial	1959	Not Recorded or Evaluated
6	224-63-011	1155 Memorex Dr.	Industrial	1962	Not Recorded or Evaluated
7	224-63-021	1125 Memorex Dr., 1135 Memorex Dr.	Industrial	1971	Not Recorded or Evaluated
8	224-63-009	1081 Memorex Dr., 1085 Memorex Dr., 1089 Memorex Dr., 1093 Memorex Dr., 1097 Memorex Dr., 1099 Memorex Dr.	Industrial	1963	Not Recorded or Evaluated
9	224-66-005	1210 Memorex Dr., 1260 Memorex Dr., 2222 Ronald St.	Industrial	1960	Not Recorded or Evaluated
10	224-66-003	2122 Ronald St.	Industrial	1959	Not Recorded or Evaluated
11	224-67-021	2175 Ronald St.	Industrial	1959	Not Recorded or Evaluated
12	224-67-020	2119 Ronald St., 2121 Ronald St., 2125 Ronald St., 1085 Di Giulio Ave.	Industrial	1970	Not Recorded or Evaluated
13	224-67-019	1051 Di Giulio Ave., 1053 Di Giulio Ave., 1055 Di Giulio Ave., 1057 Di Giulio Ave., 1059 Di Giulio Ave., 1061 Di Giulio Ave.	Industrial	1960	Not Recorded or Evaluated
14	224-05-093	1040 Di Giulio Ave.	Industrial	1971	Not Recorded or Evaluated
15	N/A	Peninsula Subdivision MT2	Railroad	1888,[2] 1991[3]	Not Recorded or Evaluated

[2] Derek R. Whaley, "Railroads: Southern Pacific Branch Lines and Divisions," *Santa Cruz Trains: Railroads of the Monterey Bay Area*, April 5, 2019, https://www.santacruztrains.com/2019/04/railroads-southern-pacific-branch-lines.html. This is the date that Southern Pacific Railroad Company laid standard gauge along this route.
[3] "History," *Caltrain*, accessed December 12, 2019, http://www.caltrain.com/about/History.html?PageMode=Print. This is the date that the Peninsula Corridor Joint Powers Board, the governing body for the Caltrain Peninsula, purchased the right-of-way.

1.3 Methodology

To complete the HRE for 1200-1310 Memorex Drive, ARG:

- Conducted a site visit to examine and photograph the subject property and surrounding parcels on November 22, 2019;
- Completed archival research at relevant repositories, including the Santa Clara County Recorder's Office; Santa Clara Building Division; and the San Jose Public Library;
- Reviewed online repositories, including the California Digital Newspaper Collection; the Computer History Museum; Newspapers.com; Newspaper Archive; ProQuest Historical Newspapers; Online Archive of California; University of California, Santa Cruz Digital Collections; and United States Geological Society (USGS) EarthExplorer;
- Reviewed primary and secondary sources regarding the history and development of the Santa Clara Valley and Memorex Corporation; and
- Prepared a set of Department of Parks and Recreation (DPR) 523 forms for the subject property. These forms are included in Appendix D.

2. Physical Description

The following section provides a physical description of the buildings at 1200-1310 Memorex Drive and the property's immediate setting. Additional photographs are presented in Appendix A.

2.1 Site Description

The subject property at 1200-1310 Memorex Drive is situated on an irregularly shaped parcel (APN 224-66-006) in east-central Santa Clara. The property dominates an irregularly shaped block roughly bounded by Memorex Drive to the north, Ronald Street to the east, and the Peninsula Subdivision MT2 rail line to the southwest (Figure 1). A narrow strip of landscaped vegetation extends along the eastern two-thirds of the Memorex Drive frontage, and a row of trees follows the southwestern property boundary.

The subject property contains a large industrial complex comprised of several adjoining one-, two-, and three-story manufacturing facilities, warehouse buildings, and offices. The complex is surrounded on all sides by asphalt-paved driveways, parking, and loading areas. The surrounding blocks are also characterized by light industrial development with surface lot parking.

2.2 Building Description

The industrial complex at 1200-1310 Memorex Drive features an irregular footprint and is comprised of multiple additions and building components constructed in the mid-twentieth century. The original portion of the building, which was completed in 1961, is a two-story building fronting Memorex Drive to the north. This building is rectangular in plan, and its exterior walls are finished with smooth stucco. The center of the primary (northern) façade is dominated by a curtain wall that extends across both stories and includes the building's primary entrance (Figure 3). At the ground level, the curtain wall features a

pair of fully glazed metal doors with a narrow transom, flanked by four aluminum fixed windows to either side. The westernmost window has been infilled with an opaque metal panel. At the upper level, the curtain wall contains a continuous ribbon of ten aluminum fixed windows. Short metal spandrel panels are located above the upper level windows, between the upper and lower level windows, and below the lower level windows. A curvilinear porch hood is anchored above the primary entrance, sheltering both the double doors and one window unit to either side. A poured concrete walkway extends across the façade and connects the primary entrance to the sidewalk along Memorex Drive. A secondary entrance, a single-leaf metal door, is also located in the primary façade, to the east of the curtain wall and primary entrance (Figure 4).

Figure 3. Northern façade of the 1961 building, view south (ARG, November 2019).

Figure 4. Northern façade of the 1961 building, view southwest (ARG, November 2019).

The eastern, western, and southern façades of the 1961 building have all been covered by additions. The addition across the eastern façade, which roughly doubled the square footage of the original building, was completed in late 1964 (Figure 5). It is rectangular in plan and matches the height of the 1961 building, and its northern façade is also dominated by a centrally located curtain wall that extends across both stories (Figure 6). Unlike the curtain wall on the 1961 building, however, this is predominantly filled with opaque panels, featuring only four fixed aluminum windows on either story (Figures 5 and 6). The primary entrance to the building is on its eastern façade, sheltered by a curvilinear, asymmetrical porch roof supported by a series of angular columns (Figures 7 through 10). The columns are constructed from concrete, and the roof appears to clad in sheet metal. The porch covers only the northernmost part of the eastern façade, extending beyond the corner of the building to cover a portion of the walkway that connects the entrance to the sidewalk along Memorex Drive. Below the porch, the façade is punctuated by a pair of fully glazed aluminum doors with a transom and a ribbon of four full-height fixed windows (Figures 9 and 10). A small eating area with circular tables and curving, fixed-in-place benches is located to the east of the porch, beyond the angular columns (Figure 10). Both this area and the associated walkways that connect the building's entrances to the sidewalk are paved with exposed aggregate concrete.

Figure 5. 1961 building (right) and 1964 addition (left), view southwest (ARG, November 2019).

Figure 6. Fenestration in the curtain wall of the 1964 addition, view south (ARG, November 2019).

Figure 7. Northeastern corner of the 1964 addition, view southeast (ARG, November 2019).

Figure 8. Porch affixed to the eastern façade of the 1964 addition, view south (ARG, November 2019).

Figure 9. Primary entrance on the eastern façade of the 1964 addition, view southwest (ARG, November 2019).

Figure 10. Picnic area and fountain near the northeastern corner of the 1964 addition, view northeast (ARG, November 2019).

Across the 1964 addition's eastern façade, beginning at the southern end of the porch roof, is a narrow, two-story addition that is rectangular in plan. It features large, fixed aluminum windows across the first story on its primary (northern) façade, while its eastern façade is covered entirely by a three-story addition, completed in 1966, that extends beyond the southern façades of the previously constructed buildings (Figure 11). The three-story addition is rectangular in plan, with a flat roof and a high parapet screening a variety of rooftop mechanical equipment. At the ground level, its primary (northern) façade features stucco cladding, fixed aluminum windows, and fully glazed aluminum doors; the primary entrance, a pair of aluminum double doors, is sheltered below a short vinyl awning (Figure 12). The upper stories are a steel-framed curtain wall containing alternating rows of fixed windows and opaque panels. The eastern façade, which is nearly five times the width of the northern façade, features a more varied appearance (Figure 13). The curtain wall wraps around the northeastern corner of the building, covering all three floors of the northern third of the eastern façade. It then continues at only the upper floor across the length of the façade. Multiple secondary entrances, including roll-up garage doors and one set of fully glazed aluminum doors with a transom and sidelights, punctuate the first story below the curtain wall. The southern façade features a loading area covered by a projecting metal awning at the first story and a metal door accessed by a metal exterior staircase at the second story (Figure 14).

Figure 11. Northern façade of the additions to the 1964 addition, view southwest (ARG, November 2019).

Figure 12. Primary entrance in the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Figure 13. Eastern façade of the 1966 addition, view northwest (ARG, November 2019).

Figure 14. Southern façade of the 1966 addition, view northwest (ARG, November 2019).

The rear (southern) façade of the 1961 building and its 1964 addition have been covered by additional two-story, flat-roofed, rectangular-in-plan additions completed ca. 1966. The eastern façade of these additions adjoins the 1966 three-story addition. The southern façade of the additions is clad in corrugated sheet metal siding, punctuated on the first story by two roll-up metal garage doors, two half-glass metal doors, one fully glazed metal door, and one aluminum fixed picture window (Figure 15). The western façade of the additions features four-light windows across the first and second stories, with one roll-up metal garage door and two single-leaf metal doors in the first story as well as one single-leaf metal door in the second story (Figure 16). The latter is served by a metal exterior staircase.

Figure 15. Southern façade of the ca. 1966 additions to the southern façade of the 1961 building and 1964 addition, view north-northwest (ARG, November 2019).

Figure 16. Western façade of the ca. 1966 additions to the southern façade of the 1961 building and 1964 addition, view northeast (ARG, November 2019).

Across the western façade of the original 1961 building has been constructed another narrow, rectangular-in-plan, two-story addition, completed by 1966. Its northern (primary) façade is even with that of the 1961 building and clad in stucco to match (Figure 17). The addition's western and southern façades are also clad in stucco, and the northern portion of the western façade is punctuated by ribbons of square, fixed aluminum windows across the upper story (Figure 18).

Figure 17. Northern façade of the ca. 1966 addition across the western façade of the 1961 building, view southeast (ARG, November 2019).

Figure 18. Western façade of the ca. 1966 addition across the western façade of the 1961 building, view northeast (ARG, November 2019).

A metal breezeway clad with a flat roof clad in corrugated sheet metal extends perpendicularly from southern corner of the addition's western façade, connecting it to a separate building that has itself experienced multiple rounds of addition and alterations (Figure 19). The core of this building is a ca. 1960, two-story building that is rectangular in plan. It is of concrete construction and features a convex roof (Figure 20). Fenestration is limited to one fixed aluminum window, one roll-up metal garage door, and one single-leaf metal door on the eastern façade and two roll-up garage doors and three single-leaf metal doors on the southern façade. The southern façade also features a small, one-story, metal-clad addition with a shed roof and one single-leaf door on its own southern façade. The western façade of the building is blank, and the northern façade has been obscured entirely by a series of additions that match the original building's width.

The eastern façade of the additions to the ca. 1960 building is constructed from concrete. It is punctuated variously by single-leaf doors, one metal roll-up garage door, and horizontally oriented, fixed and sliding aluminum windows in both the first and second stories. The northern (primary) façade is articulated such that the eastern portion projects further north than the western portion; the eastern portion, which is clad in stucco, features a raised loading dock with three metal roll-up garage doors and a flat porch roof clad in corrugated sheet metal (Figure 21); the western portion, which is constructed of concrete masonry units and features a short parapet, is also punctuated by two metal roll-up garage doors as well as a fully glazed metal door with sidelights (Figure 22). The western façade of the additions is blank.

Figure 19. Breezeway joining the ca. 1966 addition to the ca. 1960 building, view south (ARG, November 2019).

Figure 20. Southern and eastern façades of the ca. 1960 building, view northwest (ARG, November 2019).

Figure 21. Addition to the eastern portion of the ca. 1960 building's northern façade, view southwest (ARG, November 2019)

Figure 22. Addition to the western portion of the ca. 1960 building's northern façade, view south (ARG, November 2019).

The property also includes one ca. 1966 freestanding building near the southern boundary of the property, between the ca. 1960 building and the ca. 1966 additions to the southern façade of the 1961 building. The freestanding building is one story in height, rectangular in plan, and comparatively small. It is of steel-frame construction with corrugated sheet metal cladding and a shallowly pitched, metal-clad roof (Figure 23). The building's primary (southern) façade is punctuated by two metal roll-up garage doors, one paneled metal or fiberglass door, and a vinyl sliding window, which the western façade features a single metal roll-up garage door flanked by half-glass, single-leaf metal doors (Figures 23 and 24). The eastern façade features one single-leaf metal door near the southern corner of the building, and the western façade is blank.

Figure 23. Southern façade of the ca. 1966 freestanding building, view north (ARG, November 2019).

Figure 24. Western façade of the ca. 1966 freestanding building, view northeast (ARG, November 2019).

3. Site History

The following site history has been compiled using building permits on file at the City of Santa Clara Building Division (Table 2); Memorex's monthly employee newsletters, which are digitized and made available through the Computer History Museum; Sanborn Fire Insurance Maps (see Appendix C); USGS topographic maps; and aerial imagery accessed through USGS EarthExplorer and the University of California Santa Cruz digital collections.

According to aerial photography from 1939, the subject property and its immediate vicinity appear to have been cultivated as agricultural fields and orchards prior to development for industrial use (Figure 27). Farmhouses, barns, and associated ancillary buildings dotted the landscape, and the outer limits of Santa Clara's residential area ended less than a mile from the subject property. The subject property itself was devoid of built resources at the time, but the Southern Pacific Railroad line forming its southern boundary was in place. In 1950, the property remained undeveloped, but suburban development had encroached northward to the rail line, within the vicinity of the subject property (Figure 28).

By the early 1960s, the bulk of the subject property was addressed as 1180 Shulman Avenue and purchased by Memorex Corporation, a nascent electronics company founded by a group of entrepreneurs in 1961. In that same year, Memorex applied for a permit to erect an office and factory at the site; the result was the two-story, steel-framed building at the center of the present-day industrial

complex. Constructed by J.B. Tulloch Engineers and Contractors and completed in November of 1961, this building was the company's first dedicated plant and the corporate headquarters.[4]

In 1963, Memorex Corporation applied for a permit to add a warehouse and factory addition across the eastern façade of the original building, and this was completed in October 1964.[5] Also in 1964, the company purchased the parcel comprising the western end of the present-day subject property; this parcel included an existing ca. 1960 building (Figure 29), which Memorex used to expand their warehousing needs.[6] Additionally, a freestanding, shed-roofed storage building was constructed at the southern boundary of the property ca. 1963.[7]

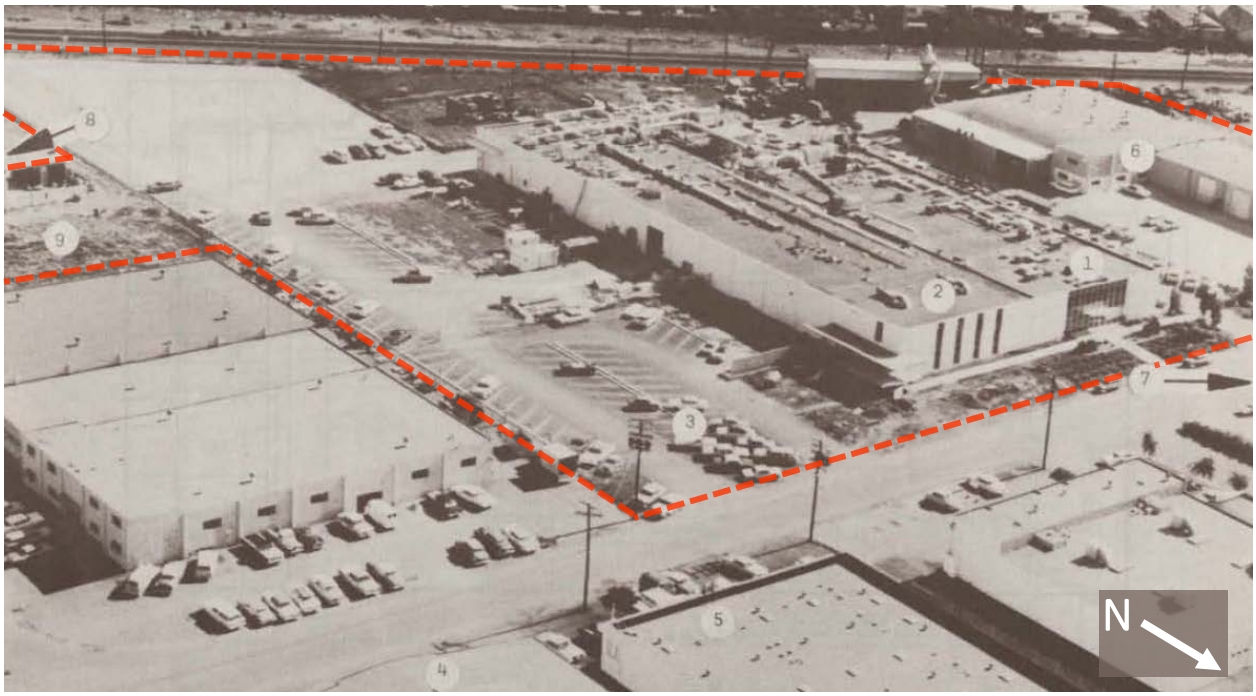

Figure 25. The subject property as it appeared in early 1965. The numbered labels, original to the image, denote the following: 1), the original building constructed for Memorex Corporation, completed November 1961; 2), the addition to the building's eastern façade, completed October 1964; 3), an employee parking lot; 4), a rented building used for warehousing; 5), a rented building used for offices; 6), the ca. 1960 building used for warehousing, purchased by Memorex Corporation in October 1964; 7), additional property purchased for future plant expansion; 8), an employee parking lot; and 9), an additional employee parking lot. Additionally, a shed-roofed building constructed ca. 1963 is located near the upper right corner of the image ("Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 [June 1965]: 4, amended by author).

[4] "First Memorex Building," ca. June 1961, Memorex Memorabilia [Digital Archive], accessed November 20, 2019, https://mrxhist.org/docs/MRX%2019610632_est%20First%20Building.jpg; "Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 (June 1965): 4; Santa Clara Building Permit BLD1961-21921.

[5] "Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 (June 1965): 4; Santa Clara Building Permit BLD1963-26698.

[6] "Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 (June 1965): 4.

[7] Santa Clara Building Permit BLD1963-26167.

By 1965, the company had grown sufficiently large so as to rent space in two buildings north of Memorex Drive (then Shulman Avenue), currently 1065-1069 Memorex Drive (APN 224-63-008) and 1081-1099 Memorex Drive (APN 224-63-009) (Figure 25).[8] This relationship appears to have been short-lived, however, and Memorex Corporation soon began to expand its own facilities. The area to the east of the 1964 addition, which had formerly been an employee parking lot, was developed with a three-story addition including office, laboratory, and warehouse space, as well as a one-story cafeteria at the northeastern corner of the property.[9] The three-story addition was completed in early 1966 (Figures 30 and 31).[10] By October of that year, further additions had been constructed off the rear (southern) façade of the 1961 building and 1964 addition, as well as across the western façade of the 1961 building. The freestanding, gable-roofed building at the south-central portion of the property had also been completed by this time. The ca. 1960 building also saw two additions cover its primary (northern) façade by late 1966 (Figure 31).[11] In 1967, a breezeway or canopy was built to connect the ca. 1960 building with the ca. 1966 addition across the western façade of the 1961 building.[12] A large box beam joined the northern façade of the ca. 1960 building's westernmost addition to the northern façade of the same (Figure 26). In 1968, Memorex Corporation completed a disk packing plant on a nearby parcel (currently 1400-1500 Memorex Drive, APN 224-65-009), separate from the subject property (Figure 26).[13]

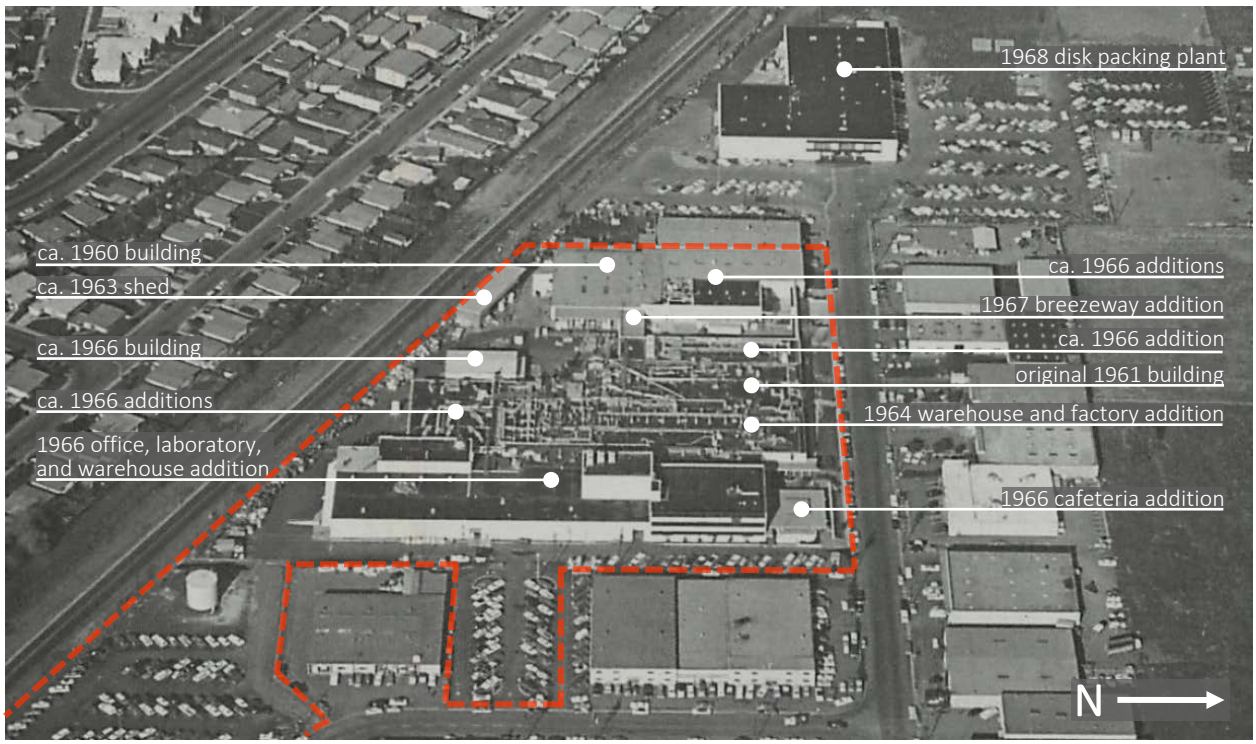

Figure 26. Subject property as it appeared in early 1968
("Open House 1968, Welcome," *Memorex Intercom* 5, no. 4 [April 1968]: 1, amended by author).

[8] "Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 (June 1965): 4.
[9] "Memorex is Busting Out All Over," *Memorex Intercom* 2, no. 9 (September 1965): 1; Santa Clara Building Permit BLD1965-29818; "Construction Nears Completion," *Memorex Intercom* 2, no. 12 (December 1965): 1.
[10] "New Facilities," *Memorex Intercom* 3, no. 3 (March 1966): 2.
[11] "Map Index," *Memorex Intercom* 3, no. 10 (October 1966): 4.
[12] Santa Clara Building Permit BLD1967-32310.
[13] "This is the recently completed…," *Memorex Intercom* 5, no. 2 (February 1968): 1.

By 1972, a second breezeway had been constructed to join the 1966 three-story addition to the ca. 1960 building at the southwest corner of Memorex Drive and Ronald Street (2222 Ronald Street, APN 224-66-005; this parcel is not part of the subject property) (Figure 32). Few other additions were made to the complex's exterior for the duration of Memorex Corporation's ownership of the property, which ended in the early 1990s (Figure 33 through 36). However, permit records indicate that the building's interior experienced many alterations and reconfigurations during the same period (Table 2).

Memorex Corporation liquidated the facility's assets in February 1994.[14] Following the liquidation, the building and property experienced a number of alterations targeted toward dividing space for use by multiple tenants. The breezeway connecting the 1966 addition and the ca. 1960 building at 2222 Ronald Street was demolished ca. 1995, as was the shed-roofed storage building at the southern boundary of the property (Figure 37).[15] The large cafeteria at northern end of the 1966 three-story addition was demolished in 2004 and replaced with surface parking.[16] In 2014, a shed roof on the southern portion of the ca. 1960 building's eastern façade was removed, and in early 2015, the westernmost addition to the building's northern façade was truncated and replaced with a new concrete masonry unit façade.[17] The box beam that had joined its northern façade to the ca. 1966 addition on the original Memorex building was also removed.

Table 2 below summarizes the building permits on file at the City of Santa Clara Permit Center for exterior alterations to the building. While the complete record was reviewed for the purposes of this report, permits for interior alterations, plumbing and electrical projects, and parking lot reconfigurations are omitted from this table in the interest of clarity. The majority of omitted alterations coincide with construction of the building's major additions or occurred after the sale of the building, at which time it was apparently remodeled to accommodate multiple tenants.

Table 2. Construction Chronology for 1200-1310 Memorex Drive

Permit No.	Year Issued	Address	Description of Work
BLD1961-21921	1961	1300 Memorex Dr.	Erect office and factory.
BLD1963-26698	1963	1260 Memorex Dr.	Add warehouse and factory.
BLD1965-29818	1965	1250 Memorex Dr.	Erect offices and warehouse.
BLD1965-29898	1965	1260 Memorex Dr.	Add process area/lab and pump house.

[14] "A Ross-Dove Company Auction: Complete Liquidation of a Major Computer Tape Manufacturing Facility Assets Surplus to Continuing Operations," auction catalog, 1994; item 102770298, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[15] Santa Clara Building Permit BLD1995-106005.
[16] Santa Clara Building Permit BLD2004-03917.
[17] Santa Clara Building Permit BLD2014-36949; Santa Clara Building Permit BLD2015-37252.

Permit No.	Year Issued	Address	Description of Work
BLD1966-31547	1966	1200 Memorex Dr.	Add canopy, arcade, labs, and offices to industrial building.
BLD1966-31624	1966	1252 Memorex Dr.	Add to industrial building.
BLD1967-32310	1967	1270 Memorex Dr.	Construct canopy.
BLD1969-35269	1969	1250 Memorex Dr.	Add one-story structural frame addition.
BLD1974-43092	1974	1200 Memorex Dr.	Erect mix mill building.
BLD1979-50814	1979	1250 Memorex Dr.	Erect mezzanine and roof structure for dryer equipment.
BLD1981-54107	1981	1200 Memorex Dr.	Add canopy.
BLD1981-54615	1981	1200 Memorex Dr.	Add canopy.
BLD1985-69469	1985	1260 Memorex Dr.	Add foundation and pad.
BLD1986-69599	1986	1260 Memorex Dr.	Erect building platform.
BLD1986-70505	1986	1232 Memorex Dr.	Install exterior doors and stairs.
BLD1995-105447	1995	1300 Memorex Dr.	Alter exterior openings.
BLD1995-106005	1995	1290 Memorex Dr.	Demolish storage building and awning.
BLD1997-113071	1997	1200 Memorex Dr.	Exterior alterations and parking restriping.
BLD1997-114521	1997	1220 Memorex Dr.	Demolish part of roof.
BLD1997-115677	1997	1250 Memorex Dr.	Alterations to openings.
BLD1997-115678	1997	1260 Memorex Dr.	Alterations to openings.
BLD1997-115679	1997	1280 Memorex Dr.	Alterations to openings.
BLD2004-03917	2004	1210 Memorex Dr.	Demolition of former cafeteria.

Permit No.	Year Issued	Address	Description of Work
BLD2005-07629	2005	1220 Memorex Dr.	Landscaping, grading, and alterations to exterior lighting.
BLD2006-09708	2006	1300 Memorex Dr.	Add storefront and upgrade restrooms.
BLD2006-11306	2006	1290 Memorex Dr.	Construct addition.
BLD2007-12119	2007	1220 Memorex Dr.	Expand exterior door.
BLD2014-35678	2014	1290 Memorex Dr.	Voluntary seismic upgrade and alterations to exterior lighting at the mezzanine level.
BLD2014-36949	2014	1290 Memorex Dr.	Demolish shed portion of building.
BLD2015-37252	2015	1300 Memorex Dr.	Demolish front portion of building.
BLD2016-41966	2016	1250 Memorex Dr.	Construct of an exterior sheet metal acoustical enclosure, electrical control panel, and roof penetrations
BLD2018-50676	2018	1220 Memorex Dr.	Modify exterior entryways and restripe parking area.

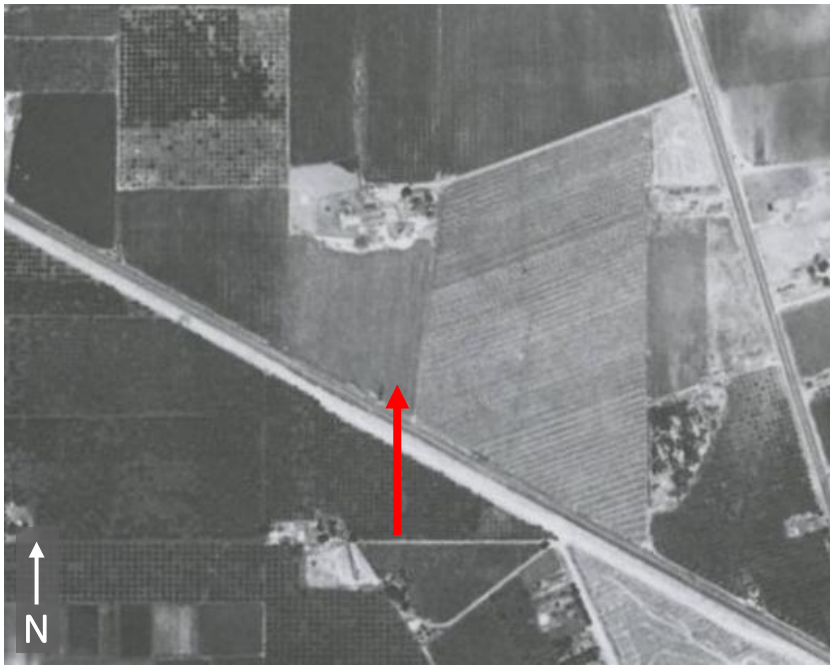

Figure 27. 1939 aerial photograph; the arrow indicates the location of the subject property (UC Santa Cruz Digital Collections, amended by author).

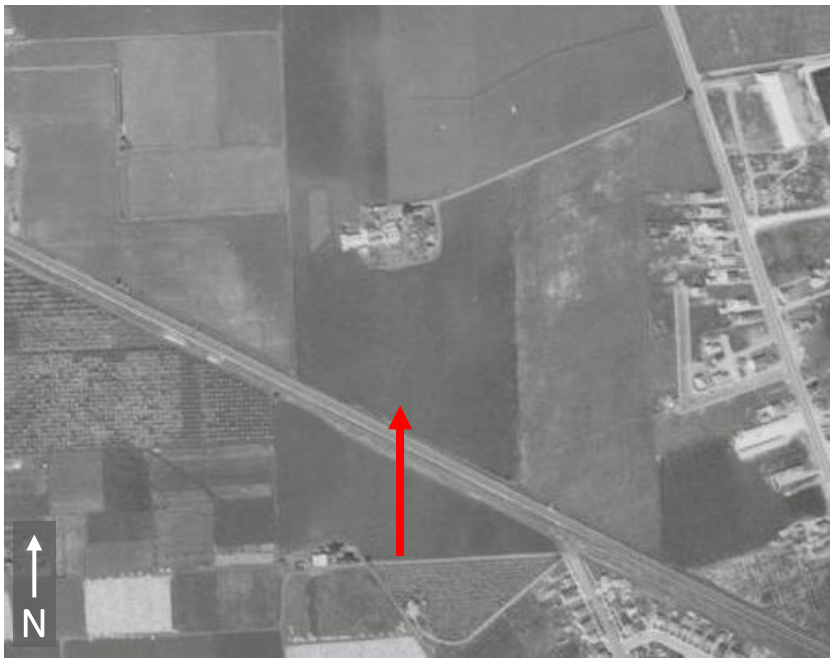

Figure 28. 1950 aerial photograph; the arrow indicates the location of the subject property (UC Santa Cruz Digital Collections, amended by author).

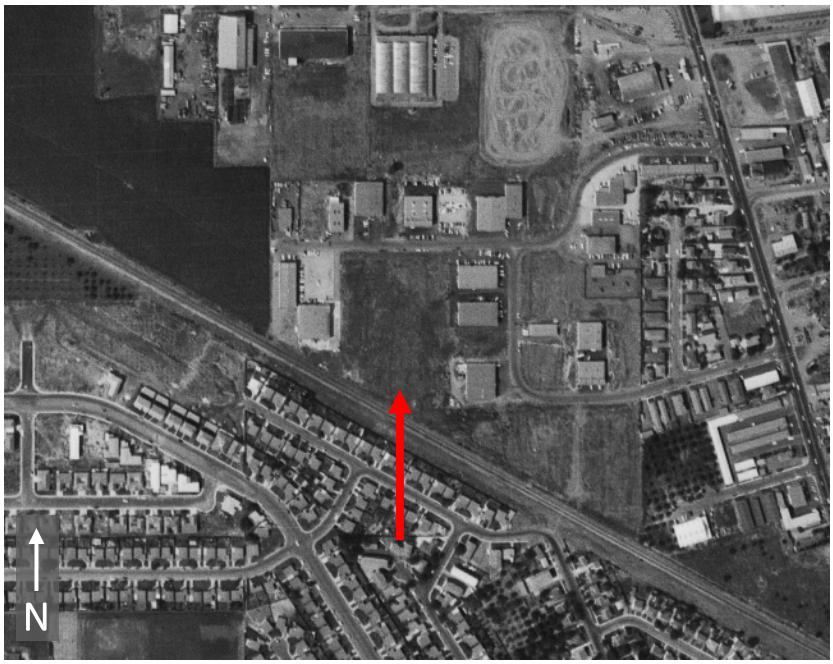

Figure 29. 1960 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

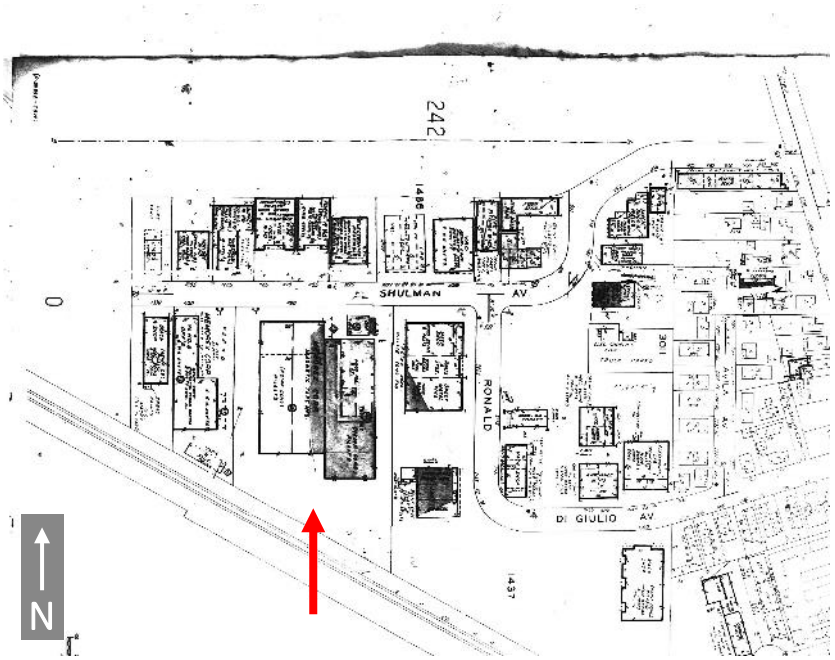

Figure 30. 1966 Sanborn Fire Insurance Map, San Jose, Volume 3, Sheet 253; the arrow indicates the location of the subject property (amended by author).

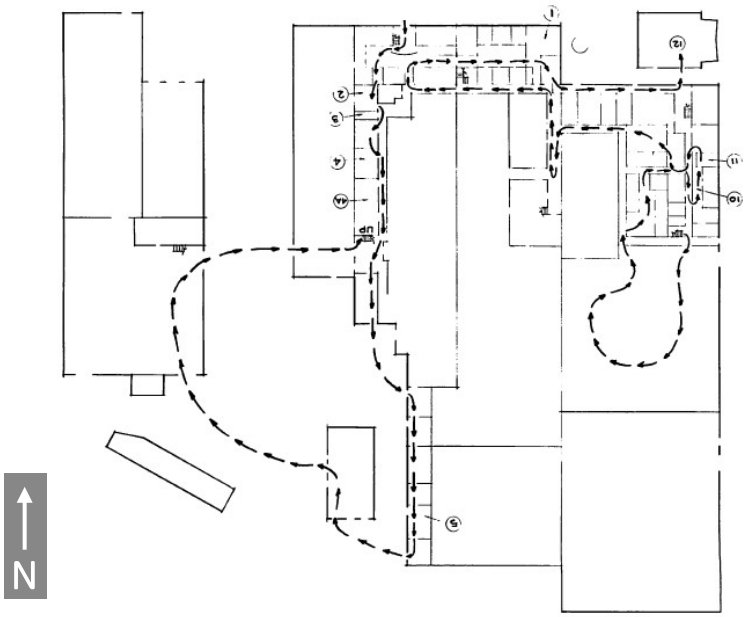

Figure 31. Layout of the subject property at the time of the Memorex Corporation's annual open house, 1966 ("Map Index," *Memorex Intercom* 3, no. 10 [October 1966]: 4, amended by author).

Figure 32. 1968 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

Figure 33. 1972 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

Figure 34. 1980 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

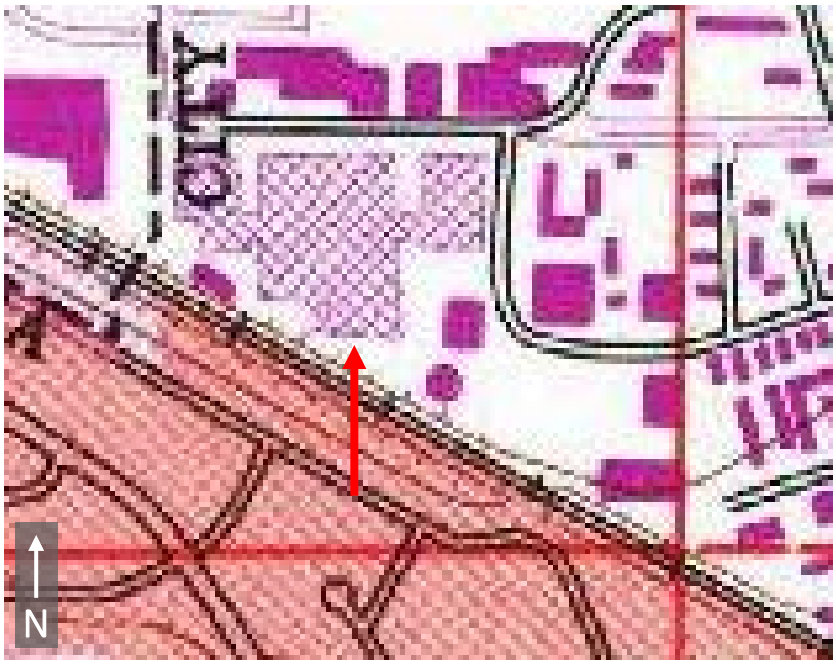

Figure 35. 1961 topographic map, 1980 revision; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

Figure 36. 1993 aerial photograph; the arrow indicates the location of the subject property (Google Earth, amended by author).

Figure 37. 2000 aerial photograph; the arrow indicates the location of the subject property (Google Earth, amended by author).

4. Historic Context

4.1 Prewar Development of the Santa Clara Valley

The County of Santa Clara is one of twenty-seven California counties created in 1850, the year that California entered the Union. San José was selected as the first state capital, and the combination of legislators, newsmen, and others seeking employment in the city spurred urban development in the surrounding Santa Clara Valley region. The fertile valley also attracted agricultural interests, including many former gold miners who shifted their efforts from prospecting to farming or ranching.[18]

Outside of San José, cattle ranching was the Santa Clara Valley's primary economic activity in the early years of California statehood. Initially, the open range method was common among ranchers, but pasture lands were reduced as the region became more densely settled; stock farming, which utilized smaller lots and intensified production techniques, supplanted pasture grazing by the 1860s. Wheat was also a staple agricultural product of the Santa Clara Valley at this time, as the region's highly fertile soil facilitated easy cultivation and high yields with relatively little capital investment. By 1854, thirty percent of California's total wheat crop was produced in Santa Clara County, and it was "arguably the most important agricultural county" in the state.[19] Other grain crops, primarily barley and oats, were also produced in significant volumes.[20]

In addition to agricultural development, the 1860s saw the introduction of railroad transportation into Santa Clara County. The San Francisco & San Jose Railroad (SF&SJ) was organized in 1860, and the first train arrived in San José from San Francisco on January 16, 1864. The Central Pacific Railroad (CPRR, originally the Western Pacific Railroad) was completed between San José and Niles, California, in 1869, connecting San José with the transcontinental railroad and opening the Santa Clara Valley to markets across the United States. The railroad, subsequent population growth, and intensified agricultural production changed the landscape of the valley, catalyzing the development of small towns along the rail lines and resulting in the breakup of large land holdings.[21]

By 1870, nearly all acreage in rural Santa Clara County was devoted to wheat and barley production. When yields fell in 1879-1880, however, farmers quickly diversified their interests to include dairy cows, sheep for wool, poultry for eggs, swine for meat, and hay, grape vines, and fruit trees. The latter proved to be particularly lucrative. By the late 1880s, orchard products (prunes, in particular) came to dominate agricultural production in the Santa Clara Valley. The region's fruit canning and packing industry was pioneered by a San José physician, Dr. James Dawson, in 1871 and grew alongside orchard production. Subsequently, the manufacture of food processing machinery and orchard spraying equipment became an important aspect of the local industrial economy. Early industrial development in Santa Clara County began to appear in 1864 alongside the recently constructed transportation lines.[22]

[18] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement* (Santa Clara, California: County of Santa Clara Department of Planning and Development Planning Office), 7.
[19] Jim Gerber, "The Origin of California's Export Surplus in Cereals," *Agricultural History* 67, no. 4 (Autumn 1993): 47.
[20] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 37-38.
[21] Ibid., 40.
[22] Ibid., 40-41.

Fruit production in the Santa Clara Valley continued to increase, peaking in the 1920s. As the ratio of crop value to land area increased, many of the large, diversified farms and wheat fields that had been prevalent in the nineteenth century were subdivided into specialized "fruit ranches" that were 3 to 50 acres in area. The introduction of the automobile and commercial development of the trucking industry in the early twentieth century also impacted land use patterns in the valley, as it greatly facilitated local distribution and catalyzed the development of city roads and intercity highways. By 1928, all of San José's city streets had been paved, and highways connected the city to San Francisco, Oakland, and the coast.[23]

At the onset of the Great Depression, there were 38 canneries and 13 packing plants in Santa Clara County. 172,190 acres of land were engaged in crop production, approximately 66,000 of which were devoted to prunes and 20,000 to apricots. Orchards and related industries were hit particularly hard by the Great Depression, in which time the prices of California's specialty crops fell further and faster than those of basic agricultural commodities, such as wheat.[24] The local workforce, already facing low wages and an unprecedented level of unemployment, was further challenged to accommodate an influx of farmers displaced by the Dust Bowl. Unrest with regard to low wages, substandard working conditions, and poor job security catalyzed the labor movement in the 1930s, and membership and related activism increased substantially during the Depression years. In August 1931, the Cannery and Agricultural Workers' Industrial Union organized a strike of nearly sixteen thousand cannery workers in the Santa Clara Valley, in protest of a twenty percent wage decrease.[25] By the end of the decade, all San José canneries were unionized.[26]

The fruit industry gradually recovered from the effects of the Great Depression, but military training and wartime production associated with World War II played the greater role in the Santa Clara Valley's economic resurgence. The San Francisco Bay area was the gateway to the Pacific theater of the war, and thousands of military personnel were brought to the area for training and processing at Moffett Field and shipyards along the coastline. Numerous industrial plants for the construction of marine engines and landing craft were established in Sunnyvale and Santa Clara; the two largest military contractors, whose contracts totaled $289 million, were the Food Machinery Company and the Joshua Hendy Iron Works. The growth of these wartime industries changed both the physical and ethnic landscape of the Santa Clara Valley. Work in the industrial plants employed local workers, including women, from the orchards and canneries, and they were frequently replaced by Mexican Americans and by braceros, Mexican nationals working in the United States under the auspices of the Mexican Farm Labor Agreement. At the same time, the Santa Clara Valley's agricultural acreage was reduced, as farms and orchards were converted to industrial plants and housing for the region's increased population.[27]

4.2 Postwar Industrialization in the Santa Clara Valley

The population and economy of the Santa Clara Valley grew rapidly in the postwar years, as the economic focus of the region shifted from agriculture to electronics and manufacturing. Orchards were swiftly

[23] Ibid., 43-44.
[24] Glenna Matthews, "The Apricot War: A Study of the Changing Fruit Industry during the 1930s," *Agricultural History* 59, no. 1 (January 1985): 25-29.
[25] Kevin Starr, *Endangered Dreams: The Great Depression in California* (New York: Oxford University Press, 1996), 69-70.
[26] David Bacon, "Roots of Social Justice Organizing in Silicon Valley," *El Reportero* (San Francisco), May 23, 2016.
[27] Glenna Matthews, *Silicon Valley, Women, and the California Dream: Gender, Class, and Opportunity in the Twentieth Century* (Stanford, California: Stanford University Press, 2003), 82-88.

replaced with residential subdivisions and shopping centers, and rural roadways were widened into freeways to accommodate the massive influx of people and commercial activity that accompanied increasing industrialization and the related population boom.[28] The growth of the region's electronics sector and the transformation of the "Valley of the Heart's Delight" into "Silicon Valley" in the postwar years was driven by a growing number of defense contracts and Stanford University officials' efforts to institutionalize a relationship between the research university and the federal government.

Stanford University was a key contributor to the economic success of the Santa Clara Valley in the postwar years. From the university's inception in 1891, its founders had intended their school to have a strong emphasis on science, engineering, and practical applications. The 1927 appointment of radio engineer Frederick Terman, who would be named Stanford's dean of engineering in 1944 and provost in 1955, reinforced this mission. Terman educated and encouraged a number of students who would go on to establish some of the most successful electronic firms in the country, including William R. Hewlett and David Packard of the Hewlett-Packard Company, but his greater contribution to the Santa Clara Valley was his work to build a "university-government alliance" for defense-related research, to the benefit of all involved.[29] Terman played a crucial role in Stanford University's postwar efforts to secure defense research contracts from the federal government in the late 1940s; he believed that government partnerships were the future of U.S. research institutions and American military security. In the decades following World War II, the Cold War economy and the billions of dollars in government contracts that were granted to universities and firms in the Santa Clara Valley shaped the technological and economic advancements of the region.[30]

Research-oriented industry, much of it funded by Department of Defense grants during the Cold War, transformed the Santa Clara Valley from an agricultural and extractive economy to one that was based on scientific research and technological advancement. A synergistic relationship developed between the region's universities, the federal government, local municipalities, and the local business community. Stanford University emerged as a national leader in research and development in the electronics field, conducting applied research in California's industrial and defense sectors beginning as early as 1946. In 1951, the university founded the Stanford Industrial Park, which attracted major tenants including Hewlett-Packard, Eastman Kodak, Varian Associates, the Sylvania Products Company, the Philco-Ford Corporation, General Electric, and the research division of the Lockheed Corporation (later Lockheed Martin Corporation). Other major firms, such as the Fairchild Camera and Instrument Corporation, Memorex Corporation, and National Semiconductor located nearby. Municipal governments, for their part, incentivized industrial growth by providing tax relief and other incentives, and by clearing tracts of land for development. Underpinning all of this growth were grants and contracts extended by the Department of Defense; by the late 1970s, Santa Clara County was receiving $2 billion annually in federal defense contracts, a trend that continues today.[31]

Approximately 800 electronics businesses emerged in Santa Clara County between 1950 and 1974, spurred by government contracts, municipal governments' incentives, and the desire to locate

[28] Glenna Matthews, *Silicon Valley, Women, and the California Dream*, 46-47.
[29] David Naguib Pellow and Lisa Sun-Hee Park, *The Silicon Valley of Dreams: Environmental Injustice, Immigrant Workers, and the High-Tech Global Economy* (New York: New York University Press, 2002), 60.
[30] Ibid., 61; John M. Findlay, *Magic Lands: Western Cityscapes and American Culture after 1940* (Berkeley, CA: University of California Press, 1992), 133-134.
[31] Pellow and Park, *The Silicon Valley of Dreams*, 60-61; Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 46.

themselves alongside the companies and university programs that had established themselves as leaders in the field.[32] The development of integrated circuitry, which made possible the pocket calculator, and the microprocessor, which led to the proliferation of computers for consumer use, solidified the region's position as the electronics industry leader in the 1960s and beyond. Santa Clara County's population swelled from 290,547 in 1950 to over a million in 1970, one year before journalist Donald Hoefler would use the term "Silicon Valley."[33] The valley's orchards were replaced with auto-oriented development like shopping centers and residential subdivisions, and rural roadways were widened into freeways to accommodate the massive influx of people and commercial activity that accompanied increasing industrialization and population boom.[34]

4.3 Memorex Corporation

Memorex Corporation was one of the hundreds of electronics start-up companies founded in the Santa Clara Valley in the postwar period. Memorex was established in 1961 by Laurence L. Spitters, Arnold T. Challman, Donald F. Eldridge, and W. Lawrence Noon, all of whom had resigned from Ampex Corporation, another Santa Clara Valley electronics enterprise, in order to launch their own business venture. The nascent operation began research and development operations from a rented facility in Mountain View, California, but before the year had ended, Memorex completed construction on their first plant and office facility at 1180 Shulman Avenue (the subject property, now 1200-1310 Memorex Drive) in east-central Santa Clara (Figure 38).

Figure 38. The subject property, ca. 1966
("February Marks 5th Anniversary," *Memorex Intercom* 3, no. 2 [February 1966]: 1).

Initially, Memorex Corporation focused on magnetic recording media, beginning with the production of magnetic computer tape, but it soon expanded its offerings to include a range of peripheral equipment including removable disk packs and hard disk drives that were plug-compatible with computers produced

[32] Pellow and Park, *The Silicon Valley of Dreams*, 62.
[33] "Obituary: Dan Hoefler, writer who coined term 'Silicon Valley,'" *San Jose Mercury News*, April 16, 1986.
[34] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 46-47.

by the International Business Machines Corporation (IBM).[35] IBM, another Santa Clara Valley electronics firm, was the unequivocal leader in the global computer market at the time, and Memorex was the first independent manufacturer of peripheral equipment that could be used with their proprietary computer systems.[36] The Memorex 630, an IBM 2311 plug-compatible disk drive, was introduced in 1968 (Figu re 39), and a higher-capacity IBM 2314 plug-compatible drive was introduced a year later. These products were marketed as being faster and more reliable than the IBM-produced disk drives that they promised to replace, and they were more affordable, as well. The invention of IBM plug-compatible disk drive enabled Memorex, a relatively small company, to compete with IBM and gain a share of the massive computer market that the larger company controlled. Memorex's early success encouraged other electronics companies to create their own IBM plug-compatible peripheral equipment, including Marshall, Potter Instruments, Telex, Century Data, Control Data Corporation, and Memorex's founders' former employer, Ampex.[37]

Figure 39. Memorex 630 prototype trade show, 1967 (Item 500004506, Mainframe Computers Exhibit, Computer History Museum, Mountain View, California).

Figure 40. Memorex audio tape trade show, 1970. ("Check Your Favorite Hi-Fi Dealer—Company's First Consumer Products Go on Sale This Month," *Memorex Intercom* 7, no. 10 [October 1970]: 14).

[35] Disk packs are the core components of hard disk drives. In modern hard disk drives, the disk pack is permanently sealed within the drive; removable packs, such as those produced by IBM and later Memorex, allowed for greater customization.

[36] Adam Augustyn, "IBM," *Encyclopedia Britannica*, accessed December 3, 2019, https://www.britannica.com/topic/International-Business-Machines-Corporation. By the 1960s, IBM was producing 70 percent of the world's computers and fully 80 percent of those used in the United States.

[37] "1968: Memorex Introduces an IBM compatible HDD," *Computer History Museum*, last modified September 19, 2018, https://www.computerhistory.org/storageengine/memorex-introduces-an-ibm-compatible-hdd/.

In the early 1970s, Memorex expanded to a new headquarters in San Tomas Industrial Park, less than two miles away from their original headquarters (the subject property), which remained in use as a production facility.[38] The company also established a Consumer Products Division; for the first time, Memorex products were available for sale through retail shops, beginning with blank audio cassettes and ¼-inch tape on 5-inch and 7-inch open reels (Figure 40). The company engaged the Leo Burnett Agency in Chicago to handle their advertising, which was disseminated via newspapers, magazines, radio, and television.[39] One of their most successful ad campaigns showed celebrated jazz artist Ella Fitzgerald singing a high note, shattering a wine glass with the frequency of her delivery; a recording of her voice on Memorex tape was then player, shattering a second wine glass and demonstrating the clarity and quality of Memorex's blank audio cassettes.[40] The accompanying slogan, "Is it live, or is it Memorex?" made the company a household name.[41]

After years of producing peripheral equipment, Memorex introduced its own computer systems in late March 1972.[42] However, a series of aggressive pricing and product actions by IBM, who dominated the computer mainframe industry at the time, reduced the profitability of the venture; in September 1973, Memorex reported a total loss of $101 million for the first six months of the year, including more than $90 million in asset write-offs and $8 million in operating losses.[43] The company subsequently sued IBM for monopolizing the market for peripheral products for use with IBM computers, alleging that they and their subsidiaries had "been virtually unable to obtain equity or debt financing at reasonable interest rates" to remain viable.[44] In turn, IBM charged that Memorex had engaged in "industrial espionage," deliberately hiring former IBM employees and deploying IBM's trade secrets in the design and marketing of Memorex products.[45] Unable to secure a unanimous vote from the jury and refused an appeal in the Supreme Court, Memorex's antitrust suit ultimately ended in a mistrial.[46]

In 1974, Robert C. Wilson replaced founder Laurence Spitters as CEO and restructured the company in cooperation with Bank of America; approximately 300 employees were laid off, and through the end of the decade, Memorex successfully focused on its media products and IBM plug-compatible peripheral

[38] "EXPAND! in San Tomas Industrial Park," *San Francisco Examiner*, February 18, 1970; "More Land Acquired in Santa Clara; Ground Broken for Corporate Offices," *Memorex Intercom* 7, no. 5 (May 1970): 6.
[39] "Check Your Favorite Hi-Fi Dealer—Company's First Consumer Products Go on Sale This Month," *Memorex Intercom* 7, no. 10 (October 1970): 3.
[40] Michelle Mercer, "The Voice That Shattered Glass," *NPR*, September 3, 2019, https://www.npr.org/2019/09/03/749019831/the-voice-that-shattered-glass.
[41] "Imation Agrees to Buy Memorex," *Los Angeles Times*, January 20, 2006.
[42] "Memorex MRX/40 and MRX/50," promotional material, 1972; item 102770468, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[43] "Memorex Sues IBM for $3 Billion," *Electronic News* (New York), December 17, 1973; "Memorex: This is the 'Year of Restoration,'" *Business Week*, November 10, 1975.
[44] "Memorex Sues IBM for $3 Billion."
[45] Ibid.
[46] "Memorex and I.B.M. in Mistrial," *New York Times*, July 6, 1978; "Memorex Loses Again in IBM Antitrust Case," *San Francisco Examiner*, June 22, 1981.

offerings.[47] Wilson retired in 1979 and was replaced by Clarence W. Spangle in early 1980.[48] Declining profits in the first quarter of that year forced the new CEO to lay off 220 employees from the Santa Clara tape plant (the subject property).[49] In 1981, the company was acquired by the Detroit-based Burroughs Corporation (later Unisys) for $106 million in cash, and in 1982, its tape division was sold to Tandy Corporation.[50] Business problems and poor sales in the late 1980s led to the dismemberment of Memorex by Unisys. A sizeable portion of the company was sold to an international group of Memorex executives and New York financier Eli S. Jacobs for $550 million in late 1986.[51] The new Memorex International NV was registered in the Netherlands and headquartered in London, with Giorgio Ronchi as its president.[52] In 1988, it acquired Telex Corporation in a bid to expand its American market and emerged as Memorex Telex NV.[53]

Memorex Telex N.V. was plagued by instability in the 1990s, filing for Chapter 11 bankruptcy protection in three times between 1992 and 1996.[54] Many of the company's international sales and service subsidiaries continued as subsidiaries of other firms; the tape division of the Memorex license, still owned by Tandy Corporation at the time, was purchased by Hanny Holdings Limited of Hong Kong in 1993 and continued as Memorex International Inc.[55] The contents of the company's original Santa Clara tape plant (the subject property) were liquidated in 1994.[56] In 2006, Memorex International Inc. was bought out by Imation Corps, a maker of data storage disks and tapes, for $330 million in cash.[57] Imation subsequently sold the Memorex brand to Digital Products International, a Missouri-based consumer electronic products firm, in 2015. The brand continues to produce and market disk recordable media, flash memory, and other computer accessories.[58]

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[47] "Memorex: This is the 'Year of Restoration,'" *Business Week*, November 10, 1975; "Memorex Lays Off 220," *Santa Cruz Sentinel*, June 8, 1980.
[48] "Chairman Wilson Announces Selection of Clarence W. Spangle as New President and CEO," *Memorex Intercom* 17, no. 1 (February 1980): 1.
[49] "Memorex Lays Off 220," *Santa Cruz Sentinel*, June 8, 1980.
[50] H.J. Maidenberg, "Burroughs in Pact for Memorex," *New York Times*, August 3, 1981; William H. Inman, "Tandy Gets Go-Ahead for Memorex Takeover; Now Nation's No. 1 Tape, Video Seller," *United Press International*, April 26, 1982.
[51] Donna K. H. Walters, "Burroughs to Sell Part of Memorex: Group to pay $550 Million; Move Will Ease Debt Load," *Los Angeles Times*, November 7, 1986.
[52] "Memorex International Seeks to Expand by Acquisition in Maintenance, Leasing," *Computer Business Review*, February 18, 1987.
[53] Daniel F. Cuff, "Memorex Chief Calls Telex Deal a Good Fit," *New York Times*, December 16, 1987; "Memorex Telex: The Global Strength," March 1988, Memorex Memorabilia [Digital Archive], accessed November 27, 2019, https://mrxhist.org/docs/Ronc_5511.pdf.
[54] "Here We Go Again: Memorex Telex Is Back in Chapter 11," *Computer Business Review*, October 17, 1996.
[55] "Tandy to Sell Memorex Name to Hong Kong Company," *New York Times*, November 12, 1993.
[56] "A Ross-Dove Company Auction: Complete Liquidation of a Major Computer Tape Manufacturing Facility Assets Surplus to Continuing Operations," auction catalog, 1994; item 102770298, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[57] "Imation Agrees to Buy Memorex," *Los Angeles Times*, January 20, 2006.
[58] "About Digital Products International, Inc.," *DPI Inc.*, accessed December 3, 2019, https://www.dpiinc.com/about.

4.4 Postwar Industrial Architecture and the International Style

Postwar industrial architecture is generally characterized by utilitarian design and materials that prioritize functionality over style. Common features among industrial resources from the postwar period are one- to two-story construction, simple footprints, and the use of readily available construction materials including concrete, steel, stucco, and glass.[59]

Some industrial buildings constructed between 1945 and 1970, including the subject property, exhibit elements of the International Style and other midcentury architectural movements. While these stylistic elements are frequently minimized in warehouses and manufacturing facilities, they are emphasized at the resources' primary façades and office spaces. The International Style originated in Western Europe in the 1920s and 1930s and famously rejected vernacular building forms in favor of a geometric play of volumes and an absence of traditional ornamentation. Common features include square or rectangular building footprints, horizontal bands of windows, flat roofs, smooth and uniform wall surfaces, and the use of stucco, concrete, and curtain walls with large plate glass windows. These features lent themselves well to the new industrial campuses developing in the postwar era, and they were regularly employed to elevate the design of otherwise utilitarian offices and industrial facilities.[60]

5. Evaluative Framework

5.1 California Register of Historical Resources

The California Register of Historical Resources (California Register) is the authoritative guide to the State's significant historical and archeological resources. It serves to identify, evaluate, register, and protect California's historical resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for historic preservation grant funding and affords certain protections under the California Environmental Quality Act. All resources listed on or formally determined eligible for the National Register of Historic Places (National Register) are automatically listed on the California Register. In addition, properties designated under municipal or county ordinances are eligible for listing in the California Register.

Significance Criteria

The California Register criteria are modeled on the National Register criteria discussed above. An historical resource must be significant at the local, state, or national level under one or more of the following criteria:

1. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

[59] City of Fremont, "Registration Requirements for Postwar Historic Resources (1945-1970)," March 30, 2018, https://fremont.gov/DocumentCenter/View/37670/PLN2018_00236-Exh-A.
[60] City of Fremont, "Registration Requirements for Postwar Historic Resources (1945-1970)," March 30, 2018, https://fremont.gov/DocumentCenter/View/37670/PLN2018_00236-Exh-A; John Blumenson, *Identifying American Architecture* (New York: W. W. Norton & Company, 1981), 74-75.

2. It is associated with the lives of persons important to local, California, or national history.

3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.

4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, state or the nation.

Like the National Register, evaluation for eligibility to the California Register requires an establishment of historic significance before integrity is considered. California's integrity threshold is slightly lower than the federal level. As a result, some resources that are historically significant but do not meet National Register integrity standards may be eligible for listing on the California Register.[61]

Integrity

Second, for a property to qualify under the National Register's Criteria for Evaluation, it must also retain "historic integrity of those features necessary to convey its significance."[62] While a property's significance relates to its role within a specific historic context, its integrity refers to "a property's physical features and how they relate to its significance."[63] Since integrity is based on a property's significance within a specific historic context, an evaluation of a property's integrity can only occur after historic significance has been established. To determine if a property retains the physical characteristics corresponding to its historic context, the National Register has identified seven aspects of integrity:

> *Location* is the place where the historic property was constructed or the place where the historic event occurred.
>
> *Setting* is the physical environment of an historic property.
>
> *Design* is the combination of elements that create the form, plan, space, structure, and style of a property.
>
> *Materials* are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form an historic property.
>
> *Workmanship* is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
>
> *Feeling* is a property's expression of the aesthetic or historic sense of a particular period of time.
>
> *Association* is the direct link between an important historic event or person and an historic property.

[61] California Office of Historic Preservation, *California Register and National Register: A Comparison (for the purposes of determining eligibility for the California Register), Technical Assistance Series #6* (Sacramento: California Department of Parks and Recreation, n.d.), accessed December 5, 2017, http://ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf.
[62] National Park Service, *How to Apply the National Register Criteria for Evaluation*, accessed December 5, 2017, http://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_8.htm.
[63] Ibid.

6. Evaluation

6.1 California Register of Historical Resources

An evaluation of the subject property for individual significance under each California Register of Historical Resources (California Register) criterion is presented below.

California Register Criterion 1 [Association with Significant Events]

To be considered eligible for listing under Criterion 1, a property must be associated with one or more events important in a defined historic context. This criterion recognizes properties associated with single events, a pattern of events, repeated activities, or historic trends. The event or trends, however, must clearly be important within the associated context. Further, mere association of the property with historic events or trends is not enough, in and of itself, to qualify under this criterion: the specific association must be considered important as well.[64]

The subject property was constructed in 1961 as the first world headquarters of Memorex Corporation, one of the many electronics start-up companies that catalyzed the Santa Clara Valley's transformation into "Silicon Valley" during the postwar era. As a multifaceted industrial campus including a manufacturing plant, research and development facilities, and administrative offices, the subject property conveys popular trends in industrial development during the postwar era. Memorex Corporation holds particular significance within the context of the development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Because IBM dominated 71 to 83 percent of the global computer market at the time, the introduction of compatible computer equipment established an important avenue for smaller electronics firms to establish themselves within the field.[65] Many other early electronics companies, including Marshall, Potter Instruments, Telex, Century Data, Control Data Corporation, and Ampex, released their own IBM-compatible plug-ins in subsequent years, and modern computer systems continue to accommodate singular components produced by disparate electronics companies. Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and the product itself was both developed and manufactured at the subject property in the late 1960s. For these reasons, the property appears to be eligible for listing on the California Register under Criterion 1.

California Register Criterion 2 [Association with Significant Persons]

This criterion "applies to properties associated with individuals whose specific contributions to history can be identified and documented." It identifies properties associated with individuals "whose activities are demonstrably important within a local, State, or national historic context," and is typically limited to those properties that have the ability to illustrate a person's important achievements.[66]

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[64] National Park Service, *How to Apply the National Register Criteria for Evaluation*.
[65] Ross Knox Bassett, *To the Digital Age: Research Labs, Start-up Companies, and the Rise of MOS Technology* (Baltimore, MD: Johns Hopkins University Press, 2002), 222.
[66] National Park Service, *How to Apply the National Register Criteria for Evaluation*.

Although Memorex Corporation appears to hold significance in the overall context of Silicon Valley's industrial development and in the development of the modern electronics industry, none of its individual founders or employees are known to have made a singular and significant contribution to the electronics industry in the local, state, or national context. As such, the property does not appear to meet the threshold for listing in the California Register under this criterion.

California Register Criterion 3 [Architectural Significance]

This criterion applies to properties that "embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction." "Distinctive characteristics" are the physical and design features that commonly recur in individual types, periods, or methods of construction. To be eligible, a property must clearly contain enough of those characteristics to be considered a true representative of a particular style. A master "is a figure of generally recognized greatness in a field, a known craftsman of consummate skill, or an anonymous craftsman whose work is distinguishable from others by its characteristic style and quality…. A property is not eligible as the work of a master, however, simply because it was designed by a prominent architect."[67]

Despite the International Style detailing on the building's primary façade, the former Memorex Corporation plant at 1200-1310 Memorex Drive is a relatively generic example of midcentury industrial architecture. The building is not associated with a prominent architect or builder, and its straightforward steel-framed construction and stucco wall treatment do not display unusually skilled craftsmanship or employ unique finishes. For these reasons, the property does not appear to meet the threshold for listing in the California Register under Criterion 3.

California Register Criterion 4 [Potential to Yield Information]

Criterion 4 is generally applied to archaeological resources, and evaluation of the subject property for eligibility under this criterion was beyond the scope of this report.

6.2 Period of Significance

The period of significance for the subject property spans 1961 through 1971. It begins in 1961 when the original portion of the building was completed for Memorex Corporation, then a fledgling start-up company focused on the production of magnetic computer tape. Over the next decade, Memorex expanded its facilities at and around the subject property, adding additional offices, manufacturing facilities, and laboratories for research and development. In 1968, an important date in the company's history, Memorex introduced the first IBM plug-compatible hard disk drive.

Although Memorex maintained operations at the subject property through 1994, no innovations of comparable significance were made after 1968. Furthermore, the company seems to have ended its multi-year pattern of expansion at and near the subject property after the late 1960s; instead, Memorex turned its attention to the development of a new, 750,000 square foot headquarters in the nearby San

[67] National Park Service, *How to Apply the National Register Criteria for Evaluation*.

Tomas Industrial Park.[68] The period of significance for the subject property ends in 1971, when the new facility was dedicated and the subject property ceased to serve as Memorex's headquarters.[69]

6.3 Integrity Analysis

In order for a building to qualify for listing on the California Register of Historical Resources, it must both display significance under one or more of the California Register criteria and retain historical integrity. An integrity analysis of the subject property is presented below.

Location
The subject property has not been moved from its original location. As such, it retains integrity of location.

Design
Although the original 1961 building has been extensively altered by numerous large additions, these occurred during the period of significance and generally display continuity of materials and architectural style, thereby maintaining the building's overall integrity of design. Like the original 1961 building, the major 1964 and 1966 additions exhibit elements of the Postwar Industrial Style and the International Style in their use of stucco, glazed curtain walls, and in the case of the 1964 addition, a curvilinear porch roof that complements the Midcentury Modern stylings of the 1961 building's curvilinear porch hood. Rear additions, which are far simpler in design, are still in keeping with the utilitarian style of Postwar Industrial architecture. Those alterations that occurred outside of the period of significance, such as the removal of the 1966 cafeteria at the northeast corner of the building and the changes to the primary façade of the ca. 1960 building, do not irreparably detract from the building's design as seen in the extant 1961 building and its additions. In these ways, subject property retains integrity of design.

Setting
Little change has occurred in the immediate setting since the end of the historic period in the early 1970s. The building continues to be surrounded by surface parking lots and low-scale, one- to two-story light industrial buildings dating from the late-1950s through the early 1970s. Although the circulation pattern has been altered slightly with the addition of a ca. 1970 through-road connecting Lafayette Street with Memorex Drive (formerly Shulman Avenue), the property's immediate vicinity has essentially remained unchanged. Therefore, the building retains integrity of setting.

Materials
Most exterior materials (stucco, plate glass, sheet metal, aluminum window frames) appear to be intact or have been replaced in-kind. As such, the building retains integrity of materials.

[68] [Facilities Dedication], May 19, 1971, Memorex Memorabilia [Digital Archive], accessed December 11, 2019, https://mrxhist.org/docs/Will_5172.03.pdf; "A Ross-Dove Company Auction: Complete Liquidation of a Major Computer Tape Manufacturing Facility Assets Surplus to Continuing Operations," auction catalog, 1994; item 102770298, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[69] "Mr. Spitters Dedicated New Site to the People of Memorex," *Memorex Intercom* 8, no. 6 (June 1971): 3.

Workmanship
The additions to the original 1961 building on the subject property display workmanship consistent with that of the original building. With the exception of the cafeteria building at the northeast corner of the property, which was constructed in 1966 and removed in 2004, the building and its additions remain largely intact. As such, the property retains a degree of integrity of workmanship.

Feeling
The subject property displays integrity of feeling through its intact Postwar Industrial and International Style design features, original materials, and setting amongst other light industry. Therefore, the property retains integrity of feeling.

Association
Through its intact midcentury design and materials, and due to the fact that it continues to be engaged in light industrial use, the property maintains integrity of association with the postwar industrial development of the Santa Clara Valley.

6.4 Adjacent Properties

Although not required under CEQA regulations and guidelines, the CEC requests documentation of the parcels adjacent the subject property (where project activities will occur). Based on preliminary research conducted for this investigation, ARG verified that the properties over 45 years of age that are adjacent to the subject property have not been previously evaluated for listing in the local, state, or national register (Table 1). The developed parcels appear to contain light industrial buildings constructed in the postwar era, and several were occupied by Memorex Corporation in the 1960s and 1970s. 1065-1069 Memorex Drive (APN 224-63-008) and 1081-1099 Memorex Drive (APN 224-63-009), which are located opposite the subject property on the north side of Memorex Drive, were rented by the corporation in the early- to mid-1960s.[70] 2222 Ronald Street (APN 224-66-005) was connected to the building on the subject property in the 1980s.[71] One nearby but nonadjacent property, 1400-1500 Memorex Drive (APN 224-65-009), was constructed by Memorex Corporation as a disk packing plant in 1968.[72] These resources share a similar development and context with the subject property, but because none served as the Memorex Corporation's primary offices or manufacturing space, they do not appear to be comparable in terms of significance within the context of Silicon Valley's development or the evolution of the modern electronics industry.

No work will occur outside the boundary of the subject property as part of the proposed project, and there would be no direct impacts to adjacent properties as a result of the proposed project should the properties be found to be historical resources under CEQA as part of future development at those sites. Future projects at these locations subject to CEQA would require separate historic resource evaluations as part of the environmental review process.

[70] "Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 (June 1965): 4.
[71] USGS, 1961 *San Jose West* quadrangle (topographic map), 1980 revision, EarthExplorer, accessed November 20, 2019, http://earthexplorer.usgs.gov/.
[72] "Open House 1968, Welcome," *Memorex Intercom* 5, no. 4 (April 1968): 1.

7. Character-Defining Features

A character-defining feature is an aspect of a building or structure's design, construction, or detail that is representative of its function, type, or architectural style. Generally, character-defining features include specific building systems, architectural ornament, construction details, massing, materials, craftsmanship, site characteristics, and landscaping built or installed within the period of significance. In order for an important historic property to retain its significance, its character-defining features must be retained to the greatest extent possible.

Character-defining features of 1200-1310 Memorex Drive include those pertaining to the overall site as well as the former headquarters building.

Character-defining features of the site include:

- Vehicular access from Memorex Drive at the northern property boundary.
- Vehicular and pedestrian circulation through the site along north/south-oriented alleyways on either side of the original 1961 building and its additions and along one northwest/southeast-oriented alleyway along the southern property boundary.
- Exposed aggregate walkways and shallow stairs linking the primary entrances on the northern façade to the sidewalk along Memorex Drive.
- Paved surfaces throughout the site.
- All extant buildings, including the original 1961 and all of its additions; the ca. 1960 building that was purchased and added to the property in 1964; and the ca. 1966 gable-roofed building located at the southern end of the property.
- North/south orientation of major building elements.
- Low-profile, landscaped vegetation at the northern façade of the 1961 building and its 1964 addition.

Character-defining features of the former headquarters building include:

- Rectangular plans with primary façades facing Memorex Drive.
- Broad, horizontal profile, with verticality emphasized through fenestration.
- One- to three-story height.
- Flat roofs with simple parapets.
- Steel-frame construction.
- Smooth stucco finish on exterior walls.
- Aluminum fixed windows throughout.
- Curtain walls with glazing and metal spandrel panels centered in the northern façade of the 1961 building and 1964 addition.
- Curtain walls with glazing and metal spandrel panels dominating the northern and, to a slightly lesser extent, the eastern façades of the 1966 three-story addition.

- Near-continuous glazing across the northern façade of the 1966 three-story addition and the eastern façade of the 1964 addition.
- Symmetrical curvilinear porch hood over the primary entrance to the 1961 building.
- Asymmetrical curvilinear porch roof with angular columns at the primary entrance to the 1964 addition.
- Physical connection (i.e., the ca. 1967 breezeway) between the main building and the ca. 1960 building.
- Loading facilities on the western and southern façades.

8. Conclusion

The subject property at 1200-1310 Memorex Drive appears to be eligible for listing in the California Register under Criterion 1 (Association with Significant Events) for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s. Memorex Corporation's innovative plug-compatible peripheral computer equipment had a significant impact on the early electronics industry, and the products themselves were first developed at the subject property in the late 1960s. The building also retains a relatively high degree of integrity with regard to the period in which these developments occurred. For these reasons, the building appears to qualify as an historical resource under CEQA.

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APPENDIX A: EXISTING CONDITION PHOTOGRAPHS

Overview of the subject property, view southwest (ARG, November 2019).

Northern façade of the 1966 addition at the northeastern corner of the building, view southeast (ARG, November 2019).

Primary entrance at the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Glazing across first story of the northern façade of the 1966 addition, view south-southwest (ARG, November 2019).

Secondary entrance on the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Northern façade of the 1966 addition and eastern façade of the 1964 addition, including one of the building's primary entrances, view southwest (ARG, November 2019).

Secondary entrance in the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Primary entrance in the eastern façade of the 1964 addition, view west-southwest (ARG, November 2019).

Picnic area, fountain, and porch before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Fountain before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Picnic area before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Porch affixed to the eastern façade of the 1964 addition, view south (ARG, November 2019).

Porch roof affixed to eastern façade of 1964 addition, view southeast (ARG, November 2019).

Northern façade of the 1964 addition, view southwest (ARG, November 2019).

Northern façade of the 1964 addition (left) and the original 1961 building (right), view west-southwest (ARG, November 2019).

Northern façade of the 1964 addition (left), the original 1961 building (center), and ca. 1966 addition (right), view southwest (ARG, November 2019).

Northern façade of the original 1961 building including the primary entrance, view south (ARG, November 2019).

Primary entrance to the 1961 building, view southwest (ARG, November 2019).

Northern façade of the ca. 1966 addition across the western façade of the original 1961 building, view west (ARG, November 2019).

Northern façade of the 1964 addition (left), the original 1961 building (center), and ca. 1966 addition (right), view east-southeast (ARG, November 2019).

Western façade of the ca. 1966 addition across the western façade of the original 1961 building, view south-southeast (ARG, November 2019).

Fenestration at the northern corner of the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view northeast (ARG, November 2019).

Entrance at the northern corner of the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view northeast (ARG, November 2019).

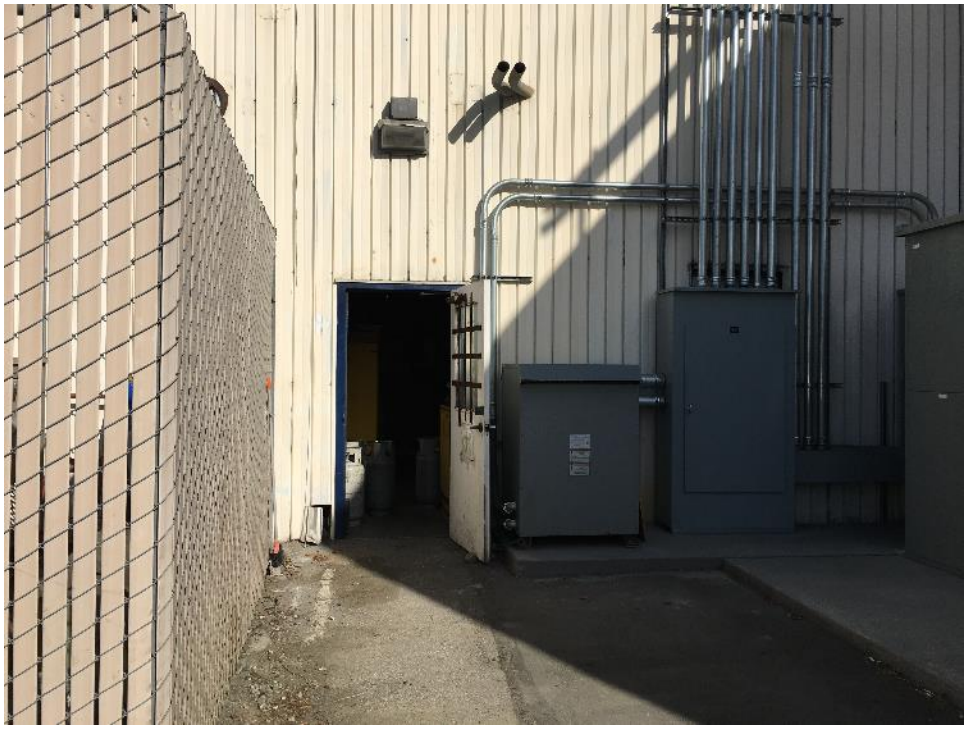
Western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Entrance on the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Roll-up door and breezeway on the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Southern façade of the ca. 1966 addition and western façade of the original 1961 building, view east (ARG, November 2019).

Southern façade of the ca. 1966 addition and western façade of the original 1961 building, view northeast (ARG, November 2019).



Entrance in the southern façade of the ca. 1966 addition across the western façade of the original 1961 building, view north (ARG, November 2019).

Western façade of the original 1961 building to the north of the ca. 1966 addition, view northeast (ARG, November 2019).

Southern façade of the original 1961 building and western façade of an addition to its southern façade, view northeast (ARG, November 2019).

Entrances in the southern façade of the original 1961 building, view north (ARG, November 2019).

Metal roll-up door in the southern façade of the original 1961 building, view north (ARG, November 2019).

Entrances in the western façade of a ca. 1966 addition to the southern façade of the original 1961 building, view east (ARG, November 2019).

Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view southeast (ARG, November 2019).

Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view south (ARG, November 2019).

Fenestration in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view east (ARG, November 2019).

Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Fenestration in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Entrance in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Western and southern façades of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Entrances in the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view north (ARG, November 2019).

Entrance in the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view north-northeast (ARG, November 2019).

Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition (left) and western façade of the three-story 1966 addition (right), view northeast (ARG, November 2019).

Entrances at the eastern end of the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northwest (ARG, November 2019).

Fenestration in the western and southern façades of the three-story 1966 addition, view northeast (ARG, November 2019).

Entrance in the southern façade of the three-story 1966 addition, view north-northeast (ARG, November 2019).

Roll-up door in the southern façade of the three-story 1966 addition, view north-northeast (ARG, November 2019).

Southern façade of the three-story 1966 addition, view northeast (ARG, November 2019).

Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and its 1964 addition (left), southern façade of the three-story 1966 addition (center), and eastern façade of the three-story 1966 addition (right), view northwest (ARG, November 2019).

Eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Entrance in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Roll-up door in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Entrances in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Entrances in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Northern end of the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Eastern façade of the ca. 1960 building (the breezeway connection to the ca. 1966 addition across the western façade of the original 1961 building is visible at the right), view west (ARG, November 2019).

Eastern façade of the ca. 1960 building including ca. 1967 breezeway connection to the ca. 1966 addition across the western façade of the original 1961, view southwest (ARG, November 2019).

Eastern façade of the ca. 1960 building including ca. 1967 breezeway connection to the ca. 1966 addition across the western façade of the original 1961, view northwest (ARG, November 2019).

Entrances in the eastern façade of the ca. 1960 building, view west (ARG, November 2019).

Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west (ARG, November 2019).

Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west-southwest (ARG, November 2019).

Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west-northwest (ARG, November 2019).

Eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view south-southwest (ARG, November 2019).

Entrance in eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building (left) and loading area on the northern façade of the same, view west (ARG, November 2019).

Eastern façade of the ca. 1960 building (left), eastern façade of its ca. 1966 addition (center), and northern façade of the same ca. 1966 addition (right), view southwest (ARG, November 2019).

Loading dock at the northern façade of the ca. 1966 addition to the ca. 1960 building, view southwest (ARG, November 2019).

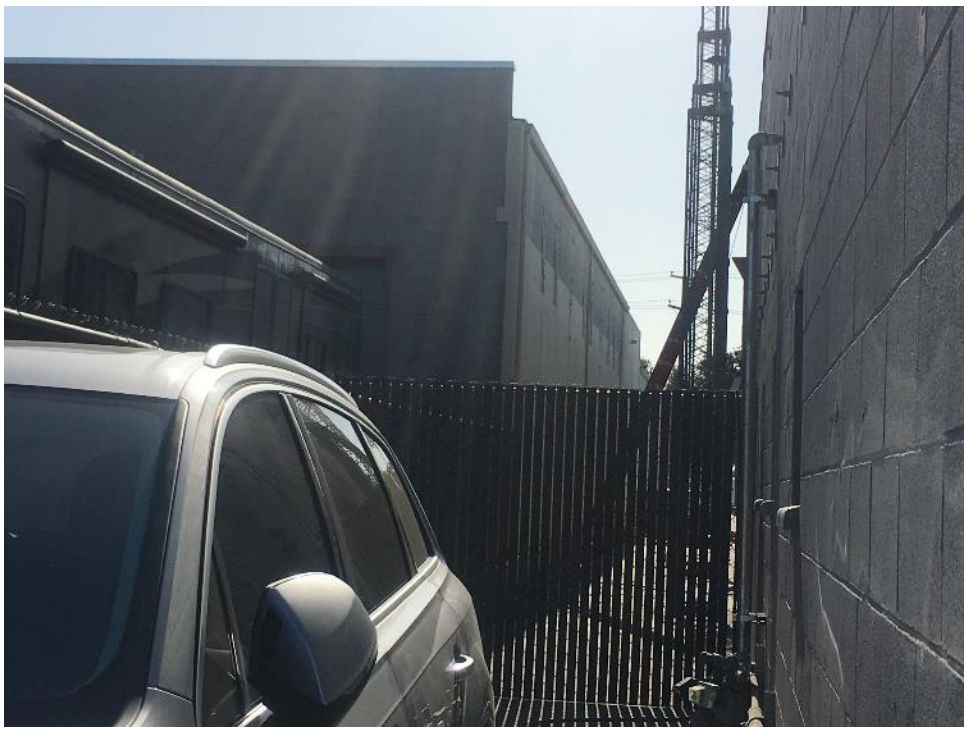
Loading dock at the northern façade of the ca. 1966 addition to the ca. 1960 building, view southeast (ARG, November 2019).

Western façade of ca. 1966 addition to the eastern half of the northern façade of the ca. 1960 building, view east (ARG, November 2019).

Northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view south (ARG, November 2019).

Primary entrance to the northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view southeast (ARG, November 2019).

Roll-up doors in the northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view southeast (ARG, November 2019).



Western façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view south (ARG, November 2019).

Southern and eastern façades of the ca. 1960 building, view northwest (ARG November 2019).

Small addition to southern façade of the ca. 1960 building, view west (ARG, November 2019).

Western façade of the ca. 1966 freestanding building at the southwestern corner of the ca. 1966 additions to the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Entrances in the western façade of the ca. 1966 freestanding building, view northeast (ARG, November 2019).

Southern façade of the ca. 1966 freestanding building, view northeast (ARG, November 2019).

Southern façade of the ca. 1966 freestanding building, view north (ARG, November 2019).

Southern and eastern façades of the ca. 1966 freestanding building, view northwest (ARG, November 2019).

Entrance in eastern façade of the ca. 1966 freestanding building, view west (ARG, November 2019).

Western and northern façades of the ca. 1966 freestanding building, view southwest (ARG, November 2019).

Tank at the southeastern corner of the property, view southeast (ARG, November 2019).

View of equipment, fencing, and canopy at the southeastern corner of the property, view northwest (ARG, November 2019).

View of equipment and fencing at the southeastern corner of the property, view west (ARG, November 2019).

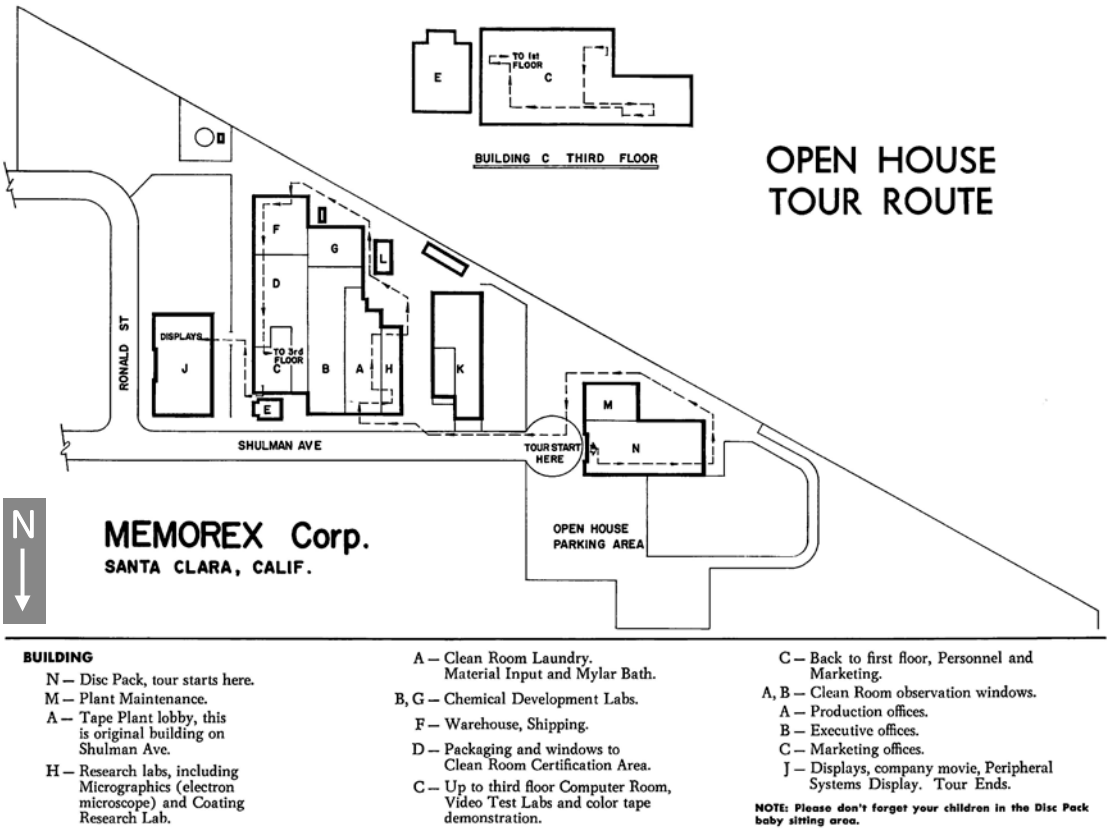
APPENDIX B: HISTORIC PHOTOGRAPHS

Subject property, view southwest, ca. November 1961
("Five-Year-Pinners Recall Company's Hectic Beginning," *Memorex Intercom* 4, no. 12 [December 1967]: Special Section).

Subject property, view southwest, ca. 1965
("Memorex Expansion Story Told." *Memorex Intercom* 2, no. 5 [June 1965]: 4).

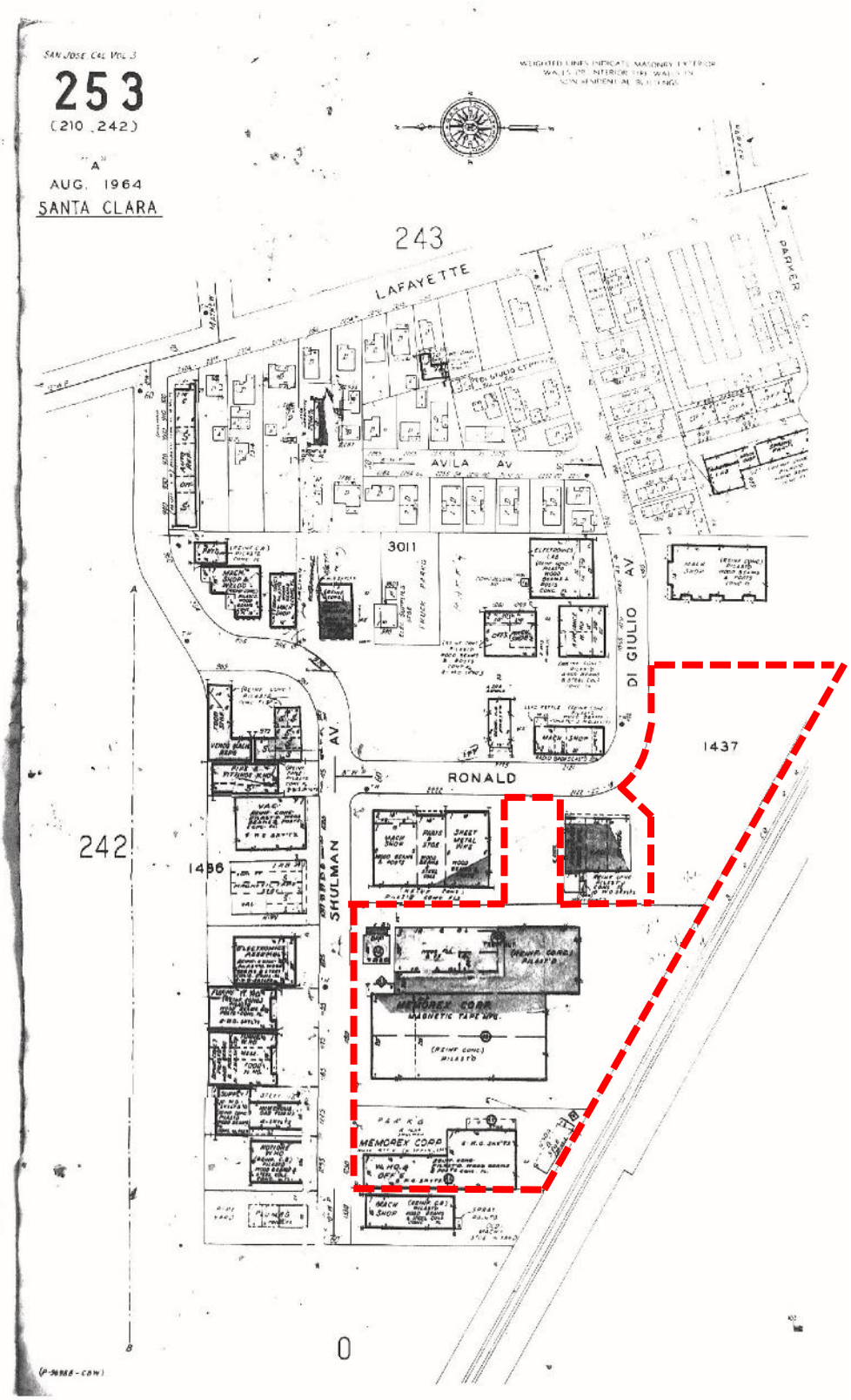
Subject property, view southeast, late 1965
("Construction Nears Completion," *Memorex Intercom* 2, no. 11 [December 1965]: 1).

Subject property, view southeast, early 1966
("February Marks 5th Anniversary," *Memorex Intercom* 3, no. 2 [February 1966]: 1).



Map of subject property produced by Memorex Corporation, 1968
("Open House Tour Route," *Memorex Intercom* 4, no. 4 [April 1968]: 3, amended by author).

APPENDIX C: SANBORN FIRE INSURANCE MAPS



1966 Sanborn Fire Insurance Map, Volume 3, Sheet 253 (amended by author).
This is the only Sanborn Map found to depict the subject property.

APPENDIX D: DEPARTMENT OF PARKS AND RECREATION (DPR) 523 FORMS

State of California — The Resources Agency	Primary #_____
DEPARTMENT OF PARKS AND RECREATION	HRI #_____
PRIMARY RECORD	Trinomial_____
	NRHP Status Code_____
Other Listings_____	
Review Code_____ Reviewer_____ Date_____	

 ***Resource Name or #** 1200-1310 Memorex Drive

P1. Other Identifier: APN 224-66-006

***P2. Location:** ☐ **Not for Publication** ☑ **Unrestricted**

***a. County:** Santa Clara **and** (P2b and P2c or P2d. Attach a Location Map as necessary.)

***b. USGS 7.5' Quad:** San Jose West **Date:** 1980 **T** T6S; **R** R1W; **Sec** 34; Mount Diablo **B.M.**

c. Address: 1200-1310 Memorex Drive City: Santa Clara Zip: 95050

d. UTM: Zone 10S, 592673.47 mE / 4135525.2 mN

e. Other Locational Data: APN 224-66-006

***P3a. Description:**

The subject property at 1200-1310 Memorex Drive is situated on an irregularly shaped parcel (APN 224-66-006) in east-central Santa Clara. The property dominates an irregularly shaped block roughly bounded by Memorex Drive to the north, Ronald Street to the east, and the Peninsula Subdivision MT2 rail line to the southwest. A narrow strip of landscaped vegetation extends along the eastern two-thirds of the Memorex Drive frontage, and a row of trees follows the southwestern property boundary. (See continuation sheet.)

***P3b. Resource Attributes:** HP8 – Industrial Building

***P4. Resources Present:** ☑Building ☐Structure ☐Object ☐Site ☐District ☐Element of District ☐Other (Isolates, etc.)

P5a. Photo or Drawing

P5b. Photo: View of northern façade, camera facing southwest; November 22, 2019 (Architectural Resources Group)

***P6. Date Constructed/Age and Sources:**
☑Historic ☐Prehistoric ☐Both
Constructed 1961 (County Assessor Records)

***P7. Owner and Address:**
1200 Partners LLC
14573 Big Basin Way
Saratoga, California 95070-6013

***P8. Recorded by:**
Architectural Resources Group
Pier 9, The Embarcadero, Suite 107
San Francisco, CA 94111

***P9. Date Recorded:** November 22, 2019

***P10. Survey Type:** Intensive-level Survey

***P11. Report Citation:** None

***Attachments:** ☐NONE ☑Location Map ☐Sketch Map ☑Continuation Sheet ☑Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐Other (List):

BUILDING, STRUCTURE, AND OBJECT RECORD

***NRHP Status Code** 7
***Resource Name or #** 1200-1310 Memorex Drive

B1. Historic Name: Memorex Corporation Headquarters
B2. Common Name: None
B3. Original Use: Industrial (mixed use)
B4. Present Use: Industrial (manufacturing/warehousing)
***B5. Architectural Style:** Industrial, International Style
***B6. Construction History:** Selected:

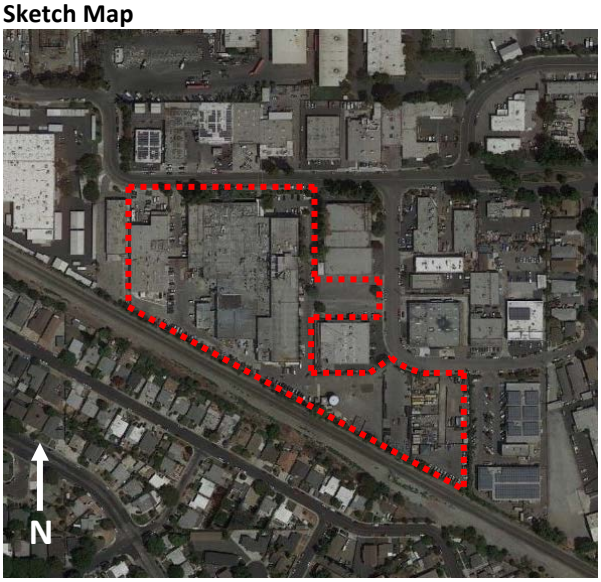
1961 – Building constructed for Memorex (assessor records).
1963 – Freestanding shed constructed (building permit).
1964 – Eastern warehouse and factory addition completed; parcel and ca. 1960 building to the west purchased by Memorex (*Memorex Intercom* 2, no. 5).
1966 – Eastern office, laboratory, warehouse, and cafeteria addition completed (*Memorex Intercom* 3, no. 3); additions to southern façade of 1961 building and 1964 addition completed by this time; additions to northern façade of ca. 1960 building also completed by this time (*Memorex Intercom* 3, no. 10) .
1967 – Breezeway between main building and ca. 1960 building added (buliding permit).
1968 – Freestanding warehouse building completed by this time (*Memorex Intercom* 5, no. 4).
1972 – Breezeway between 1966 office, laboratory, warehouse addition and 2222 Ronald St. added (building permit).
1995 – 1963 shed demolished (building permit); 1972 breezeway demolished (building permit).
2004 – 1966 cafeteria demolished (building permit)
2014 – Shed roof on ca. 1960 building demolished (building permit).
2015 – Northern façade of ca. 1960 building truncated (building permit).

***B7. Moved?** ☑**No** ☐**Yes** ☐**Unknown** **Date:** **Original Location:**
***B8. Related Features:** Paved parking and loading areas, chain-like fencing
B9a. Architect: Unknown
b. Builder: Unknown
***B10. Significance: Theme:** N/A
Area: N/A
Period of Significance: N/A
Property Type: N/A
Applicable Criteria: N/A

Historic Context

Prewar Development of the Santa Clara Valley
The County of Santa Clara is one of twenty-seven California counties created in 1850, the year that California entered the Union. San José was selected as the first state capital, and the combination of legislators, newsmen, and others seeking employment in the city spurred urban development in the Santa Clara Valley region. The fertile valley also attracted agricultural interests, including many former gold miners who shifted their efforts from prospecting to farming or ranching.[1] (See continuation sheet.)

Sketch Map



B11. Additional Resource Attributes: None
***B12. References:** See continuation sheet.
B13. Remarks: None
***B14. Evaluator:** Architectural Resources Group
***Date of Evaluation:** November 22, 2019

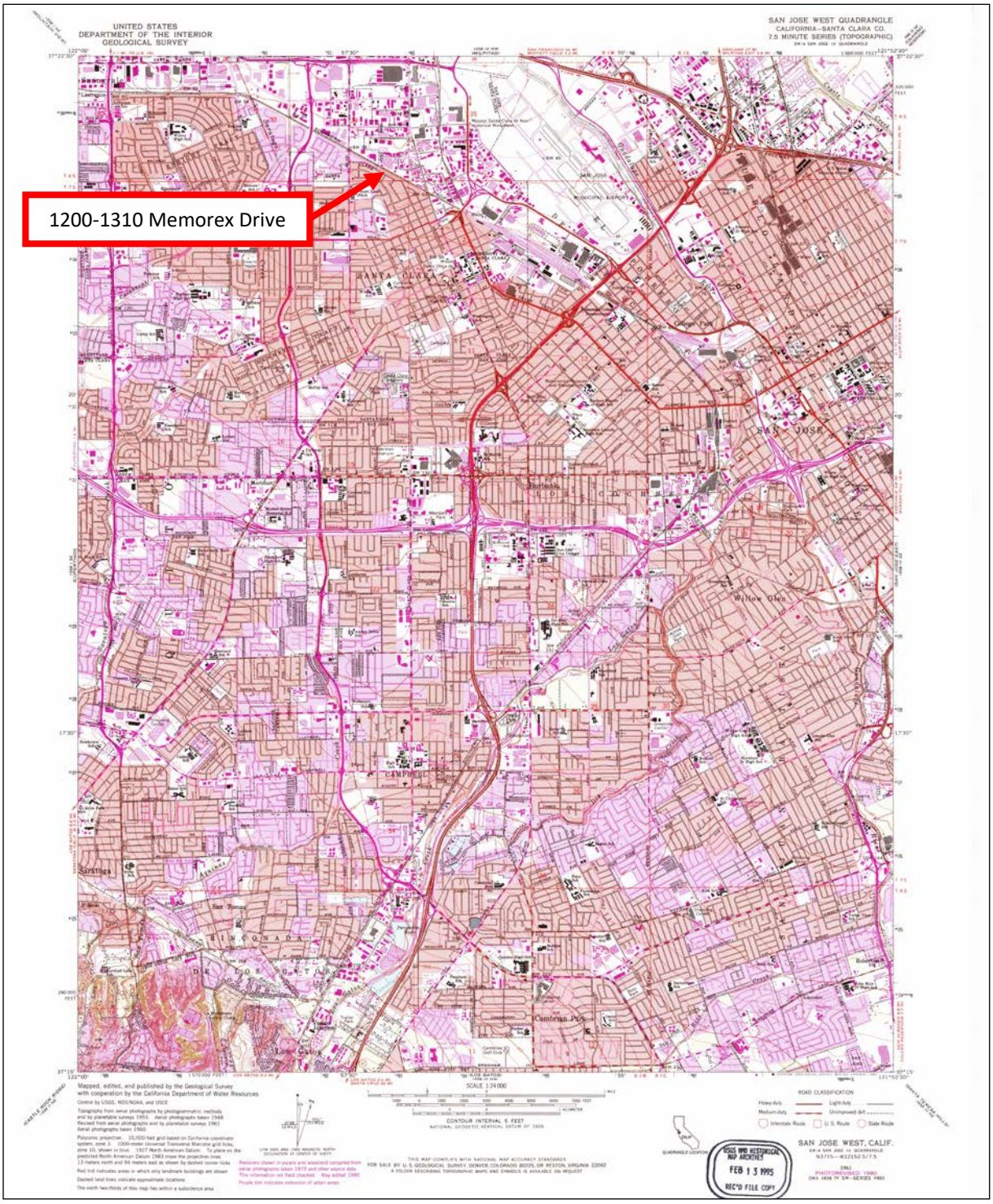
(This space reserved for official comments.)

[1] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement* (Santa Clara, California: County of Santa Clara Department of Planning and Development Planning Office), 7.

State of California — The Resources Agency	Primary #
DEPARTMENT OF PARKS AND RECREATION	HRI#
LOCATION MAP	Trinomial

 ***Resource Name or #** 1200-1310 Memorex Drive

***Map Name:** West San Jose, California, USGS 7.5-minute topographic quadrangle ***Scale:** 1:24,000 ***Date of Map:** 1980



Continuation of P3a. Description:

The industrial complex at 1200-1310 Memorex Drive features an irregular footprint and is comprised of multiple additions and building components constructed in the mid-twentieth century. The original portion of the building, which was completed in 1961, is a two-story building fronting Memorex Drive to the north. This building is rectangular in plan, and its exterior walls are finished with smooth stucco. The center of the primary (northern) façade is dominated by a curtain wall that extends across both stories and includes the building's primary entrance. At the ground level, the curtain wall features a pair of fully glazed metal doors with a narrow transom, flanked by four aluminum fixed windows to either side. The westernmost window has been infilled with an opaque metal panel. At the upper level, the curtain wall contains a continuous ribbon of ten aluminum fixed windows. Short metal spandrel panels are located above the upper level windows, between the upper and lower level windows, and below the lower level windows. A curvilinear porch hood is anchored above the primary entrance, sheltering both the double doors and one window unit to either side. A poured concrete walkway extends across the façade and connects the primary entrance to the sidewalk along Memorex Drive. A secondary entrance, a single-leaf metal door, is also located in the primary façade, to the east of the curtain wall and primary entrance.

The eastern, western, and southern façades of the 1961 building have all been covered by additions. The addition across the eastern façade, which roughly doubled the square footage of the original building, was completed in late 1964. It is rectangular in plan and matches the height of the 1961 building, and its northern façade is also dominated by a centrally located curtain wall that extends across both stories. Unlike the curtain wall on the 1961 building, however, this is predominantly filled with opaque panels, featuring only four fixed aluminum windows on either story. The primary entrance to the building is on its eastern façade, sheltered by a curvilinear, asymmetrical porch roof supported by a series of angular columns. The columns are constructed from concrete, and the roof appears to clad in sheet metal. The porch covers only the northernmost part of the eastern façade, extending beyond the corner of the building to cover a portion of the walkway that connects the entrance to the sidewalk along Memorex Drive. Below the porch, the façade is punctuated by a pair of fully glazed aluminum doors with a transom and a ribbon of four full-height fixed windows. A small eating area with circular tables and curving, fixed-in-place benches is located to the east of the porch, beyond the angular columns. Both this area and the associated walkways that connect the building's entrances to the sidewalk are paved with exposed aggregate concrete.

Across the 1964 addition's eastern façade, beginning at the southern end of the porch roof, is a narrow, two-story addition that is rectangular in plan. It features large, fixed aluminum windows across the first story on its primary (northern) façade, while its eastern façade is covered entirely by a three-story addition, completed in 1966, that extends beyond the southern façades of the previously constructed buildings. The three-story addition is rectangular in plan, with a flat roof and a high parapet screening a variety of rooftop mechanical equipment. At the ground level, its primary (northern) façade features stucco cladding, fixed aluminum windows, and fully glazed aluminum doors; the primary entrance, a pair of aluminum double doors, is sheltered below a short vinyl awning. The upper stories are a steel-framed curtain wall containing alternating rows of fixed windows and opaque panels. The eastern façade, which is nearly five times the width of the northern façade, features a more varied appearance. The curtain wall wraps around the northeastern corner of the building, covering all three floors of the northern third of the eastern façade. It then continues at only the upper floor across the length of the façade. Multiple secondary entrances, including roll-up garage doors and one set of fully glazed aluminum doors with a transom and sidelights, punctuate the first story below the curtain wall. The southern façade features a loading area covered by a projecting metal awning at the first story and a metal door accessed by a metal exterior staircase at the second story.

The rear (southern) façade of the 1961 building and its 1964 addition have been covered by additional two-story, flat-roofed, rectangular-in-plan additions completed ca. 1966. The eastern façade of these additions adjoins the 1966 three-story addition. The southern façade of the additions is clad in corrugated sheet metal siding, punctuated on the first story by two roll-up metal garage doors, two half-glass metal doors, one fully glazed metal door, and one aluminum fixed picture window. The western façade of the additions features four-light windows across the first and second stories, with one roll-up metal garage door and two single-leaf metal doors in the first story as well as one single-leaf metal door in the second story. The latter is served by a metal exterior staircase.

Across the western façade of the original 1961 building has been constructed another narrow, rectangular-in-plan, two-story addition, completed by 1966. Its northern (primary) façade is even with that of the 1961 building and clad in stucco to match.

The addition's western and southern façades are also clad in stucco, and the northern portion of the western façade is punctuated by ribbons of square, fixed aluminum windows across the upper story.

A metal breezeway clad with a flat roof clad in corrugated sheet metal extends perpendicularly from southern corner of the addition's western façade, connecting it to a separate building that has itself experienced multiple rounds of addition and alterations. The core of this building is a ca. 1960, two-story building that is rectangular in plan. It is of concrete construction and features a convex roof. Fenestration is limited to one fixed aluminum window, one roll-up metal garage door, and one single-leaf metal door on the eastern façade and two roll-up garage doors and three single-leaf metal doors on the southern façade. The southern façade also features a small, one-story, metal-clad addition with a shed roof and one single-leaf door on its own southern façade. The western façade of the building is blank, and the northern façade has been obscured entirely by a series of additions that match the original building's width.

The eastern façade of the additions to the ca. 1960 building is constructed from concrete. It is punctuated variously by single-leaf doors, one metal roll-up garage door, and horizontally oriented, fixed and sliding aluminum windows in both the first and second stories. The northern (primary) façade is articulated such that the eastern portion projects further north than the western portion; the eastern portion, which is clad in stucco, features a raised loading dock with three metal roll-up garage doors and a flat porch roof clad in corrugated sheet metal; the western portion, which is constructed of concrete masonry units and features a short parapet, is also punctuated by two metal roll-up garage doors as well as a fully glazed metal door with sidelights. The western façade of the additions is blank.

The property also includes one ca. 1966 freestanding building near the southern boundary of the property, between the ca. 1960 building and the ca. 1966 additions to the southern façade of the 1961 building. The freestanding building is one story in height, rectangular in plan, and comparatively small. It is of steel-frame construction with corrugated sheet metal cladding and a shallowly pitched, metal-clad roof. The building's primary (southern) façade is punctuated by two metal roll-up garage doors, one paneled metal or fiberglass door, and a vinyl sliding window, which the western façade features a single metal roll-up garage door flanked by half-glass, single-leaf metal doors. The eastern façade features one single-leaf metal door near the southern corner of the building, and the western façade is blank.

Continuation of B10. Significance:

Outside of San José, cattle ranching was the Santa Clara Valley's primary economic activity in the early years of California statehood. Initially, the open range method was common among ranchers, but pasture lands were reduced as the region became more densely settled; stock farming, which utilized smaller lots and intensified production techniques, supplanted pasture grazing by the 1860s. Wheat was also a staple agricultural product of the Santa Clara Valley at this time, as the region's highly fertile soil facilitated easy cultivation and high yields with relatively little capital investment. By 1854, thirty percent of California's total wheat crop was produced in Santa Clara County, and it was "arguably the most important agricultural county" in the state.[2] Other grain crops, primarily barley and oats, were also produced in significant volumes.[3]

In addition to agricultural development, the 1860s saw the introduction of railroad transportation into Santa Clara County. The San Francisco & San Jose Railroad (SF&SJ) was organized in 1860, and the first train arrived in San José from San Francisco on January 16, 1864. The Central Pacific Railroad (CPRR, originally the Western Pacific Railroad) was completed between San José and Niles, California, in 1869, connecting San José with the transcontinental railroad and opening the Santa Clara Valley to markets across the United States. The railroad, subsequent population growth, and intensified agricultural production changed the landscape of the valley, catalyzing the development of small towns along the rail lines and resulting in the breakup of large land holdings.[4]

[2] Jim Gerber, "The Origin of California's Export Surplus in Cereals," *Agricultural History* 67, no. 4 (Autumn 1993), 47.
[3] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 37-38.
[4] Ibid., 40.

By 1870, nearly all acreage in rural Santa Clara County was devoted to wheat and barley production. When yields fell in 1879-1880, however, farmers quickly diversified their interests to include dairy cows, sheep for wool, poultry for eggs, swine for meat, and hay, grape vines, and fruit trees. The latter proved to be particularly lucrative. By the late 1880s, orchard products (prunes, in particular) came to dominate agricultural production in the Santa Clara Valley. The region's fruit canning and packing industry was pioneered by a San José physician, Dr. James Dawson, in 1871 and grew alongside orchard production. Subsequently, the manufacture of food processing machinery and orchard spraying equipment became an important aspect of the local industrial economy. Early industrial development in Santa Clara County began to appear in 1864 alongside the recently constructed transportation lines.[5]

Fruit production in the Santa Clara Valley continued to increase, peaking in the 1920s. As the ratio of crop value to land area increased, many of the large, diversified farms and wheat fields that had been prevalent in the nineteenth century were subdivided into specialized "fruit ranches" that were 3 to 50 acres in area. The introduction of the automobile and commercial development of the trucking industry in the early twentieth century also impacted land use patterns in the valley, as it greatly facilitated local distribution and catalyzed the development of city roads and intercity highways. By 1928, all of San José's city streets had been paved, and highways connected the city to San Francisco, Oakland, and the coast.[6]

At the onset of the Great Depression, there were 38 canneries and 13 packing plants in Santa Clara County. 172,190 acres of land were engaged in crop production, approximately 66,000 of which were devoted to prunes and 20,000 to apricots. Orchards and related industries were hit particularly hard by the Great Depression, in which time the prices of California's specialty crops fell further and faster than those of basic agricultural commodities, such as wheat.[7] The local workforce, already facing low wages and an unprecedented level of unemployment, was further challenged to accommodate an influx of farmers displaced by the Dust Bowl. Unrest with regard to low wages, substandard working conditions, and poor job security catalyzed the labor movement in the 1930s, and membership and related activism increased substantially during the Depression years. In August 1931, the Cannery and Agricultural Workers' Industrial Union organized a strike of nearly sixteen thousand cannery workers in the Santa Clara Valley, in protest of a twenty percent wage decrease.[8] By the end of the decade, all San José canneries were unionized.[9]

The fruit industry gradually recovered from the effects of the Great Depression, but military training and wartime production associated with World War II played the greater role in the Santa Clara Valley's economic resurgence. The San Francisco Bay area was the gateway to the Pacific theater of the war, and thousands of military personnel were brought to the area for training and processing at Moffett Field and shipyards along the coastline. Numerous industrial plants for the construction of marine engines and landing craft were established in Sunnyvale and Santa Clara; the two largest military contractors, whose contracts totaled $289 million, were the Food Machinery Company and the Joshua Hendy Iron Works. The growth of these wartime industries changed both the physical and ethnic landscape of the Santa Clara Valley. Work in the industrial plants employed local workers, including women, from the orchards and canneries, and they were frequently replaced by Mexican Americans and by braceros, Mexican nationals working in the United States under the auspices of the Mexican Farm Labor Agreement. At the same time, the Santa Clara Valley's agricultural acreage was reduced, as farms and orchards were converted to industrial plants and housing for the region's increased population.[10]

Postwar Industrialization in the Santa Clara Valley

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[5] Ibid., 40-41.
[6] Ibid., 43-44.
[7] Glenna Matthews, "The Apricot War: A Study of the Changing Fruit Industry during the 1930s," *Agricultural History* 59, no. 1 (January 1985), 25-29.
[8] Kevin Starr, *Endangered Dreams: The Great Depression in California* (New York, NY: Oxford University Press, 1996), 69-70.
[9] David Bacon, "Roots of Social Justice Organizing in Silicon Valley," *El Reportero* (San Francisco), May 23, 2016.
[10] Glenna Matthews, *Silicon Valley, Women, and the California Dream: Gender, Class, and Opportunity in the Twentieth Century* (Stanford, California: Stanford University Press, 2003), 82-88.

The population and economy of the Santa Clara Valley grew rapidly in the post-war years, as the economic focus of the region shifted from agriculture to electronics and manufacturing. Orchards were swiftly replaced with residential subdivisions and shopping centers, and rural roadways were widened into freeways to accommodate the massive influx of people and commercial activity that accompanied increasing industrialization and the related population boom.[11] The growth of the region's electronics sector and the transformation of the "Valley of the Heart's Delight" into "Silicon Valley" in the postwar years was driven by a growing number of defense contracts and Stanford University officials' efforts to institutionalize a relationship between the research university and the Federal government.

Stanford University was a key contributor to the economic success of the Santa Clara Valley in the postwar years. From the university's inception in 1891, its founders had intended their school to have a strong emphasis on science, engineering, and practical applications. The 1927 appointment of radio engineer Frederick Terman, who would be named Stanford's dean of engineering in 1944 and provost in 1955, served to reinforce this mission. Terman educated and encouraged a number of students who would go on to establish some of the most successful electronic firms in the country, including William R. Hewlett and David Packard of the Hewlett-Packard Company, but his greater contribution to the Santa Clara Valley was his work to build a "university-government alliance" for defense-related research, to the benefit of all involved.[12] Terman played a crucial role in Stanford University's postwar efforts to secure defense research contracts from the federal government in the late 1940s; he believed that government partnerships were the future of U.S. research institutions and American military security. In the decades following World War II, the Cold War economy and the billions of dollars in government contracts that were granted to universities and firms in the Santa Clara Valley shaped the technological and economic advancements of the region.[13]

Research-oriented industry, much of it funded by Department of Defense grants in the Cold War, transformed the Santa Clara Valley from an agricultural and extractive economy to one that was based on scientific research and technological advancement. A synergistic relationship developed between the region's universities, the federal government, local municipalities, and the local business community. Stanford University emerged as a national leader in research and development in the electronics field, conducting applied research in California's industrial and defense sectors beginning as early as 1946. In 1951, the university founded the Stanford Industrial Park, which attracted major tenants including Hewlett-Packard, Eastman Kodak, Varian Associates, the Sylvania Products Company, the Philco-Ford Corporation, General Electric, and the research division of the Lockheed Corporation (later Lockheed Martin Corporation). Other major firms, such as the Fairchild Camera and Instrument Corporation, Memorex Corporation, and National Semiconductor located nearby. Municipal governments, for their part, incentivized industrial growth by providing tax relief and other incentives, and by clearing tracts of land for development. Underpinning all of this growth were grants and contracts extended by the Department of Defense; by the late 1970s, Santa Clara County was receiving $2 billion annually in federal defense contracts, a trend that continues today.[14]

Approximately 800 electronics businesses emerged in Santa Clara County between 1950 and 1974, spurred by government contracts, municipal governments' incentives, and the desire to locate themselves alongside the companies and university programs that had established themselves as leaders in the field.[15] The development of integrated circuitry, which made possible the pocket calculator, and the microprocessor, which led to the proliferation of computers for consumer use, solidified the region's position as the electronics industry leader in the 1960s and beyond. Santa Clara County's population swelled from 290,547 in 1950 to over a million in 1970, one year before journalist Donald Hoefler would use the term "Silicon Valley."[16] The

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[11] Ibid., 46-47.
[12] David Naguib Pellow and Lisa Sun-Hee Park, *The Silicon Valley of Dreams: Environmental Injustice, Immigrant Workers, and the High-Tech Global Economy* (New York, NY: New York University Press, 2002), 60.
[13] Ibid., 61; John M. Findlay, *Magic Lands: Western Cityscapes and American Culture after 1940* (Berkeley, CA: University of California Press, 1992), 133-134.
[14] Pellow and Park, *The Silicon Valley of Dreams*, 60-61; Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 46.
[15] Pellow and Park, *The Silicon Valley of Dreams*, 62.
[16] "Obituary: Dan Hoefler, writer who coined term 'Silicon Valley,'" *San Jose Mercury News*, April 16, 1986.

valley's orchards were replaced with auto-oriented development like shopping centers and residential subdivisions, and rural roadways were widened into freeways to accommodate the massive influx of people and commercial activity that accompanied increasing industrialization and population boom.[17]

Memorex Corporation and 1200-1310 Memorex Drive

Memorex Corporation was one of the hundreds of electronics start-up companies founded in the Santa Clara Valley in the postwar period. Memorex was established in 1961 by Laurence L. Spitters, Arnold T. Challman, Donald F. Eldridge, and W. Lawrence Noon, all of whom had resigned from Ampex Corporation, another Santa Clara Valley electronics enterprise, in order to launch their own business venture. The nascent operation began research and development operations from a rented facility in Mountain View, California, but before the year had ended, Memorex completed construction on their first plant and office facility at 1180 Shulman Avenue (the subject property, now 1200-1310 Memorex Drive) in east-central Santa Clara.

Initially, Memorex Corporation focused on magnetic recording media, beginning with the production of magnetic computer tape, but it soon expanded its offerings to include a range of peripheral equipment including removable disk packs and hard disk drives that were plug-compatible with computers produced by the International Business Machines Corporation (IBM).[18] IBM, another Santa Clara Valley electronics firm, was the unequivocal leader in the global computer market at the time, and Memorex was the first independent manufacturer of peripheral equipment that could be used with their proprietary computer systems.[19] The Memorex 630, an IBM 2311 plug-compatible disk drive, was introduced in 1968, and a higher-capacity IBM 2314 plug-compatible drive was introduced a year later. These products were marketed as being faster and more reliable than the IBM-produced disk drives that they promised to replace, and they were more affordable, as well. The invention of IBM plug-compatible disk drive enabled Memorex, a relatively small company, to compete with IBM and gain a share of the massive computer market that the larger company controlled. Memorex's early success encouraged other electronics companies to create their own IBM plug-compatible peripheral equipment, including Marshall, Potter Instruments, Telex, Century Data, Control Data Corporation, and Memorex's founders' former employer, Ampex.[20]

In the early 1970s, Memorex expanded to a new headquarters in San Tomas Industrial Park, less than two miles away from their original headquarters (the subject property), which remained in use as a production facility.[21] The company also established a Consumer Products Division; for the first time, Memorex products were available for sale through retail shops, beginning with blank audio cassettes and ¼-inch tape on 5-inch and 7-inch open reels (Figure 40). The company engaged the Leo Burnett Agency in Chicago to handle their advertising, which was disseminated via newspapers, magazines, radio, and television.[22] One of their most successful ad campaigns showed celebrated jazz artist Ella Fitzgerald singing a high note, shattering a wine glass with the frequency of her delivery; a recording of her voice on Memorex tape was then player, shattering a second wine glass and demonstrating the clarity and quality of Memorex's blank audio cassettes.[23] The accompanying slogan, "Is it live, or is it Memorex?" made the company a household name.[24]

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[17] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 46-47.
[18] Disk packs are the core components of hard disk drives. In modern hard disk drives, the disk pack is permanently sealed within the drive; removable packs, such as those produced by IBM and later Memorex, allowed for greater customization.
[19] Adam Augustyn, "IBM," *Encyclopedia Britannica*, accessed December 3, 2019, https://www.britannica.com/topic/International-Business-Machines-Corporation. By the 1960s, IBM was producing 70 percent of the world's computers and fully 80 percent of those used in the United States.
[20] "1968: Memorex Introduces an IBM compatible HDD," *Computer History Museum*, last modified September 19, 2018, https://www.computerhistory.org/storageengine/memorex-introduces-an-ibm-compatible-hdd/.
[21] "EXPAND! in San Tomas Industrial Park," *San Francisco Examiner*, February 18, 1970.
[22] "Check Your Favorite Hi-Fi Dealer—Company's First Consumer Products Go On Sale This Month," *Memorex Intercom* 7, no. 10 (October 1970): 3.
[23] Michelle Mercer, "The Voice That Shattered Glass," *NPR*, September 3, 2019, https://www.npr.org/2019/09/03/749019831/the-voice-that-shattered-glass.
[24] "Imation Agrees to Buy Memorex," *Los Angeles Times*, January 20, 2006.

After years of producing peripheral equipment, Memorex introduced its own computer systems in late March 1972.[25] However, a series of aggressive pricing and product actions by IBM, who dominated the computer mainframe industry at the time, reduced the profitability of the venture; in September 1973, Memorex reported a total loss of $101 million for the first six months of the year, including more than $90 million in asset write-offs and $8 million in operating losses.[26] The company subsequently sued IBM for monopolizing the market for peripheral products for use with IBM computers, alleging that they and their subsidiaries had "been virtually unable to obtain equity or debt financing at reasonable interest rates" to remain viable.[27] In turn, IBM charged that Memorex had engaged in "industrial espionage," deliberately hiring former IBM employees and deploying IBM's trade secrets in the design and marketing of Memorex products.[28] Unable to secure a unanimous vote from the jury and refused an appeal in the Supreme Court, Memorex's antitrust suit ultimately ended in a mistrial.[29]

In 1974, Robert C. Wilson replaced founder Laurence Spitters as CEO and restructured the company in cooperation with Bank of America; approximately 300 employees were laid off, and through the end of the decade, Memorex successfully focused on its media products and IBM plug-compatible peripheral offerings.[30] Wilson retired in 1979 and was replaced by Clarence W. Spangle in early 1980.[31] Declining profits in the first quarter of that year forced the new CEO to lay off 220 employees from the Santa Clara tape plant (the subject property).[32] In 1981, the company was acquired by the Detroit-based Burroughs Corporation (later Unisys) for $106 million in cash, and in 1982, its tape division was sold to Tandy Corporation.[33] Business problems and poor sales in the late 1980s led to the dismemberment of Memorex by Unisys. A sizeable portion of the company was sold to an international group of Memorex executives and New York financier Eli S. Jacobs for $550 million in late 1986.[34] The new Memorex International NV was registered in the Netherlands and headquartered in London, with Giorgio Ronchi as its president.[35] In 1988, it acquired Telex Corporation in a bid to expand its American market, and emerged as Memorex Telex NV.[36]

Memorex Telex N.V. was plagued by instability in the 1990s, filing for Chapter 11 bankruptcy protection in three times between 1992 and 1996.[37] Many of the company's international sales and service subsidiaries continued as subsidiaries of other firms; the tape division of the Memorex license, still owned by Tandy Corporation at the time, was purchased by Hanny Holdings

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[25] "Memorex MRX/40 and MRX/50," promotional material, 1972; item 102770468, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[26] "Memorex Sues IBM for $3 Billion," *Electronic News* (New York, NY), December 17, 1973; "Memorex: This is the 'Year of Restoration,'" *Business Week*, November 10, 1975.
[27] "Memorex Sues IBM for $3 Billion."
[28] Ibid.
[29] "Memorex and I.B.M. in Mistrial," *New York Times*, July 6, 1978; "Memorex Loses Again in IBM Antitrust Case," *San Francisco Examiner*, June 22, 1981.
[30] "Memorex: This is the 'Year of Restoration,'" *Business Week*, November 10, 1975; "Memorex Lays Off 220," *Santa Cruz Sentinel*, June 8, 1980.
[31] "Chairman Wilson Announces Selection of Clarence W. Spangle as New President and CEO," *Memorex Intercom* 17, no. 1 (February 1980), 1.
[32] "Memorex Lays Off 220," *Santa Cruz Sentinel*, June 8, 1980.
[33] H.J. Maidenberg, "Burroughs in Pact for Memorex," *New York Times*, August 3, 1981; William H. Inman, "Tandy Gets Go-Ahead for Memorex Takeover; Now Nation's No. 1 Tape, Video Seller," *United Press International*, April 26, 1982.
[34] Donna K. H. Walters, "Burroughs to Sell Part of Memorex: Group to pay $550 Million; Move Will Ease Debt Load," *Los Angeles Times*, November 7, 1986.
[35] "Memorex International Seeks to Expand by Acquisition in Maintenance, Leasing," *Computer Business Review*, February 18, 1987.
[36] Daniel F. Cuff, "Memorex Chief Calls Telex Deal a Good Fit," *New York Times*, December 16, 1987; "Memorex Telex: The Global Strength," March 1988, Memorex Memorabilia [Digital Archive], accessed November 27, 2019, https://mrxhist.org/docs/Ronc_5511.pdf.
[37] "Here We Go Again: Memorex Telex Is Back in Chapter 11," *Computer Business Review*, October 17, 1996.

Limited of Hong Kong in 1993 and continued as Memorex International Inc.[38] The contents of the company's original Santa Clara tape plant (the subject property) were liquidated in 1994.[39] In 2006, Memorex International Inc. was bought out by Imation Corps, a maker of data storage disks and tapes, for $330 million in cash.[40] Imation subsequently sold the Memorex brand to Digital Products International, a Missouri-based consumer electronic products firm, in 2015. The brand continues to produce and market disk recordable media, flash memory, and other computer accessories.[41]

Postwar Industrial Architecture and the International Style

Postwar industrial architecture is generally characterized by utilitarian design and materials that prioritize functionality over style. Common features among industrial resources from the postwar period are one- to two-story construction, simple footprints, and the use of readily available construction materials including concrete, steel, stucco, and glass.[42] Some industrial buildings constructed between 1945 and 1970, including the subject property, exhibit elements of the International Style and other midcentury architectural movements. While these stylistic elements are frequently minimized in warehouses and manufacturing facilities, they are emphasized at the resources' primary façades and office spaces. The International Style originated in Western Europe in the 1920s and 1930s and famously rejected vernacular building forms in favor of a geometric play of volumes and an absence of traditional ornamentation. Common features include square or rectangular building footprints, horizontal bands of windows, flat roofs, smooth and uniform wall surfaces, and the use of stucco, concrete, and curtain walls with large plate glass windows. These features lent themselves well to the new industrial campuses developing in the postwar era, and they were regularly employed to elevate the design of otherwise utilitarian offices and industrial facilities.[43]

Evaluation

The subject property at 1200-1310 Memorex Drive appears to be eligible for listing in the California Register under Criterion 1, *Association with Significant Events*, for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s. Memorex Corporation's innovative plug-compatible peripheral computer equipment had a significant impact on the early electronics industry, and the products themselves were first developed at the subject property in the late 1960s. The building also retains a relatively high degree of integrity with regard to the period in which these developments occurred. For these reasons, the building appears to qualify as an historical resource under CEQA.

California Register Criterion 1 [Association with Significant Events]

To be considered eligible for listing under Criterion 1, a property must be associated with one or more events important in a defined historic context. This criterion recognizes properties associated with single events, a pattern of events, repeated activities, or historic trends. The event or trends, however, must clearly be important within the associated context. Further, mere association of the property with historic events or trends is not enough, in and of itself, to qualify under this criterion: the specific association must be considered important as well.[44]

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[38] "Tandy to Sell Memorex Name to Hong Kong Company," *New York Times*, November 12, 1993.
[39] "A Ross-Dove Company Auction: Complete Liquidation of a Major Computer Tape Manufacturing Facility Assets Surplus to Continuing Operations," auction catalog, 1994; item 102770298, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[40] "Imation Agrees to Buy Memorex," *Los Angeles Times*, January 20, 2006.
[41] "About Digital Products International, Inc.," *DPI Inc.*, accessed December 3, 2019, https://www.dpiinc.com/about.
[42] City of Fremont, "Registration Requirements for Postwar Historic Resources (1945-1970)," March 30, 2018, https://fremont.gov/DocumentCenter/View/37670/PLN2018_00236-Exh-A.
[43] City of Fremont, "Registration Requirements for Postwar Historic Resources (1945-1970)," March 30, 2018, https://fremont.gov/DocumentCenter/View/37670/PLN2018_00236-Exh-A; John Blumenson, *Identifying American Architecture* (New York: W. W. Norton & Company, 1981), 74-75.

[44] National Park Service, *How to Apply the National Register Criteria for Evaluation*.

The subject property was constructed in 1961 as the first world headquarters of Memorex Corporation, one of the many electronics start-up companies that catalyzed the Santa Clara Valley's transformation into "Silicon Valley" during the postwar era. As a multifaceted industrial campus including a manufacturing plant, research and development facilities, and administrative offices, the subject property conveys popular trends in industrial development during the postwar era. Memorex Corporation holds particular significance within the context of the development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Because IBM dominated 71 to 83 percent of the global computer market at the time, the introduction of compatible computer equipment established an important avenue for smaller electronics firms to establish themselves within the field.[45] Many other early electronics companies, including Marshall, Potter Instruments, Telex, Century Data, Control Data Corporation, and Ampex, released their own IBM-compatible plug-ins in subsequent years, and modern computer systems continue to accommodate singular components produced by disparate electronics companies. Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and the product itself was both developed and manufactured at the subject property in the late 1960s. For these reasons, the property appears to be eligible for listing on the California Register under Criterion 1.

California Register Criterion 2 [Association with Significant Persons]
This criterion "applies to properties associated with individuals whose specific contributions to history can be identified and documented." It identifies properties associated with individuals "whose activities are demonstrably important within a local, State, or national historic context," and is typically limited to those properties that have the ability to illustrate a person's important achievements.[46]

Although Memorex Corporation appears to hold significance in the overall context of Silicon Valley's industrial development and in the development of the modern electronics industry, none of its individual founders or employees are known to have made a singular and significant contribution to the electronics industry in the local, state, or national context. As such, the property does not appear to meet the threshold for listing in the California Register under this criterion.

California Register Criterion 3 [Architectural Significance]
This criterion applies to properties that "embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction." "Distinctive characteristics" are the physical and design features that commonly recur in individual types, periods, or methods of construction. To be eligible, a property must clearly contain enough of those characteristics to be considered a true representative of a particular style. A master "is a figure of generally recognized greatness in a field, a known craftsman of consummate skill, or an anonymous craftsman whose work is distinguishable from others by its characteristic style and quality…. A property is not eligible as the work of a master, however, simply because it was designed by a prominent architect."[47]

Despite the International Style detailing on the building's primary façade, the former Memorex Corporation plant at 1200-1310 Memorex Drive is a relatively generic example of midcentury industrial architecture. The building is not associated with a prominent architect or builder, and its straightforward steel-framed construction and stucco wall treatment do not display unusually skilled craftsmanship or employ unique finishes. For these reasons, the property does not appear to meet the threshold for listing in the California Register under Criterion 3.

California Register Criterion 4 [Potential to Yield Information]

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[45] Ross Knox Bassett, *To the Digital Age: Research Labs, Start-up Companies, and the Rise of MOS Technology* (Baltimore, MD: Johns Hopkins University Press, 2002), 222.

[46] National Park Service, *How to Apply the National Register Criteria for Evaluation*.

[47] National Park Service, *How to Apply the National Register Criteria for Evaluation*.

Criterion 4 is generally applied to archaeological resources, and evaluation of the subject property for eligibility under this criterion was beyond the scope of this report.

Integrity Analysis

In order for a building to qualify for listing on the California Register of Historical Resources, it must both display significance under one or more of the California Register criteria and retain historical integrity. An integrity analysis of the subject property is presented below.

Location

The subject property has not been moved from its original location. As such, it retains integrity of location.

Design

Although the original 1961 building has been extensively altered by numerous large additions, these occurred during the period of significance and generally display continuity of materials and architectural style, thereby maintaining the building's overall integrity of design. Like the original 1961 building, the major 1964 and 1966 additions exhibit elements of the Postwar Industrial Style and the International Style in their use of stucco, glazed curtain walls, and in the case of the 1964 addition, a curvilinear porch roof that complements the Midcentury Modern stylings of the 1961 building's curvilinear porch hood. Rear additions, which are far simpler in design, are still in keeping with the utilitarian style of Postwar Industrial architecture. Those alterations that occurred outside of the period of significance, such as the removal of the 1966 cafeteria at the northeast corner of the building and the changes to the primary façade of the ca. 1960 building, do not irreparably detract from the building's design as seen in the extant 1961 building and its additions. In these ways, subject property retains integrity of design.

Setting

Little change has occurred in the immediate setting since the end of the historic period in the early 1970s. The building continues to be surrounded by surface parking lots and low-scale, one- to two-story light industrial buildings dating from the late-1950s through the early 1970s. Although the circulation pattern has been altered slightly with the addition of a ca. 1970 through-road connecting Lafayette Street with Memorex Drive (formerly Shulman Avenue), the property's immediate vicinity has essentially remained unchanged. Therefore, the building retains integrity of setting.

Materials

Most exterior materials (stucco, plate glass, sheet metal, aluminum window frames) appear to be intact or have been replaced in-kind. As such, the building retains integrity of materials.

Workmanship

The additions to the original 1961 building on the subject property display workmanship consistent with that of the original building. With the exception of the cafeteria building at the northeast corner of the property, which was constructed in 1966 and removed in 2004, the building and its additions remain largely intact. As such, the property retains a degree of integrity of workmanship.

Feeling

The subject property displays integrity of feeling through its intact Postwar Industrial and International Style design features, original materials, and setting amongst other light industry. Therefore, the property retains integrity of feeling.

Association

Through its intact midcentury design and materials, and due to the fact that it continues to be engaged in light industrial use, the property maintains integrity of association with the postwar industrial development of the Santa Clara Valley.

Current Photographs

Figure 1. Overview of the subject property, view southwest (ARG, November 2019).

Figure 2. Northern façade of the 1966 addition at the northeastern corner of the building, view southeast (ARG, November 2019).

Figure 3. Primary entrance at the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Figure 4. Glazing across first story of the northern façade of the 1966 addition, view south-southwest (ARG, November 2019).

Figure 5. Secondary entrance on the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Figure 6. Northern façade of the 1966 addition and eastern façade of the 1964 addition, including one of the building's primary entrances, view southwest (ARG, November 2019).

Figure 7. Secondary entrance in the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Figure 8. Primary entrance in the eastern façade of the 1964 addition, view west-southwest (ARG, November 2019).

Figure 9. Picnic area, fountain, and porch before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Figure 10. Fountain before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Figure 11. Picnic area before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Figure 12. Porch affixed to the eastern façade of the 1964 addition, view south (ARG, November 2019).

Figure 13. Porch roof affixed to eastern façade of 1964 addition, view southeast (ARG, November 2019).

Figure 14. Northern façade of the 1964 addition, view southwest (ARG, November 2019).

Figure 15. Northern façade of the 1964 addition (left) and the original 1961 building (right), view west-southwest (ARG, November 2019).

Figure 16. Northern façade of the 1964 addition (left), the original 1961 building (center), and ca. 1966 addition (right), view southwest (ARG, November 2019).

Figure 17. Northern façade of the original 1961 building including the primary entrance, view south (ARG, November 2019).

Figure 18. Primary entrance to the 1961 building, view southwest (ARG, November 2019).

Figure 19. Northern façade of the ca. 1966 addition across the western façade of the original 1961 building, view west (ARG, November 2019).

Figure 20. Northern façade of the 1964 addition (far left), the original 1961 building (center, with porch), and ca. 1966 addition (right), view east-southeast (ARG, November 2019).

Figure 21. Western façade of the ca. 1966 addition across the western façade of the original 1961 building, view south-southeast (ARG, November 2019).

Figure 22. Fenestration at the northern corner of the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view northeast (ARG, November 2019).

Figure 23. Entrance at the northern corner of the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view northeast (ARG, November 2019).

Figure 24. Western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Figure 25. Entrance on the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Figure 26. Roll-up door and breezeway on the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Figure 27. Southern façade of the ca. 1966 addition and western façade of the original 1961 building, view east (ARG, November 2019).

Figure 28. Southern façade of the ca. 1966 addition and western façade of the original 1961 building, view northeast (ARG, November 2019).

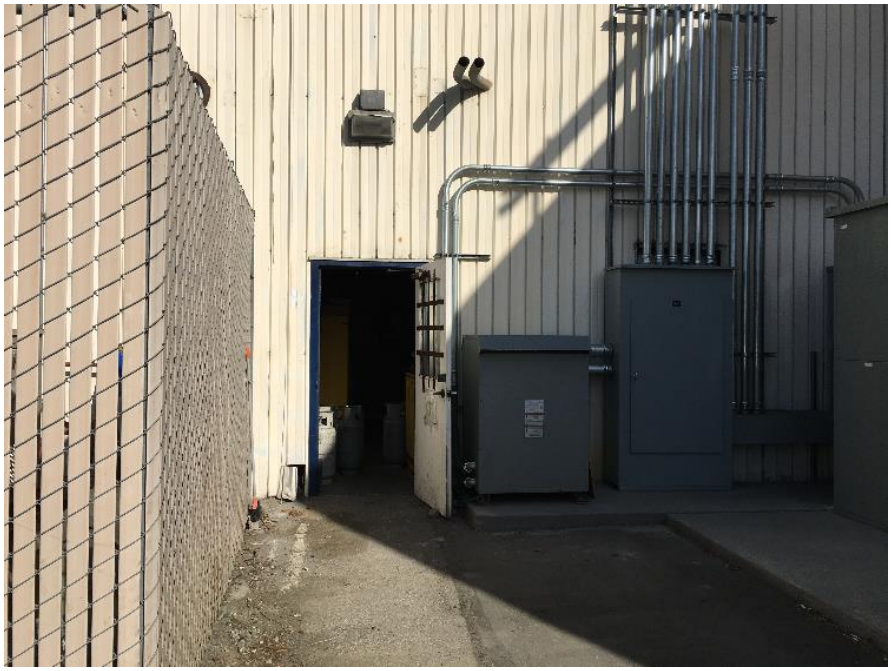

Figure 29. Entrance in the southern façade of the ca. 1966 addition across the western façade of the original 1961 building, view north (ARG, November 2019).

Figure 30. Western façade of the original 1961 building to the north of the ca. 1966 addition, view northeast (ARG, November 2019).

Figure 31. Southern façade of the original 1961 building and western façade of an addition to its southern façade, view northeast (ARG, November 2019).

Figure 32. Entrances in the southern façade of the original 1961 building, view north (ARG, November 2019).

Figure 33. Metal roll-up door in the southern façade of the original 1961 building, view north (ARG, November 2019).

Figure 34. Entrances in the western façade of a ca. 1966 addition to the southern façade of the original 1961 building, view east (ARG, November 2019).

Figure 35. Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view southeast (ARG, November 2019).

Figure 36. Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view south (ARG, November 2019).

Figure 37. Fenestration in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view east (ARG, November 2019).

Figure 38. Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Figure 39. Fenestration in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Figure 40. Entrance in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Figure 41. Western and southern façades of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Figure 42. Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Figure 43. Entrances in the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view north (ARG, November 2019).

Figure 44. Entrance in the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view north-northeast (ARG, November 2019).

Figure 45. Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition (left) and western façade of the three-story 1966 addition (right), view northeast (ARG, November 2019).

Figure 46. Entrances at the eastern end of the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Figure 47. Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northwest (ARG, November 2019).

Figure 48. Fenestration in the western and southern façades of the three-story 1966 addition, view northeast (ARG, November 2019).

Figure 49. Entrance in the southern façade of the three-story 1966 addition, view north-northeast (ARG, November 2019).

Figure 50. Roll-up door in the southern façade of the three-story 1966 addition, view north-northeast (ARG, November 2019).

Figure 51. Southern façade of the three-story 1966 addition, view northeast (ARG, November 2019).

Figure 52. Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and its 1964 addition (left), southern façade of the three-story 1966 addition (center), and eastern façade of the three-story 1966 addition (right), view northwest (ARG, November 2019).

Figure 53. Eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 54. Eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 55. Entrance in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 56. Roll-up door in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 57. Entrances in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 58. Entrances in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 59. Northern end of the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 60. Eastern façade of the ca. 1960 building (breezeway connection to the ca. 1966 addition across the western façade of the original 1961 building at right), view west (ARG, November 2019).

Figure 61. Eastern façade of the ca. 1960 building including breezeway connection to the ca. 1966 addition across the western façade of the original 1961, view southwest (ARG, November 2019).

Figure 62. Eastern façade of the ca. 1960 building including breezeway connection to the ca. 1966 addition across the western façade of the original 1961, view northwest (ARG, November 2019).

Figure 63. Entrances in the eastern façade of the ca. 1960 building, view west (ARG, November 2019).

Figure 64. Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west (ARG, November 2019).

Figure 65. Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west-southwest (ARG, November 2019).

Figure 66. Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west-northwest (ARG, November 2019).

Figure 67. Eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view south-southwest (ARG, November 2019).

Figure 68. Entrance in eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building (left) and loading area on the northern façade of the same, view west (ARG, November 2019).

Figure 69. Eastern façade of the ca. 1960 building (left), eastern façade of its ca. 1966 addition (center), and northern façade of the same ca. 1966 addition (right), view southwest (ARG, November 2019).

Figure 70. Loading dock at the northern façade of the ca. 1966 addition to the ca. 1960 building, view southwest (ARG, November 2019).

Figure 71. Loading dock at the northern façade of the ca. 1966 addition to the ca. 1960 building, view southeast (ARG, November 2019).

Figure 72. Western façade of ca. 1966 addition to the eastern half of the northern façade of the ca. 1960 building, view east (ARG, November 2019).

Figure 73. Northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view south (ARG, November 2019).

Figure 74. Primary entrance to the northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view southeast (ARG, November 2019).

Figure 75. Roll-up doors in the northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view southeast (ARG, November 2019).

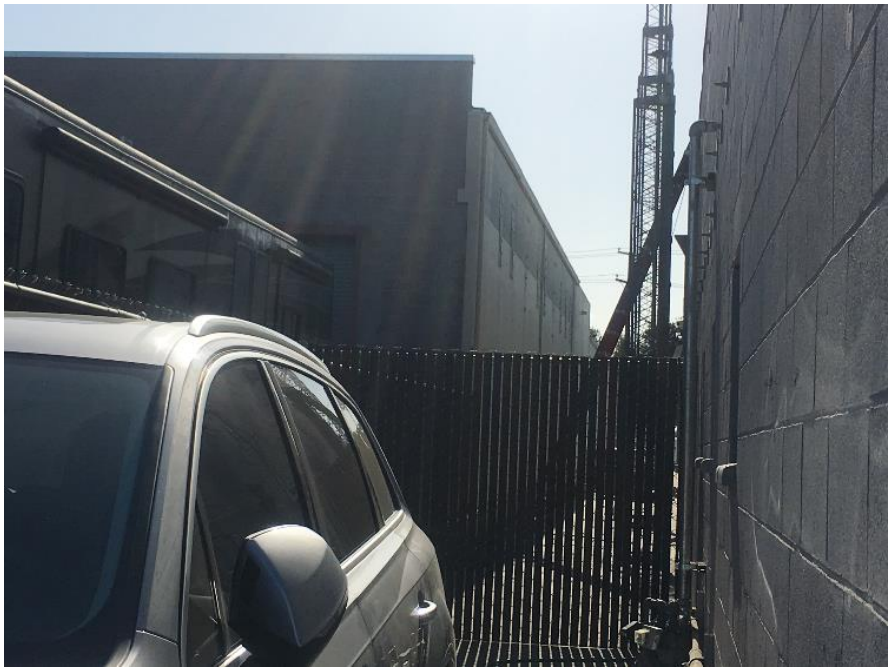

Figure 76. Western façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view south (ARG, November 2019).

Figure 77. Southern and eastern facades of the ca. 1960 building, view northwest (ARG November 2019).

Figure 78. Small addition to southern façade of the ca. 1960 building, view west (ARG, November 2019).

Figure 79. Western façade of the ca. 1966 freestanding building at the southwestern corner of the ca. 1966 additions to the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Figure 80. Entrances in the western façade of the ca. 1966 freestanding building, view northeast (ARG, November 2019).

Figure 81. Southern façade of the ca. 1966 freestanding building, view northeast (ARG, November 2019).

Figure 82. Southern façade of the ca. 1966 freestanding building, view north (ARG, November 2019).

Figure 83. Southern and eastern façades of the ca. 1966 freestanding building, view northwest (ARG, November 2019).

Figure 84. Entrance in eastern façade of the ca. 1966 freestanding building, view west (ARG, November 2019).

Figure 85. Western and northern façades of the ca. 1966 freestanding building, view southwest (ARG, November 2019).

Figure 86. Tank at the southeastern corner of the property, view southeast (ARG, November 2019).

Figure 87. View of equipment, fencing, and canopy at the southeastern corner of the property, view northwest (ARG, November 2019).

Figure 88. View of equipment and fencing at the southeastern corner of the property, view southeast (ARG, November 2019).

Historic Photographs

Figure 89. 1939 aerial photograph; the arrow indicates the location of the subject property (UC Santa Cruz Digital Collections, amended by author).

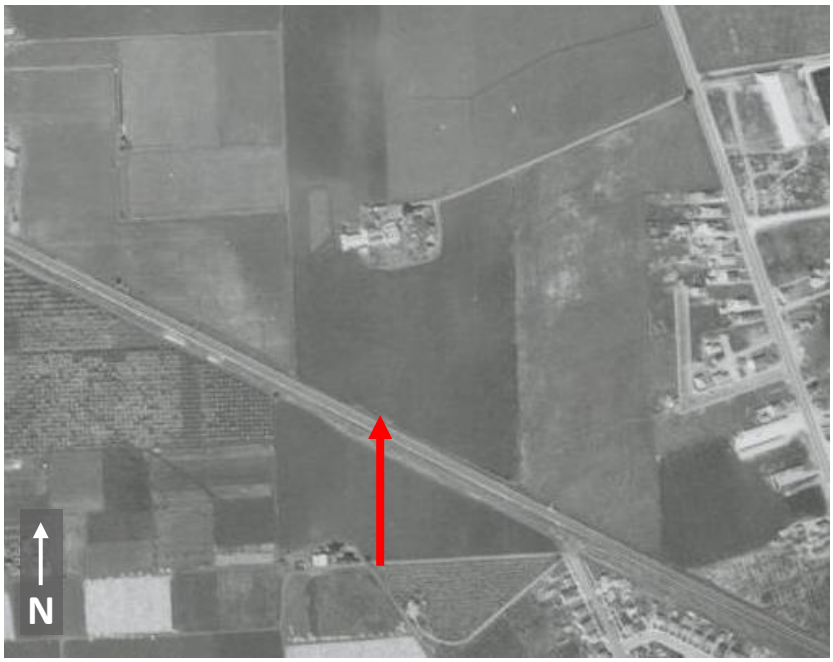

Figure 90. 1950 aerial photograph; the arrow indicates the location of the subject property (UC Santa Cruz Digital Collections, amended by author).

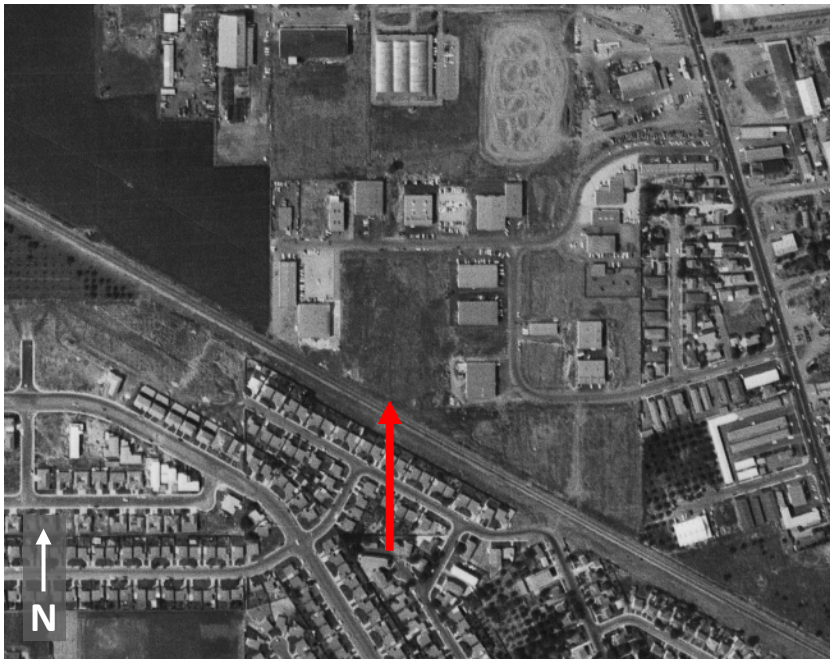

Figure 91. 1960 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

Figure 92. Subject property, view southwest, ca. November 1961 ("Five-Year-Pinners Recall Company's Hectic Beginning," Memorex Intercom 4, no. 12 [December 1967]: Special Section).

Figure 93. The subject property as it appeared in early 1965. The numbered labels, original to the image, denote the following: 1), the original building constructed for Memorex Corporation, completed November 1961; 2), the addition to the building's eastern façade, completed October 1964; 3), an employee parking lot; 4), a rented building used for warehousing; 5), a rented building used for offices; 6), the ca. 1960 building used for warehousing, purchased by Memorex Corporation in October 1964; 7), additional property purchased for future plant expansion; 8), an employee parking lot; and 9), an additional employee parking lot. Additionally, a shed-roofed building constructed ca. 1963 is located near the upper right corner of the image ("Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 [June 1965]: 4, amended by author).

Figure 94. Subject property, view southeast, late 1965 ("Construction Nears Completion," *Memorex Intercom* 2, no. 11 [December 1965]: 1).

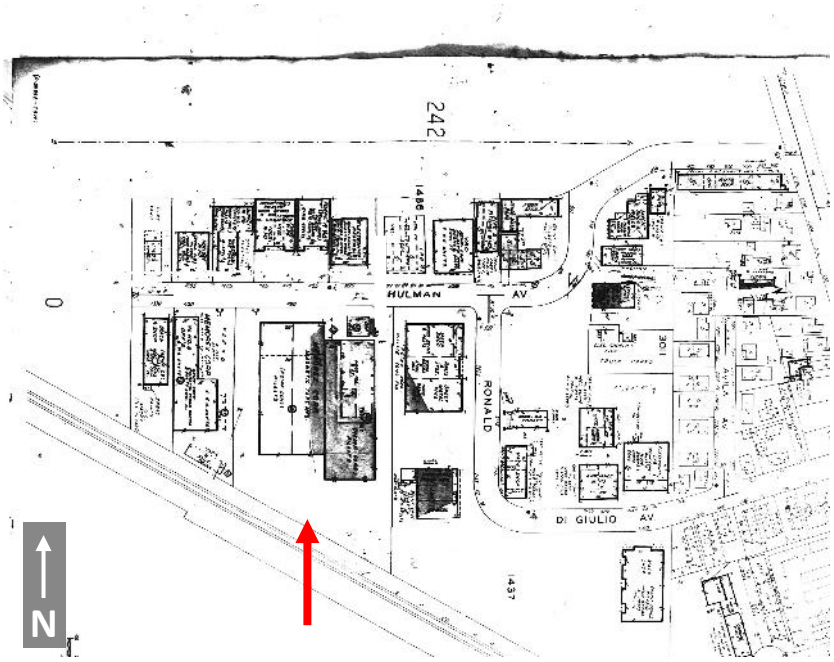

Figure 95. 1966 Sanborn Fire Insurance Map, San Jose, Volume 3, Sheet 253; the arrow indicates the location of the subject property (amended by author).

Figure 96. Subject property, view southeast, early 1966 ("February Marks 5th Anniversary," *Memorex Intercom* 3, no. 2 [February 1966]: 1).

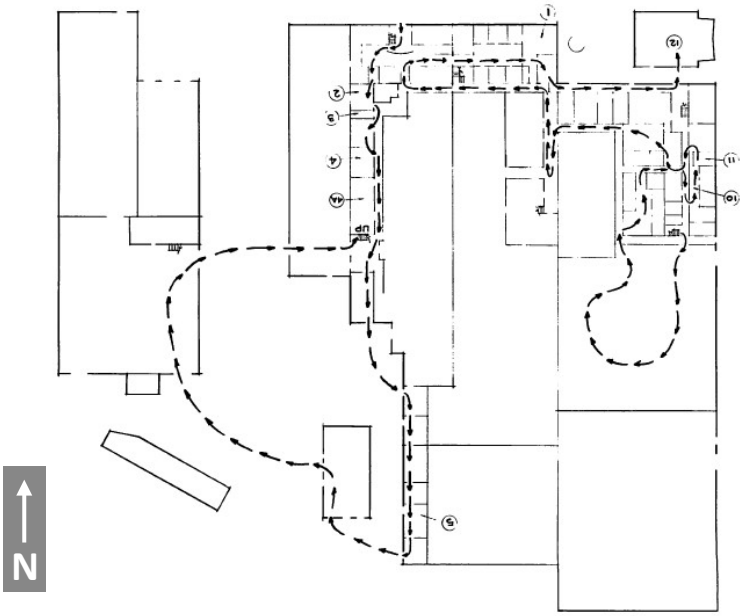

Figure 97. Layout of the subject property from Memorex Corporation's annual open house, 1966 (*Memorex Intercom* 3, no. 10 [October 1966], amended by author).

Figure 98. 1968 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

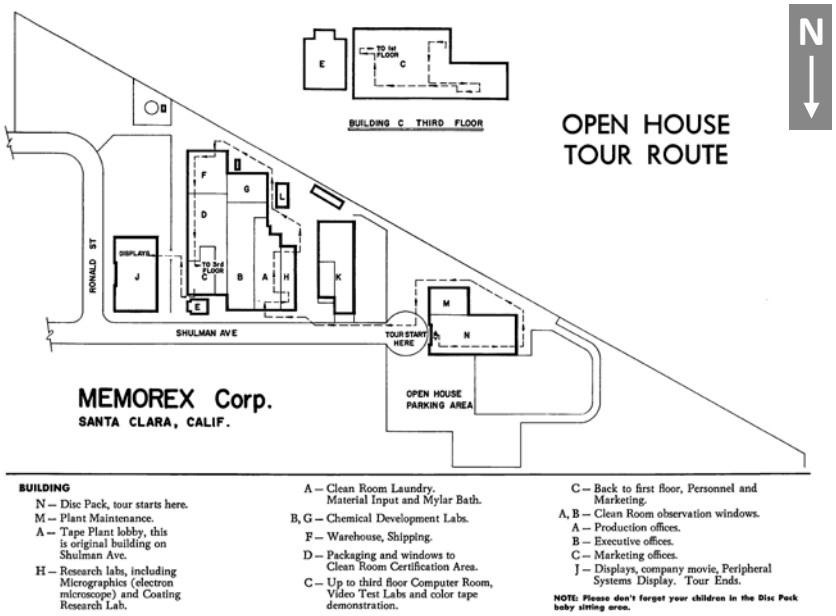

Figure 99. Map of subject property produced by Memorex Corporation, 1968 (*Memorex Intercom* 4, no. 4 [April 1968]: 3, amended by author).

Figure 100. 1972 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

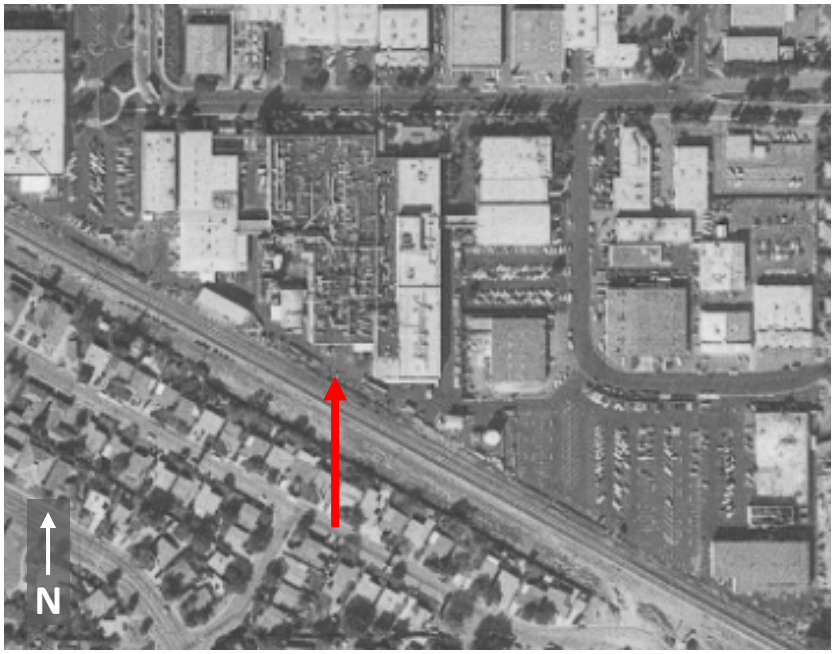

Figure 101. 1980 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

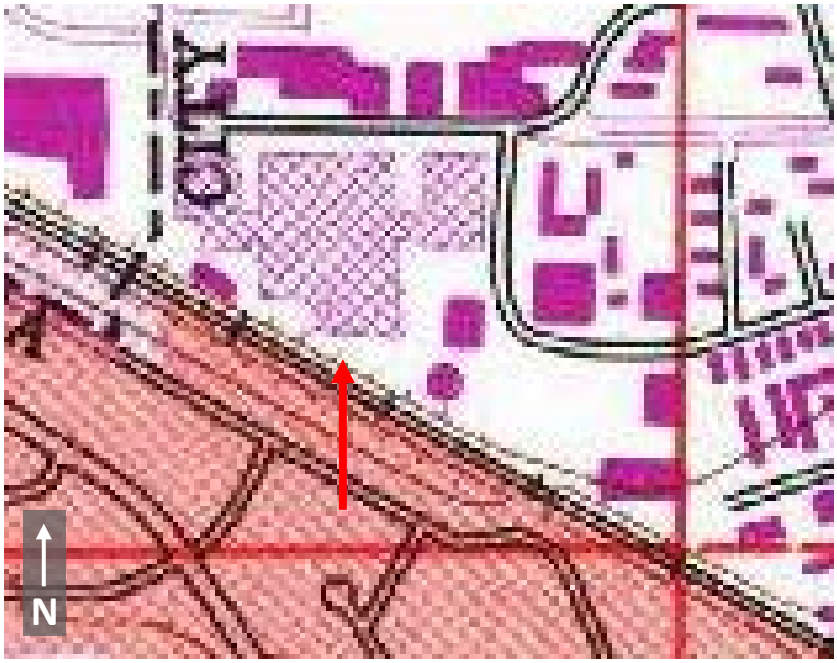

Figure 102. 1961 topographic map, 1980 revision; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

Figure 103. 1993 aerial photograph; the arrow indicates the location of the subject property (Google Earth, amended by author).

Figure 104. 2000 aerial photograph; the arrow indicates the location of the subject property (Google Earth, amended by author).

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Memorandum

To	Mike Lisenbee, Senior Project Manager
	David J. Powers & Associates
Project:	1200-1310 Memorex Drive Impacts Analysis
Project No.:	191002
Date:	April 17, 2020
Via:	Email

I. INTRODUCTION

At the request of David J. Powers & Associates, Architectural Resources Group (ARG) prepared a preliminary impacts analysis for the demolition of the property at 1200-1310 Memorex Drive (APN 224-66-006) in Santa Clara, California. ARG previously prepared an Historic Resource Evaluation (HRE) for the subject property and recommended it as eligible for listing in the California Register of Historical Resources (California Register) under Criterion 1 (Association with Significant Events) for its association with the development of the modern electronics industry and the broader context of Silicon Valley's development in the 1960s and 1970s.[1] This memorandum provides a summary of the historic status of the property, an overview of the CEQA process as it relates to historical resources, a preliminary impact analysis for the proposed project, and identification of potential mitigation measures. To complete this memorandum, ARG reviewed renderings of the proposed project, as conveyed to ARG on April 1, 2020.

II. HISTORIC STATUS

A records search completed by Northwest Information Center (NWIC) staff on November 21, 2019, indicated that the industrial complex at 1200-1310 Memorex Drive had not been previously recorded in the national, state, or local registers, nor had it been evaluated as a contributor to an historic district eligible at the national, state, or local level. However, an evaluation of the property's eligibility for the California Register, prepared by ARG in late 2019, indicates that the complex at 1200-1310 Memorex Drive is historically significant as the first world headquarters of Memorex Corporation, one of the many electronics start-up companies that catalyzed the Santa Clara Valley's transformation into Silicon Valley during the postwar era.

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[1] Architectural Resources Group, "1200-1310 Memorex Drive, Santa Clara, California, Historic Resources Evaluation," prepared for David J. Powers & Associates, December 2019.

Memorex Corporation holds particular significance within the context of the development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Because IBM dominated 71 to 83 percent of the global computer market at the time, its introduction of compatible computer equipment provided an important avenue for smaller electronics firms to establish themselves within the field.[2] Many other early electronics companies, including Marshall, Potter Instruments, Telex, Century Data, Control Data Corporation, and Ampex, released their own IBM-compatible plug-ins in subsequent years, and modern computer systems continue to accommodate singular components produced by disparate electronics companies. Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and it developed and manufactured the product at the subject property in the late 1960s. For these reasons, the property appears to be eligible for listing in the California Register under Criterion 1 (Association with Significant Events). Lacking a significant association with a person or persons of historical importance and lacking architectural or engineering prominence, the property does not appear to be eligible for listing under Criteria 2 (Association with Significant Persons) or 3 (Architectural Significance). Evaluation for eligibility under Criterion 4 (Potential to Yield Information) was beyond the scope of the historic resource evaluation.

The period of significance for the subject property spans 1961 through 1971, the period in which Memorex Corporation was headquartered at this location. The subject property retains a relatively high degree of integrity with regard to the period of significance and therefore qualifies as an historical resource under CEQA (see below).

III. REGULATORY BACKGROUND

An overview of CEQA as it pertains to historical resources, the California Register, the City of Santa Clara's Criteria for Local Significance, and the Secretary of the Interior's Standards for Rehabilitation are provided below.

California Environmental Quality Act

When a proposed project may cause a substantial adverse change in the significance of an historical resource, CEQA requires a city or county to carefully consider the possible impacts before proceeding (Public Resources Code Section 21084.1). CEQA equates a substantial adverse change in the significance of an historical resource with a significant effect on the environment (Section 21084.1). CEQA explicitly prohibits the use of a categorical exemption within the CEQA Guidelines for projects that may cause such a change (Section 21084).

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[2] Ross Knox Bassett, *To the Digital Age: Research Labs, Start-up Companies, and the Rise of MOS Technology* (Baltimore, MD: Johns Hopkins University Press, 2002), 222.

CEQA Guidelines section 15064.5(b) defines a "substantial adverse change" in the significance of an historical resource as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." Further, that the significance of an historical resource is "materially impaired" when a project:

- "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in the California Register of Historical Resources; or

- "demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources... or its identification in an historical resources survey..., unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

- "demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA." (Guidelines Section 15064.5(b))

For the purposes of CEQA (Guidelines Section 15064.5), the term "historical resources" shall include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in, the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4850 et. seq.).

2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be

considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4852) as follows:

A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

B. Is associated with the lives of persons important in our past;

C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

D. Has yielded, or may be likely to yield, information important in prehistory or history. (Guidelines Section 15064.5)

California Register of Historical Resources

The California Register is the authoritative guide to the State's significant historical and archaeological resources. It serves to identify, evaluate, register, and protect California's historical resources. The California Register program encourages public recognition and protection of cultural resources and affords certain protections under CEQA. All resources listed in or formally determined eligible for listing in the National Register of Historic Places (National Register) are automatically listed in the California Register. In addition, properties designated under municipal or county ordinances are eligible for listing in the California Register. The California Register criteria are modeled on the National Register criteria. An historical resource must be significant at the local, state, or national level under one or more of the following criteria:

1. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States (Criterion 1).

2. It is associated with the lives of persons important to local, California, or national history (Criterion 2).

3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values (Criterion 3).

4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, state or the nation (Criterion 4).

Like the National Register, evaluation for eligibility in the California Register requires an establishment of historic significance before integrity is considered. California's integrity threshold is slightly lower than the federal level. As a result, some resources that are historically significant but do not meet National Register integrity standards may be eligible for listing in the California Register.

In order for a property to qualify as an historical resource, significance must be established and the property must also retain "historic integrity of those features necessary to convey its significance."[3] While a property's significance relates to its role within a specific historic context, its integrity refers to "a property's physical features and how they relate to its significance."[4] Since integrity is based on a property's significance within a specific historic context, an evaluation of a property's integrity can only occur after historic significance has been established. To determine if a property retains the physical characteristics corresponding to its historic context, the National Register has identified seven aspects of integrity. These criteria are also used in evaluations for listing in the California Register.

- *Location* is the place where the historic property was constructed or the place where the historic event occurred.
- *Setting* is the physical environment of an historic property.
- *Design* is the combination of elements that create the form, plan, space, structure, and style of a property.
- *Materials* are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form an historic property.
- *Workmanship* is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- *Feeling* is a property's expression of the aesthetic or historic sense of a particular period of time.
- *Association* is the direct link between an important historic event or person and an historic property.

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[3] National Park Service, "How to Apply the National Register Criteria for Evaluation" (Washington, DC: National Park Service, 2002), 3, accessed October 15, 2018, https://www.nps.gov/nr/publications/bulletins/nrb15/.

[4] Ibid., 44.

City of Santa Clara Criteria for Local Significance

The City of Santa Clara's Criteria for Local Significance establish an evaluation framework that help to determine significance for properties not yet included in the city's Historic Resources Inventory (HRI). Any building, site, or property in Santa Clara that is 50 years old or older and meets at least one of the following criteria for cultural, historical, architectural, geographical, or archeological significance is potentially eligible.[5]

Criteria for Historical or Cultural Significance

To be historically or culturally significant, a property must meet at least one of the following criteria:

1. The site, building or property has character, interest, integrity and reflects the heritage and cultural development of the city, region, state, or nation.

2. The property is associated with an historical event.

3. The property is associated with an important individual or group who contributed in a significant way to the political, social and/or cultural life of the community.

4. The property is associated with a significant industrial, institutional, commercial, agricultural, or transportation activity.

5. A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.

6. A notable historical relationship between a site, building, or property's site and its immediate environment, including original native trees, topographical features, outbuildings or agricultural setting.

Criteria for Architectural Significance

To be architecturally significant, a property must meet at least one of the following criteria:

1. The property characterizes an architectural style associated with a particular era and/or ethnic group.

2. The property is identified with a particular architect, master builder or craftsman.

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[5] City of Santa Clara, "City of Santa Clara General Plan – 8.9 Historic Preservation and Resource Inventory," 8.9-18 and 8.9-19, accessed April 10, 2020, https://www.santaclaraca.gov/Home/ShowDocument?id=3743.

3. The property is architecturally unique or innovative.

4. The property has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.

5. The property has a visual symbolic meaning or appeal for the community.

6. A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.

7. A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

Criteria for Geographic Significance
To be geographically significant, a property must meet at least one of the following criteria:

1. A neighborhood, group or unique area directly associated with broad patterns of local area history.

2. A building's continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings.

3. An intact, historical landscape or landscape features associated with an existing building.

4. A notable use of landscaping design in conjunction with an existing building.

Criteria for Archaeological Significance
For the purposes of CEQA, an "important archaeological resource" is one which:

1. Is associated with an event or person of
    a. Recognized significance in California or American history, or
    b. Recognized scientific importance in prehistory.

2. Can provide information, which is both of demonstrable public interest, and useful in addressing scientifically consequential and reasonable or archaeological research questions;

3. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind

4. Is at least 100 years old and possesses substantial stratigraphic integrity; or

5. Involves important research questions that historical research has shown can be answered only with archaeological methods.

According to Santa Clara City Code 18.106.060, an Environmental Impact Report (EIR) shall be required for any application to demolish a property listed on the HRI or a property determined to be eligible for listing. The demolition permit application and environmental impact report shall be referred to the Santa Clara Historical and Landmarks Commission (HLC) for a recommendation on whether to grant, modify, or deny the demolition permit application. The HLC recommendation shall be forwarded to the Architectural Committee of Santa Clara, which shall make a final decision on the application for demolition. The HLC shall recommend approval of a demolition permit, and the Architectural Committee shall approve a demolition permit, only if there are no viable alternatives for saving the property, and such alternatives have been fully addressed in an EIR.

Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior is responsible for establishing standards for all programs under departmental authority and for advising federal agencies on the preservation of historic properties listed in or eligible for listing in the National Register. The Standards for Rehabilitation (Standards; codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives program) address the most prevalent treatment. "Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."[6]

Initially developed by the Secretary of the Interior to determine the appropriateness of proposed project work on registered properties within the Historic Preservation Fund grant-in-aid program, the Standards for Rehabilitation have been widely used over the years, particularly to determine if a rehabilitation qualifies as a Certified Rehabilitation for federal tax purposes. In addition, the Standards have guided federal agencies in carrying out their historic preservation responsibilities for properties in federal ownership or control and state and local officials in reviewing both federal and nonfederal rehabilitation proposals. They have also been adopted by historic preservation and planning commissions across the country.

The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials,

[6] Anne E. Grimmer, *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (Washington, D.C.: National Park Service, 2017), 76.

construction types, sizes, and occupancy and a building's site, environment, and associated landscape features, as well as attached, adjacent, or related new construction.

As stated in the definition, the treatment "rehabilitation" assumes that at least some repair or alteration of the historic building will be needed in order to provide for an efficient contemporary use; however, these repairs and alterations must not damage or destroy materials, features or finishes that are important in defining the building's historic character. For example, certain treatments – if improperly applied – may cause or accelerate physical deterioration of the historic building. This can include using improper repointing or exterior masonry cleaning techniques or introducing insulation that damages historic fabric. In almost all of these situations, use of these materials and treatments would result in a project that does not meet the Standards. Similarly, exterior additions that duplicate the form, material, and detailing of the structure to the extent that they compromise the historic character of the structure will fail to meet the Standards. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

Under CEQA, a project that conforms with the Secretary of the Interior's Standards can generally be considered to be a project that will not cause a significant impact (14 CCR § 15126.4(b)(1)). In most cases, a project that meets the Secretary of Interior's Standards can be considered categorically exempt from CEQA (14 CCR § 15331).[7]

The ten Standards for Rehabilitation are:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties will not be undertaken.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

[7] California Office of Historic Preservation, "California Office of Historic Preservation, Technical Assistance Series #1, California Environmental Quality Act (CEQA) and Historical Resources," 2001, accessed April 8, 2020, http://www.ohp.parks.ca.gov/pages/1054/files/ts01ca.pdf.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

7. Chemicals or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

IV. IMPACT ANALYSIS

The industrial complex at 1200-1310 Memorex Drive is proposed for demolition and replacement by a multistory data center, including server storage and office space. The significance of an historical resource is considered to be "materially impaired" when a project demolishes or materially alters the physical characteristics that justify the determination of an historical resource's significance (CEQA Guidelines §15064.5(b)). If the industrial complex at the subject property is demolished, the project would require the preparation of an EIR and a finding of a significant and unavoidable impact that could not be mitigated.

CEQA requires that all feasible mitigation be completed even if it does not mitigate below a level of significance (14 CCR § 15126.4(b)). Although recordation of a resource prior to demolition does not mitigate the physical impact on the resource, it serves a "legitimate archival purpose."[8] Documentation of historic buildings typically consists of Historic American Buildings Survey (HABS) recordation and the installation of a publicly visible, interpretive display at the property and/or offsite, at a relevant repository

[8] California Office of Historic Preservation, "California Environmental Quality Act (CEQA) and Historical Resources."

or other space in the public realm. Mitigation measures may also include the preparation of a narrated video walkthrough documenting the building and the collection of oral histories from relevant sources. These mitigation measures are discussed in detail below.

Historic American Buildings Survey (HABS) Recordation

HABS recordation is one of the most frequently required mitigation measures for historical resources subject to significant and unavoidable impacts. Prior to project implementation, the historical resource should be recorded to HABS standards established by the National Park Service, as detailed below.[9]

A. A HABS written report should be completed to document the physical history and description of the historical resource, the historic context for its construction and use, and its historic significance. The report should follow the standard outline format described in the *Historic American Buildings Survey Guidelines for Historical Reports* in effect at the time of recording. The report should be prepared by a professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History.

B. Large-format, black and white photographs of the historical resource should be taken and processed for archival permanence in accordance with the *HABS/HAER/HALS Photography Guidelines* in effect at the time of recording. The photographs should be taken by a professional with HABS photography experience. The number and type of views required should be determined in consultation with the local jurisdiction.

C. Existing drawings, where available, should be reproduced on archival paper. If existing drawings are not available, a full set of measured drawings depicting existing conditions should be prepared. The drawings should be prepared in accordance with the *Historic American Engineering Guidelines for Drawings* (Chapter 4.0 Measured Drawings) in effect at the time of recording. The drawings should be prepared by a professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architecture or Historic Architecture.

D. The HABS documentation, including the written report, large-format photographs, and drawings, should be submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. The documentation should be prepared in accordance with the archival standards outlined in the *Transmittal Guidelines for Preparing HABS/HAER/HALS Documentation* in effect at the time of recording. A professional who

[9] National Park Service, "HABS Guidelines," accessed April 8, 2020, https://www.nps.gov/hdp/standards/habsguidelines.htm.

meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History should manage production of the HABS documentation.

Video Documentation

Video documentation of the subject property would supplement HABS documentation by recording the exterior and interior of the industrial complex at 1200-1310 Memorex Drive as it appears prior to project implementation. Using visuals in combination with active narration, the documentation should include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. The documentation should be conducted by a professional videographer, preferably one with experience recording architectural resources, and produced in conjunction with a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth by the Secretary of the Interior's Professional Qualification Standards.

It is recommended that the video documentation be preserved in an electronic format that is cross-platform and nonproprietary. Like HABS documentation, archival copies of the video documentation should be submitted to appropriate repositories, such as the SCCHGS, Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. It may also be shared online via a freely accessible platform such as YouTube.

For a recent example of video documentation of an historic resource, see the video prepared by ARG and Stephen Schafer as part of the mitigation documentation package for 1500 Mission Street in San Francisco, California: https://www.youtube.com/watch?v=9ZpfcibWRgw&feature=youtu.be.

Interpretive Display

Interpretive displays vary widely in size, style, construction, and information capacity. Specifications for a particular interpretive display should consider a number of factors, including but not limited to the nature of the resource, the intended audience, and the location of the display. Although typically located at the subject property, offsite interpretive displays may be appropriate in certain cases, such as when the property is not publicly accessible for security or other reasons. In all instances, interpretive displays should be conducted by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards, in coordination with an exhibit designer.

Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200-1310 Memorex Drive. Onsite displays should be located in a prominent space, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200-1310 Memorex Drive and its operation during the property's period of significance.

Because of the nature of the proposed replacement project, however, the subject property may not be easily accessible by the public, and an offsite interpretive display may be recommended in place of or in addition to the onsite display. An offsite interpretive display should be located in a place with a connection to the subject property or its historical context. For example, the Computer History Museum in Mountain View may be an appropriate location for an interpretive display because of the substantial, contextual connection between the museum's mission and the subject property's significance within the development of the modern computer industry. The Computer History Museum also holds hundreds of Memorex Corporation artifacts and records in its repository, which would complement an interpretive display related to the subject property.

Oral History Collection

Oral history is a method of gathering and preserving the memories of people and communities, including personal commentaries of historical significance. Oral history interviews, which are typically conducted by an interviewer and recorded in an audio or video format, provide a fuller and more accurate account of an historical event or era by augmenting other archival materials. Recordings from an interview may be transcribed, summarized, and/or indexed and then placed in a physical library or other archival repository. They may also be made accessible electronically over the internet.[10]

Best practices for performing oral interviews are outlined by the Oral History Association (OHA), which was founded in 1966 and serves as the principal membership organization for those involved in the field of oral history.[11] The OHA outlines four key elements of oral history work, summarized below.

A. The first element of oral history work is preparation. This includes developing an oral history process appropriate for the project at hand; engaging interviewers; identifying and engaging candidates (called "narrators") for interviews; preparing an open-ended outline of themes to be covered and general questions to be asked during the interview; and locating an appropriate repository to house the finished oral histories and related documentation.

B. The second element of oral history work is the interview itself. Wherever possible, the interview should be conducted in a quiet location with minimal background noise. The interview should begin with a lead-in, given by the interviewer, with contextual information such as the names of participants, dates, location, and subject of the recording. Questions posed to the narrator should be open-ended, and the interviewer should ask follow-up questions seeking additional clarification, elaboration, and reflection.

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[10] For more information on conducting, preserving, and using oral interviews, see *The Oral History Manual, Third Edition*, by Barbara W. Sommer and Mary Kay Quinlan (Latham, MD: Rowman and Littlefield, 2018).
[11] "Best Practices," *Oral History Association*, accessed April 8, 2020, https://www.oralhistory.org/best-practices/.

C. The third element of oral history work is the preservation of original recordings. Although no particular format is mandated, it is recommended that electronic files be preserved in formats that are cross-platform and nonproprietary; redundant copies should be made as a contingency. Whenever possible, oral histories should be deposited in a public repository, such as a library or archive, with the capacity to ensure long-term, professionally managed preservation and public access.

D. The fourth and final element of oral history work is the matter of access and use. In order to enhance accessibility of oral history work, written documentation such as transcripts, indices with time tags, detailed descriptions of interview content should accompany audio or audio/digital files. Oral histories may also be made available electronically through a repository's online catalog or through a web endeavor, as a means of ensuring that the material is available to a broad public audience.

An oral history collection prepared for the proposed project would ideally focus on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. A good faith effort should be made to identify at least one former employee of the Memorex Corporation who was employed at the subject property and is willing to participate as an interviewee. A list of guests at the Memorex at Fifty Reunion, hosted at the Computer History Museum in Mountain View in 2011, may serve as preliminary list of potential narrators. Early research suggests that at least one attendee, Edward Seaman, was employed by Memorex in California prior to 1971 and is still alive today.[12]

Oral history audio and visual files collected as part of a mitigation effort for 1200-1310 Memorex Drive should be conducted by a professional oral historian and preserved in an accessible, electronic format and submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, Oral History Center at the Bancroft Library in Berkeley, and/or the Computer History Museum, which currently houses more than one hundred oral history interviews related to the development of the modern computer industry. In the event that no appropriate narrators are identified, or in the event that all potential narrators decline to participate, a memorandum should be prepared to document the project methodology and efforts.

[12] "Memorex at 50," CHM Oral History Collection, Lot X6304.2012, Catalog 102738692, Computer History Museum, Mountain View, CA.

PRESERVATION ALTERNATIVES ANALYSIS

1200-1310 Memorex Drive
Santa Clara, California

David J. Powers & Associates, Inc. | *September 2020*

Architecture
Planning
Conservation

Architectural
Resources Group

Architectural
Resources Group

Preservation Alternatives Analysis
1200-1310 Memorex Drive
Santa Clara, California

Draft – September 2020

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Appendix

Preservation Alternatives Graphics Package

1. INTRODUCTION

At the request of David J. Powers & Associates, Inc., Architectural Resources Group (ARG) has prepared this Preservation Alternatives Analysis for the proposed Memorex Data Center project at 1200-1310 Memorex Drive (APN 224-66-006) in Santa Clara. The subject property dominates an irregularly shaped block roughly bounded by Memorex Drive to the north, Ronald Street to the east, the Peninsula Subdivision MT2 rail line to the southwest, and light industrial properties to the west. Originally constructed in 1961 and expanded through various additions during the 1960s, the property features a multi-tenant office, warehouse, and paved surface parking (Figure 1). The complex was the original headquarters for Memorex Corporation, one of the many start-up electronics companies that catalyzed the Santa Clara Valley's transformation into Silicon Valley during the postwar era.

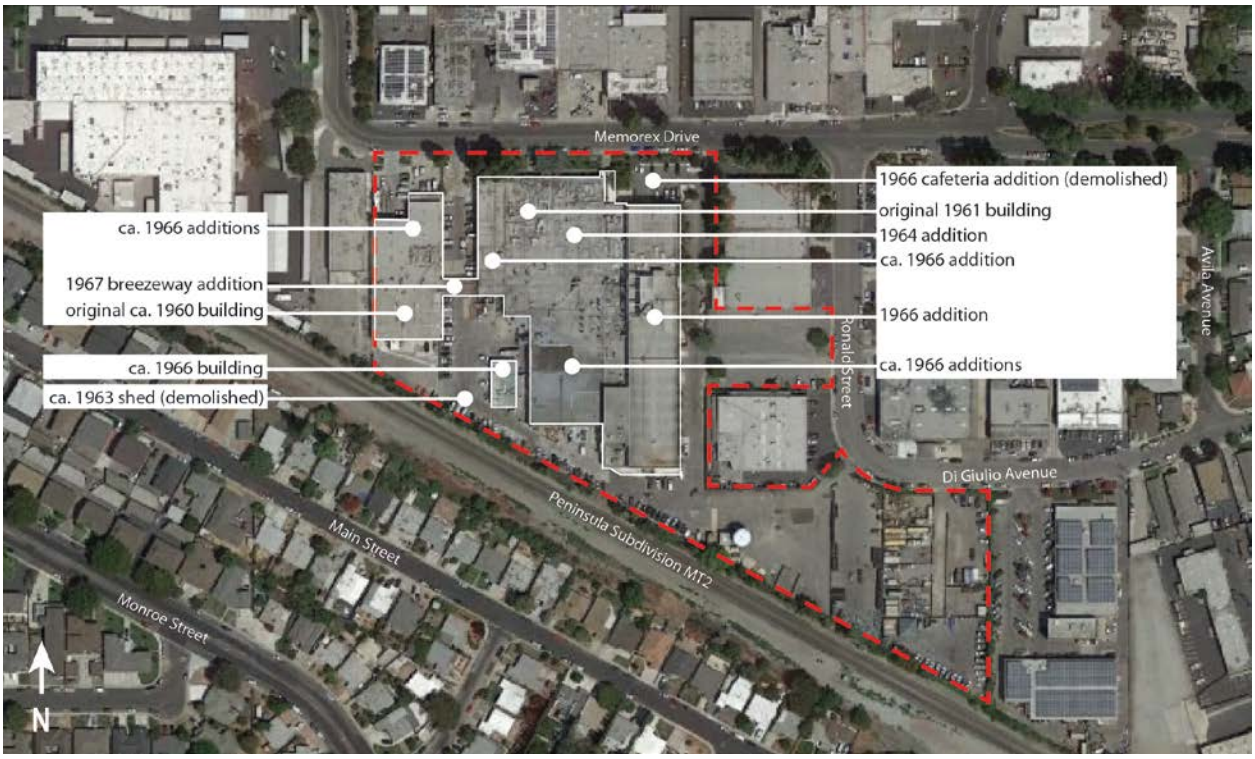

Figure 1. Site map of 1200-1310 Memorex Drive with construction dates for extant and demolished features (Google Earth, amended by author)

In December 2019, ARG prepared an Historic Resource Evaluation (HRE) Part 1 report for 1200-1310 Memorex Drive and found that the property qualifies for listing in the California Register of Historical Resources (California Register) under Criterion 1 for its association with the development of the modern electronics industry and the broader context of Silicon Valley's development in the 1960s and 1970s. Although currently occupied by several disparate commercial tenants, the former headquarters building retains a high level of integrity.[1] As such, the property is an individual historical resource for the purposes of environmental review under the California Environmental Quality Act (CEQA).

[1] Architectural Resources Group, "1200-1310 Memorex Drive, Santa Clara, California, Historic Resource Evaluation," prepared for David J. Powers & Associates, December 2019.

The proposed project includes the demolition of the existing buildings on the site and the construction of a four-story 472,920-square-foot data center building with an attached six-story 87,520-square-foot ancillary use office and storage component, totaling approximately 560,000 square feet in area. The project would also include the construction of 24 diesel-fueled engine generators on the southern portion of the site and an electrical substation on the eastern portion of the site. In April 2020, ARG prepared a preliminary impacts analysis for the demolition of the property, which concluded that the proposed project would result in a finding of a significant and unavoidable impact that could not be mitigated in the Memorex Data Center Environmental Impact Report (EIR) prepared under CEQA.

This report presents two preservation alternatives to the proposed project to be included in the Memorex Data Center EIR (see Table 1), as well as one alternative that was considered but rejected (see Section 4). Alternatives to a proposed project are developed to consider alternate schemes that would avoid or lessen significant project impacts resulting from demolition, additions, and related new construction. The following sections provide a description of the proposed project, the alternative considered but rejected, and the two preservation alternatives, as well as an evaluation of impacts associated with both preservation alternatives. Graphics illustrating the proposed project and the alternatives are appended.

Table 1: Summary of 1200-1310 Memorex Drive under the Proposed Project and EIR Alternatives

		EIR Alternatives	
	Proposed Project	**Preservation Alternative #1**	**Preservation Alternative #2**
Treatment of Historical Resources	Demolish all existing improvements on site.	Retain entirety of historical resources along Memorex Drive to a depth of 210’0” (former headquarters building) and 125’0” (former warehouse building).	Retain former headquarters building along Memorex Drive to a depth between 30’0” and 82’0”.
New Construction	New construction of a 4-story data center building with an attached 6-story ancillary use office and storage component, for a total of 560,440 sf. New construction of 24 three-MW diesel-fueled engine generators near the southern boundary of the site and a 150 MVA electrical substation on the eastern portion of the site.	New construction of 4-story data center to the rear of the retained portion of the former headquarters building. New construction of 12 three-MW diesel-fueled engine generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site. Retained portions of historical resources will be repurposed for office and storage use.	New construction of 4-story data center to the rear of the retained portion of the former headquarters building. New construction of 20 three-MW diesel-fueled engine generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site. Retained portions of historical resource will be repurposed for office use.
Building Height			
In Stories	Data Center Bldg: 4 stories Office/Storage Bldg: 6 stories	Data Center Bldg: 4 stories	Data Center Bldg: 4 stories
In Feet	87’0”	87’0”	87’0”
Building Area	Data Center Bldg: 472,920 sf Office/Storage Bldg: 87,520 sf Total: 560,440 sf	Data Center Bldg: 209,296 sf Office/Storage Bldg: 111,254 sf Total: 320,550 sf	Data Center Bldg: 444,513 sf Office/Storage Bldg: 46,185 sf Total: 490,698 sf

Methodology

The preservation alternatives presented in this report were developed with input from ARG, David J. Powers & Associates, Inc., and project architects Corgan. This analysis focuses on the treatment of the existing historical resource at 1200-1310 Memorex Drive, proposed alterations and new construction under each alternative, and the impacts of these changes on the character-defining features of the property as delineated in Section 2. The alternatives are evaluated for conformance with the Secretary of the Interior's Standards for Rehabilitation.

California Environmental Quality Act

This analysis examines the character-defining features that would be affected by each proposed alternative, and then determines whether the alternative would cause a significant impact to the historical resource per CEQA. To evaluate potential impacts of each alternative, this memorandum draws primarily on CEQA Guidelines Section 15064.5, "Determining the Significance of Impacts to Archaeological and Historical Resources." Relevant sections are presented below:

> (b) A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.
>
> (1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.
>
> (2) The significance of an historical resource is materially impaired when a project:
>
> (C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.
>
> (3) Generally, a project that follows the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1995, revised 2017), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.[2]

[2] California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, Article 5, Preliminary Review of Projects and Conduct of Initial Study (Sections 15060-15065), accessed August 28, 2020, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-5-preliminary-review-of-projects-and-conduct-of-initial-study.

Secretary of the Interior's Standards for the Treatment of Historic Properties

The Secretary of the Interior's Standards (Standards) for the Treatment of Historic Properties are a series of concepts developed by the U.S. Department of the Interior to assist in the continued preservation of a property's historical significance through the preservation of character-defining materials and features. They are intended to guide the appropriate maintenance, repair, and replacement of historic materials and to direct the design of compatible new additions or alterations to historic buildings. The Standards are used by federal, state, and local agencies to review both federal and nonfederal rehabilitation proposals.

In California, properties listed in, or formally determined eligible for listing in, the California Register or a local historic register qualify as historical resources under CEQA and must be considered in the environmental review process. (Resources formally determined eligible for, or listed in, the National Register of Historic Places are automatically listed in the California Register.) In general, a project involving a historical resource that has been determined to comply with the Secretary of the Interior's Standards can be considered a project that will not cause a significant impact on the historical resource per CEQA.

The Standards offer four approaches to the treatment of historic properties—preservation, rehabilitation, restoration, and reconstruction. The Standards for Rehabilitation (codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives program) address the most prevalent treatment. Rehabilitation is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."[3] The ten Standards for Rehabilitation are:

1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old

[3] National Park Service, Technical Preservation Services, "Standards for Rehabilitation," *The Secretary of the Interior's Standards*, accessed September 16, 2020, https://www.nps.gov/tps/standards/four-treatments/treatment-rehabilitation.htm.

in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

2. SUMMARY OF SIGNIFICANCE

The following statement of significance, description of the period of significance, and list of character-defining features for 1200-1310 Memorex Drive have been adapted from the December 2019 HRE report prepared by ARG.

Statement of Significance

The industrial complex at 1200-1310 Memorex Drive was constructed in 1961 as the first world headquarters for Memorex Corporation, one of the many start-up electronics companies that catalyzed the Santa Clara Valley's postwar transformation from a recently-industrialized, former agricultural region into a global center for technological innovation. Memorex Corporation holds particular significance within the context of the development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Because IBM dominated 71 to 83 percent of the global computer market at the time, its introduction of compatible computer equipment provided an important avenue for smaller electronics firms to establish themselves within the field.[4] Many other fledgling electronics companies released their own IBM-compatible plug-ins in subsequent years, and modern computer systems continue to accommodate singular components produced by disparate electronics companies.

Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and it developed and manufactured the product at the subject property in the late 1960s. As such, the property is eligible for listing in the California Register under Criterion 1 for

[4] Ross Knox Bassett, *To the Digital Age: Research Labs, Start-up Companies, and the Rise of MOS Technology* (Baltimore, MD: Johns Hopkins University Press, 2002), 222.

its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s.

Period of Significance

The period of significance for 1200-1310 Memorex Drive is 1961 through 1971, the period in which Memorex Corporation was headquartered at this location. Over this period, the original headquarters building (constructed in 1961) was expanded by the construction of a major addition across its eastern façade in late 1964; a second major addition across the eastern façade of the 1964 addition in 1966; an addition across the western façade of the 1961 building, also in 1966; and multiple rear additions constructed off the southern façade of the 1961 building and 1964 addition, constructed ca. 1966. A ca. 1960 warehouse building at the western edge of the property was also purchased by Memorex in October 1964 and connected to the main headquarters building by a breezeway in 1967. A smaller, freestanding storage building was constructed near the southwestern corner of the property ca. 1966. The subject property retains a relatively high degree of integrity with regard to the period of significance: the original buildings, major additions, and layout and circulation pattern of the site all remain intact.

Character-defining Features

A character-defining feature is an aspect of a building or structure's design, construction, or detail that is representative of its function, type, or architectural style. Generally, character-defining features include specific building systems, architectural ornament, construction details, massing, materials, craftsmanship, site characteristics, and landscaping built or installed within the period of significance. In order for an important historical resource to retain its significance, its character-defining features must be retained to the greatest extent possible.

Character-defining features of 1200-1310 Memorex Drive include those pertaining to the overall site as well as the former headquarters building.

Table 2. Character-defining Features
Site
Vehicular access from Memorex Drive, along the northern property boundary
Vehicular and pedestrian circulation through the site along north/south-oriented alleyways on either side of the original 1961 building and its additions and along one northwest/southeast-oriented alleyway along the southern property boundary
Exposed aggregate walkways and shallow stairs linking the primary entrances on the northern façade to the sidewalk along Memorex Drive
Paved surfaces throughout the site
All extant buildings, including the original 1961 headquarters building and its additions; the ca. 1960 warehouse building that was purchased and added to the property in 1964; and the ca. 1966 gable-roofed building located at the southern end of the property
North/south orientation of major building elements
Low-profile, landscaped vegetation at the northern façade of the 1961 building and its 1964 addition
Former Memorex Headquarters Building and Additions
Rectangular plan of building and additions, with primary façades fronting Memorex Drive
Broad, horizontal profile, with verticality emphasized through fenestration
One- to three-story height

Flat roofs with simple parapets
Steel-frame construction
Smooth stucco finish on exterior walls
Aluminum fixed windows throughout
Curtain walls with glazing and metal spandrel panels centered in the northern façade of the 1961 building and 1964 addition
Curtain walls with glazing and metal spandrel panels dominating the northern and, to a slightly lesser extent, the eastern façades of the 1966 three-story addition
Near-continuous glazing across the northern façade of the 1966 three-story addition and the eastern façade of the 1964 addition
Symmetrical curvilinear porch hood over the primary entrance to the 1961 building
Asymmetrical curvilinear porch roof with angular columns at the primary entrance to the 1964 addition
Physical connection (i.e., the ca. 1967 breezeway) between the main building and the ca. 1960 warehouse building
Loading facilities on the western and southern façades

3. PROJECT DESCRIPTION

The following project description was provided by the City of Santa Clara in the Notice of Preparation of a Draft Environmental Impact Report for the Memorex Data Center, issued July 17, 2020:

> The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440 square feet. The data center portion of the building would house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 60 megawatts (MW) of information technology (IT) power. Three floors of the data center portion of the building would consist of production data hall space, which requires backup power generation, while one floor would consist of development data hall space, which does not require backup power generation. The ancillary use portion of the building would be used for office (roughly 51,000 square feet) and storage uses.
>
> The project would also construct a total of 24 three-MW diesel-fueled engine generators on the south side of the building, with 16 primary generators providing 48 MW of backup power generation capacity and eight additional generators providing redundancy for the primary generators. Mechanical cooling equipment would be located on the roof of the building, with metal panel perimeter screening above the building parapet.
>
> The project would also construct a 150 megavolt amps (MVA) electrical substation on the eastern portion of the site. The substation would have three 50 MVA transformers, one of which would be redundant and would only become active if one of the other transformers fails. The substation capacity would be a nominal 100 MVA. The substation would have an all-weather asphalt surface underlain by an aggregate base. A 60 kilovolt (kV) overhead transmission line would be extended to the site to connect the substation to the existing electrical grid. The transmission line would form a loop, with the route starting on the east side of Lafayette Street and heading west on Shulman

Avenue to Memorex Drive. From there, the route would continue west to Ronald Street and then head south to Di Giulio Avenue to connect to the proposed substation. The route would then head east from the substation to Lafayette Street and turn north towards Mathew Street to close the loop. The transmission line would be supported by utility poles up to 85 feet in height.[5]

4. ALTERNATIVE CONSIDERED BUT REJECTED

Adaptive reuse of the historical resource, with no demolition of the exterior of the former Memorex headquarters building and ca. 1960 warehouse building, was considered but rejected due to this alternative's failure to meet project objectives. Reuse and interior alteration of these buildings (including the demolition of the mezzanines in the former headquarters building) would allow approximately 204,990 square feet of space for the proposed data center and ancillary office and storage uses, or about two-fifths of the approximately 560,000 square feet identified in project objectives. Additionally, reuse of the existing buildings would allow for the construction of only six generators, rather than the 24 identified in the project objectives. It is not a viable project alternative, because reuse of the former Memorex headquarters building and ca. 1960 warehouse building would greatly reduce the potential area of the proposed data center as well as the number of generators that the site could accommodate.

The graphics package detailing this alternative (identified as Alternative Considered but Rejected) is appended to this document. Due to its apparent inability to meet project needs, this alternative is not analyzed further in this report.

5. PRESERVATION ALTERNATIVE #1

Description of the Alternative

The following description of Preservation Alternative #1 was provided by the project sponsor. The graphics package detailing this alternative is appended to this document.

> Preservation Alternative 1 proposes to retain the entirety of historic resources along Memorex Drive to depths of 210 feet (former headquarters building) and 125 feet (former warehouse building) from the project boundary. Overall, this alternative would demolish 93,736 square feet and retain 111,254 square feet of the existing buildings on the site. This alternative would construct a four-story, 209,296-square-foot data center building behind the retained historic structures. The historic structures would be utilized for office (89,000 square feet) and storage (22,254 square feet). The combined square footage of the facility would be 320,550 square feet. The project would include 12 three-MW diesel-fueled engine generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site.

[5] City of Santa Clara Community Development Department, Planning Division, "Notice of Preparation of a Draft Environmental Impact Report for the Memorex Data Center and Notice of Public Scoping Meeting," July 17, 2020, 2-3.

Impacts

The purpose of Preservation Alternative #1 is to consider a plan that would retain a substantial portion of the historical resource at 1200-1310 Mission Street and adapt it for use as office space, while also integrating a new addition to house the data center. The intent is to present a plan that reduces the impact on the historic property while attempting to achieve many of the project objectives.

Preservation Alternative #1 would maintain a majority of the character-defining features and form of the existing historical resource as visible from Memorex Drive, the public right-of-way which bounds the property to the north. The primary (north) façades of the former Memorex headquarters building and the ca. 1960 warehouse building to its west would be retained to a depth of 210 feet and 125 feet from the northern boundary, respectively. Vehicular access from Memorex Drive would be retained, as would the exposed aggregate walkways along the north façade of the former headquarters building and its addition. The smooth stucco finish, aluminum windows and metal spandrel panels, and curvilinear porch roofs of the headquarters building would be preserved, along with the primary façade of the ca. 1960 warehouse building to its east. While the ca. 1966 gable-roofed building located at the southern end of the property would be removed under this preservation alternative, the building is not readily visible from Memorex Drive. Additionally, as this building did not historically contain offices or research and development facilities, it is of comparatively lesser significance with regard to the property's role in the development of Memorex's IBM-compatible hard disk drives in the late 1960s.

The new four-story addition to the rear of the headquarters building would be taller than the retained portion; this would somewhat diminish the horizontality of the headquarters building, which has been identified as a character-defining feature. However, the potential visual impact of new construction on the building is reduced because the addition would be set back 210 feet from the northern project boundary. The massing and flat roof of the addition would echo the form of the retained portions of the headquarters building, while also being clearly differentiated from the historical resource. No addition would be constructed to the rear of the warehouse building, as this space would be given over to 12 three-MW generators. Alterations to the retained portions of the headquarters and warehouse buildings would be limited to the interior in order to repurpose them for offices and storage.

Under Preservation Alternative #1, most of the character-defining features of the historical resource at 1200-1310 Memorex Drive would remain intact, such that the property would remain eligible for listing in the California Register. Because Preservation Alternative #1 retains a majority of the property's character-defining features and because new construction will be visibly differentiated from the existing buildings, this alternative appears to be in conformance with the Secretary of the Interior's Standards for Rehabilitation. Under CEQA, a project's impact will generally be considered mitigated below a level of significance and thus is not significant if it complies with the Standards.

5. PRESERVATION ALTERNATIVE #2

Description of the Alternative

The following description of Preservation Alternative #2 was provided by the project sponsor. The graphics package detailing this alternative is appended to this document.

> Preservation Alternative 2 proposes to retain the former headquarters building along Memorex Drive to a depth of between 30 feet and 82 feet from the project boundary. Overall, this

alternative would demolish 158,202 square feet and retain 46,185 square feet of the existing buildings on the site. This alternative would construct a four-story 444,513 square foot data center building behind the retained historic structure. The historic structure would be utilized for office (36,000 square feet) and storage (10,185 square feet). The combined square footage of the facility would be 490,698 square feet. The project would include 20 three-MW diesel-fueled engine generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site.

Impacts

The purpose of Preservation Alternative #2 is to consider a plan that would lessen the significant impacts of the proposed project on the existing historical resource while achieving a majority of project objectives. It would retain a portion of the headquarters buildings behind the north (primary) and east façades and adapt this space for office and lobby use. The ca. 1960 warehouse and ca. 1966 gable-roofed building would be demolished. New construction would be located the south (rear) and west of the retained portion of the headquarters building.

Preservation Alternative #2 would maintain several of the character-defining features on the primary and east façades of the former headquarters building, including a portion of its smooth stucco finish, alternating aluminum windows and metal spandrel panels, and curvilinear porch roofs. However, the proposed four-story addition to the south and west portion of the building would substantially alter the appearance of the building and its characteristic broad, low profile. The proposed new construction would also mean substantial alteration or loss of additional character-defining features of the former headquarters building and wholesale loss of the warehouse and gable-roofed building. New construction would occupy a much larger footprint than the existing building and be immediately discernible from Memorex Drive, which is the public face of the property.

In contrast to the Proposed Project, this alternative would retain a portion of the historical resource and meet many of the project objectives. However, the Preservation Alternative #2 would not result in a project with a less than significant impact. It does not appear to be in conformance with the Secretary of the Interior's Standards for Rehabilitation and would result in a greater visual and physical impact on the character-defining features of 1200-1310 Memorex Drive than Preservation Alternative #1. Preservation Alternative #2 would materially impair the historical resource and would not result in a project with a less than significant impact under CEQA.

6. CONCLUSION

Originally constructed in 1961 as the headquarters for Memorex Corporation, one of the many start-up electronics companies that catalyzed the development of Silicon Valley's technology sector, the property at 1200-1310 Memorex Drive is the location of the development and production of the first IBM-compatible hard disk drive. This invention launched the development of an entire field of plug-compatible, peripheral computer equipment and diversified the early electronics industry. The property is therefore eligible for listing in the California Register under Criterion 1 for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s.

The proposed project at 1200-1310 Memorex Drive would remove the existing buildings, including all of their historic materials, and alter the layout and circulation patterns of the site. As such, it would not comply with the Secretary of the Interior's Standards for Rehabilitation and constitutes a significant impact to this historical resource. Adaptive reuse of the historical resource, with no demolition of the exterior of the former Memorex headquarters building and ca. 1960 warehouse building, was an alternative considered but rejected due to its inability to provide the square footage and number of generators required to meet project objectives.

Two alternatives to the proposed project—Preservation Alternative #1 and Preservation Alternative #2—were developed and analyzed in this report. In ARG's professional opinion, Preservation Alternative #1 would maintain the majority of the character-defining features of the industrial complex despite a major southern addition, and this alternative would therefore result in a less-than-significant impact on the historical resource at 1200-1310 Memorex Drive. Preservation Alternative #2 would maintain the character-defining features of the former headquarters building along Memorex Drive, which bounds the property to the north, and along a portion of the east façade. However, the proposed new construction in the southern and western portions of the site would result in the demolition of the majority of the headquarters building as well as the ca. 1960 warehouse building and the ca. 1964 gable-roofed building. Although in contrast to the Proposed Project, the Preservation Alternative #2 would reduce impacts to the historical resource and meet several of the project objectives, it would not result in a project with a less than significant impact.

7. BIBLIOGRAPHY

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California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, Article 5, Preliminary Review of Projects and Conduct of Initial Study (Sections 15060-15065). Accessed August 28, 2020, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-5-preliminary-review-of-projects-and-conduct-of-initial-study.

City of Santa Clara Community Development Department, Planning Division. "Notice of Preparation of a Draft Environmental Impact Report for the Memorex Data Center and Notice of Public Scoping Meeting." July 17, 2020.

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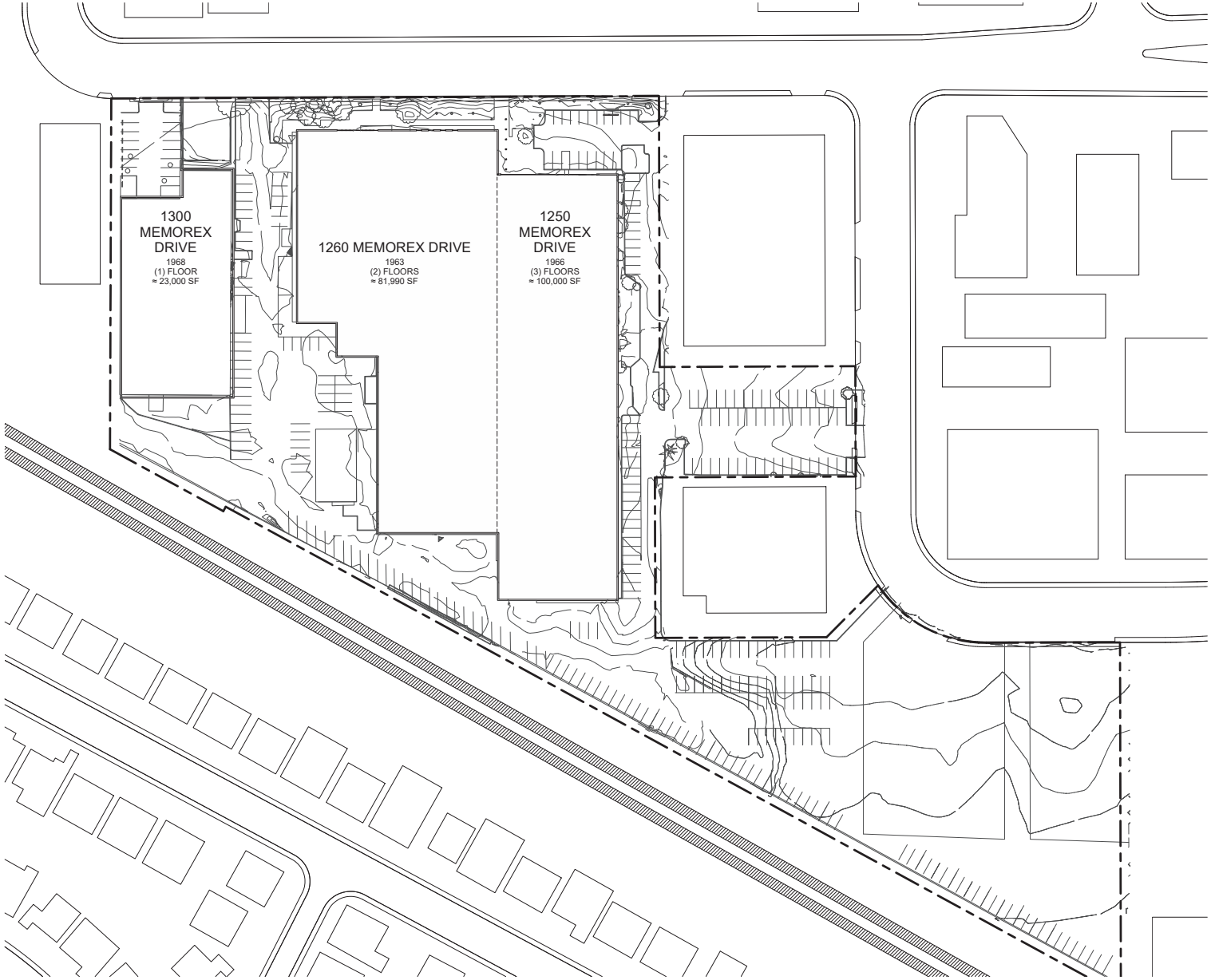
Appendix
Preservation Alternatives Graphics Package

Architectural
Resources Group



Project Number: 19110.0000

SKYBOX DATACENTERS

CRITICAL PROJECT SERVICES, LLC

CORGAN

EXISTING CONDITIONS

1" = 40'-0"

09.11.2020

00-0

This Document was produced by or under the authority of INSERT NAME HERE.

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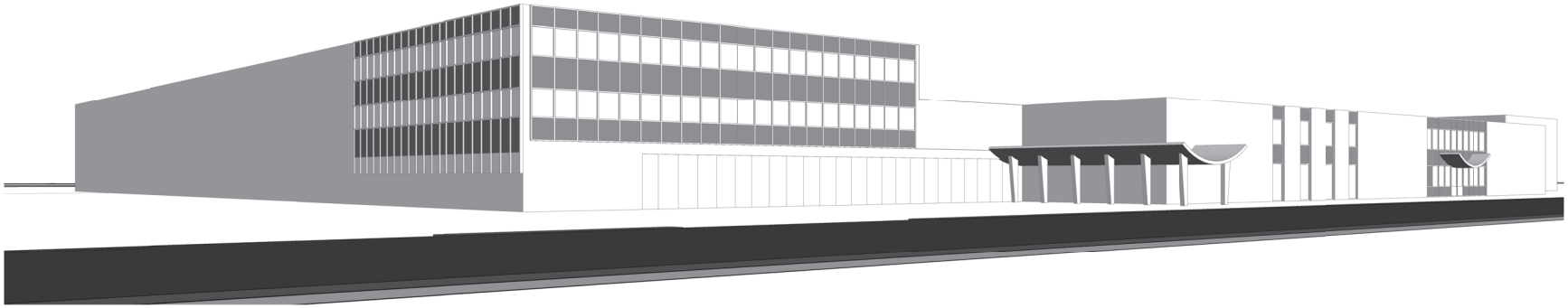
PROPOSED SCHEME	ALTERNATIVE
METRICS	METRICS
GROSS SF = 561,981 SF	GROSS SF = 204,990 SF
SF BUILDING RETAINED = 0 SF	SF BUILDING RETAINED = 199,410 SF
SF BUILDING DEMO = 204,990 SF	SF BUILDING DEMO = 5,580 SF
12 DATA HALLS = 227,064 SF	3 DATA HALLS = 30,472 SF
50 MW / 227,064 SF = 220 W/SF	6 MW / 30,472 SF = 196 W/SF
30 UPS ROOMS + 2 MMR ROOMS	6 UPS ROOMS + 1 MMR ROOM
24 GENERATORS	6 GENERATORS



Project Number: 19110.0000

SKYBOX DATACENTERS

CRITICAL PROJECT SERVICES, LLC

CORGAN

ALTERNATIVE CONSIDERED BUT REJECTED

1" = 1'-0"

09.11.2020

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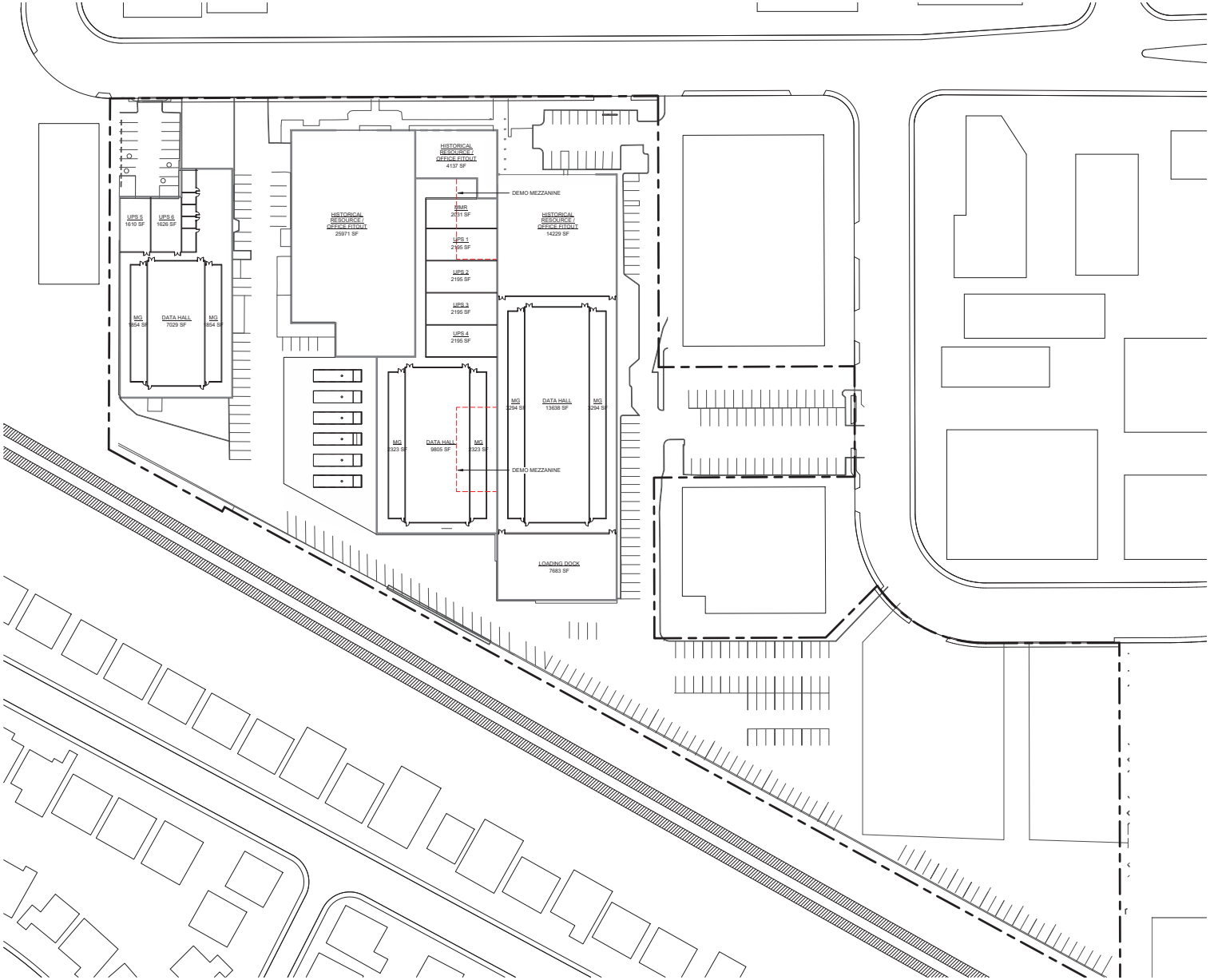

Project Number: 19110.0000

SKYBOX DATACENTERS

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ALTERNATIVE CONSIDERED BUT REJECTED

1" = 40'-0"

09.11.2020

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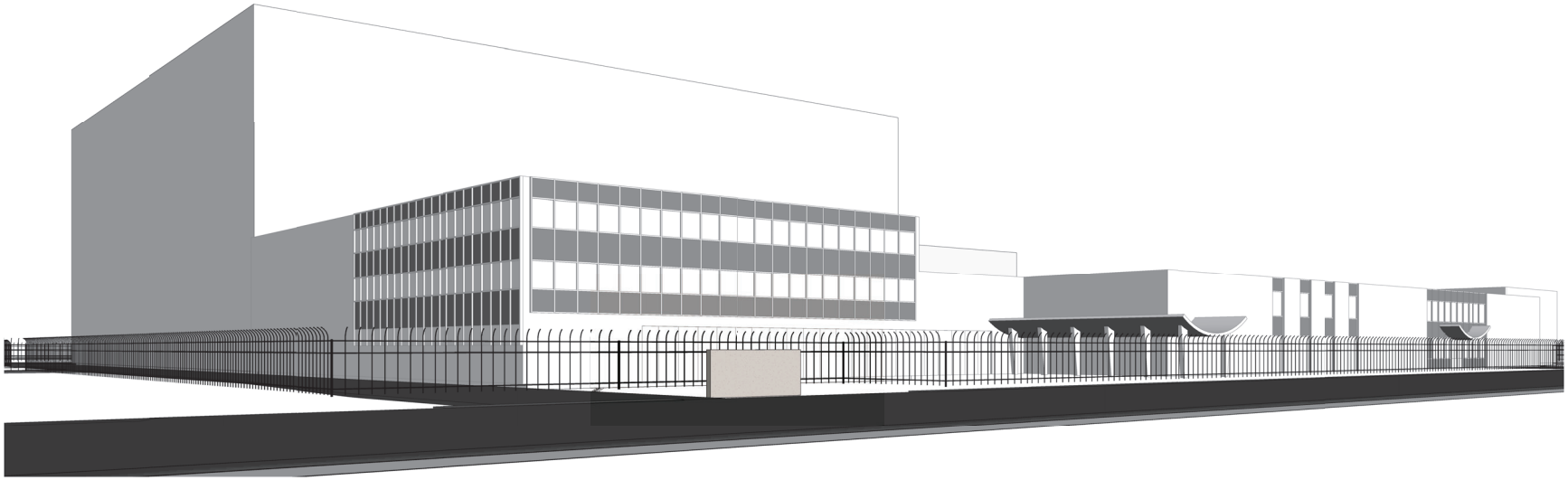
PROPOSED SCHEME	ALTERNATIVE 1
METRICS	METRICS
GROSS SF = 561,981 SF	GROSS SF = 320,550 SF
SF BUILDING RETAINED = 0 SF	SF BUILDING RETAINED = 111,254 SF
SF BUILDING DEMO = 204,990 SF	SF BUILDING DEMO = 93,736 SF
12 DATA HALLS = 227,064 SF	7 DATA HALLS = 69,362 SF
50 MW / 227,064 SF = 220 W/SF	18 MW / 69,362 SF = 260 W/SF
30 UPS ROOMS + 2 MMR ROOMS	12 UPS ROOMS + 2 MMR ROOMS
24 GENERATORS	12 GENERATORS



Project Number: 19110.0000

SKYBOX DATACENTERS

CRITICAL PROJECT SERVICES, LLC

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ALTERNATIVE 1 - HERO SHOT

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09.11.2020

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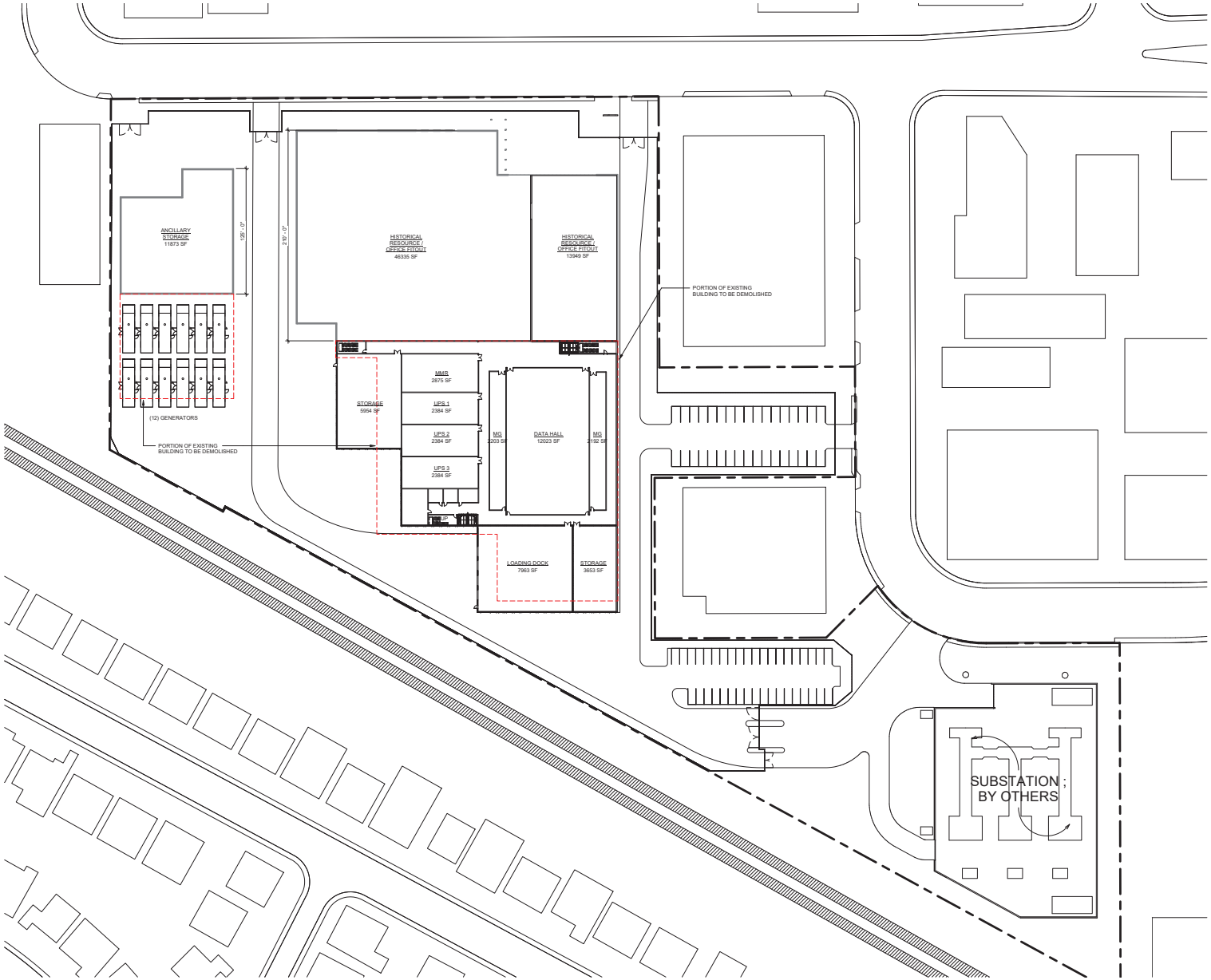

Project Number: 19110.0000

SKYBOX DATACENTERS

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ALTERNATIVE 1 - SITE PLAN

1" = 40'-0"

09.11.2020

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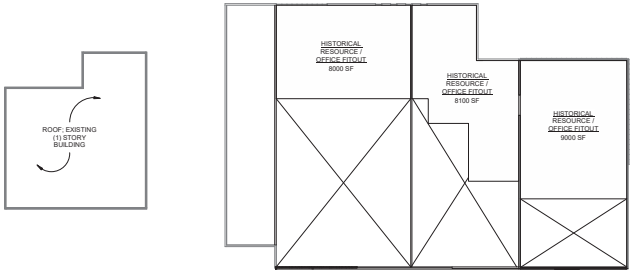
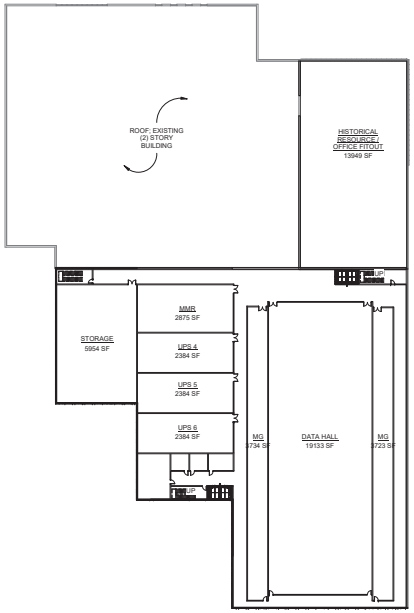
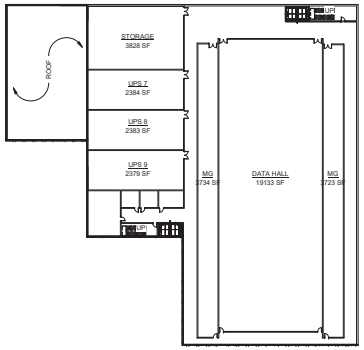


4 LEVEL 2 - HISTORICAL RESOURCE - ALT.1
1" = 40'-0"



1 LEVEL 2 - NEW BUILD - ALT.1
1" = 40'-0"



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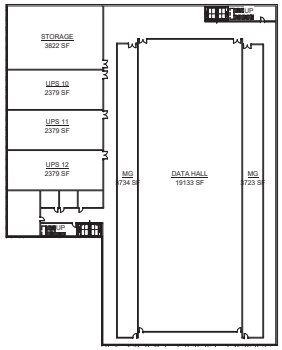

3 LEVEL 4 - NEW BUILD - ALT. 1
1" = 40'-0"

Project Number: 19110.0000

SKYBOX DATACENTERS

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ALTERNATIVE 1 - LEVEL 2 - 4

1" = 40'-0"
09.11.2020

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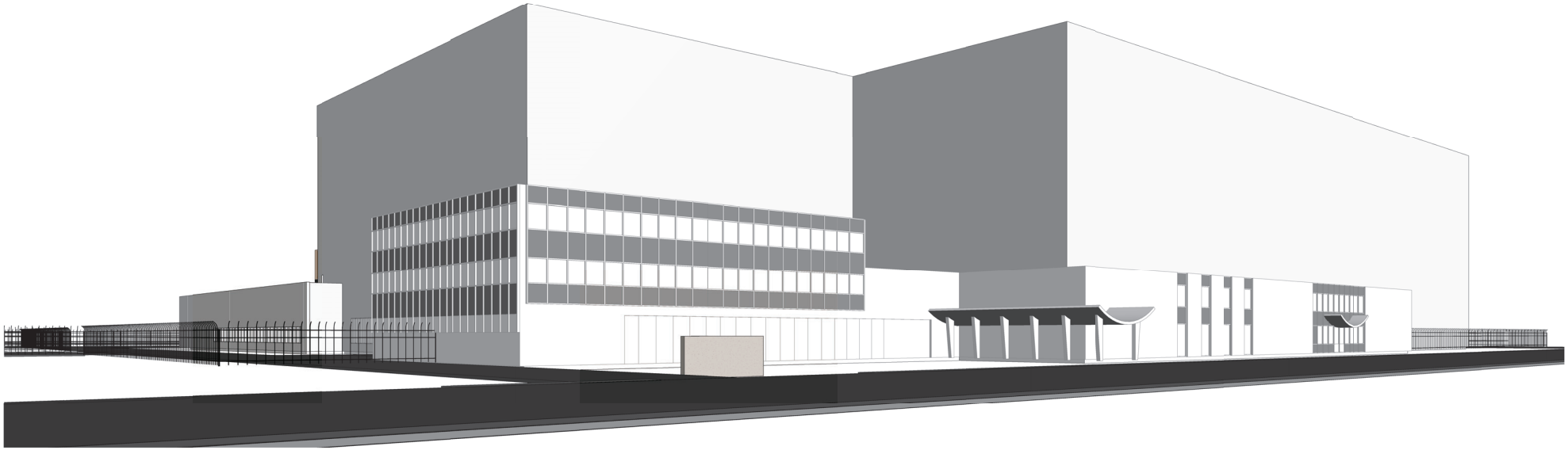
PROPOSED SCHEME	ALTERNATIVE 2
METRICS	METRICS
GROSS SF = 561,981 SF	GROSS SF = 490,698 SF
SF BUILDING RETAINED = 0 SF	SF BUILDING RETAINED = 44,115 SF
SF BUILDING DEMO = 204,990 SF	SF BUILDING DEMO = 160,875 SF
12 DATA HALLS = 227,064 SF	9 DATA HALLS = 172,190 SF
50 MW / 227,064 SF = 220 W/SF	40 MW / 172,190 SF = 232 W/SF
30 UPS ROOMS + 2 MMR ROOMS	20 UPS ROOMS + 2 MMR ROOMS
24 GENERATORS	20 GENERATORS



Project Number: 19110.0000

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ALTERNATIVE 2 - HERO SHOT

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09.11.2020

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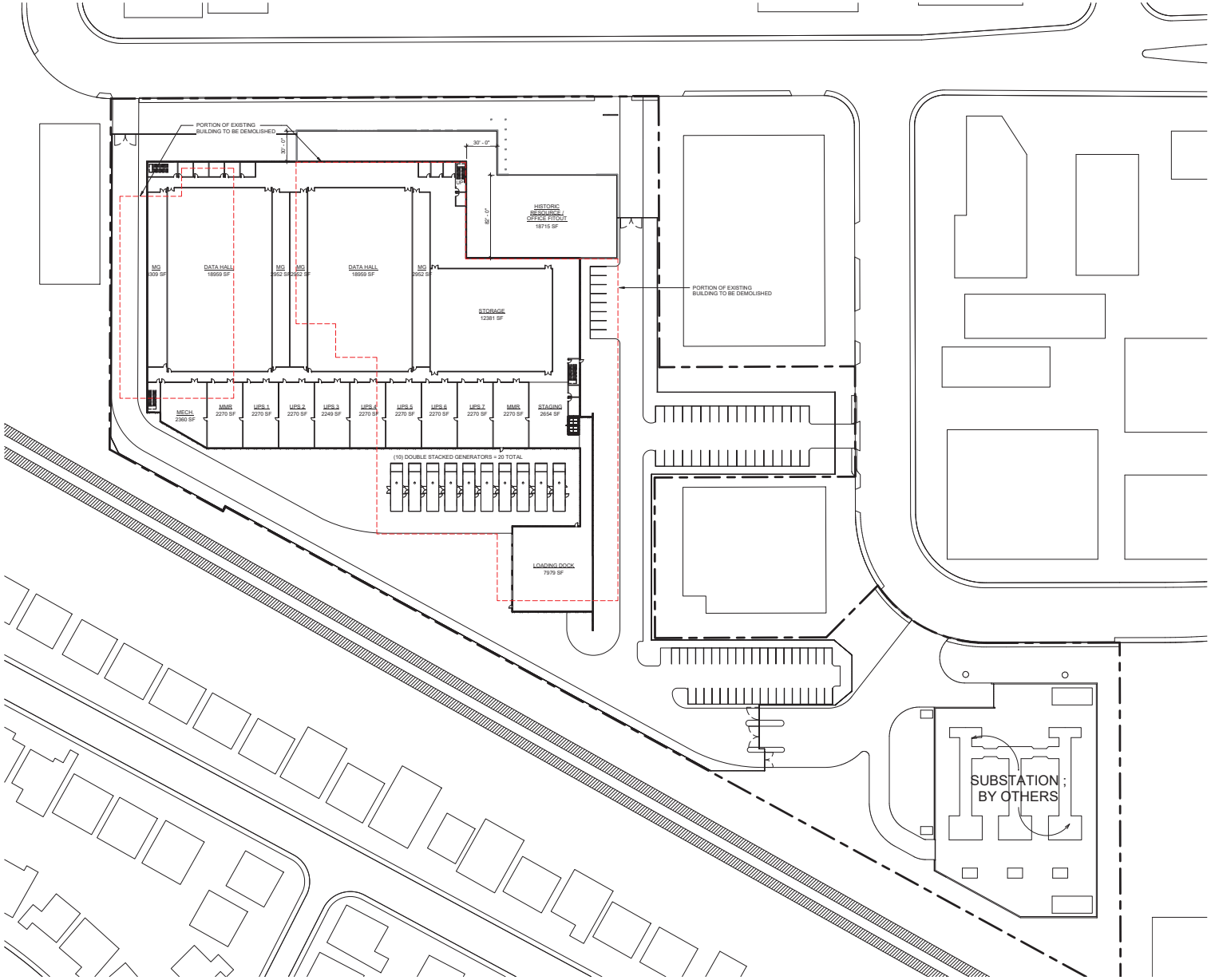

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ALTERNATIVE 2 - SITE PLAN

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09.11.2020

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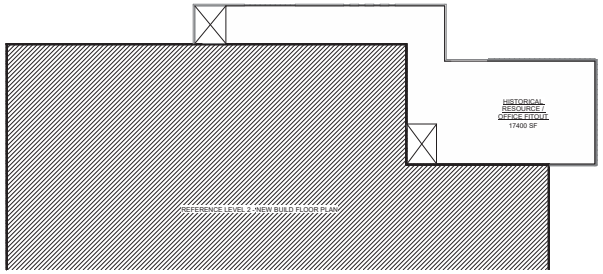

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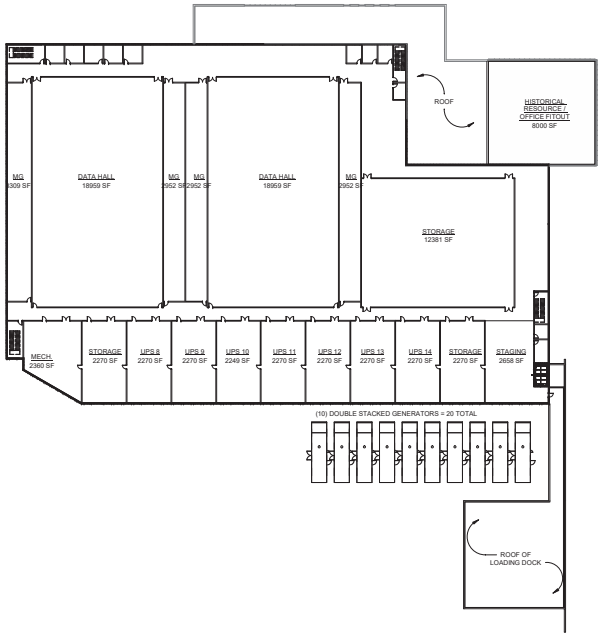

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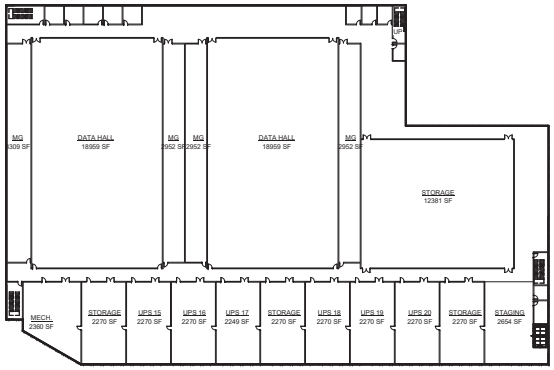

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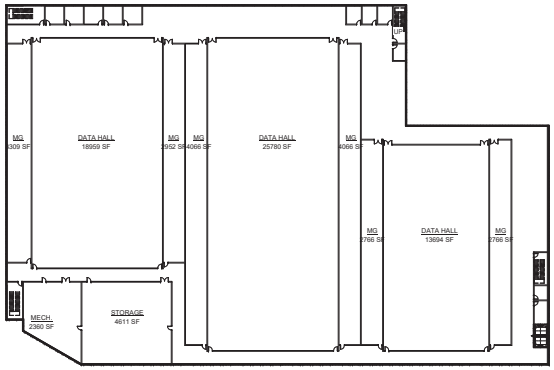

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Project Number: 19110.0000

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ALTERNATIVE 2 - LEVEL 2 - 4

1" = 40'-0"
09.11.2020

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1200 MEMOREX

PCC PACKAGE

SCOPE OF WORK
THE PROJECT PROPOSES TO DEMOLISH THE EXISTING IMPROVEMENTS ON THE SITE TO CONSTRUCT A FOUR-STORY 472,920 SQUARE FOOT DATA CENTER BUILDING WITH AN ATTACHED SIX-STORY 87,520 SQUARE FOOT ANCILLARY USE OFFICE AND STORAGE COMPONENT, FOR A COMBINED SQUARE FOOTAGE OF 560,440.

SKYBOX DATA CENTERS | CORGAN | CRITICAL PROJECT SERVICES, LLC | R+G RUTH AND GOING, INC. | REED ASSOCIATES LANDSCAPE ARCHITECTURE 477 SOUTH MAFFE STREET SUNNYVALE, CALIFORNIA 94086 | kW mission critical engineering

1200 Memorex - Santa Clara, CA

Development, Design, and Construction Anticipated Milestones

ACTIVITY	DATE
PCC Approval	4/09/2020
CEC CEQA Exemption	12/10/2020
Building Permit Issued	3/12/2021
Demolition Complete	5/24/2021
Grading Complete	6/21/2021
Building Shell Complete	6/13/2022
Interior Finish Out Complete	6/13/2022
Substantial Completion	**9/1/2022**

SHEET INDEX

SHEET NO.	SHEET NAME	PCC PACKAGE - 2019.06.05	PCC PACKAGE V2 - 2019.11.13	PCC PACKAGE V3 - 2020.03.01
00 - PCC				
A-110	SITE PLAN	■	■	■
A-121	LEVEL 1 FLOOR PLAN	■	■	■
A-122	LEVEL 2 FLOOR PLAN	■	■	■
A-123	LEVEL 3 FLOOR PLAN	■	■	■
A-124	LEVEL 4 FLOOR PLAN	■	■	■
A-125	OFFICE LEVEL - FLOOR PLANS	■	■	■
A-126	OFFICE LEVEL - FLOOR PLANS	■	■	■
A-130	ROOF PLAN	■	■	■
A-140	BUILDING SECTION	■	■	■
A-150	ELEVATIONS	■	■	■
A-151	ELEVATIONS	■	■	■
A-152	ELAVATIONS			
A-210	SITE PLAN - MP	■	■	■
A-221	LEVEL 1 FLOOR PLAN - MP	■	■	■
A-222	LEVEL 2 FLOOR PLAN - MP	■	■	■
A-223	LEVEL 3 FLOOR PLAN - MP	■	■	■
A-224	LEVEL 4 FLOOR PLAN - MP	■	■	■
A-225	OFFICE LEVEL - FLOOR PLANS - MP	■	■	■
A-226	OFFICE LEVEL - FLOOR PLANS - MP	■	■	■
A-230	ROOFTOP EQUIPMENT PLAN - MP	■	■	■
A-240	BUILDING SECTION - MP	■	■	■
G-000	COVER SHEET	■	■	■
G-100	PROJECT INFORMATION	■	■	■
H-100	HISTORIC RESOURCE ELEMENTS			■
06-CIVIL-PCC				
C-100	EXISTING SITE CONDITIONS	■	■	■
C-110	EXISTING UTILITY CONDITIONS	■	■	■
C-200	SITE ACCESS AND CIRCULATION PLAN	■	■	■
C-210	FIRE ACCESS AND APPARATUS DIAGRAM	■	■	■
C-211	ADJACENT PARCEL EXISTING FIRE SERVICE PLAN		■	■
C-300	PRELIMINARY GRADING AND DRAINAGE PLAN	■	■	■
C-400	PRELIMINARY SITE UTILITY PLAN	■	■	■
C-500	PRELIMINARY STORMWATER CONTROL PLAN	■	■	■
C-510	STORMWATER CONTROL DETAILS	■	■	■
C-520	PRELIMINARY STORMWATER CALCULATIONS	■	■	■
C-521	PRELIMINARY STORMWATER CALCULATIONS	■	■	■
06-LANDSCAPE-PCC				
L-1.0	LANDSCAPE PLANTING PLAN	■		
L-1.1	LANDSCAPE PLANTING PLAN	■		
L-2.0	LANDSCAPE HYDROZONE PLAN	■		
L-2.1	LANDSCAPE HYDROZONE PLAN	■		
L-100	LANDSCAPE PLANTING PLAN		■	■
L-101	LANDSCAPE PLANTING PLAN		■	■
L-102	EXISTING TREE PLAN		■	■
L-103	LANDSCAPE HYDROZONE PLAN		■	■
L-104	LANDSCAPE HYDROZONE PLAN		■	■
L-105	PRELIMINARY IRRIGATION PLAN			■
L-106	PRELIMINARY IRRIGATION PLAN			■
10 - ELECTRICAL-PCC				
E-100	LEGEND AND ABBREVIATIONS		■	■
E-101	MV ONE-LINE	■	■	■
E-102	ELECTRICAL SITE ROUTING PLAN	■	■	■
E-103	ELECTRICAL SITE DETAILS		■	■
E-104	ELECTRICAL SITE LIGHTING PLAN		■	■
E-105	SITE LIGHTING PHOTOMETRICS		■	■
E-106	LUMINAIRE SCHEDULE		■	■

PROJECT DATA AND CODE INFORMATION

PROJECT DATA			
PROJECT NAME:	1200 MEMOREX		
PROJECT ADDRESS:	1200 Memorex Dr. Santa Clara, CA 95050		
OWNER:	1200 Partners, LLC		
APPLICABLE CODES	NOTE:INCLUDED IN SPECIFICATION SECTION 014100 REGULATORY REQUIREMENTS		
BUILDING CODE:	2016 California Building Code		
ACCESSIBILITY CODE:	2016 California Building Code - Chapter 11B		
ELECTRICAL CODE:	2016 California Electrical Code		
ENERGY CODE:	2016 California Energy Code & 2016 California Green Building Standards		
FIRE CODE:	2016 California Fire Code		
MECHANICAL CODE:	2016 California Mechanical Code		
PLUMBING CODE:	2016 California Plumbing Code		
REGIONAL OR MUNICIPAL CODE:	City of Santa Clara Zoning and Local Amendments		
LIFE SAFETY INFORMATION			**REFERENCE**
			2016 CBC
USE OR OCCUPANCY CLASSIFICATION			
OCCUPANCY:	(S2) STORAGE		
TYPE OF CONSTRUCTION			
CONSTRUCTION TYPE:	II-A		
FIRE PROTECTION REQUIREMENTS			
BEARING WALLS: INT./EXT.	1		
NONBEARING WALLS: INT./EXT.	0 AND 1 @ WEST EXT. WALL		
ROOF / CEILING:	0 AND 1 @ <20 FEET FROM FLOOR.		
FLOOR/ CEILING:	1		
STRUCTURAL FRAME / COLUMNS:	1		
RATED SEPARATIONS:	1 BUILDING SEPARATION @ 2 HR.		
DESIGN LIMITATIONS	**MAX. ALLOWED**	**MAX. PROVIDED**	**2 HR. SEPARATION PLAN**
HEIGHT:	85' - 0"	83' - 6"	
AREA:	1. 121700 SF	1. 118230 SF	
	2. 117000 SF	2. 14585 SF	
# OF FLOORS:	1. 6	1. 4	
	2. 6	2. 6	
MEANS OF EGRESS	**MAX. ALLOWED**	**MAX. PROVIDED**	
TRAVEL DISTANCE TO EXIT:			
TOTAL OCCUPANT LOAD:			
EGRESS WIDTH PER OCCUPANT	**MIN. ALLOWED**	**PROVIDED**	
0.2" STAIRS:	0' - 0"	0' - 0"	
0.15" DOORS:	0' - 0"	0' - 0"	

PLUMBING FIXTURE REQUIREMENTS

FIXTURE	FEMALE # REQUIRED	FEMALE # PROVIDED	MALE # REQUIRED	MALE # PROVIDED	SINGLE USER # REQUIRED	SINGLE USER # PROVIDED
WATER CLOSETS	#	#	#	#	#	#
URINALS			#	#	#	#
LAVATORIES	#	#	#	#	#	#
SHOWERS	#	#	#	#	#	#

	SERVICE # REQUIRED	SERVICE # PROVIDED
SERVICE SINKS	#	#
DRINKING FOUNTAINS	#	#

PROJECT NARRATIVE

1200 Memorex

1.1.1 Existing Development
The 9.18-acre project site is located at 1200 Memorex Drive. The site is zoned ML-Light Industrial and has a General Plan designation of Light Industrial. The site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Roughly 100,000 square feet of active outdoor uses are located on the eastern portion of the site. Existing uses on the site are light industrial in nature and include operations such as aluminum plating, metal cleaning/polishing, a machine shop, construction contractors, a brewery, material storage, vehicle storage, and hauling. The vehicle storage and hauling operations are primarily located in the outdoor areas on the site.

1.1.2 Proposed Development
The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440. The structure would have a height of 87 feet to the top of building parapet. The data center portion of the building would house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 60 megawatts (MW) of information technology (IT) power. The ancillary use portion of the building would be used for office (roughly 51,000 square feet) and storage uses.

Three-quarters of the data center portion of the building would consist of production data hall space, which requires backup power generation, while the other quarter would consist of development data hall space, which does not require backup power generation. Standby backup emergency electrical generators would be installed to provide an uninterrupted power supply to the production data hall space. A total of 24 three-MW diesel-fueled engine generators would be located on the south side of the building, providing 48 MW of backup power generation capacity. Of the 24 proposed generators (16 critical & 8 redundant), 21 units would be located within a ground-level generator yard and three units would be located on the roof of the adjacent loading dock. Mechanical cooling equipment would be located on the roof with metal panel perimeter screening above the building parapet.

The project would also construct a 150 megavolt amps (MVA) electrical substation on the eastern portion of the site. The substation would have three 50 MVA transformers, one of which would be redundant and would only become active if one of the other transformers fails. The substation capacity would be a nominal 100 MVA. The substation would have an all-weather asphalt surface underlain by an aggregate base.

1.1.2.1 ***Site Access and Parking***
The site currently has four driveways on Memorex Drive and three driveways on Ronald Street/Di Giulio Avenue, all of which would be removed by the project. Access to the site would be provided by two new driveways on Memorex Drive and one new driveway on Di Giulio Avenue. The project would result in a net decrease in driveways accessing the site, reducing curb cuts and eliminating hazards associated with site distances from current driveways located near intersections and roadway bends.

Based on input from City staff, the project would be classified as a Storage use, which requires one parking space per 5,000 square feet of gross floor area. The office component (Business use), of the project would occupy less than 10 percent of the gross floor area and would be considered an ancillary use to the primary Storage use. As a result, the parking requirements for the Storage use would apply to the entire project. With a gross square footage of 560,440, and a required parking ratio of one space per 5,000 square feet, the project would be required to provide 112 spaces. The project proposes to provide 113 parking spaces in surface parking lots located on the eastern portion of the site. Five parking spaces would be ADA accessible, and 11 parking spaces would be dedicated for clean air vehicles. Electric vehicle charging stations would be located adjacent to the clean air vehicle spaces.

1.1.2.2 ***Building Height and Floor Area Ratio Variances***
The project would construct a building with a maximum height of 87 feet to the top of parapet, which would exceed the maximum height of 70 feet allowed under the ML – Light Industrial zoning designation. Additionally, the project would have a floor area ratio (FAR) of 1.40, which would exceed the maximum FAR of 0.6 allowed under the Light Industrial General Plan designation.

The project is requesting variances to allow building heights and FAR above those allowed in the Zoning Ordinance and General Plan. The building height and FAR variances would allow the project to maximize the efficiency of the proposed data center. By consolidating the data center equipment in a single large structure instead of multiple smaller structures, energy efficiency is increased and fewer resources are required for building operation and maintenance. Further, due to the low employment requirement of data centers, the proposed project would result in a decrease in vehicle trips and vehicle miles travelled associated with the site, even with the proposed increases in allowed height and FAR (see discussion below).

1.1.2.3 ***Vehicle Trips and Vehicle Miles Travelled***
Data centers result in fewer vehicle trips than typical light industrial uses because the building is primarily occupied by IT equipment and associated mechanical infrastructure. Few employees are required to operate the data center. While the project includes an office component, the office use is ancillary to the data center use and makes up less than 10 percent of the overall building square footage.

A preliminary assessment was completed to determine the net vehicle trip generation resulting from the project. Trip generation rates for existing uses on the site were based on the Institute of Transportation Engineers' (ITE) Trip Generation Manual, Tenth Edition's trip generation rates for general light industrial land uses (land use code 110). Trip generation rates for the proposed project were based on ITE rates for data centers (land use code 160) and general office buildings (land use code 710). The trip rates for existing uses were applied to 348,950 square feet of light industrial building area and roughly 100,000 square feet of active outdoor light industrial uses, resulting in an estimated total of 2,227 existing daily trips. For the proposed uses, the general office building trip rate was applied to the 51,000 square feet of office area, and the data center trip rate was applied to the remaining 509,440 square feet of the project, resulting in an estimated total of 1,001 daily project trips. Based on ITE trip rates, the project would result in a net reduction of 1,226 daily vehicle trips associated with the site. A reduction in daily vehicle trips would also result in a reduction in vehicle miles travelled (VMT). By reducing vehicle trips and VMT associated with the site, the project would result in a net reduction in air pollutants and greenhouse gas emissions associated with vehicle trips, and would reduce traffic congestion in the surrounding area. It should be noted that this assessment is preliminary and will be refined as part of the environmental review completed for the project.

1.1.2.4 ***Hazardous Materials Remediation***
Known contamination is present in the soils and groundwater on the site. The contamination is associated with historic uses by the Memorex Corporation, which manufactured magnetic tape on the site through approximately 1993. The site is subject to Regional Water Quality Control Board (RWQCB) oversight and cleanup requirements related to this contamination. Since 1993, uses on the site have included the use and storage of hazardous materials, and it is possible that additional contamination is present on the site in areas that have not been previously investigated. The project would complete soil, soil vapor, and groundwater quality investigations to determine the extent of contamination on the site. It is anticipated that the project would prepare a Site Management Plan (SMP) and a Health and Safety Plan (HSP) to establish appropriate protocols for handling and monitoring contaminated soil, soil vapor, and groundwater, and to determine what remediation measures are necessary. As a result, the project would facilitate the remediation of contamination on the site. Additionally, current uses on the site such as aluminum plating and metal cleaning/polishing likely involve the use and storage of hazardous materials. The proposed data center project would not involve the use or storage of hazardous materials, representing an improvement over existing condition. Further, by developing a data center on the site, the project would eliminate the potential for additional hazardous materials releases to occur from other light industrial uses that may otherwise occupy the site in the future.

1.1.2.5 ***Power Usage Effectiveness, Energy Efficiency, and Water Conservation***
Power Usage Effectiveness (PUE) is a metric used to compare the operating efficiency of data center facilities. PUE is defined as the ratio of total power use of a facility to the power used strictly by the information technology (IT) equipment (e.g. PUE=Total Facility Power/IT Equipment Power). For example, with a PUE of 2.0 a data center would use two watts of total power for every one watt of power used by the IT equipment. The annualized PUE for the proposed data center would be less than 1.29, which is on the low/efficient end of the scale for data centers in the area.

The project includes a variety of measures to minimize total power usage of the data center. Due to substantial cooling requirements, the primary method for achieving energy efficiency in data centers is through the cooling system. The proposed data center would maximize efficiency by utilizing direct outside air economization, economized chillers, or DSE cooling units, reducing energy consumption and eliminating the requirement for large quantities of water utilized for cooling purposes by other data centers in the area.

1.1.2.6 ***Landscaping and Stormwater Control***
Currently, landscaping on the site is sparse. Mature trees are located on the site's frontage with Memorex Drive, and additional trees and shrubbery are located along portions of the site's perimeter. Although the project would remove some of the existing trees and landscaping on the site, the project would plant replacement trees that would meet or exceed required replacement ratios, resulting in an increase in trees and landscaping on the site.

The project would result in a decrease in the amount of impervious area on the site. Storm drainage runoff from the site's impervious surfaces would be directed to treatment systems before being collected in a series of pipes sized for a 10-year storm event in accordance with the City's design requirements. These pipes would ultimately leave the site, connecting to the existing City storm drainage pipes in Memorex Drive and/or Di Giulio Avenue. No new off-site storm drain facilities are anticipated to serve the project. Since redevelopment of the site would not increase the storm drain runoff compared to existing conditions, the project would have no adverse impact on the existing City storm drainage system downstream of the site.

The goal of project is to ensure that the final design incorporates an efficient program of best management practices (BMP's) as appropriate to the site conditions and urban runoff pollution prevention requirements. To this end, development of the property shall comply with the requirements of the California Regional Water Quality Control Board, San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP). The project would implement site design measures, source control measures and treatment systems into the site design in accordance with Provision C.3 of the MRP. The project would also employ treatment control measures (TCMs) as appropriate based upon site specific design to achieve stormwater requirements for urban runoff pollution.

Project Number: 19110.0000

SKYBOX CORGAN CRITICAL kW

PROJECT INFORMATION

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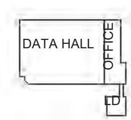

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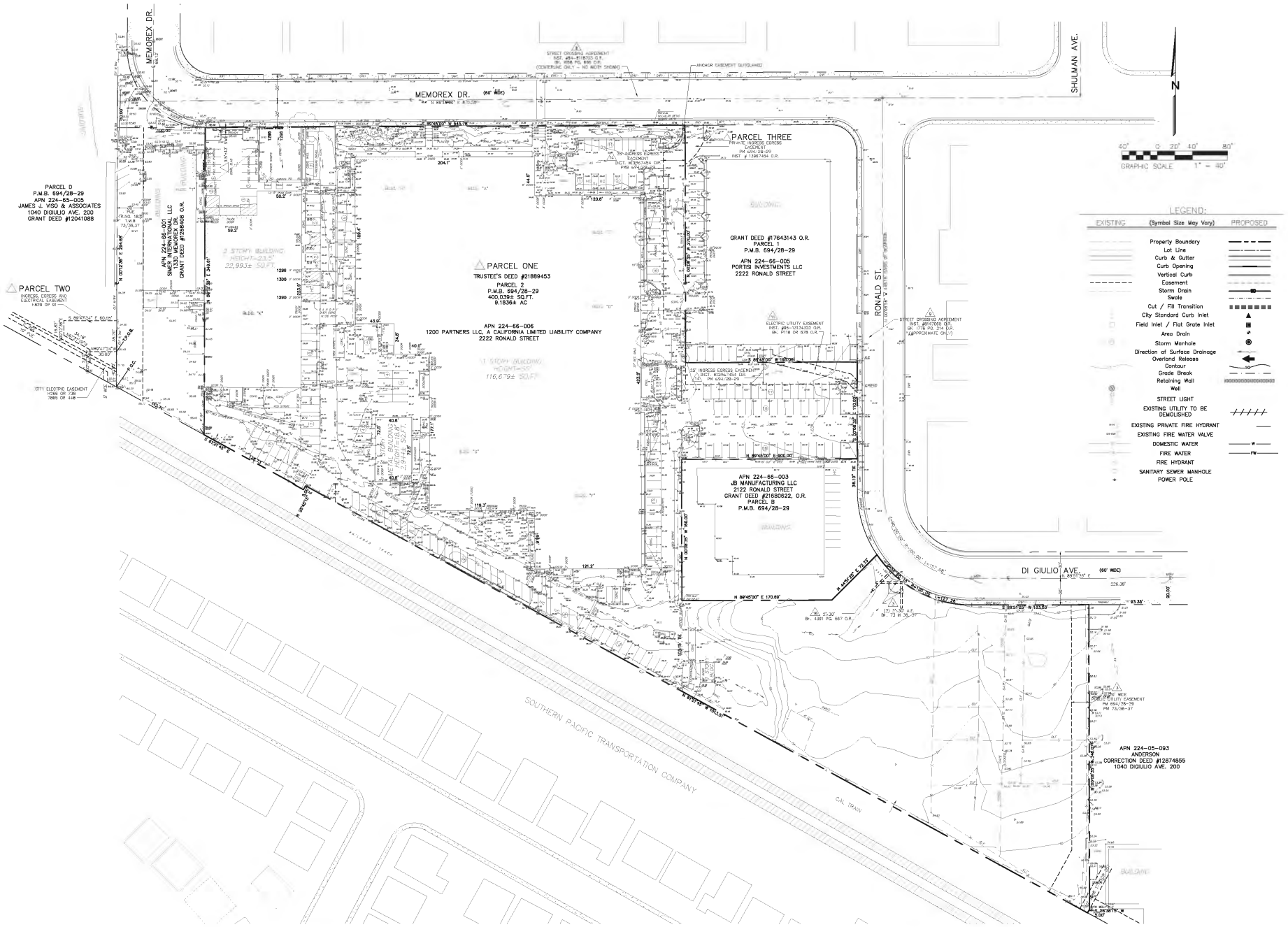

Project Number: 19110.0000

SKYBOX CORGAN RG RUTH AND GOING, INC. CRITICAL PROJECT SERVICES, LLC kW mission critical engineering REED ASSOCIATES LANDSCAPE ARCHITECTURE

EXISTING SITE CONDITIONS

04.09.2020

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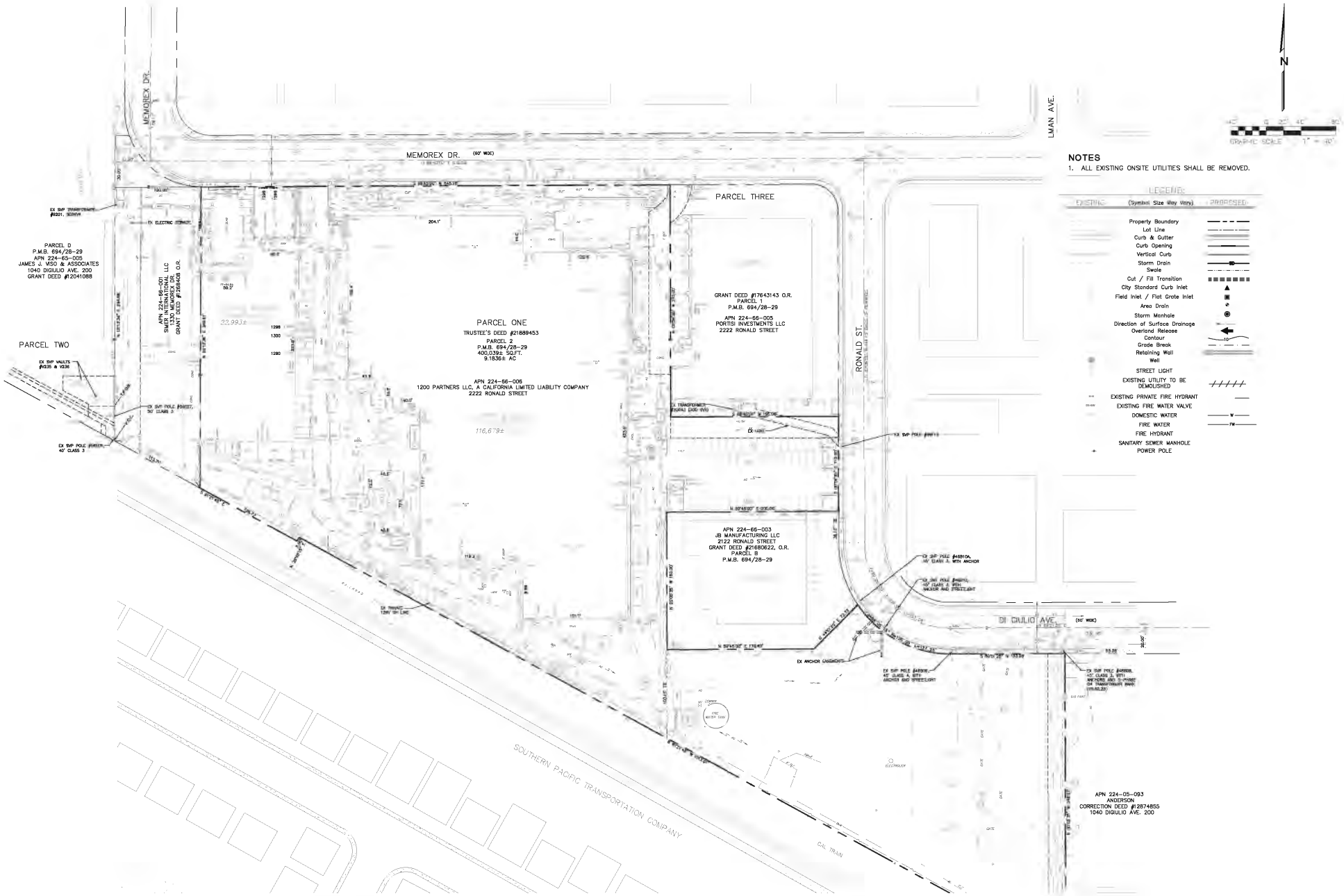

Project Number: 19110.0000

SKYBOX

CORGAN

R·G RUTH AND GOERING, INC.

CRITICAL PROJECT SERVICES, LLC

kW mission critical engineering

REED ASSOCIATES LANDSCAPE ARCHITECTURE

EXISTING UTILITY CONDITIONS

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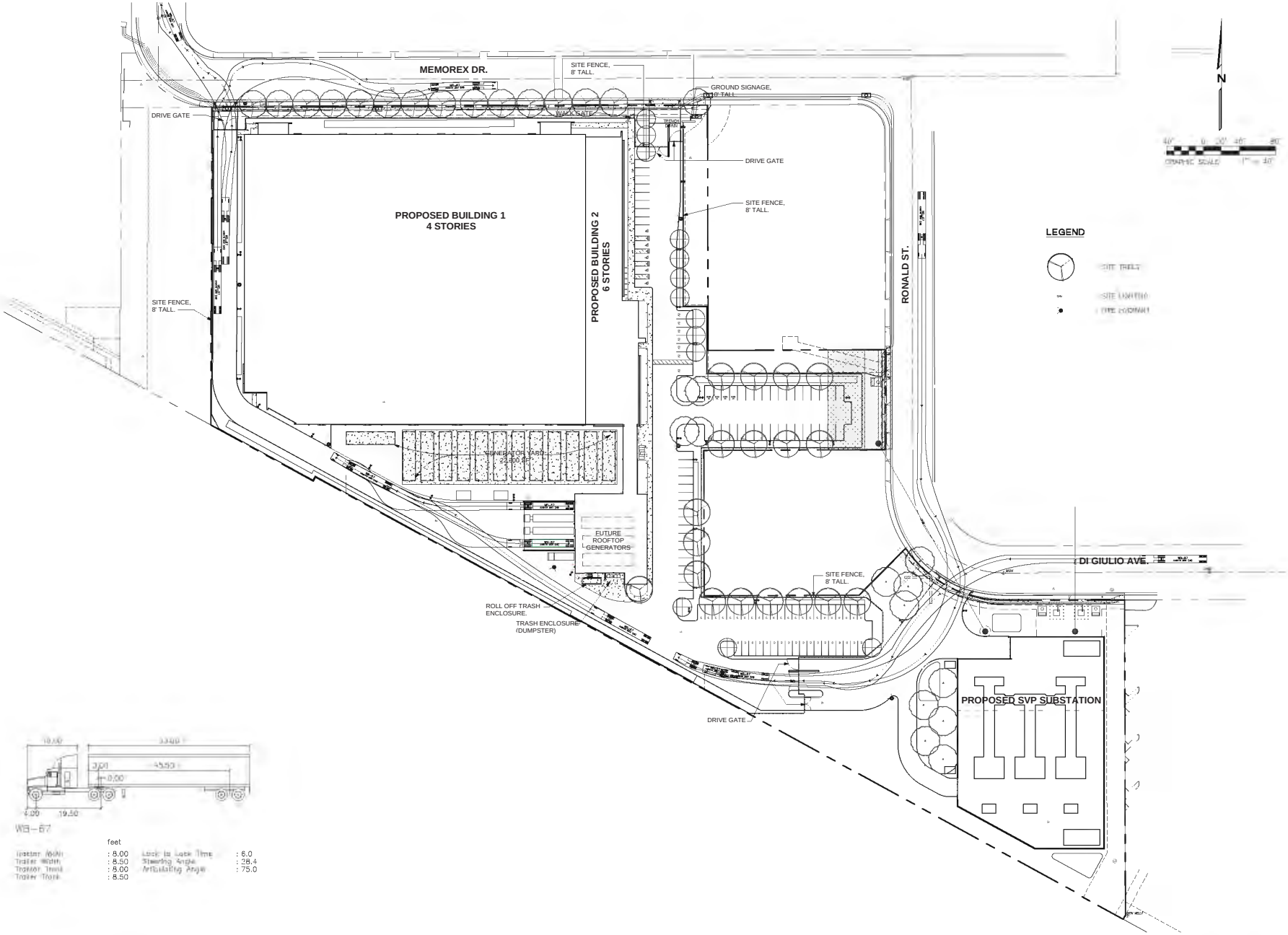

Project Number: 19110.0000

SKYBOX CORGAN R-G RUTH AND GOING, INC.

CRITICAL PROJECT SERVICES, LLC kW mission critical engineering REED ASSOCIATES LANDSCAPE ARCHITECTURE

SITE ACCESS AND CIRCULATION PLAN

04.09.2020

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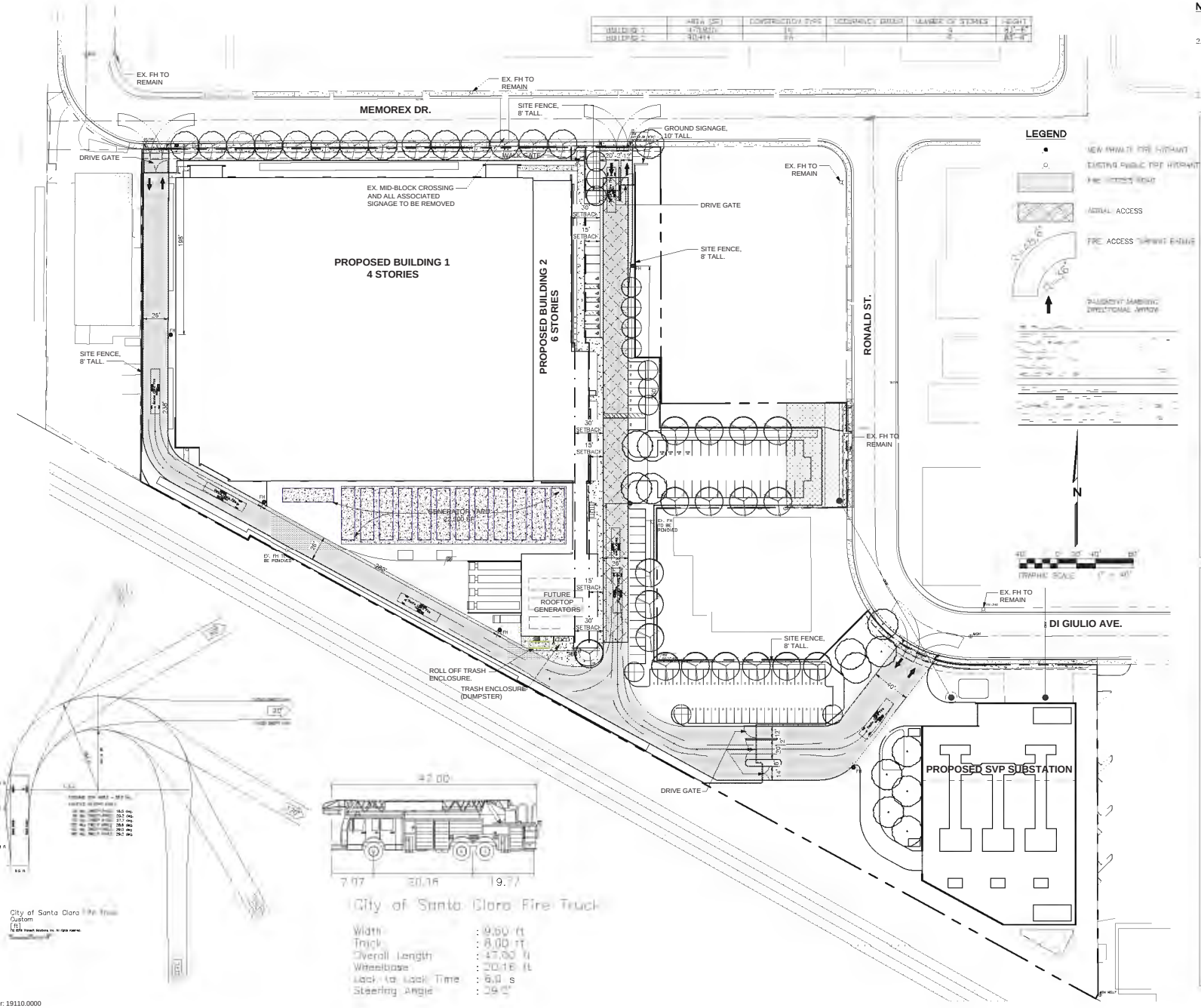
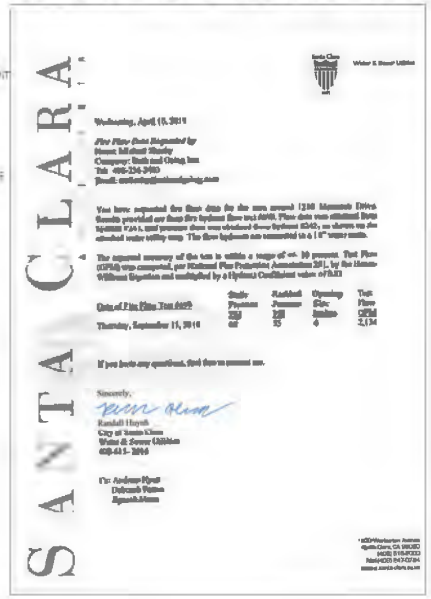
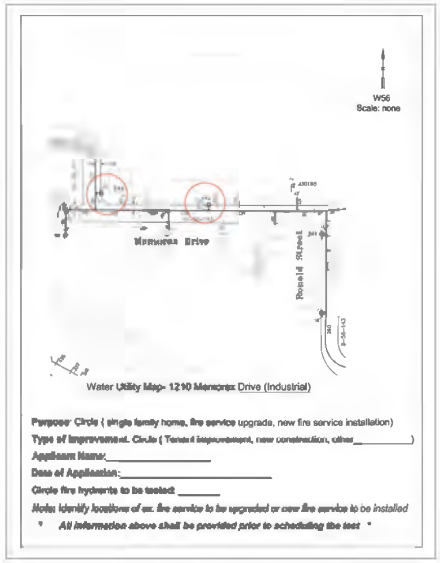


NOTES

1. SECURITY GATES SHALL BE EQUIPPED WITH OPTICOM SWITCH OR APPROVED ALTERNATIVE FOR FIRE DEPARTMENT ACCESS.
2. SCFD DEFICIENCY: ALL PORTIONS OF THE BUILDING (SOUTH WALL NEAR THE GENERATORS) ARE NOT WITH 150 FEET FROM AN APPROVED FIRE DEPARTMENT ACCESS ROAD. THE DIMENSION OF 150 FEET IN RELATION TO FIRE DEPARTMENT ACCESS IS COMMONLY REFERRED TO AS HOSE PULL DISTANCE. HOSE PULL IS MEASURED ALONG THE PATH THAT SIMULATES THE ROUTE A FIRE FIGHTER MAY TAKE TO ACCESS ALL PORTIONS OF THE EXTERIOR OF A STRUCTURE FROM THE NEAREST FIRE ROAD.
3. WARM: PROJECT DESIGN TEAM WILL SUBMIT AN AMM TO SCFD PROPOSING TO INCREASE BLDG FIRE SPRINKLER DENSITY TO SATISFY DEFICIENCY DURING PERMIT DOCS.





Project Number: 19110.0000

SKYBOX CORGAN R+G RUTH AND GOING, INC. CRITICAL PROJECT SERVICES, LLC KW mission critical engineering REED ASSOCIATES LANDSCAPE ARCHITECTURE

FIRE ACCESS AND APPARATUS DIAGRAM

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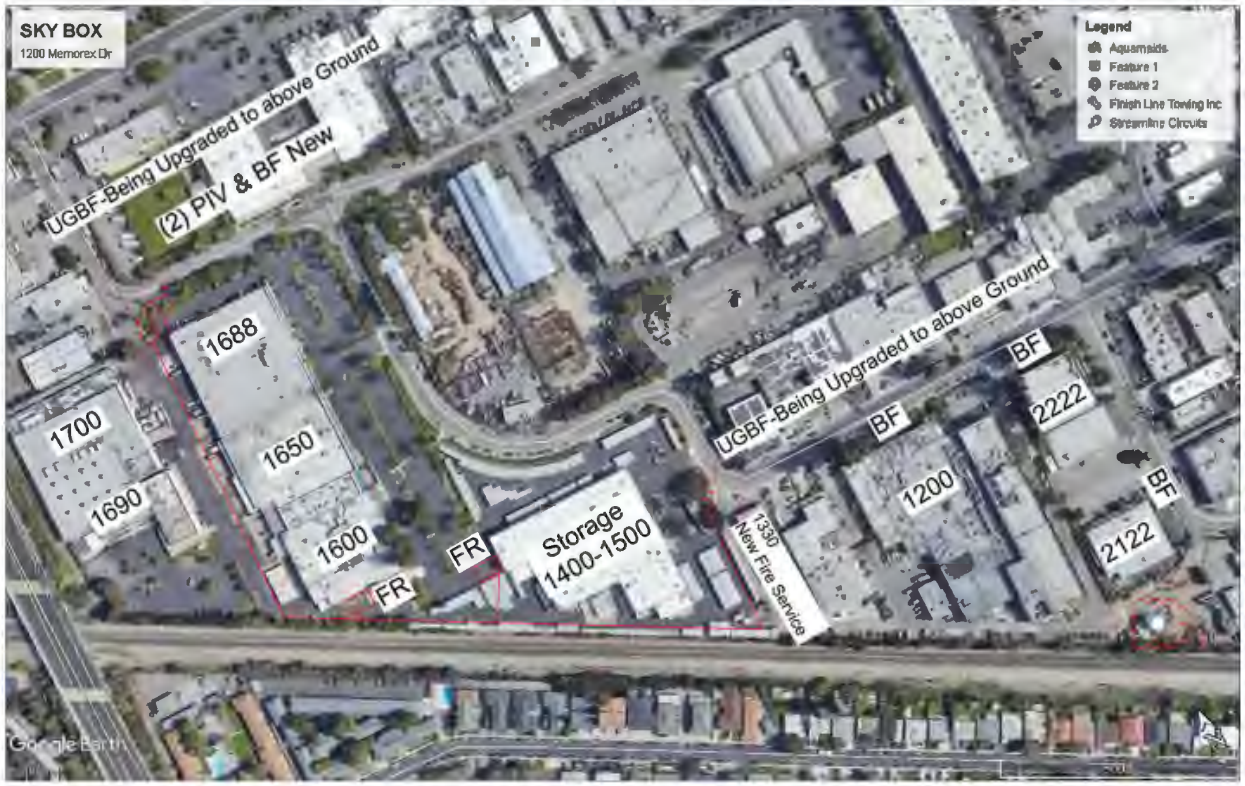

ABBREVIATIONS

1700	ADDRESS NUMBER
BF	OSC BACKFLOW
FR	FIRE RAISER
PIV	POST INDICATOR VALVE
UGBF	UNDERGROUND BACKFLOW

ADJACENT FIRE PERMITS

PERMIT #	ADDRESS
18-1101	1688 & 1700 RICHARD AVE
18-1004	1600, 1650 & 1690 RICHARD AVE

Project Number: 19110.0000

SKYBOX CORGAN R-G RUTH AND GORNO, INC. CRITICAL kW REED ASSOCIATES

ADJACENT PARCEL
EXISTING FIRE SERVICE PLAN

04.09.2020

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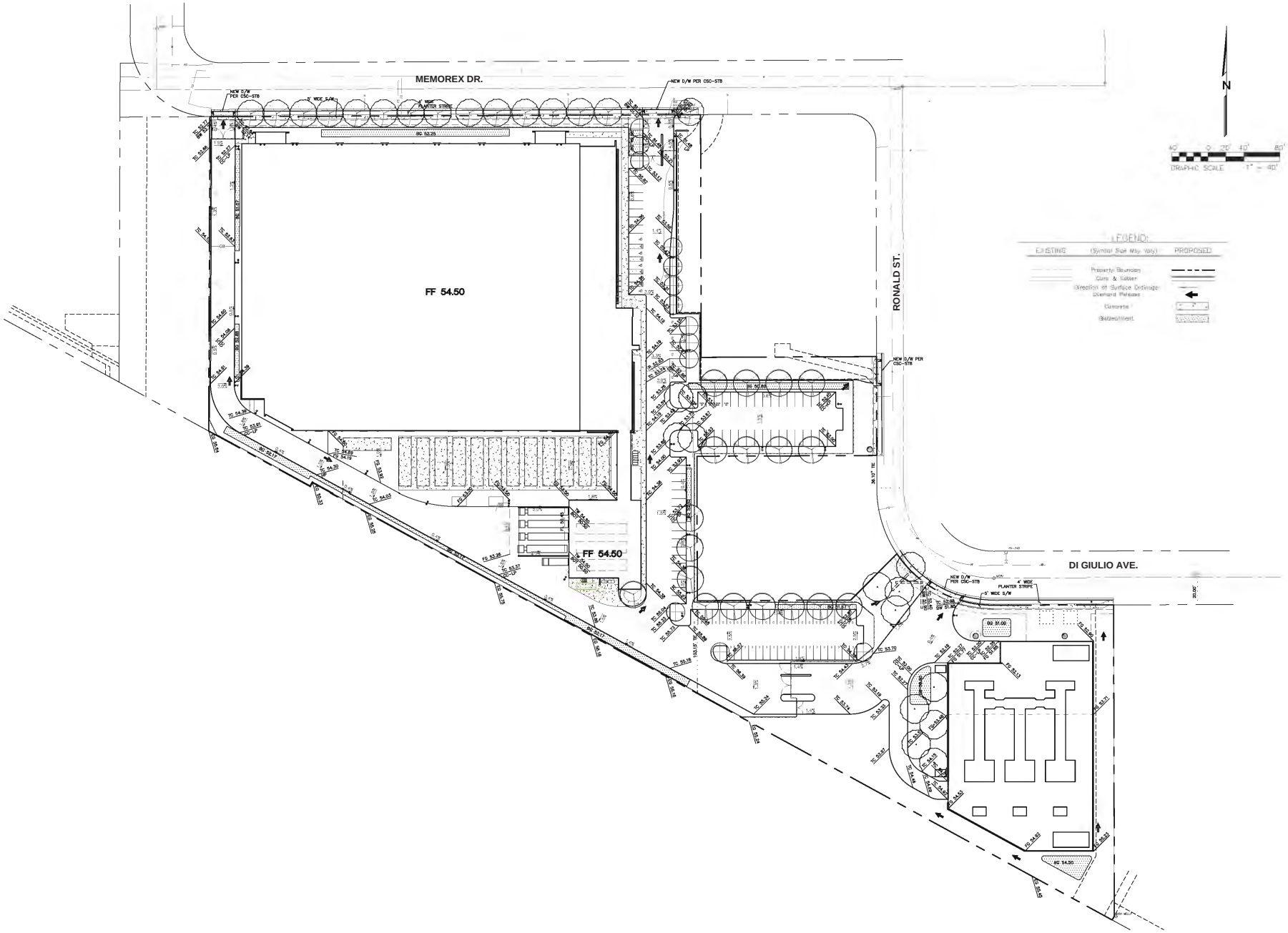

Project Number: 19110.0000

SKYBOX

CORGAN

RG RUTH AND GOENA, INC.

CRITICAL PROJECT SERVICES, LLC

kW mission critical engineering

REED ASSOCIATES LANDSCAPE ARCHITECTURE

PRELIMINARY GRADING AND DRAINAGE PLAN

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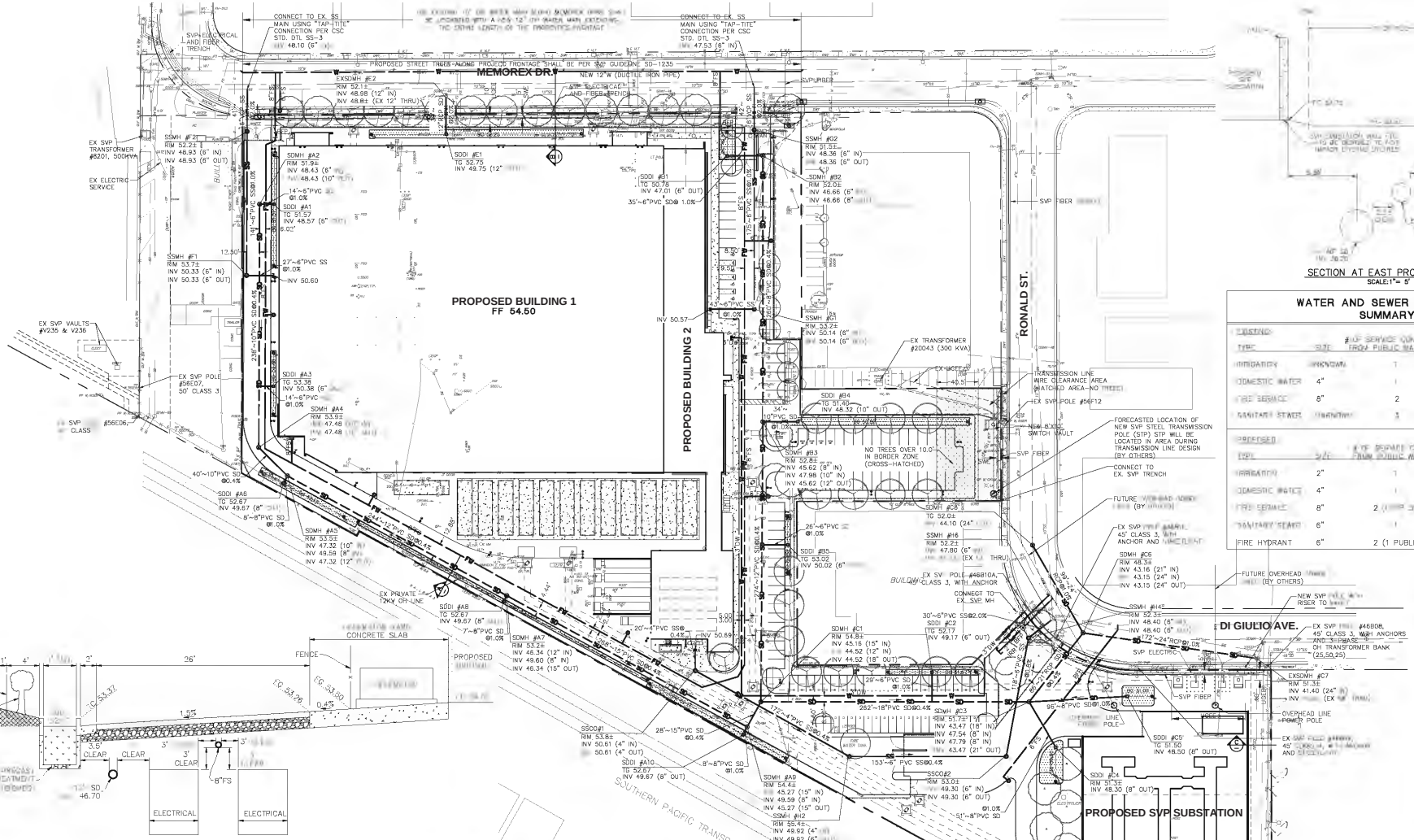

WATER AND SEWER SERVICE LATERAL SUMMARY TABLE

EXISTING TYPE	SIZE	# OF SERVICE CONNECTIONS FROM PUBLIC WATER MAIN	DISPOSITION
IRRIGATION	UNKNOWN	1	TO BE ABANDONED PER CSC STANDARDS
DOMESTIC WATER	4"	1	TO BE ABANDONED PER CSC STANDARDS
FIRE SERVICE	8"	2	TO BE ABANDONED PER CSC STANDARDS
SANITARY SEWER	UNKNOWN	1	TO BE ABANDONED PER CSC STANDARDS

PROPOSED TYPE	SIZE	# OF SERVICE CONNECTIONS FROM PUBLIC WATER MAIN	MATERIAL
IRRIGATION	2"	1	PVC – PER CSC STANDARDS
DOMESTIC WATER	4"	1	PVC – PER CSC STANDARDS
FIRE SERVICE	8"	2 (1 PER SYSTEM)	PVC – PER CSC STANDARDS
SANITARY SEWER	6"	1	PVC – PER CSC STANDARDS
FIRE HYDRANT	6"	2 (1 PUBLIC/1 PRIVATE)	PVC – PER CSC STANDARDS

NOTES

1. ALL EXISTING UNUSED UTILITIES SHALL BE REMOVED.
2. ALL UTILITIES SHALL MAINTAIN A MINIMUM 12" OF VERTICAL CLEARANCE AT WATER SERVICE CROSSING WITH OTHER UTILITIES, AND ALL REQUIRED MINIMUM HORIZONTAL CLEARANCES FROM WATER SERVICES:
   - 10' FROM SANITARY SEWER UTILITIES
   - 10' FROM RECYCLED WATER UTILITIES
   - 8' FROM STORM DRAIN UTILITIES
   - 5' FROM FIRE AND OTHER WATER UTILITIES
   - 3' FROM ABANDONED WATER SERVICES
   - 5' FROM GAS UTILITIES
   - 5' FROM THE EDGE OF THE PROPOSED OR EXISTING DRIVEWAY

   SANITARY SEWER, WATER AND RECYCLED WATER UTILITIES SHALL MAINTAIN A MINIMUM HORIZONTAL CLEARANCE OF 10' FROM EXISTING AND PROPOSED TREES. IF TREE ROOT BARRIERS ARE INSTALLED, CLEARANCE FROM TREES REDUCES TO 5' (CLEARANCE MUST BE FROM THE EDGE OF TREE ROOT BARRIER TO EDGE OF WATER FACILITIES)
3. INDIVIDUAL BUILDINGS WITHIN A PARCEL MUST HAVE THEIR OWN DEDICATED SERVICE (FIRE, WATER, AND IRRIGATION). DIFFERENT TYPES OF BUILDING USE (RETAIL, RESIDENTIAL, COMMERCIAL, ETC.) SHALL BE SERVED BY SEPARATE WATER METERS.
4. NO STRUCTURES (BUILDING, FOUNDATION, BIOTURBATION SWALES, ETC.) ALLOWED OVER SANITARY SEWER AND/OR WATER UTILITIES AND EASEMENTS.
5. EASEMENTS ALONG PROJECT FRONTAGE WILL BE PROVIDED DURING PREPARATION OF CONSTRUCTION DOCUMENTS.

Project Number: 19110.0000

SKYBOX CORGAN R+G BUTH AND GIDDINGS, INC. CRITICAL PROJECT SERVICES, LLC kW mission critical engineering REED ASSOCIATES LANDSCAPE ARCHITECTURE 471 SOUTH SMITH STREET SUNNYVALE, CALIFORNIA 94086

PRELIMINARY SITE UTILITY PLAN

04.09.2020

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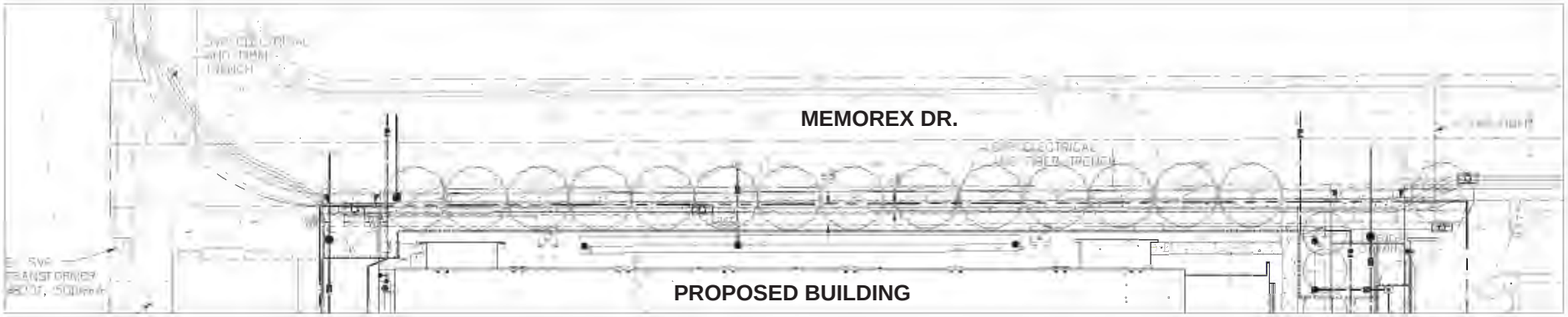

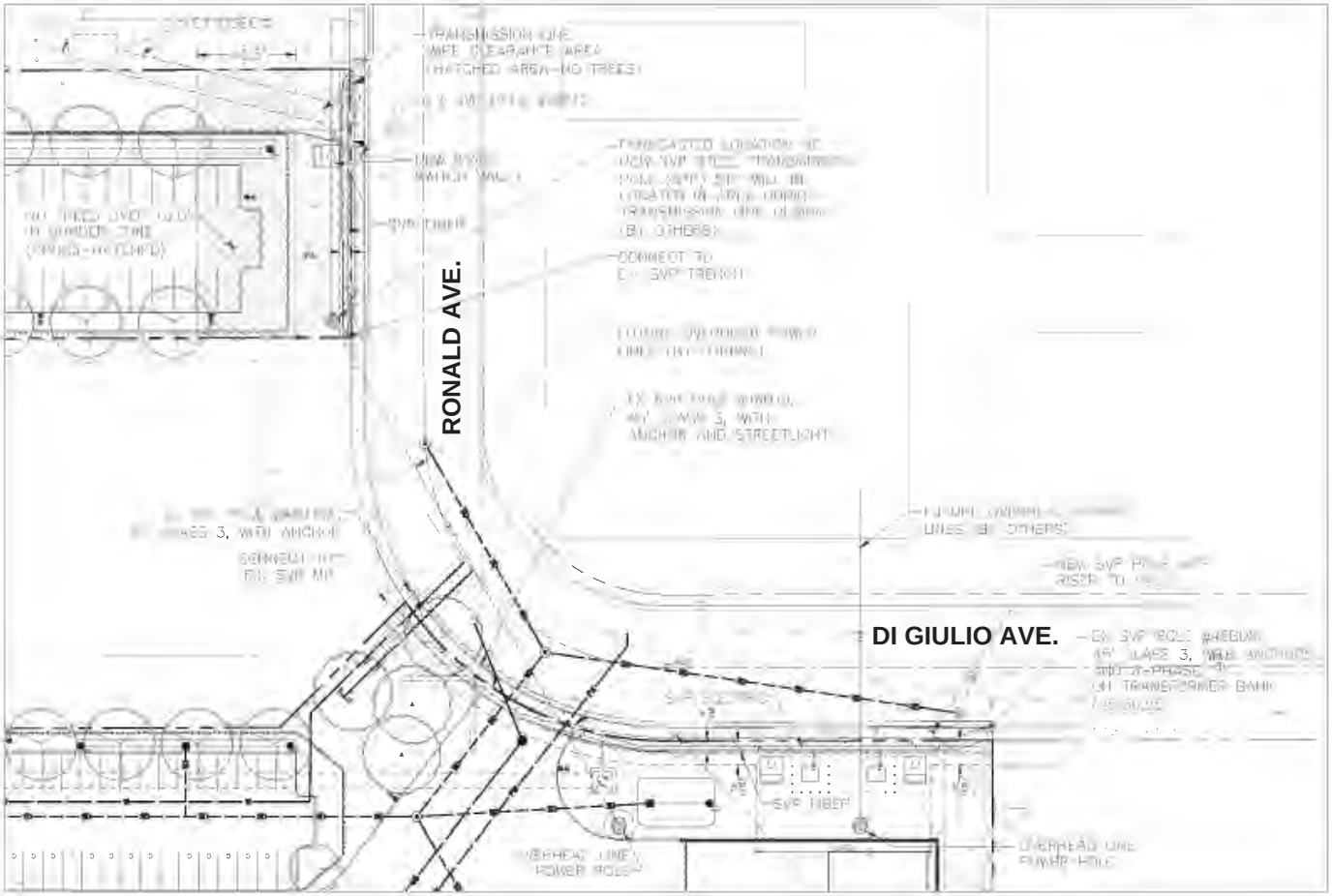

Project Number: 19110.0000

SKYBOX CORGAN R+G CRITICAL KW REED ASSOCIATES

ENLARGED SVP CLEARANCE PLAN

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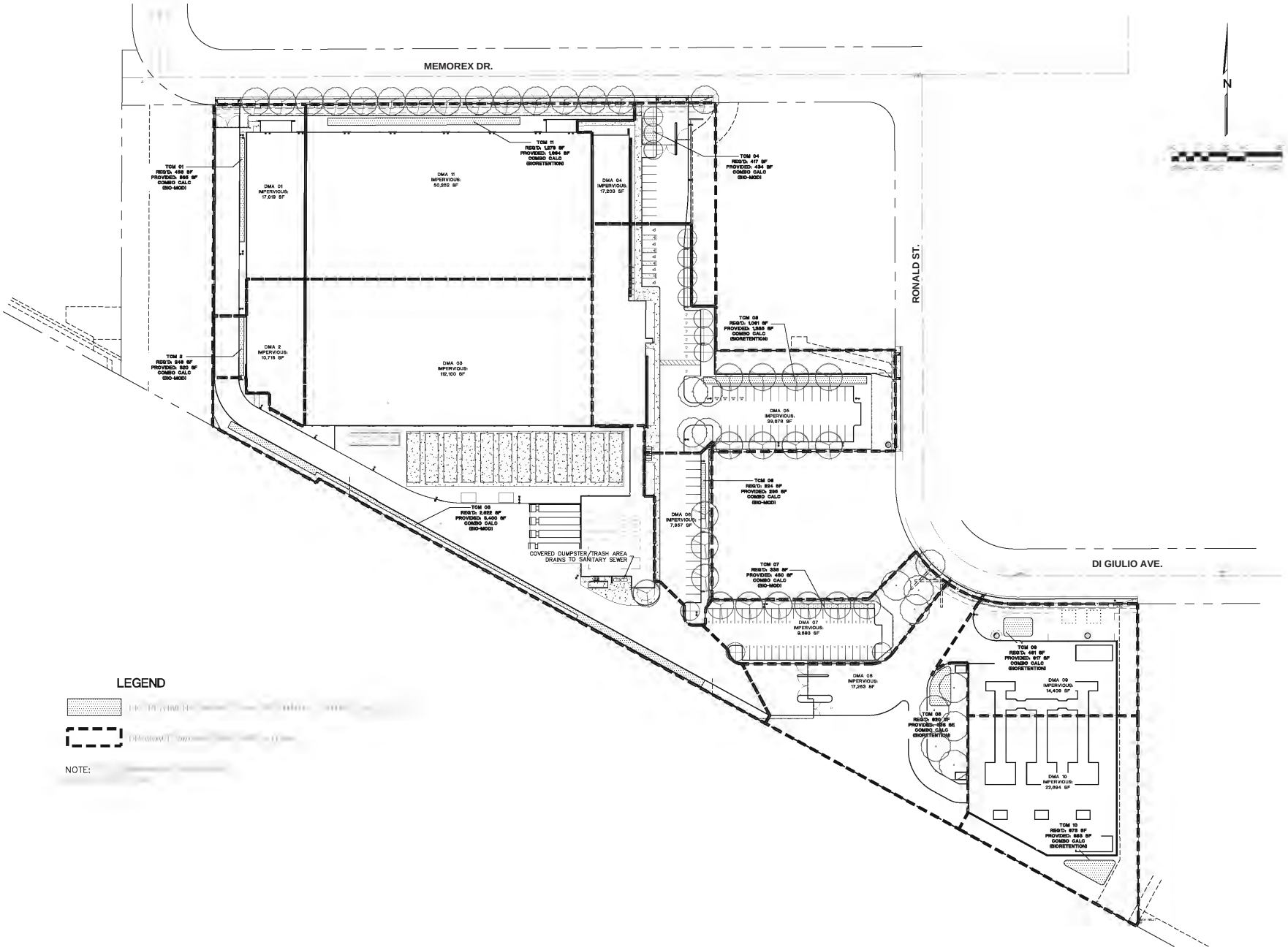

Project Number: 19110.0000

SKYBOX CORGAN RG RUTH AND GOING, INC.

CRITICAL PROJECT SERVICES, LLC kW mission critical engineering REED ASSOCIATES LANDSCAPE ARCHITECTURE

PRELIMINARY STORMWATER CONTROL PLAN

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BIOTREATMENT SOIL REQUIREMENTS

- [illegible]
- [illegible]

STANDARD STORMWATER CONTROL NOTES:

- STANDING WATER SHALL NOT REMAIN IN THE TREATMENT MEASURES FOR MORE THAN FIVE DAYS, TO PREVENT MOSQUITO GENERATION. SHOULD ANY MOSQUITO ISSUES ARISE, CONTACT THE SANTA CLARA VALLEY VECTOR CONTROL DISTRICT (DISTRICT). MOSQUITO LARVICIDES SHALL BE APPLIED ONLY WHEN ABSOLUTELY NECESSARY, AS INDICATED BY THE DISTRICT, AND THEN ONLY BY A LICENSED PROFESSIONAL OR CONTRACTOR. CONTACT INFORMATION FOR THE DISTRICT IS PROVIDED BELOW
- DO NOT USE PESTICIDES OR OTHER CHEMICAL APPLICATIONS TO TREAT DISEASED PLANTS, CONTROL WEEDS OR REMOVED UNWANTED GROWTH. EMPLOY NON-CHEMICAL CONTROLS (BIOLOGICAL, PHYSICAL AND CULTURAL CONTROLS) TO TREAT A PEST PROBLEM. PRUNE PLANTS PROPERLY AND AT THE APPROPRIATE TIME OF YEAR. PROVIDE ADEQUATE IRRIGATION FOR LANDSCAPE PLANTS. DO NOT OVER WATER

[illegible]

1. [illegible]
2. [illegible]
3. [illegible]
4. [illegible]
5. [illegible]
6. [illegible]

PROJECT SITE INFORMATION:

1. SOILS TYPE: _____
2. GROUND WATER DEPTH: _____
3. NAME OF RECEIVING BODY: _____
4. FLOOD ZONE: ZONE X - AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD
5. FLOOD ELEVATION (IF APPLICABLE): _____

OPERATION AND MAINTENANCE INFORMATION:

I. PROPERTY INFORMATION:

- [illegible]

II. RESPONSIBLE PARTY FOR MAINTENANCE:

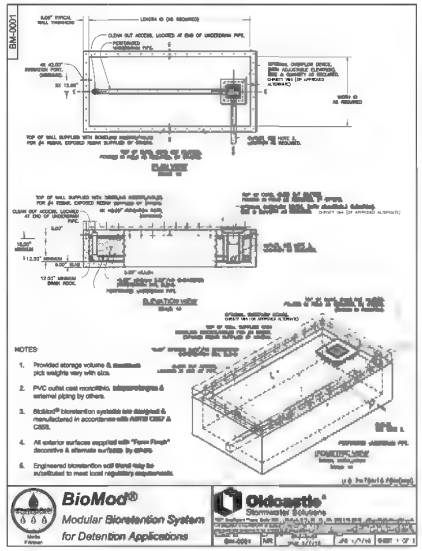
- [illegible]

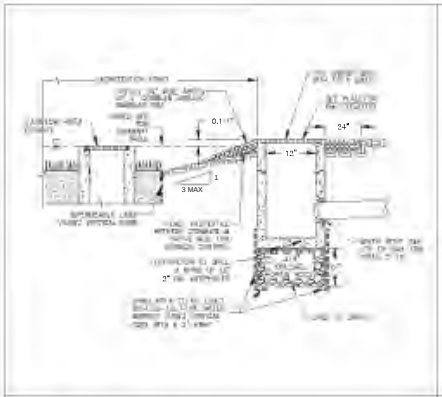
[illegible]

1. [illegible] SYSTEMS.
2. [illegible]
3. [illegible]
4. [illegible]
5. [illegible]

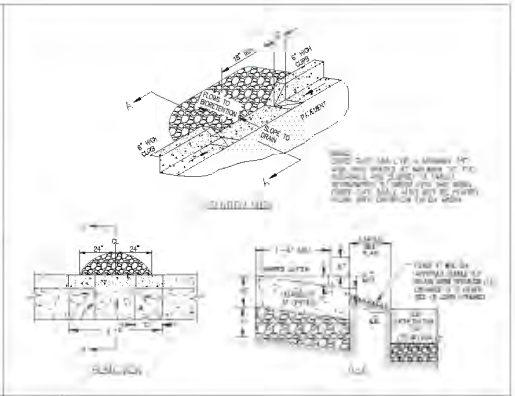
[illegible]

1. [illegible]
2. [illegible]
3. [illegible] AREAS:
4. [illegible]
5. [illegible] ROOFS, [illegible] AREAS
6. [illegible]
7. [illegible]
8. PARKING
   a. [illegible] EXCESS OF [illegible]

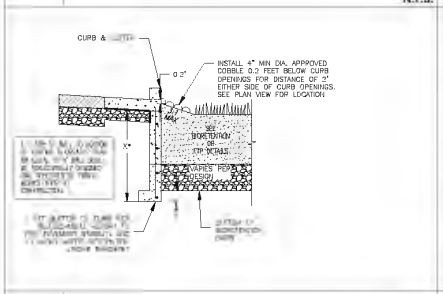




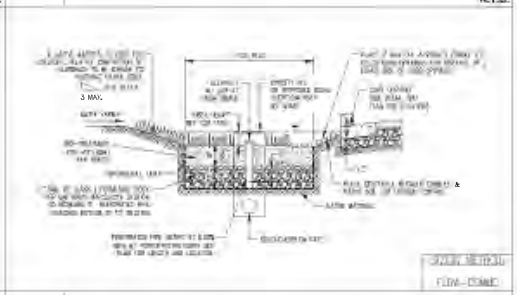
1 BUBBLER BOX DETAIL N.T.S.



2 CURB OPENING N.T.S.



3 CURB ADJACENT TO BIORETENTION N.T.S.



4 BIORETENTION BASIN W/ LINER N.T.S.

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE

a. Total Site Area: 9.18 acre

Impervious Surfaces	Pre-project (Existing) IA (ft²)	Existing IA Retained Area (ft²)	Existing IA Replaced with IA (ft²)	New IA Created (ft²)	Total Post-Project IA (ft²)
		(a)	(b)	(c)	(d=a+b+c)
Roof	142,649	0	142,649	347	142,996
Surface Parking	15,342	0	15,342	0	15,342
Sidewalks, streets, etc.	186,370	38,759	148,276	0	187,035
c. Total Impervious Area	344,361	38,759	306,267	347	345,373
d. Total new and replaced impervious area			306,614		

Pervious Area (PA)	Pre-project (Existing) PA (ft²)	Total Post-Project PA (ft²)
Landscaping[1]	58,684	58,684
Pervious Paving	0	0
Other (e.g. Green Roof)	0	0
e. Total Pervious Area	58,684	58,684
f. Total Area (IA+PA)	403,045	403,045
g. Percent Replacement of IA in Redevelopment Projects (total impervious surfaces replaced / total impervious area)		88.83 %

TREATMENT CONTROL MEASURE SUMMARY TABLE

DMA #	TCM #	Location	Treatment Type	LID or Non-LID	Sizing Method	Drainage Area (s.f.)	Impervious Area (s.f.)	Pervious Area (Permeable Pavement) (s.f.)	Pervious Area (Other) (s.f.)	% Onsite Area Treated by LID or Non-LID TCM	Bioretention Area Required (s.f.)	Bioretention Area Provided (s.f.)	Overflow Riser Height (in)	Comments
1	1	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	20,439	17,019	0	3,420	5.11%	433	585	6	
2	2	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	11,358	10,718	0	640	2.84%	246	320	6	
3	3	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	120,939	112,100	0	8,839	30.23%	2,822	3,400	6	
4	4	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	19,400	17,203	0	2,197	4.85%	417	434	11	
5	5	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	50,925	39,678	0	11,247	12.73%	1,051	1,335	7	
6	6	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	10,889	7,957	0	2,932	2.72%	224	265	6	
7	7	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	17,148	9,893	0	7,255	4.29%	335	450	6	
8	8	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	32,265	17,253	0	15,012	8.07%	620	838	6	
9	9	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	23,258	14,409	0	8,849	5.81%	461	617	6	
10	10	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	33,283	22,694	0	10,589	8.32%	673	863	6	
11	11	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	60,134	50,252	0	9,882	15.03%	1,273	1,864	6	
					Totals:	400,038	319,176	0	80,862	100.00%				

Footnotes:
* "Lined" refers to an impermeable liner placed on the bottom of a Bioretention basin or a concrete Flow-Through Planter, each that no infiltration into native soil occurs.

TABLE 1
ROUTINE MAINTENANCE ACTIVITIES FOR BIORETENTION AREAS

NO.	MAINTENANCE TASK	FREQUENCY OF TASK
1	REMOVE OBSTRUCTIONS, WEEDS, DEBRIS AND TRASH FROM BIORETENTION AREA AND ITS INLETS AND OUTLETS; AND DISPOSE OF PROPERLY.	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
2	INSPECT BIORETENTION AREA FOR STANDING WATER. IF STANDING WATER DOES NOT DRAIN WITHIN 2-3 DAYS, TILL AND REPLACE THE SURFACE BIOTREATMENT SOIL WITH THE APPROVED SOIL MIX AND REPLANT.	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
3	CHECK UNDERDRAINS FOR CLOGGING. USE THE CLEANOUT RISER TO CLEAN ANY CLOGGED UNDERDRAINS.	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
4	MAINTAIN THE IRRIGATION SYSTEM AND ENSURE THAT PLANTS ARE RECEIVING THE CORRECT AMOUNT OF WATER (IF APPLICABLE).	QUARTERLY
5	ENSURE THAT THE VEGETATION IS HEALTHY AND DENSE ENOUGH TO PROVIDE FILTERING AND PROTECT SOILS FROM EROSION. PRUNE AND WEED THE BIORETENTION AREA. REMOVE AND/OR REPLACE ANY DEAD PLANTS.	ANNUALLY, BEFORE THE WET SEASON BEGINS
6	USE COMPOST AND OTHER NATURAL SOIL AMENDMENTS AND FERTILIZERS INSTEAD OF SYNTHETIC FERTILIZERS, ESPECIALLY IF THE SYSTEM USES AN UNDERDRAIN.	ANNUALLY, BEFORE THE WET SEASON BEGINS
7	CHECK THAT MULCH IS AT APPROPRIATE DEPTH (2 - 3 INCHES PER SOIL SPECIFICATIONS) AND REPLENISH AS NECESSARY BEFORE WET SEASON BEGINS. IT IS RECOMMENDED THAT 2" – 3" OF ARBOR MULCH BE REAPPLIED EVERY YEAR.	ANNUALLY, BEFORE THE WET SEASON BEGINS
8	INSPECT THE ENERGY DISSIPATION AT THE INLET TO ENSURE IT IS FUNCTIONING ADEQUATELY, AND THAT THERE IS NO SCOUR OF THE SURFACE MULCH. REMOVE ACCUMULATED SEDIMENT.	ANNUALLY, BEFORE THE WET SEASON BEGINS
9	INSPECT OVERFLOW PIPE TO ENSURE THAT IT CAN SAFELY CONVEY EXCESS FLOWS TO A STORM DRAIN. REPAIR OR REPLACE DAMAGED PIPING.	ANNUALLY, BEFORE THE WET SEASON BEGINS
10	REPLACE BIOTREATMENT SOIL AND MULCH, IF NEEDED. CHECK FOR STANDING WATER, STRUCTURAL FAILURE AND CLOGGED OVERFLOWS. REMOVE TRASH AND DEBRIS. REPLACE DEAD PLANTS.	ANNUALLY, BEFORE THE WET SEASON BEGINS
11	INSPECT BIORETENTION AREA USING THE ATTACHED INSPECTION CHECKLIST.	ANNUALLY, BEFORE THE WET SEASON

Project Number: 19110.0000

SKYBOX CORGAN RGD RUTH AND GOBEL, INC. CRITICAL PROJECT SERVICES LLC kW mission critical engineering REED ASSOCIATES LANDSCAPE ARCHITECTURE

STORMWATER CONTROL DETAILS

04.09.2020

DATA HALL OFFICE LD

C510

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SIZING FOR VOLUME BASED TREATMENT

DMA #	1
A =	20,439 s.f.
Impervious Area =	17,019 s.f.
% Imperviousness =	83.27%
MAPsite =	14.3
MAPgage =	13.9
Correction Factor =	1.0288
Clay (D)	X
Are the soils outside the building footprint graded/compacted?	No (Yes/No)
S =	1.00%
UBS Volume for 1% Slope (UBS1%) =	0.52512868 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) =	0.54900183 inches (Use Figure B-5)
UBS Volume for X% Slope (UBSX%) =	0.52512868 inches (Corrected Slope for the site)
Adjusted UBS =	0.5402402 inches
Design Volume =	920.16 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area =	20,439 sq ft
Impervious Area =	17,019 sq ft
Pervious Area =	3,420 sq ft
Equivalent Impervious Area =	342 sq ft
Total Equivalent Impervious =	17,361 sq ft
Rainfall Intensity =	0.2 in/hr
Duration =	2.701201 hrs
Estimate the Surface Area =	562 sq ft
Volume of Treated Runoff =	838.90773 cu ft
Volume in Ponding Area =	284.25838 cu ft
Depth of Ponding =	0.5031096 ft
Depth of Ponding =	6 inches (Round up)

SIZING FOR VOLUME BASED TREATMENT

DMA #	2
A =	11,322 s.f.
Impervious Area =	10,691 s.f.
% Imperviousness =	94.43%
MAPsite =	14.3
MAPgage =	13.9
Correction Factor =	1.0288
Clay (D)	X
Are the soils outside the building footprint graded/compacted?	No (Yes/No)
S =	1.00%
UBS Volume for 1% Slope (UBS1%) =	0.55672302 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) =	0.58326034 inches (Use Figure B-5)
UBS Volume for X% Slope (UBSX%) =	0.55672302 inches (Corrected Slope for the site)
Adjusted UBS =	0.5758302 inches
Design Volume =	543.30 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area =	11,322 sq ft
Impervious Area =	10,691 sq ft
Pervious Area =	631 sq ft
Equivalent Impervious Area =	63 sq ft
Total Equivalent Impervious =	10,754 sq ft
Rainfall Intensity =	0.2 in/hr
Duration =	2.8731506 hrs
Estimate the Surface Area =	329 sq ft
Volume of Treated Runoff =	383.8977 cu ft
Volume in Ponding Area =	159.40898 cu ft
Depth of Ponding =	0.4851531 ft
Depth of Ponding =	6 inches (Round up)

SIZING FOR VOLUME BASED TREATMENT

DMA #	3
A =	120,939 s.f.
Impervious Area =	112,100 s.f.
% Imperviousness =	92.69%
MAPsite =	14.3
MAPgage =	13.9
Correction Factor =	1.0288
Clay (D)	X
Are the soils outside the building footprint graded/compacted?	No (Yes/No)
S =	1.00%
UBS Volume for 1% Slope (UBS1%) =	0.5543432 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) =	0.57017407 inches (Use Figure B-5)
UBS Volume for X% Slope (UBSX%) =	0.55434321 inches (Corrected Slope for the site)
Adjusted UBS =	0.5702896 inches
Design Volume =	5,747.99 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area =	120,939 sq ft
Impervious Area =	112,100 sq ft
Pervious Area =	8,839 sq ft
Equivalent Impervious Area =	884 sq ft
Total Equivalent Impervious =	112,984 sq ft
Rainfall Intensity =	0.2 in/hr
Duration =	2.8514776 hrs
Estimate the Surface Area =	3400 sq ft
Volume of Treated Runoff =	4038.5833 cu ft
Volume in Ponding Area =	1707.8876 cu ft
Depth of Ponding =	0.5023493 ft
Depth of Ponding =	6 inches (Round up)

SIZING FOR VOLUME BASED TREATMENT

DMA #	4
A =	18,400 s.f.
Impervious Area =	17,203 s.f.
% Imperviousness =	93.50%
MAPsite =	14.3
MAPgage =	13.9
Correction Factor =	1.0288
Clay (D)	X
Are the soils outside the building footprint graded/compacted?	No (Yes/No)
S =	1.00%
UBS Volume for 1% Slope (UBS1%) =	0.5418933 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) =	0.56662077 inches (Use Figure B-5)
UBS Volume for X% Slope (UBSX%) =	0.5418933 inches (Corrected Slope for the site)
Adjusted UBS =	0.5574874 inches
Design Volume =	861.27 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area =	18,400 sq ft
Impervious Area =	17,203 sq ft
Pervious Area =	2,197 sq ft
Equivalent Impervious Area =	220 sq ft
Total Equivalent Impervious =	17,423 sq ft
Rainfall Intensity =	0.2 in/hr
Duration =	2.7874369 hrs
Estimate the Surface Area =	434 sq ft
Volume of Treated Runoff =	504.00146 cu ft
Volume in Ponding Area =	397.20974 cu ft
Depth of Ponding =	0.9152298 ft
Depth of Ponding =	11 inches (Round up)

SIZING FOR VOLUME BASED TREATMENT

DMA #	5
A =	50,325 s.f.
Impervious Area =	38,978 s.f.
% Imperviousness =	77.91%
MAPsite =	14.3
MAPgage =	13.9
Correction Factor =	1.0288
Clay (D)	X
Are the soils outside the building footprint graded/compacted?	No (Yes/No)
S =	1.00%
UBS Volume for 1% Slope (UBS1%) =	0.5085352 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) =	0.53374374 inches (Use Figure B-5)
UBS Volume for X% Slope (UBSX%) =	0.5085352 inches (Corrected Slope for the site)
Adjusted UBS =	0.5231683 inches
Design Volume =	2,220.39 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area =	50,325 sq ft
Impervious Area =	38,978 sq ft
Pervious Area =	11,347 sq ft
Equivalent Impervious Area =	1,135 sq ft
Total Equivalent Impervious =	40,093 sq ft
Rainfall Intensity =	0.2 in/hr
Duration =	2.6158405 hrs
Estimate the Surface Area =	1320 sq ft
Volume of Treated Runoff =	1488.0848 cu ft
Volume in Ponding Area =	795.15411 cu ft
Depth of Ponding =	0.5731346 ft
Depth of Ponding =	6.8 inches (Round up)

SIZING FOR VOLUME BASED TREATMENT

DMA #	6
A =	10,889 s.f.
Impervious Area =	7,957 s.f.
% Imperviousness =	73.07%
MAPsite =	14.3
MAPgage =	13.9
Correction Factor =	1.0288
Clay (D)	X
Are the soils outside the building footprint graded/compacted?	No (Yes/No)
S =	1.00%
UBS Volume for 1% Slope (UBS1%) =	0.49352861 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) =	0.51822123 inches (Use Figure B-5)
UBS Volume for X% Slope (UBSX%) =	0.49352861 inches (Corrected Slope for the site)
Adjusted UBS =	0.5077309 inches
Design Volume =	460.72 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area =	10,889 sq ft
Impervious Area =	7,957 sq ft
Pervious Area =	2,932 sq ft
Equivalent Impervious Area =	293 sq ft
Total Equivalent Impervious =	8,250 sq ft
Rainfall Intensity =	0.2 in/hr
Duration =	2.5386543 hrs
Estimate the Surface Area =	280 sq ft
Volume of Treated Runoff =	312.04290 cu ft
Volume in Ponding Area =	148.85052 cu ft
Depth of Ponding =	0.5040018 ft
Depth of Ponding =	6 inches (Round up)

SIZING FOR VOLUME BASED TREATMENT

DMA #	7
A =	17,148 s.f.
Impervious Area =	9,893 s.f.
% Imperviousness =	57.69%
MAPsite =	14.3
MAPgage =	13.9
Correction Factor =	1.0288
Clay (D)	X
Are the soils outside the building footprint graded/compacted?	No (Yes/No)
S =	1.00%
UBS Volume for 1% Slope (UBS1%) =	0.44584476 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) =	0.47207898 inches (Use Figure B-5)
UBS Volume for X% Slope (UBSX%) =	0.44584476 inches (Corrected Slope for the site)
Adjusted UBS =	0.4586768 inches
Design Volume =	655.45 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area =	17,148 sq ft
Impervious Area =	9,893 sq ft
Pervious Area =	7,255 sq ft
Equivalent Impervious Area =	725 sq ft
Total Equivalent Impervious =	10,618 sq ft
Rainfall Intensity =	0.2 in/hr
Duration =	2.2933741 hrs
Estimate the Surface Area =	450 sq ft
Volume of Treated Runoff =	430.0576 cu ft
Volume in Ponding Area =	225.43368 cu ft
Depth of Ponding =	0.5009848 ft
Depth of Ponding =	6 inches (Round up)

SIZING FOR VOLUME BASED TREATMENT

DMA #	8
A =	32,265 s.f.
Impervious Area =	17,253 s.f.
% Imperviousness =	53.47%
MAPsite =	14.3
MAPgage =	13.9
Correction Factor =	1.0288
Clay (D)	X
Are the soils outside the building footprint graded/compacted?	No (Yes/No)
S =	1.00%
UBS Volume for 1% Slope (UBS1%) =	0.43276989 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) =	0.45041841 inches (Use Figure B-5)
UBS Volume for X% Slope (UBSX%) =	0.43276989 inches (Corrected Slope for the site)
Adjusted UBS =	0.4452194 inches
Design Volume =	1,197.00 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area =	32,265 sq ft
Impervious Area =	17,253 sq ft
Pervious Area =	15,012 sq ft
Equivalent Impervious Area =	1,501 sq ft
Total Equivalent Impervious =	18,754 sq ft
Rainfall Intensity =	0.2 in/hr
Duration =	2.2260908 hrs
Estimate the Surface Area =	830 sq ft
Volume of Treated Runoff =	777.27863 cu ft
Volume in Ponding Area =	419.80477 cu ft
Depth of Ponding =	0.5009603 ft
Depth of Ponding =	6 inches (Round up)

Each sheet also carries the notes: "If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay)"; "Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)"; "Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch"; "Duration = Adjusted UBS (Step 6) / Rainfall Intensity"; "(Typically start with Total Impervious x 0.03)";
"If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters."

Project Number: 19110.0000

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SIZING FOR VOLUME BASED TREATMENT

DMA #: 9
A= 33,258 s.f.
Impervious Area = 14,409 s.f. % Imperviousness= 81.50%

MAPcon = 16.3 Correction Factor= 1.0000
MAPpage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):

Silt Loam/Loam (B): Mit Approach (100% Infiltration):

Are the soils outside the building footprint graded/compacted? no Yes/No

If yes, are the soils to be compacted during site preparation and grading, we recommend soils will be decompacted. Modify your answer to a soil with a lower infiltration rate (eg. SB Loam to Clay)

Modified Soil Type:

S= 1.00%

UBS Volume for 1% Slope (UBS1%) = 0.4540[illegible] inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.4[illegible] inches (Use Figure B-3)

UBS Volume for X% Slope (UBS%) = 0.4[illegible] inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBS x% (Step 3)

Adjusted UBS = 0.4722941 inches

Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 910.33 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 33,258 sq. ft
Impervious Area = 14,409 sq. ft
Pervious Area = 8,649 sq. ft
Equivalent Impervious Area = 865 sq. ft Total Equivalent Impervious = 15,274 sq. ft

Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.3612306 hrs

Estimate the Surface Area = 847 sq. ft (Typically start with Total Impervious x 0.05)
Volume of Treated Runoff = 607.09815 cu. ft
Volume in Ponding Area = 305.27[illegible] cu. ft
Depth of Ponding = 0.4[illegible] ft Depth of Ponding = 5 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Pass-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA #: 10
A= 33,283 s.f.
Impervious Area = 27,094 s.f. % Imperviousness= 84.19%

MAPcon = 16.3 Correction Factor= 1.0000
MAPpage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):

Silt Loam/Loam (B): Mit Approach (100% Infiltration):

Are the soils outside the building footprint graded/compacted? no Yes/No

If yes, are the soils to be compacted during site preparation and grading, we recommend soils will be decompacted. Modify your answer to a soil with a lower infiltration rate (eg. SB Loam to Clay)

Modified Soil Type:

S= 1.00%

UBS Volume for 1% Slope (UBS1%) = 0.4[illegible] inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.5[illegible] inches (Use Figure B-3)

UBS Volume for X% Slope (UBS%) = 0.4[illegible] inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBS x% (Step 3)

Adjusted UBS = 0.4921[illegible] inches

Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 1,3[illegible] ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 33,283 sq. ft
Impervious Area = 27,094 sq. ft
Pervious Area = 6,189 sq. ft
Equivalent Impervious Area = 1,859 sq. ft Total Equivalent Impervious = 28,953 sq. ft

Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.4[illegible] hrs

Estimate the Surface Area = 1[illegible] sq. ft (Typically start with Total Impervious x 0.05)
Volume of Treated Runoff = [illegible] cu. ft
Volume in Ponding Area = [illegible] cu. ft
Depth of Ponding = 0.8[illegible] ft Depth of Ponding = 9 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Pass-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA #: 11
A= 60,134 s.f.
Impervious Area = 50,262 s.f. % Imperviousness= 83.57%

MAPcon = 16.3 Correction Factor= 1.0000
MAPpage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):

Silt Loam/Loam (B): Mit Approach (100% Infiltration):

Are the soils outside the building footprint graded/compacted? no Yes/No

If yes, are the soils to be compacted during site preparation and grading, we recommend soils will be decompacted. Modify your answer to a soil with a lower infiltration rate (eg. SB Loam to Clay)

Modified Soil Type:

S= 1.00%

UBS Volume for 1% Slope (UBS1%) = 0.5[illegible] inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.6[illegible] inches (Use Figure B-3)

UBS Volume for X% Slope (UBS%) = 0.5[illegible] inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBS x% (Step 3)

Adjusted UBS = 0.5[illegible] inches

Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 2,7[illegible] ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 60,134 sq. ft
Impervious Area = 50,262 sq. ft
Pervious Area = 9,872 sq. ft
Equivalent Impervious Area = 865 sq. ft Total Equivalent Impervious = 51,126 sq. ft

Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.7[illegible] hrs

Estimate the Surface Area = [illegible] sq. ft (Typically start with Total Impervious x 0.05)
Volume of Treated Runoff = [illegible] cu. ft
Volume in Ponding Area = [illegible] cu. ft
Depth of Ponding = 0.5[illegible] ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Pass-Through Planters.

Project Number: 19110.0000

SKYBOX CORGAN RGA CRITICAL kW REED ASSOCIATES

PRELIMINARY STORMWATER CALCULATIONS

04.09.2020

DATA HALL OFFICE LD

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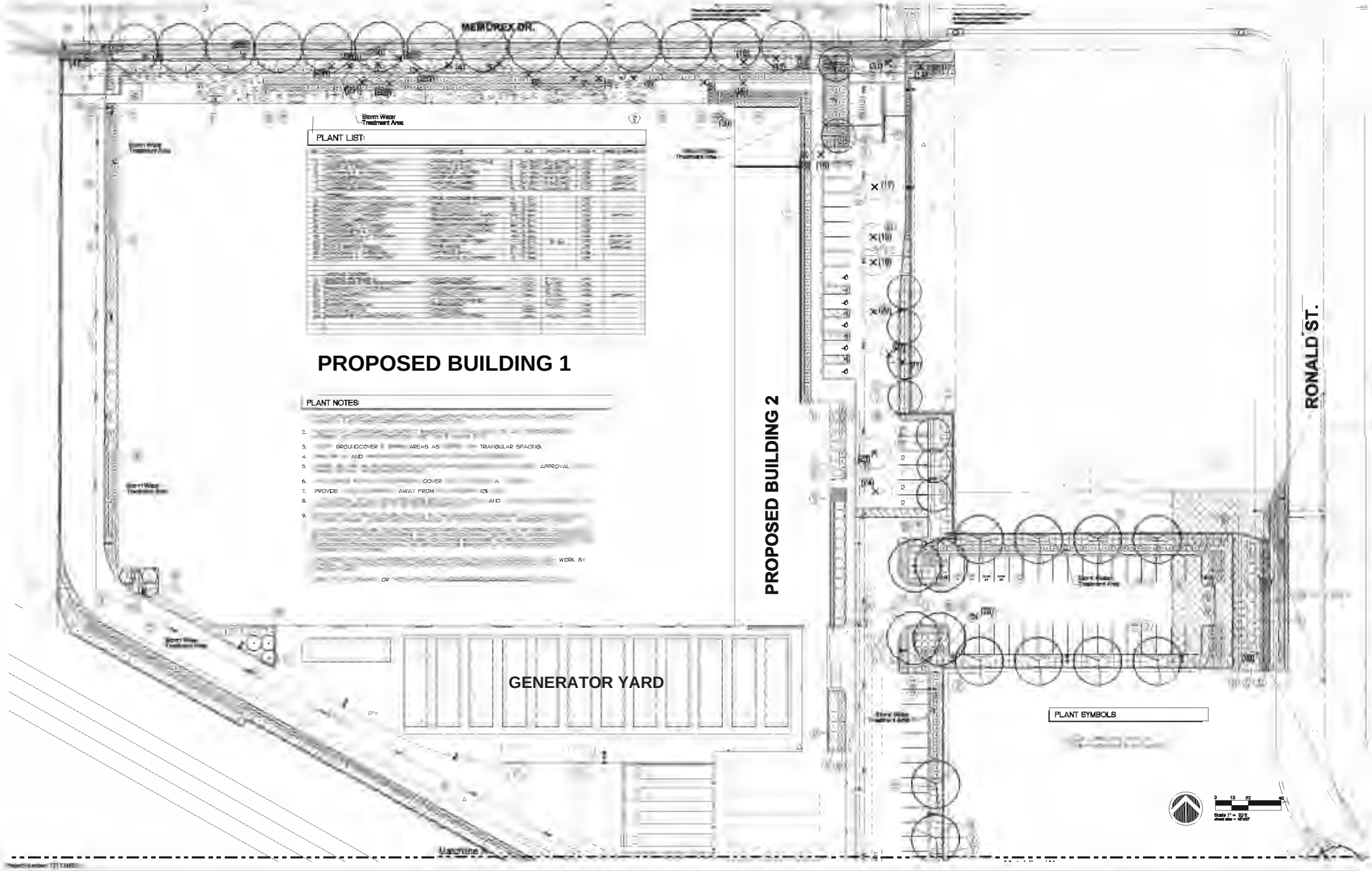

SKYBOX

CORGAN

R-G RUTH AND GOSSO, INC.

CRITICAL PROJECT SERVICES, LLC

kW mission critical engineering

REED ASSOCIATES LANDSCAPE ARCHITECTURE

LANDSCAPE PLANTING PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL JAY REED No. 2002 EXP. 9/30/2021 STATE OF CALIFORNIA

DATA HALL

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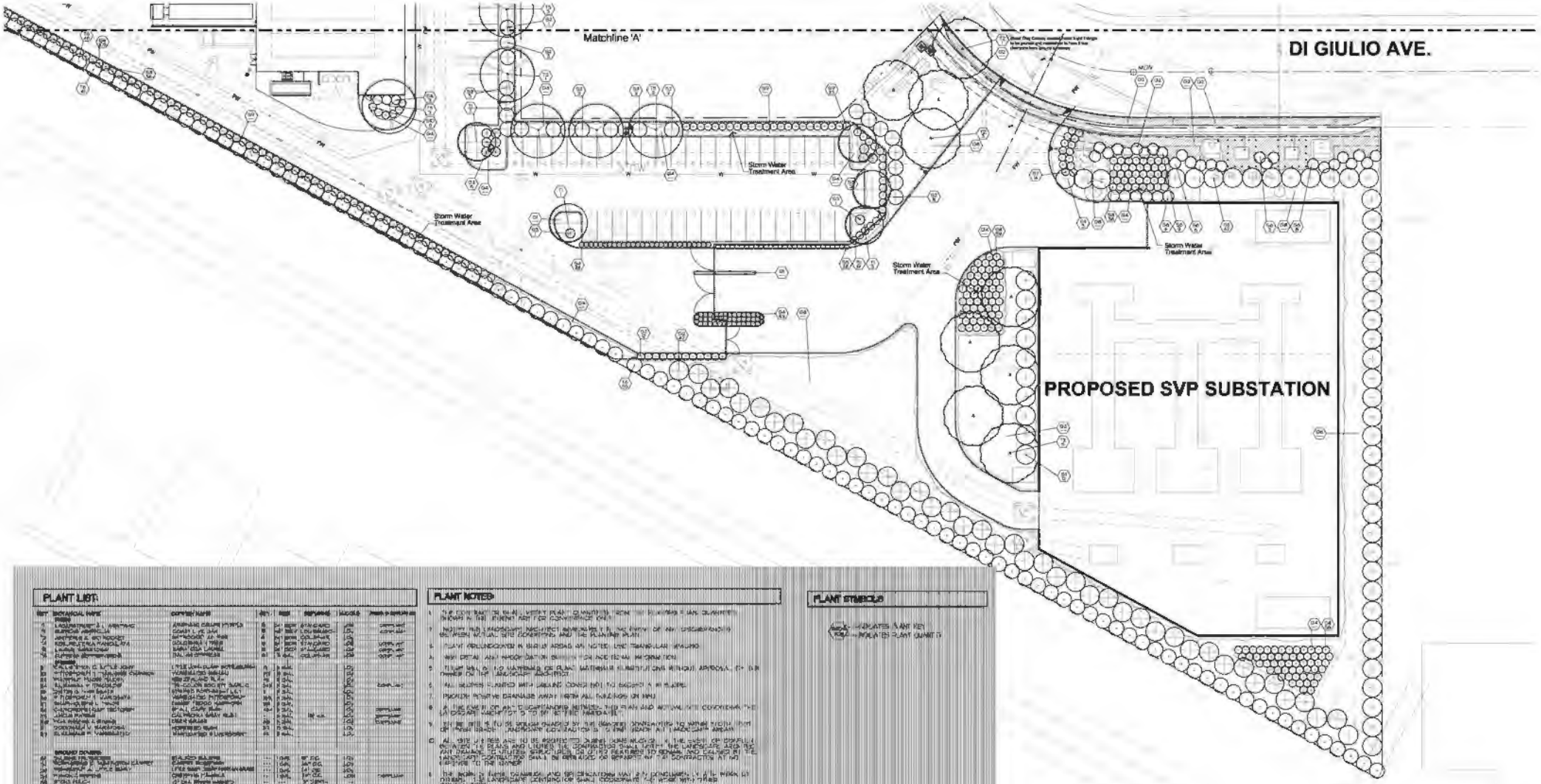


PLANT LIST:

PLANT NOTES:

PLANT SYMBOLS

Project Number: 19110.0000

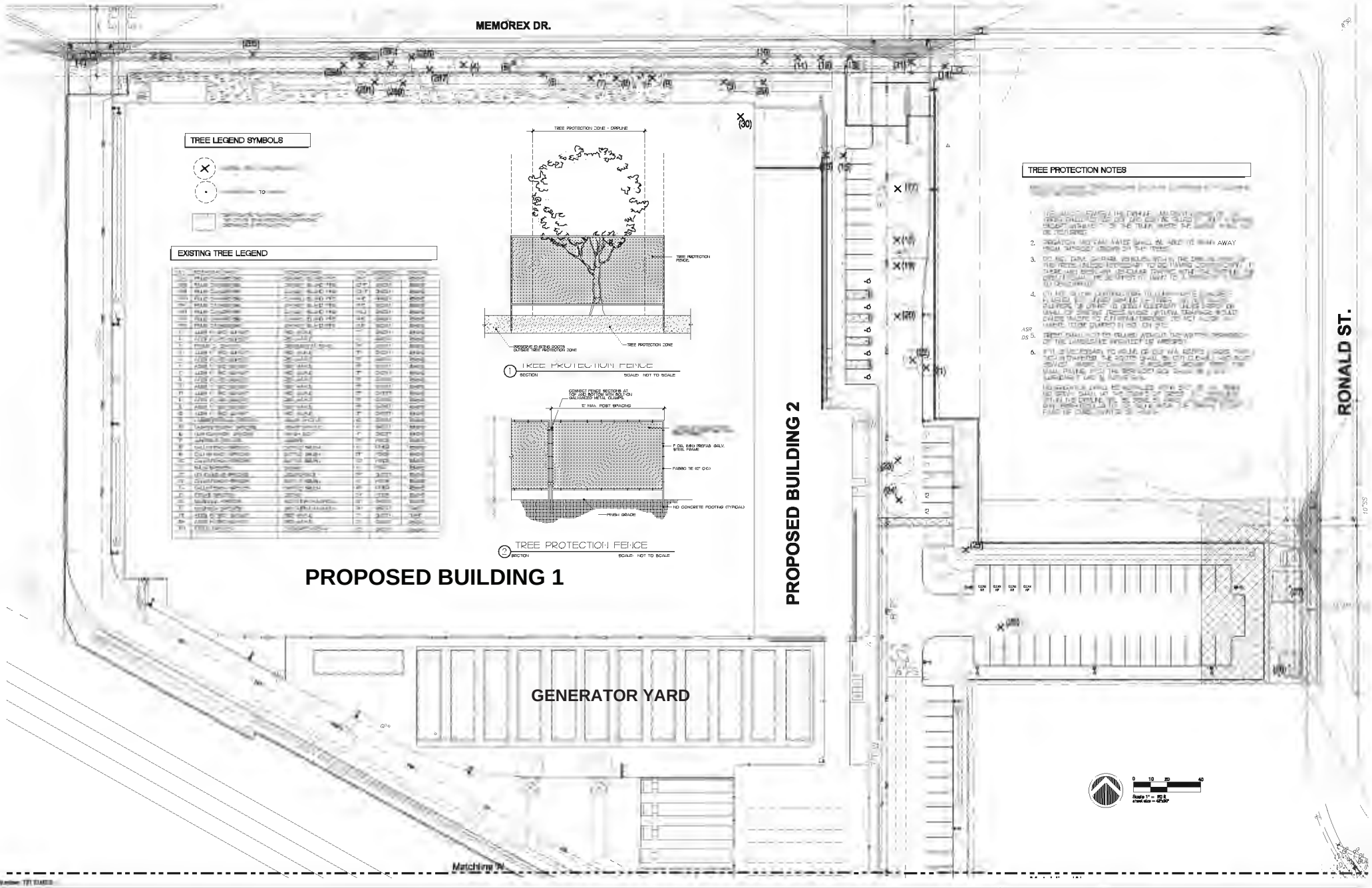
SKYBOX CORGAN RG CRITICAL kW REED ASSOCIATES

LANDSCAPE PLANTING PLAN

04-09-2020

DATA HALL OFFICE LD

L-101



SKYBOX CORGAN R-G RUTH AND GOSSO, INC.

CRITICAL PROJECT SERVICES, LLC kW mission critical engineering REED ASSOCIATES LANDSCAPE ARCHITECTURE

EXISTING TREE PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL JAY REED No. 2002 EXP. 9/30/2021 STATE OF CALIFORNIA

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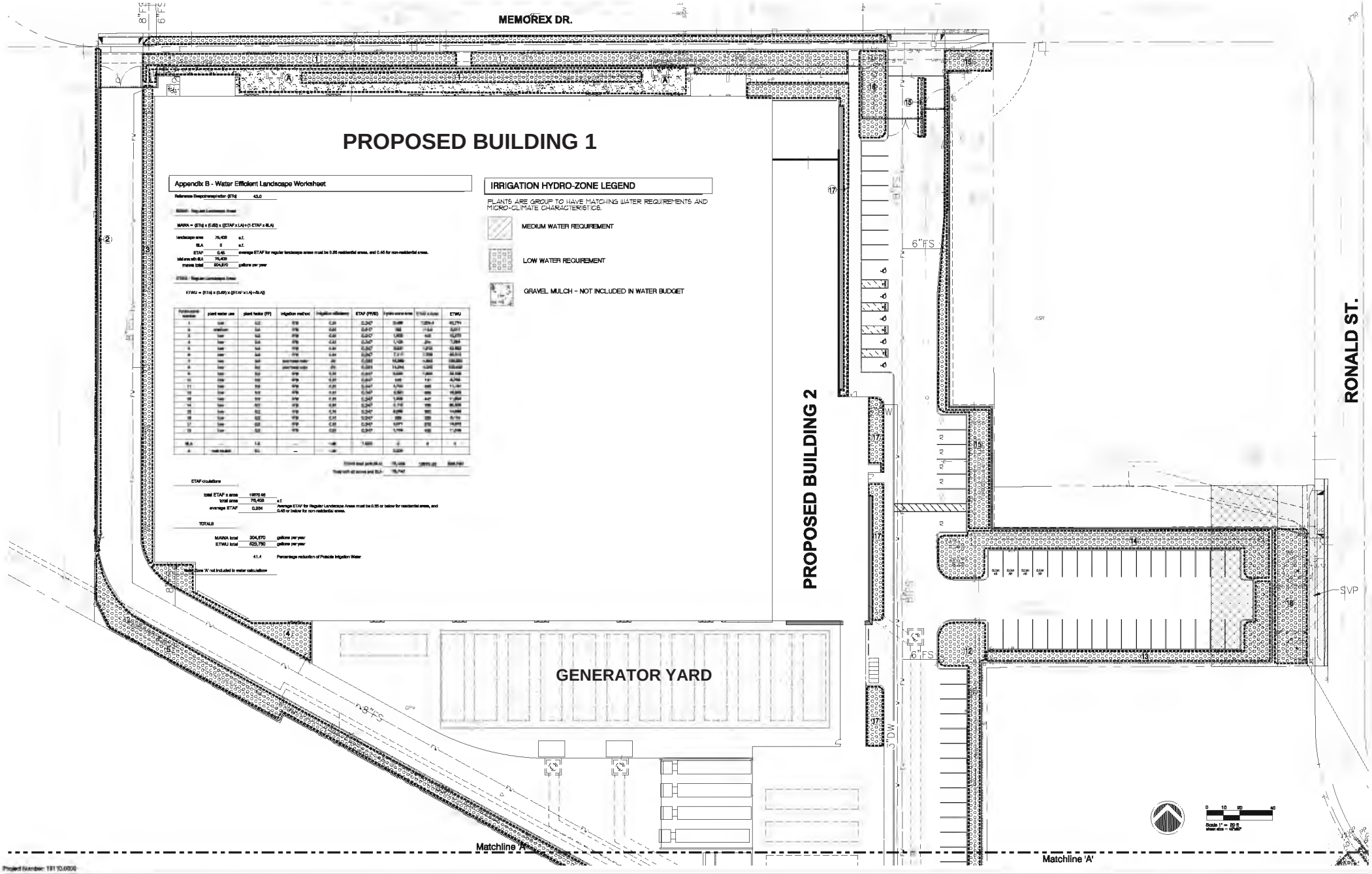
L-102



Appendix B - Water Efficient Landscape Worksheet

Reference Evapotranspiration (ETo) 43.0

MAWA = (ETo) x (0.62) x ((ETAF x LA)+(1-ETAF x SLA))

landscape area	75,408	s.f.
SLA	0	s.f.
ETAF	0.45	average ETAF for regular landscape areas must be 0.55 residential areas, and 0.45 for non-residential areas.
total area with SLA	75,408	
maxwa total	204,670	gallons per year

ETWU = (ETo) x (0.62) x ((ETAF x LA)+SLA)

Hydrozone number	plant water use	plant factor (PF)	irrigation method	irrigation efficiency	ETAF (PF/IE)	hydro zone area	ETAW x area	ETWU
1	low	0.2	drip	0.81	0.247	[illegible]	[illegible]	40,774
2	medium	0.6	drip	0.81	0.741	180	133.4	5,011
3	low	0.2	drip	0.81	0.247	1,400	346	13,010
4	low	0.2	drip	0.81	0.247	1,100	271	7,364
5	low	0.2	drip	0.81	0.247	5,000	1,235	33,552
6	low	0.2	drip	0.81	0.247	[illegible]	[illegible]	46,515
7	low	0.2	pop-up rotor	.75	0.333	16,386	5,462	150,000
8	low	0.2	pop-up rotor	.75	0.333	14,244	4,748	130,342
9	low	0.2	drip	0.81	0.247	5,000	1,235	33,552
10	low	0.2	drip	0.81	0.247	545	135	3,744
11	low	0.2	drip	0.81	0.247	1,700	420	11,191
12	low	0.2	drip	0.81	0.247	2,300	568	15,565
13	low	0.2	drip	0.81	0.247	1,400	347	11,604
14	low	0.2	drip	0.81	0.247	2,110	520	14,505
15	low	0.2	drip	0.81	0.247	2,000	494	13,600
16	low	0.2	drip	0.81	0.247	200	50	1,374
17	low	0.2	drip	0.81	0.247	1,077	272	14,875
18	low	0.2	drip	0.81	0.247	1,100	272	17,476
SLA	—	1.0	—	—	1.000	0	0	0
A	read values	0.0	—	—	0.000			

Total water all zones and SLA: 75,408

ETAF calculations

total ETAF x area	19970.95	
total area	75,408	s.f.
average ETAF	0.264	Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

TOTALS

MAWA total	204,670	gallons per year
ETWU total	120,750	gallons per year

41.4 Percentage reduction of Potable Irrigation Water

Note: Zone 'A' not included in water calculations

IRRIGATION HYDRO-ZONE LEGEND

PLANTS ARE GROUP TO HAVE MATCHING WATER REQUIREMENTS AND MICRO-CLIMATE CHARACTERISTICS.

- MEDIUM WATER REQUIREMENT
- LOW WATER REQUIREMENT
- GRAVEL MULCH - NOT INCLUDED IN WATER BUDGET

Project Number: 191 10.0000

SKYBOX

CORGAN

R-G ELTER AND GORRO, INC.

CRITICAL PROJECT SERVICES, LLC

kW mission critical engineering

REED ASSOCIATES LANDSCAPE ARCHITECTURE

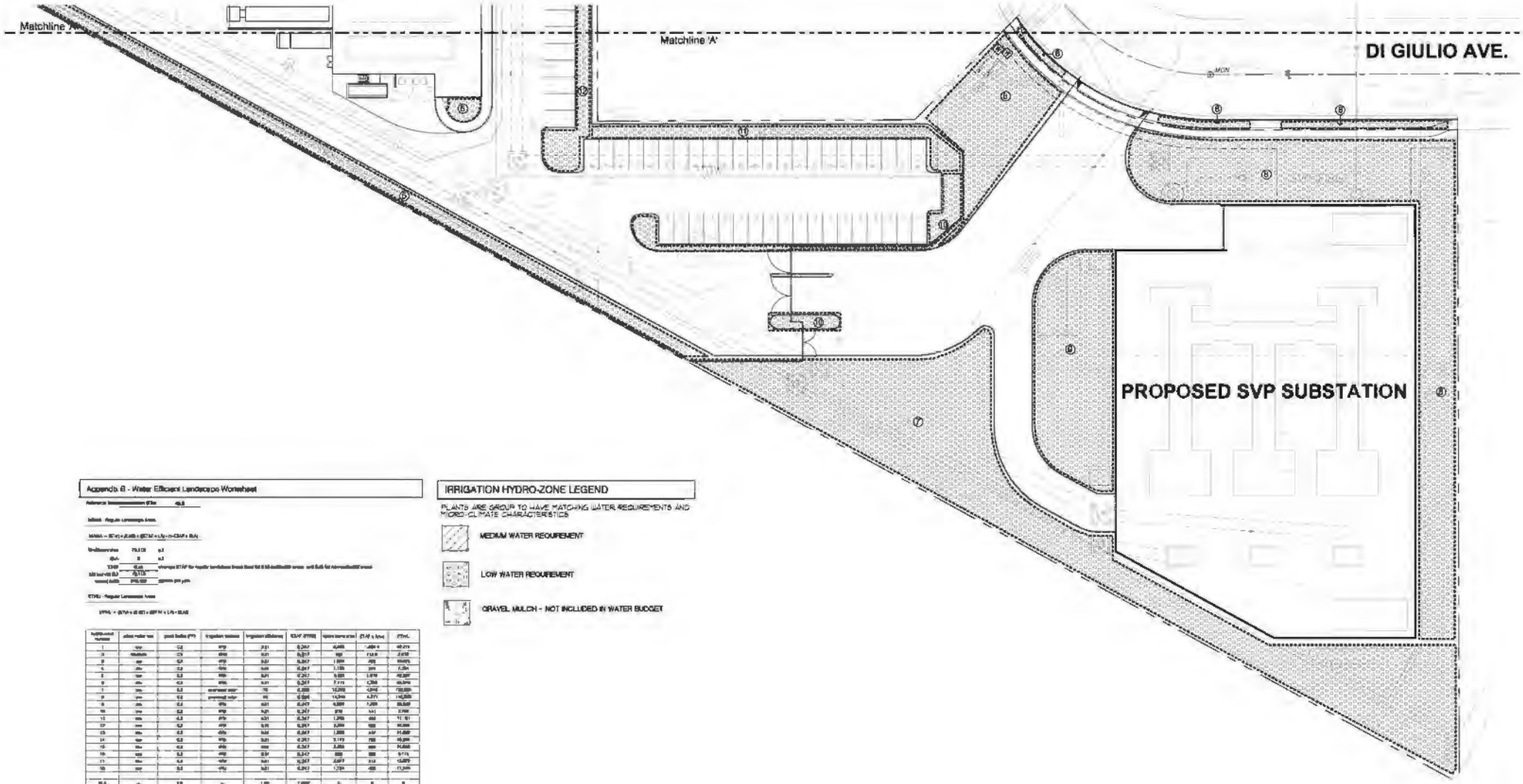
LANDSCAPE HYDROZONE PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL DAVI REED NO. 2002 EXP. 9/30/2021 STATE OF CALIFORNIA

DATA HALL OFFICE

L-103



Appendix B - Water Efficient Landscape Worksheet

Reference Evapotranspiration (ETo) 49.8

Total Regular Landscape Area

MAWA = (ETo) x (0.45) x (SLA) x (0.62) x [(PF x IA) / (IE)] + (SLA)

Hydrozones	79,113	s.f.
ETo	8	s.f.
SLA	0	s.f.
Total Water Budget	79,113	
Total Water Budget	316,452	gallons per year

ETWU - Regular Landscape Areas

ETWU = (ETo) x (0.62) x (PF x LA / IE) + (SLA)

hydrozone number	plant water use	plant factor (PF)	irrigation method	irrigation efficiency	ETAF (PF/IE)	square feet or acres	(ETAF x Area)	ETWU
1	low	0.2	drip	0.81	0.247	4,400	1,088.4	42,172
2	medium	0.5	drip	0.81	0.617	150	92.6	2,678
3	low	0.2	drip	0.81	0.247	1,800	445	17,243
4	low	0.2	drip	0.81	0.247	1,100	272	10,534
5	low	0.2	drip	0.81	0.247	17,500	4,323	167,557
6	low	0.2	drip	0.81	0.247	9,500	2,347	90,957
7	low	0.2	drip	0.81	0.247	37,000	9,139	354,203
8	low	0.2	drip	0.81	0.247	7,115	1,758	68,129
9	low	0.2	overhead spray	0.75	0.267	16,000	4,272	165,558
10	low	0.2	overhead spray	0.75	0.267	14,000	3,738	144,858
11	low	0.2	drip	0.81	0.247	6,000	1,482	57,429
12	low	0.2	drip	0.81	0.247	2,000	494	19,143
13	low	0.2	drip	0.81	0.247	2,000	494	19,143
14	low	0.2	drip	0.81	0.247	1,000	247	9,572
15	low	0.2	drip	0.81	0.247	2,000	494	19,143
16	low	0.2	drip	0.81	0.247	800	198	7,715
17	low	0.2	drip	0.81	0.247	2,000	494	19,143
18	low	0.2	drip	0.81	0.247	1,700	420	16,272
SLA	-	1.0	-	1.00	1.000	0	0	0
0	zero water	0.0	-	1.00		0.000		
							79,113	306,629.38	306,629

*Total water area shall not exceed 2,500 s.f. 79,113

ETAF calculations

Total ETAF x area	306,629.38	
Total Area	79,113	s.f.
Average ETAF	0.384	

Average ETAF for Regular Landscape Areas must be 0.55 or lower for residential areas, and 0.45 or lower for non-residential areas

TWAUL

MAWA total	316,452	gallons per year
ETWU total	306,629	gallons per year

K.A. Percentage reduction of Allowable Irrigation Water

Note: Zone 18 not included in water calculations

IRRIGATION HYDRO-ZONE LEGEND

PLANTS ARE GROUP TO HAVE MATCHING WATER REQUIREMENTS AND MICRO-CLIMATE CHARACTERISTICS

- MEDIUM WATER REQUIREMENT
- LOW WATER REQUIREMENT
- GRAVEL MULCH - NOT INCLUDED IN WATER BUDGET

Scale 1" = 20'-0"

Project Number: 19110.0000

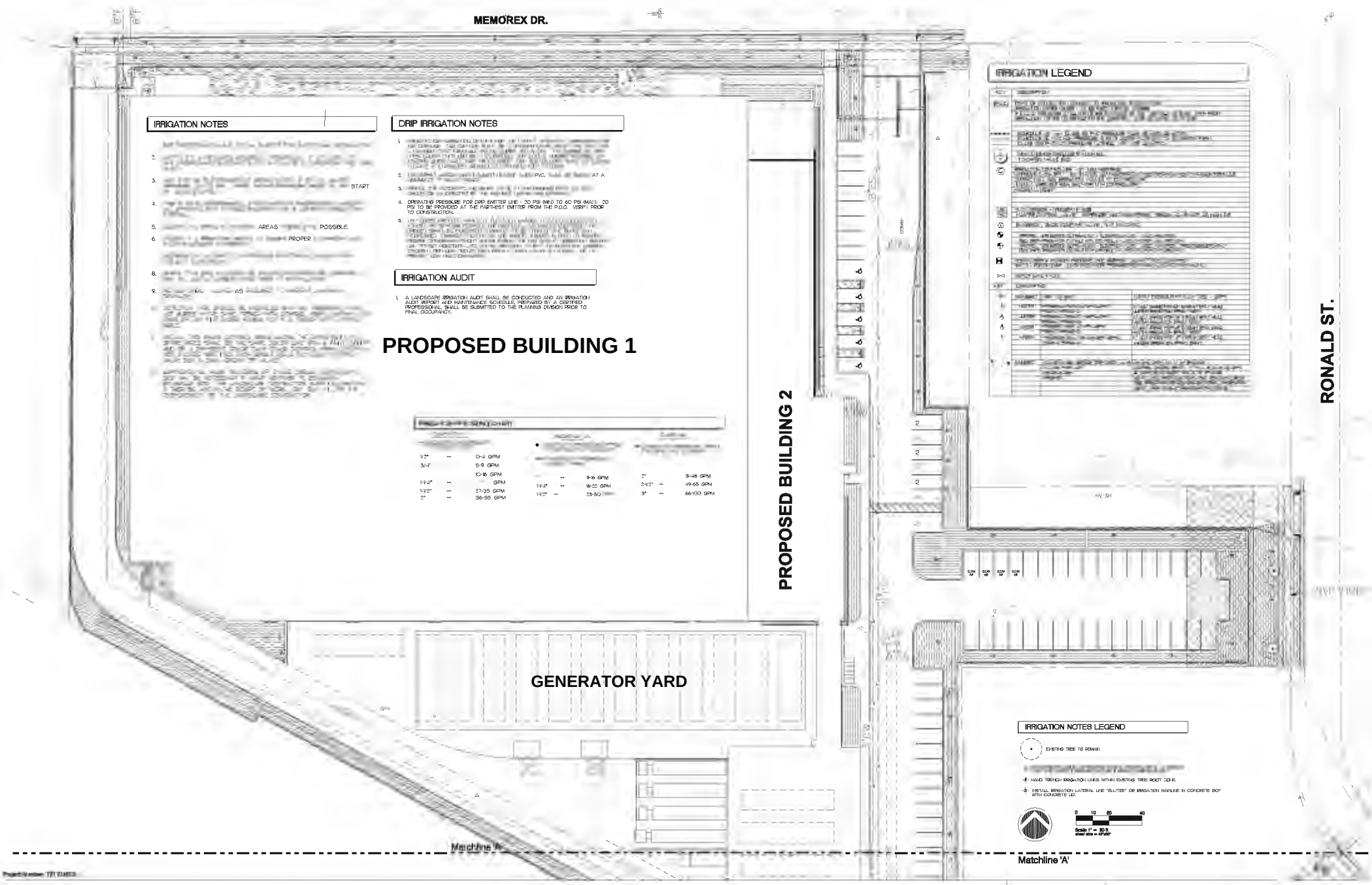
SKYBOX CORGAN RG CRITICAL kW REED ASSOCIATES

LANDSCAPE HYDROZONE PLAN

04-09-2020

DATA HALL OFFICE

L-104



SKYBOX CORGAN R-G RUTH AND GOING, INC.

CRITICAL PROJECT SERVICES, LLC kW mission critical engineering REED ASSOCIATES LANDSCAPE ARCHITECTURE

PRELIMINARY IRRIGATION PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL JAY REED No. 2002 EXP. 9/30/2021 STATE OF CALIFORNIA

DATA HALL OFFICE LD

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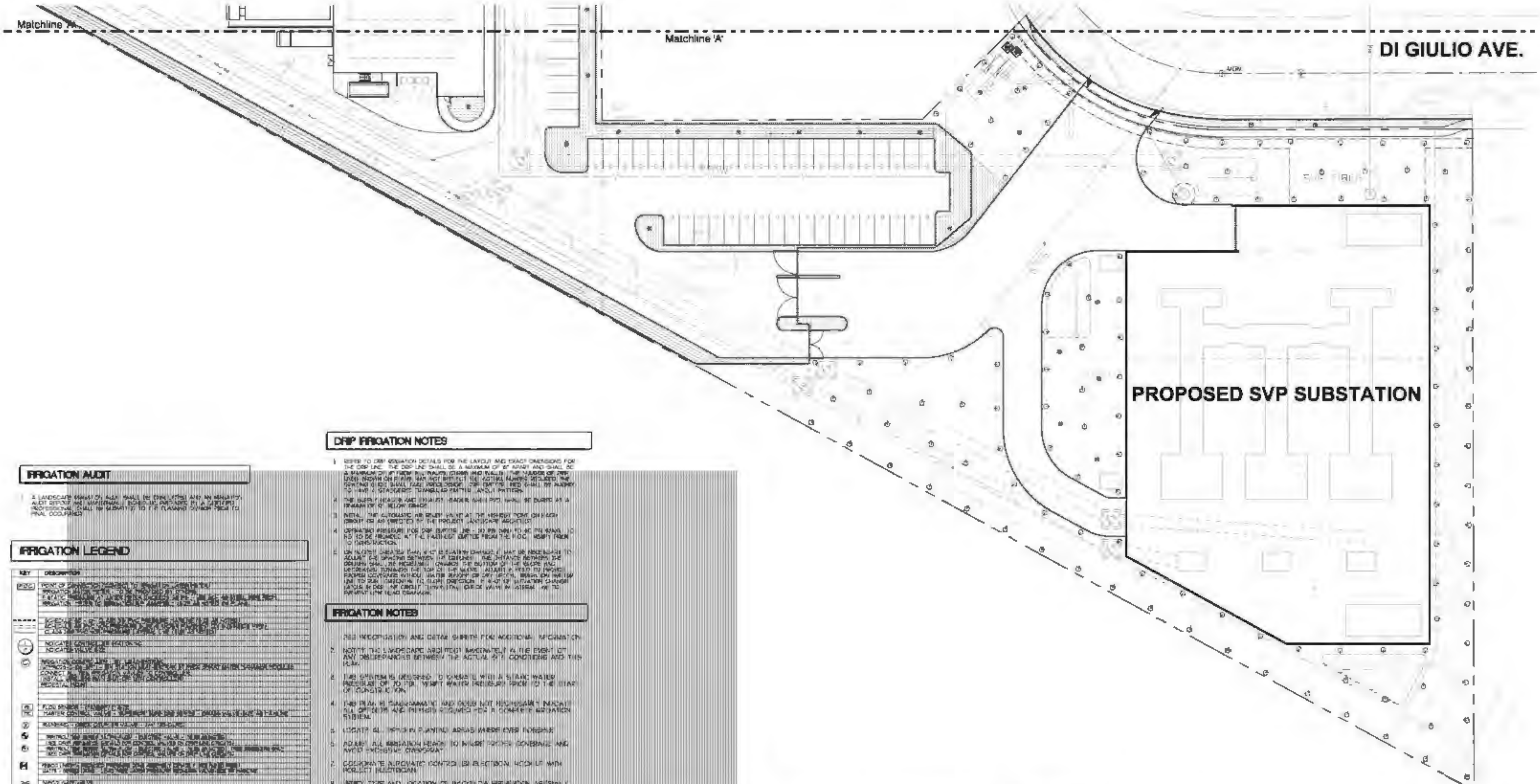

IRRIGATION AUDIT

1. A LANDSCAPE IRRIGATION AUDIT SHALL BE CONDUCTED AND AN IRRIGATION AUDIT REPORT AND MAINTENANCE SCHEDULE PREPARED BY A CERTIFIED PROFESSIONAL SHALL BE SUBMITTED TO THE PLANNING DIVISION PRIOR TO FINAL OCCUPANCY.

IRRIGATION LEGEND

KEY	DESCRIPTION
[illegible]	[illegible]

DRIP IRRIGATION NOTES

1. REFER TO DRIP IRRIGATION DETAILS FOR THE LAYOUT AND EXACT DIMENSIONS FOR THE DRIP LINE. [illegible]
2. [illegible]
3. INSTALL THE AUTOMATIC AIR RELIEF VALVE AT THE HIGHEST POINT ON EACH DRIP OR AS DIRECTED BY THE PROJECT LANDSCAPE ARCHITECT.
4. OPERATING PRESSURE FOR DRIP EMITTER LINE [illegible] IS TO BE PROVIDED AT THE FARTHEST EMITTER FROM THE P.O.C. VERIFY PRIOR TO CONSTRUCTION.
5. ON SLOPES GREATER THAN [illegible] IT MAY BE NECESSARY TO ADJUST THE SPACING BETWEEN THE EMITTERS. [illegible]

IRRIGATION NOTES

1. SEE SPECIFICATION AND DETAIL SHEETS FOR ADDITIONAL INFORMATION.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE ACTUAL SITE CONDITIONS AND THIS PLAN.
3. THIS SYSTEM IS DESIGNED TO OPERATE WITH A STATIC WATER PRESSURE OF [illegible] PSI. VERIFY WATER PRESSURE PRIOR TO THE START OF CONSTRUCTION.
4. THIS PLAN IS DIAGRAMMATIC AND DOES NOT NECESSARILY INDICATE ALL OFFSETS AND FITTINGS REQUIRED FOR A COMPLETE IRRIGATION SYSTEM.
5. LOCATE ALL PIPING IN PLANTING AREAS WHERE EVER POSSIBLE.
6. ADJUST ALL IRRIGATION HEADS TO INSURE PROPER COVERAGE AND AVOID EXCESSIVE OVERSPRAY.
7. COORDINATE AUTOMATIC CONTROLLER ELECTRICAL HOOK-UP WITH PROJECT ELECTRICIAN.
8. VERIFY TYPE AND LOCATION OF BACKFLOW PREVENTION ASSEMBLY WITH ALL LOCAL JURISDICTIONS PRIOR TO INSTALLATION.
9. INSTALL CHECK VALVES AS REQUIRED TO PREVENT LOW-HEAD DRAINAGE.
10. [illegible] SHOULD BE INSTALLED WITH ANY PRESSURE LINES NOT BURIED IN THE SAME TRENCH WITH CONTROL WIRES AND ALL ANY LINES OF ANY KIND UNDER PAVING NOT IN A TRENCH WITH CONTROL WIRES.
11. INSTALL [illegible] SPARE CONTROL WIRES ALONG THE ENTIRE MAIN LINE. SPARE WIRES SHALL BE THE SAME COLOR [illegible] WITH A WHITE STRIPE AND OF A DIFFERENT COLOR THAN OTHER CONTROL WIRES. LOOP [illegible] INCH EXCESS WIRE INTO EACH SINGLE VALVE BOX AND INTO ONE VALVE BOX IN EACH GROUP OF VALVES.
12. SUPPLEMENTAL HAND WATERING OF SLOPE AREAS PLANTED WITH SOD MAY BE NECESSARY IN WARM WEATHER TO ESTABLISH [illegible]. THE LANDSCAPE CONTRACTOR MUST INCLUDE THIS IN THEIR BID AND IN THE SCOPE OF WORK. DRY SOD WILL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.

IRRIGATION PIPE SIZING CHART

CLASS 200 — INTERMITTENT PRESSURE LATERAL PIPING

SCHEDULE 40 — CONSTANT PRESSURE PIPING 1-1/2 INCHES AND SMALLER; INTERMITTENT PRESSURE LATERAL PIPING

CLASS 315 — CONSTANT PRESSURE PIPING 2 INCHES AND LARGER

IRRIGATION NOTES LEGEND

[illegible]

Project Number: 19110.0000

SKYBOX | CORGAN | R G | CRITICAL | kW | REED ASSOCIATES

PRELIMINARY IRRIGATION PLAN

04-09-2020

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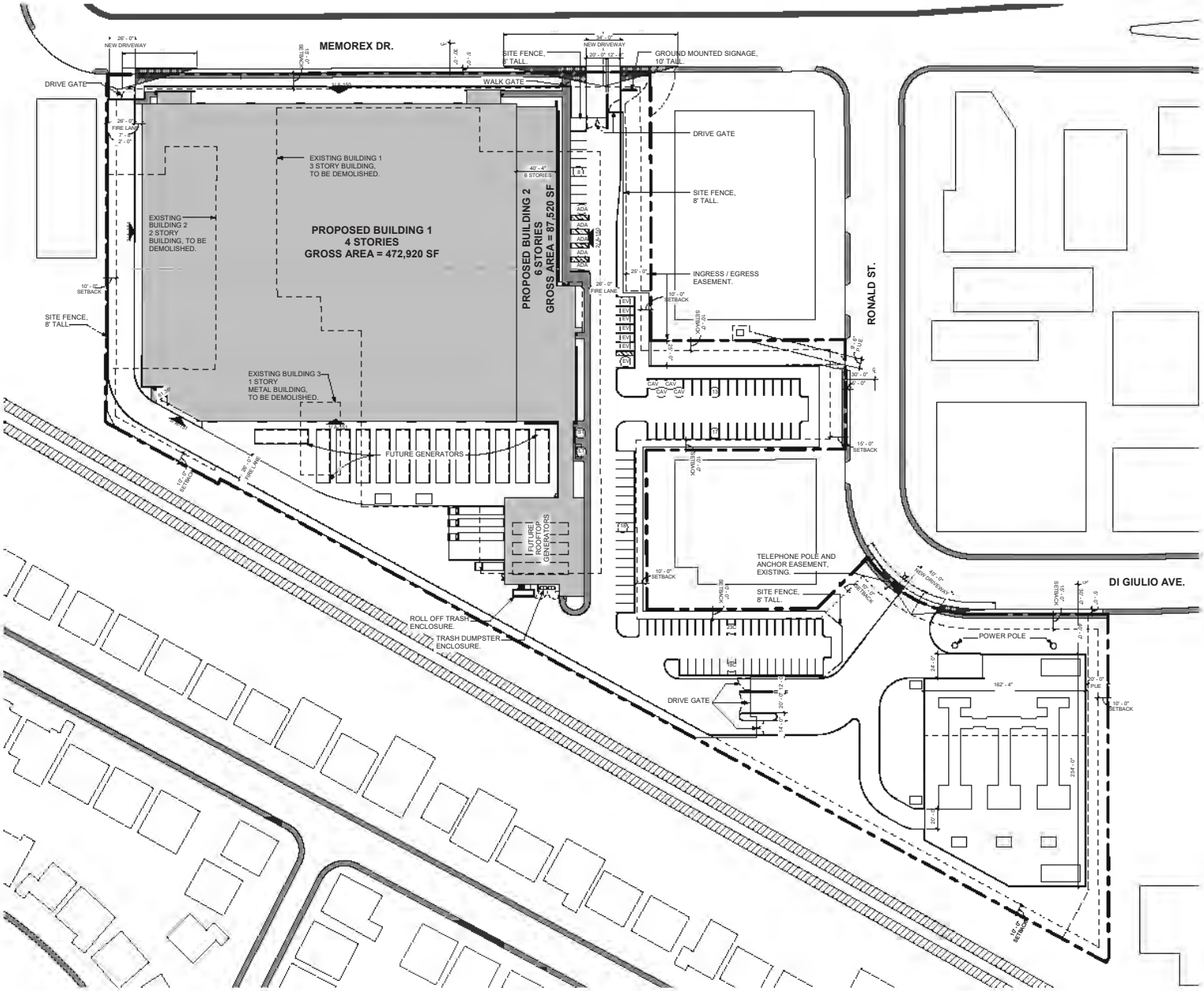
L-106



EXISTING

LOT SIZE - 400,038± SF - 9.18 ACRES

3 EXISTING BUILDINGS - TO BE DEMOLISHED

BUILDING 1 - FACTORY - 3 STORIES @ 116,679± SF BUILDING FOOTPRINT
BUILDING 2 - FACTORY - 2 STORIES @ 22,996± SF BUILDING FOOTPRINT
BUILDING 3 - STORAGE - 1 STORY @ 2,944± SF BUILDING FOOTPRINT

LOT COVERAGE - 142,619± SF - 36%

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87'0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF
PROD. DATA HALL - 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL - 6 @ 19,780 SF = 118,680 SF
MECH GALLERY - 24 @ 3,536 SF = 84,860 SF
UPS - 30 @ 2,275 SF =68,250 SF
OPEN OFFICE - 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC. -116,970 SF

* PRODUCTION AND DEVELOPMENT DATA HALLS ARE IDENTIFIABLE BY THEIR BACKUP POWER GENERATION.
- PRODUCTION DATA HALL - BACKUP POWER GENERATION PROVIDED FOR 100% OF LOAD
- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

PARKING

112 REQUIRED SPACES @ 1 PER 5,000 SF
113 PARKING SPACES PROVIDED
56 PARKING SPACES
41 COMPACT PARKING SPACES (C)
11 CLEAN AIR VEHICLE PARKING SPACES (CAV)
7 FUTURE EV CHARGING SPACES (EV)
5 ADA ACCESSIBLE SPACES (ADA)

BICYCLE PARKING - 5% SHORT & LONG TERM
6 SHORT TERM SPACES (ST)
6 LONG TERM SPACES (LT)

Project Number: 19110.0000

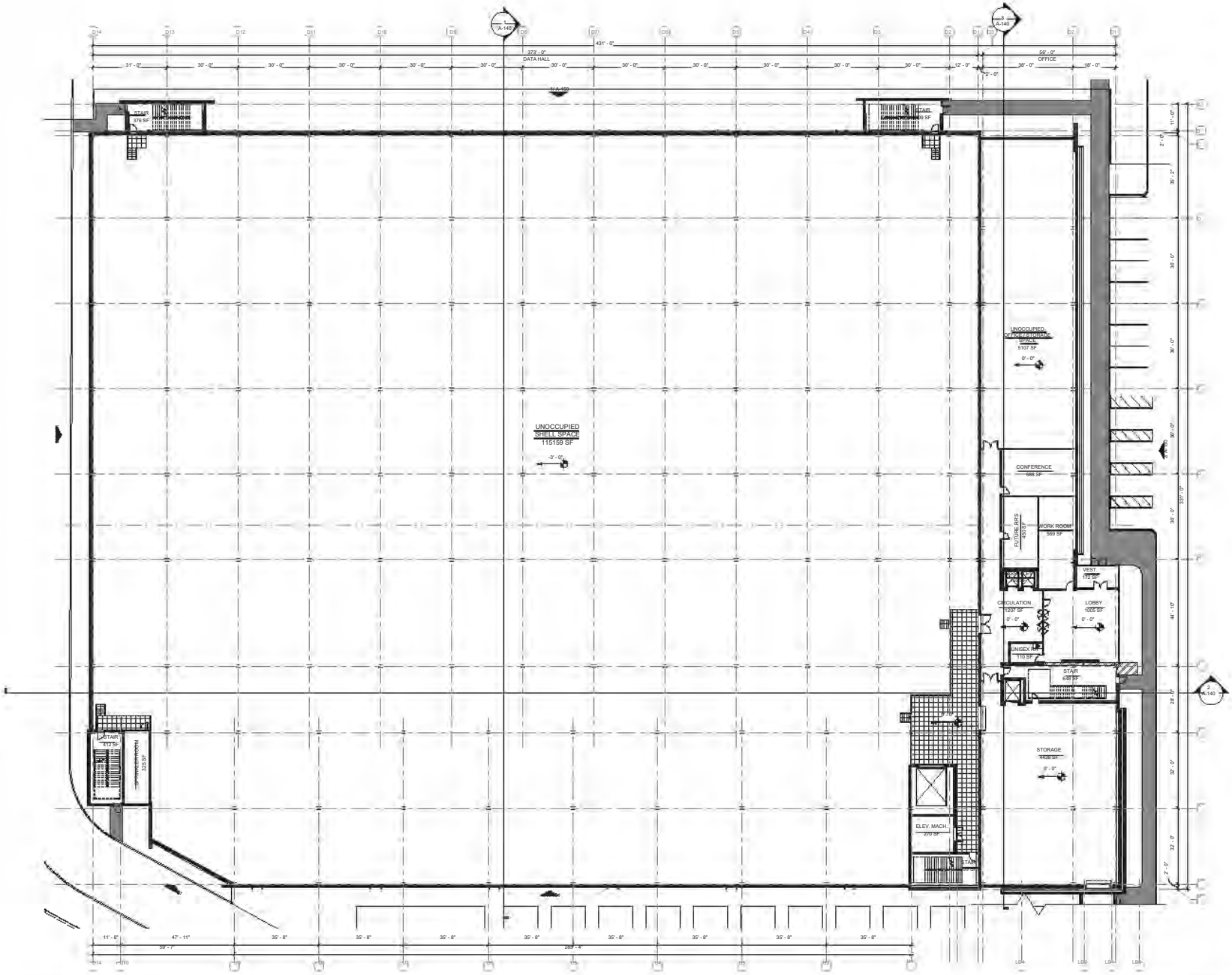
SKYBOX CORGAN RG CRITICAL kw

SITE PLAN

1" = 40'-0"
04.09.2020

DATA HALL OFFICE

A-110



PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
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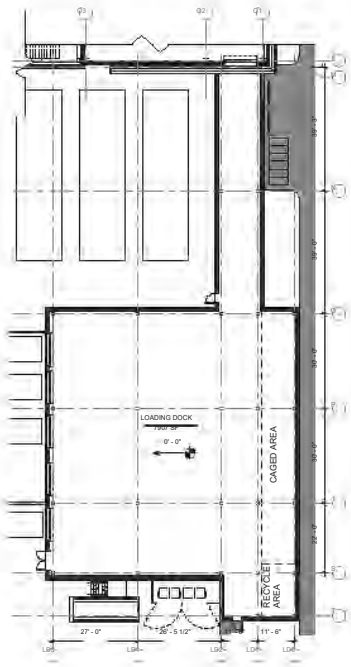
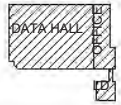


Project Number: 19110.0000

SKYBOX CORGAN RG CRITICAL kw

LEVEL 1 FLOOR PLAN

1/16" = 1'-0"
04.09.2020



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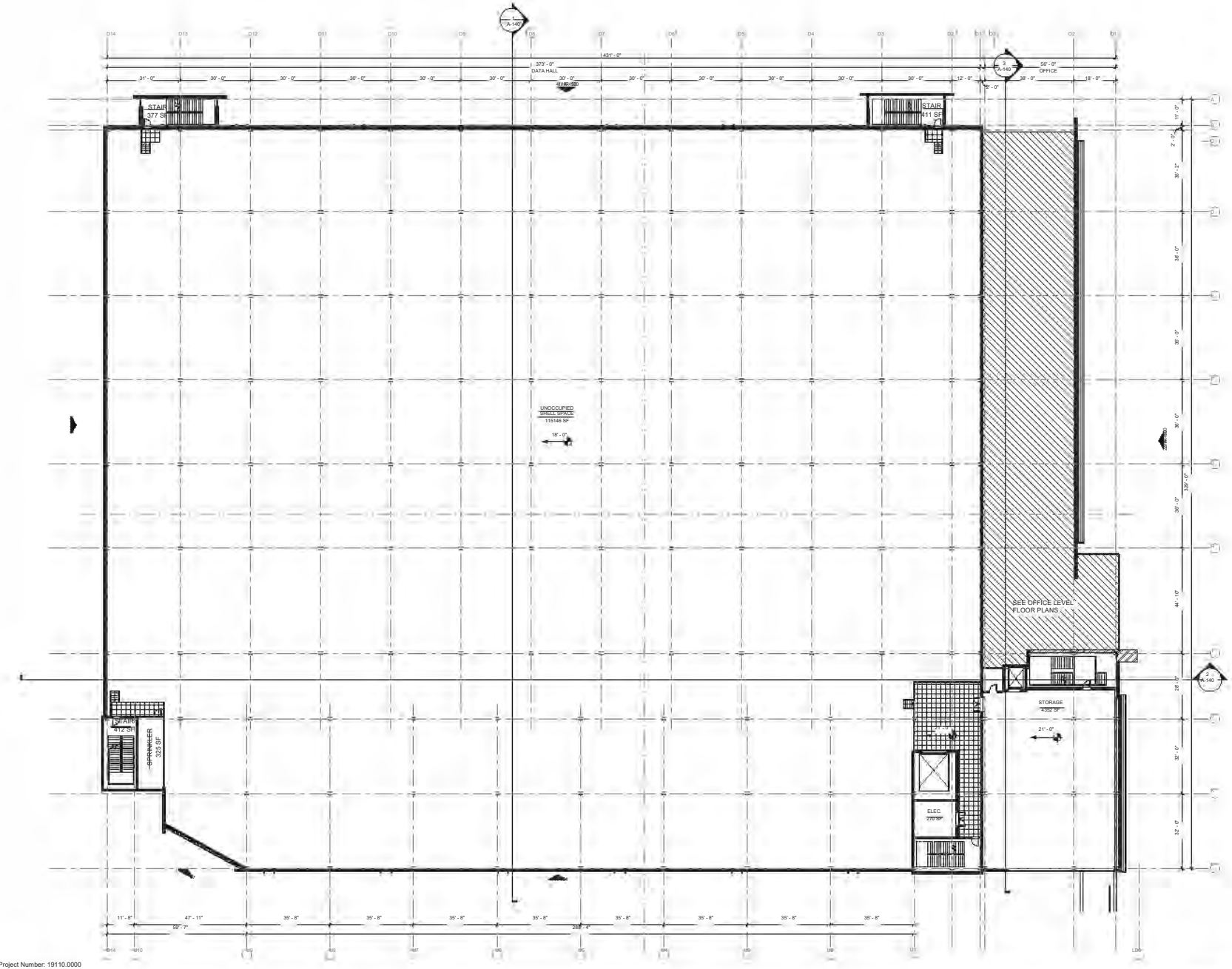

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87'0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
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OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

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MISC. -118,970 SF

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- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

Project Number: 19110.0000

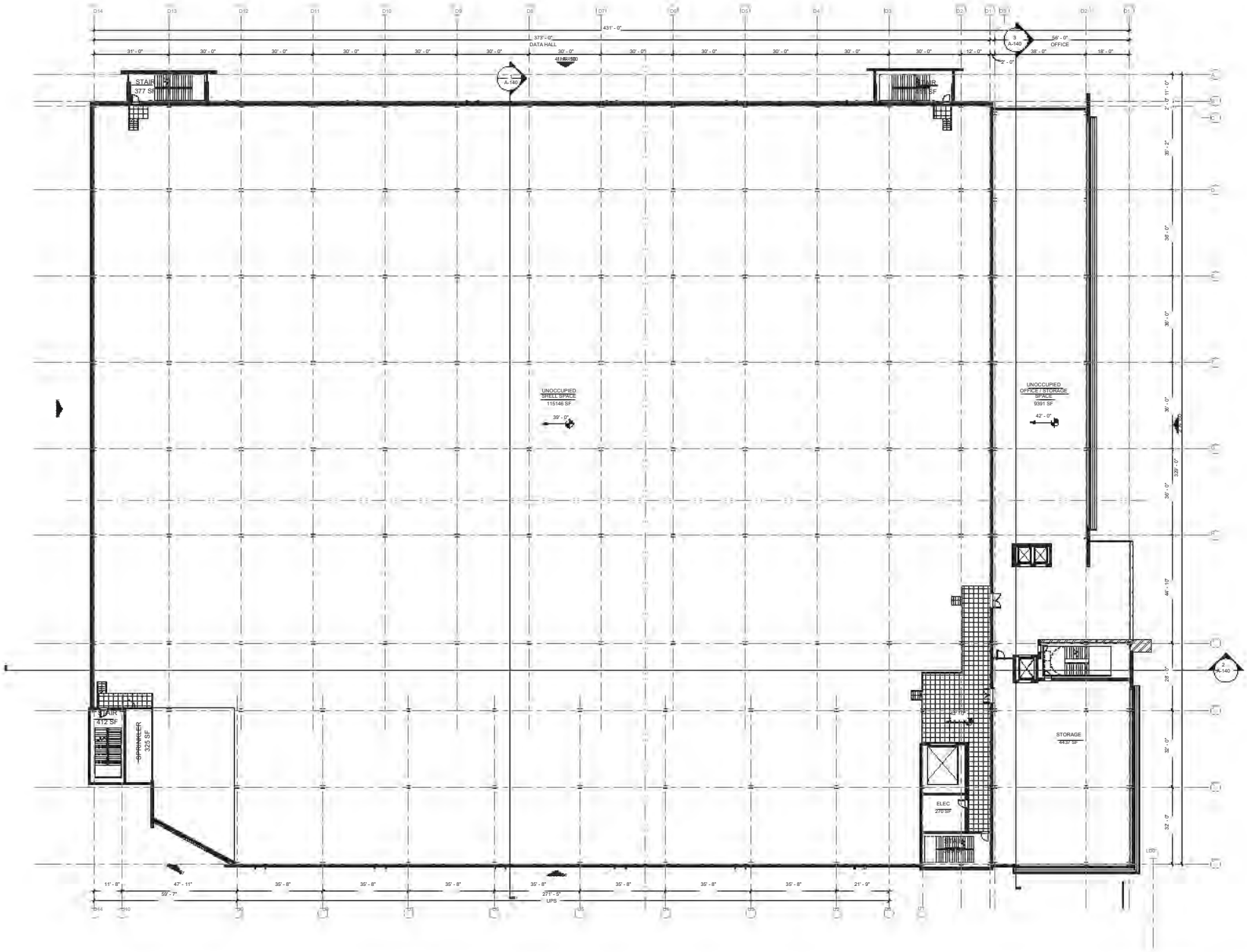
SKYBOX CORGAN RG CRITICAL KW

LEVEL 2 FLOOR PLAN

1/16" = 1'-0"
04.09.2020

DATA HALL OFFICE

A-122



PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
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BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF
PROD. DATA HALL - 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL - 6 @ 19,780 SF = 118,680 SF
MECH GALLERY - 24 @ 3,536 SF = 84,860 SF
UPS - 30 @ 2,275 SF =68,250 SF
OPEN OFFICE - 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC. -118,970 SF

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- PRODUCTION DATA HALL - BACKUP POWER GENERATION PROVIDED FOR 100% OF LOAD
- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

Project Number: 19110.0000

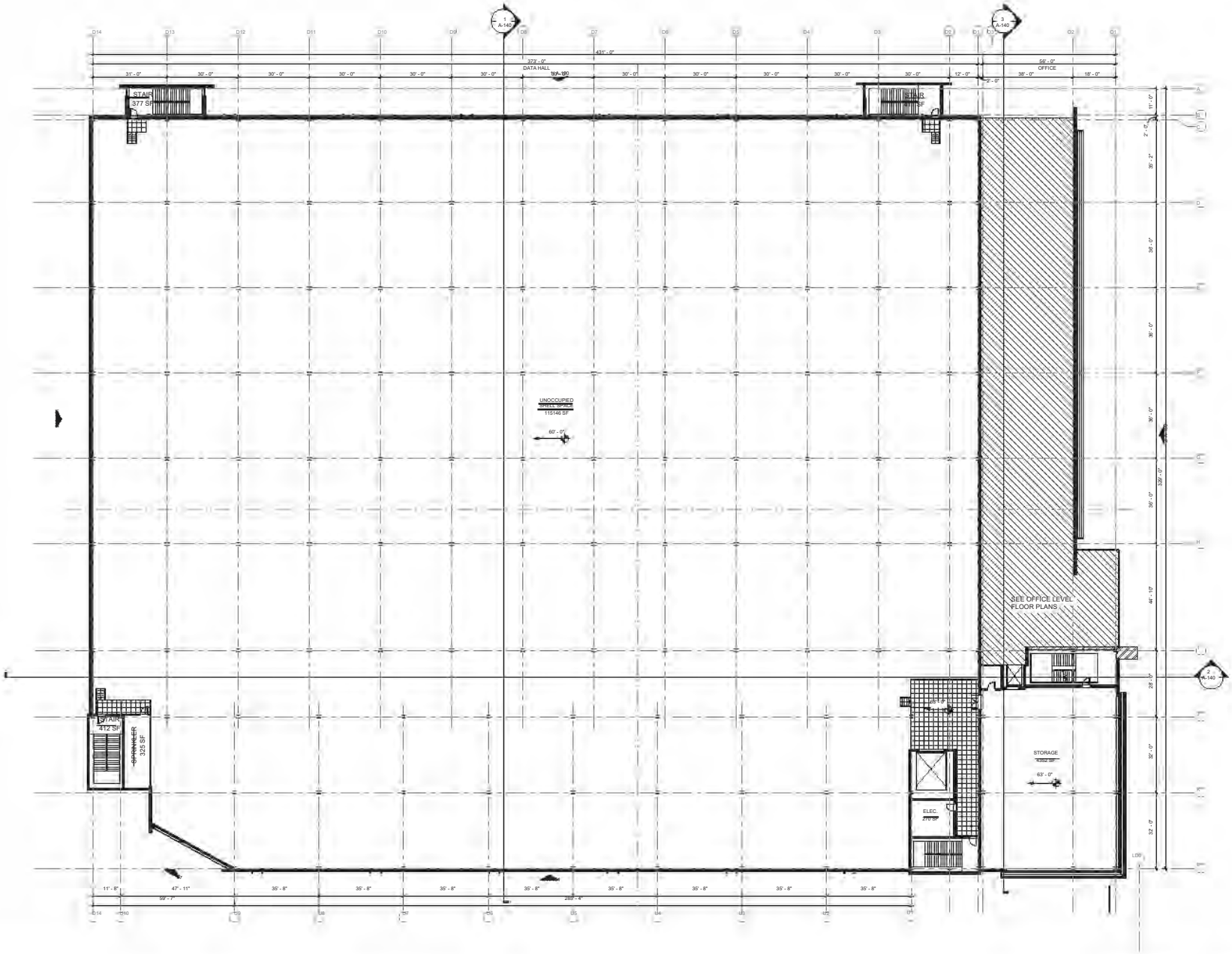
SKYBOX CORGAN RG CRITICAL KW

LEVEL 3 FLOOR PLAN

1/16" = 1'-0"
04.09.2020

DATA HALL OFFICE

A-123



PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87'0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF
PROD. DATA HALL - 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL - 6 @ 19,780 SF = 118,680 SF
MECH GALLERY - 24 @ 3,536 SF = 84,860 SF
UPS - 30 @ 2,275 SF =68,250 SF
OPEN OFFICE - 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC. -118,970 SF

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Project Number: 19110.0000

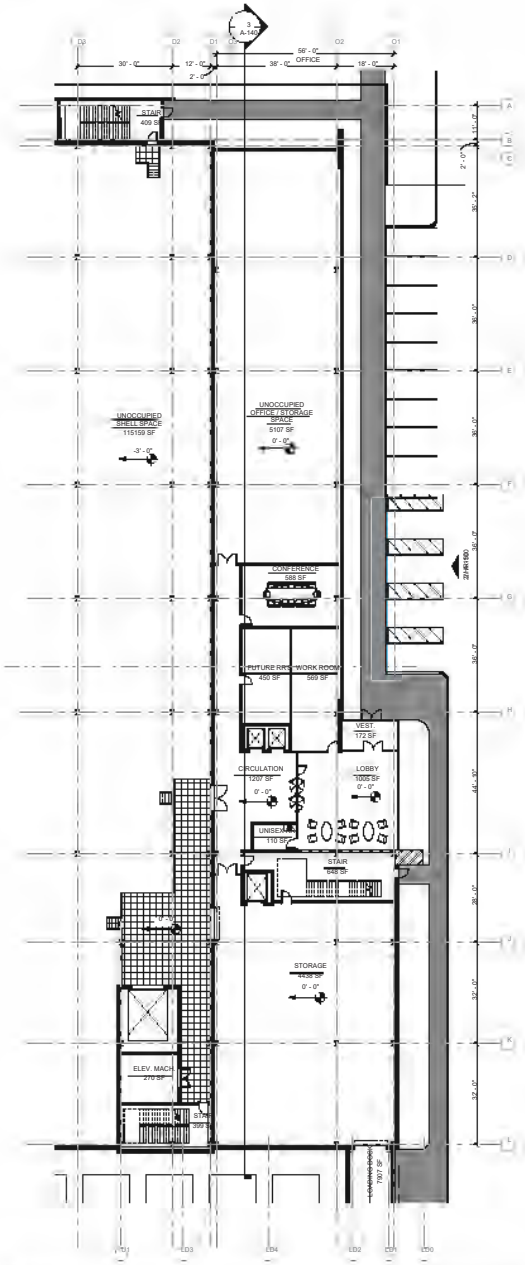
SKYBOX CORGAN RG CRITICAL kw

LEVEL 4 FLOOR PLAN

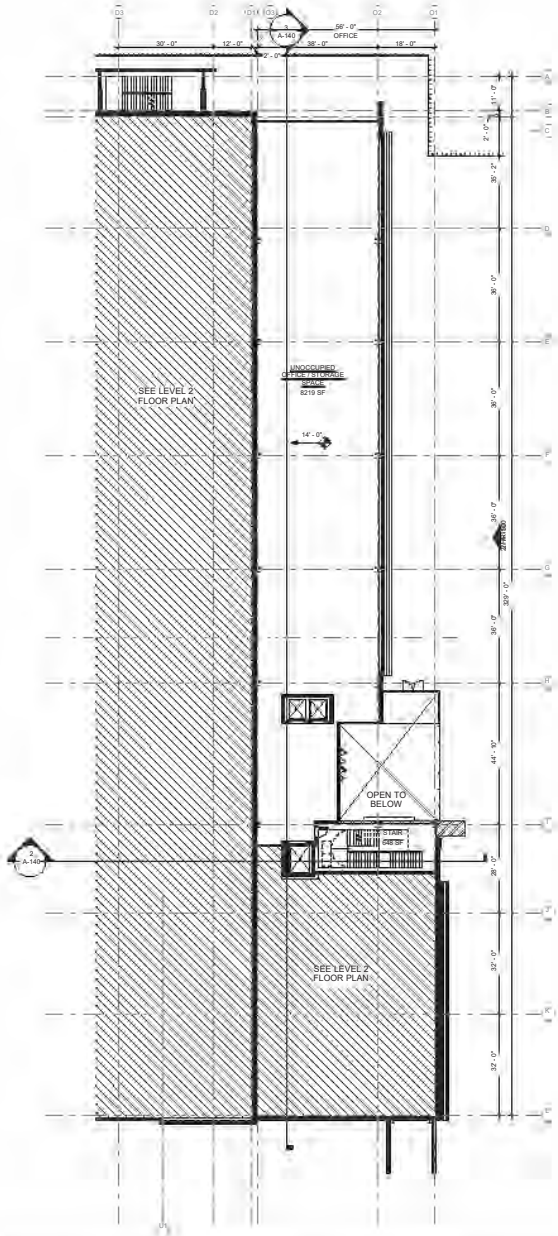
1/16" = 1'-0"
04.09.2020

DATA HALL
OFFICE

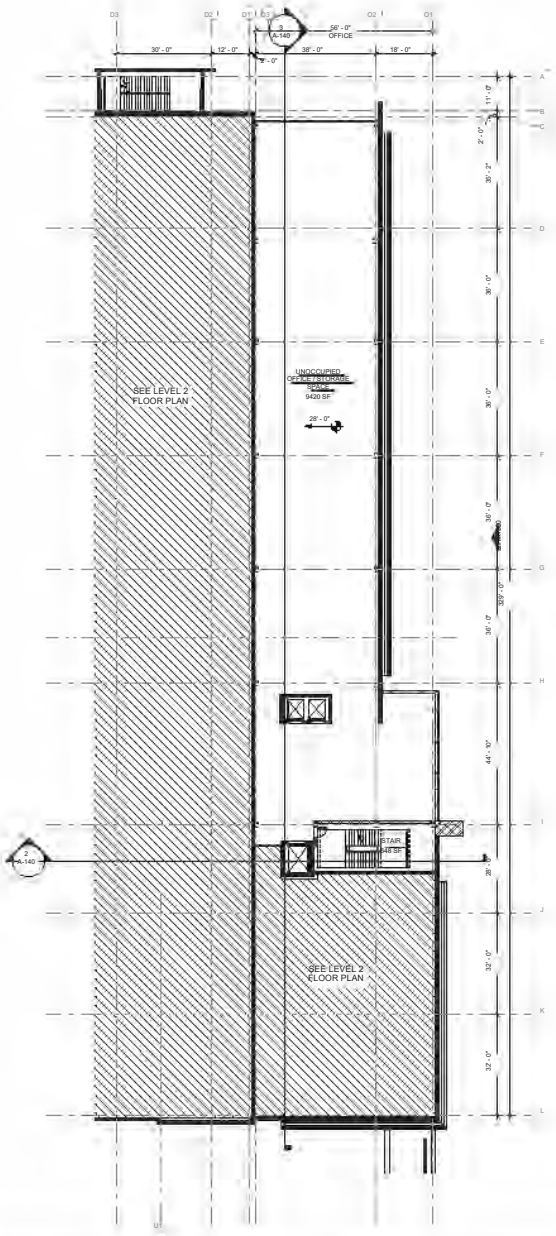
A-124



1 LEVEL 1 FLOOR PLAN - OFFICE
1/16" = 1'-0"



2 LEVEL 1.5 FLOOR PLAN - OFFICE
1/16" = 1'-0"



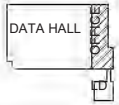
3 LEVEL 2.5 FLOOR PLAN - OFFICE
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX CORGAN RG CRITICAL kw

OFFICE LEVEL - FLOOR PLANS

1/16" = 1'-0"
04.09.2020



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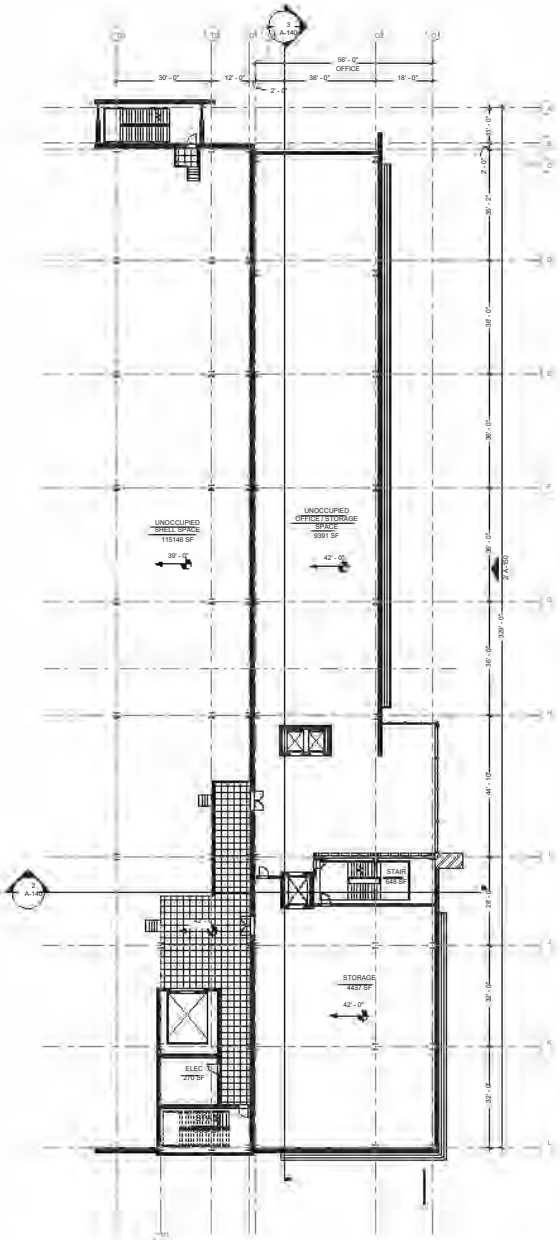
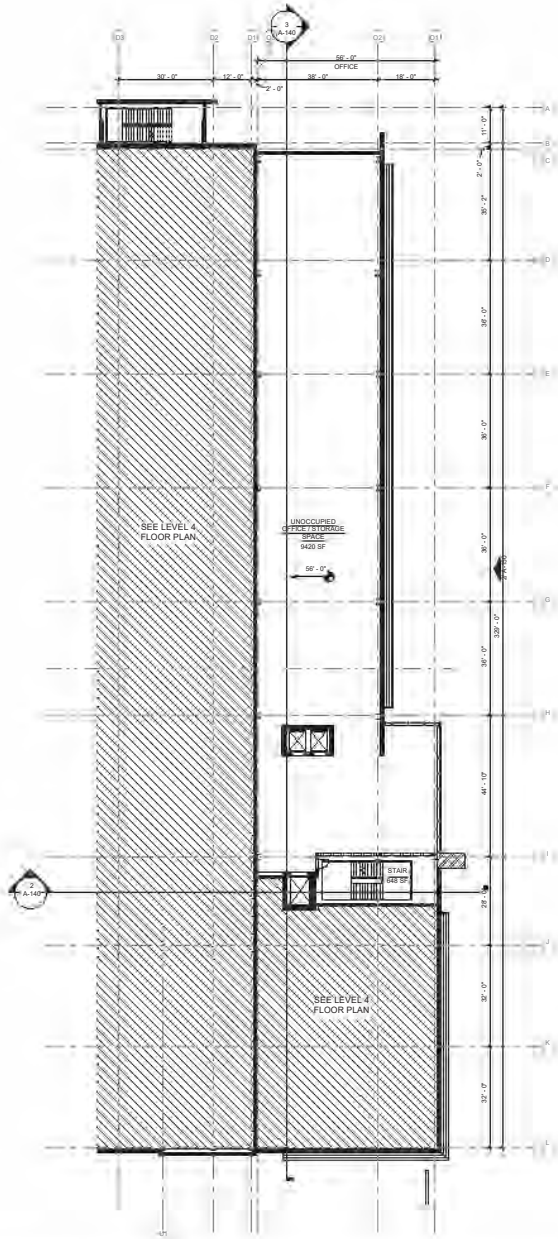
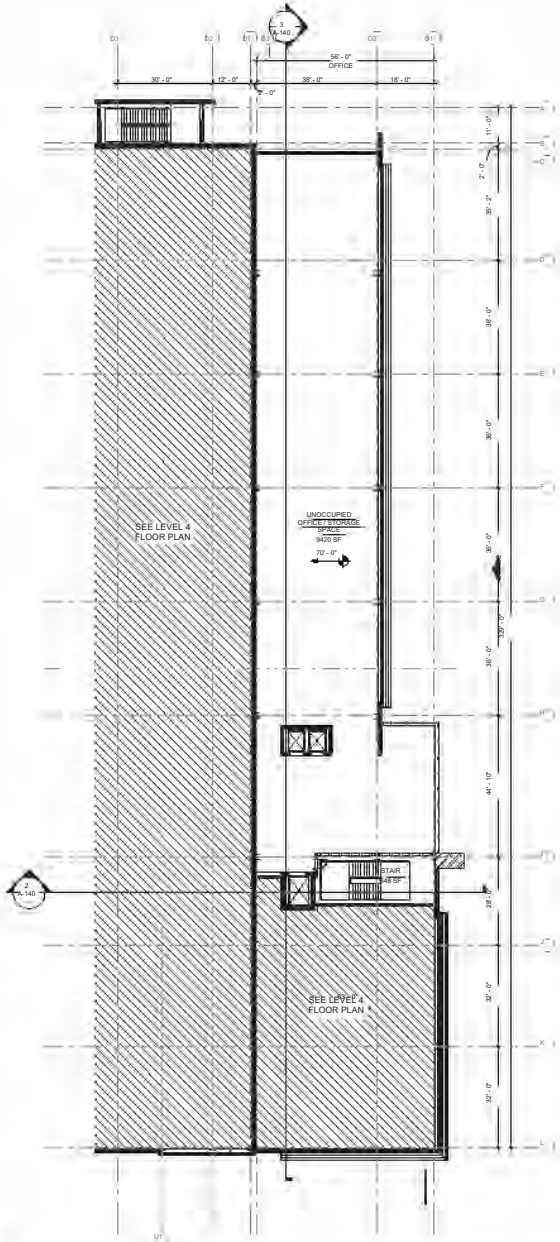


1 LEVEL 3 FLOOR PLAN - OFFICE
1/16" = 1'-0"



2 LEVEL 3.5 FLOOR PLAN - OFFICE
1/16" = 1'-0"



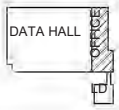
3 LEVEL 4.5 - FLOOR PLAN OFFICE
1/16" = 1'-0"

Project Number: 19110.0000

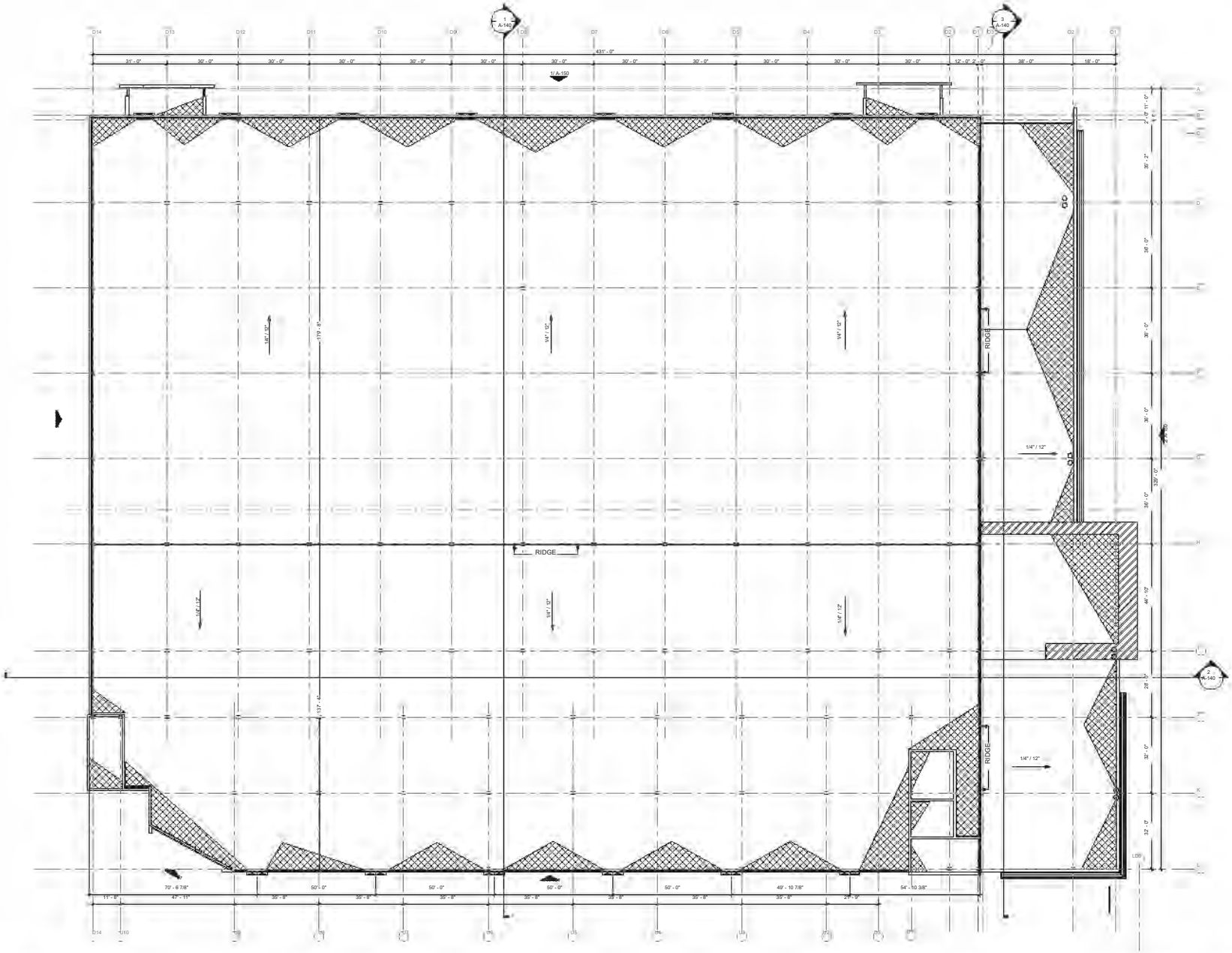
SKYBOX CORGAN RG CRITICAL KW

OFFICE LEVEL - FLOOR PLANS

1/16" = 1'-0"
04.09.2020



A-126



PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF
PROD. DATA HALL - 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL - 6 @ 19,780 SF = 118,680 SF
MECH GALLERY - 24 @ 3,536 SF = 84,860 SF
UPS - 30 @ 2,275 SF =68,250 SF
OPEN OFFICE - 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC. -118,970 SF

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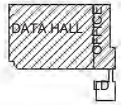
Project Number: 19110.0000

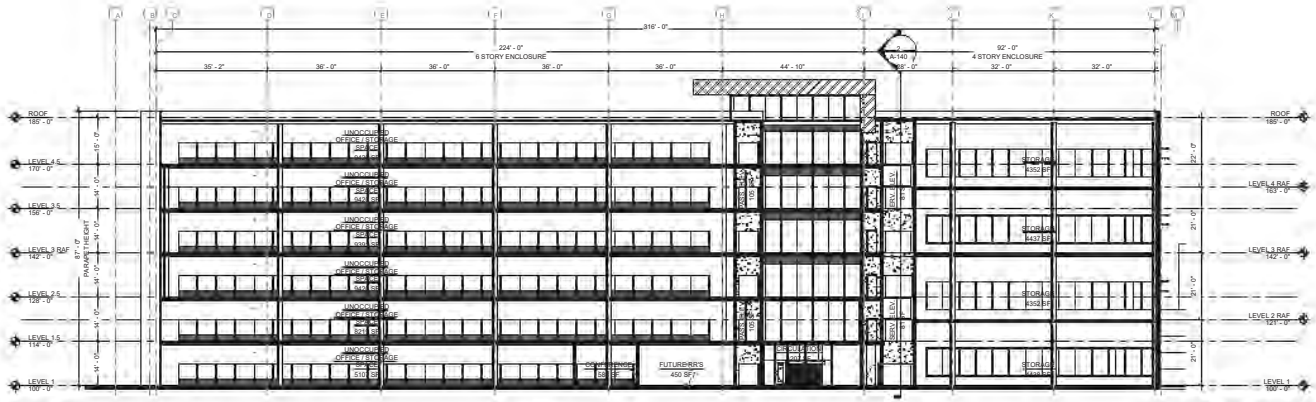
SKYBOX CORGAN RG CRITICAL kW

ROOF PLAN

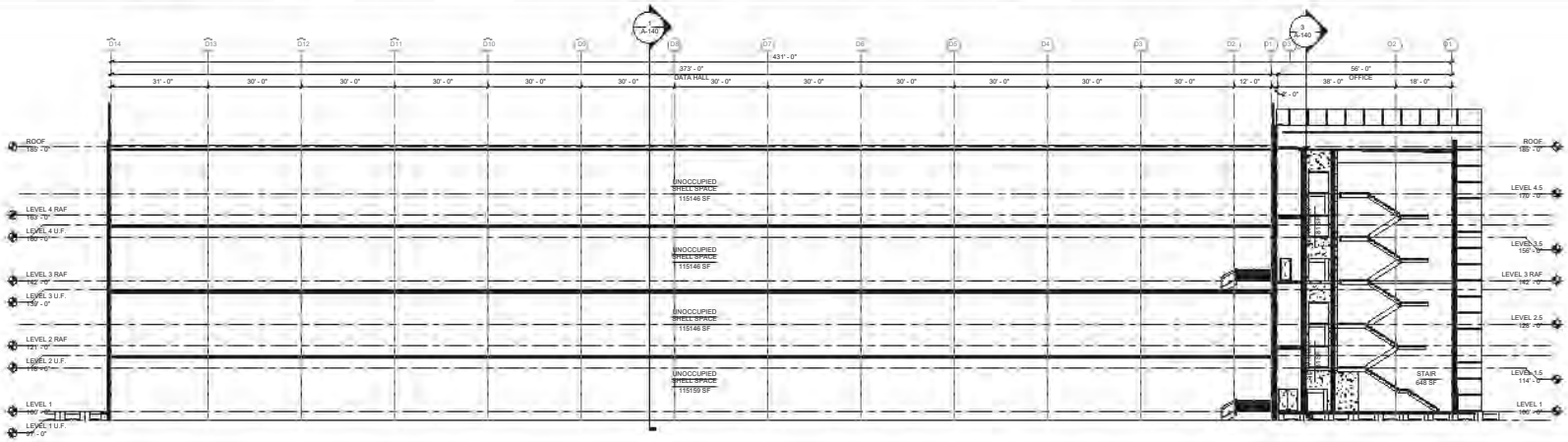
1/16" = 1'-0"
04.09.2020



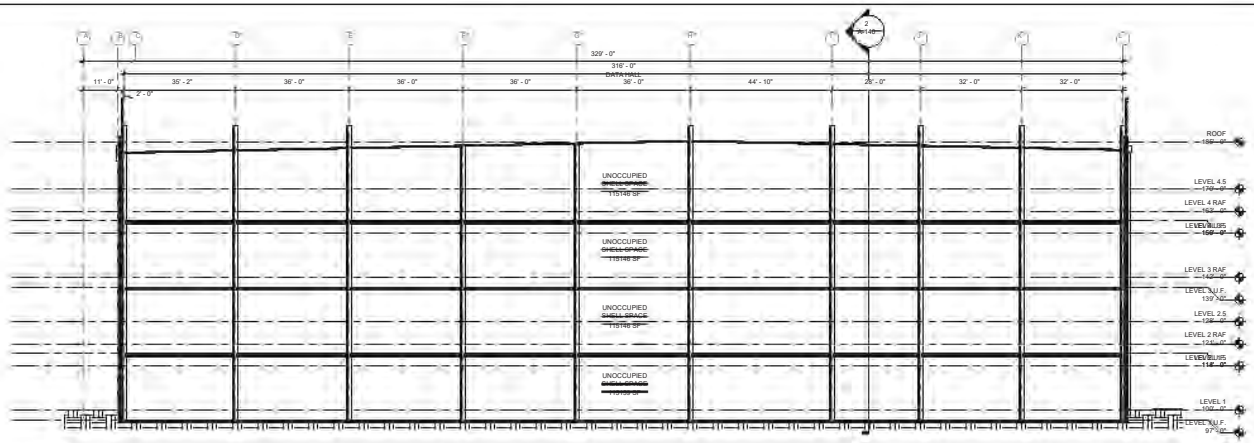
A-130



3 OFFICE SECTION - N-S
1/16" = 1'-0"



2 BUILDING SECTION E-W
1/16" = 1'-0"



1 DATA HALL SECTION N-S
N.T.S.

Project Number: 19110.0000

SKYBOX

CORGAN

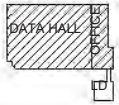
RG

CRITICAL

kW

BUILDING SECTION

1/16" = 1'-0"
04.09.2020



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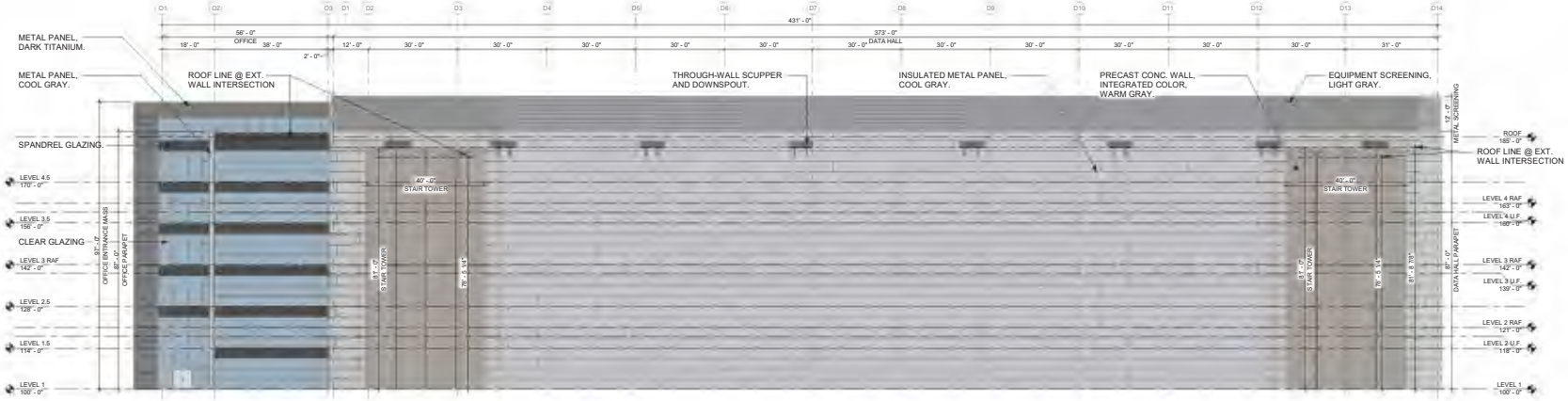
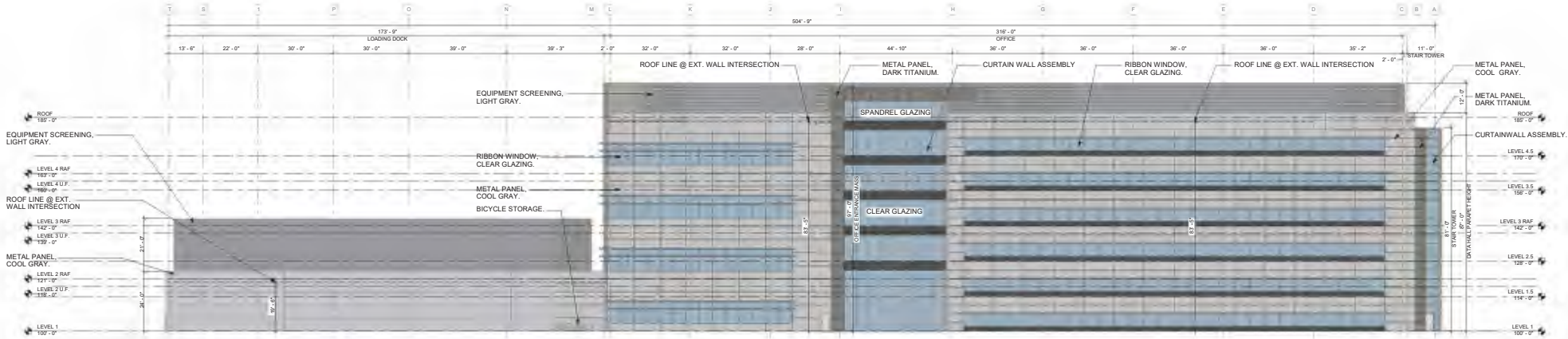


1 NORTH
1/16" = 1'-0"



2 EAST
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX CORGAN RG CRITICAL kw REED ASSOCIATES

ELEVATIONS

1/16" = 1'-0"
04.09.2020

DATA HALL OFFICE LD

A-150

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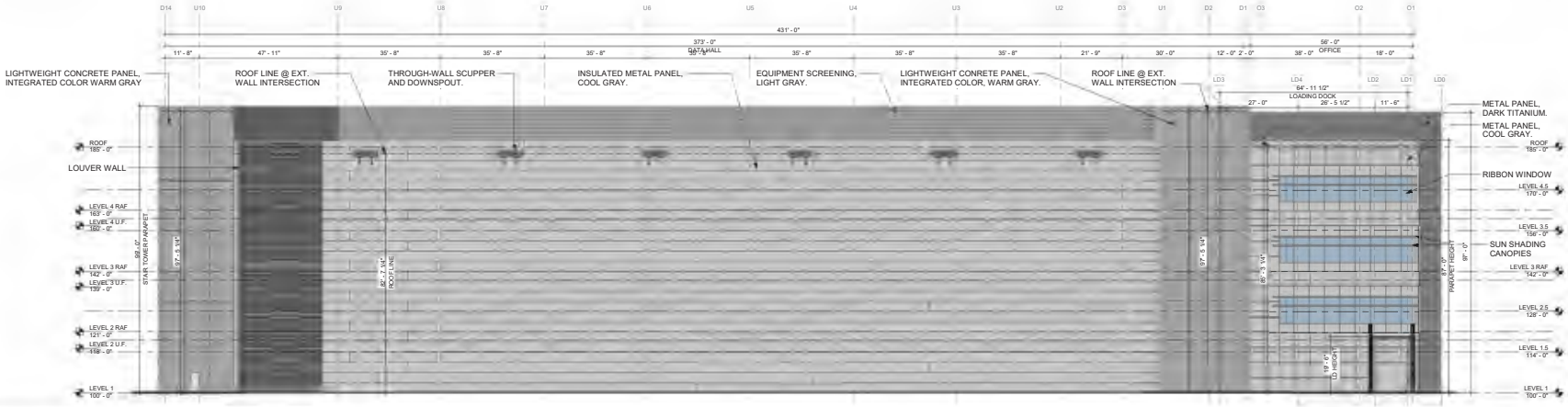
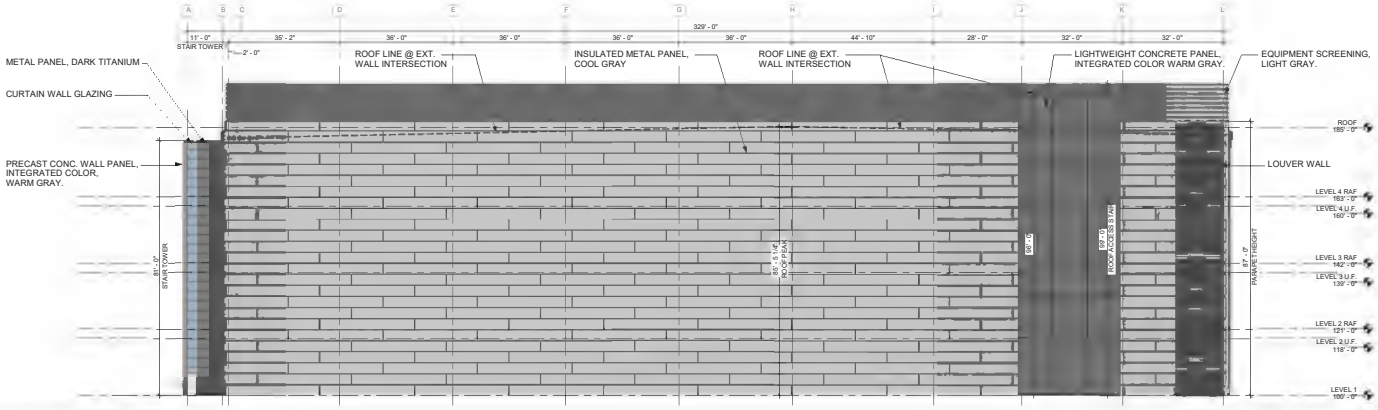
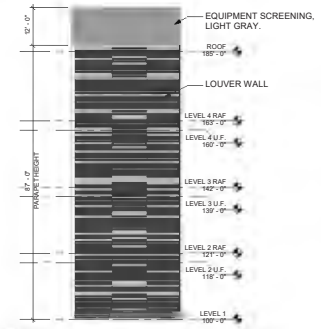


1 SOUTH
1/16" = 1'-0"



2 WEST
1/16" = 1'-0"



3 ELEVATION - SW CORNER
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX
CORGAN
RG
CRITICAL
kW
REED ASSOCIATES

ELEVATIONS

1/16" = 1'-0"
04.09.2020

DATA HALL
OFFICE
LD

A-151

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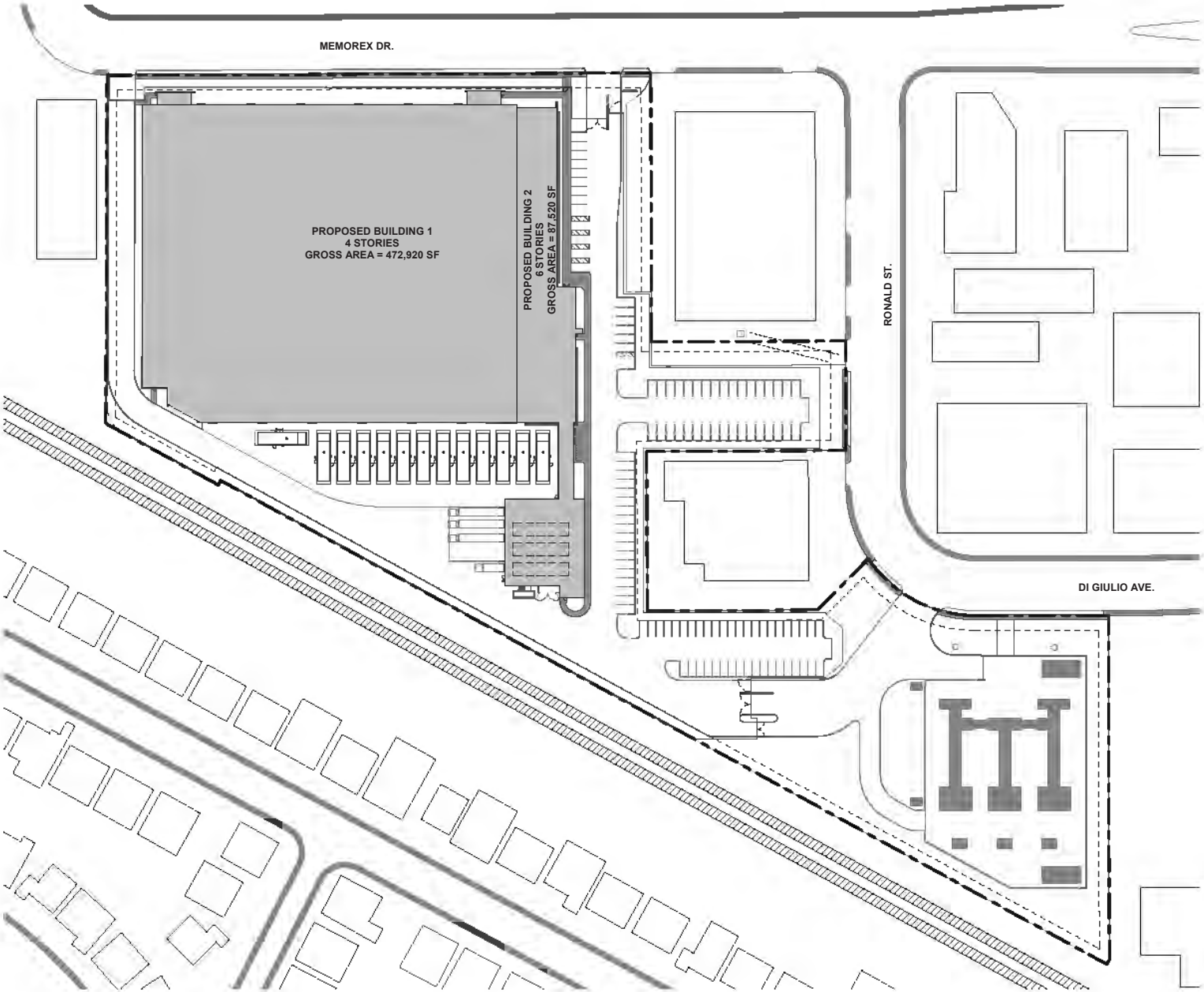

EXISTING

LOT SIZE - 400,038± SF - 9.18 ACRES

3 EXISTING BUILDINGS - TO BE DEMOLISHED

BUILDING 1 - FACTORY - 3 STORIES @ 116,679± SF BUILDING FOOTPRINT
BUILDING 2 - FACTORY - 2 STORIES @ 22,996± SF BUILDING FOOTPRINT
BUILDING 3 - STORAGE - 1 STORY @ 2,944± SF BUILDING FOOTPRINT

LOT COVERAGE - 142,619± SF - 36%

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
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MISC. -118,970 SF

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PARKING

112 REQUIRED SPACES @ 1 PER 5,000 SF
113 PARKING SPACES PROVIDED
56 PARKING SPACES
41 COMPACT PARKING SPACES (C)
11 CLEAN AIR VEHICLE PARKING SPACES (CAV)
7 FUTURE EV CHARGING SPACES (EV)
5 ADA ACCESSIBLE SPACES (ADA)

BICYCLE PARKING - 5% SHORT & LONG TERM
6 SHORT TERM SPACES (ST)
6 LONG TERM SPACES (LT)

Project Number: 19110.0000

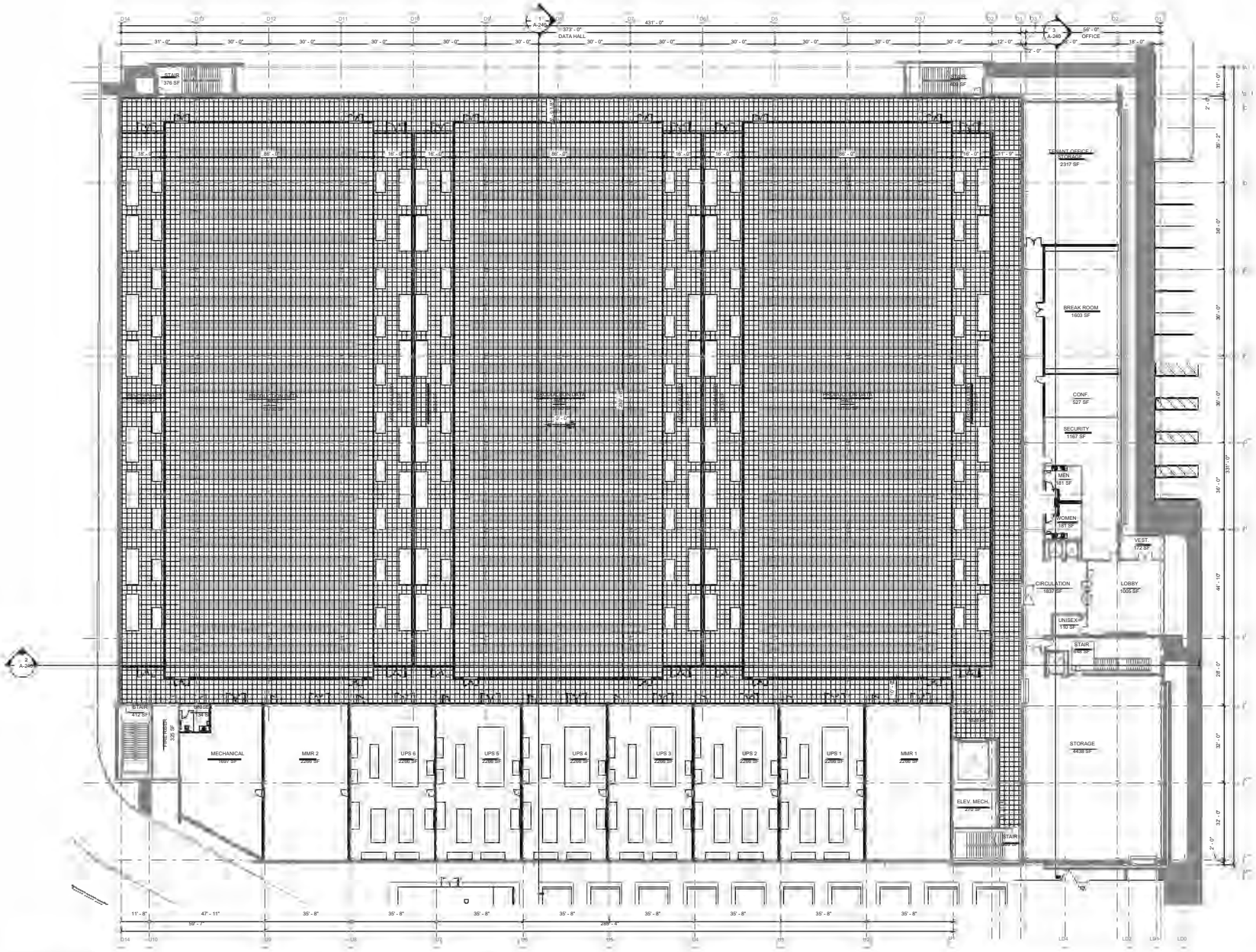
SKYBOX CORGAN RG CRITICAL kw

SITE PLAN - MP

1" = 40'-0"
04.09.2020

DATA HALL OFFICE UP

A-210



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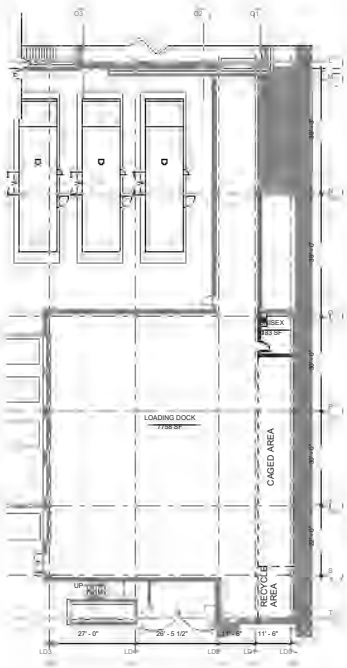
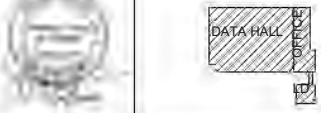


Project Number: 19110.0000

SKYBOX CORGAN RG CRITICAL KW

LEVEL 1 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020



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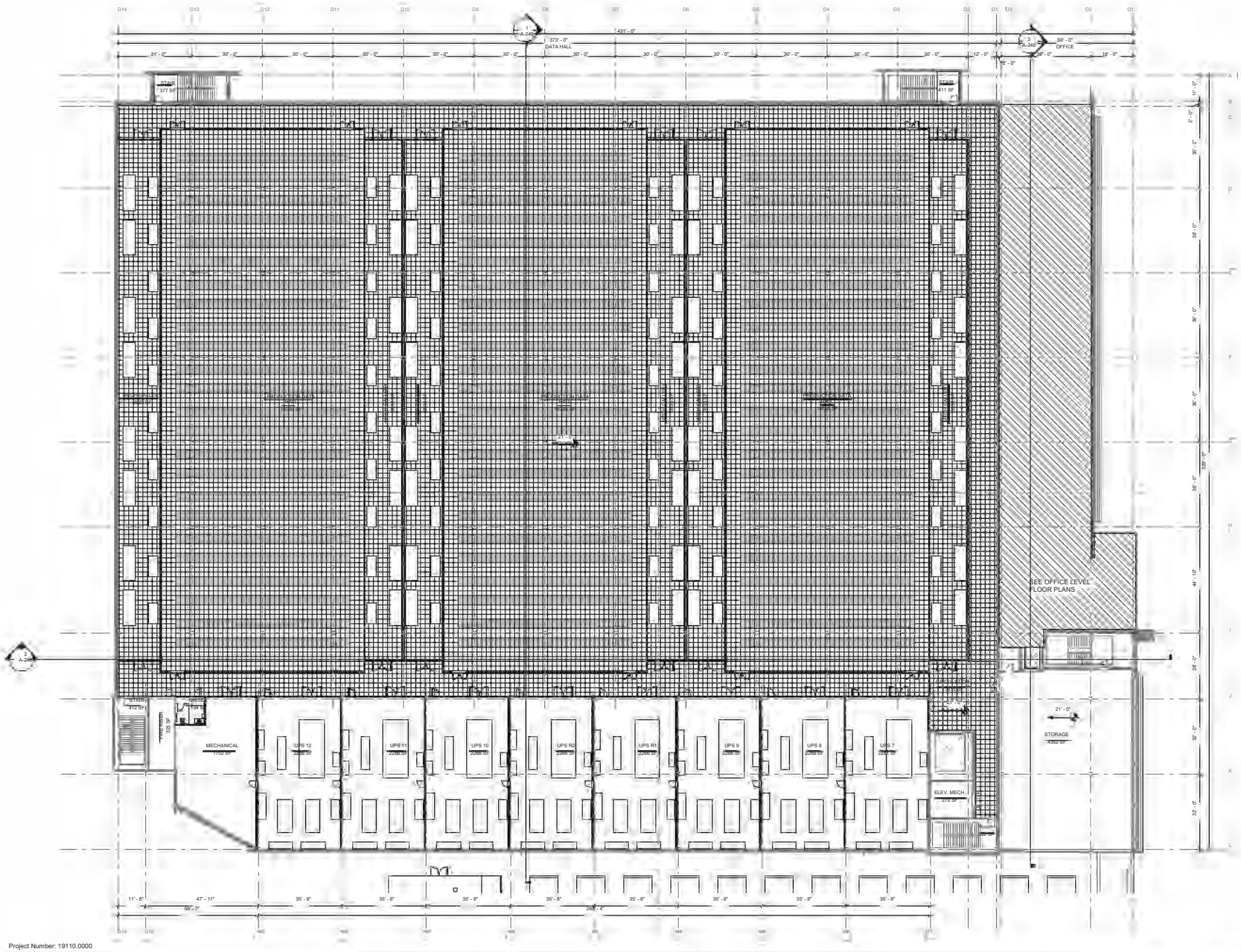

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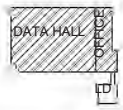
Project Number: 19110.0000

SKYBOX CORGAN RG CRITICAL KW

LEVEL 2 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020



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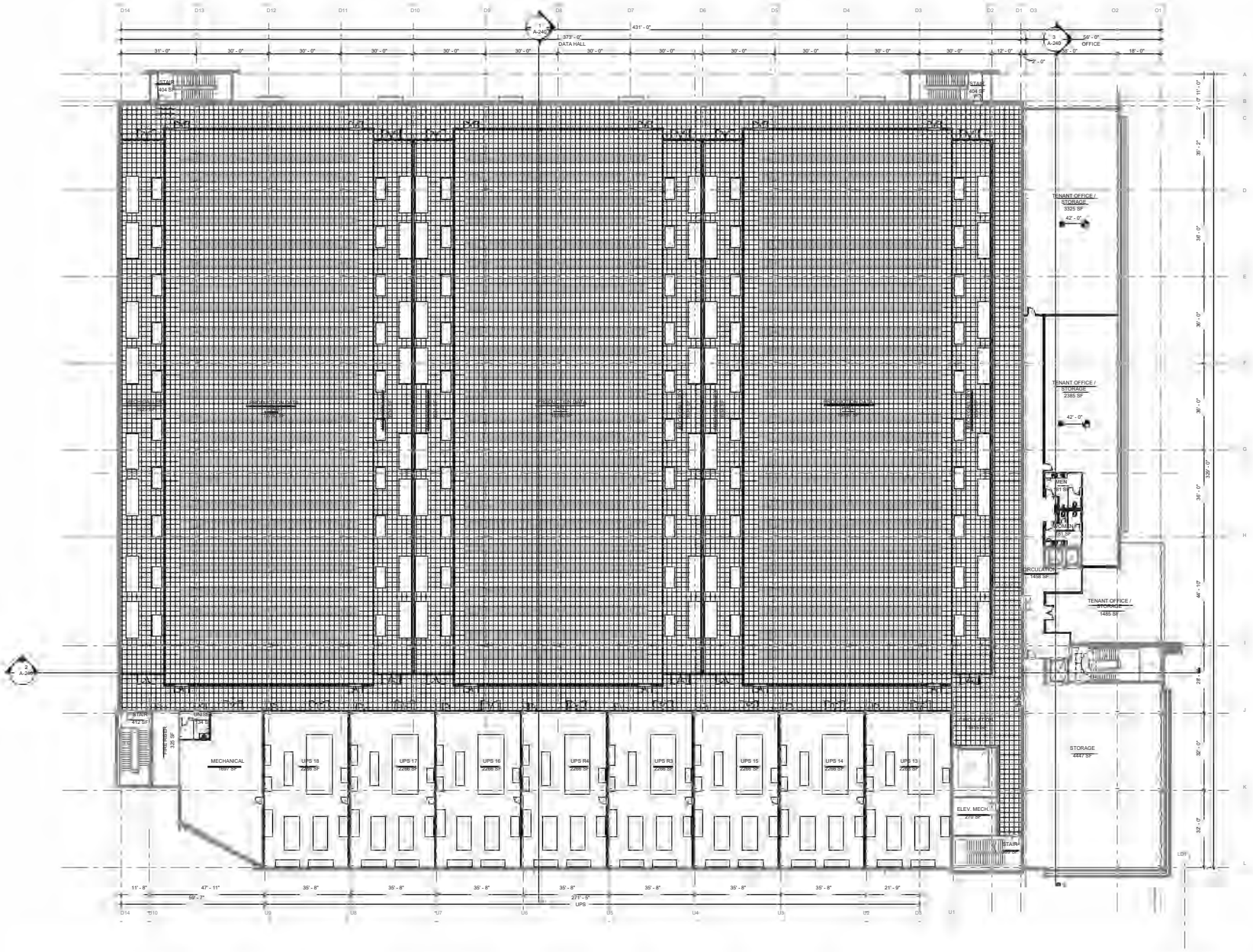

PROPOSED

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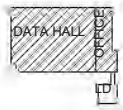
Project Number: 19110.0000

SKYBOX CORGAN RG CRITICAL kw

LEVEL 3 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020



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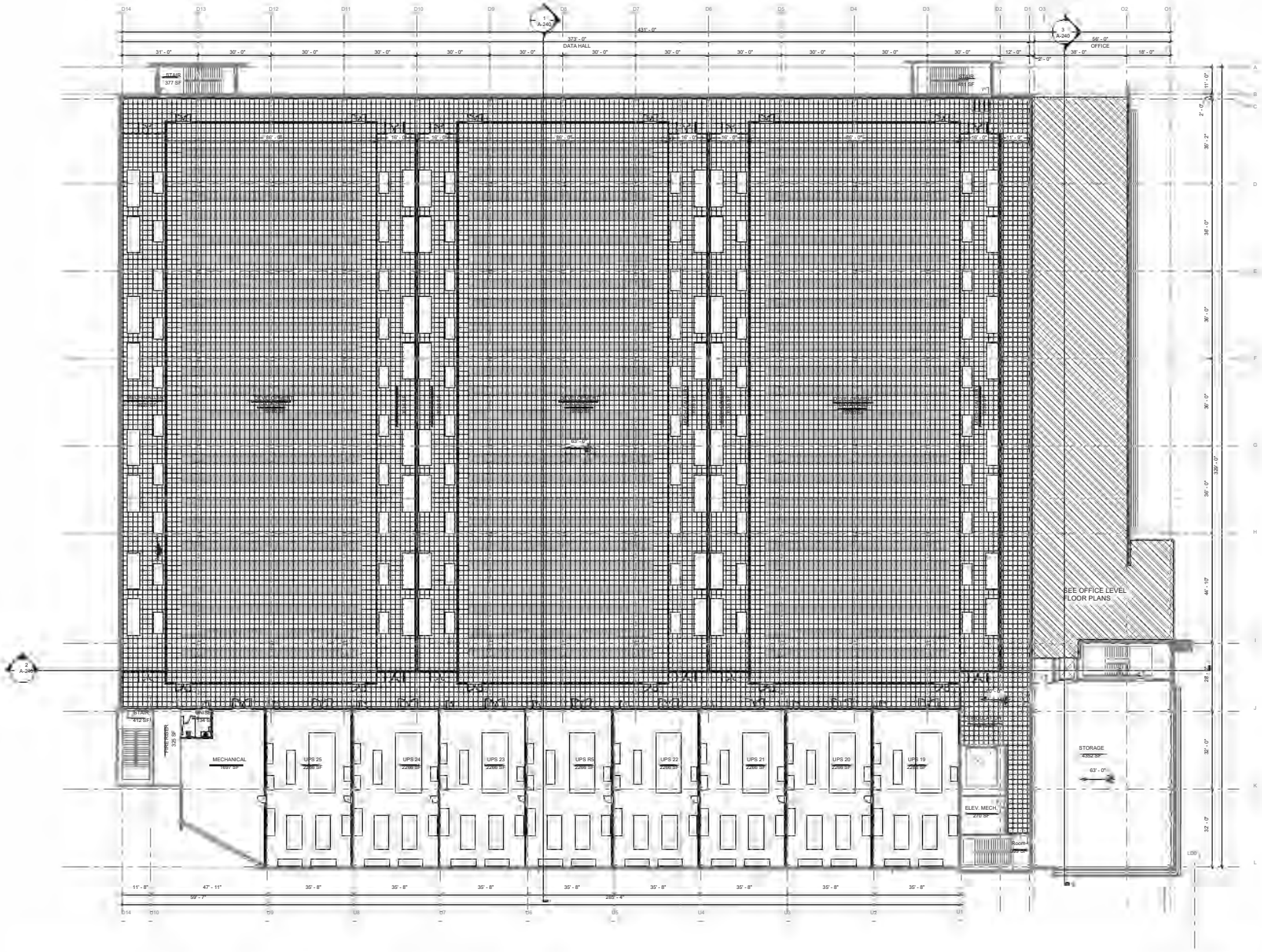

PROPOSED

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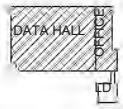
Project Number: 19110.0000

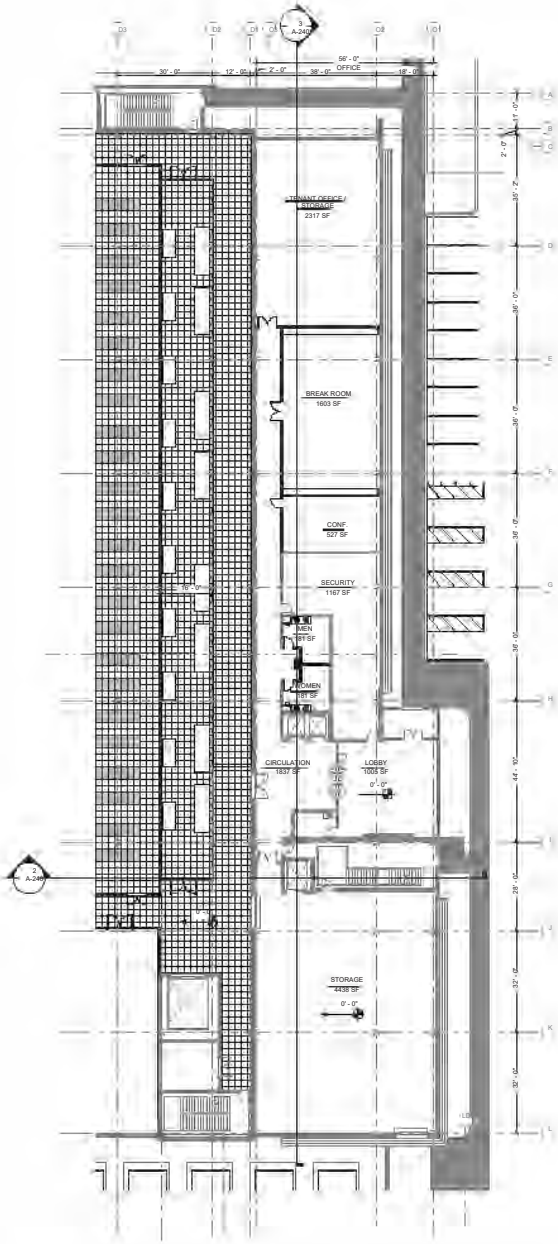
SKYBOX CORGAN RG CRITICAL KW

LEVEL 4 FLOOR PLAN - MP

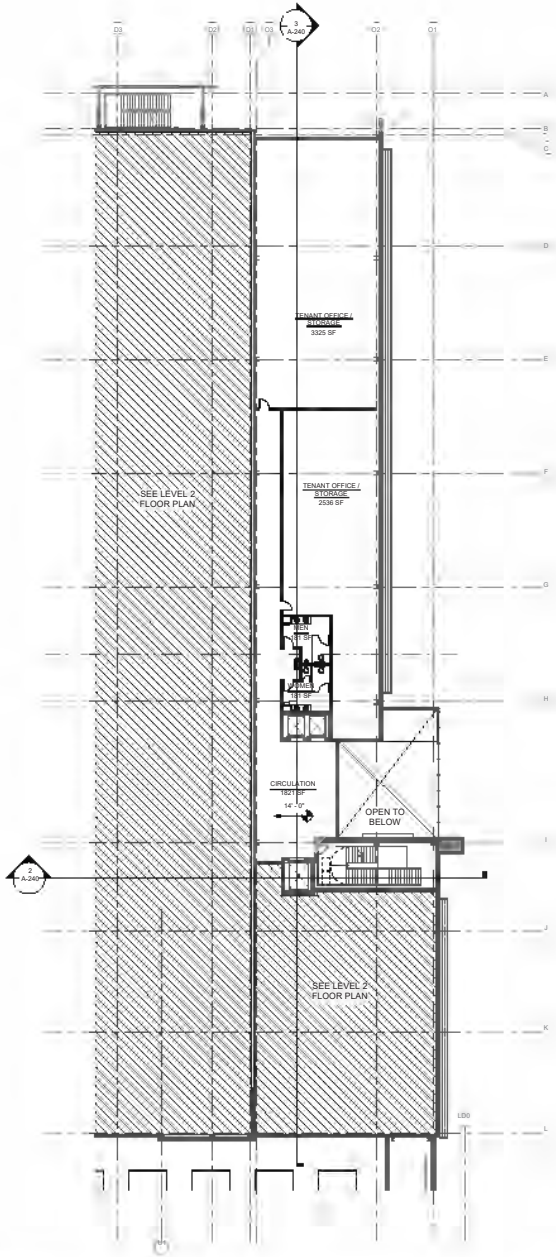
1/16" = 1'-0"
04.09.2020



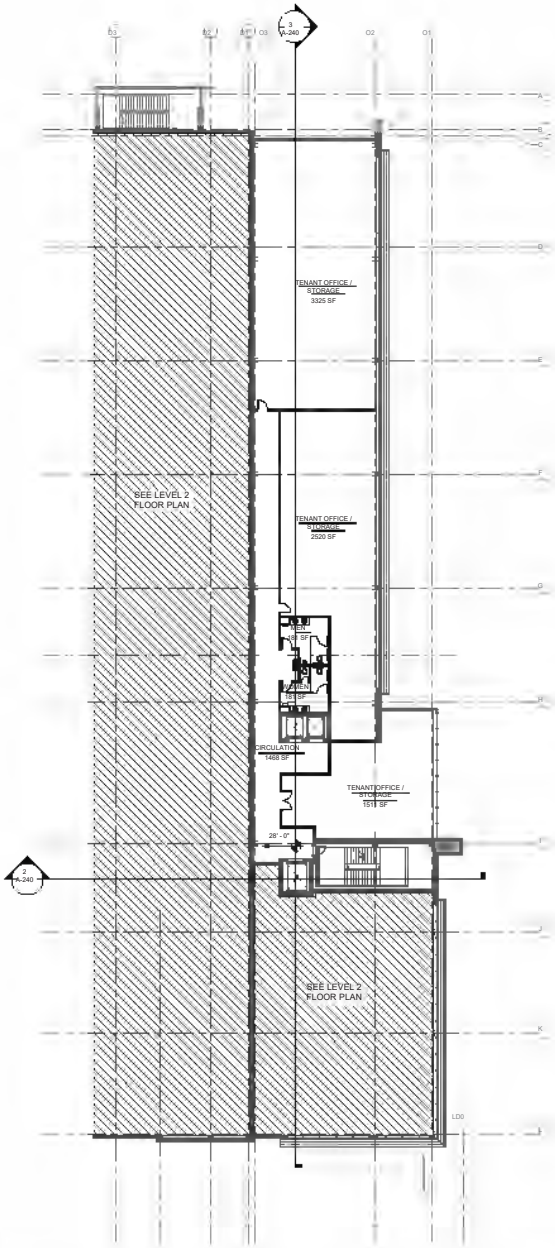
A-224



1 LEVEL 1 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



2 LEVEL 1.5 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



3 LEVEL 2.5 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"

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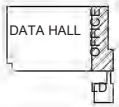
OFFICE LEVEL - FLOOR PLANS - MP

1/16" = 1'-0"
04.09.2020



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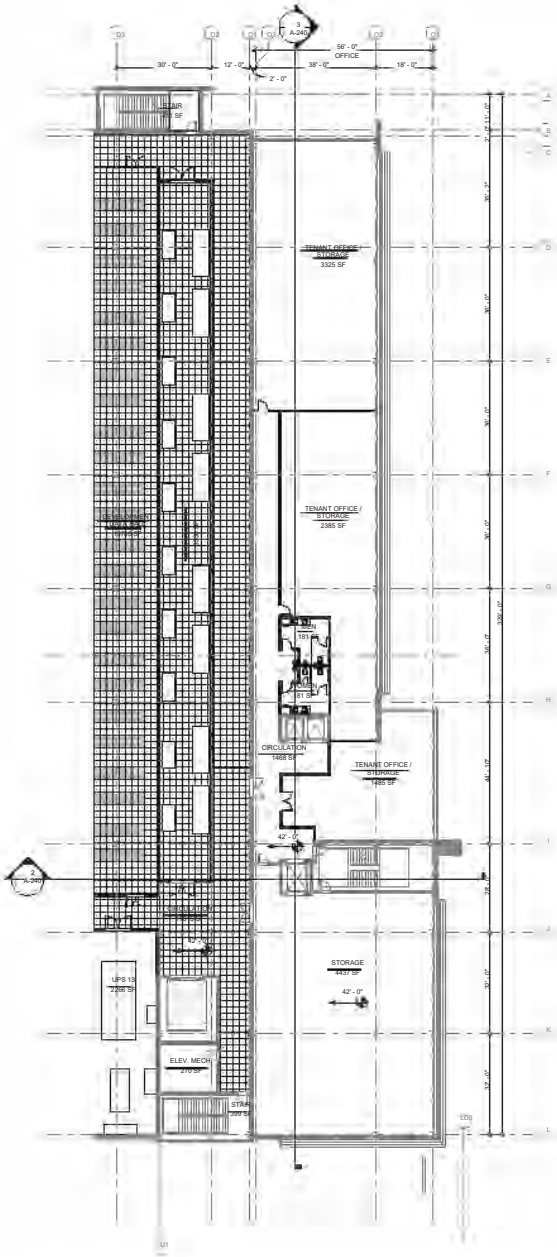
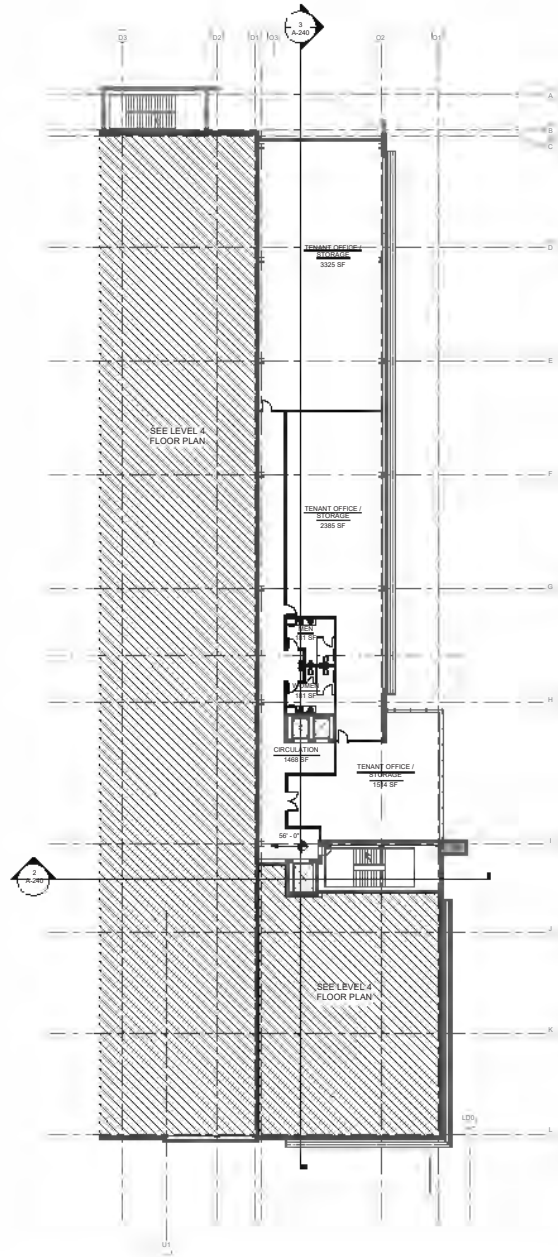
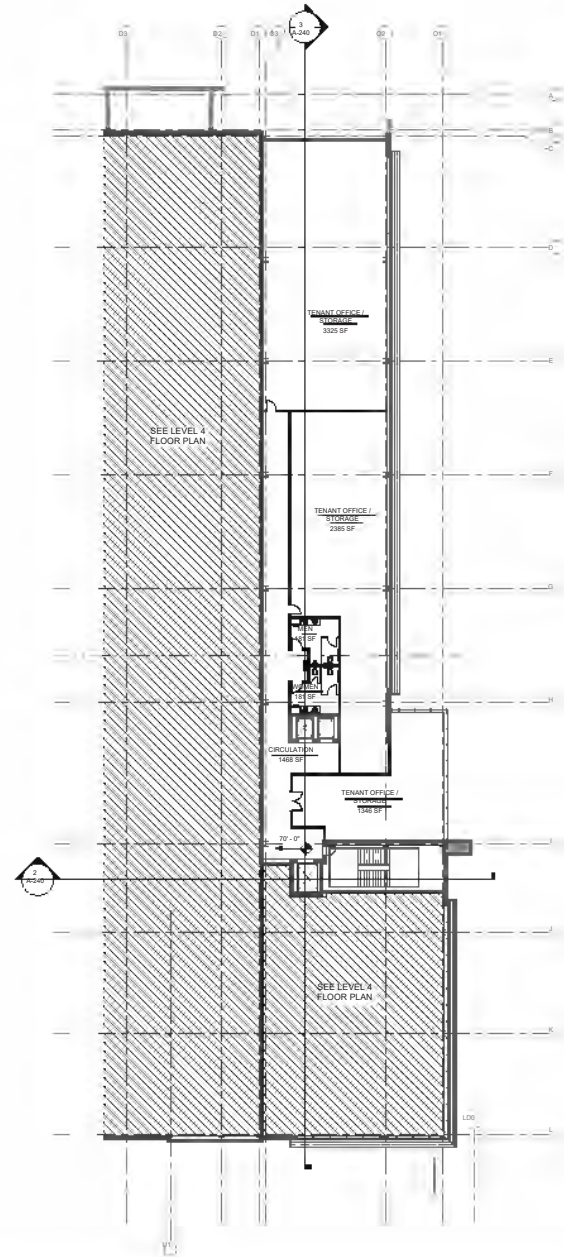


1 LEVEL 3 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



2 LEVEL 3.5 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



3 LEVEL 4.5 - FLOOR PLAN OFFICE - MP
1/16" = 1'-0"

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OFFICE LEVEL - FLOOR PLANS - MP

1/16" = 1'-0"
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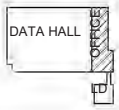

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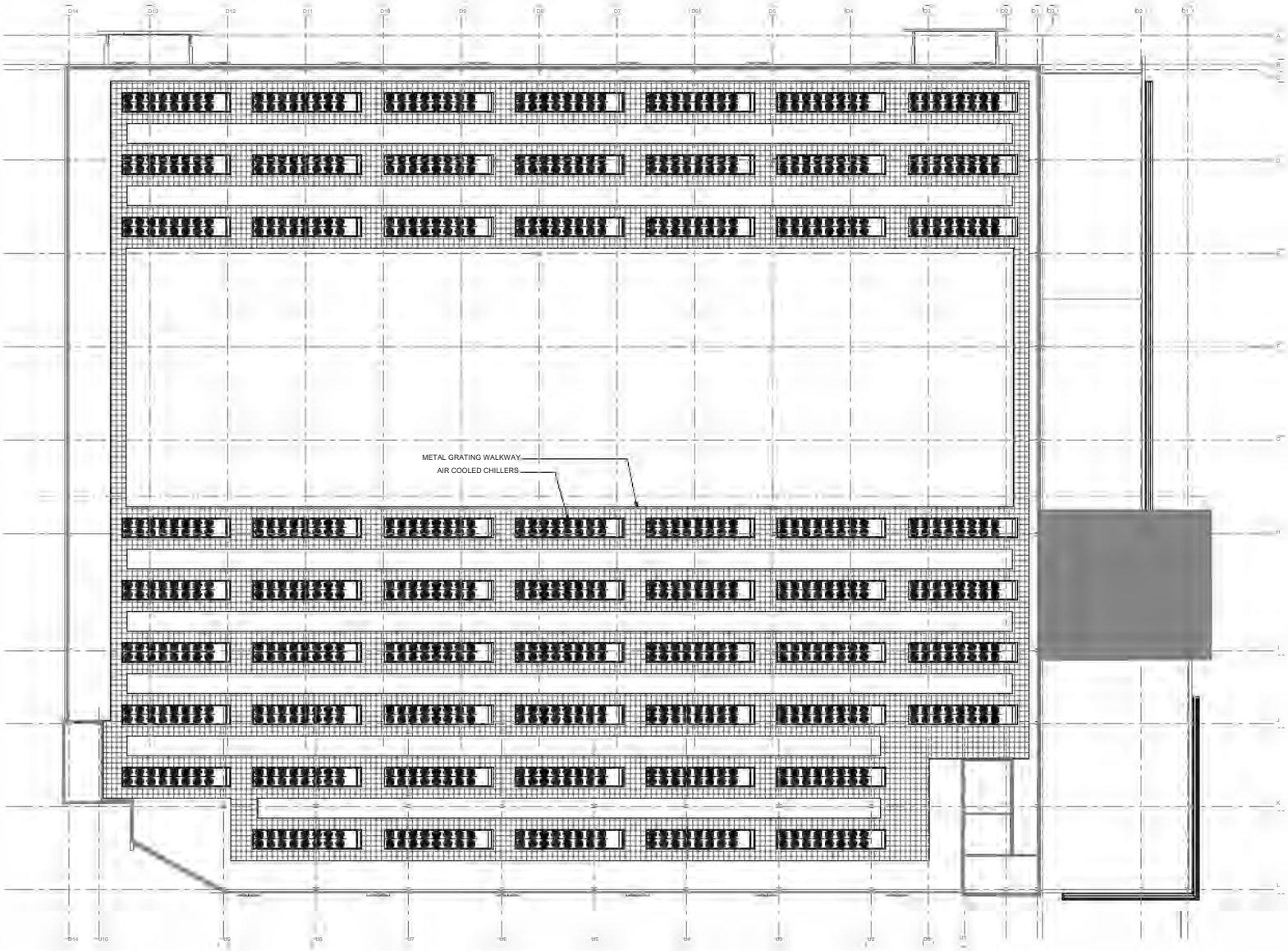

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ROOFTOP EQUIPMENT PLAN - MP

1/16" = 1'-0"
04.09.2020

DATA HALL

OFFICE

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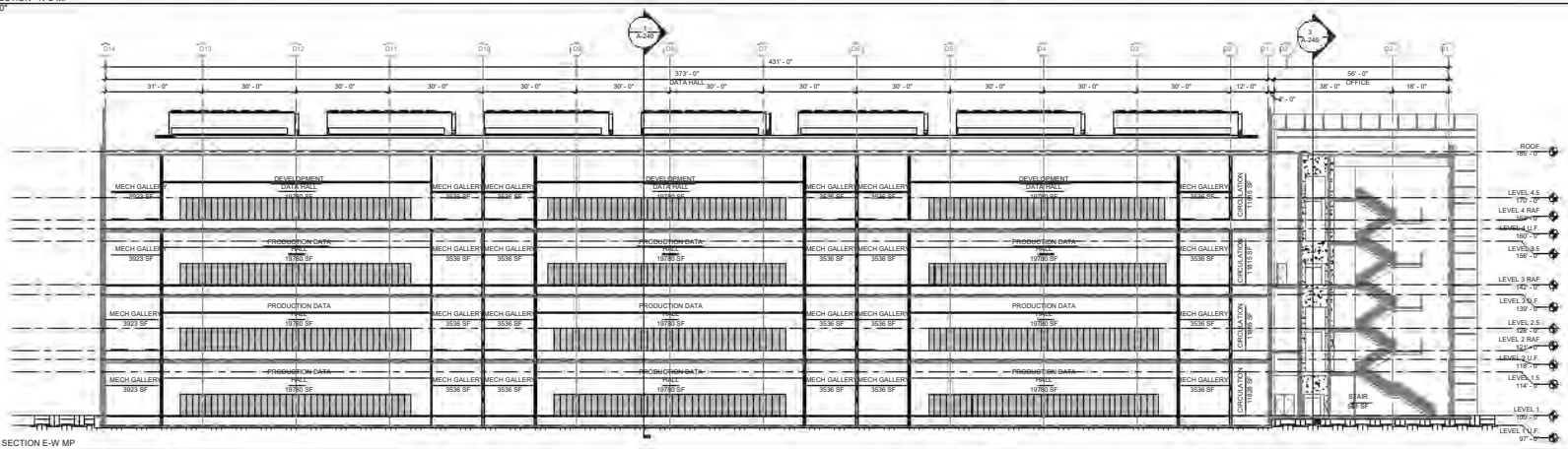
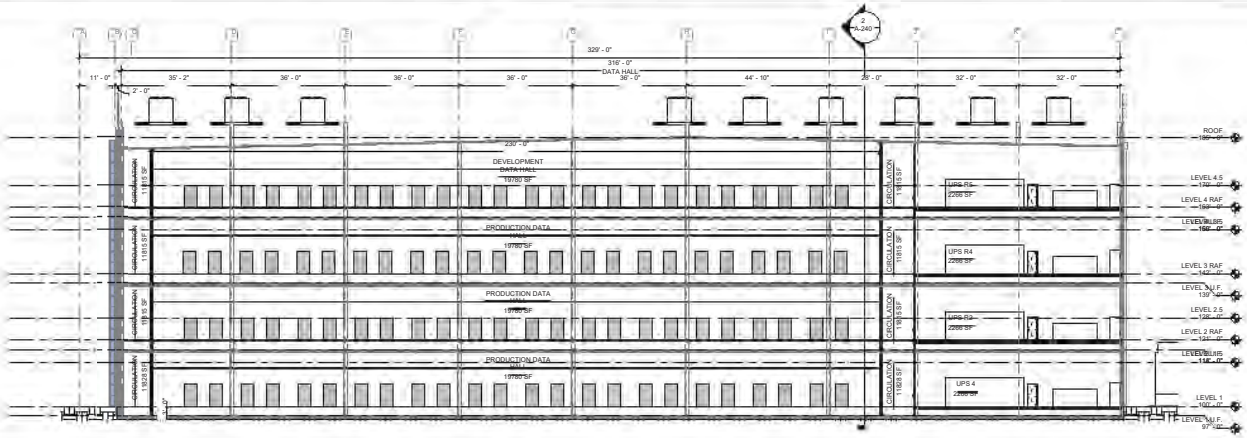
3 OFFICE SECTION - N-S MP
1/16" = 1'-0"



2 BUILDING SECTION E-W MP
1/16" = 1'-0"



1 BUILDING SECTION N-S MP
1/16" = 1'-0"

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BUILDING SECTION - MP

1/16" = 1'-0"
04.09.2020

DATA HALL OFFICE UP

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ONE LINE

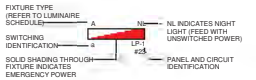
- CIRCUIT BREAKER 3 POLE OR AS NOTED
- DRAW OUT CIRCUIT BREAKER 3 POLE OR AS NOTED
- MEDIUM VOLTAGE LOAD INTERRUPTER
- MEDIUM VOLTAGE FAULT INTERRUPTER
- DISCONNECT SWITCH
- FUSED DISCONNECT SWITCH 3 POLE OR AS NOTED
- SURGE PROTECTIVE DEVICE
- AC-DC INVERTER / RECTIFIER
- DC-AC INVERTER
- FEEDER TAG - REFER TO SCHEDULES
- GROUND
- FUSE - SIZE IN AMPERES
- DIESEL GENERATOR
- MOTOR OR OTHER EQUIPMENT ## INDICATES HORSEPOWER UON
- 3 PHASE TRANSFORMER DELTA PRIMARY Δ GROUNDED WYE SECONDARY
- CURRENT TRANSFORMERS
- POTENTIAL TRANSFORMER
- POWER QUALITY METER
- POWER METER
- SURGE ARRESTER
- TRANSFER SWITCH AUTOMATIC OR MANUAL AS INDICATED
- PANEL BOARD - NAME, VOLTAGE, AND MCB CONFIGURATION AS NOTED
- DISTRIBUTION PANEL, NAME AND RATINGS AS INDICATED
- DC BATTERY
- STATIC TRANSFER SWITCH
- BREAKER ABLE TO CLOSE AND KEY WILL BE HELD CAPTIVE
- BREAKER LOCKED OPEN AND KEY ABLE TO BE REMOVED
- KEY TRANSFER BLOCK
- TAP BOX
- ADJUSTABLE SPEED DRIVE
- CONTINUATION
- KEYED NOTE CALLOUT

LIGHTING

- SINGLE POLE SWITCH; WALL MTD. 48" AFF TO CL UON LOWER CASE LETTER INDICATES SWITCHING ZONE
- SWITCH-THREE WAY; WALL MTD. 48" AFF TO CL UON
- SWITCH- FOUR WAY; WALL MTD. 48" AFF TO CL UON
- DIMMING LIGHT SWITCH; WALL MTD. 48" AFF TO CL
- SINGLE POLE SWITCH FOR CONTROL OF LIFE SAFETY LIGHTS; WALL MTD. 48" AFF TO CL
- OCCUPANCY SENSOR WALL SWITCH; WALL MTD. 48" AFF TO CL "a,b" INDICATES DUAL-SWITCH, DUAL-RELAY STYLE
- OCCUPANCY SENSOR; CEILING MTD. UON
- EMERGENCY SHUNT RELAY

NOTE: IN CORRIDORS, WHERE SWITCHES ARE INSTALLED ON DRYWALL WITH REVEALS, LOWER SWITCH MOUNTING HEIGHT TO 42" TO COORDINATE WITH REVEAL.

TYPICAL FIXTURE TAGS



POWER

- RECEPTACLE - SIMPLEX, 18" AFF TO CL UON
- RECEPTACLE - DUPLEX, 18" AFF TO CL UON
- RECEPTACLE - DUPLEX, 6" TO CL ABOVE COUNTER UON
- RECEPTACLE - DUPLEX, GFI, 18" AFF TO CL UON
- RECEPTACLE - DOUBLE DUPLEX, 18" AFF TO CL UON
- RECEPTACLE - DOUBLE DUPLEX, 6" TO CL ABOVE COUNTER UON
- RECEPTACLE - DOUBLE DUPLEX, GFI, 18" AFF TO CL UON
- SPECIALTY RECEPTACLE - TYPE AS NOTED.
- FLUSH FLOOR BOX, ADDITIONAL REQUIREMENTS AS INDICATED
- EQUIPMENT CONNECTION, REFER TO ELEC. EQUIP. AND CONTROL SCHEDULE
- JUNCTION BOX / MISC. EQUIPMENT CONNECTION
- DISCONNECT SWITCH (SAFETY SWITCH); X/X/X = AMP RATING/PHASE/FUSE SIZE NF = NOT FUSED
- DRY TYPE TRANSFORMER F = FLOOR MOUNTED C = CEILING MOUNTED (OVERHEAD)

FIRE ALARM

- FIRE ALARM MANUAL PULL STATION - MOUNTED AT 48" AFF TO CENTER OF BOX
- FIRE ALARM HORN/STROBE UNIT*
- CEILING MOUNTED FIRE ALARM HORN/STROBE UNIT*
- FIRE ALARM STROBE UNIT - MOUNTED AT 80" AFF TO THE BOTTOM OF THE LENS, OR CEILING MOUNTED WHERE INDICATED
- SMOKE DETECTOR - PHOTOELECTRIC UON, MOUNTED TO CEILING OR STRUCTURAL DECK UON.
- HEAT DETECTOR, COMBINATION RATE-OF-RISE / 135 DEG F UON
- DUCT TYPE SMOKE DETECTOR WITH HOUSING**
- ADDRESSABLE MONITORING MODULE***
- ADDRESSABLE CONTROL MODULE
- ASSD SAMPLING POINT
- SUBSCRIPT TYPE BF - BELOW RAISED FLOOR
- SUBSCRIPT TYPE AC - ABOVE SUSPENDED CEILING, OR AT STRUCTURE WHERE NO CEILING PROVIDED
- FACP FIRE ALARM CONTROL PANEL; MOUNTED AT 60" AFF TO CENTER OF BOX
- FRA FIRE ALARM REMOTE ANNUNCIATOR CABINET; MOUNTED AT 60" AFF TO CENTER OF BOX
- NAC NOTIFICATION APPLIANCE CIRCUIT PANEL
- ASSD AIR SAMPLING SMOKE DETECTOR CONTROL PANEL; MOUNTED AT 60" AFF TO CENTER OF BOX UNLESS OTHERWISE NOTED
- RTS REMOTE LED / TEST STATION FOR DUCT DETECTOR
- * ALL AUDIBLE DEVICES SHALL BE MUTLI-TAP dB; LEVEL SHALL BE HIGHEST TAP UON.
- ** DUCT DETECTORS ARE FURNISHED BY MECHANICAL CONTRACTOR, MOUNTED BY MECHANICAL CONTRACTOR, AND WIRED BY ELECTRICAL CONTRACTOR
- *** FLOW, TAMPER AND PRESSURE SWITCHES ARE PROVIDED BY SPRINKLER CONTRACTOR, WIRED BY ELECTRICAL CONTRACTOR
- AS AIR SAMPLING SMOKE DETECTOR
- BR BEAM TYPE SMOKE DETECTOR - RECEIVER
- BT BEAM TYPE SMOKE DETECTOR - TRANSMITTER
- AUDIBLE NOTIFICATION FOR FIRE ALARM
- HEAT DETECTOR - RATE OF RISE
- HEAT DETECTOR - LINE TYPE
- F HEAT DETECTOR - FIXED TEMPERATURE

GROUNDING

- GROUND BAR
- EQUIPMENT GROUND CONNECTION
- FUTURE EQUIPMENT GROUND CONNECTION
- GROUND ROD
- GROUND TEST WELL
- UNDERGROUND EXOTHERMIC WELD
- PEDESTAL BOND
- GROUND LOOP
- EQUIPMENT GROUNDING OVERHEAD
- EQUIPMENT GROUNDING UNDER SLAB

LIGHTNING PROTECTION

CLASS 1 AIR TERMINAL, 1/2" DIA. SOLID ALUMINUM WITH SAFETY TIP.
TYPE "A" UNLESS OTHERWISE NOTED:
- TYPE "A": 18"L, ADHERED TO INNER SIDE OF PARAPET
- TYPE "B": 24"L, ADHERED DIRECTLY TO ROOF

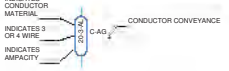
CLASS 1 ALUMINUM LIGHTNING CONDUCTOR, MAIN SIZE EXCEPT WHERE BONDING CONDUCTORS ARE EXPLICITLY ALLOWED BY CODE :
- MAIN CONDUCTOR: MINIMUM 102 LB PER 1000', 26 STRANDS #14 AWG
- BONDING CONDUCTOR: MINIMUM 40 LB PER 1000', 10 STRANDS #14 AWG

COPPER DOWN CONDUCTOR TO BURIED GROUND RING, CONCEALED IN SEAM OF PRE-CAST BUILDING PANELS

ABBREVIATIONS

A	AMPERES
A	ALTERNATE
AB	ABOVE
AC	ALTERNATING CURRENT
AF	AMPERE FRAME
AFF	ABOVE FINISHED FLOOR
AFG	ABOVE FINISHED GRADE
AHU	AIR HANDLING UNIT
ALT	ALTERNATE
AIC	AMPERE INTERRUPTING CAPACITY
ANN	ANNUNCIATOR
ASSD	AIR SAMPLING SMOKE DETECTION
AT	AMPERE TRIP
ASTS	AUTOMATIC STATIC TRANSFER SWITCH
ATS	AUTOMATIC TRANSFER SWITCH
AUTO	AUTOMATIC
AUX	AUXILIARY
AWG	AMERICAN WIRE GAUGE
BFF	BELOW FINISHED FLOOR
BFG	BELOW FINISHED GRADE
BC-BF	DEVICES MOUNTED BELOW SUSPENDED CEILING AND BELOW RAISED FLOOR
BATT	BATTERY
BF	BELOW RAISED FLOOR
BKR	BREAKER
BLDG	BUILDING
C	CONDUIT
CAB	CABINET
CB	CIRCUIT BREAKER
C-BUS	CABLE BUS
CKT	CIRCUIT
CL	CENTER LINE
CLG	CEILING
CO	COMPANY
COL	COLUMN
COMM	COMMUNICATIONS
CONC	CONCRETE
CONN	CONNECTION, CONNECT
COORD	COORDINATE
CRAH	COMPUTER ROOM AIR HANDLER
CUH	CABINET UNIT HEATER
CT	CURRENT TRANSFORMER
CU	COPPER
Δ	DELTA CONNECTION
DB	DECIBEL
DC	DIRECT CURRENT
DET	DETECTOR
DIA	DIAMETER
DISC	DISCONNECT
DIST	DISTRIBUTION
DIV	DIVISION
DN	DOWN
DP	DISTRIBUTION PANEL
DWG	DRAWING
EA	EACH
EF	EXHAUST FAN
EG	EQUIPMENT GROUND
EL	ELEVATION
ELEC	ELECTRIC(AL)
ELU	EMERGENCY LIGHT UNIT
EMER	EMERGENCY
EMT	ELECTRICAL METALLIC TUBING
EMH	ELECTRICAL MANHOLE
ENCL	ENCLOSURE
E.O.	ELECTRONICALLY OPERATED
EPMS	ELECTRICAL POWER MONITORING SYSTEM
EPO	EMERGENCY POWER OFF
EPR	ETHYLENE PROPYLENE RUBBER INSULATION
EQUIP	EQUIPMENT
EUH	ELECTRIC UNIT HEATER
EWC	ELECTRIC WATER COOLER
EWH	ELECTRIC WALL HEATER
EXIST	EXISTING
EXT	EXTERIOR
F	FUSE(D)
FA	FIRE ALARM
FACP	FIRE ALARM CONTROL PANEL
FCU	FAN COIL UNIT
FIXT	FIXTURE
FLA	FULL LOAD AMPERES
FLR	FLOOR
FLEX	FLEXIBLE
FLUOR	FLUORESCENT
FO	FIBER OPTIC
FTR	FUTURE
FURN	FURNISH
G, GND	GROUND
GALV	GALVANIZE(D)
GEN	GENERATOR
GFEP	GROUND FAULT EQUIPMENT PROTECTION (30MA)
GFCI	GROUND FAULT CIRCUIT INTERRUPTER
GFP	GROUND FAULT PROTECTION
GPS	GLOBAL POSITIONING SYSTEM
HD	HEAVY DUTY
HGT	HEIGHT
HH	HAND HOLE
HID	HIGH INTENSITY DISCHARGE
HO	HIGH OUTPUT
HOA	HAND-OFF-AUTOMATIC
HP	HORSEPOWER
HPF	HIGH POWER FACTOR
HPS	HIGH PRESSURE SODIUM
HTR	HEATER
HV	HIGH VOLTAGE
IC	INTERCOMMUNICATION
ID	IDENTIFY, IDENTIFICATION
IMC	INTERMEDIATE METAL CONDUIT
INCAN	INCANDESCENT
INSUL	INSULATION
IPS	INTERRUPTIBLE POWER SUPPLY
IR	PASSIVE INFRARED
JB	JUNCTION BOX
JCT	JUNCTION
KILO	THOUSAND
KA	KILO AMPERES
KCMIL	THOUSAND CIRCULAR MILS
KVA	KILOVOLT-AMPERES
KVAR	KILOVARS
KV	KILOVOLTS
KW	KILOWATTS
LHD	LINEAR HEAT DETECTOR
LI	LONG TIME INSTANTANEOUS
LTG	LIGHTING
LT(S)	LIGHTS
MA	MILLIAMPERE
MAINT	MAINTAINED
MAN	MANUAL
MAX	MAXIMUM
MC	METAL CLAD CABLE
MCB	MAIN CIRCUIT BREAKER
MCC	MOTOR CONTROL CENTER
MCS	MOLDED CASE SWITCH
MCCB	MOLDED CASE CIRCUIT BREAKER
MDP	MAIN DISTRIBUTION PANEL
MEGA	MILLION
MFR	MANUFACTURER
MH	MANHOLE
MIN	MINIMUM
MLO	MAIN LUGS ONLY
MO	MANUALLY OPERATED
MTD	MOUNT(IED)
MTR	MOTOR
MTS	MANUAL TRANSFER SWITCH
MV	MEDIUM VOLTAGE
MW	MEGA WATTS
N	NORTH
NAC	NOTIFICATION APPLIANCE CIRCUIT
NC	NORMALLY CLOSED
NEC	NATIONAL ELECTRICAL CODE
NF	NON-FUSED
NIC	NOT IN CONTRACT
NL	NIGHT LIGHT
N.O.	NORMALLY OPEN
NTF	NEUTRAL TIME PROTOCOL
NTS	NOT TO SCALE
OCPD	OVERCURRENT PROTECTIVE DEVICE
OH	OVERHEAD
OHD	OVERHEAD DOOR
OL	OVERLOAD
OS	OCCUPANCY SENSOR
P	POLE(S)
P	PREFERRED
PC	PHOTOCELL
PB	PUSHBUTTON
PDU	POWER DISTRIBUTION UNIT
PF	POWER FACTOR
PFR	PREFERRED
PL	PILOT LIGHT
PNL	PANEL
PQM	POWER QUALITY METER
PM	POWER METER
PR	PAIR
PREP	PREPARED
PRI	PRIMARY
PVC	POLYVINYL CHLORIDE
PWR	POWER
ΔPH	PHASE
QTY	QUANTITY
RECEPT	RECEPTACLE
RECT	RECTIFIER
REFR	REFRIGERATOR
RGS	RIGID GALVANIZED STEEL CONDUIT
RHW	EPR INSULATED WIRE
RM	ROOM
RMC	RIGID METALLIC CONDUIT
RPP	REMOTE POWER PANEL
SCH	SCHEDULE
SEC	SECONDARY
SFL	SUB-FEED LUGS
SKRU	SOLENOID KEY RELEASE UNIT
SHT	SHEET
ST	SHUNT TRIP
SPC	SPACE
SPKR	SPEAKER
SPR	SPARE
SQ	SQUARE
SS	STAINLESS STEEL
STP	SHIELDED TWISTED PAIR
SUSP	SUSPENDED
SW	SWITCH
SWBD	SWITCHBOARD
SWGR	SWITCHGEAR
T	TRAY
TYP	TYPICAL
U	ULTRASONIC
UC	UNDER COUNTER
UG	UNDERGROUND
UGC	UNDERGROUND COMMUNICATION
UGP	UNDERGROUND POWER
UH	UNIT HEATER
UON	UNLESS OTHERWISE NOTED
UPS	UNINTERRUPTIBLE POWER SUPPLY
UTIL	UTILITY
UTP	UNSHIELDED TWISTED PAIR
V	VOLT(S)
VA	VOLT-AMPERES
VAR	REACTIVE VOLT-AMPERES
VAV	VARIABLE AIR VOLUME
VRLA	VALVE REGULATED LEAD ACID
W	WIRE
W	WATTS
W/	WITH
WG	WIRE GUARD
WP	WEATHERPROOF
WT	WATERTIGHT
XP	EXPLOSION PROOF
XHHW	CROSS LINKED POLYETHYLENE INSULATED WIRE
XFMR	TRANSFORMER
Y	WYE CONNECTION

FEEDER NAMING SCHEME



MATERIAL LEGEND:

AL	ALUMINUM
CU	COPPER

CONVEYANCE LEGEND:

C-AG	ABOVE GRADE CONDUIT
C-BG	BELOW GRADE CONDUIT
C-BUS	CABLEBUS
MC	METAL CLAD CABLE
T	CABLE TRAY

LINE TYPE LEGEND

- NEW WORK
- FUTURE WORK
- EXISTING WORK

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LEGEND AND ABBREVIATIONS

As indicated
04.09.2020

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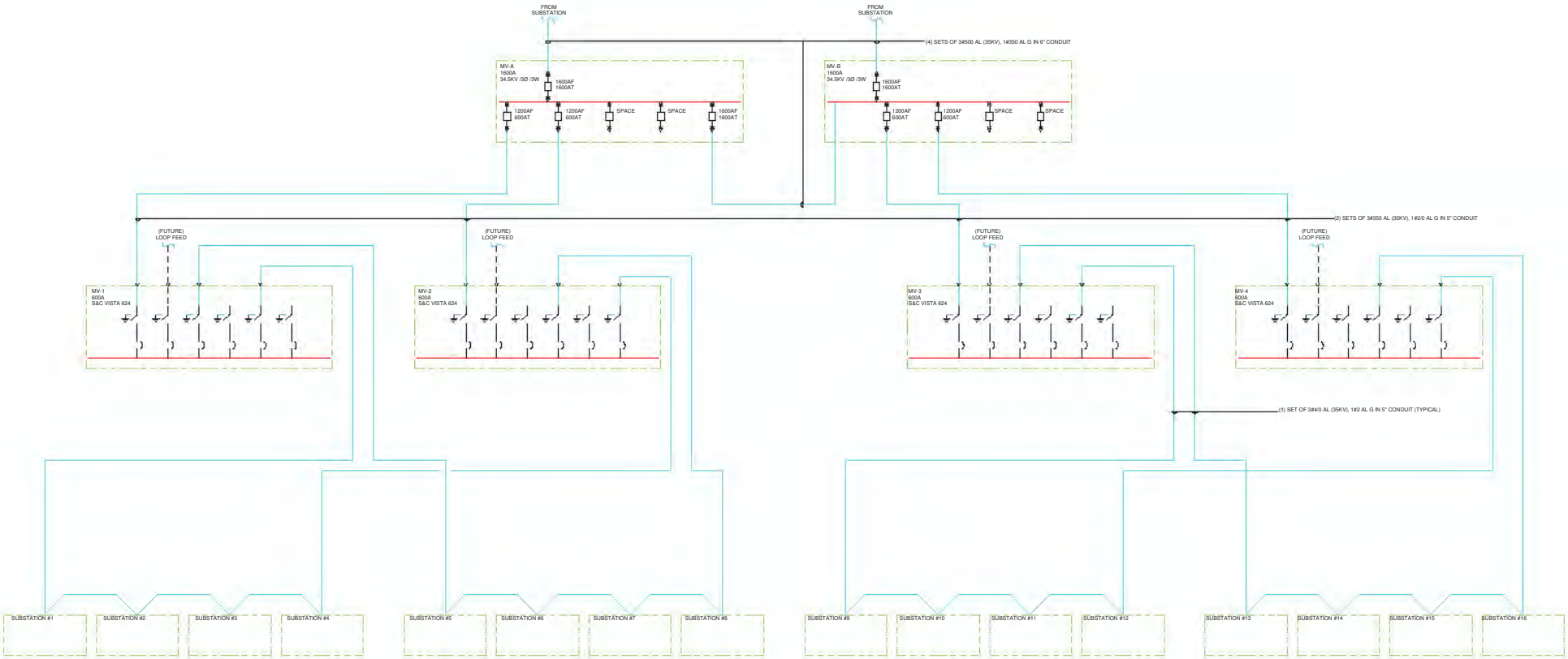

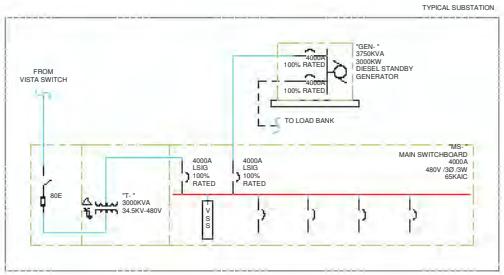

Project Number: 19.161

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REED ASSOCIATES

MV ONELINE

N.T.S.

03.17.2020

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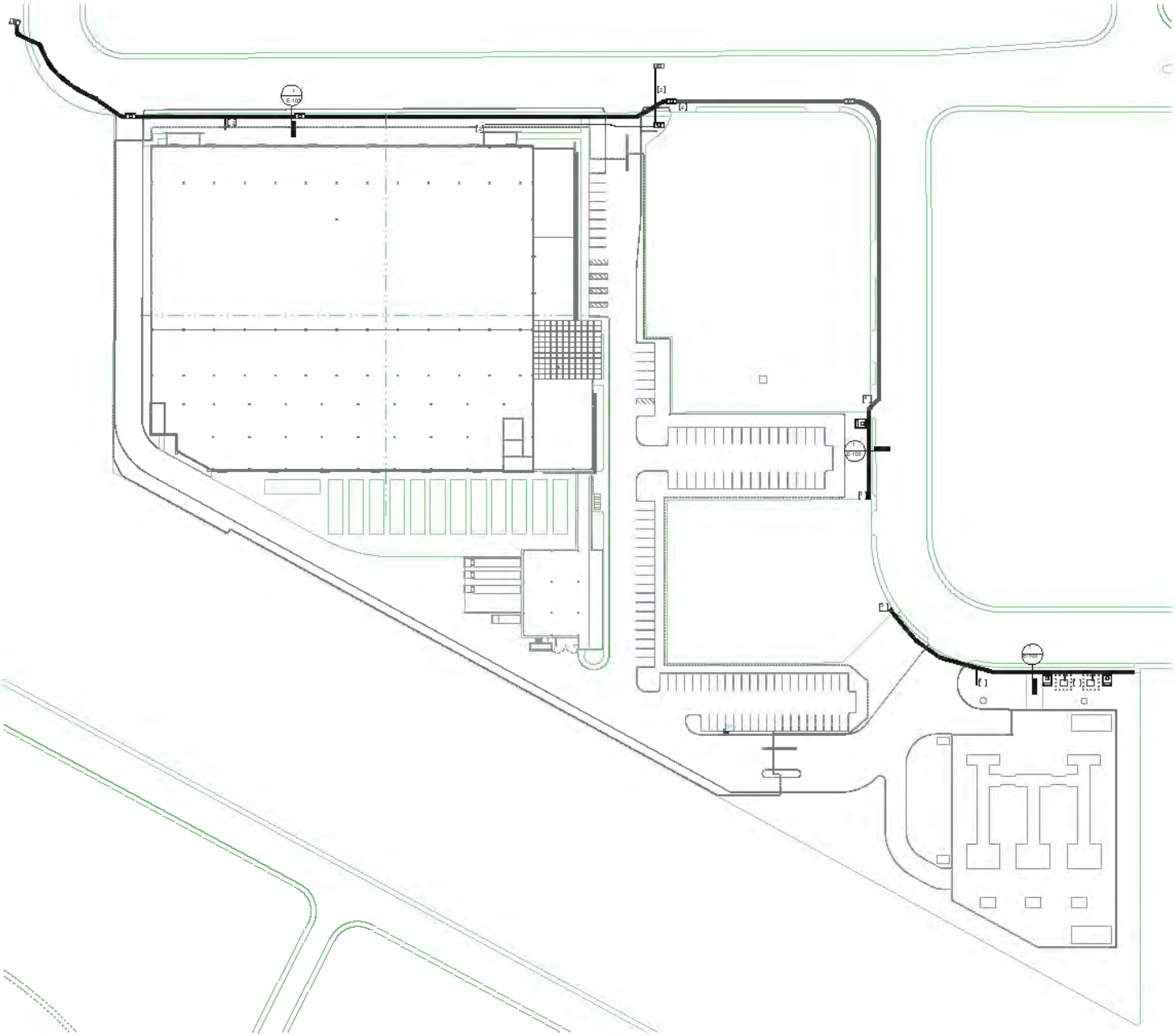

KEYED NOTES

1. PROVIDE TWO (2) SVP PM TRANSFORMER PADS IN VICINITY FOR SVP CONTROL ROOM POWER. DIVERSE 12KV SOURCES REQUIRED. REFERENCE SVP "UG1000" FOR ADDITIONAL REQUIREMENTS.
2. PROVIDE (1) 4"C FOR SVP FIBER OPTIC CONNECTION.
3. TIE INTO EXISTING DUCTBANK AT INDICATED LOCATION.
4. SCOPE OF WORK BY OTHERS.

Project Number: 19.161

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ELECTRICAL SITE ROUTING PLAN

1" = 40'-0"

03.17.2020

04/09/2020

DATA HALL

OFFICE

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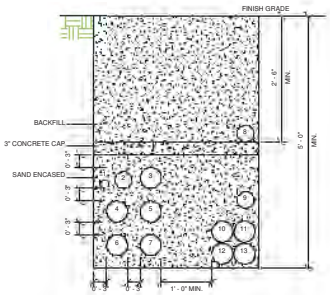

1 UTILITY DUCTBANK - SVP UG1000 - JOINT TRENCH
N.T.S.

Project Number: 19.161

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ELECTRICAL SITE DETAILS

N.T.S.
03.17.2020

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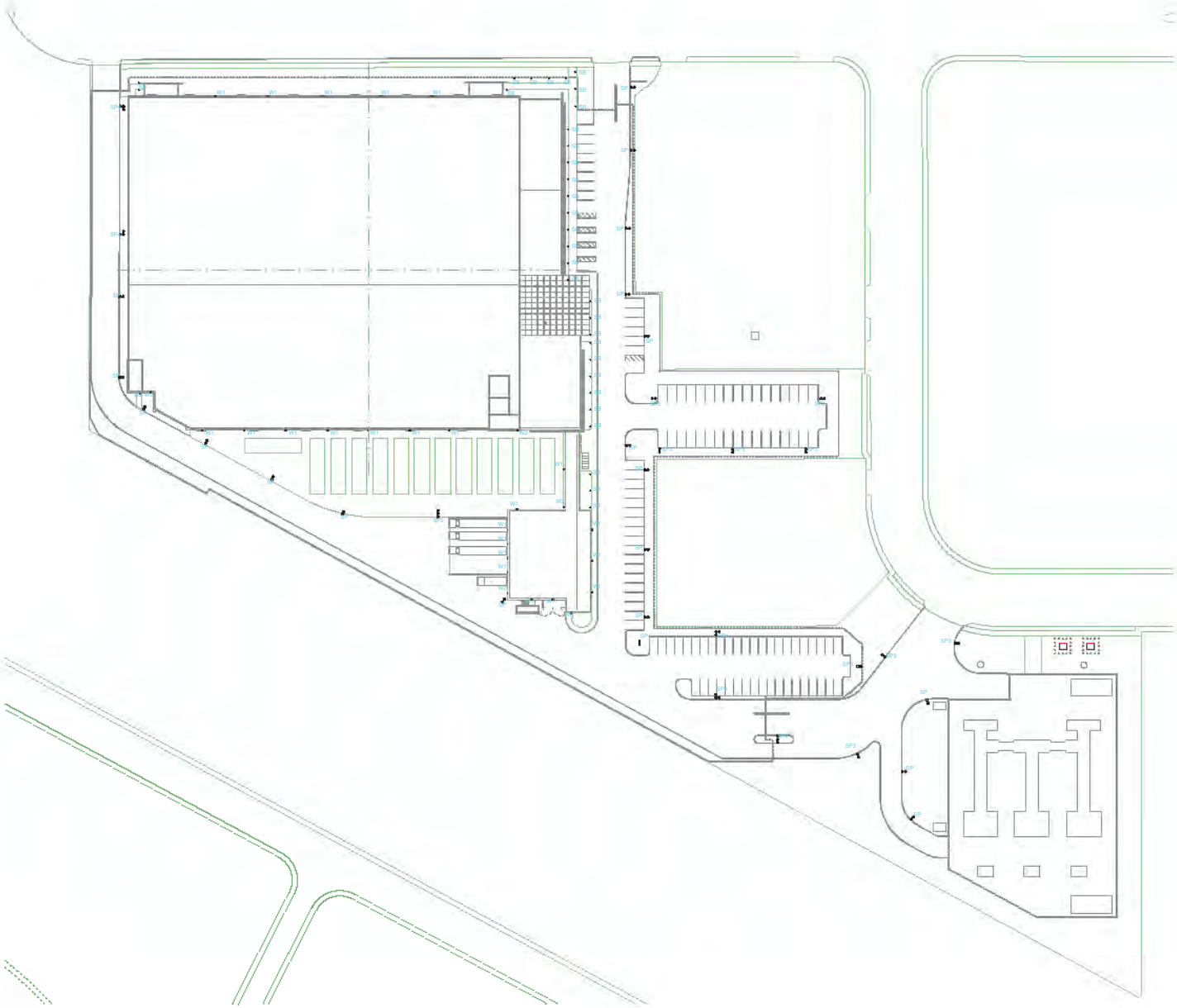

Project Number: 19.161

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ELECTRICAL SITE LIGHTING PLAN

1" = 40'-0"

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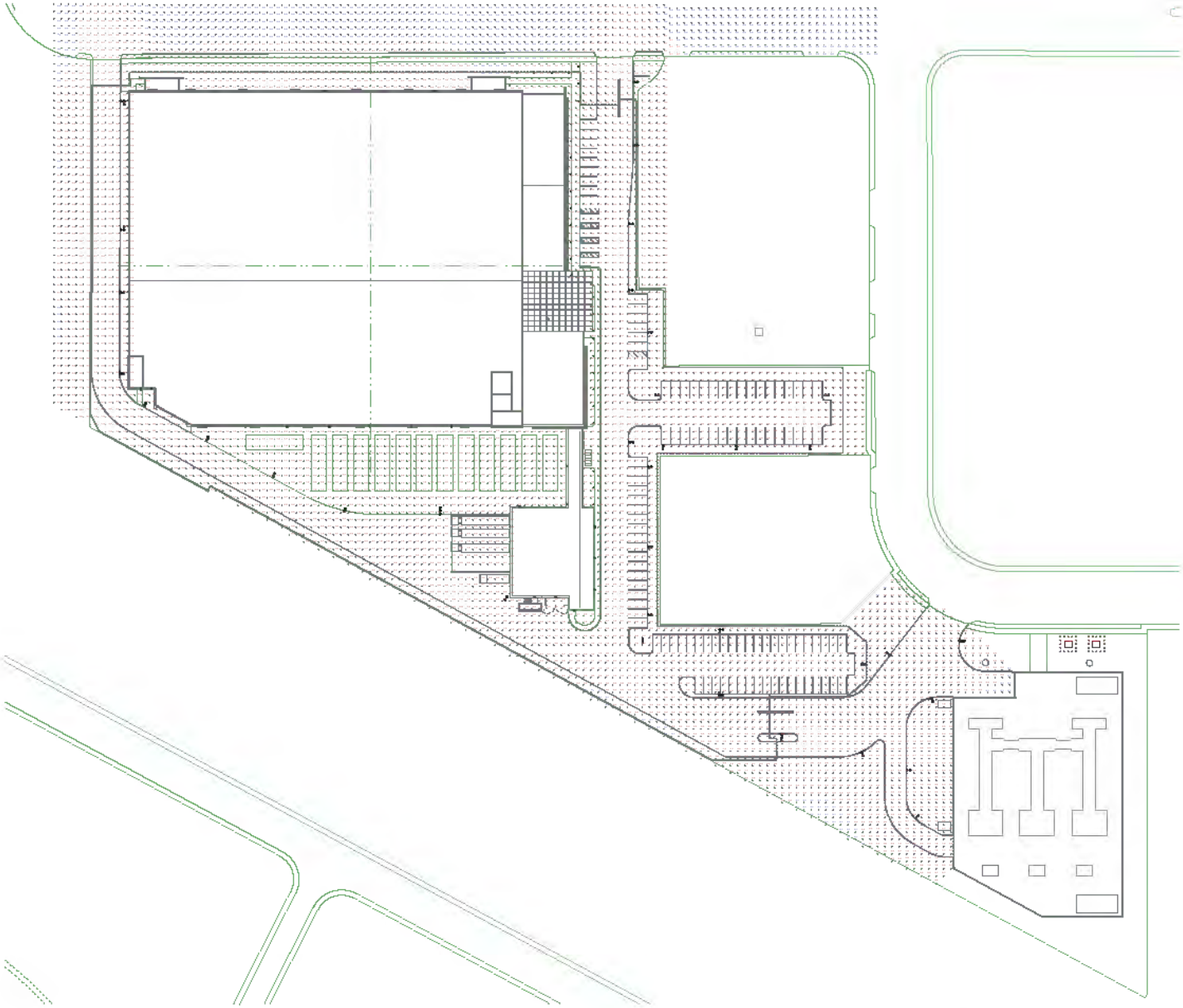
LP

E-104



Project Number: 19.161

SKYBOX

CORGAN

RG

CRITICAL

kW

REED ASSOCIATES

SITE LIGHTING PHOTOMETRICS

1" = 40'-0"
03.17.2020

04/09/2020

DATA HALL

OFFICE

E-105

LUMINAIRE SCHEDULE								
FIXTURE TYPE	Manufacturer	Cat. No.	Description	Lamp Count	Lamp Type	Input Voltage	Wattage	Mounting
SB	LITHONIA	KBR8 LED 16C 530 40K SYM MVOLT	SPECIFICATION LED BOLLARD WITH SYMMETRIC DISTRIBUTION, 8" DIAMETER, 40" HEIGHT	1	4000K LED MODULE, 1598 LUMEN OUTPUT	MVOLT	28W	MOUNTED 3'-6" ABOVE FINISHED GRADE U.O.N.
SP	SIGNIFY GARDCO	H14L-48L-700-NW-G2-2	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE II OPTIC, GLASS LENS	1	4000K LED MODULE, 8476 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
SP2	SIGNIFY GARDCO	H14L-48L-700-NW-G2-2	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE II OPTIC, GLASS LENS TWO HEAD OPTION 180 DEGREE ORIENTATION	2	4000K LED MODULE, 8476 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
SP3	SIGNIFY GARDCO	H14L-48L-700-NW-G2-3	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE III OPTIC, GLASS LENS	1	4000K LED MODULE, 11446 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
SP4	SIGNIFY GARDCO	H14L-48L-700-NW-G2-2	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE II OPTIC, GLASS LENS TWO HEAD OPTION 90 DEGREE ORIENTATION	2	4000K LED MODULE, 8476 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
W1	LITHONIA	WST LED P1 40K VF MVOLT	EXTERIOR LED WALL MOUNT, VISUAL COMFORT, FORWARD THROW	1	4000K LED MODULE, 1500 LUMEN OUTPUT	MVOLT	12W	MOUNTED 16'-0" ABOVE FINISHED FLOOR U.O.N.
W2	LITHONIA	WST LED P1 40K VF MVOLT	EXTERIOR LED DOOR PACK, VISUAL COMFORT, FORWARD THROW	1	4000K LED MODULE, 1500 LUMEN OUTPUT	MVOLT	12W	MOUNTED 1'-0" OVER DOOR U.O.N.

Project Number: 19.161

SKYBOX CORGAN RG CRITICAL kW

LUMINAIRE SCHEDULE

03.17.2020

04/09/2020

E-106

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21-8081 **Agenda Date: 9/2/2021**

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT
Historical and Landmarks Commission Minutes of July 1, 2021

RECOMMENDATION
Approve the Historical and Landmarks Commission Minutes of July 1, 2021.

Reviewed by: Rebecca Bustos, Senior Planner
Approved by: Gloria Sciara, Development Review Officer

ATTACHMENTS
1. Historical and Landmarks Commission Minutes of July 1, 2021

Draft

City of Santa Clara

Meeting Minutes

Historical & Landmarks Commission

07/01/2021	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 the following method for the public to participate remotely:
• 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 6:04 p.m.

Present 6 - Commissioner Amy Kirby, Chair Patricia Leung, Vice Chair Ana Vargas-Smith , Commissioner Michael Celso , Commissioner Megan Swartzwelder , and Commissioner Kathleen Romano

CONSENT CALENDAR

A motion was made by Commissioner Romano, seconded by Commissioner Vargas-Smith to approve the consent calendar with a friendly amendment by Commissioner Celso to add the nomination information to the June 3, 2021 meeting minutes.

1.A 21-866 Historical and Landmarks Commission Minutes of June 3, 2021

Recommendation: Approve the Historical and Landmarks Commission Minutes of June 3, 2021.

Commissioner Celso pulled Item 1.A for clarification regarding the nominations of Chair and Vice Chair. **Commissioner Kirby** abstained from voting on Item 1.A as she was not a Commissioner at the time of the June 3, 2021 meeting.

Aye: 5 - Chair Leung, Vice Chair Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

Abstained: 1 - Commissioner Kirby

1.B 21-904 Significant Property Alteration (SPA) Permit to allow the replacement of all windows and interior reconfiguration of an existing single-family residence at 1511 Harrison Street

Recommendation: Continue the item to the August 5, 2021 Historical and Landmarks Commission hearing.

Aye: 6 - Commissioner Kirby, Chair Leung, Vice Chair Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

PUBLIC PRESENTATIONS

Chair Leung inquired about potential unpermitted construction at Lick Mill Mansion. **Staff Liaison Rebecca Bustos** advised **Chair Leung** to submit a complaint about a possible code violation to Code Enforcement which would allow for a more detailed inspection. **Chair Leung** also provided an update regarding the Agnew Depot relocation.

GENERAL BUSINESS

2. 21-728 Public Hearing: Consideration of an Environmental Impact Report for the demolition of historically significant properties and the new construction of a data center at 1200-1310 Memorex Drive

Recommendation: Staff recommends that the Historical and Landmarks Commission recommend that the City Council approve and certify the Environmental Impact Report for the proposed data center project at 1200-1310 Memorex Drive.

Assistant Planner Tiffany Vien provided the staff presentation. **Rob Morris, Skybox Development,** provided the applicant presentation.

Michael Lisenbee of the applicant team answered the Commission's questions regarding preserving the history of the location, alternatives of the project, where historical items would be kept, and the timeline of the EIR.

Commissioner Vargas-Smith abstained from voting on this item due to the proximity of her residence to the project property.

Public Speaker(s): Kyle Jones

A motion was made by Commissioner Romano, seconded by Commissioner Swartzwelder to continue the item until the Final EIR, which would contain the responses to comments, is completed.

Aye: 4 - Commissioner Kirby, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

Nay: 1 - Chair Leung

Abstained: 1 - Vice Chair Vargas-Smith

3. 21-868 Public Hearing: Action on HLC Board and Commission Assignments for Fiscal Year 2021/2022

Recommendation: There is no staff recommendation.

The new Board and Commission assignments are as follows (Lead/Alternate):

- Santa Clara Arts and Historic Consortium **Leung / Romano**
- Historic Preservation Society of Santa Clara **Vargas-Smith / Leung**
- Old Quad Residents Association **Leung / Romano**
- Development Review Hearing **Romano / Vargas-Smith**
- Agnews Historic Cemetery Museum Committee **Kirby / Romano**
- BART/ High Speed Rail/ VTA BRT Committee **Vargas-Smith / Swartzwelder**
- Zoning Ordinance Update **Romano / Swartzwelder**
- El Camino Real Specific Plan Community Advisory Committee **Leung**
- Downtown Revitalization **Vargas-Smith / Romano**

A motion was made by Commissioner Vargas-Smith, seconded by Commissioner Romano to approve the new Board and Commissions assignments.

Aye: 6 - Commissioner Kirby, Chair Leung, Vice Chair Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

STAFF REPORT

Staff Liaison Rebecca Bustos updated the Commission that the Zoning Ordinance training would be agendized within the next couple of months.

1. Berryessa Adobe Maintenance

Staff Liaison Rebecca Bustos reported that **Architectural Advisor Craig Mineweaser** is starting his inventory of maintenance activities that need to be completed at the Adobe the week of July 6.

COMMISSIONERS REPORT

1. Subcommittee Reporting - 20 minutes

There were no subcommittee reports.

2. Board and Committee Assignments - 15 minutes

Commissioners present reported on assignments.

Board/Committee	Lead/Alternate
Santa Clara Arts and Historic Consortium	Estes / Leung
Historic Preservation Society of Santa Clara	Vargas-Smith
Old Quad Residents Association	Leung / Vargas-Smith
Development Review Hearing	Romano / Vargas-Smith
Agnews Historic Cemetery Museum Committee	Standifer / Romano
BART/ High Speed Rail/ VTA BRT Committee	Vargas-Smith / Swartzwelder
Zoning Ordinance Update	Romano / Swartzwelder
El Camino Real Specific Plan Community Advisory Committee	Leung
Downtown Revitalization	Vargas-Smith / Romano

3. Announcements and Other Items - 10 minutes

None.

4. Commissioner Travel and Training Requests - 10 minutes

None.

ADJOURNMENT

A motion was made by Commissioner Vargas-Smith, seconded by Commissioner Romano to adjourn the meeting.

The meeting adjourned at 8:33 p.m.

The next regular scheduled meeting is on Thursday, August 5, 2021.

Aye: 6 - Commissioner Kirby, Chair Leung, Vice Chair Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

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.

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.

21-1093 **Agenda Date: 9/2/2021**

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Public Hearing: Consideration of an Environmental Impact Report for the demolition of historically significant properties and the new construction of a data center at 1200-1310 Memorex Drive

BACKGROUND

Skybox Development LLC filed an application on August 8, 2019 proposing to demolish the existing industrial buildings on-site and to construct a new four-story data center at 1200 Memorex Drive. The 9.18-acre subject project site was developed with three buildings: a three-story, approximately 350,037 square foot building, a two-story, approximately 45,986 square foot building, and a one-story, approximately 2,944 square foot building. The buildings are concentrated in the northwestern portion of the site adjacent to Memorex Drive and consist of a mix of architectural styles and materials typical of light industrial warehouse uses, including cinderblocks, stucco, and large windows.

A Historic Resource Evaluation completed by the Architectural Resources Group (ARG) in December 2019 determined that the project site is eligible for listing in the California Register of Historical Resources (CRHR) for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s. The Draft EIR evaluates the potential for the project to impact the historic resource on the site. The Historic Resource Evaluation completed for the site determined that the property is eligible for listing in the CRHR under Criterion 1, Association with Significant Events. To be considered eligible for listing under CRHR Criterion 1, a property must be associated with one or more events important in a defined historic context. This criterion recognizes properties associated with single events, a pattern of events, repeated activities, or historic trends. The event or trends, however, must clearly be important within the associated context. Further, mere association of the property with historic events or trends is not enough, in and of itself, to qualify under this criterion: the specific association must be considered important as well. The subject property is eligible under Criterion 1 for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s.

Because the property is eligible for listing on the CRHR under Criterion 1, and the three buildings retain their integrity, the existing development on the site is considered a historical resource under CEQA.

The proposed development is a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440, along with the associated substation, generator equipment yard, paved parking areas and landscaping. The data center building would be approximately 85 feet in height, with

additional screening features extending to a height of 99 feet.

A Draft Environmental Impact Report (DEIR) was prepared in accordance with CEQA and was released on June 17, 2021 for 45-day public and closed on August 2, 2021. The Draft EIR is available for review on the City's website at www.santaclaraca.gov/CEQA <http://www.santaclaraca.gov/CEQA>.

This DEIR was previously reviewed at the Historical & Landmarks Commission meeting on July 1, 2021. The HLC moved to continue this item until the public comment period closed in order to review the comment letters. No comment letters related to the historic nature of the property or proposed mitigation were submitted.

DISCUSSION

The former headquarters of the Memorex Corporation located on the site qualifies as a historical resource under CEQA due to its eligibility for listing on the CRHR under Criterion 1, Association with Significant Events. The significance of an historical resource is considered to be “materially impaired” when a project demolishes or materially alters the physical characteristics that justify the determination of an historical resources’ significance. The project would demolish the existing improvements on site and therefore would have a significant and unavoidable impact on a historical resource.

According to CEQA Guidelines Section 15126.4(b), all feasible mitigation must be completed even if it does not mitigate project impacts below a level of significance. Although recordation of a resource prior to demolition does not mitigate the physical impact on the resource, it serves a “legitimate archival purpose. The project would include the following mitigation to record the building, however, the mitigation would not fully offset the loss and the impact would remain significant and unavoidable.

The project would demolish the existing improvements on site and therefore would have a significant and unavoidable impact on the historical resource. Mitigation measures that may be incorporated include a Historic American Buildings Survey (HABS) Recordation, video documentation, interpretive display, and oral history collection. Prior to project implementation, the historical resource will be recorded to Historic American Buildings Survey (HABS) standards established by the National Park Service. Video documentation of the subject property will supplement HABS documentation by recording the exterior and interior of the industrial complex at 1200 - 1310 Memorex Drive, as it appears, prior to project implementation. Using visuals in combination with active narration, the documentation shall include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200 - 1310 Memorex Drive. Onsite displays should be located in a prominent space, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200 - 1310 Memorex Drive and its operation during the property’s period of significance. The project will prepare an oral history collection that focuses on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. To the extent feasible, at least one former employee of the Memorex Corporation who was employed at the subject property shall be interviewed.

The project description and full discussion of the impacts and mitigation measures can be found in

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Section 2.0 Project Information and Description and Section 3.0 Environmental Setting, Impacts, and Mitigation of this DEIR.

ENVIRONMENTAL REVIEW

An Environmental Impact Report was prepared for the project by the environmental consultant firm David J. Powers & Associates, in accordance with the California Environmental Quality Act (CEQA). The Draft Environmental Impact Report (DEIR) and Notice of Availability were posted on the City's website at <https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/372/3649> on June 17, 2021, and circulated for 45-day review from June 17, 2021 to August 2, 2021, in accordance with CEQA requirements. A comment letter from the Bay Area Air Quality Management District (BAAQMD) was received (Attachment 6).

The DEIR examined environmental impacts associated with project development and identified potentially significant cultural resources, biological resources, geology and soils, and noise impacts that with incorporation of mitigation measures
would reduce the potentially significant impacts to less than significant. A detailed discussion of the potential impacts and mitigation measures to be applied to the project are specified in the DEIR and would be implemented through project conditions of approval for the project.]

PUBLIC CONTACT

The notice of public meeting for this item was posted at three locations within 300 feet of the project site and was mailed to property owners within 300 feet of the project site. No public comments have been received at the time of preparation of this report.

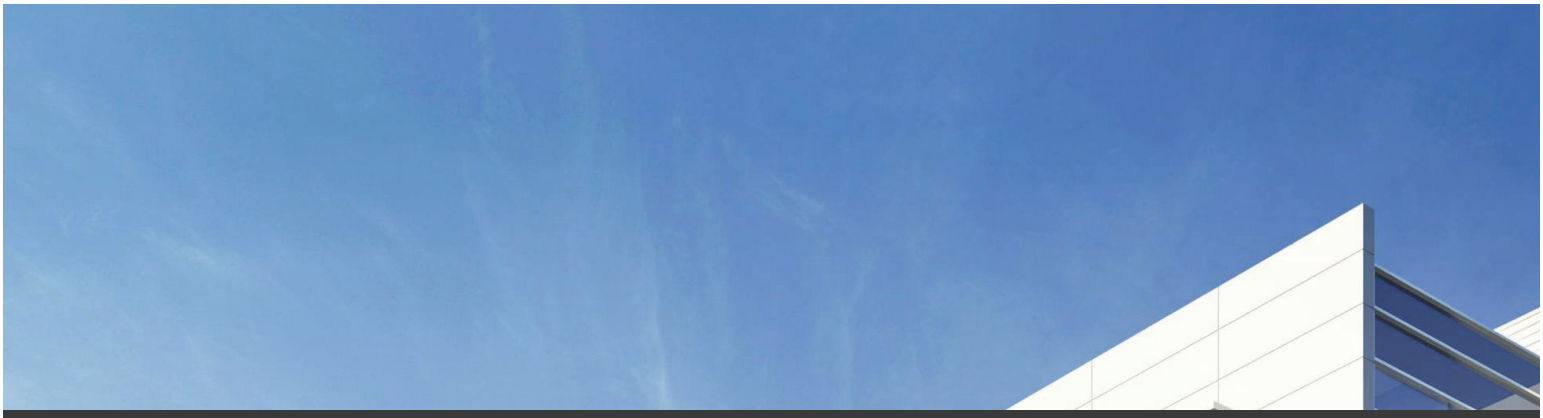
RECOMMENDATION

Staff recommends that the Historical and Landmarks Commission recommend that the City Council approve and certify the Environmental Impact Report for the proposed data center project at 1200-1310 Memorex Drive.

Prepared by: Tiffany Vien, Assistant Planner
Approved by: Gloria Sciara, Development Review Officer

ATTACHMENTS

1. Draft Environmental Impact Report
2. Historic Resource Evaluation
3. Historic Resource Impact Analysis
4. Preservation Alternative Analysis
5. Development Plans
6. BAAQMD Comment Letter



Draft Environmental Impact Report

Memorex Data Center

Prepared by the

City of Santa Clara

In Consultation with

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

June 2021

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Appendix F: Historic Resource Impacts Analysis
Appendix G: Geotechnical Investigation Report
Appendix H: Soil, Soil Vapor and Groundwater Quality Evaluation
Appendix I: Soil Management Plan
Appendix J: Noise and Vibration Assessment and Supplemental Memo
Appendix K: VMT Analysis
Appendix L: Phase I Assessment - June 2012
Appendix M: Phase I Assessment – December 2013
Appendix N: Preservation Alternative Analysis

All appendices are incorporated herein by this reference. No other documents are incorporated by reference.

SUMMARY

The City of Santa Clara, as the Lead Agency, has prepared this Draft Environmental Impact Report (EIR) for the Memorex Data Center in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

As described in CEQA Guidelines Section 15121(a), an EIR is an informational document that assesses potential environmental impacts of a proposed project, as well as identifies mitigation measures and alternatives to the proposed project that could reduce or avoid adverse environmental impacts (CEQA Guidelines 15121(a)). As the CEQA Lead Agency for this project, the City of Santa Clara is required to consider the information in the EIR along with any other available information in deciding whether to approve the project. The basic requirements for an EIR include discussions of the environmental setting, significant environmental impacts including growth-inducing impacts, cumulative impacts, mitigation measures, and alternatives. It is not the intent of an EIR to recommend either approval or denial of a project.

Summary of the Project

The 9.18-acre project site is located at 1200 Memorex Drive. The site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Roughly 100,000 square feet of active outdoor uses are located on the eastern portion of the site.

The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440. The structure would have a height of 85 feet to the top of building, with rooftop metal screening reaching a height of 99 feet. The data center portion of the building would house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 60 megawatts (MW) of information technology (IT) power. The ancillary use portion of the building would be used for office (roughly 51,000 square feet) and storage uses.

The project would also construct a 150 megavolt amps (MVA) electrical substation on the eastern portion of the site. The substation would have three 50 MVA transformers, one of which would be redundant and would only become active if one of the other transformers fails. The substation capacity would be a nominal 100 MVA.

A 60 kilovolt (kV) overhead transmission line would be extended to the site to connect the substation to the existing electrical grid. The transmission line would form a loop, with the route starting on the east side of Lafayette Street and heading west on Shulman Avenue to Memorex Drive. From there, the route would continue west to Ronald Street and then head south to Di Giulio Avenue to connect to the proposed substation. The route would then head east from the substation to Lafayette Street and turn north towards Mathew Street to close the loop. The portion of the transmission line located on Di Giulio Street may be undergrounded, if determined to be feasible by the City.

Summary of Significant Impacts and Mitigation Measures

The following table is a summary of the significant environmental impacts identified and discussed in the EIR, and the mitigation measures proposed to avoid or reduce those impacts. The project description and full discussion of the impacts and mitigation measures can be found in Section 2.0 Project Information and Description and Section 3.0 Environmental Setting, Impacts, and Mitigation of this EIR.

Summary of Significant Impacts and Mitigation Measures	
Impact	**Mitigation Measure**
Biological Resources	
Impact BIO-1: Tree removal during the nesting season could impact protected raptors and/or other protected migratory birds. Any loss of fertile bird eggs, or individual nesting birds, or any activities resulting in nest abandonment during construction would constitute a significant impact. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM BIO-1.1:** Construction shall be scheduled to avoid the nesting bird season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay Area extends from February 1 through August 31. If it is not possible to schedule construction activities between September 1 and January 31, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure no nest shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game Code shall not be disturbed during project construction. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal.

Impact BIO-5: Trees to be retained on-site may be injured during project construction activities including demolition and site grading. Additionally, trees adjacent to the proposed overhead transmission line may require substantial pruning to ensure clearance. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM BIO-5.1:** Barricades – Prior to initiation of construction activity, temporary barricades would be installed around all trees in the construction area. Six-foot high, chain link fences would be mounted on steel posts, driven two feet into the ground, at no more than 10-foot spacing. The fences shall enclose the entire area under the drip line of the trees or as close to the drip line area as practical. These barricades will be placed around individual trees and/or groups of trees. **MM BIO-5.2:** Root Pruning (if necessary) – During and upon completion of any trenching/grading operation within a tree's drip line, should any roots greater than one inch in diameter be damaged, broken or severed, root pruning to include flush cutting and sealing of exposed roots should be accomplished under the supervision of a qualified Arborist to minimize root deterioration beyond the soil line within 24 hours. **MM BIO-5.3:** Pruning – Pruning of the canopies to include removal of deadwood should be initiated prior to construction operations. Such pruning will provide any necessary construction clearance, will lessen the likelihood or potential for limb breakage, reduce 'windsail' effect and provide an environment suitable for healthy and vigorous growth. **MM BIO-5.4:** Fertilization – Fertilization by means of deep root soil injection should be used for trees to be impacted during construction in the spring and summer months. **MM BIO-5.5:** Mulch – Mulching with wood chips (maximum depth of three inches) within tree environments should be used to lessen moisture evaporation from soil, protect and encourage adventitious roots and minimize possible soil compaction.

Cultural Resources	
Impact CUL-1: The project would demolish the existing improvements on site and therefore would have a significant and unavoidable impact on a historical resource. **(Significant and Unavoidable Impact with Mitigation Incorporated)**	**MM CUL-1.1:** Historic American Buildings Survey (HABS) Recordation. Prior to project implementation, the historical resource will be recorded to Historic American Buildings Survey (HABS) standards established by the National Park Service, as detailed below:[1] • A HABS written report will be completed to document the physical history and description of the historical resource, the historic context for its construction and use, and its historic significance. The report will follow the standard outline format described in the *Historic American Buildings Survey Guidelines for Historical Reports* in effect at the time of recording. The report shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History. • Large-format, black and white photographs of the historical resource will be taken and processed for archival permanence in accordance with Historic American Building Survey (HAB), Historic American Engineering Record (HAER), and HALS (Historic American Landscapes Survey) Photography Guidelines in effect at the time of recording. The photographs shall be taken by a professional with HABS photography experience. The number and type of views required will be determined in consultation with the local jurisdiction. • Existing drawings, where available, will be reproduced on archival paper. If existing drawings are not available, a full set of measured drawings depicting existing conditions will be prepared. The drawings shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Architecture or Historic Architecture. • The HABS documentation, including the written report, large-format photographs, and drawings, shall be submitted to appropriate

[1] National Park Service, "HABS Guidelines," accessed April 8, 2020, https://www.nps.gov/hdp/standards/habsguidelines.htm.

repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. The documentation shall be prepared in accordance with the archival standards outlined in the Transmittal Guideline for Preparing HABS/HAER/HALS Documentation in effect at the time of recording. A professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History shall manage production of the HABS documentation.

MM CUL-1.2: Video Documentation. Video documentation of the subject property will supplement HABS documentation by recording the exterior and interior of the industrial complex at 1200 – 1310 Memorex Drive, as it appears, prior to project implementation. Using visuals in combination with active narration, the documentation shall include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. The documentation shall be conducted by a professional videographer, preferably one with experience recording architectural resources, and produced in conjunction with a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth by the Secretary of the Interior's Professional Qualification Standards.

It is recommended that the video documentation be preserved in an electronic format that is cross-platform and nonproprietary. Like HABS documentation, archival copies of the video documentation shall be submitted to appropriate repositories, such as the SCCHGS, Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. It may also be shared online via a freely accessible platform such as YouTube.

MM CUL-1.3: Interpretive Display. Interpretive displays vary widely in size, style, construction, and information capacity. Specifications for a particular interpretive display should consider a number of factors, including but not limited to the nature of the resource, the intended audience, and the location of the display. Although typically located at the subject property, offsite interpretive displays may be appropriate in certain cases, such as when the property is not publicly accessible for security or other reasons. In all instances, interpretive displays should be conducted by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards, in coordination with an exhibit designer.

Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200 – 1310 Memorex Drive. Onsite displays should be located in a prominent space, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200 – 1310 Memorex Drive and its operation during the property's period of significance.

Because of the nature of the proposed replacement project, however, the subject property may not be easily accessible by the public, and an offsite interpretive display may be recommended in place of or in addition to the onsite display. An offsite interpretive display should be located in a place with a connection to the subject property or its historical context. For example, the Computer History Museum in Mountain View may be an appropriate location for an interpretive display because of the substantial, contextual connection between the museum's mission and the subject property's significance within the development of the modern computer industry. The Computer History Museum also holds hundreds of Memorex Corporation artifacts and records in its repository, which would complement an interpretive display related to the subject property.

MM CUL-1.4: Oral History Collection. Oral history is a method of gathering and preserving the memories of people and communities, including personal commentaries of historical significance. Best practices for performing oral interviews are outlined by the Oral History Association (OHA), which was founded in 1966 and serves as the principal membership organization for those involved in the field of oral history.

The project will prepare an oral history collection that focuses on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. To the extent feasible, at least one former employee of the Memorex Corporation who was employed at the subject property shall be interviewed. A list of guests at the Memorex at Fifty reunion, hosted at the Computer History Museum in Mountain View in 2011, may serve as a preliminary list of potential narrators.

Oral history audio and visual files collected as part of a mitigation effort for the 1200 – 1310 Memorex Drive will be conducted by a professional oral historian and preserved in an accessible, electronic format and submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, Oral History Center at the Bancroft Library in Berkeley, and/or the Computer History Museum, which currently houses more than one hundred oral history interviews related to the development of the modern computer industry. In the event that no appropriate narrators are identified, or in the event that all potential narrators decline to participate, a memorandum will be prepared to document the project methodology and efforts.

Impact CUL-2: The project may result in impacts to unknown subsurface cultural resources. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM CUL-2.1:** In the event that prehistoric or historical resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. If the find is deemed significant, a Treatment Plan will be prepared and provided to the Director of Community Development. The key elements of a Treatment Plan shall include the following: • Identify scope of work and range of subsurface effects (include location map and development plan), • Describe the environmental setting (past and present) and the historic/prehistoric background of the parcel (potential range of what might be found), • Develop research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information), • Detail field strategy used to record, recover, or avoid the finds (photogs, drawings, written records, provenience data maps, soil profiles, excavation techniques, standard archaeological methods) and address research goals. • Analytical methods (radiocarbon dating, obsidian studies, bone studies, historic artifacts studies [list categories and methods], packaging methods for artifacts, etc.). • Report structure, including a technical and layman's report and an outline of document contents in one year of completion of development (provide a draft for review before a final report), • Disposition of the artifacts, • Appendices: site records, update site records, correspondence, consultation with Native Americans, etc.

Impact CUL-3: The project could disturb human remains, should they be encountered on the site. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM CUL-3.1:** In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.
Geology and Soils	
Impact GEO-6: Paleontological resources could be encountered during construction. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM GEO-6.1:** In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.
Hazards and Hazardous Materials	
Impact HAZ-2: Construction workers could be exposed to contaminated soil and/or groundwater during excavation, grading, and construction activities. Future users of the site could be exposed to hazardous soil vapor. **(Less Than Significant Impact with Mitigation Incorporated)**	**MM HAZ-2.1:** For on-site construction activities, the project shall implement the approved Soil Management Plan prepared for the site under the oversight of the Regional Water Quality Control Board. **MM HAZ-2.2:** For off-site construction activities associated with the underground transmission line, a qualified environmental specialist shall collect shallow soil samples within the areas of proposed construction activities and have the samples analyzed to determine if contaminated soil is present with concentrations above established construction/trench worker and residential thresholds. Once the soil sampling analysis is complete, a report of the findings will be provided to the Director of Community Development for review. The report shall indicate whether any off-site contaminated soils found during sampling are related to the known on-site contamination, or whether they are from a different off-site contamination source.

	If contaminated soils are found in concentrations above established regulatory environmental screening levels, and are determined to be related to the known on-site contamination, the project shall incorporate the off-site contamination into the approved Soil Management Plan for the site. If the off-site contamination is determined to be unrelated to the known on-site contamination, the applicant shall enter into the Santa Clara County Department of Environmental Health's (SCCDEH) Voluntary Cleanup Program (VCP) to formalize regulatory oversight for remediation of contaminated soil to ensure the site is safe for construction workers and the public after development. The project applicant must remove contaminated soil in order to achieve detection levels acceptable to the SCCDEH. With approval of the SCCDEH, some of the contaminated soil may be allowed to be left in-place buried under hardscape and/or several feet of clean soil. The project applicant shall prepare and implement a Removal Action Plan, Soil Mitigation Plan or other similar report describing the remediation process and to document the removal and/or capping of contaminated soil. All work and reports produced shall be performed under the regulatory oversight and approval of the SCCDEH.
	Noise
Impact NOI-1: To avoid impacts related to construction noise, the project will be required to implement a construction noise control plan. **(Less than Significant Impact with Mitigation Incorporated)**	**MM NOI-1.1:** The project shall implement a construction noise control plan to regulate the hours of construction, reduce construction noise levels emanating from the site, and minimize disruption and annoyance at existing noise-sensitive receptors in the project vicinity. The control plan would include the following controls: • Construction activities shall be limited to hours between 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or Holidays. • Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment from adjacent properties. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the

line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.

- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Unnecessary idling of internal combustion engines should be strictly prohibited.

- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.

- Utilize "quiet" air compressors and other stationary noise sources where technology exists.

- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

- Control noise from construction workers' radios to a point where they are not audible at existing residential uses to the north of the project site.

- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.

- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures

	be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.
Impact NOI-2: To avoid impacts related to operation of the proposed data center, the project will be required to incorporate noise reduction measures into the project design. **(Less than Significant Impact with Mitigation Incorporated)**	**MM NOI-1.2:** The building shall include a rooftop screen wall reaching 14 feet in height above the roof, meeting a minimum surface weight of three pounds per square foot (such as one-inch-thick wood, ½-inch laminated glass, masonry block, concrete, or one-inch metal). The screen wall shall extend along the full length of the building's southern façade, a minimum distance of 225 feet north of the southwestern corner of the building along the western façade, and a minimum distance of 135 feet north of the southeastern corner of the building along the eastern façade. **MM NOI-1.3:** Each chiller shall meet a sound power level goal of 100 dBA or less. **MM NOI-1.4:** Each generator shall meet a design goal of 70 dBA or less at a lateral distance of 23 feet and a height of five feet above ground under full load. Generators shall be tested one at a time during daytime hours only. **MM NOI-1.4:** Each generator shall be equipped with an exhaust silencer so that noise from the exhaust would not exceed 63 dBA at a lateral distance of 23 feet and a height of five feet above ground.
Transportation	
Impact TRN-1: The project's vehicle miles traveled (VMT) per employee would be above the relevant significance threshold. **(Less than Significant Impact with Mitigation Incorporated)**	**MM TRN-2.1:** The project shall implement a TDM program sufficient to demonstrate that VMT associated with the project would be reduced to 14.14 or less per employee. The TDM program may include, but is not limited to, the following measures which have been determined to be a feasible method for achieving the required VMT reduction: • Provide commute trip reduction marketing and education for all eligible employees. ○ Implement marketing campaign targeting all project employees and visitors that encourages the use of transit, shared rides, and active modes. Marketing strategies may include new

employee orientation on alternative commute options, event promotions, and publications. Providing information and encouragement to use transit, share ride modes, and active modes, reducing drive-alone trips and thereby reducing VMT.

- Provide a subsidized or discounted transit program for all eligible employees.
  - This strategy requires the project employer to subsidize transit passes for participating employees.
- Provide a rideshare program for all eligible employees.
  - Organize a program to match individuals interested in carpooling who have similar commute patterns. Strategy encourages the use of carpooling, reducing the number of vehicle trips and thereby reducing VMT.

The TDM program shall be submitted and approved by the Director of Community Development and shall be monitored annually to gauge its effectiveness in meeting the required VMT reduction. The TDM program shall establish an appropriate estimate of initial vehicle trips generated by the occupant of the proposed project and shall conduct driveway traffic counts annually to measure peak-hour entering and exiting vehicle volumes. The volumes will be compared to trip thresholds established in the TDM program to determine whether the required reduction in vehicle trips is being met. In addition to monitoring driveway volumes, a survey will be developed as part of the TDM program to determine actual mode splits for employees. The survey will also gather information on usage of individual TDM program components. The results of the annual vehicle counts and survey will be reported in writing to the Director of Community Development.

If TDM program monitoring results show that the trip reduction targets are not being met, the TDM program shall be updated to identify replacement and/or additional feasible TDM measures to be implemented. The updated TDM program shall be subject to the same approvals and monitoring requirements listed above.

	If monitoring and reporting demonstrates that the project is non-compliant (i.e, did not fulfill the requirements of the TDM program, meet the drive-alone reduction targets, etc.), the City as the enforcing agency may impose penalties including fines and/or permit limitations.

Summary of Alternatives to the Proposed Project

CEQA requires that an EIR identify alternatives to a project as it is proposed. CEQA Guidelines Section 15126.6 specifies that the EIR should identify alternatives which "would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." Below is a summary of the project alternatives analyzed in this EIR. A full analysis of the project alternatives is provided in Section 7.0 Alternatives.

Alternatives Considered but Rejected

The following alternatives were considered but rejected and described in detail in Section 7.3.1 Project Alternatives Considered but Rejected:

- Location Alternative – development of the project on an alternative site.
- Adaptive Reuse of the Historical Resource – reuse of the existing structures on the site through renovations that avoid demolition.
- Preservation Alternative - Retain Portion of Historical Resource – retain a portion of the historical resource on the site, but not enough to avoid the significant impact.

Analyzed Alternatives

The following were evaluated as alternatives to the project and described in detail in Section 7.3 Project Alternatives:

- No Project Alternative as required by CEQA – no new development, with continued operation of the existing uses on the project site.
- Preservation Alternative - Retain Historical Resource – retain the majority of the character defining features of the historical resource while demolishing other portions of the existing development not considered character defining features, allowing for the construction of the data center facility without a significant impact.

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. The environmentally superior alternatives to the proposed project are the No Project Alternative and the Preservation Alternative - Retain Historical Resource Alternative, as further detailed in Section 7.4 Environmentally Superior Alternative.

SECTION 1.0 INTRODUCTION

1.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The City of Santa Clara, as the Lead Agency, has prepared this Draft Environmental Impact Report (EIR) for the Memorex Data Center in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

As described in CEQA Guidelines Section 15121(a), an EIR is an informational document that assesses potential environmental impacts of a proposed project, as well as identifies mitigation measures and alternatives to the proposed project that could reduce or avoid adverse environmental impacts (CEQA Guidelines 15121(a)). As the CEQA Lead Agency for this project, the City of Santa Clara is required to consider the information in the EIR along with any other available information in deciding whether to approve the project. The basic requirements for an EIR include discussions of the environmental setting, significant environmental impacts including growth-inducing impacts, cumulative impacts, mitigation measures, and alternatives. It is not the intent of an EIR to recommend either approval or denial of a project.

1.2 EIR PROCESS

1.2.1 Notice of Preparation and Scoping

In accordance with Section 15082 of the CEQA Guidelines, the City of Santa Clara prepared a Notice of Preparation (NOP) for this EIR. The NOP was circulated to local, state, and federal agencies on July 17, 2020. The standard 30-day comment period concluded on August 17, 2020. The NOP provided a general description of the proposed project and identified possible environmental impacts that could result from implementation of the project. The City of Santa Clara also held a public scoping meeting on July 27, 2020 to discuss the project and solicit public input as to the scope and contents of this EIR. Due to Covid-19 restrictions, the meeting was held virtually through Zoom Video Communications, Inc. Appendix A of this EIR includes the NOP and comments received on the NOP.

1.2.2 Draft EIR Public Review and Comment Period

Publication of this Draft EIR will mark the beginning of a 45-day public review period. During this period, the Draft EIR will be available to the public and local, state, and federal agencies for review and comment. Notice of the availability and completion of this Draft EIR will be sent directly to every agency, person, and organization that commented on the NOP, as well as the Office of Planning and Research. Written comments concerning the environmental review contained in this Draft EIR during the 45-day public review period should be sent to:

Tiffany Vien
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
408.615.2466
TVien@santaclaraca.gov

1.3 FINAL EIR/RESPONSES TO COMMENTS

Following the conclusion of the 45-day public review period, the City of Santa Clara will prepare a Final EIR in conformance with CEQA Guidelines Section 15132. The Final EIR will consist of:

- Revisions to the Draft EIR text, as necessary;
- List of individuals and agencies commenting on the Draft EIR;
- Responses to comments received on the Draft EIR, in accordance with CEQA Guidelines (Section 15088);
- Copies of letters received on the Draft EIR.

Section 15091(a) of the CEQA Guidelines stipulates that no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings. If the lead agency approves a project despite it resulting in significant adverse environmental impacts that cannot be mitigated to a less than significant level, the agency must state the reasons for its action in writing. This Statement of Overriding Considerations must be included in the record of project approval.

1.3.1 Notice of Determination

If the project is approved, the City of Santa Clara will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office and available for public inspection for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15094(g)).

1.4 JURISDICTION

As described previously, the City of Santa Clara is the Lead Agency under CEQA for the proposed project. The California Energy Commission (CEC) sometimes acts as the Lead Agency for large data center projects where the proposed backup power generating capacity is 50 MW or more. This is because the CEC regulates thermal power plants with 50 MW or more of power generating capacity and considers backup generators for data centers to be thermal power plants. The CEC determines the power generating capacity of data center projects based on the total electricity demand of the project that would require backup power from thermal power generating sources (i.e., diesel-fueled generators) in the event of a power outage. Although the overall electricity demand of the proposed project exceeds 50 MW, the project is designed in a manner so that only 48 MW of the project would require backup power from thermal power generating sources in the event of an outage. As a result, the project does not fall under the jurisdiction of the CEC. This was confirmed by the CEC in a letter issued after completion of a review of the project design. The letter, referring to the project as MDC, short for Memorex Data Center, stated "…(a)s the total backup generation capability of the facility would be less than CEC's 50 MW jurisdictional threshold, staff concludes that MDC is not subject to either the CEC's licensing or exemption process, and instead would be subject to local government permitting."[2]

[2] California Energy Commission. Jurisdictional Determination - Memorex Data Center. September 30, 2020.

SECTION 2.0 PROJECT INFORMATION AND DESCRIPTION

2.1 PROJECT LOCATION

The 9.18-acre project site is located at 1200 Memorex Drive. A regional map, vicinity map, and aerial photograph showing the site and surrounding land uses are shown on Figures 2.1, 2.2, and 2.3, respectively.

2.2 PROJECT DESCRIPTION

2.2.1 Existing Development

The 9.18-acre project site is located at 1200 Memorex Drive. The site is zoned ML-Light Industrial and has a General Plan designation of Light Industrial. The site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Roughly 100,000 square feet of active outdoor uses are located on the eastern portion of the site. Existing uses on the site are light industrial in nature and include operations such as aluminum plating, metal cleaning/polishing, a machine shop, construction contractors, a brewery, material storage, vehicle storage, and hauling. The vehicle storage and hauling operations are primarily located in the outdoor areas on the site.

2.2.2 Proposed Development

The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440. The structure would have a height of 85 feet to the top of building, with rooftop metal screening reaching a height of 99 feet. The data center portion of the building would house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 60 megawatts (MW) of information technology (IT) power. The ancillary use portion of the building would be used for office (roughly 51,000 square feet) and storage uses. The proposed site plan is shown on Figure 2.4.

Three floors of the data center portion of the building would consist of production data hall space, which requires backup power generation, while one floor would consist of development data hall space, which does not require backup power generation. Standby backup emergency electrical generators would be installed to provide an uninterrupted power supply to the production data hall space. A total of 24 three-MW diesel-fueled engine generators would be located on the south side of the building, with 16 primary generators providing 48 MW of backup power generation capacity and eight additional generators providing redundancy for the primary generators. The generators would be housed within a ground-level generator yard, with 22 of the generators double-stacked and two of the generators single-stacked. One additional 500-kW diesel-fueled generator would be located on the south side of the building to provide backup power generation for the ancillary use portion of the building. Mechanical cooling equipment would be located on the roof with metal panel perimeter screening above the building parapet.

The project would also construct a 150 megavolt amps (MVA) electrical substation on the eastern portion of the site. The substation would have three 50 MVA transformers, one of which would be redundant and would only become active if one of the other transformers fails. The substation capacity would be a nominal 100 MVA. The substation would have an all-weather asphalt surface underlain by an aggregate base.

2.2.2.1 *Electric Transmission Line*

A 60 kilovolt (kV) overhead transmission line would be extended to the site to connect the substation to the existing electrical grid. As shown on Figure 2.5, the transmission line would form a loop, with the route starting on the east side of Lafayette Street and heading west on Shulman Avenue to Memorex Drive. From there, the route would continue west to Ronald Street and then head south to Di Giulio Avenue to connect to the proposed substation. The route would then head east from the substation to Lafayette Street and turn north towards Mathew Street to close the loop. The transmission line would be supported by 15 utility poles, 10 of which would be steel poles up to 85 feet in height with a diameter of four feet, and five of which would be wood poles up to 57 feet in height with a diameter of 21 inches. The portion of the transmission line located on Di Giulio Street may be undergrounded, if determined to be feasible by the City (refer to Figure 2.5). The underground portion would be located in the street right-of-way and would be approximately 900 feet long and with a trench that is four feet wide and 12-15 feet deep. Under this scenario, the overhead portion of the transmission line would be supported by up to 10 steel poles with no wood poles. The impacts of both transmission line scenarios are analyzed in this EIR.

Under both the overhead and partial overhead/partial underground transmission line scenarios, the project would require easements through several properties. The properties requiring easements are listed in Table 2.2-1, below.

Table 2.2-1: Transmission Line Easements

Site Address	APN	Zoning	Easement Size
Overhead-Only Route			
2380 Lafayette St.	224-63-020	MH – Heavy Industrial	1,200 sq. ft.
965 Shulman Ave.	224-63-005	ML – Light Industrial	500 sq. ft.
2191 Ronald St.	224-67-023	ML – Light Industrial	900 sq. ft.
2222 Ronald St.	224-66-005	ML – Light Industrial	400 sq. ft.
2122 Ronald St.	224-66-003	ML – Light Industrial	200 sq. ft.
1040 Di Giulio Ave.	224-05-093	ML – Light Industrial	1,500 sq. ft.
2206 Lafayette St.	224-67-042	ML – Light Industrial	500 sq. ft.
2222 Lafayette St.	224-67-048	ML – Light Industrial	100 sq. ft.
2234 Lafayette St.	224-67-028	ML – Light Industrial	100 sq. ft.
2265 Lafayette St.	224-03-080	MH – Heavy Industrial	1,200 sq. ft.
Partial Overhead/Partial Underground Scenario			
2380 Lafayette St.	224-63-020	MH – Heavy Industrial	1,200 sq. ft.
965 Shulman Ave.	224-63-005	ML – Light Industrial	500 sq. ft.

Table 2.2-1: Transmission Line Easements			
2191 Ronald St.	224-67-023	ML – Light Industrial	900 sq. ft.
2222 Ronald St.	224-66-005	ML – Light Industrial	400 sq. ft.
2122 Ronald St.	224-66-003	ML – Light Industrial	200 sq. ft.
2206 Lafayette St.	224-67-042	ML – Light Industrial	1,100 sq. ft.
2222 Lafayette St.	224-67-048	ML – Light Industrial	100 sq. ft.
2234 Lafayette St.	224-67-028	ML – Light Industrial	100 sq. ft.
2265 Lafayette St.	224-03-080	MH – Heavy Industrial	1,200 sq. ft.

2.2.2.2 *Site Access and Parking*

The site currently has four driveways on Memorex Drive and three driveways on Ronald Street/Di Giulio Avenue, all of which would be removed by the project. Access to the site would be provided by two new driveways on Memorex Drive and one new driveway on Di Giulio Avenue. The project would result in a net decrease in driveways accessing the site, reducing curb cuts and eliminating hazards associated with site distances from current driveways located near intersections and roadway bends. The project proposes to provide 113 parking spaces in surface parking lots located on the eastern portion of the site. Five parking spaces would be ADA accessible, and 11 parking spaces would be dedicated for clean air vehicles. Electric vehicle charging stations would be located adjacent to the clean air vehicle spaces.

2.2.2.3 *Building Height and Floor Area Ratio*

The project would construct a building with a maximum height of 85 feet, with additional screening extending to a height of 99 feet, which would exceed the maximum height of 70 feet allowed under the ML – Light Industrial zoning district regulations. The project is requesting a Zoning Administrator Modification to allow a building height above what is allowed in the Zoning Ordinance.

2.2.2.4 *Landscaping and Stormwater Control*

Currently, landscaping on the site is sparse. Mature trees are located on the site's frontage with Memorex Drive, and additional trees and shrubbery are located along portions of the site's perimeter. Trees and ornamental landscaping would be planted along the perimeter of the project site, and in landscaped islands between parking lot aisles. Although the project would remove 36 of the 38 existing trees and landscaping on the site, the project would plant 226 replacement trees that would meet or exceed required replacement ratios, resulting in an increase in trees and landscaping on the site. The proposed landscaping plan is shown on Figure 2.6.

Stormwater runoff from the site's impervious surfaces would be directed to treatment systems before being collected in a series of pipes sized for a 10-year storm event in accordance with the City's design requirements. The biotreatment basins would be located throughout the surface parking on the eastern section of the site, along the southern and northern site boundaries, and along the central section of the northern site boundary. These pipes would ultimately leave the site, connecting to the existing City storm drainage pipes in Memorex Drive and/or Di Giulio Avenue.

2.2.2.5 *Construction*

It is anticipated that construction would begin in the spring (April) of 2021 and be completed in the spring (March) of 2023, a total of 23 months or 506 workdays (average of 22 work days per month). This schedule assumes that the entire project would be constructed in the following phases: demolition and site preparation, grading, trenching and foundations, exterior and interior building construction, paving, and architectural coating. Subsequent to building completion, as server space is sold to customers, the server racks and support equipment would be installed in the building.

The project would require excavation to depths of up to 12 feet for the on-site construction work and 12-15 feet for trenching related to the potential underground portion of the transmission line along Di Giulio Avenue.

2.3 PROJECT OBJECTIVES

Pursuant to CEQA Guidelines Section 15124, the EIR must identify the objectives sought by the proposed project. The project applicant has stated the following objectives:

1. Redevelop the 9.18-acre site with a state of the art data center capable of supporting at least 60 MW of IT power in an environmentally controlled structure with redundant subsystems (cooling, power, network links, storage, fire suppression, etc.) along with sufficient ancillary office and storage space to accommodate the needs of future tenants (estimated to require up to 472,920 square feet of data center space and 87,520 square feet of ancillary space). The data center shall be located near a reliable large power source, and emergency response access, and being located such that it can be protected, to the maximum extent feasible, from security threats, natural disasters, and similar events. The project shall include backup power generation facilities that provide sufficient generation capacity, reliability, and redundancy to meet the needs of future tenants.

2. Provide operational electric power to the proposed data center via an electric substation, and provide other utility infrastructure to serve the project, including water, storm drainage, sanitary sewer, electric, natural gas, and telecommunications. Extend a 60 kilovolt (kV) overhead transmission line to connect the substation to the existing electrical grid.

3. Meet high sustainability and green building standards by designing the data center to meet US Green Building Code LEED and Cal-Green standards for any new construction.

4. Incorporate the most reliable and flexible form of backup electric generating technology considering the following evaluation criteria.
   - <u>Commercial Availability and Feasibility.</u> The selected backup electric generation technology must currently be in use and proven as an accepted industry standard for technology. It must be operational within a reasonable timeframe where permits and approvals are required.
   - <u>Technical Feasibility.</u> The selected backup electric generation technology must utilize systems that are compatible with one another.
   - <u>Reliability.</u> The selected backup electric generation technology must be extremely reliable in the case of an emergency loss of electricity from the utility.

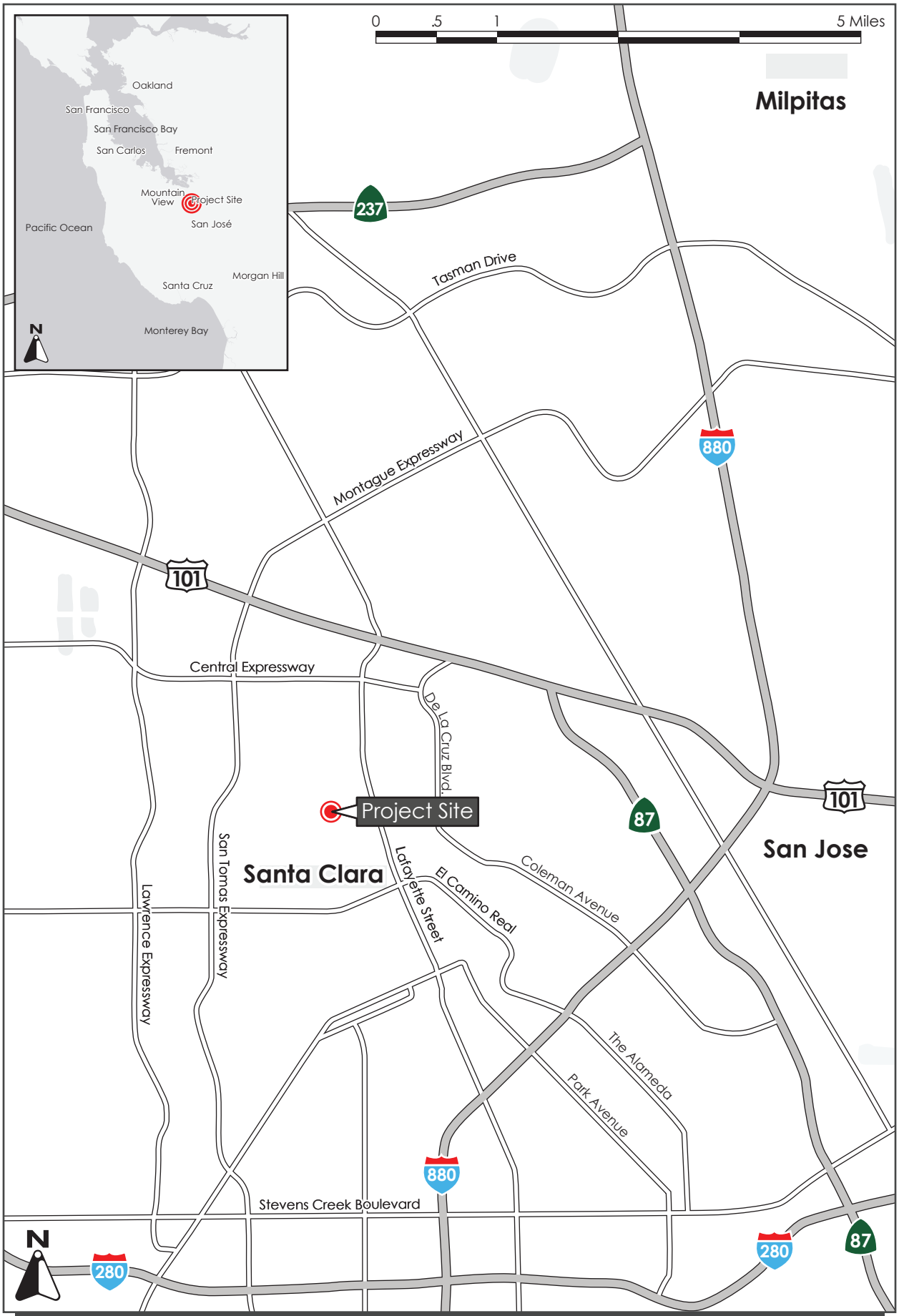
- Industry Standard. The selected backup electric generation technology must be considered industry standard or best practice.

5. Construct a high-quality data center that is marketable and produces a reasonable return on investment for the project applicant and its investors and is able to attract investment capital and construction financing.

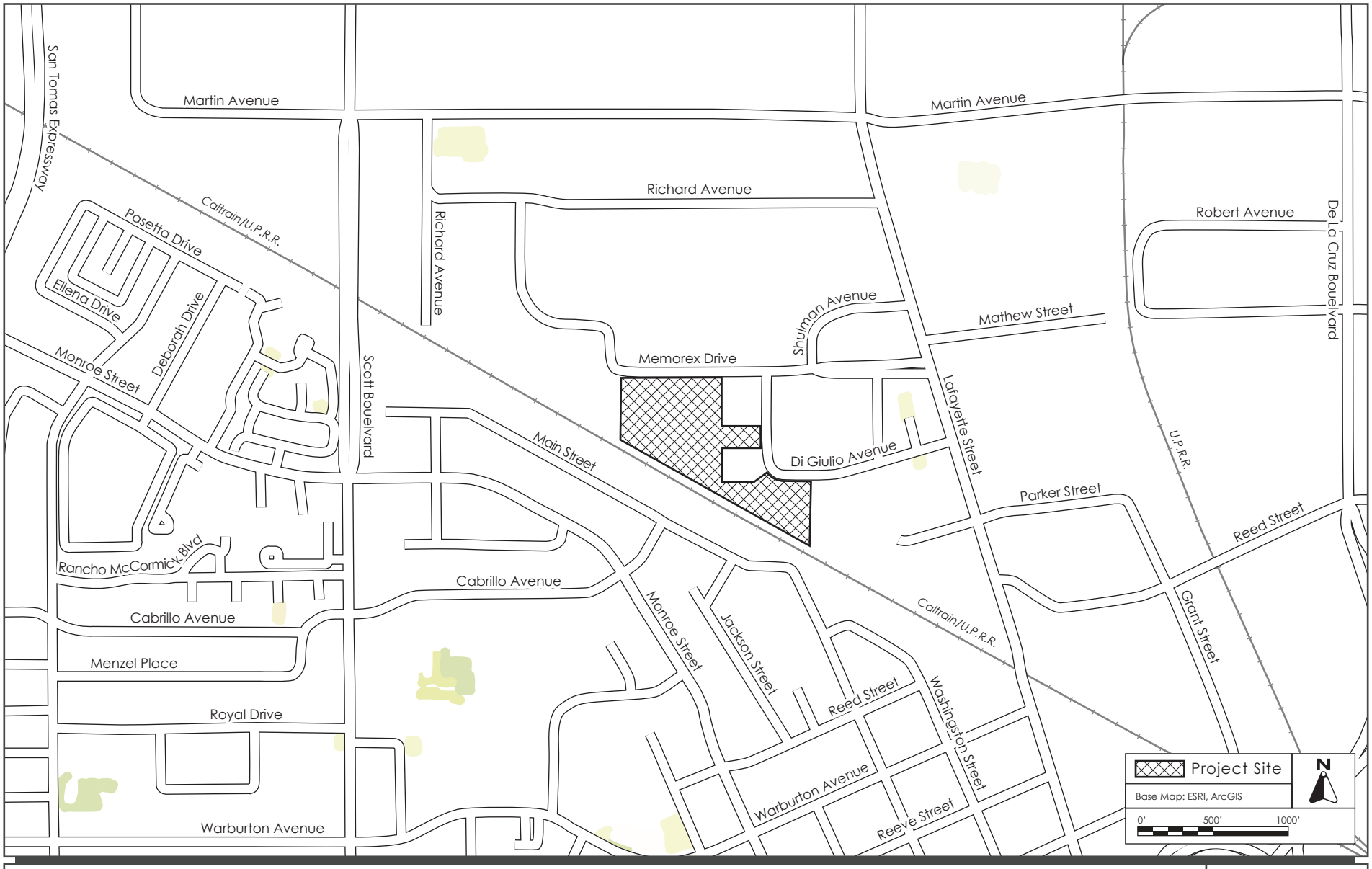
2.4 USES OF THE EIR

This EIR would provide decision-makers in the City of Santa Clara, other public agencies, and the general public with relevant environmental information to use in considering the project. If the proposed project is approved, the EIR could be used by the City in conjunction with appropriate discretionary approvals including, but not limited to, the following:

- Architectural Approval
- Zoning Administrator Modification
- Issuance of Demolition, Grading, Building, and Occupancy permits.
- Tree Removal Permits

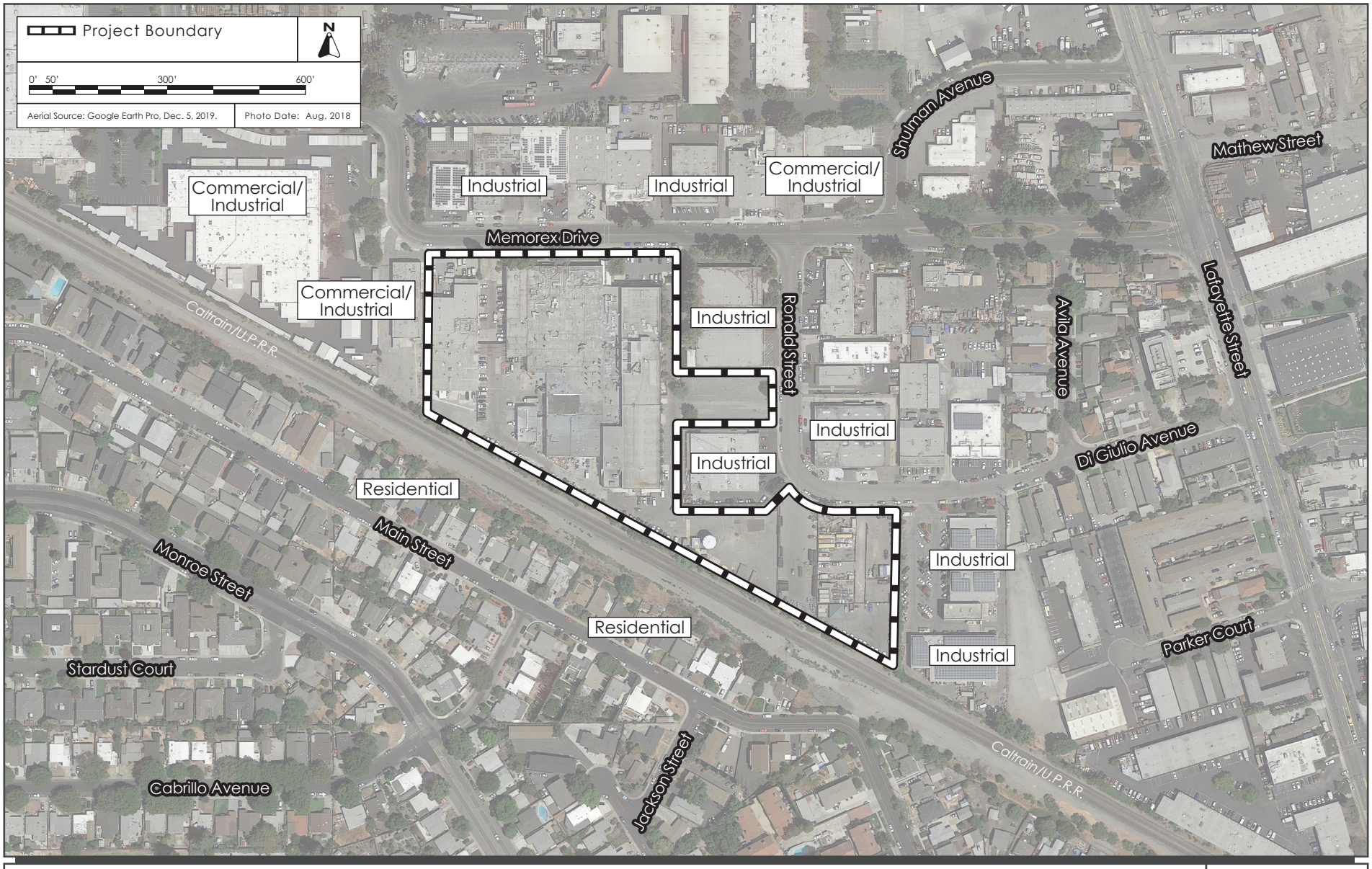


REGIONAL MAP | FIGURE 2.1



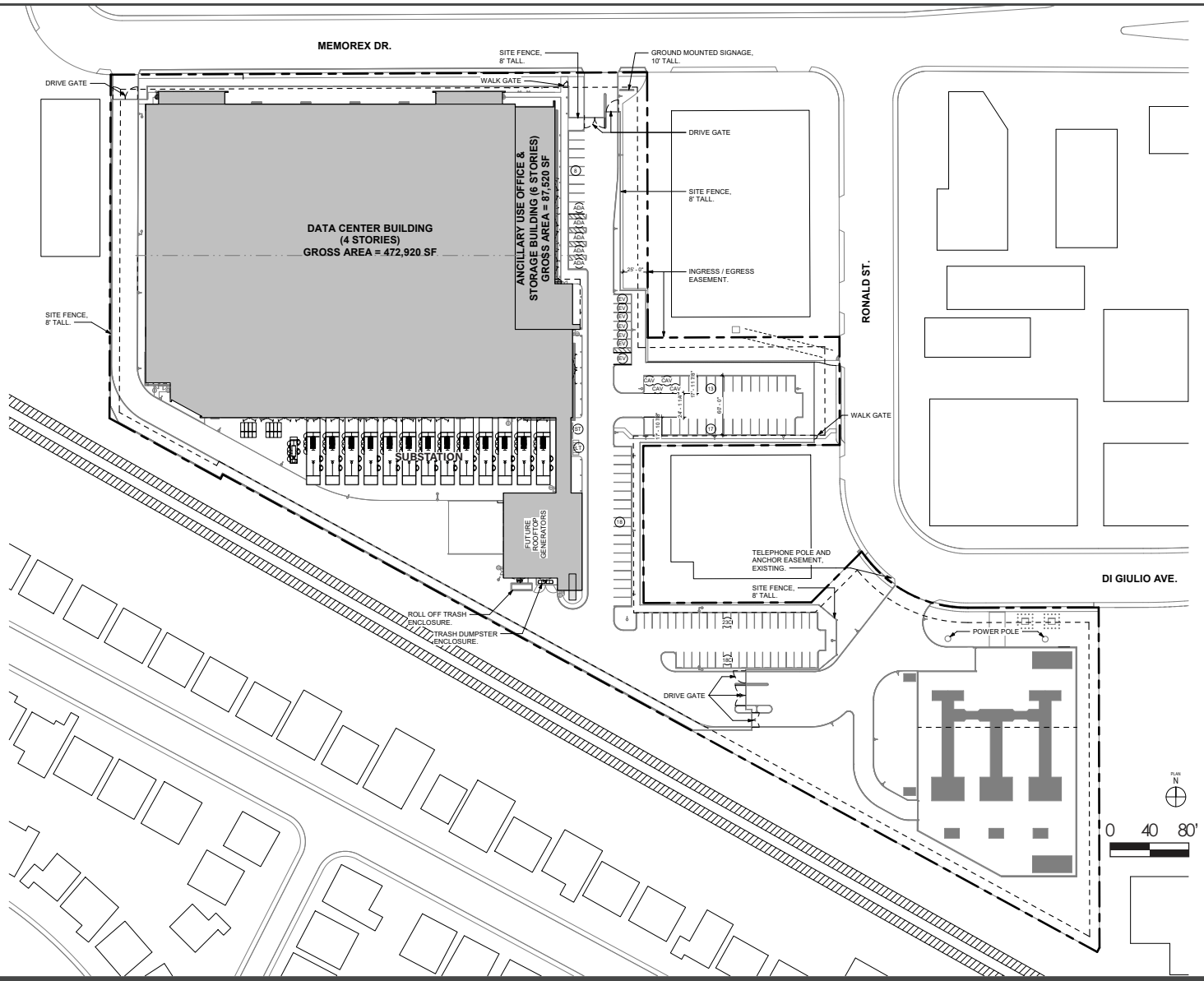
VICINITY MAP

FIGURE 2.2



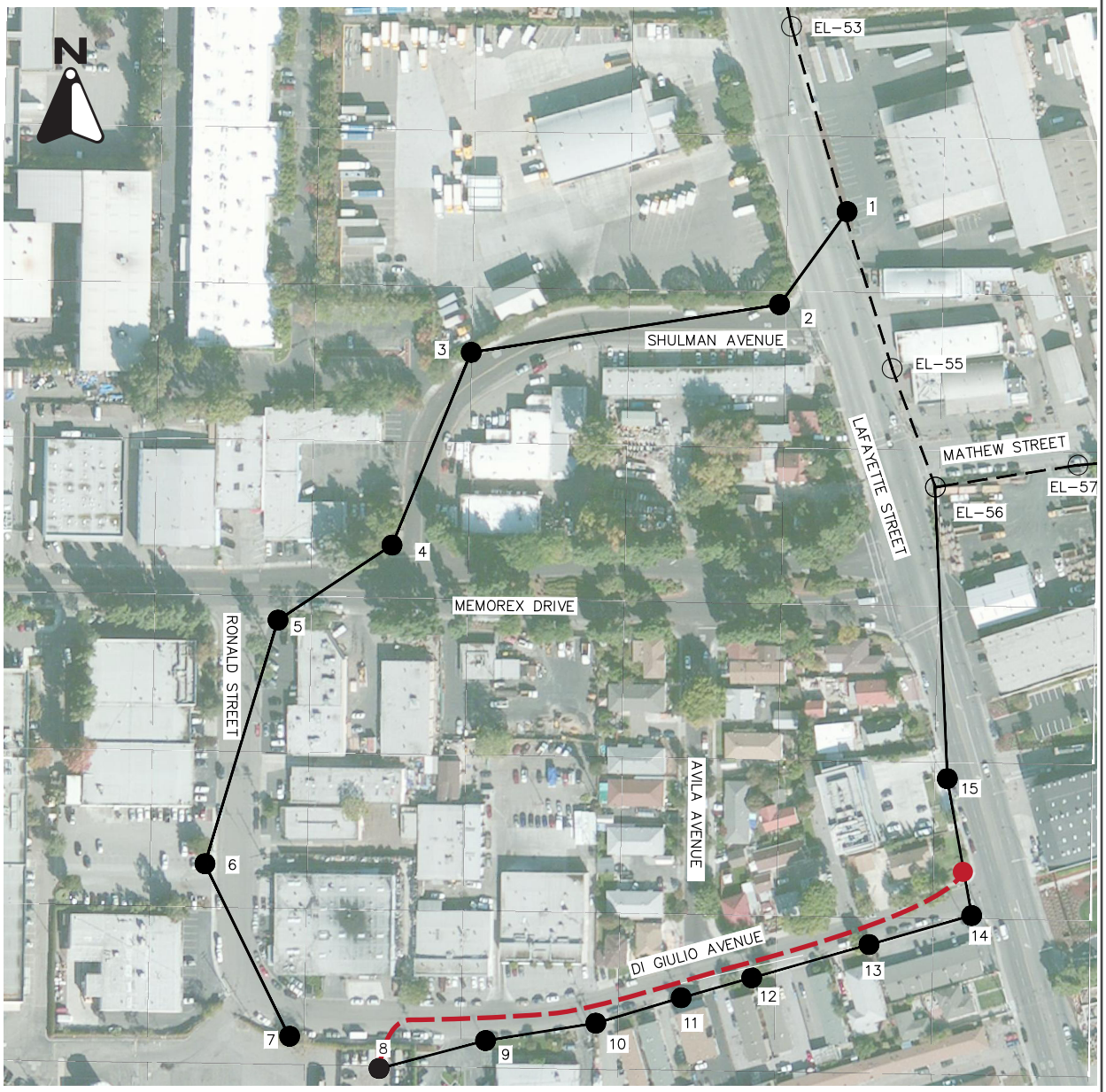
AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.3



SITE PLAN

FIGURE 2.4



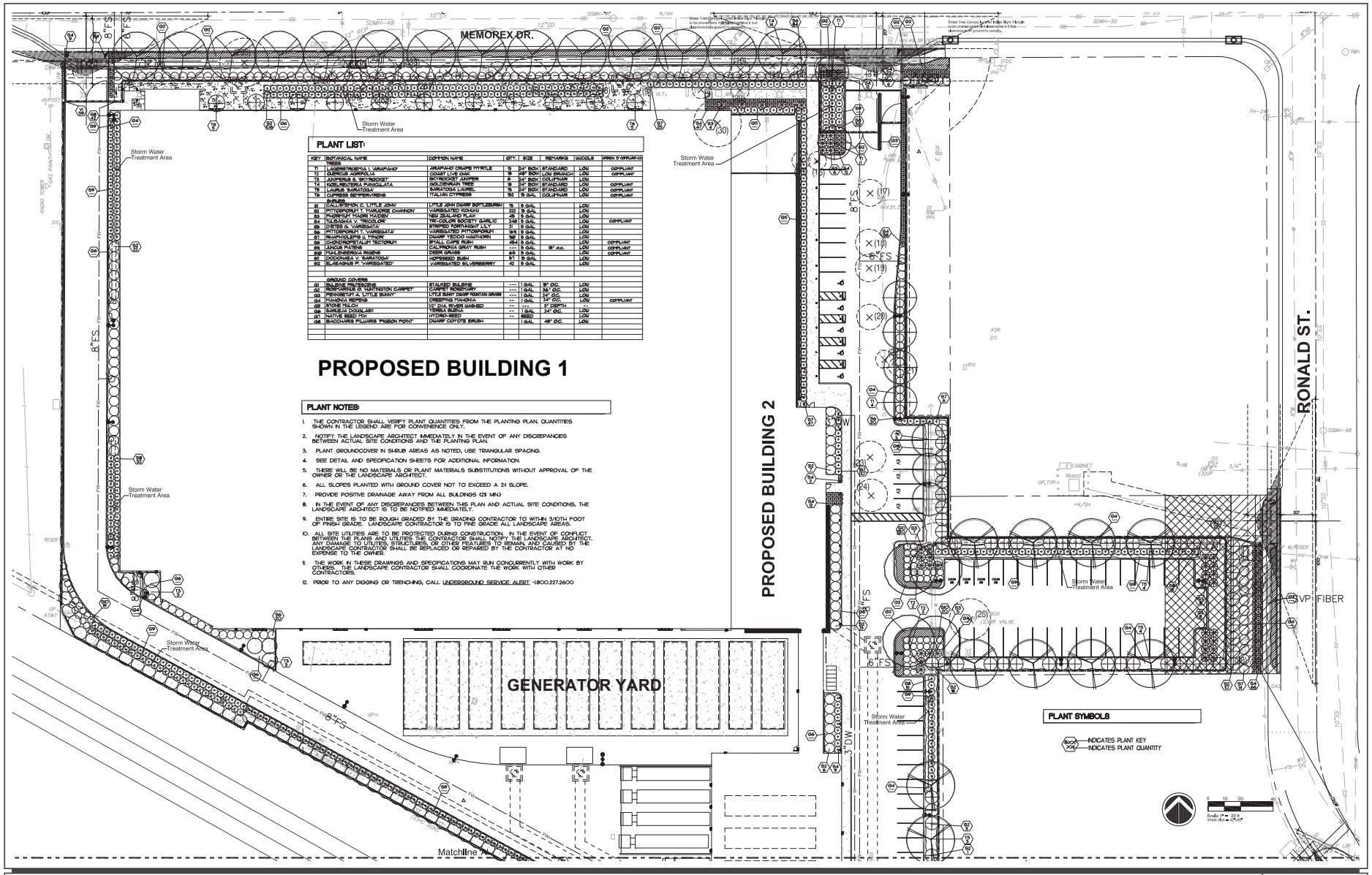
LEGEND

Overhead Transmission Line

Potential Underground Transmission Line

Source: Electrical Consulants, Inc., October 27, 2020.

60 kV TRANSMISSION LINE | FIGURE 2.5



PLANT LIST:

KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	W/UCOLS	XERIC 'Y' COMPLIANT
	TREES						
T1	LAGERSTROEMIA L. 'MUSKOGEE'	MUSKOGEE CRAPE MYRTLE	13	24" BOX	STANDARD	LOW	COMPLIANT
T2	QUERCUS AGRIFOLIA	COAST LIVE OAK	9	48" BOX	LOW BRANCH	LOW	COMPLIANT
T3	JUNIPERUS S. 'SKYROCKET'	SKYROCKET JUNIPER	6	24" BOX	COLUMNAR	LOW	
T4	KOELREUTERIA PANICULATA	GOLDENRAIN TREE	18	24" BOX	STANDARD	LOW	COMPLIANT
T5	LAURUS 'SARATOGA'	SARATOGA LAUREL	18	24" BOX	STANDARD	LOW	COMPLIANT
T6	CUPRESSUS SEMPERVIRENS 'SARGENTII'	ITALIAN CYPRESS	32	15 GAL.	COLUMNAR	LOW	COMPLIANT
S1	CALLISTEMON C. 'LITTLE JOHN'	LITTLE JOHN DWARF BOTTLEBRUSH	18	5 GAL		LOW	
S2	PITTOSPORUM T. 'MARJORIE CHANNON'	VARIEGATED KOHUHU	222	5 GAL		LOW	
S3	PHORMIUM 'COOK'S HYBRID'	NEW ZEALAND FLAX	49	5 GAL		LOW	
S4	YUCCA/AGAVE V. 'RECORDS'	TRI-COLOR SOCIETY GARLIC	248	5 GAL		LOW	COMPLIANT
S5	DIETES G. 'VARIEGATA'	STRIPED FORTNIGHT LILY	21	5 GAL		LOW	
S6	PITTOSPORUM T. 'VARIEGATA'	VARIEGATED PITTOSPORUM	193	5 GAL		LOW	
S7	RHAPHIOLEPIS I. 'YEDDO'	DWARF YEDDO HAWTHORN	18	5 GAL		LOW	
S8	CHAMAEROPS/ELIUM TEXORUM	SMALL CAPE RUSH	454	5 GAL		LOW	COMPLIANT
S9	ARCTOSTAPHYLOS	CAL PRINCE GRAY BUSH	---	5 GAL	18" o.c.	LOW	COMPLIANT
S10	MUHLENBERGIA RIGENS	DEER GRASS	65	5 GAL		LOW	COMPLIANT
S1	DODONAEA V. 'SARATOGA'	HOPSEED BUSH	51	5 GAL		LOW	
S2	ELAEAGNUS P. 'VARIEGATED'	VARIEGATED SILVERBERRY	42	5 GAL		LOW	
	GROUND COVERS						
G1	RUELLIA PENTECONIA	STALKED BULBINE	---	1 GAL	18" O/C.	LOW	
G2	ROSMARINUS OF. 'HUNTINGTON CARPET'	CARPET ROSEMARY	---	1 GAL	36" O/C.	LOW	
G3	PENNISETUM A. 'LITTLE BUNNY'	LITTLE BUNNY DWARF FOUNTAIN GRASS	---	1 GAL	24" O/C.	LOW	
G4	TRACHELO SPERMUM	CREEPING TRACHELO	---	1 GAL	24" O/C.	LOW	COMPLIANT
G5	STONE MULCH	1/2" DIA. RIVER WASHED	--	---	3" DEPTH	--	
G6	SUMULEA DOUGLASI	"SIMULA BUENA"	--	1 GAL	24" O/C.	LOW	
G7	NATIVE SEED MIX	HYDRO-SEED	--	SEED		LOW	
G8	BACCHARIS PILULARIS 'PIGEON POINT'	DWARF COYOTE BRUSH		1 GAL	48" O/C.	LOW	

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN THE LEGEND ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUNDCOVER IN SHRUB AREAS AS NOTED, USE TRANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. ALL SLOPES PLANTED WITH GROUND COVER NOT TO EXCEED A 2:1 SLOPE.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS @2 MIN.
8. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THIS PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
9. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GRADING CONTRACTOR TO WITHIN 3/10TH FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
10. ALL SITE UTILITIES ARE TO BE PROTECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN, AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
11. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MAY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
12. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT 1-800.227.2600

LANDSCAPE PLAN

FIGURE 2.6

SECTION 3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

3.1	Aesthetics	3.11	Land Use and Planning
3.2	Agriculture and Forestry Resources	3.12	Mineral Resources
3.3	Air Quality	3.13	Noise
3.4	Biological Resources	3.14	Population and Housing
3.5	Cultural Resources	3.15	Public Services
3.6	Energy	3.16	Recreation
3.7	Geology and Soils	3.17	Transportation
3.8	Greenhouse Gas Emissions	3.18	Tribal Cultural Resources
3.9	Hazards and Hazardous Materials	3.19	Utilities and Service Systems
3.10	Hydrology and Water Quality	3.20	Wildfire

The discussion for each environmental subject includes the following subsections:

Environmental Setting – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.

Impact Discussion – This subsection includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts.

- **Project Impacts** – This subsection discusses the project's impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered to correspond to the checklist question being answered. For example, Impact BIO-1 answers the first checklist question in the Biological Resources section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section.
- **Cumulative Impacts** – This subsection discusses the project's cumulative impact on the environmental subject. Cumulative impacts, as defined by CEQA, refer to two or more individual effects, which when combined, compound or increase other environmental impacts. Cumulative impacts may result from individually minor, but collectively significant effects taking place over a period of time. CEQA Guideline Section 15130 states that an EIR should discuss cumulative impacts "when the project's incremental effect is cumulatively considerable." The discussion does not need to be in as great detail as is necessary for project impacts, but is to be "guided by the standards of practicality and reasonableness." The purpose of the cumulative analysis is to allow decision makers to better understand the

impacts that might result from approval of past, present, and reasonably foreseeable future projects, in conjunction with the proposed project addressed in this EIR.

The CEQA Guidelines advise that a discussion of cumulative impacts should reflect both their severity and the likelihood of their occurrence (CEQA Guidelines Section 15130(b)). To accomplish these two objectives, the analysis should include either a list of past, present, and probable future projects or a summary of projections from an adopted general plan or similar document (CEQA Guidelines Section 15130(b)(1)). This EIR uses the list of projects approach.

The analysis must determine whether the project's contribution to any cumulatively significant impact is cumulatively considerable, as defined by CEQA Guideline Section 15065(a)(3). The cumulative impacts discussion for each environmental issue accordingly addresses the following issues: 1) would the effects of all of past, present, and probable future (pending) development result in a significant cumulative impact on the resource in question; and, if that cumulative impact is likely to be significant, 2) would the contribution from the proposed project to that significant cumulative impact be cumulatively considerable?

Table 3.0-1 identifies the approved (but not yet constructed or occupied) and pending projects in the project vicinity (within one mile) that are evaluated in the cumulative analysis.

Table 3.0-1: Cumulative Projects List

Name and Location	Description	Distance to Proposed Project
1444 Madison Street Residential Project	Rezone site from Medium-density Multiple Dwelling to Planned Development and construct three new single-family dwellings.	3,400 feet
1627 Monroe Street Residential Project	Develop a vacant single-family residential property to construct three single-family homes	2,270 feet south
1900 Warburton Avenue Residential Townhouse Project	Rezone site from General Office to Planned Development and develop 12 three-story townhouse units.	2,400 feet southwest
2232 El Camino Real Mixed Use Project (SummerHill)	Rezone from Community Commercial to Planned Development and construct a four-story mixed-use development with 17,909 square feet of ground floor retail space, 151 senior apartment units, and parking structure.	4,170 feet southwest
2330 Monroe Street Affordable Housing Project	General Plan Amendment and rezone site from Single Family residential to Planned Development and construct three-story building with 65 residential affordable units.	3,332 feet west

Table 3.0-1: Cumulative Projects List		
Name and Location	**Description**	**Distance to Proposed Project**
575 Benton Street Mixed-Use Project (Prometheus)	Construct 355 apartment units including eight live-work units, 650 parking spaces, 1,601 square feet of leasing office space, 346 square feet pet spa area,1,528 square feet of bike amenity space, an amenity roof deck with 4,341 square feet of club room and a fitness center, three private courtyards and a public courtyard facing The Alameda.	4,940 feet southeast
651 Walsh Avenue Data Center Project	Demolish an existing warehouse building and construct a 435,050 square-foot, four-story data center, generator yard, electric substation, and surface parking lot.	3,400 feet northeast
917 Warburton Avenue Residential Project	Construct six, two-story single family detached homes.	1,930 feet southeast
1890 El Camino Real Residential Project (Anatara Villas)	Construct 56 condominium units over a podium parking structure.	3,680 feet southwest
1375, 1385, and 1399 El Camino Real (Catalina I Residential Development Project)	Construct 54 townhouse units, including eight live-work units.	3,340 feet south
1433 – 1493 El Camino Real (Catalina II Residential Development Project)	Demolish existing commercial buildings and construct five, three-story buildings with 39 townhomes.	3,170 feet south
1313 Franklin Street (Downtown Gateway)	Construct a building with 44 condominium units and 14,477 square feet of ground retail.	4,800 feet southeast
2600, 2788, and 2800 San Tomas Expressway and 2400 Condensa Street (NVIDIA)	Construct three eight-story, 1,950,000 square foot office/research and development	4,225 feet northwest

For each resource area, cumulative impacts may occur over different geographic areas. For example, the project effects on air quality would combine with the effects of projects in the entire air basin, whereas noise impacts would primarily be localized to the surrounding area. The geographic area that could be affected by the proposed project varies depending upon the type of environmental issue being considered. Section 15130(b)(3) of the CEQA Guidelines states that lead agencies should define the geographic scope of the area affected by the cumulative effect. Table 3.0-2 provides a summary of the different geographic areas used to evaluate cumulative impacts.

Table 3.0-2: Geographic Considerations in Cumulative Analysis	
Resource Area	**Geographic Area**
Aesthetics	Project site and adjacent parcels
Agriculture and Forestry Resources	Countywide
Air Quality	San Francisco Bay Area Air Basin
Biological Resources	Project site and adjacent parcels
Cultural Resources	Project site and adjacent parcels
Energy	Energy provider's territory
Geology and Soils	Project site and adjacent parcels
GHGs	Planet-wide
Hazards and Hazardous Materials	Project site and adjacent parcels
Hydrology and Water Quality	San Tomas Aquino Creek watershed
Land Use and Planning/Population and Housing	Citywide
Minerals	Identified mineral recovery or resource area
Noise and Vibration	Project site and adjacent parcels
Public Services and Recreation	Citywide
Transportation/Traffic	Citywide
Tribal Cultural Resources	Project site and adjacent parcels
Utilities and Service Systems	Citywide
Wildfire	Within or adjacent to the wildfire hazard zone

3.1 AESTHETICS

3.1.1 Environmental Setting

3.1.1.1 *Regulatory Framework*

State

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways in Santa Clara.

Interstate 280 from the San Mateo County line to SR 17 is an Eligible State Scenic Highway, yet not officially designated.

Local

Santa Clara General Plan

General Plan policies applicable to aesthetics include, but are not limited to, the following listed below.

Policies	Description
General Land Use	
5.3.1-P3	Support high quality design consistent with adopted design guidelines and the City's architectural review process.
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.

City Code

The City Code includes regulations associated with protection of the City's visual character. The Code includes regulations for the maintenance of property or premises, to promote a sound and attractive community appearance that is in character with the City. The City Code also includes an Architectural Review process, as outlined in Zoning Ordinance Chapter 18.76. The Architectural Review process is intended to serve the following purposes:

- Encourage the orderly and harmonious appearance of structures and properties;
- Maintain the public health, safety, and welfare;
- Maintain property and improvement values throughout the City;
- Encourage the physical development of the City that is consistent with the General Plan and other City regulations; and

- Enhance the aesthetic appearance, functional relationships, neighborhood compatibility and excellent design quality.

No building permit shall be issued, and no structure, building, or sign shall be constructed or undergo exterior alternations until such plans and drawings have been approved by the City's architectural review process.

Architectural Review Process – Community Design Guidelines

The City's architectural review process requires that the Director of Community Development or a designee review plans and drawings submitted for design, aesthetic considerations, and consistency with zoning standards, generally prior to submittal for building permits. The review takes place at a publicly noticed Development Review Hearing and the hearing officer follows the City's Community Design Guidelines. The intent of these guidelines for architectural review is to provide a manual of consistent development standards in the interest of continued maintenance and enhancement of the high-quality living and working environment in the City.

3.1.1.2 *Existing Conditions*

The 9.18-acre subject project site is developed with three buildings: a three-story, approximately 350,037 square foot building, a two-story, approximately 45,986 square foot building, and a one-story, approximately 2,944 square foot building. The buildings are concentrated in the northwestern portion of the site adjacent to Memorex Drive and consist of a mix of architectural styles and materials typical of light industrial warehouse uses, including cinderblocks, stucco, and large windows. The site currently has four driveways on Memorex Drive and three driveways on Ronald Street/Di Giulio Avenue. Trees and ornamental landscaping are located along a portion of the Memorex Drive frontage of the property, as well as the eastern property boundary.

The site is within a fully developed area in Santa Clara with flat topography. Views of the eastern and western foothills from public viewpoints are partially blocked by existing industrial structures in the area. Views of the project site can be seen in Photos One to Four.

3.1.1.3 *Surrounding Land Uses*

A one-story office machine shop, two-story warehouse, and two-story industrial facility are located directly east of the project site. A one-story commercial building and two, one-story industrial buildings are located to the west of the project site. The Union Pacific Railroad (UPRR) tracks are located south of the project site, beyond which are one- and two-story single-family residences. Multiple one-story industrial buildings are located north of the project site. The project area consists primarily of industrial land uses, with the exception of residential uses located south of the UPRR tracks. Buildings in the area range from one to two stories and vary in scale. The Norman Y. Mineta San José International Airport is located approximately 0.65 miles east of the site. Aircraft, along with truck and other vehicle traffic, are readily apparent in the area. Views of the surrounding land uses can be seen in Photos Five and Six.

There are no scenic vistas within the City of Santa Clara. There are also no scenic resources on-site, and the site is not visible from a scenic highway.

Photo 1: Existing Building on Western Portion of Site.

Photo 2: Existing Building on Central Portion of Site.

PHOTOS 1 & 2

Photo 3: Existing Building on Central Portion of Site.

Photo 4: Existing Building on Southeastern Portion of Site.

Photo 5: Surrounding Industrial Use to North.

Photo 6: Railroad South of Site.

3.1.2 Impact Discussion

For the purpose of determining the significance of the project's impact on aesthetics, except as provided in Public Resources Code Section 21099, would the project:

1) Have a substantial adverse effect on a scenic vista?
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings?[3] If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

3.1.2.1 *Project Impacts*

Impact AES-1:	The project would not have a substantial adverse effect on a scenic vista. **(No Impact)**

There are no scenic vistas within the City of Santa Clara. The project, therefore, would not have a substantial adverse effect on a scenic vista.

Impact AES-2:	The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. **(No Impact)**

The site is not visible from a scenic highway. The project, therefore, would not substantially damage scenic resources within a state scenic highway.

Impact AES-3:	The project is located in an urbanized area and would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

Aesthetic values are subjective. Opinions as to what constitutes a degradation of visual character differs among individuals. One of the best methods for assessing what constitutes a visually acceptable standard for new buildings are the City's design standards and implementation of those standards through the City's design process. The following discussion addresses the proposed changes to the visual setting of the project area and factors that are part of the community's assessment of the aesthetic values of a project's design.

The current character of the project area is built-up with single- and multi-story industrial buildings and has few landscaped areas. As described in Section 3.1.1.2 *Existing Conditions*, the project site

[3] Public views are those that are experienced from publicly accessible vantage points.

consists of three industrial buildings, a one-story commercial building and two, one-story industrial buildings. The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440, along with the associated substation, generator equipment yard, paved parking areas and landscaping. The data center building would be approximately 85 feet in height, with additional screening features extending to a height of 99 feet. Rooftop screening would screen roof mounted mechanical equipment from view along the public right-of-way. The east facade of the building would include large ribbon windows arranged horizontally, spandrel glass (opaque glass used as a facade material intended to give the appearance of a window), and metal panels. The remainder of the building includes small portions of glazing and ribbon windows, but would mainly consist of precast concrete wall assembly and metal panels.

The generator equipment yard would be located in the southwestern portion of the site adjacent to the southern façade of the data center building. An eight-foot tall, wrought iron fence would surround the property perimeter.

An electrical substation with an all-weather asphalt surface underlain by an aggregate base and surrounded by a 12-foot precast concrete wall would be located on the southeastern portion of the site.

The project would remove 36 existing trees. Landscaping consisting of trees, shrubs, and groundcover would be planted throughout the site, including along portions of the building's perimeter and property boundaries.

The project would construct a building with a maximum height of 85 feet, with additional screening features extending to a height of 99 feet, which would exceed the maximum height of 70 feet allowed under the ML – Light Industrial zoning district regulations. The project is requesting a Zoning Administrator Modification to allow a building height above what is allowed in the Zoning Ordinance. While the project would be larger in mass and scale to nearby development, the project location is largely industrial. The project would be subject to the City's design review process and would conform to current community design guidelines and landscaping standards for the Light Industrial (ML) zoning district. The guidelines were developed to support community aesthetic values, preserve neighborhood character, and promote a sense of community and place throughout the City. The project, therefore, would not conflict with applicable zoning and other regulations governing scenic quality.

Overhead Transmission Line

The project would include an approximately 0.6 mile off-site 60kV transmission line extension that forms a loop from Lafayette Street to the project site and back. Overhead utility poles roughly 40 feet in height currently exist along proposed route of the transmission line. The utility poles proposed by the project would consist of 10 steel poles up to 85 feet in height with a base diameter of four feet, and five wood poles up to 57 feet in height with a base diameter of 21 inches. The proposed poles would in some cases replace existing poles in the locations they are proposed. Although the proposed steel poles are larger in size than existing poles in the project area, they would be consistent with the dominant visual character of the area, which has been established by the existing buildings, streets,

light standards, trees, overhead transmission lines, and other urban elements in the project area. Utility lines are an accepted use in the zoning districts through which the proposed transmission line would pass. The proposed transmission line, therefore, not conflict with applicable zoning and other regulations governing scenic quality.

Impact AES-4:	The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. **(Less than Significant Impact)**

The project would include light fixtures along the site perimeter, as well as along the perimeter of the generator equipment yard, and outdoor security lighting along the data center building and driveway entrances. The outside lighting would comply with the City's lighting requirements (City Code Section 18.48.140) and would be comparable in brightness to the ambient lighting in the surrounding area. Additionally, outdoor lighting would be angled downward and would include light visors and light hoods. The exterior surfaces of the project would consist primarily of precast concrete and would not be a significant source of glare during daytime hours. The exterior surface on the southern and western portions of the building would consist primarily of precast concrete wall assembly and metal panels with minimal windows. Therefore, residents south of the site would not experience bright lighting from the project at night.

Building materials and lighting plans would be reviewed through the City's architectural review process by the Planning Division staff prior to issuance of building permits to ensure that the project would not create a substantial new source of light or glare. The project, therefore, would not create a new source of substantial light or glare, nor would it adversely affect day or nighttime views in the area.

3.1.2.2 *Cumulative Impacts*

Impact AES-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant aesthetics impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative aesthetic impacts is limited, given the flat topography of the area, to the project site and adjacent properties in which the project site would be visible. The project site is not located along or visible from a designated state scenic highway or a scenic vista. The final design of the project and all future projects would be reviewed through the City's architectural review process, which will ensure projects conform to the City's adopted Community Design Guidelines. For these reasons, the project would not result in a significant cumulative aesthetic impact.

3.2 AGRICULTURE AND FORESTRY RESOURCES

3.2.1 Environmental Setting

3.2.1.1 *Regulatory Framework*

State

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is called Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.[4]

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.[5]

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.[6] Programs such as CAL FIRE's Fire and Resource Assessment Program and are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.[7]

3.2.1.2 *Existing Conditions*

The project site is not designated as farmland or the subject of a Williamson Act contract.[8] According to the Santa Clara County Important Farmlands 2016 Map, the project site is designated

[4] California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed October 8, 2020. http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx.
[5] California Department of Conservation. "Williamson Act." http://www.conservation.ca.gov/dlrp/lca.
[6] Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).
[7] California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed September 26, 2020. http://frap.fire.ca.gov/.
[8] Agricultural lands in California can be protected from development and reserved for agricultural purposes or open-space conservation under the California Land Conservation Act, commonly known as the Williamson Act.

as *Urban and Built-Up Land*.[9] *Urban and Built-Up Land* is defined as land with at least six structures per 10 acres and utilized for residential, institutional, industrial, commercial, landfill, golf course, and other urban-related purposes.

The project site and surrounding properties are designated for and developed (or planned to be developed) with urban uses. The project site is currently developed with an industrial building. There are no agricultural or forest lands in the vicinity of the project site.

3.2.2 Impact Discussion

For the purpose of determining the significance of the project's impact on agriculture and forestry resources, would the project:

1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?
4) Result in a loss of forest land or conversion of forest land to non-forest use?
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

3.2.2.1 *Project Impacts*

Impact AG-1:	The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. **(No Impact)**

As discussed in Section 3.2.1.2 *Existing Conditions*, the project site is not designated as farmland pursuant to the Farmland Mapping and Monitoring Program. The project site and surrounding properties are designated for and developed with urban uses. For these reasons, the project would not convert designated farmland to non-agricultural use. **(No Impact)**

[9] California Department of Conservation. *Santa Clara County Important Farmland 2016 Map*. September 2018.

Impact AG-2:	The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(No Impact)**

The site is zoned *ML – Light Industrial*. According to Santa Clara County Office of the Assessor, the site is not subject to a Williamson Act contract. The project, therefore, would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(No Impact)**

Impact AG-3:	The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

The site is zoned *ML – Light Industrial.* The project, therefore, would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

Impact AG-4:	The project would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)**

No forestland is located on or near the site. The project, therefore, would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)**

Impact AG-5:	The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. **(No Impact)**

As described above, no farmland or forest land is located on or near the site. The project, therefore, would not involve other changes in the existing environment which could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use. **(No Impact)**

3.2.2.2 *Cumulative Impacts*

Impact AG-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant agricultural and forestry resources impact. **(No Impact)**

The geographic area for cumulative agricultural and forestry resource impacts is the County of Santa Clara. The project would have no impact on agricultural and forestry resources and, therefore, the project has no potential to combine with other projects to result in cumulative impacts to these resources. **(No Cumulative Impact)**

3.3 AIR QUALITY

The following discussion is based in part on an Air Quality and GHG Emissions Assessment prepared for the project by Atmospheric Dynamics in March 2021. A copy of the report is attached as Appendix B.

3.3.1 Environmental Setting

3.3.1.1 *Background Information*

Criteria Pollutants

Air quality in the Bay Area is assessed related to six common air pollutants (referred to as criteria pollutants), including ground-level ozone (O_3), nitrogen oxides (NO_x), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO_x), and lead.[10] Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health are summarized in Table 3.3-1. The most commonly regulated criteria pollutants in the Bay Area are discussed further below.

Table 3.3-1: Health Effects of Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O_3)	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	• Aggravation of respiratory and cardiovascular diseases • Irritation of eyes • Cardiopulmonary function impairment
Nitrogen Dioxide (NO_2)	Motor vehicle exhaust, high temperature stationary combustion, atmospheric reactions	• Aggravation of respiratory illness • Reduced visibility
Fine Particulate Matter ($PM_{2.5}$) and Coarse Particulate Matter (PM_{10})	Stationary combustion of solid fuels, construction activities, industrial processes, atmospheric chemical reactions	• Reduced lung function, especially in children • Aggravation of respiratory and cardiorespiratory diseases • Increased cough and chest discomfort • Reduced visibility
Toxic Air Contaminants (TACs)	Cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; building materials and products	• Cancer • Chronic eye, lung, or skin irritation • Neurological and reproductive disorders

High O_3 levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO_x. These precursor pollutants react under certain meteorological conditions to form high O_3 levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to

[10] The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further.

reduce O_3 levels. The highest O_3 levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources.

PM is a problematic air pollutant of the Bay Area. PM is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM_{10}) and fine particulate matter where particles have a diameter of 2.5 micrometers or less ($PM_{2.5}$). Elevated concentrations of PM_{10} and $PM_{2.5}$ are the result of both region-wide emissions and localized emissions.

Toxic Air Contaminants

TACs are a broad class of compounds known to have health effects. They include but are not limited to criteria pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway).

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).[11] Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

Sensitive Receptors

Some groups of people are more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools.

3.3.1.2 *Regulatory Framework*

Federal and State

Clean Air Act

At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously), including PM, O_3, CO, SO_x, NO_x, and lead.

[11] California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed November 3, 2020. https://www.arb.ca.gov/research/diesel/diesel-health.htm.

CARB is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce DPM (in additional to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO_X.

Regional

2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.[12]

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by BAAQMD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

[12] BAAQMD. *Final 2017 Clean Air Plan.* April 19, 2017. http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

Community Air Risk Evaluation Program

Under the Community Air Risk Evaluation (CARE) program, BAAQMD has identified areas with high TAC emissions, and sensitive populations that could be affected by them, and uses this information to establish policies and programs to reduce TAC emissions and exposures. Impacted communities identified to date are located in Concord, Richmond/San Pablo, San José, eastern San Francisco, western Alameda County, Vallejo, San Rafael, and Pittsburg/Antioch. The main objectives of the program are to:

- Evaluate health risks associated with exposure to TACs from stationary and mobile sources;
- Assess potential exposures to sensitive receptors and identify impacted communities;
- Prioritize TAC reduction measures for significant sources in impacted communities; and
- Develop and implement mitigation measures to improve air quality in impacted communities.

Local

Santa Clara General Plan

General Plan policies applicable to air quality include, but are not limited to, the following listed below.

Policies	Description
Stationary Source Control Measures	
5.10.2-P1	Support alternative transportation modes and efficient parking mechanisms to improve air quality.
5.10.2-P2	Encourage development patterns that reduce vehicle miles traveled and air pollution.
5.10.2-P3	Encourage implementation of technological advances that minimize public health hazards and reduce the generation of air pollutants.
5.10.2-P4	Encourage measures to reduce greenhouse gas emissions to reach 30 percent below 1990 levels by 2020.
5.10.2-P5	Promote regional air pollution preventing plans for local industry and businesses.
5.10.2-P6	Require “Best Management Practices” for construction dust abatement.
Transportation Demand Management	
5.8.5-P1	Require new development and City employees to implement transportation demand management programs that can include site-design measures, including preferred carpool and vanpool parking, enhanced pedestrian access, bicycle storage and recreational facilities.

3.3.1.3 *Existing Conditions*

The Bay Area is considered a non-attainment area for ground-level O_3 and $PM_{2.5}$ under both the federal Clean Air Act and state Clean Air Act. The area is also considered nonattainment for PM_{10} under the state act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO. As part of an effort to attain and maintain ambient air quality standards for O_3 and PM_{10}, BAAQMD has established thresholds of significance for these air pollutants and their

precursors. These thresholds are for O_3 precursor pollutants (ROG and NO_X), PM_{10}, and $PM_{2.5}$, and apply to both construction period and operational period impacts.

Climate and Topography

Topography can restrict horizontal dilution and mixing of pollutants by creating a barrier to air movement. The South Bay has significant terrain features that affect air quality. The Santa Cruz Mountains and Diablo Range on either side of the South Bay restrict horizontal dilution, and this alignment of the terrain also channels winds from the north to south, carrying pollution from the northern Peninsula toward Santa Clara.

The combined effects of moderate ventilation, frequent inversions that restrict vertical dilution and terrain that restricts horizontal dilution give Santa Clara a relatively high atmospheric potential for pollution compared to other parts of the San Francisco Bay Air Basin and provide a high potential for transport of pollutants to the east and south.

Existing Air Pollutant Levels

BAAQMD monitors air pollution at various sites within the Bay Area. The nearest official monitoring station to the City of Santa Clara is located at 158 East Jackson Street in San José, approximately 3.3 miles southeast of the site. Pollutant monitoring results for the years 2016 to 2018 at the San José monitoring station are shown in Table 3.3-2.

Table 3.3-2: Ambient Air Quality Standards Violations and Highest Concentrations

Pollutant	Standard	Days Exceeding Standard		
		2016	2017	2018
SAN JOSÉ STATION				
Ozone	State 1-hour	0	3	0
	Federal 8-hour	0	4	0
Carbon Monoxide	Federal 8-hour	0	0	0
	State 8-hour	0	0	0
Nitrogen Dioxide	State 1-hour	0	0	0
PM_{10}	Federal 24-hour	0	0	0
	State 24-hour	0	6	4
$PM_{2.5}$	Federal 24-hour	0	6	15

Source: BAAQMD. Air Pollution Summaries (2016-2018). Available at: http://www.baaqmd.gov/about-air-quality/air-quality-summaries.

The Bay Area, as a whole, does not meet state or federal ambient air quality standards for ground level O_3 and $PM_{2.5}$, nor does it meet state standards for PM_{10}. The Bay Area is considered in attainment or unclassified for all other pollutants.

Sensitive Receptors

The closest sensitive receptors are existing residences approximately 140 feet south of the site, adjacent to the railroad that runs along the southern boundary of the site.

Odors

Common sources of odors and odor complaints include wastewater treatment plants, transfer stations, coffee roasters, painting/coating operations, and landfills. Significant sources of offending odors are typically identified based on complaint histories received and compiled by BAAQMD. Typical large sources of odors that result in complaints are wastewater treatment facilities, landfills including composting operations, food processing facilities, and chemical plants. Other sources, such as restaurants, paint or body shops, and coffee roasters typically result in localized sources of odors.

The project site is in an industrial area and is not surrounded by facilities that produce substantial odors.

3.3.2 Impact Discussion

For the purpose of determining the significance of the project's impact on air quality, would the project:

1) Conflict with or obstruct implementation of the applicable air quality plan?
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
3) Expose sensitive receptors to substantial pollutant concentrations?
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

3.3.2.1 *Thresholds of Significance*

Impacts from the Project

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of Santa Clara has considered the air quality thresholds updated by BAAQMD in May 2017 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and $PM_{2.5}$. The BAAQMD CEQA Air Quality thresholds used in this analysis are identified in Table 3.3-3 below.

Table 3.3-3: BAAQMD Air Quality Significance Thresholds			
Pollutant	**Construction Thresholds**	**Operation Thresholds**	
	Average Daily Emissions (pounds/day)	**Average Daily Emissions (pounds/day)**	**Annual Average Emissions (tons/year)**
Criteria Air Pollutants			
ROG, NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	
Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)			
Health Hazard	**Single Source**	**Combined Cumulative Sources**	
Excess Cancer Risk	10 per one million	100 per one million	
Hazard Index	1.0	10.0	
Incremental Annual $PM_{2.5}$	0.3 µg/m^3	0.8 µg/m^3 (average)	
Notes: ROG = reactive organic gases, NOx = nitrogen oxides, PM10 = course particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM2.5 = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less, µm/m3 = micrograms per cubic meter.			

3.3.2.2 *Project Impacts*

Impact AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan**. (Less than Significant Impact)**

2017 BAAQMD Clean Air Plan

The BAAQMD CEQA Air Quality Guidelines set forth criteria for determining consistency with the Clean Air Plan. In general, a project is considered consistent if, a) the plan supports the primary goals of the Clean Air Plan; b) includes relevant control measures; and c) does not interfere with implementation of Clean Air Plan control measures. The project supports the goals of the 2017 BAAQMD CAP of protecting public health and protecting the climate and is consistent with BAAQMD CAP transportation, building, natural and working lands, and water control measures by:

- Implementing standard measures to reduce criteria air pollutant emissions during construction,
- Complying with applicable regulations that would result in energy and water efficiency including Title 24 and California Green Building Standards Code,
- Planting new trees in accordance with the City's tree ordinance to reduce the urban heat island effect, and
- Complying with the City's construction debris diversion ordinance and state waste diversion requirements to reduce the amount of waste in landfills.
- Obtaining and maintaining all required air quality related permits from the BAAQMD.
- Complying with all applicable rules and regulations of the BAAQMD regarding emissions of toxic pollutants.
- Complying with the applicable federal Tier 2 emissions standards for emergency standby electrical generation engines.

Stationary equipment to be installed on the project site will be subject to the permit requirements of BAAQMD, which incorporate BAAQMD measures to reduce emissions from stationary sources such as the diesel-fueled emergency backup generators. Emissions of non-attainment air pollutants from the proposed project are addressed under Impact AIR-2. Additionally, exposure of sensitive receptors to TAC and $PM_{2.5}$ emissions associated with the project is addressed under Impact AIR-3. As noted in those discussions, the project would result in air quality impacts that are less than significant with the incorporation of standard measures and mitigation. The project would not conflict with implementation of the 2017 CAP. **(Less than Significant Impact)**

Impact AIR-2:	The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. **(Less than Significant Impact)**

Construction Criteria Pollutant Emissions

The California Emissions Estimator Model (CalEEMod) was used to predict criteria pollutant emissions from project construction and operation at full build-out. The project land use types and size, and anticipated construction schedule were input to CalEEMod. Construction period emissions were modeled based on an equipment list and schedule information provided by the project applicant. Construction is scheduled to begin in the spring (April) 2021 and be completed in the spring (March) of 2023, a total of 23 months or 506 workdays (average of 22 work days per month).[13] Refer to Appendix B for details about the modeling, data inputs, and assumptions. Table 3.3-4 summarizes the average daily emissions of ROG, NO_X, PM_{10} exhaust, and $PM_{2.5}$ exhaust that would occur during construction of the project. Emissions were calculated for the entire construction period, then divided by the total number of construction work days to determine the average daily emissions.

[13] Construction emissions associated with the transmission line are included in this calculation.

Table 3.3-4: Construction Emissions				
	ROG	**NO_x**	**PM_{10} Exhaust**	**$PM_{2.5}$ Exhaust**
	(lbs./day)			
Average Daily Emissions	13.1	22.7	0.75	0.60
BAAQMD Thresholds	*54*	*54*	*82*	*54*
Exceeds Threshold?	**No**	**No**	**No**	**No**
Note: It is estimated that the construction duration of the project would be 506 workdays.				

Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit dirt/mud on local streets, which could be an additional source of airborne dust after it dries. BAAQMD considers construction emission impacts that are below the thresholds of significance (such as those of the project) less than significant if BMPs are implemented. The amount of dust generated would be highly variable and would be dependent on the size of the area disturbed at any given time, amount of activity, soil conditions, and meteorological conditions. Nearby areas could be adversely affected by dust generated during construction activities. Nearby land uses are primarily commercial, and office uses that are separated by roadways or open areas.

The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are employed to reduce these emissions. The following measures are included in the project, consistent with BAAQMD best management practices, to reduce construction dust generation and other particulate matter:

Standard Permit Conditions:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Operational Emissions

The primary emission sources associated with operation of the proposed project would be from the testing and maintenance of the 24 diesel-fueled 3-MW emergency backup generators supporting the data center, and the smaller 500-kW house engine supporting ancillary building uses.

There would also be emissions from traffic and area sources associated with operation of the data center facilities. Emissions from these sources are described below. The 24 3-MW generators would be housed in either double stack or single stack enclosures as described previously and located within the generator yard located adjacent to southwest side of the building.

Emergency Generator Emissions

During normal facility operation, the generators would not be operated other than for periodic testing and maintenance requirements. The generator engines would be fueled using ultra low sulfur diesel fuel with a maximum sulfur content of 15 ppm. The 24 3-MW diesel engines would meet U.S. EPA Tier 4 emission standards while the 500-kW house engine would meet U.S. EPA Tier 2 emission standards. The engines would be fueled using ultra low sulfur diesel fuel with a maximum sulfur content of 15 parts per million (ppm), which minimizes both particulate matter and sulfur dioxide (SO_2) emissions.

The backup generators would have maintenance testing performed throughout the year to ensure performance when needed during a power failure. The operations of these generators are limited to 50 hours per year of non-emergency use (i.e. testing and maintenance) by the State's Air Toxic Control Measure for Stationary Compression Ignition Engines. The project proposes a weekly testing schedule that would result in roughly 18 hours of operation per generator per year, all at zero percent load with the exception of an annual load bank test that would reach up to 100 percent load. However, for purposes of estimating emissions and potential air quality impacts from the engines, it was assumed that each engine could be operated for 50 hours per year (maximum operation hours allowed by the State's Air Toxic Control Measure and BAAQMD for testing and maintenance) at a maximum load of 100 percent. The emissions were calculated with CalEEMod and are shown in Table 3.3-5.

Diesel Fuel Storage Emissions

Diesel fuel for each emergency generator would be stored in tanks under each generator housing unit. Diesel fuel has a very low vapor pressure, and emissions of ROG (VOC) from fuel storage would be negligible, with average daily emissions of less than 0.3 pounds per day from all tanks combined.

Total Project Emissions

Total annual emissions from the emergency generators, mobile and area sources are summarized in Table 3.3-5.

Table 3.3-5: Operational Emissions				
	ROG	**NO_x**	**PM_{10}**	**$PM_{2.5}$**
	(tons/year)			
Existing Emissions				
Existing Land Uses	2.39	3.03	2.34	0.67
Project Emissions				
Emergency Generators[1]	0.82	8.76	0.12	0.12
Other Direct/Indirect Emissions[2]	2.54	1.16	0.63	0.21
Project Total	3.36	9.92	0.75	0.33
Net Increase	0.97	6.89	-1.59	-0.34
BAAQMD Threshold	*10*	*10*	*15*	*10*
Significant?	*No*	*No*	*No*	*No*

[1] Maintenance and readiness testing scenario.

[2] Area, mobile, energy, waste, and water, from CalEEMod

As shown in Table 3.3-5, the project would not result in significant emissions during operation. As described previously, operation of each generator is limited to a maximum of 50 hours per year of non-emergency use (i.e. testing and maintenance) by the State's Air Toxic Control Measure for Stationary Compression Ignition Engines.[14] The maintenance and readiness emissions were estimated based on a conservative scenario where the engines would operate for 50 hours/year at 100 percent load (worst case). Under normal project conditions, the engines would operate for 18 hours per generator per year, all at zero percent load with the exception of an annual load bank test that would reach up to 100 percent load. This would result in lower emissions than reported in Table 3.3-5. **(Less than Significant Impact)**

Impact AIR-3: The project would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact)**

The proposed project would be a source of air pollutant emissions during project construction and during operation of emergency generators for testing and maintenance purposes. The proposed generators are diesel fueled, so they would emit DPM, which is a toxic air contaminant (TAC). The generators are also a source of $PM_{2.5}$, which has known adverse health effects.

[14] Similar to the State's Air Toxic Control Measure for Stationary Compression Ignition Engines, this EIR does not evaluate the project's emissions under emergency conditions, which would require substantial speculation in regards to the nature, extent, and duration of the emergency and its effect on project operations. CEQA does not require analysis of emergency events, nor worst-case events that may never occur, or very rarely over a project's lifespan. The evaluation of emissions generated by typical project operations under normal conditions in the EIR is, therefore, appropriate for the analysis of air quality impacts.

The BAAQMD CEQA Air Quality Guidelines considers exposure of sensitive receptors to air pollutant levels that result in an unacceptable cancer risk or hazard to be significant. BAAQMD recommends a 1,000-foot zone of influence around project boundaries.

Since the proposed project would emit DPM from the generator engines over the project lifetime, an analysis was performed to assess what ambient concentrations would result from their operation, and to quantify potential long-term health risks at the closest sensitive receptors. Construction DPM health risk impacts were combined with operational DPM health risk impacts (summed) to calculate a total project impact on health risk. DPM concentrations and potential cancer risks from operation of the generators were evaluated at existing residences in the vicinity of the proposed data center site. The closest sensitive receptors to the proposed project site are residences approximately 140 feet southwest of the project boundary. The maximum average annual off-site DPM concentrations were used to calculate potential increased cancer risks from the project. Average annual DPM concentrations were used as being representative of long-term (30-year) exposures for calculation of cancer risks.

The maximum modeled annual DPM and $PM_{2.5}$ concentration from operation and construction was 0.041 $\mu g/m^3$. Based on the maximum modeled DPM concentrations that assume operation for 50 hours per year per generator, maximum increased cancer risks and non-cancer health impacts were calculated using BAAQMD recommended methods (see Table 3.3-6). The maximum increased cancer risk at the maximally exposed individual (MEI) receptor, located roughly 140 feet from the project site on Main St. across the railroad tracks from the southeast corner of the site, would be 7.44 per million. The maximum hazard index would be less than 0.01 from construction and operation of the proposed emergency generators and would be below the BAAQMD maximum hazard index significance threshold of 1.0.[15]

Table 3.3-6: Health Risk Assessment

Source	Maximum Cancer Risk (per million)	Hazard Index	$PM_{2.5}$ concentration ($\mu g/m^3$)
Construction	4.86	0.0028	0.041
Operation	4.27	0.00098	0.0049
Combined Construction and Operation[1]	7.44	0.0038	--
BAAQMD Threshold	***10***	***1.0***	***0.3***

[1] Construction and operational health risks were combined for a total project risk. Construction cancer risks were based on two years of activity and included infant exposure (3rd trimester through two years of age) while operational risks started at the beginning of year two (2) and included child and adult exposure for the remaining 28 years.

The project would not have a significant impact to community risk caused by the construction or operational activities and would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact)**

[15] Bay Area Air Quality Management District. California Environmental Quality Act Air Quality Guidelines. May 2017.

Impact AIR-4:	The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **(Less than Significant Impact)**

The project would generate localized emissions of diesel exhaust during construction equipment operation, and routine maintenance of emergency generators of the site. The odor emissions may be noticeable from time to time by adjacent receptors; however, the odors would be localized and temporary. **(Less Than Significant Impact)**

3.3.2.3 *Cumulative Impacts*

Impact AIR-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant air quality impact. **(Less than Significant Cumulative Impact)**

Cumulative Air Pollutant Emissions

By its very nature, air pollution is largely a cumulative impact. The geographic area for cumulative air quality impacts is the San Francisco Bay Area Air Basin. Past, present, and future development projects contribute to the region's adverse air quality impacts. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts.

In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified project-level criteria pollutant significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. The project's criteria air pollutant emissions would be below BAAQMD thresholds and would, therefore, not result in a cumulatively considerable net increase in criteria pollutants (refer to Sections 3.2.2.2 and 3.2.2.3). The project would not contribute substantially to existing or projected violations of BAAQMD standards for these regional air pollutants or local carbon monoxide emissions. **(Less Than Significant Cumulative Impact)**

Cumulative Health Risks

Community health risk assessments typically evaluate all substantial sources of TACs that can affect sensitive receptors that are located within 1,000 feet of the project site (i.e. influence area). These sources include rail line, freeways or highways, busy surface streets, and stationary sources identified by BAAQMD. A review of the project area indicates that traffic on the existing roadways within 1,000 feet of the project site have an average daily traffic (ADT) much less 10,000 vehicles.

There are stationary sources that were identified within the 1,000-foot influence area using the BAAQMD's stationary source geographic information systems (GIS) map tool.[16] This tool identified 11 sources within 1,000 feet of the boundaries of the project and are listed in Table 3.3-7, below.

In addition to the stationary sources that were identified with the BAAQMD GIS tool, rail lines are located adjacent to the southern project site boundary. Rail activity on these lines currently generates TAC and $PM_{2.5}$ emissions from locomotive exhaust. These rail lines are used for Caltrain passenger and Union Pacific Railroad freight service with trains using diesel fueled locomotives. The Peninsula Corridor Electrification Project is a key component of the Caltrain Modernization Program that would electrify the Caltrain Corridor from San Francisco to San Jose. Under this program, diesel-locomotive hauled trains would begin to be converted to Electric Multiple Unit (EMU) trains beginning in 2022.

Currently all of Caltrain's trains use diesel locomotives. As part of the program to modernize operation of the Caltrain rail corridor between San Jose and San Francisco, Caltrain is planning to switch from diesel locomotives to use of electric trains in the near future.[17] Nearly all of the trains in the future are planned to be EMU trains, which are self-propelled electric rail vehicles. Electrified service is anticipated to begin in 2022.[18]

Based on the normal Caltrain schedule, there are 92 trains passing the project site during the weekdays, 32 trains during the weekend, and four trains that only run on Saturday. On an annual average basis there would be a total of 75 daily trains using diesel locomotives. Electrification of Caltrain would eliminate DPM emissions from most of these trains and would increase the total number of weekday trains from 92 to 114. In addition to the Caltrain trains, there are about four freight trains that also use this rail line on a daily basis.[19]

Caltrain plans that 2022 service between San Jose and San Francisco would use a mixed fleet of EMUs and diesel locomotives, with approximately 75 percent of the service being electric and 25 percent being diesel. Caltrain's diesel-powered locomotives would continue to be used to provide service between the San Jose Diridon Station and Gilroy. It is expected that all of the San Jose to San Francisco fleet would be EMUs by 2026 to 2029.[20]

Starting in 2022 with Caltrain electrification, there would be 24 daily weekday trips and four daily weekend trips using trains with diesel locomotives[21]. On an annual average basis this would be a total of 18 daily trains using diesel locomotives. Use of these diesel trains by Caltrain between San Francisco and San Jose would be phased out from 2026 to 2029 and replaced by EMUs. All trains used for freight service were assumed to use diesel powered locomotives.

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[16] BAAQMD, https://baaqmd.maps.arcgis.com/apps/webappviewer/index.html?id=2387ae674013413f987b1071715daa65
[17] Caltrain, 2014. *Peninsula Corridor Electrification Project. Final Environmental Impact Report*. December 2014.
[18] Caltrain, 2020. *See Caltrain.org, accessed October 23, 2020*.
[19] *See FTA Rail Crossings at https://safetydata.fra.dot.gov/OfficeofSafety/PublicSite/Crossing/Xingqryloc.aspx accessed October 29, 2020*.
[20] Caltrain 2015. *Short Range Transit Plan:FY2015-2024*. October 1, 2015
[21] Caltrain 2015. *Short Range Transit Plan:FY2015-2024*. October 1, 2015.

In calculating cancer risks from DPM emissions from rail line diesel locomotives, a 30-year exposure period is used per BAAQMD health risk guidance.[22] In this case, based on the anticipated year the project would become operational, the exposure period would be from 2024 through 2053. It was assumed that the configuration of diesel trains described above, an average of 18 trains per day, would be in operation for the entire 30-year exposure period. Rail line DPM emissions from diesel trains were conservatively calculated using emissions for 2024. Modeled concentrations from the rail lines for 2024 were used to calculate potential increased cancer risks at the project site and construction maximally exposed individual (MEI) assuming almost continual exposure (350 days per year for 24 hours per day) over the 30-year exposure period. Use of 2024 emissions is conservative in that after 2025 there would fewer Caltrain diesel trains in service until such time as all Caltrain diesel trains between San Francisco and San Jose are replaced by EMUs. The freight trains were assumed to continue to use diesel locomotives over the entire 2024 to 2053 period. DPM emissions from diesel-fueled locomotives will be reduced over time due to regulatory requirements for reduced particulate matter emissions from diesel locomotives.

DPM and $PM_{2.5}$ emissions from trains on the rail line were calculated using EPA emission factors for locomotives[23] and CARB adjustment factors to account for fuels used in California.[24] Dispersion modeling of locomotive emissions was conducted using the EPA's AERMOD dispersion model. Based on the rail line modeling, the maximum annual $PM_{2.5}$ and DPM concentrations occurred at a single-family home just south of the rail line. The maximum cancer risk at this location from rail traffic is 28.4 in one million and the maximum $PM_{2.5}$ concentration was 0.04 $\mu g/m^3$. Potential non-cancer health effects due to chronic exposure to DPM were computed as a hazard index (HI) of less than 0.01.

Table 3.3-7 shows the cancer and non-cancer risks at the project MEI associated with each source affecting the project site.

[22] BAAQMD, 2016. *BAAQMD Air Toxics NSR Program Health Risk Assessment (HRA) Guidelines*. January 2016.
[23] *Emission Factors for Locomotives*, USEPA 2009 (EPA-420-F-09-025)
[24] *Off-road Modeling, Change Technical Memo*, Changes to the Locomotive Inventory, CARB July 2006.

Table 3.3-7: Cumulative Health Risk Assessment			
Source	**Maximum Cancer Risk (per million)**	**Hazard Index**	**$PM_{2.5}$ concentration ($\mu g/m^3$)**
Plant 2206 Streamline Circuits		0.0034	0.0024
Plant 4400 FMG Enterprises Inc	0.0413	0.0001	--
Plant 4712 Byington Steel Treating, Inc	--	--	0.0000
Plant 5269 M's Refinishing	0.9813	0.0271	--
Plant 8313 Mission Trail Waste Systems[1]	0.2480	0.0013	0.35[1]
Plant 16964 Bay Area Surgical Group	2.6855	0.0053	0.0034
Plant 17000 Choice Auto Body	--	0.0001	--
Plant 17041 Process Stainless Lab, Inc	--	0.0003	--
Plant 19686 Microsoft Corporation	--	--	0.1049
Plant 21965 West Coast Auto Body	--	--	--
Plant 22660 1200 Partners	2.3845	0.0076	0.0029
CALTRAIN/Union Pacific Rail Line	28.4	<0.01	0.04
Project Combined Construction and Operation	7.44	0.0038	0.041
Combined Sources[2]	42.18	<1.0	0.55
BAAQMD Threshold – Combined Sources	***100***	***10.0***	***0.8***

[1] Mission Trail Waste Systems PM2.5 concentration was 21.35 $\mu g/m^3$ but the distance to the MEI exceeded BAAQMD 1,000-foot radius requirements. This facility's PM emissions of 1.8 tpy were modeled at the MEI to calculate the value listed in the table.
[2]The combined source level is an overestimate because the maximum impact from each source is assumed to occur at the same location.

The sum of impacts from combined sources (i.e., all sources within 1,000 feet of the project) would be below the BAAQMD risk thresholds when added to the MEI impacts. Therefore, the impact from combined community risk would be considered less than significant. **(Less than Significant Cumulative Impact)**

3.4 BIOLOGICAL RESOURCES

3.4.1 Environmental Setting

3.4.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To "take" a listed species, as defined by the State of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds.[25] Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

[25] United States Department of the Interior. "Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take." Accessed October 20, 2020. https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf.

Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

Regional and Local

Santa Clara Valley Habitat Plan/Natural Community Conservation Plan

The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (Habitat Plan) covers approximately 520,000 acres, or approximately 62 percent of Santa Clara County. It was developed and adopted through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District (Valley Water), Santa Clara Valley Transportation Authority (VTA), USFWS, and CDFW. The Habitat Plan is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in southern Santa Clara County. The Santa Clara Valley Habitat Agency is responsible for implementing the plan. The City of Santa Clara is not located within nor a Habitat Plan participant.

Santa Clara General Plan

The General Plan includes several land use and conservation policies designed to protect biological resources in the City, specifically trees. These policies include the following:

Policy 5.3.1-P10: Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.

Policy 5.10.1-P4: Protect all healthy cedars, redwoods, oaks, olives, bay laurel and pepper trees of any size, and all other trees over 36 inches in circumference measured from 48 inches above-grade on private and public property as well as in the public right-of-way.

3.4.1.2 *Existing Conditions*

The site is currently developed with three buildings: a three-story approximately 350,037 square foot building, a two-story approximately 45,986 square foot building, and a one-story approximately 2,944 square foot building. Roughly 100,000 square feet of active outdoor uses are located on the eastern portion of the site. Existing uses on the site are light industrial in nature and include operations such as aluminum plating, metal cleaning/polishing, a machine shop, construction contractors, a brewery, material storage, vehicle storage, and hauling. The vehicle storage and hauling operations are primarily located in the outdoor areas on the site.

Currently, landscaping on the site is sparse. Mature trees are located along the site's frontage on Memorex Drive, and additional trees and shrubbery are located along portions of the site's perimeter.

Wildlife habitats in such developed urban areas are low in species diversity. Species that use the habitat on the site are predominantly urban adapted birds, such as rock doves, mourning doves, house sparrows, finches, and starlings.

Special Status Species

Special status plant and wildlife species are not present on the highly urbanized project site, although raptors (birds of prey) could use the trees on-site for nesting or as a roost. Raptors are protected by the Federal Migratory Bird Treaty Act (MBTA) (16 U.S.C. Section 703, et seq.).

Trees

There are 38 trees on the project site, 30 in good health, seven in poor health and one in fair health.[26] Table 4.4-1 below includes the species and number of trees on the site.

Table 4.4-1: Existing Tree Summary

Common Name	Species	Number of Trees Present	Overall Health	Status
Canary Island Pine	*Pinus Canariensis*	8	Good	To be removed
Red Maple	*Acer P. 'Red Sunset"*	14	Good	13 to be removed, 1 to be saved
Ornamental Pear	*Pyrus C. 'Capital'*	1	Good	To be removed
Crape Myrtle	*Lagerstroemia*	2	Good	To be removed
Brush Box	*Lophostemon*	1	Good	To be removed
Juniper	*Juniperus*	1	Poor	To be removed
Bottle Brush	*Callistemon*	5	Poor	To be removed
Sumac	*Rhus*	1	Fair	To be removed
Liquidamber	*Liquidamber*	1	Good	To be removed
Cedar	*Cedar*	1	Poor	To be removed
Southern Magnolia	*Magnolia*	2	Good	1 to be removed, 1 to remain
Evergreen Pear	*Pyrus*	1	Good	To be removed

City policy is to protect all healthy cedars, redwoods, oaks, olives, bay laurel and pepper trees of any size and all other trees over 36 inches in circumference (approximately 11 inches in diameter) as measured from 48 inches above the ground surface. The City's Design Guidelines also require that mature trees removed or proposed for removal be replaced on-site, at a minimum, with a 24- or 36-inch box. Other standards may apply in cases where particular planting requirements must be met. This includes providing specimen size material for protected trees and installing appropriately sized trees, such as less than or equal to 15 gallons where there are physical limitations.

[26] Reed Associates. Arborist Report. April 9, 2020.

3.4.2 Impact Discussion

For the purpose of determining the significance of the project's impact on biological resources, would the project:

1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

3.4.2.1 *Project Impacts*

Impact BIO-1:	As mitigated, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. **(Less than Significant Impact with Mitigation Incorporated)**

As previously discussed, special status plant and wildlife species are not expected on the developed site. Urban adapted raptors (birds of prey), however, could use the trees on the site for nesting. Potential construction impacts to nesting raptors are discussed below.

Potential Construction Impacts to Nesting Birds

If tree-nesting birds, including raptors, were to nest on the site or on the location of off-site improvements, construction activities associated with the project could result in the abandonment of active nests or direct mortality to these birds. Nesting birds are protected by the California Fish and Game Code 3503, which reads, "It is unlawful to take, posses, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or could otherwise lead to nest abandonment. Nest abandonment and/or loss of reproductive effort caused by disturbance are considered "take" by the CDFW, and therefore would constitute a significant impact.

Migratory birds, including nesting raptors, are protected under the Migratory Bird Treaty Act and the California Fish and Game Code Sections 3503, 3503.5, and 2800. Migratory birds, especially raptors, utilize mature trees for nesting and foraging habitat. If any migratory birds were to nest on site, construction of the proposed project may result in a loss of fertile eggs or nestlings, or lead to nest abandonment in raptor habitat.

The CDFW defines "taking" as causing abandonment and/or loss of reproductive efforts through disturbance.

Although unlikely at this location, tree removal during the nesting season could impact protected raptors and/or other protected migratory birds. Any loss of fertile bird eggs, or individual nesting birds, or any activities resulting in nest abandonment during construction would constitute a significant impact.

Mitigation Measure:

MM BIO-1.1: Construction shall be scheduled to avoid the nesting bird season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay Area extends from February 1 through August 31.

If it is not possible to schedule construction activities between September 1 and January 31, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure no nest shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).

During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game Code shall not be disturbed during project construction.

A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal.

The project, with implementation of the above mitigation measure, would reduce impacts to nesting birds (if present) by avoiding construction during nesting bird season or completing pre-construction nesting bird surveys to minimize and/or avoid impacts to nesting birds. **(Less than Significant Impact with Mitigation Incorporated)**

Impact BIO-2:	The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. **(Less than Significant Impact)**

Because the site is fully developed, no natural or sensitive habitats are present on the project site. As a result, no substantial impacts to natural plant communities or habitats would occur as a result of the proposed project. **(Less than Significant Impact)**

Impact BIO-3:	The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. **(No Impact)**

The project is located in a developed industrial area and would not directly affect any federally protected wetlands. **(No Impact)**

Impact BIO-4:	The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. **(No Impact)**

The project is located in a developed industrial area and would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites. **(No Impact)**

Impact BIO-5:	As mitigated, the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **(Less than Significant Impact with Mitigation Incorporated)**

The project would remove 36 trees on-site, 16 of which are considered protected trees by the City. The project proposes to plant new landscaping around the perimeter of the site, along the street frontage, and adjacent to the data center building. The City's General Plan (Policy 5.3.1-P10) requires new development to include new street trees and at least 2:1 on or off-site replacement for removal of existing trees. The project currently proposes to plant 226 trees, predominantly Italian Cypress, which exceeds the City's replacement requirement. Because the project would comply with the City's tree replacement policy, the loss of trees on-site would result in a less than significant impact on trees in the project area.

The project would include an approximately 0.6 mile off-site 60kV transmission line extension. The proposed transmission line would not require the removal of any trees, but may require trimming of some trees to accommodate the line in certain locations. If any trees are determined to require removal, the 226 trees to be planted by the project would meet the City's required tree replacement ratio.

Trees to be retained on-site may be injured during project construction activities including demolition and site grading. Additionally, trees adjacent to the proposed overhead transmission line may require substantial pruning to ensure clearance. The following mitigation measures would be implemented to reduce impacts to existing trees to less than significant levels.

Mitigation Measures:

MM BIO-5.1: Barricades – Prior to initiation of construction activity, temporary barricades would be installed around all trees in the construction area. Six-foot high, chain link fences would be mounted on steel posts, driven two feet into the ground, at no more than 10-foot spacing. The fences shall enclose the entire area under the drip line of the trees or as close to the drip line area as practical. These barricades will be placed around individual trees and/or groups of trees.

MM BIO-5.2: Root Pruning (if necessary) – During and upon completion of any trenching/grading operation within a tree's drip line, should any roots greater than one inch in diameter be damaged, broken or severed, root pruning to include flush cutting and sealing of exposed roots should be accomplished under the supervision of a qualified Arborist to minimize root deterioration beyond the soil line within 24 hours.

MM BIO-5.3: Pruning – Pruning of the canopies to include removal of deadwood should be initiated prior to construction operations. Such pruning will provide any necessary construction clearance, will lessen the likelihood or potential for limb breakage, reduce 'windsail' effect and provide an environment suitable for healthy and vigorous growth.

MM BIO-5.4: Fertilization – Fertilization by means of deep root soil injection should be used for trees to be impacted during construction in the spring and summer months.

MM BIO-5.5: Mulch – Mulching with wood chips (maximum depth of three inches) within tree environments should be used to lessen moisture evaporation from soil, protect and encourage adventitious roots and minimize possible soil compaction.

With implementation of mitigation measures MM BIO-5.1 - 5.5, the project would result in a less than significant impact to trees. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact BIO-6:	The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

The project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The City of Santa Clara is not located within, nor a Habitat Plan participant. **(No Impact)**

3.4.2.2 *Cumulative Impacts*

Impact BIO-C:	As mitigated, the project would not result in a cumulatively considerable contribution to a cumulatively significant biological resources impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

The geographic area for cumulative biological resources impacts includes the project site and its surrounding area. The project site does not contain sensitive, wetland, or riparian habitat and, therefore, the project has no potential to combine with other projects to result in cumulative impacts to these resources. **(No Cumulative Impact)**

Implementation of the proposed project could result in impacts to nesting raptors, migratory birds, and trees. All projects, however, would be subject to federal and state regulations that protect nesting birds and the City's General Plan Policy requiring the replacement of trees removed would avoid and/or reduce the cumulative impact to nesting birds and trees. Finally, through implementation of the mitigation measures described in this section, the project's contribution to a biological impact would not be cumulatively considerable. For these reasons, the proposed project would not result in a significant cumulative impact to biological resources. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

3.5 CULTURAL RESOURCES

The discussion in this section is based in part upon an Archaeological Literature Search prepared for the project by Holman & Associates, Inc. in December 2019 (see Appendix D), as well as a Historic Resource Evaluation and a Historic Resource Impacts Analysis prepared by *Architectural Resources Group* in December 2019 and April 2020, respectively (see Appendices E and F).

3.5.1 Environmental Setting

3.5.1.1 *Regulatory Framework*

Federal and State

National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

The NRHP is the nation's master inventory of historic resources that are considered significant at the national, state, or local level. The minimum criteria for determining NRHP eligibility include:

- The property is at least 50 years old (properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP);
- It retains integrity of location, design, setting, materials, workmanship, feeling, and associations; and
- It possesses at least one of the following characteristics:
    - Association with events that have made a significant contribution to the broad patterns of history;
    - Association with the lives of persons significant in the past;
    - Distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant, distinguishable entity whose components may lack individual distinction; or
    - Has yielded, or may yield, information important to prehistory or history.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local

planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.[27]

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance." The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource's eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

Public Resources Code Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

[27] California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." Accessed August 31, 2020. http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf.

Local

City of Santa Clara Criteria for Local Significance

The City of Santa Clara's Criteria for Local Significance establishes an evaluation framework that help to determine significance for properties not yet included in the City's Historic Resources Inventory (HRI). Any building, site, or property in Santa Clara that is 50 years old or older and meets at least one of the following criteria for cultural, historical, architectural, geographical, or archaeological significance is potentially eligible.[28]

To be historically or culturally significant, a property must meet at least one of the following criteria:

1. The site, building or property has character, interest, integrity, and reflects the heritage and cultural development of the City, region, state, or nation.
2. The property is associated with a historical event.
3. The property is associated with an important individual or group who contributed in a significant way to the political, social, and/or cultural life of the community.
4. The property is associated with a significant industrial, institutional, commercial, agricultural, or transportation activity.
5. A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.
6. A notable historical relationship between a site, building, or property's site and its immediate environment, including original native trees, topographical features, outbuildings or agricultural setting.

To be architecturally significant, a property must meet at least one of the following criteria:

1. The property characterizes an architectural style associated with a particular era and/or ethnic group.
2. The property is identified with a particular architect, master builder or craftsman.
3. The property is architecturally unique or innovative.
4. The property has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.
5. The property has a visual symbolic meaning or appeal for the community.
6. A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.
7. A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

[28] City of Santa Clara. City of Santa Clara General Plan – 8.9 Historic Preservation and Resource Inventory. 8.9-18 and 8.9-19. Accessed April 10, 2020.

To be geographically significant, a property must meet at least one of the following criteria:

1. A neighborhood, group, or unique area directly associated with broad patterns of local area history.
2. A building's continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings.
3. An intact, historical landscape or landscape features associated with an existing building.
4. A notable use of landscaping design in conjunction with an existing building.

3.5.1.2 *Existing Conditions*

Archaeological Resources

A records search was completed at the Northwest Information Center of the California Historical Resources Information System (CHRIS) in December 2019. All records of identified archaeological resources within a quarter mile, and all other cultural resources and archaeological resources reports for projects within 50 meters (165 feet) of the project site were reviewed. The project area has been previously studied for its cultural resources potential during investigations for two large infrastructure projects. No cultural resources are recorded within the project site or within the study zone. In this portion of Santa Clara County, Native American archaeological resources have been identified adjacent to springs and major creeks, and within and along the edges of marshlands. Wetlands would include both Goldrush era bayshore margins that once framed much of southern San Francisco Bay and discrete wetlands such as one that was once located north, west, and south of the Mineta San Jose International Airport. Other sensitive locations include confluences with other creeks, and on habitable lands within a half mile from the various Mission Santa Clara locations. The project site is located more than 0.65 miles from the closest Mission location. The site is approximately 1.25 miles west of the Guadalupe River and is approximately 0.75 miles from San Tomas Aquino Creek to the west. Based on this geographic information, the site has a low potential for Native American resources.

Historic-era maps for the project area were examined to identify the potential for archaeological resources that might elaborate on the history of the property and general area. In 1857, the bay margins were north of what is now State Route 237. In 1876, the project site was part of 18 acres owned by J.R. Carpstein with no nearby improvements depicted. At that time, the property was beyond Santa Clara's city limits. No improvements were depicted within or near the site; however, much of the surrounding lands were planted in orchards. After 1953 and by 1961, the site was developed and likely included within the city limits. In 1993, aerial images show the site configured approximately the same as today. Based on the review of historical land use patterns, there is a low potential for specific historic-era archaeological deposits on the site.

Historical Resources

The property was constructed in 1961, with additions constructed in 1964 and 1966, as the first world headquarters of Memorex Corporation, one of the many electronics start-up companies that catalyzed the Santa Clara Valley's transformation into "Silicon Valley" during the postwar era. As a multifaceted industrial campus including a manufacturing plant, research and development facilities, and administrative offices, the subject property conveys popular trends in industrial development during the postwar era. Memorex Corporation holds particular significance within the context of the

development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Because IBM dominated 71 to 83 percent of the global computer market at the time, the introduction of compatible computer equipment established an important avenue for smaller electronics firms to establish themselves within the field. Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and the product itself was both developed and manufactured at the subject property in the late 1960's. The Memorex Corporation continued operations on the site through approximately 1993. The buildings have since been divided into numerous suites utilized by various tenants.

The Historic Resource Evaluation completed for the site determined that the property is eligible for listing in the CRHR under Criterion 1, Association with Significant Events. To be considered eligible for listing under CRHR Criterion 1, a property must be associated with one or more events important in a defined historic context. This criterion recognizes properties associated with single events, a pattern of events, repeated activities, or historic trends. The event or trends, however, must clearly be important within the associated context. Further, mere association of the property with historic events or trends is not enough, in and of itself, to qualify under this criterion: the specific association must be considered important as well. The subject property is eligible under Criterion 1 for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s.

In order for a building to qualify for listing on the CRHR, it must both display significance under one or more of the California Register criteria and retain historical integrity. Based on an integrity analysis completed for the property, the building currently retains its integrity of location, design, setting, material, feeling, and association. The property retains a degree of integrity of workmanship.

Because the property is eligible for listing on the CRHR under Criterion 1, and the three buildings retain their integrity, the existing development on the site is considered a historical resource under CEQA.

3.5.2 Impact Discussion

For the purpose of determining the significance of the project's impact on cultural resources, would the project:

1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?
3) Disturb any human remains, including those interred outside of dedicated cemeteries?

3.5.2.1 *Project Impacts*

Impact CUL-1:	The project would cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **(Significant and Unavoidable Impact with Mitigation Incorporated)**

As described above, the former headquarters of the Memorex Corporation located on the site qualifies as a historical resource under CEQA due to its eligibility for listing on the CRHR under Criterion 1, Association with Significant Events. The significance of an historical resource is considered to be "materially impaired" when a project demolishes or materially alters the physical characteristics that justify the determination of an historical resources' significance. The project would demolish the existing improvements on site and therefore would have a significant and unavoidable impact on a historical resource.

According to CEQA Guidelines Section 15126.4(b), all feasible mitigation must be completed even if it does not mitigate project impacts below a level of significance. Although recordation of a resource prior to demolition does not mitigate the physical impact on the resource, it serves a "legitimate archival purpose.[29] The project would include the following mitigation to record the building, however, the mitigation would not fully offset the loss and the impact would remain significant and unavoidable.

MM CUL-1.1: Historic American Buildings Survey (HABS) Recordation. Prior to project implementation, the historical resource will be recorded to Historic American Buildings Survey (HABS) standards established by the National Park Service, as detailed below:[30]

- A HABS written report will be completed to document the physical history and description of the historical resource, the historic context for its construction and use, and its historic significance. The report will follow the standard outline format described in the *Historic American Buildings Survey Guidelines for Historical Reports* in effect at the time of recording. The report shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History.
- Large-format, black and white photographs of the historical resource will be taken and processed for archival permanence in accordance with Historic American Building Survey (HAB), Historic American Engineering Record (HAER), and HALS (Historic American Landscapes Survey) Photography Guidelines in effect at the time of recording. The photographs shall be taken by a professional with HABS photography experience. The number and type of views required will be determined in consultation with the local jurisdiction.
- Existing drawings, where available, will be reproduced on archival paper. If existing drawings are not available, a full set of measured drawings

[29] California Office of Historic Preservation, "California Environmental Quality Act (CEQA) and Historical Resources."
[30] National Park Service, "HABS Guidelines," accessed April 8, 2020, https://www.nps.gov/hdp/standards/habsguidelines.htm.

depicting existing conditions will be prepared. The drawings shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Architecture or Historic Architecture.

- The HABS documentation, including the written report, large-format photographs, and drawings, shall be submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. The documentation shall be prepared in accordance with the archival standards outlined in the Transmittal Guideline for Preparing HABS/HAER/HALS Documentation in effect at the time of recording. A professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History shall manage production of the HABS documentation.

MM CUL-1.2: Video Documentation. Video documentation of the subject property will supplement HABS documentation by recording the exterior and interior of the industrial complex at 1200 – 1310 Memorex Drive, as it appears, prior to project implementation. Using visuals in combination with active narration, the documentation shall include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. The documentation shall be conducted by a professional videographer, preferably one with experience recording architectural resources, and produced in conjunction with a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth by the Secretary of the Interior's Professional Qualification Standards.

It is recommended that the video documentation be preserved in an electronic format that is cross-platform and nonproprietary. Like HABS documentation, archival copies of the video documentation shall be submitted to appropriate repositories, such as the SCCHGS, Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. It may also be shared online via a freely accessible platform such as YouTube.

MM CUL-1.3: Interpretive Display. Interpretive displays vary widely in size, style, construction, and information capacity. Specifications for a particular interpretive display should consider a number of factors, including but not limited to the nature of the resource, the intended audience, and the location of the display. Although typically located at the subject property, offsite interpretive displays may be appropriate in certain cases, such as when the property is not publicly accessible for security or other reasons. In all instances, interpretive displays should be conducted by an architectural historian or historian who meets the

Secretary of the Interior's Professional Qualification Standards, in coordination with an exhibit designer.

Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200 – 1310 Memorex Drive. Onsite displays should be located in a prominent space, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200 – 1310 Memorex Drive and its operation during the property's period of significance.

Because of the nature of the proposed replacement project, however, the subject property may not be easily accessible by the public, and an offsite interpretive display may be recommended in place of or in addition to the onsite display. An offsite interpretive display should be located in a place with a connection to the subject property or its historical context. For example, the Computer History Museum in Mountain View may be an appropriate location for an interpretive display because of the substantial, contextual connection between the museum's mission and the subject property's significance within the development of the modern computer industry. The Computer History Museum also holds hundreds of Memorex Corporation artifacts and records in its repository, which would complement an interpretive display related to the subject property.

MM CUL-1.4: Oral History Collection. Oral history is a method of gathering and preserving the memories of people and communities, including personal commentaries of historical significance. Best practices for performing oral interviews are outlined by the Oral History Association (OHA), which was founded in 1966 and serves as the principal membership organization for those involved in the field of oral history.

The project will prepare an oral history collection that focuses on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. To the extent feasible, at least one former employee of the Memorex Corporation who was employed at the subject property shall be interviewed. A list of guests at the Memorex at Fifty reunion, hosted at the Computer History Museum in Mountain View in 2011, may serve as a preliminary list of potential narrators.

Oral history audio and visual files collected as part of a mitigation effort for the 1200 – 1310 Memorex Drive will be conducted by a professional oral historian and preserved in an accessible, electronic format and submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, Oral History Center at the Bancroft Library in Berkeley, and/or the Computer History Museum, which currently houses more than one hundred oral history interviews related to the development of the modern computer industry. In the event that no appropriate

narrators are identified, or in the event that all potential narrators decline to participate, a memorandum will be prepared to document the project methodology and efforts.

The project would result in a significant and unavoidable impact to the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5, even with incorporation of mitigation measures. A discussion of alternatives that would involve preservation and adaptive reuse of the building while achieving most basic project objectives is presented in Section 7.0 Alternatives. **(Significant and Unavoidable Impact with Mitigation Incorporated)**

Impact CUL-2:	As mitigated, the project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact with Mitigation Incorporated)**

The project would require excavation to depths of up to 12 feet for the on-site construction work and 12-15 feet for trenching related to the potential underground portion of the transmission line along Di Giulio Avenue. Based upon the results of the Archaeological Literature Search completed for the project, the site has a low potential for containing prehistoric archaeological resources. Additionally, the underground portion of the transmission line would be located within the street right-of-way adjacent to existing underground utilities in previously disturbed soils. Although the analysis completed for Archaeological Literature Search deemed that no further investigation or monitoring would be necessary, the project would implement the following measures to prevent damage in case unrecorded subsurface resources are encountered during trenching and excavation of the site.

Mitigation Measures:

The following project-specific mitigation measures would be implemented during construction to avoid significant impacts to unknown subsurface cultural resources:

MM CUL-2.1: In the event that prehistoric or historical resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. If the find is deemed significant, a Treatment Plan will be prepared and provided to the Director of Community Development. The key elements of a Treatment Plan shall include the following:

- Identify scope of work and range of subsurface effects (include location map and development plan),
- Describe the environmental setting (past and present) and the historic/prehistoric background of the parcel (potential range of what might be found),

- Develop research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information),

- Detail field strategy used to record, recover, or avoid the finds (photogs, drawings, written records, provenience data maps, soil profiles, excavation techniques, standard archaeological methods) and address research goals.

- Analytical methods (radiocarbon dating, obsidian studies, bone studies, historic artifacts studies [list categories and methods], packaging methods for artifacts, etc.).

- Report structure, including a technical and layman's report and an outline of document contents in one year of completion of development (provide a draft for review before a final report),

- Disposition of the artifacts,

- Appendices: site records, update site records, correspondence, consultation with Native Americans, etc.

With implementation of the measures identified above, the project would not cause a substantial adverse change in the significance of an archaeological resource. **(Less than Significant Impact with Mitigation Incorporated)**

Impact CUL-3:	As mitigated, the project would not result in any substantial disturbance to human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact with Mitigation Incorporated)**

Although unlikely, trenching and excavation activities could disturb human remains, should they be encountered on the site.

Mitigation Measures:

The following project-specific mitigation measures will be implemented during construction to avoid significant impacts to unknown human remains:

MM CUL-3.1: In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

With implementation of these measures, impacts to unknown human remains would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

3.5.2.2 *Cumulative Impacts*

Impact CUL-C:	As mitigated, the project would not result in a cumulatively considerable contribution to a cumulatively significant cultural resources impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

The geographic area for cumulative cultural resources impacts is the project site and adjacent parcels. The proposed project requires excavation, grading, and other construction activities that may affect unknown subsurface historic and prehistoric archaeological resources. All projects in the City of Santa Clara would be required to implement mitigation measures that would avoid impacts to subsurface archaeological resources and human remains and/or reduce them to a less than significant level. For these reasons, the cumulative projects, including the proposed project, would not result in significant cumulative impacts to archaeological resources or human remains.

As described above, the proposed project would result in a significant and unavoidable impact to a historical resource. The significance of the historical resource is tied to its association with significant events (association with the development of the modern electronics industry), as opposed to its architectural style or location within a historic district. No other approved or pending projects in the City would result in identified significant impacts to historical resources associated with the same significant events as the resource located on the project site. Therefore, the project would not result in a cumulatively considerable contribution to a cumulatively significant cultural resources impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

3.6 ENERGY

3.6.1 Environmental Setting

3.6.1.1 *Regulatory Framework*

Federal and State

Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

Executive Order B-55-18 To Achieve Carbon Neutrality

In September 2018, Governor Brown issued an executive order, EO-B-55-18 To Achieve Carbon Neutrality, setting a statewide goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." The executive order requires CARB to "ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal." EO-B-55-18 supplements EO S-3-05 by requiring not only emissions reductions, but also that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO_2 from the atmosphere through sequestration.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years.[31] Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[32]

[31] California Building Standards Commission. "California Building Standards Code." Accessed October 21, 2020. https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo.
[32] California Energy Commission (CEC). "2019 Building Energy Efficiency Standards." Accessed October 21, 2020. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency.

California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.[33]

Regional and Local

Santa Clara General Plan

The General Plan includes several energy use and conservation policies designed to protect energy resources in the City. These policies include the following:

Policies	Description
5.10.3-P1	Promote the use of renewable energy resources, conservation and recycling programs.
5.10.3-P4	Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.
5.10.3-P5	Reduce energy consumption through sustainable construction practices, materials and recycling.
5.10.3-P6	Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.
5.10.4-P8	Provide incentives for LEED certified, or equivalent development.

3.6.1.2 *Existing Conditions*

Total energy usage in California was approximately 7,881 trillion British thermal units (Btu) in the year 2017, the most recent year for which this data was available.[34] Out of the 50 states, California is ranked second in total energy consumption and 48th in energy consumption per capita. The breakdown by sector was approximately 18 percent (1,416 trillion Btu) for residential uses, 19 percent (1,473 trillion Btu) for commercial uses, 23 percent (1,818 trillion Btu) for industrial uses,

[33] California Air Resources Board. "The Advanced Clean Cars Program." Accessed October 21, 2020. https://www.arb.ca.gov/msprog/acc/acc.htm.
[34] United States Energy Information Administration. "State Profile and Energy Estimates, 2017." Accessed October 27, 2020. https://www.eia.gov/state/?sid=CA#tabs-2.

and 40 percent (3,175 trillion Btu) for transportation.[35] This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Electricity

Silicon Valley Power (SVP) is the City of Santa Clara's energy utility and would provide electricity service to the project site. For commercial customers, SVP offers several options for participation in green energy programs, including a carbon-free energy option.[36]

Natural Gas

PG&E provides natural gas services within the City of Santa Clara. In 2018, approximately one percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.[37] In 2018, residential and commercial customers in California used 34 percent of the state's natural gas, power plants used 35 percent, the industrial sector used 21 percent, and other uses used 10 percent. Transportation accounted for one percent of natural gas use in California. In 2018, Santa Clara County used approximately 3.5 percent of the state's total consumption of natural gas.[38]

Fuel for Motor Vehicles

In 2018, 15.5 billion gallons of gasoline were sold in California.[39] The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 24.9 mpg in 2018.[40] Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was subsequently revised to apply to cars and light trucks model years 2011 through 2020. [41,42]

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[35] United States Energy Information Administration. "State Profile and Energy Estimates, 2017." Accessed October 26, 2020. https://www.eia.gov/state/?sid=CA#tabs-2.

[36] Silicon Valley Power. "Did you Know." Accessed October 26, 2020. https://www.siliconvalleypower.com/svp-and-community/about-svp/faqs.

[37] California Gas and Electric Utilities. 2019 *California Gas Report.* Accessed October 23, 2020. https://www.socalgas.com/regulatory/documents/cgr/2019_CGR_Supplement_7-1-19.pdf.

[38] California Energy Commission. "Natural Gas Consumption by County." Accessed October 23, 2020. http://ecdms.energy.ca.gov/gasbycounty.aspx.

[39] California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed October 27, 2020. https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist.

[40] United States Environmental Protection Agency. "The 2020 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." January 2021.

[41] United States Department of Energy. *Energy Independence & Security Act of 2007.* Accessed October 27, 2020. http://www.afdc.energy.gov/laws/eisa.

[42] Public Law 110–140—December 19, 2007. *Energy Independence & Security Act of 2007.* Accessed October 27, 2020. http://www.gpo.gov/fdsys/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf.

3.6.2 Impact Discussion

For the purpose of determining the significance of the project's impact on energy, would the project:

1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
3) Result in a substantial increase in demand upon energy resources in relation to projected supplies?

3.6.2.1 *Project Impacts*

Impact EN-1:	The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. **(Less than Significant Impact)**

Construction

Construction of the project would require energy for the demolition of existing buildings, manufacture and transportation of building materials, site preparation and grading, and the actual construction of the buildings and infrastructure. As discussed in Section 3.3 Air Quality, the project would implement measures to minimize the idling of construction equipment. Additionally, the project would participate in the City's Construction and Demolition Debris Recycling Program by recycling or diverting at least 50 percent of materials generated for discards by the project in order to reduce the amount of demolition and construction waste going to the landfill. Diversion saves energy by reusing and recycling materials for other uses (instead of landfilling materials and using additional non-renewable resources).

Operation

Operation of the project would consume energy for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances and electronics. Energy would also be consumed during each vehicle trip generated by employees and visitors.

The projected maximum load for information technology (IT) equipment in the data center would be 60 MW. Additional electricity would be required for mechanical cooling equipment and other building functions. Power Usage Effectiveness (PUE) is a metric used to compare the operating efficiency of data center facilities. PUE is defined as the ratio of total power use of a facility to the power used strictly by the information technology (IT) equipment (e.g. PUE=Total Facility Power/IT Equipment Power). For example, with a PUE of 2.0 a data center would use (2) watts of total power for every (1) watt of power used by the IT equipment. The ideal PUE is one (1) where all power drawn by the facility goes to the IT infrastructure.

Based on anticipated operating conditions, the annualized PUE of the proposed data center would be 1.29. A PUE of 1.29 is considered efficient. Based on industry surveys, the average PUE for data centers is 1.67, although newly constructed data centers typically have PUEs ranging from 1.1 to

1.4.[43] If it is conservatively assumed that the data center would operate at full capacity 24 hours per day, 365 days per year, the project could consume up to 678,024 MW hours (MWh) per year. For comparison, the current industrial use on the site is estimated to consume roughly 3,295 MWh of electricity per year.[44] In 2019, California generated 277,704 gigawatt-hours (GWh) of electricity, meaning the maximum demand of the project would represent 0.24 percent of the State's electricity supply.

The project would be built in accordance with Title 24 and CalGreen and include green building measures to reduce energy consumption. The project would also utilize lighting control to reduce energy usage for new exterior lighting and air economization for building cooling. Water efficient landscaping and ultra-low flow plumbing fixtures in the building would be implemented to limit water consumption. Due to the energy efficiency measures incorporated into the facility, the project would not result in a wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources.

Energy would be consumed by the generator facility during regular testing and maintenance of the 25 emergency backup generators. Each generator would be limited to a maximum of 50 hours per year of operation. Assuming a worst-case scenario where all generators are tested at full load for the full 50 hours per year, the generators would consume up to 257,650 gallons of fuel per year. According to the California Energy Commission's 2019 Weekly Fuel's Watch Report, the annual capacity of CARB Diesel Fuel in California was 1,736,000 barrels, or roughly 72,912,000 gallons, annually.[45] The proposed consumption of CARB Diesel Fuel by the generators is less than 0.004 percent of the total California capacity. Because the generators would only be operated when necessary for testing and maintenance, and would not be used regularly for electricity generation, the generator facility would not result in a wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources. Additionally, the project would not have a significant adverse effect on local or regional energy supplies and will not create a significant adverse impact on California's energy resources. **(Less than Significant Impact)**

Impact EN-2:	The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

The project would be consistent with the regulations described in 3.6.1.1 (including General Plan Policies) by:

- Complying with Title 24 and CalGreen,
- Incorporating measures such as lighting control, air economization and evaporative cooling, water conservation measures, clean air vehicle parking, and other energy conservation measures such as reflective roof surface, low-e insulated glass, and daylight penetration to offices.
- Providing clean air vehicle parking

[43] Uptime Institute. Annual Data Center Survey Results - 2019. Available at: https://datacenter.com/wp-content/uploads/2019/06/data-center-survey-2019.pdf
[44] Based on CalEEMod default electricity consumption rates for general light industrial land uses applied to the existing development on the site.
[45] Addition of the total weekly Production Capacity and total weekly Refinery Stock reported for June 14, 2019.

- Participating in the City's Construction and Demolition Debris Recycling Program
- Implementing TDM measures to promote walking, bicycling and transit use.

The project, therefore, would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

Impact EN-3:	The project would not result in a substantial increase in demand upon energy resources in relation to projected supplies. **(Less than Significant Impact)**

Operation of the project would consume energy for multiple purposes including building heating and cooling, lighting, and appliance use. Additionally, operational energy would be consumed by employee vehicle use to and from the site. The table below compares the energy use under project conditions with the energy use under existing conditions.

Table 3.6-1: Estimated Annual Energy Use of Proposed Development

Proposed Development	Electricity Use (MWh)	Natural Gas Use (kBtu)	Gasoline (gallons)[1]	Diesel Fuel (gallons)[2]
Existing Development	3,295	10,524,700	255,491	0
Proposed Development	678,024	14,277,455	64,413	257,650
Net Increase/Decrease:	**674,729 Increase**	**3,752,755 Increase**	**191,078 Decrease**	**257,650 Increase**

Source: Atmospheric Dynamics, Inc. Memorex Data Center and Office Project. Attachment 1.

[1]Gasoline demand was calculated by dividing the project's estimated VMT by 24 mpg (Source: California Department of Energy. Average Fuel Economy by Major Vehicle Category. https://afdc.energy.gov/data/10310)

[2] Diesel fuel usage presented in this table is associated with on-site operations only, not vehicle trips. Available data on vehicular fuel use does not distinguish between diesel fuel and gasoline. As a result, all vehicular fuel use is included in the total for "Gasoline".

As shown in Table 3.6-1, implementation of the development would increase electricity use by approximately 1,949,535 kWh per year, natural gas usage by approximately 3,752,755 kBtu and diesel fuel consumption by approximately 257,650 gallons, while reducing gasoline consumption for vehicles by 252,931.

The project would be built to the most recent CALGreen requirements and Title 24 energy efficient standards, which would improve the efficiency of the overall project. Due to population increases, it is estimated that future demand in California (for electricity) will increase by approximately one percent each year through 2027. Efficiency and production capabilities would help meet increased electricity demand in the future, such as improving energy efficiency in existing and future buildings, establishing energy efficiency targets, inclusion of microgrids and zero-net energy buildings, and integrating renewable technologies.[46] As a result, the project's increase in electricity use would not result in a significant increase in demand on electrical energy resources in relation to projected supplies statewide.

[46] California Energy Commission. "2016 Integrated Energy Policy Report." Accessed October 28, 2020. http://www.energy.ca.gov/2016_energypolicy/.

In 2016, California consumed approximately 2.2 billion MBtu of natural gas. Based on the relatively small increase in natural gas demand (approximately 5,970,200 kBtu annually) compared to the growth trends in natural gas supply and the existing available supply in California, the proposed project would not result in a substantial increase in natural gas demand relative to projected supply.

Project trips would decrease gasoline use by 191,078 gallons per year compared to existing conditions. Therefore, implementation of the project would not result in an increase on transportation-related energy uses. However, the project would increase the use of diesel fuel by 257,650 gallons per year compared to existing uses. This increase is small when compared to the 4.2 billion gallons of diesel fuel consumed in California in 2015[47]. **(Less Than Significant Impact)**

3.6.2.2 *Cumulative Impacts*

Impact EN-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant energy impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative energy impacts is the State of California. Past, present, and future development projects contribute to the state's energy impacts. If the project is determined to have a significant energy impact, it is concluded that the impact is cumulatively considerable. As discussed under Impact EN-1, EN-2, and EN-3, the project would not result in significant energy impacts. Therefore, the project would not have a cumulatively considerable contribution to a significant cumulative energy impact. **(Less than Significant Impact)**

[47] California Department of Energy. Diesel Fuel Data, Facts, and Statistics. Accessed November 11, 2020. https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/diesel-fuel-data-facts-and-statistics#:~:text=Diesel%20fuel%20is%20the%20second,including%20offroad%20diesel%2C%20was%20sold.

3.7 GEOLOGY AND SOILS

The following discussion is based in part on a Geotechnical Investigation Report and a Soil, Soil Vapor and Groundwater Quality Evaluation both prepared for the project by Cornerstone Earth Group in September 2019. Copies of these reports are attached as Appendices G and H, respectively.

3.7.1 Environmental Setting

3.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

California Building Standards Code

The California Building Standards Code (CBC) prescribes standards for constructing safe buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years.

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and

Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals and plants, trace remains, and microfossils. These materials are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the CEQA Guidelines, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

Local

Santa Clara General Plan

General Plan policies applicable to geology and soils include, but are not limited to, the following listed below.

Policies	Description
5.6.3-P5	In the event that archaeological/paleontological resources are discovered, require that work be suspended until the significance of the find and recommended actions are determined by a qualified archaeological/paleontologist.
5.10.5-P5	Regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards, including flooding, seismic, erosion, liquefaction and subsidence dangers.
5.10.5-P6	Require that new development is designed to meet current safety standards and implement appropriate building code to reduce risks associated with geologic conditions.
5.10.5-P7	Implement all recommendations and design solutions identified in project soils reports to reduce potential adverse effects associated with unstable soils or seismic hazards.

City Code

Title 15 of the Santa Clara City Code includes the City's adopted Building and Construction Code. These regulations are based on the CBC and include requirements for building foundations, walls, and seismic resistant design. Requirements for grading and excavation permits and erosion control are included in Chapter 15.15 (Building Code). Requirements for building safety and earthquake reduction hazard are addressed in Chapter 15.55 (Seismic Hazard Identification).

3.7.2.1 *Existing Conditions*

The project site is located in the Santa Clara Valley, a relatively flat alluvial basin, bounded by the Santa Cruz Mountains to the southwest and west, the Diablo Mountain Range to the east, and the San Francisco Bay to the north.

Soil Conditions

The project site is underlain by approximately four to 32 inches of base rock. Beneath the base rock layer are native lean clays and saturated, poorly-graded to well-graded sand. The site also includes fill of well-graded sand, poorly-graded sand with gravel, and poorly-graded gravel. Moderately to highly expansive surficial soils generally blanket the site.

Because the topography of the project area is flat, with elevations ranging from 50 to 55 feet above sea level, erosion hazards are limited and there are no landslide hazards.

Groundwater

Based on soil borings completed for the Soil, Soil Vapor, and Groundwater Quality Evaluation (refer to Appendix H), depth to groundwater in the area is approximately 13-18 feet below ground surface (bgs). Fluctuations in groundwater levels are common due to seasonal fluctuations, underground drainage patterns, regional fluctuations, and other factors.

Seismicity and Seismic Hazards

The San Francisco Bay Area is one of the most seismically active areas in the United States. While seismologists cannot predict earthquake events, the U.S. Geological Survey's Working Group on California Earthquake Probabilities estimates there is a 72 percent chance of at least one magnitude 6.7 earthquake occurring in the Bay Area region between 2002 and 2032. Higher levels of shaking and damage would be expected for earthquakes occurring at closer distances. The faults considered capable of generating significant earthquakes in the area are generally associated with the well-defined areas of crustal movement, which trend northwesterly.

The three major faults in the region are the Calaveras Fault (approximately 10 miles east of the site), the San Andreas Fault (approximately 10.7 miles west of the site), and the Hayward Fault (approximately 7.25 miles east of the site). The project site is not located within a fault rupture zone.[48]

Ground shaking at the project site is predicted to be very strong as determined by the Association of Bay Area Governments (ABAG)[49]. The project site is not located within the limits of an Alquist-Priolo Earthquake Fault Zone and there are no known active faults within the City limits of Santa Clara.

[48] Santa Clara County. *Santa Clara County Geologic Hazard Zones.* October 26, 2012.
[49] Association of Bay Area Governments. Santa Clara County Earthquake Hazard. Accessed November 11, 2019. http://resilience.abag.ca.gov/earthquakes/santaclara/

Liquefaction

Soil liquefaction is a condition where saturated granular soils near the ground surface undergo a substantial loss of strength during seismic events. Loose, water-saturated soils are transformed from a solid to a liquid state during ground shaking. Liquefaction can result in significant deformations and ground rupture or sand boils. Soils most susceptible to liquefaction are loose, uniformly graded, saturated, fine-grained sands that lie close to the ground surface. The project site is located within a State-designated Liquefaction Hazard Zone and a Santa Clara County Liquefaction Hazard Zone.[50]

Lateral Spreading

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open face, such as the steep bank of a stream channel.

There are no stream channels on or adjacent to the site, therefore the project site would not be subject to lateral spreading.

Paleontological Resources

The City of Santa Clara is situated on alluvial fan deposits of the Holocene age. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. However, these recent sediments overlie sediments of older Pleistocene sediments with high potential to contain paleontological resources. These older sediments, often found at depths of ten feet or more below the ground surface, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates. Ground disturbing activities of ten feet or more have the potential to impact undiscovered paleontological resources in older Pleistocene sediments. [51]

3.7.3 Impact Discussion

For the purpose of determining the significance of the project's impact on geology and soils, would the project:

1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?
    - Strong seismic ground shaking?
    - Seismic-related ground failure, including liquefaction?
    - Landslides?
2) Result in substantial soil erosion or the loss of topsoil?

[50] Santa Clara County Geologic Hazard Zones. *County Geologic Hazard Zones.* 2012
[51] City of Santa Clara. City of Santa Clara Draft 2010-2035 General Plan. January 2011. Page 328.

3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

3.7.3.1 *Project Impacts*

Existing Geologic Conditions Affecting the Project – Planning Considerations

The California Supreme Court in a December 2015 opinion (BIA v. BAAQMD) confirmed CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project; nevertheless, the City has policies that address existing conditions (e.g. geologic hazards) affecting a proposed project, which are addressed below.

The policies of the City of Santa Clara 2035 General Plan have been adopted for the purpose of avoiding or mitigating environmental effects resulting from planned development within the City. Santa Clara General Plan Policy 5.10-P6 requires that new development is designed to meet current safety standards and implement appropriate building codes to reduce risk associated with geologic conditions.

Impact GEO-1:	As mitigated, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides**. (Less than Significant Impact with Mitigation Incorporated)**

As discussed in Section 4.7.1.2, there are no known active or potentially active faults crossing the project site. The site is not located within an Earthquake Fault Zone as defined by the State of California Alquist-Priolo Earthquake Fault Zoning Act. The project site is not located within a fault rupture zone.

The project site is located in a seismically active region. Geologic conditions on the site would require the new building be designed and constructed in accordance with standard engineering techniques and current California Building Code requirements, to avoid or minimize potential damage from seismic shaking and liquefaction on the site.

The project site is located in a mapped liquefaction hazard zone. The site is not located within a landslide hazard zone. The following standard City of Santa Clara permit condition would be implemented.

Standard Permit Condition:

To avoid or minimize potential damage from seismic shaking, the project would be built using standard engineering and seismic safety design techniques. Building redevelopment design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report to the City. The report shall be reviewed and approved by the City of Santa Clara's Building Division as part of the building permit review and issuance process. The building shall meet the requirements of applicable Building and Fire Codes, including the 2019 California Building Code, as adopted or updated by the City. The project shall be designed to withstand potential geologic hazards identified on the site and the project shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.

With incorporation of the Standard Permit Condition, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides. **(Less than Significant Impact)**

Impact GEO-2:	The project would not result in substantial soil erosion or the loss of topsoil. **(Less than Significant Impact)**

Ground disturbance at the site would be required for demolition and on-site improvements. Ground disturbance would expose soils and increase the potential for wind or water related erosion and sedimentation at the site until construction is complete. Compliance with the erosion control measures, as required by the National Pollutant Discharge Elimination System (NPDES) (see Section 4.10) is the primary means of enforcing erosion control measures through the grading and building permit process. In accordance with General Plan policies, construction activities would be subject to the requirements of the regulatory programs and policies in place and, therefore, would have a less than significant soil erosion impact. **(Less than Significant Impact)**

Impact GEO-3:	The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. **(Less than Significant Impact)**

The project site is located in a mapped liquefaction hazard zone. The site is not located within a landslide hazard zone. Compliance with the Standard Permit Condition discussed under Impact GEO-1 and incorporated into the project design as mitigation would avoid or reduce impacts related to the stability of soil on-site. The project would not change or exacerbate the geologic conditions of

the project area and would not result in a significant geology hazards impact. **(Less than Significant Impact)**

Impact GEO-4:	Although the project is located on expansive soil, as defined in the current California Building Code, the project would not create substantial direct or indirect risks to life or property. **(Less than Significant Impact)**

The project site is located on expansive soil as defined in Section 1803.5.3 of the CBC. The project would be required to adhere to the SHMA and CBC, which would reduce impacts related to expansive soils to a less than significant level. The policies of the City of Santa Clara 2010-2035 General Plan have been adopted for the purpose of avoiding or mitigating environmental effects resulting from planned development within the City. Santa Clara General Plan Policy 5.10.5-P6 requires that new development be designed to meet current safety standards and implement appropriate building codes to reduce risk associated with geologic conditions. As a result, development of the proposed project would not expose future occupants of the site or nearby properties to hazards related to expansive soils. **(Less Than Significant Impact)**

Impact GEO-5:	The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. **(No Impact)**

The project site is located within an urban area of Santa Clara where sewers are available to dispose wastewater from the project site. Therefore, the project site would not need to support septic tanks or alternative wastewater disposal systems. **(No Impact)**

Impact GEO-6:	As mitigated, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact with Mitigation Incorporated)**

There are no known unique paleontological resources or unique geological features within the City. However, ground disturbing activities of 10 feet or more have the potential to impact undiscovered paleontological resources. The project would require excavation to depths of up to 12 feet. Although unlikely, paleontological resources could be encountered during construction.

<u>Mitigation Measures:</u>

MM GEO-6.1: In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.

With implementation of these measures, impacts to undiscovered paleontological resources would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

3.7.3.2 *Cumulative Impacts*

Impact GEO-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant geology and soils impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative geological impacts would be locations adjacent to the site since geological impacts are limited to the project site and adjacent properties. All projects in the City of Santa Clara are required to comply with mitigation measures to reduce construction-related erosion impacts. The project will comply with the CBC to reduce seismic-related impacts on people and/or property. Therefore, implementation of the cumulative projects would not result in significant cumulative impact (related to geology and soils) to people and/or property. **(Less Than Significant Cumulative Impact)**

3.8 GREENHOUSE GAS EMISSIONS

The following discussion is based in part on an Air Quality and GHG Emissions Assessment prepared for the project by Atmospheric Dynamics in November 2020. A copy of the report is attached as Appendix B.

3.8.1 Environmental Setting

3.8.1.1 *Background Information*

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO_2 equivalents (CO_2e). The most common GHGs are carbon dioxide (CO_2) and water vapor but there are also several others, most importantly methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO_2 and N_2O are byproducts of fossil fuel combustion.
- N_2O is associated with agricultural operations such as fertilization of crops.
- CH_4 is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and SF_6 emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and/or loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

3.8.1.2 *Regulatory Framework*

State

Assembly Bill 32

Under the California Global Warming Solutions Act, also known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of CO_2E ($MMTCO_2e$). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 $MMTCO_2e$.

Senate Bill 375

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035. The per-capita GHG emissions reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2040. Plan Bay Area 2040 establishes a course for reducing per-capita GHG emissions through the promotion of compact, high-density, mixed-use neighborhoods near transit, particularly within identified Priority Development Areas (PDAs).

Regional and Local

2017 Clean Air Plan

To protect the climate, the 2017 CAP (prepared by BAAQMD) includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The

guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

3.8.1.3 *Existing Conditions*

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth and changes in weather patterns.

Other Implementing Laws and Regulations

There are a number laws that have been adopted as a part of the State of California's efforts to reduce GHG emissions and their contribution to climate change. State laws and regulations related to growth, development, planning and municipal operations in Santa Clara include, but are not limited to:

- California Mandatory Commercial Recycling Law (AB 341)
- California Water Conservation in Landscaping Act of 2006 (AB 1881)
- California Water Conservation Act of 2009 (SBX7-7)
- Various Diesel-Fuel Vehicle Idling regulations in Chapter 13 of the California Code of Regulations
- Building Energy Efficiency Standards (Title 24, Part 6)
- California Green Building Code (Title 24, Part 11)
- Appliance Energy Efficiency Standards (Title 20)

Implementation of the policies in the City's General Plan as a part of the City's development permitting and other programs provides for meeting building standards for energy efficiency, recycling, and water conservation, consistent with the laws and regulations designed to reduce GHG emissions.

Local

<u>City of Santa Clara General Plan</u>

The Santa Clara 2010-2035 General Plan includes policies that address the reduction of GHG gas emissions during the planning horizon of the General Plan. Goals and policies that address sustainability (see Appendix 8.13: Sustainability Goals and Policies Matrix in the General Plan) are aimed at reducing the City's contribution to GHG emissions. As described below, the development of a comprehensive GHG emissions reduction strategy for the City is also included in the General Plan.

<u>Climate Action Plan</u>

The City of Santa Clara has a comprehensive GHG emissions reduction strategy (Climate Action Plan) to achieve its fair share of statewide emissions reductions for the 2020 timeframe consistent with AB 32, the Global Warming Solutions Act. The Climate Action Plan was adopted on December 3, 2013. The City of Santa Clara Climate Action Plan specifies the strategies and measures to be

taken for a number of focus areas (coal-free and large renewables, energy efficiency, water conservation, transportation and land use, waste reduction, etc.) citywide to achieve the overall emission reduction target, and includes an adaptive management process that can incorporate new technology and respond when goals are not being met.

A key reduction measure that is being undertaken by the City of Santa Clara under the Climate Action Plan is in the *Coal-Free and Large Renewables* focus area. The City of Santa Clara operates Silicon Valley Power (SVP), a publicly owned utility that provides electricity for the community of Santa Clara, including the project site. Data centers constitute a large portion of the electricity used in the City of Santa Clara; about 28 percent on average. Since nearly half (48 percent) of Santa Clara's GHG emissions result from electricity use, removing GHG-intensive sources of electricity generation (such as coal) is a major focus area in the Climate Action Plan for achieving the City's GHG reduction goals.

CEQA clearance for all discretionary development proposals are required to address the consistency of individual projects with reduction measures in the Climate Action Plan and goals and policies in the General Plan designed to reduce GHG emissions. Compliance with appropriate measures in the Climate Action Plan would ensure an individual project's consistency with an adopted GHG reduction plan.

In December 2018, SVP published an updated Strategic Plan that outlines goals and actions for achieving 2030 GHG emission reductions consistent with the legislation described above. All electricity from SVP has been coal-free since January 2018. SVP's 2018 Integrated Resource Plan lays out needed steps to meet the 50 percent Renewable Portfolio Standard set by SB 32. SVP plans to exceed the 50 percent target.[52]

3.8.1.4 *Existing Conditions*

The project site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Roughly 100,000 square feet of active outdoor light industrial uses are located on the eastern portion of the site. The main source of GHG emissions associated with the existing uses on-site is the electricity use of the existing buildings. Additional emissions also result from vehicle trips and equipment usage associated with daily operations on the site.

[52] Silicon Valley Power. 2018 Integrated Resource Plan. November 12, 2018. Available at: http://www.siliconvalleypower.com/home/showdocument?id=62481.

3.8.2 Impact Discussion

For the purpose of determining the significance of the project's impact on greenhouse gas emissions, would the project:

1) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

3.8.2.1 *Project Impacts*

GHG emissions worldwide contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single land use project could generate sufficient GHG emissions on its own to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects in Santa Clara, the entire state of California, and across the nation and around the world, contribute cumulatively to the phenomenon of global climate change and its associated environmental impacts.

Per the CEQA Guidelines, a lead agency may analyze and mitigate significant GHG emissions in a plan for the reduction of GHG emissions that has been adopted in a public process following environmental review. The City of Santa Clara adopted its CAP (a GHG reduction strategy) in 2013 in conformance with its most recent General Plan Update. The City's projected emissions and the CAP are consistent with measures necessary to meet statewide 2020 goals established by AB 32 and addressed in the Climate Change Scoping Plan. For projects that would be operational by the end of 2020, the threshold of significance for whether a development project in the City of Santa Clara would generate GHG emissions that would have a significant impact on the environment therefore would be whether or not the project conforms to the applicable reduction measures in the City's CAP. Because the project would not become operational prior to the end of 2020, consistency with the CAP cannot be used to determine significance under CEQA. The project, however, would still be required to be consistent with the requirements of the CAP, and implementation of required CAP measures would reduce GHG emissions from the project.

Per BAAQMD guidance for stationary-sources such as the projects backup generators, the threshold to determine the significance of an impact from GHG emissions is 10,000 metric tons of CO_2e per year. This threshold is consistent with stationary source thresholds adopted by other air quality management districts throughout the state and is intended to capture 95 percent of all GHG emissions from new permit applications from stationary sources in the San Francisco Bay Area Basin. Stationary-source projects include land uses that would accommodate processes and equipment that emit GHG emissions and would require a BAAQMD permit to operate. The standby generators included as part of the project would be permitted sources, and as such, the BAAQMD's 10,000 metric tons of CO2e per year threshold is appropriate for analyzing the significance of emissions produced by the generators. If annual emissions of operational-related GHGs from the generators exceed these levels, the project would result in a cumulatively considerable contribution of GHG emissions and a cumulatively significant impact to global climate change. Emissions from mobile sources and area sources, such as electricity use and water delivery, associated with data center operation would not be included for comparison to this threshold, based on guidance in the

BAAQMD's CEQA Guidelines. Instead, GHG impacts from data center operation would be considered to have a less than significant impact if the project is consistent with applicable regulatory programs and policies adopted by CARB or other California agencies.

Impact GHG-1:	The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Less than Significant Impact)**

Overview of GHG Emissions

GHG emissions from the project would consist of emissions from vehicle trips to and from the site, emissions from routine testing and maintenance of the backup generators, and indirect emissions related to the generation of electricity used in the data center buildings. Data centers are an energy-intensive land use, requiring more electricity than other types of development. The primary function of the data center is to house computer servers, which require electricity and cooling 24 hours a day to operate.

Silicon Valley Power Electricity Generation

Electricity for the data center facility is provided by SVP, which is the public electric utility of the City of Santa Clara. Santa Clara currently has ownership interest, or has purchase agreements for 1,062 megawatt (MW) of electricity. This capacity far exceeds City of Santa Clara's current peak electricity demand of approximately 587 MW.[53] No new generation peak capacity is necessary to meet the capacity requirements of new construction, or redeveloped facilities within the City to meet the near or projected future demand. SVP's 2019 power mix for non-residential uses consisted of 39.3 percent eligible renewable resources. When large hydroelectric resources are included, SVP's non-residential power mix was 67.2 percent GHG free.[54]

The City of Santa Clara follows the State's preferred loading order in procuring new energy resources. First, the current load (customer) is encouraged to participate in energy efficiency programs to reduce their usage, thus freeing up existing resources (and any related emissions) for the new load (electricity demand). In addition, the City of Santa Clara encourages the use of renewable resources and clean distributed generation, and has seen a significant increase in its applications for large and small rooftop photovoltaics (PV). Demand displaced by customer-based renewable projects is also available to meet new load requests.

The City of Santa Clara will meet its Renewable Portfolio Standard (RPS) through the addition of new renewable resources. In order to meet anticipated increases in energy needs (as separate from peak generation capacity requirements) the City of Santa Clara has contracted for additional wind energy including the Big Horn II Wind Project that would provide the City of Santa Clara up to an additional 17.5 MW of GHG-emission-free electricity.

[53] Silicon Valley Power. 2018 Integrated Resource Plan. Accessed: November 8, 2020. Available at: https://www.siliconvalleypower.com/home/showdocument?id=62481.
[54] Silicon Valley Power. 2019 Power Content Label. Accessed: March 19, 2021. Available at: https://www.siliconvalleypower.com/svp-and-community/about-svp/power-content-label

SVP has a lower emission rate than the statewide California power mix because it utilizes a higher portion of renewable sources. A comparison of SVP's and the statewide power mix for the year 2019, which is the most recent year for which data is available, is shown in Table 3.8-1.

Table 3.8-1: Comparison of SVP And Statewide Power Mix

Energy Resources	2019 SVP Non-Residential Power Mix	2019 CA Power Mix (For Comparison)
Eligible Renewables (Biomass & Waste, Geothermal, Eligible Hydro, Solar, Wind)	39.3%	31.7%
Coal	0.0%	3.0%
Large Hydro	27.9%	14.6%
Natural Gas	23.1%	34.2%
Nuclear	0%	9.0%
Other	0%	0.2%
Unspecified Source of Power (Not Traceable to Specific Sources)	9.7%	7.3%
Total	100.0%	100.0%

Proposed Efficiency Measures

Overview: Power Usage Effectiveness During Operation

Power Usage Effectiveness, or PUE, is a metric used to compare the efficiency of facilities that house computer servers. PUE is defined as the ratio of total facility energy use to Information Technology (IT) (i.e., server) power draw (e.g., PUE = Total Facility Source Energy/ IT Source Energy). For example, a PUE of two (2), means that the data center or laboratory must draw two (2) watts of electricity for every one (1) watt of power consumed by the IT/server equipment. It is equal to the total energy consumption of a data center (for all fuels) divided by the energy consumption used for the IT equipment. The ideal PUE is one (1) where all power drawn by the facility goes to the IT infrastructure.

The annualized PUE for the proposed project would be 1.29, which would be considered efficient. Based on industry surveys, the average PUE for data centers is 1.67, although newly constructed data centers typically have PUEs ranging from 1.1 to 1.4.[55]

Energy and Water Use Efficiency Measures in Building Design

Due to the heat generated by the data center equipment, cooling is one of the main uses of electricity in data center operations. In order to reduce GHG emissions and reduce the use of energy related to building operations, the project proposes to implement the following efficiency measures:

- Air economization and evaporative cooling instead of mechanical cooling.
- Meet or exceed Title 24 requirements.
- Reflective roof surface.

[55] Uptime Institute. Annual Data Center Survey Results - 2019. Available at: https://datacenter.com/wp-content/uploads/2019/06/data-center-survey-2019.pdf

- Low-e Insulated glass.
- Daylight penetration to offices.
- Lighting control
- Clean air vehicle parking.
- Low flow plumbing fixtures.
- Landscaping would meet City of Santa Clara requirements for low water use.

Construction-Related Emissions

GHG emissions associated with construction were computed to be 1,828 MT of CO_2e for the total construction period. These are the emissions from on-site operation of construction equipment, vendor and hauling truck trips, and worker trips. Neither the City of Santa Clara nor BAAQMD have a threshold for construction emissions. These emissions would be temporary in nature and would be less than the indirect emissions associated with operation of the proposed uses. Construction emissions would occur during building construction, trenching and minor paving and landscape installation.

As a Best Management Practice (BMP), the project would participate in the City's Construction and Demolition Debris Recycling Program by recycling or diverting at least 50 percent of materials generated for discards by the project in order to reduce the amount of demolition and construction waste going to the landfill. The project would also use at least ten percent local building materials.

Stationary Equipment Emissions from Routine Testing of Generators

The consumption of diesel fuel to test generators would result in direct CO_2 emissions. On an annual basis, the project's total operational emissions related to emergency backup generator maintenance and testing use would be approximately 2,650 metric tons of CO_2e per year. This is well below the BAAQMD threshold for stationary sources of 10,000 metric tons per year of CO_2e for stationary sources.

Operational Emissions

SVP's carbon intensity factor was determined to be 341 pounds of CO2e per MWh in 2019, and projected to be 271 pounds of CO2e per MWh in 2021.[56] SVP's carbon intensity factor for electricity generation will continue to change as SVP's power mix continues to reduce the percentage of electricity produced by coal-fired power plants and increase the use of renewable resources. As noted above, the City and SVP have committed to be coal-free and increased large renewables power generation as a part of the City's CAP.

<u>Project Electricity Usage.</u> Data centers are an energy-intensive land use, requiring more electricity than other types of development. The primary function of the data center is to house computer servers, which require electricity and cooling 24 hours a day to operate. The projected maximum demand for the project is 60 MW. On an annual basis, the project could consume up to the maximum electrical usage of 678,024 MWh per year.

[56] Kathleen Hughes, City of Santa Clara. Personal Communication. February 6, 2019.

Project Mobile Emission Sources. Trip generation rates for the proposed project were based on Institute of Transportation Engineers' (ITE) Trip Generation Manual, Tenth Edition's trip generation rates for data centers (land use code 160) and general office buildings (land use code 710). The data center trip rate was applied to the data center and storage components, while the general office building trip rate was applied to the office component. Using these trip generation rates, the project would generate roughly 1,001 daily vehicle trips. This represents a conservative estimate based on default trip rates and does not reflect the anticipated trip generation of the project. The applicant anticipates a maximum of 90 employees/visitors to the site per day, which would generate far fewer trips than projected by the default rates. Existing vehicle trips associated with the project site are estimated to be roughly 2,780, meaning the project would result in a reduction in vehicle trips and associated emissions (refer to Section 3.17 Transportation for a discussion of existing vehicle trips associated with the site).

Building Operation. This category includes all other emissions generated by general operation of the project such as natural gas consumption, water and wastewater conveyance, and solid waste disposal.

GHG emissions generated by the project are summarized in Table 3.8-2.

Table 3.8-2: Annual Project GHG Emissions (CO_2e) in Tons/Yr

Source Category	Existing Uses in 2021	Proposed Project in 2024
Direct Emissions		
Mobile	2,536.7	580.5
Area Source	0.0084	0.016
Generator Testing	0	2,920
Subtotal	2,536.7	3,500.5
Subtotal Net Emissions	+963.8	
Indirect Emissions		
Energy Consumption (General Office/Light Industrial Uses under Title 24)[1]	1,104.9	1,612
Energy Consumption (Data Center Needs)[2]	0	73,742
Solid Waste Generation	274.3	305
Water Usage	211.8	3.2
Subtotal	1,519	75,662.2
Subtotal Net Emissions	+74,143.2	
Total Net Emissions	**+75,107**	

Notes:

[1]CalEEMod calculated the GHG emissions for the general office/light industrial use for energy consumption based on the assumptions presented for Title 24 and non-Title 24 uses.

[2]The CO_2e emissions from energy use for the servers were calculated outside of CalEEMod as follows:

1. A composite CO_2e intensity factor for SVP for 2024 was established at 280.6 lbs. CO_2e/Mw-hr.
2. The servers in the data center were estimated to require approximately 60 MW of power per hour.
3. Server center ops were conservatively estimated to be 8760 hours/yr.
4. Total MW/yr would be 525,600.
5. Total CO_2e tons/yr would be 73,742.

The emissions in Table 3.8-1 are separated into direct emissions and indirect emissions. Per the BAAQMD CEQA Guidelines, direct emissions refer to emissions produced from onsite combustion of energy, such as natural gas used in furnaces and boilers, emissions from industrial processes, and fuel combustion from mobile sources. Indirect emissions are emissions produced offsite from energy production and water conveyance due to a project's energy use and water consumption.

Although the project's indirect emissions are reported in this EIR, these emissions have already been accounted for at the emission source. For example, emissions associated with the project's electricity consumption occur at power production facilities within the SVP (and outside suppliers) system. These emissions are accounted for and reported by SVP pursuant to State GHG reporting regulations. Attributing these emissions to the proposed project is, therefore, a form of double counting. Nevertheless, to be conservative, the project's indirect emissions are included in the analysis of the project's GHG impacts.

As shown in Table 3.8-1, the primary source of GHG emissions from the project is electricity use. As described above, electricity would be provided by SVP, a utility that is on track to meet the 2030 GHG emissions reductions target established by AB 32. To reduce GHG emissions and the use of energy related to building operations, the project includes a variety of energy efficiency measures, as described above. The project would comply with all applicable City and state green building measures, including Title 24, Part 6, California Energy Code baseline standard requirements for energy efficiency, based on the 2019 Energy Efficiency Standards requirements, and the 2019 California Green Building Standards Code, commonly referred to as CALGreen (California Code of Regulations, Part 11). Because the project would receive electricity from a utility on track to meet the State's 2030 GHG emission reduction target, would include energy efficiency measures to reduce emissions to the extent feasible, and would be consistent with applicable plans and policies adopted to reduce GHG emissions, the project would not GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Less than Significant Impact)**

Impact GHG-2:	The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(Less than Significant Impact)**

Santa Clara Climate Action Plan

As described previously, the *City of Santa Clara Climate Action Plan* was adopted in December 2013. The CAP, which is part of the City's General Plan, identifies a series of GHG emissions reduction measures to be implemented by development projects that would allow the City to achieve its GHG reduction goals. The measures center around seven focus areas: coal-free and large renewables, energy efficiency, water conservation, waste reduction, off-road equipment, transportation and land use, and urban heat island effect.

The CAP includes measures applicable to City government, existing development and new development projects in Santa Clara. The project's conformance with applicable reduction measures for new development in the CAP are discussed below.

Energy Efficiency Measures

For new data center projects with an average rack power rating[57] of 15 kilowatts or more, *Measure 2.3 Data Centers* calls for completion of a feasibility study of energy efficient practices to achieve a power usage effectiveness (PUE) of 1.2 or lower. The average rack power rating would be six to eight kilowatts and, therefore, the project is not required to complete a feasibility study. As described previously, the project includes energy efficiency measures to reduce emissions to the extent feasible.

Water Conservation Measures

Measure 3.1 Water Conservation calls for a reduction in per capita water use to meet Urban Water Management targets by 2020. Development standards for water conservation would be applied to increase efficiency in indoor and outdoor water use areas. Water conservation measures include the use of:

- recycled or non-potable graywater for landscape irrigation;
- water efficient landscaping with low water usage plant material to minimize irrigation requirements; and
- ultra-low flow toilets and plumbing fixtures in the building.

Waste Reduction Measures

Measure 4.2 Increased Waste Diversion calls for an increase in solid waste diversion rate through recycling efforts, curbside food waste pickup, and construction and demolition waste programs. The project would divert construction and demolition waste during project construction to help the City reach its 80 percent waste diversion rate.

Off-Road Equipment

Measure 5.2 Alternative Construction Fuels requires construction projects to comply with BAAQMD best management practices, including alternative-fueled vehicles and equipment. The project would adopt BAAQMD best management practices, as described in *Section 4.3 Air Quality.*

Transportation and Land Use

Measure 6.1 Transportation Demand Management Program requires new development located in the City's transportation districts to implement a transportation demand program (TDM) to reduce drive-alone trips. The project site is located within Transportation District 1 – North of Caltrain. Based on Table 9: Minimum Vehicle Miles Traveled Reduction Requirements by Transportation District and Land Use Designation of the Climate Action Plan, the project is not obligated to provide a TDM program, because it is located on a site with a land use designation of Light Industrial. Nevertheless, the project will be required to implement a TDM program to reduce vehicle miles traveled (VMT) in accordance with mitigation measure MM TRN-2.1 (refer to Section 3.17.2.1).

[57] Average rack power rating is a measure of the power available for use on a rack used to store computer servers. The higher the value of kilowatts, the greater power density per rack and generally more energy use per square foot of building area in a data center.

Measure 6.3 Electric Vehicle Parking directs the City to revise parking standards for new nonresidential development to allow that a minimum of one parking space, and a recommended level of five percent of all new parking spaces, be designated for electric vehicle charging. Of the 113 parking spaces proposed by the project, 11 would be designated for clean air vehicles, representing 9.7 percent of all spaces.

Applicable General Plan Policies

In addition to the reduction measures in the Climate Action Plan, the City of Santa Clara General Plan has goals and policies to address sustainability (see Appendix 8.13: Sustainability Goals and Policies Matrix in the General Plan) aimed at reducing the City's contribution to GHG emissions. For the proposed project, implementation of policies that increase energy efficiency or reduce energy use would effectively reduce indirect GHG emissions associated with energy generation. The consistency of the proposed project with the Land Use, Air Quality, Energy, and Water Policies of the General Plan is described in Table 3.8-2.

Bay Area 2017 Clean Air Plan

The Bay Area 2017 Clean Air Plan includes performance objectives, consistent with the State's climate protection goals under AB 32, SB 375, and SB 32, designed to reduce emissions of GHG emissions to 1990 levels by 2020 and 40 percent below 1990 levels by 2030. The 2017 Clean Air Plan identifies a range of control measures that make up the Clean Air Plan's control strategy for emissions, including GHGs.

Due to the relatively high electrical demand of the data center uses on the site, energy efficiency measures have been included in the design and operation of the electrical and mechanical systems on the site. This is in keeping with the general purpose of Energy Sector Control Measures in the Clean Air Plan.

Plan One Bay Area/ California Senate Bill 375 – Redesigning Communities to Reduce Greenhouse Gases

Under the requirements of SB 375, the Metropolitan Planning Organizations (MPO) in partnership with ABAG have developed a Sustainable Community Strategy with the adopted *Plan One Bay Area* to achieve the Bay Area's regional GHG reduction target. Targets for the MTC in the San Francisco Bay Area, originally adopted in September 2010 by CARB, include a seven (7) percent reduction in GHG per capita from passenger vehicles by 2020 compared to emissions in 2005. The adopted target for 2035 is a 15 percent reduction per capita from passenger vehicles when compared to emissions in 2005. The emission reduction targets are for those associated with land use and transportation strategies only.

The project has a low concentration of employment and would not contribute to a substantial increase in passenger vehicle travel within the region.

Table 3.8-2: General Plan Sustainability Policies	
Emission Reduction Policies	**Project Consistency**
Air Quality Policies	
5.10.2-P3 Encourage implementation of technological advances that minimize public health hazards and reduce the generation of air pollutants.	The project proposes to use emergency generators with advanced air pollution controls. The generator testing schedule includes measures to reduce local air quality impacts. Water conservation and energy efficiency measures included in the project would reduce GHG emissions associated with the generation of electricity
5.10.2-P4 Encourage measures to reduce GHG emissions to reach 30 percent below 1990 levels by 2020.	
Energy Policies	
5.10.3-P1 Promote the use of renewable energy resources, conservation and recycling programs.	The project would divert at least 50 percent of construction waste. The project would utilize lighting control to reduce energy usage for new exterior lighting and air economization for building cooling. Water efficient landscaping and ultra-low flow plumbing fixtures in the building would be installed to limit water consumption.
5.10.3-P4 Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.	
5.10.3-P5 Reduce energy consumption through sustainable construction practices, materials and recycling.	
5.10.3-P6 Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.	
5.10.3-P8 Provide incentives for LEED certified, or equivalent development.	
Water Policies	
5.10.4-P7 Require installation of native and low-water consumption plant species with landscaping new development and public spaces to reduce water usage.	The project would use water efficient landscaping with low water usage plant material to minimize irrigation requirements.

Applicable State Climate Change Strategies and Policies

In 2008, the Governor of California issued Executive Order S-13-08 that specifically asked the Natural Resources Agency to identify how State agencies can respond to rising temperatures, changing precipitation patterns, sea level rise, and extreme natural events. The 2009 *California Climate Adaptation Strategy* was developed in response to the executive order. Adaptation to projected sea level rise is addressed in Section 3.10 Hydrology and Water Quality.

The CARB-approved *Climate Change Scoping Plan* outlines a comprehensive set of actions intended to reduce overall GHG emissions in California, improve the environment, reduce dependence on oil, diversify California's energy sources, save energy, create new jobs, and enhance public health. Actions associated with energy efficiency standards and renewables portfolio standards are measures that would most greatly influence GHG emissions of the project over time.

The project would be generally consistent with the Climate Change Scoping Plan, as updated, and appropriate GHG Control Measures in the Bay Area 2017 Clean Air Plan (as discussed above). As discussed above, the project would not conflict with plans, policies or regulations adopted for the purpose of reducing the emissions of GHG. Therefore, the project would not conflict with any currently adopted local plans, policies, or regulations pertaining to GHG emissions and would not generate GHG emissions that would have a significant impact on the environment. **(Less than Significant Impact)**

3.8.2.2 *Cumulative Impacts*

Impact GHG-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact. **(Less than Significant Cumulative Impact)**

As discussed in Section 3.8.2.1, GHG emissions worldwide contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single land use project could generate sufficient GHG emissions on its own to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects in Santa Clara, the entire state of California, and across the nation and around the world, contribute cumulatively to the phenomenon of global climate change and its associated environmental impacts. The above analysis of the project's GHG emissions impacts is, therefore, also an analysis of the project's contribution to cumulative GHG emissions impacts. **(Less than Significant Impact)**

3.9 HAZARDS AND HAZARDOUS MATERIALS

The discussion in this section is based in part upon a Soil Management Plan prepared for the project by Cornerstone Earth Group in June 2020. A copy of this report is included in Appendix I of this EIR.

3.9.1 Environmental Setting

3.9.1.1 *Regulatory Framework*

Overview

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. Cal/OSHA enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

Federal and State

Federal Aviation Regulations Part 77

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, $1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

- Established prohibitions and requirements concerning closed and abandoned hazardous waste sites;
- Provided for liability of persons responsible for releases of hazardous waste at these sites; and
- Established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and
- Long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life-threatening. These actions can be completed only at sites listed on the EPA's National Priorities List.

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.[58]

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is the principal federal law in the United States governing the disposal of solid waste and hazardous waste. RCRA gives the EPA the authority to control hazardous waste from the "cradle to the grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.[59]

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous

[58] United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed May 11, 2020. https://www.epa.gov/superfund/superfund-cercla-overview.
[59] United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed May 11, 2020. https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act.

substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).[60]

Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of property. Facilities that are required to participate in the CalARP program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The City of Santa Clara Fire Department reviews CalARP risk management plans as the Certified Unified Program Agency (CUPA).

Asbestos-Containing Materials

Friable asbestos is any asbestos-containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA phased out use of friable asbestos products between 1973 and 1978. National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by the Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

Regional and Local

Municipal Regional Permit Provision C.12.f

Polychlorinated biphenyls (PCBs) were produced in the United States between 1955 and 1978 and used in hundreds of industrial and commercial applications, including building and structure

[60] California Environmental Protection Agency. "Cortese List Data Resources." Accessed May 28, 2020. https://calepa.ca.gov/sitecleanup/corteselist/.

materials such as plasticizers, paints, sealants, caulk, and wood floor finishes. In 1979, the EPA banned the production and use of PCBs due to their potential harmful health effects and persistence in the environment. PCBs can still be released to the environment today during demolition of buildings that contain legacy caulks, sealants, or other PCB-containing materials.

With the adoption of the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015, Provision C.12.f requires that permittees develop an assessment methodology for applicable structures planned for demolition to ensure PCBs do not enter municipal storm drain systems.[61] Municipalities throughout the Bay Area are currently modifying demolition permit processes and implementing PCB screening protocols to comply with Provision C.12.f. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit. Single family homes and wood-frame structures are exempt from these requirements.

Norman Y. Mineta San José International Airport Comprehensive Land Use Plan

The project site is located approximately 0.65 miles west of the San José International Airport, and is located within the Airport Influence Area (AIA) defined by the Santa Clara County Airport Land Use Commission's Comprehensive Land Use Plan (CLUP) for the San José International Airport.

Federal Aviation Administration Regulations

Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways.

Santa Clara Emergency Operations Plan

In June 2016, the City of Santa Clara adopted an Emergency Operations Plan (EOP) to address the planned response of the City of Santa Clara to emergency situations associated with natural disasters and technological incidents, as well as chemical, biological, radiological, nuclear and explosive emergencies. The EOP establishes the emergency organization, assign tasks, specifies policies and general procedures, and provides for coordination of planning efforts for emergency events such as earthquake, flooding, dam failure, and hazardous materials responses.

[61] California Regional Water Quality Control Board. *San Francisco Bay Region Municipal Regional Stormwater NPDES Permit.* November 2015.

3.9.1.2 *Existing Conditions*

Historic Site Uses

The project site was developed as agricultural land since at least the early 1900s. Between 1964 and the late 1970s, the site was developed with the existing commercial structures in multiple phases for use by Memorex for the manufacture of magnetic tape. Memorex operations through 1993 included the use of up to 30 underground storage tanks (USTs), installed between 1965 and 1991. The USTs were used for the storage of predominantly cyclohexanone and methyl ethyl ketone (MEK), and lesser amounts of xylenes, isopropanol, acetone, ethylene glycol monoethyl ether (trade name: Cellosolve), diesel fuel, waste solvent and waste process water. The Memorex USTs reportedly were removed between 1983 and 1996. Several releases from the USTs and associated aboveground and underground piping have been identified as impacting soil, soil vapor and groundwater. After ceasing magnetic tape manufacturing operations in 1993, Memorex secured a permit with the City for facility closure for the production areas (exclusive of the remaining USTs).

Since approximately 1993, the three existing buildings have been divided into multiple commercial suites that have been occupied by various businesses including multiple metal processing operations (plating, polishing, anodizing and powder coating), automotive parts sales and light repair, pharmaceutical manufacturing, office and storage space, biological research/testing and machining. Some of these operations have included the use and storage of hazardous materials and generation of hazardous wastes, including solvents, acids and bases, as well as installation of two additional USTs; one UST reportedly used for the storage of waste solvent and the other UST reportedly utilized to capture fire suppression system overflow. Both USTs were reportedly closed-in-place in 2004 by filling with water and locking.

Impacted Soil

Prior studies have identified several release areas related to former Memorex operations which have left residual soil impacts on-site. Below is a brief description of site environmental soil conditions based on the readily available information reviewed.

<u>Old Tank Farm (OTF)</u>

In 1990, eight USTs were removed from the Old Tank Farm (OTF). Soil samples were collected from the sidewalls of the excavation and from the excavation bottom. These samples were analyzed for MEK, cyclohexanone, acetone, xylenes, toluene and cellosolve. The greatest concentration was reported at 1,100 milligrams per kilogram (mg/kg) for cyclohexanone.

After bioremediation efforts in the OTF area, soil sampling was performed in 1990 and 1991 to depths of up to approximately 15 feet. Organic solvent concentrations up to 976 mg/kg total COC (MEK, cyclohexanone and xylenes) were detected. In 1994, ten soil samples were collected at depths of approximately five and 10 feet. Analysis of the samples detected concentrations of total VOCs above site cleanup goals (one mg/kg) in all ten samples, and MEK was detected up to 420 mg/kg.

Former Memorex Process Area

In 1994, facility closure activities included soil sampling and laboratory analyses. Soil samples were analyzed for the site chemicals of concern (acetone, cyclohexanone, MEK and BTEX compounds). Of the 17 soil samples collected in the former process area, 13 samples contained measurable VOC concentrations, of which 10 contained concentrations above the site cleanup goal (one mg/kg). Cyclohexanone and MEK were detected up to concentrations of 3,200 and 1,700 mg/kg, respectively.

To remediate the impacts identified beneath the Process Area, soil vapor extraction (SVE) was initiated in the former mix room area in 1995. Although soil vapor sampling performed in 2015 and 2016 showed significant reductions in VOC concentrations in soil gas, it is unknown to what extent soil VOC concentrations were reduced. It is assumed that residual soil impacted with VOCs remains beneath this area.

Waste Solvent UST Piping Release Beneath 1230/1232 Memorex Drive

In 1991, Tank 7 (used to store waste solvent) and associated piping leading from the tank to the existing building (near present day 1230/1232 Memorex Drive) were removed. Soil samples were collected within the excavation and along the pipe trenching; they were analyzed for BTEX, acetone, MEK and cyclohexanone. Significant concentrations of solvents, including cyclohexanone up to 5,400 mg/kg, were detected in the pipe excavation. Final soil excavations were completed in 1992. The Water Board closed this area with known residual impacts in place above cleanup goals (one mg/kg total VOCs). Residual concentrations above cleanup goals were left in place due to inaccessible soil beneath the tape manufacturing building where below grade piping entered. The precise location of existing piping, the extent and depth of piping and residual soil impacts beneath the existing building is unknown.

New Tank Farm (NTF)

By 1990, four USTs were installed in the New Tank Farm (NTF) to store cyclohexanone and MEK. In January 1990 a release of cyclohexanone occurred from above ground piping. Soil sampling was performed to define the extent of possible impacts to soil. Impacted soil was identified in a reportedly narrow area that was previously unpaved and exposed to the release (presumably within or near the NTF area). Impacted soils were excavated to a depth of approximately 15 feet, and a sample collected from the base of the excavation detected cyclohexanone at a concentration of 30 mg/kg. The Water Board determined that additional excavation would not be necessary, and the excavation was backfilled with reportedly “clean” soil. The USTs were removed under permit in 1997.

Organochlorine Pesticides

Organochlorine pesticides were detected in seven of nine samples analyzed. Total DDT (the total amount of DDT and its breakdown products DDE and DDD), exceeded its total threshold limit concentration (TTLC), California’s hazardous waste criteria, in one sample located in the northwestern area of the site. Dieldrin was detected in one of nine samples at a concentration that was above its Tier 1 ESL (based on leaching to groundwater concern). No detected organochlorine pesticide concentrations were in exceedance of their respective construction worker or commercial direct exposure ESLs.

Soil Vapor

In 2009, the Water Board issued a letter requiring soil vapor sampling and a vapor intrusion evaluation to assess potential impacts to indoor air at the subject property. The letter presented three areas of concern to be addressed: 1) soil vapor sampling had not been performed in areas of the mix room and adjacent to trenches where elevated VOC concentrations were identified in soil samples, 2) residual impacted soil above shallow ground water remaining beneath the main building and the OTF area that may pose a risk to building occupants; 3) five of 13 soil vapor extraction wells were disconnected from the SVE system due to high concentrations of VOCs in SVE system effluent that were above levels permitted by the Bay Area Air Quality Management District (BAAQMD).

Memorex Process Area

In response to the Water Board letter (2009), the SVE system in the Process Area was reconfigured to become a dedicated sub-slab depressurization system; it was completed in 2010. At the request of the Water Board, in 2011, three sub-slab vapor samples were collected in the mix room area. Analysis detected numerous VOCs including PCE, MEK, acetone, xylenes, and toluene. Between 2011 and 2016, multiple soil vapor sampling events (from existing SVE wells and installed soil vapor probes) were performed. The greatest detected concentrations of VOCs reported for this area are below January 2019, commercial ESL screening criteria with the exception of benzene (45 micrograms per cubic meter [µg/m3]), ethylbenzene (170 µg/m3) and PCE (150 µg/m3).

Extent of Subsurface VOC Vapors

The most recent work to characterize soil vapor and sub-slab vapor conditions at the site were performed by Rosso Environmental (Rosso) in 2014 and Cornerstone Earth Group in 2019. Rosso collected 23 exterior soil vapor samples and 11 interior sub-slab vapor samples across the site. Cornerstone collected two soil vapor samples from the exterior perimeter of the former Memorex Process Area. Benzene was detected above commercial Water Board ESLs throughout the majority of the site. PCE, vinyl chloride, bromodichloromethane, ethylbenzene and xylene also were detected;

Groundwater

Based on prior investigations on the site, groundwater is typically encountered between depths of approximately 10 and 18 feet. Groundwater appears to be under confined conditions and will rise multiple feet in elevation when encountered. Historic high groundwater levels are mapped at an approximate depth of six feet. In general, fluctuations in groundwater levels occur due to many factors including seasonal fluctuation, underground drainage patterns, regional fluctuations, and other factors.

Rosso and Cornerstone collected groundwater samples at the site during their respective 2014 and 2019 subsurface investigations. In all, 20 groundwater samples were collected from across the site and analyzed. All detected compounds were below their respective screening criteria except for methyl tert-butyl ether (MTBE), which was detected above its 2019 Water Board Tier 1 ESL in one sample.

3.9.1.3 *Other Hazards*

Airports

The Norman Y. Mineta San José International Airport is located approximately 0.65 miles east of the project site. As previously mentioned, FAR Part 77 requires that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any structure exceeding 35 feet in height above grade would require submittal to the FAA for airspace safety review. As the proposed project would have a maximum height of 99 feet, notification to the FAA is required to determine the potential for the project to create an aviation hazard.

The project site is located within the Airport Influence Area (AIA) defined by the Santa Clara County Airport Land Use Commission's Comprehensive Land Use Plan (CLUP) for the Airport. Development within the AIA can be subject to hazards from aircraft and also pose hazards to aircraft travelling to and from the airport. The AIA is a composite of areas surrounding the airport that are affected by noise, height and safety considerations. These hazards are addressed in Federal and State regulations as well as in land use regulations and policies in the CLUP. The most recent CLUP for the Airport was adopted in 2011 and updated in 2016. The project is also in the Traffic Pattern Zone (TPZ), which requires ten percent of the gross area located within one-half mile of the Airport to be open space, and also does not allow land uses with very high concentrations of people.[62]

Wildfire Hazards

The project site is located in an urbanized area of Santa Clara. According to the California Department of Forestry and Fire Protection (CAL FIRE), the project site is not located within a moderate, high, or very high fire hazard severity zone.[63]

3.9.1.4 *Impact Discussion*

For the purpose of determining the significance of the project's impact on hazards and hazardous materials, would the project:

1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

[62] Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan.* Figure 6. Amended November 16, 2016.
[63] CAL FIRE. "Draft Fire Hazard Severity Zones." Accessed October 29, 2019. http://frap.fire.ca.gov/webdata/maps/statewide/fhszl06_1_map.jpg.

4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?
6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

3.9.1.5 *Project Impacts*

Impact HAZ-1:	The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **(Less than Significant Impact)**

Some oils and lubricants could be stored on-site for maintenance of mechanical equipment in the equipment yards. Additionally, operation of the proposed project would include the use and storage of diesel fuel for testing and maintenance of the backup generators. Each backup generator would be a fully independent package system with dedicated and integrated fuel tanks located on a skid below the bottom level generator. The top-level generators would each have a day tank capable of storing 600 gallons, which would be fed from the 16,000-gallon lower level belly fuel tank.

Each generator unit and its integrated fuel tanks would be designed with double walls. The interstitial space between the walls of each tank would be continuously monitored electronically for the existence of liquids. This monitoring system would be electronically linked to an alarm system in the security office that would alert personnel if a leak is detected. Additionally, the standby generator units would be housed within a self-sheltering enclosure that prevents the intrusion of storm water.

To prevent potential spills during refueling, a spill catch basin is located at each fill port for the generators. To prevent a release from entering the storm drain system, drains would be blocked off by the truck driver and/or facility staff during fueling events. Rubber pads or similar devices would be kept in the generator yard to allow quick blockage of the storm sewer drains during fueling events. To further minimize the potential for diesel fuel to end up in stormwater, to the extent feasible, fueling operations would be scheduled at times when storm events are improbable.

Hazardous materials storage at the proposed data center would be regulated under local, state and federal regulations. For example, the project would be subject to the Aboveground Petroleum Storage Act (APSA) due to the volume of fuel that would be stored in aboveground tanks. Tank facilities under APSA must comply with all APSA requirements and prepare and implement a Spill Prevention, Control, and Countermeasure Plan. The spill prevention measures described above would be incorporated into the Plan. Additionally, a Hazardous Materials Business Plan would be completed for the safe storage and use of chemicals and would incorporate all relevant regulations.

Conformance with relevant laws and regulations would minimize the likelihood of hazardous material releases from the proposed fuel storage tanks and the use or storage of diesel fuel, oils and lubricants by the project would not create a significant impact on the environment. **(Less Than Significant Impact)**

Impact HAZ-2:	As mitigated, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **(Less than Significant Impact with Mitigation Incorporated)**

Project Operation

As described in the discussion under Impact HAZ-1, the proposed project would include the use and storage of diesel fuel for testing and maintenance of the backup generators. A Hazardous Materials Business Plan would be completed for the safe storage and use of chemicals. Conformance with relevant laws and regulations would minimize the likelihood of hazardous material releases from the proposed fuel storage tanks and the use or storage of diesel fuel, oils and lubricants by the project would not create a significant impact on the environment. **(Less than Significant Impact)**

Soil and Groundwater Contamination Impacts during Construction

As described in Section 3.9.1.2, the project site contains contaminated soil, groundwater, and soil vapor from previous on-site uses. Construction workers could be exposed to contaminated soil and/or groundwater during excavation, grading, and construction activities. Future users of the site could be exposed to hazardous soil vapor. Additionally, although construction activities associated with the potential underground transmission line would occur in the street right-of-way in previously disturbed soils, it is possible that unknown contaminated soils would be encountered.

A Soil Management Plan (SMP) was prepared for the site in June 2020 (see Appendix I). The SMP establishes management practices for handling impacted groundwater and/or soil material that may be encountered during site development and soil-disturbing activities. Components of the SMP include: a detailed discussion of the site background; a summary of the analytical results from soil and groundwater sampling; protocols for preparation of a Health and Safety Plans; protocols for conducting earthwork activities in areas where impacted soil and/or groundwater are present or suspected; worker training requirements, health and safety measures and soil handing procedures; on-site soil reuse guidelines; sampling and laboratory analyses of excess soil requiring disposal at an appropriate off-site waste disposal facility; soil stockpiling protocols; protocols to manage groundwater that may be encountered during trenching and/or subsurface excavation activities; protocols for air monitoring during construction activities; and mitigation of soil vapor emissions. The Regional Water Quality Control Board (RWQCB) provides regulatory oversight for remediation of contamination on the site. The RWQCB reviewed and approved the SMP in its capacity as the regulatory agency. Implementation of the approved SMP would reduce impacts associated with on-site contamination to less than significant levels (refer to MM HAZ-2.1, below).

Additionally, implementation mitigation measure MM HAZ-2.2 would reduce impacts associated with potential off-site contaminated soils to a less than significant level.

Mitigation Measures:

MM HAZ-2.1: For on-site construction activities, the project shall implement the approved Soil Management Plan prepared for the site under the oversight of the Regional Water Quality Control Board.

MM HAZ-2.2: For off-site construction activities associated with the underground transmission line, a qualified environmental specialist shall collect shallow soil samples within the areas of proposed construction activities and have the samples analyzed to determine if contaminated soil is present with concentrations above established construction/trench worker and residential thresholds. Once the soil sampling analysis is complete, a report of the findings will be provided to the Director of Community Development for review. The report shall indicate whether any off-site contaminated soils found during sampling are related to the known on-site contamination, or whether they are from a different off-site contamination source.

If contaminated soils are found in concentrations above established regulatory environmental screening levels, and are determined to be related to the known on-site contamination, the project shall incorporate the off-site contamination into the approved Soil Management Plan for the site. If the off-site contamination is determined to be unrelated to the known on-site contamination, the applicant shall enter into the Santa Clara County Department of Environmental Health's (SCCDEH) Voluntary Cleanup Program (VCP) to formalize regulatory oversight for remediation of contaminated soil to ensure the off-site location is safe for construction workers and the public after development. The project applicant must remove contaminated soil in order to achieve detection levels acceptable to the SCCDEH. With approval of the SCCDEH, some of the contaminated soil may be allowed to be left in-place buried under hardscape and/or several feet of clean soil.

The project applicant shall prepare and implement a Removal Action Plan, Soil Mitigation Plan or other similar report describing the remediation process and to document the removal and/or capping of contaminated soil. All work and reports produced shall be performed under the regulatory oversight and approval of the SCCDEH. **(Less than Significant Impact with Mitigation Incorporated)**

Asbestos and Lead Based Paint Impacts

Due to the age of the existing building on site (pre-1980 construction), asbestos-containing materials (ACMs) and lead-based paint may be present.

Demolition of the existing building on the project site could expose construction workers or residents in the vicinity of the project site to harmful levels of ACMs or lead. The project is required to

conform to the following regulatory programs and to implement the following measures to reduce impacts to the presence of ACMs and/or lead-based paint:

- In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site buildings to determine the presence of asbestos-containing materials and/or lead-based paint.
- Prior to demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations (CCR) 1523.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings would be disposed of at landfills that meet acceptance criteria for the waste being disposed.
- All potentially friable ACMs shall be removed in accordance with NESGAP guidelines prior to any building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards contained in Title 8 of CCR, Section 1529, to protect workers from exposure to asbestos.
- A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.
- Materials containing more than one percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with BAAQMD requirements.

Conformance with aforementioned regulatory requirements will result in a less than significant impact from ACMs and lead. **(Less than Significant Impact)**

Impact HAZ-3:	The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **(Less than Significant Impact)**

The nearest school to the project site is Scott Lane Elementary School (1925 Scott Boulevard), approximately 0.2 miles southwest of the site[64]. The project site is, therefore, within one-quarter mile of an existing school. As described in Section 3.3 Air Quality, the project would not generate significant levels of hazardous air emissions. Although hazardous materials may be encountered during construction activities, potential exposure would be limited to the project site, and mitigation measures would be implemented to reduce impacts to nearby receptors (including schools and residences) to less than significant levels (see MM HAZ-2.1). The project would not handle acutely hazardous materials or hazardous waste during project operation. For these reasons, the project would not impact schools within the project area. **(Less Than Significant Impact)**

[64] The school is located .35 miles southwest in a straight line (as the crow flies), or 1.5 miles via car (as referenced in Section 3.16).

Impact HAZ-4:	The project would is located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, as mitigated, the project would not create a significant hazard to the public or the environment. **(Less than Significant Impact with Mitigation Incorporated)**

Due to the known contamination on the site, the site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Implementation of identified mitigation measures (see MM HAZ-2.1) would ensure that the project would not create a significant hazard to the public or the environment. **(Less than Significant Impact with Mitigation Incorporated)**

Impact HAZ-5:	The project would be located within an airport land use plan. Nevertheless, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(Less than Significant Impact)**

The proposed project site is located approximately 0.65 miles northwest of the San José Norman Y. Mineta International Airport. Aircraft noise levels at the project site are discussed in Section 3.13 Noise and Vibration of this EIR.

As described previously, the project site is located within an Airport Safety Zone: the Traffic Pattern Zone (TPZ). The TPZ does not limit population density, but does require that at least 10 percent of the gross area be devoted to open space. More than 10 percent of the site would be free of buildings and other obstructions. Therefore, the project would comply with TPZ requirements.

As described previously, FAR Part 77 requires that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any structure exceeding 45 feet in height above grade would require submittal to the FAA for airspace safety review. The proposed building would be approximately 99 feet in height. As a result, notification to the FAA is required to determine the potential for the project to create an aviation hazard. FAA issuance of "determination of no hazard" clearances, and subsequent applicant compliance with any conditions set forth in such FAA determinations, would ensure that the project does not have an adverse impact on airspace safety. The proposed project, therefore, would be compatible with applicable CLUP policies and the Airport Influence Area for building height.

The project site is not located in the vicinity of a private airstrip. **(Less Than Significant Impact)**

Impact HAZ-6:	The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(No Impact)**

In June 2016, the City adopted an Emergency Response Plan, which addresses the planned response of the City of Santa Clara to emergency situations associated with natural disasters, technological incidents, and chemical, biological, radiological, nuclear and explosive emergencies. The project

would include development of a data center facility on a site designated for light industrial uses and would comply with relevant building and fire codes. The proposed project would not, therefore, impair or interfere with the implementation of an adopted emergency response plan or emergency evacuation plan. **(No Impact)**

Impact HAZ-7:	The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. **(No Impact)**

The project site is located in an urbanized area of Santa Clara. According to the California Department of Forestry and Fire Protection (CAL FIRE), the project site is not located within a moderate, high, or very high fire hazard severity zone.[65] **(No Impact)**

3.9.1.6 *Cumulative Impacts*

Impact HAZ-C:	As mitigated, the project would not result in a cumulatively considerable contribution to a cumulatively significant hazards and hazardous materials impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

The geographic area for cumulative hazards and hazardous materials impacts is the project site and immediate vicinity.

As described in the discussion under Impact HAZ-1, the proposed project would include the use and storage of diesel fuel for testing and maintenance of the backup generators. A Hazardous Materials Business Plan would be completed for the safe storage and use of chemicals. Conformance with relevant laws and regulations would minimize the likelihood of hazardous material releases from the proposed fuel storage tanks and the use or storage of diesel fuel, oils and lubricants by the project would not result in or substantially contribute to a significant cumulative impact related to the use and storage of hazardous materials.

Because the project would implement mitigation measures to remediate existing soil and groundwater contamination on the site (see MM HAZ-2.1), thereby reducing contamination in the project area, the project would not result in or substantially contribute to a cumulative impact related to soil and groundwater contamination.

As described in Section 3.3 Air Quality, the project would not result in or substantially contribute to a cumulative impact related to hazardous air emissions. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

[65] CAL FIRE. "Draft Fire Hazard Severity Zones." Accessed October 29, 2019. http://frap.fire.ca.gov/webdata/maps/statewide/fhszl06_1_map.jpg.

3.10 HYDROLOGY AND WATER QUALITY

3.10.1 Environmental Setting

3.10.1.1 *Regulatory Framework*

Federal and State

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality in California. Regulations set forth by the EPA and the SWRCB have been developed to fulfill the requirements of this legislation. EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the Regional Water Quality Control Boards (RWQCBs). The project site is within the jurisdiction of the San Francisco Bay RWQCB.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

Statewide Construction General Permit

The State Water Resources Control Board (SWRCB) has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) must be filed with the RWQCB by the project sponsor, and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional and Local

San Francisco Bay Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff

discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in 2015 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.[66] Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g. rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if they do not meet the minimized size threshold, drain into tidally influenced areas or directly into the Bay, or drain into hardened channels, or if they are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious.

Municipal Regional Permit Provision C.12.f

Provision C.12.f of the MRP requires co-permittee agencies to implement a control program for PCBs that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs wasteload allocation in the Basin Plan by March 2030.[67] Programs must include focused implementation of PCB control measures, such as source control, treatment control, and pollution prevention strategies. Municipalities throughout the Bay Area are updating their demolition permit processes to incorporate the management of PCBs in demolition building materials to ensure PCBs are not discharged to storm drains during demolition.

Water Resources Protection Ordinance and District Well Ordinance

Valley Water operates as the flood control agency for Santa Clara County. Their stewardship also includes creek restoration, pollution prevention efforts, and groundwater recharge. Permits for well construction and destruction work, most exploratory boring for groundwater exploration, and projects within Valley Water property or easements are required under Valley Water's Water Resources Protection Ordinance and District Well Ordinance.

[66] MRP Number CAS612008
[67] San Francisco Bay Regional Water Quality Control Board. *Municipal Regional Stormwater Permit, Provision C.12.* November 19, 2015.

Dam Safety

Since August 14, 1929, the State of California has regulated dams to prevent failure, safeguard life, and protect property. The California Water Code entrusts dam safety regulatory power to California Department of Water Resources, Division of Safety of Dams (DSOD). The DSOD provide oversight to the design, construction, and maintenance of over 1,200 jurisdictional sized dams in California.[68]

As part of its comprehensive dam safety program, Valley Water routinely monitors and studies the condition of each of its 10 dams. Valley Water also has its own Emergency Operations Center and a response team that inspects dams after significant earthquakes. These regulatory inspection programs reduce the potential for dam failure.

Construction Dewatering Waste Discharge Requirements

Each of the RWQCBs regulate construction dewatering discharges to storm drains or surface waters within its Region under the NPDES program and Waste Discharge Requirements.

3.10.1.2 *Existing Conditions*

Flooding

The site is not located within a 100-year flood (one percent annual flood) hazard zone. According to the FEMA's Flood Insurance Rate Map, the project site is located within Zone X.[69] Zone X is defined as "areas of the 0.2 percent annual chance flood; area of one percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from one percent annual chance flood." The existing elevation is approximately 50 to 55 feet above mean sea level (msl).

A portion of Shulman Avenue over which the proposed transmission line would traverse is located in Zone AH, which is defined as having 100-year flood depths of one to three feet.

Inundation Hazards

The proposed project site is located approximately 1.25 miles west of the Guadalupe River and approximately 0.75 miles east of the San Tomas Aquino Creek. The project is within the San Tomas Aquino Creek Watershed. The project site is within the Lexington Dam failure inundation area under the "fair weather" scenario, which assumes that dam failure occurs during non-storm conditions with a normal full pool elevation in the reservoir and normal flow conditions downstream of the dam.[70]

In the ocean, seismically-induced waves are caused by displacement of the sea floor by a submarine earthquake and are called tsunamis. Seiches are waves produced in a confined body of water such as

[68] California Department of Water Resources, Division of Safety of Dams. https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams#:~:text=Since%20August%2014%2C%201929%2C%20the,Safety%20of%20Dams%20(DSOD). Accessed June 9, 2020.
[69] Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel No. 06085C0227H, November 18, 2019.
[70] Santa Clara Valley Water District. Lenihan (Lexington) Dam Flood Inundation Maps. 2016.

a lake or reservoir by earthquake ground shaking or landsliding. Seiches are possible at reservoir, lake or pond sites. The project area is not subject to inundation from a seiche, tsunami, or mudflow.[71]

Storm Drainage

The City of Santa Clara owns and maintains the municipal storm drainage system in the project vicinity. Stormwater on site currently drains to an on-site catch basin or drains as sheet flow towards the storm drainage system on Memorex Drive. The runoff eventually empties into the Guadalupe River and flows into the San Francisco Bay.

Groundwater

The project site is located within the Santa Clara Valley groundwater basin and the Santa Clara sub-basin.[72] [73] The site is within the Santa Clara Plain Confined Area and is not within an area used for in-stream or other groundwater recharge.[74] Depth to groundwater beneath the project site is typically encountered at 13-18 feet below ground surface (bgs), and flows in a northeasterly direction.[75] The depth to groundwater can vary due to factors such as variations in rainfall, temperature, runoff, irrigation, and groundwater withdrawal and/or recharge. The regional topographic gradient is generally north northeast towards the bay.

3.10.2 Impact Discussion

For the purpose of determining the significance of the project's impact on hydrology and water quality, would the project:

1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    - result in substantial erosion or siltation on- or off-site;
    - substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
    - create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

[71] Association of Bay Area Governments, San Francisco Bay Area Hazards, November 14, 2019.
[72] California Department of Water Resources. *A Comprehensive Groundwater Protection Evaluation for the South San Francisco Bay Basins.* May 2003. Figure 9.
[73] Santa Clara Valley Water District. Groundwater Management Plan. 2016.
[74] Santa Clara Valley Water District. Groundwater Management Plan. 2016.
[75] Cornerstone Earth Group. *Phase 2 Environmental Site Assessment – 1220-1320 Memorex Drive.* September 25, 2019.

- impede or redirect flood flows?

4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

3.10.2.1 *Project Impacts*

Impact HYD-1:	The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. **(Less than Significant Impact)**

The project would create or replace more than 10,000 square feet of impervious surface area and, therefore, is classified as a Regulated Project under the MRP's Provision C.3, meaning it is subject to the LID source control, site design and stormwater treatment control requirements of Provision C.3. The project would include stormwater quality best management practices (BMPs) such as directing site runoff into bioswales. In addition, the use of beneficial landscaping (i.e., minimizing irrigation, pesticides and fertilizer application) would be implemented. These measures are consistent with the site design, treatment control and source control requirements of Provision C.3.

Construction Impacts

Implementation of the project would disturb approximately 9.18 acres. Therefore, requirements under the City's MRP would apply to the project. Construction activities could generate dust, sediment, litter, oil, and other pollutants that could temporarily contaminate water runoff from the site. The City of Santa Clara has developed Standard Permit Conditions based on the RWQCB BMPs to reduce construction-related water quality impacts.

<u>Standard Permit Condition</u>

The project will incorporate the following measures into the project to reduce construction-related water quality impacts:

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities shall be suspended during periods of high winds.
- All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust, as necessary.
- Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.
- All trucks hauling soil, sand, and other loose materials shall be required to cover all trucks or maintain at least two feet of freeboard.

- All paved access roads, parking areas, and staging areas adjacent to the construction sites shall be swept daily (with water sweepers).
- Vegetation in disturbed areas shall be replanted as quickly as possible.
- All unpaved entrances to the site shall be filled with rock to knock mud from truck tires prior to entering City streets. A tire wash system may also be employed at the request of the City.

The project would include the above measures to avoid or reduce construction-related water quality impacts to less than significant level.

Impervious and Pervious Surfaces

The project drainage infrastructure would include overland stormwater management basins and would connect to the existing City of Santa Clara storm drain system. Bioretention areas would be installed in on-site landscape areas as part of the project, which would help to detain stormwater runoff and infiltrate water into the soil. Additional C.3/post-construction measures, such as directing runoff to vegetated swales, would be implemented. On-site drainage facilities would be designed to meet City of Santa Clara standards and would drain to the existing storm drain system.

The current site includes 95 percent impervious cover (roof top and pavements) and five percent pervious cover (gravels, weeds). The project would become approximately 80 percent impervious cover (building, paving) and 20 percent pervious cover (manicured landscape), as shown in Table 4.10-1.

Table 4.10-1: Pervious/Impervious Surfaces

	Impervious (sf)	Pervious (sf)	Total Area (sf)	Percent Impervious
Existing	381,353	18,686	400,039	95
Proposed	319,843	80,196	400,039	80

Because the project would increase the amount of pervious surface area on the site, the project could potentially reduce the overall amount of runoff that leaves the site and enters the existing storm drain system. The project would, therefore, not contribute runoff water that would exceed the capacity of the existing City of Santa Clara stormwater drainage systems. **(Less than Significant Impact)**

Impact HYD-2:	The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **(Less than Significant Impact)**

The project does not propose to pump groundwater or install groundwater extraction wells. In addition, as discussed in Section 3.10.1.2, the project site is not within an area used for groundwater recharge. For these reasons, the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. **(Less than Significant Impact)**

Impact HYD-3:	The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. **(Less than Significant Impact)**

The project would not alter the course of a stream, river, or other waterway. As discussed under Impact HYD-1, the project would result in a decrease in surface runoff from the site compared to existing conditions due to an increase in pervious surface area. As a result, no off-site flooding would occur. In addition, as discussed under Impact HYD-1, the project would implement best management practices to reduce stormwater runoff water quality impacts to a less than significant level.

The project site is outside of the 100-year flood hazard zone, and therefore, would not impede or redirect flood flows. A portion of Shulman Avenue over which the transmission line would traverse is located in FEMA Flood Zone AH, which is defined as having 100-year flood depths of one to three feet. The poles for the proposed transmission line are very small relative to the width of the floodplain and would not pose a substantial obstruction to flood flows such that flood flows would be impeded or redirected in any substantial way **(Less than Significant Impact)**

Impact HYD-4:	The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(Less than Significant Impact)**

Flooding, Tsunami and Seiche

As described previously, the project site is outside of the 100-year flood hazard zone, and therefore, would not expose people or structures to 100-year flood hazards. Additionally, as discussed in Section 4.10.1.2, the project area is not subject to inundation from a seiche, tsunami, or mudflow.

Although a portion of Shulman Avenue over which the transmission line would traverse is located in FEMA Flood Zone AH, the installation of poles for the new transmission line would not risk release of pollutants.

Dam Inundation Hazards

The project area is within the dam failure inundation area for Lexington Reservoir (Lenihan Dam)[76]. Lexington Reservoir is maintained by the Santa Clara Valley Water District (SCVWD) and the dam is continuously monitored for seepage and settling and inspected when an earthquake occurs. Due to the inspection and monitoring program, the distance from the site, and the nature of the on-site uses,

[76] Santa Clara Valley Water District. *Lenihan (Lexington) Dam 2016 Flood Inundation Maps*. 2016. Accessed: November 18, 2019. https://www.valleywater.org/sites/default/files/Lexington%20Dam%20Inundation%20Map%202016.pdf

proposed site improvements are not anticipated to result in a new substantial hazard from dam failure. While inundation resulting from dam failure could result in damage to structures, the probability of such a failure is extremely remote. The project, therefore, would not be subject to a significant risk of inundation from dam failure. **(Less than Significant Impact)**

Impact HYD-5:	The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(Less than Significant Impact)**

As discussed under Impacts HYD-1 and HYD-2, the project would comply with applicable water quality control regulations and would not substantially decrease groundwater supplies or interfere with groundwater recharge. **(Less than Significant Impact)**

3.10.2.2 *Cumulative Impacts*

Impact HYD-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant hydrology and water quality impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative hydrology and water quality impacts is the San Tomas Aquino Creek watershed. With the implementation of best management practices to reduce impacts to water quality discussed and applicable regulations discussed in Section 3.10.1, development projects that could impact this watershed (including the proposed project) are required to undertake steps to avoid, minimize, and/or mitigate flooding and water quality impacts. For these reasons, the cumulative projects in compliance with applicable regulations would not result in significant cumulative hydrology or water quality impacts. **(Less than Significant Cumulative Impact)**

3.11 LAND USE AND PLANNING

3.11.1 Environmental Setting

3.11.1.1 *Regulatory Framework*

City of Santa Clara

General Plan Land Use Designation

The Land Use Diagram of the *2010-2035 General Plan* contains three phases: Phase 1: 2010-2015, Phase II: 2015-2023, and Phase III: 2023-2035. The project site is designated as *Light Industrial* and would retain its designation for Phases I, II and III. The *Light Industrial* classification allows for a range of light industrial uses, including general service, warehousing, storage, distribution, and manufacturing. It includes flexible space, such as buildings that allow combinations of single and multiple users, warehouses, data centers and ancillary office uses (permitted to a maximum of 20 percent of the building area). Because uses in this designation may be noxious or include hazardous materials, places of assembly, such as religious institutions and schools, and uses catering to sensitive receptors, such as children and the elderly, as well as entertainment uses such as clubs, theaters and sports venues south of U.S. Highway 101, are prohibited. The maximum floor area ratio (FAR) allowed under this designation is 0.6.

Zoning District

The project site is zoned *ML - Light Industrial*. The *ML – Light Industrial* zoning district (Chapter 18.48 of the City Code) is intended for (but not limited to) commercial storage and wholesale distribution warehouses, plants and facilities for the manufacturing, processing, and repair of equipment and merchandise, and retail sales of industrial products, and uses of a similar nature. Retail commercial and services uses, kennels, and lumber yards (and other similar uses) may also be allowed as a conditional; use with City approval of a Use Permit. The maximum permitted building height within this zone is 70 feet and the maximum building coverage is 75 percent.

Norman Y. Mineta San José International Airport

The proposed project site is approximately 0.65 miles west of the Norman Y. Mineta San José International Airport (Airport) and is located within the Airport Influence Area (AIA) defined by the Santa Clara County Airport Land Use Commission's Comprehensive Land Use Plan (CLUP) for the Airport. Development within the AIA can be subject to hazards from aircraft and also pose hazards to aircraft travelling to and from the airport. The AIA is a composite of areas surrounding the airport that are affected by noise, height and safety considerations. These hazards are addressed in Federal and State regulations as well as in land use regulations and policies in the CLUP. The most recent CLUP for the Airport was adopted in 2011 and updated in 2016.

The project is also in the Traffic Pattern Zone (TPZ), which requires ten percent of the gross area located within one-half mile of the airport to be open space, and also does not allow with very high concentrations of people.[77] Additionally, FAA Part 77 would require any proposed structure on the

[77] Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan.* Figure 6. Amended November 16, 2016.

site higher than approximately 35 feet above ground to be submitted to the FAA for airspace safety review.[78] As the project proposes a maximum building height of 99 feet, review by the FAA is required, including the proposed off-site transmission line poles.

3.11.1.2 *Surrounding Land Uses*

A one-story office machine shop, and one and two-story industrial facilities are located directly east of the project site. Two, one-story commercial/industrial buildings and a one-story industrial building are located to the west of the project site. The Union Pacific Railroad (UPRR) tracks are located south of the project site, beyond which are one- and two-story single-family residences. One-story, industrial and commercial buildings are located north of the project site. The project area consists primarily of industrial land uses. Buildings in the area are similar in height and scale to the existing building on the project site. The Norman Y. Mineta San José International Airport is located approximately 0.65 miles east of the site. Views of the surrounding land uses can be seen in Photos Five and Six (See Section 3.1).

3.11.2 Impact Discussion

For the purpose of determining the significance of the project's impact on land use and planning, would the project:

1) Physically divide an established community?
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

3.11.2.1 *Project Impacts*

Impact LU-1:	The project would not physically divide an established community. **(No Impact)**

The project site is located in an industrial area surrounded by industrial development and commercial uses. It would not include any physical features that would physically divide the community (e.g., blocking of roadways or sidewalks) and would not interfere with the movement of residents through a neighborhood. For these reasons, construction of the proposed project would not divide an established community. **(No Impact)**

[78] Norman Y. Mineta San José International Airport. "Notice Requirement Criteria for Filing FAA Form 7460-1". September 2013.

Impact LU-2:	The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

Santa Clara General Plan

The project site is designated *Light Industrial* and would retain its designation. The *Light Industrial* classification allows data for warehousing and distribution, as well as data centers and supporting backup generation facilities. Therefore, the proposed project is consistent with the uses contemplated in the General Plan for the Light Industrial land use designation on the site. The proposed FAR of the project 1.4, is inconsistent with the maximum FAR of 0.6 specified in the General Plan for the Light Industrial land use classification. While the project is not strictly consistent with this component of the General Plan's land use classification, the maximum FAR described in the General Plan is not a policy adopted for the purpose of avoiding or mitigating an environmental effect. The City maintains the discretion to allow an increased FAR for qualifying projects where findings can be made that the project is otherwise consistent with the General Plan. As described in this section and throughout the EIR, the project is consistent with the policies in the General Plan. Therefore, the proposed project is consistent with the General Plan land use designation on the site.

The project area consists primarily of industrial land uses, including other data centers. The nearest sensitive receptors to the proposed project site are existing residences along Main Street, about 140 feet southwest of the southern project boundary. The residences are separated from the site by the UPRR tracks. The Airport is located approximately 0.65 miles east of the site. Aircraft, along with truck and other vehicle traffic, are readily apparent in the area. Noise and lighting levels associated with the proposed project are not anticipated to adversely affect adjacent properties. The proposed project, therefore, would not introduce a land use to the site that would create a land use compatibility conflict in the project area.

City Code

As stated above, the project site is zoned *ML - Light Industrial*. The City has routinely approved of data centers and supporting backup generation facilities as a use consistent with the *ML* zoning designation. The maximum permitted building height within this zone is 70 feet. The City allows up to a 25 percent increase in permitted building heights with a minor modification to the zoning requirements. The data center building would be approximately 85 feet in height, with additional screening and decorative features extending to a height of 99 feet. With approval of a minor modification, the proposed building height of 85 feet would be consistent with the zoning on the site. Per Section 18.64.010(a), the proposed parapets are not subject to the height restrictions. Additionally, noise generated by the project operation would comply with the City Code noise limits for adjacent land uses (refer to Section 3.13 Noise). The proposed project, therefore, would not conflict with the City's General Plan or Zoning Ordinance.

Consistency with the San José International Airport Comprehensive Land Use Plan

The project site is located within the AIA of the San José International Airport and within the Traffic Pattern Zone that extends to the northwest from the end of the airport runways. Potential conflicts

related to the building height or aircraft noise are discussed in Section 3.9 and Section 3.13, respectively. Additionally, the CLUP requires that an Avigation Easement setting forth acceptance of elevation restrictions and associated aircraft overflight impacts be granted to the Airport operator (City of San Jose) prior to approval of construction. The project would not conflict with the CLUP.

The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

3.11.2.2 *Cumulative Impacts*

Impact LU-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant land use and planning impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative land use impacts is the City of Santa Clara. Construction of the cumulative projects within the City would consist of redevelopment of currently (or previously) developed sites. Development on a number of these sites would result in a change of uses and/or an intensification of development.

The compatibility of new development with adjacent land uses, and the general character of surrounding areas are considered as a part of the City of Santa Clara's architectural and environmental review processes.

All Santa Clara projects listed in Table 3.0-1 and the proposed project are subject to conformance with applicable land use plans (including the General Plan) for the purposes of avoiding or mitigating environmental effects. In addition, the setback, design, and operational requirements of the City Code minimize land use compatibility issues. The cumulative projects, in conformance with the applicable General Plan goals and policies, would not result in significant cumulative land use compatibility impacts or conflict with a policies or regulation adopted for the purpose of avoiding or mitigating an environmental impact. For these reasons, the cumulative projects, combined with the proposed project, would not result in significant cumulative land use impacts. **(Less Than Significant Cumulative Impact)**

3.12 MINERAL RESOURCES

3.12.1 Environmental Setting

3.12.1.1 *Regulatory Framework*

State

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act (SMARA) was enacted by the California legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State.

3.12.1.2 *Existing Conditions*

The City of Santa Clara is located in an area zoned MRZ-1 for aggregate materials by the State of California. MRZ-1 zones are areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence. The area is not known to support significant mineral resources of any type. No mineral resources are currently being extracted in the City. The State Office of Mine Reclamation's list of mines (AB 3098 list) regulated under the Surface Mining and Reclamation Act does not include any mines within the City.

3.12.2 Impact Discussion

For the purpose of determining the significance of the project's impact on mineral resources, would the project:

1) Result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state?
2) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

3.12.2.1 *Project Impacts*

Impact MIN-1:	The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. **(No Impact)**

The project site does not contain any known or designated mineral resources. The project, therefore, would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. **(No Impact)**

Impact MIN-2:	The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. **(No Impact)**

The project site is not delineated in the General Plan or other land use plan as a locally important mineral resource recovery site. For this reason, the project would not result in the loss of availability of locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. **(No Impact)**

3.12.2.2 *Cumulative Impacts*

Impact MIN-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant mineral resources impact. **(No Cumulative Impact)**

As mentioned in Section 3.12.2.1, no mineral resources have been identified within the City. Since the project would not result in impacts to mineral resources, the project has no potential to combine with other projects to result in cumulative impacts to these resources. **(No Cumulative Impact)**

3.13 NOISE

The discussion in this section is based in part upon a Noise and Vibration Assessment and a supplemental Noise Assessment of Changes to Generators Memo prepared for the project by Illingworth & Rodkin, Inc. in November 2020 and March 2021, respectively. Copies of these reports are included in Appendix J of this EIR.

3.13.1 Environmental Setting

3.13.1.1 *Background Information*

Noise

Factors that influence sound as it is perceived by the human ear, include the actual level of sound, period of exposure, frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including L_{eq}, DNL, or CNEL.[79] These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. PPV has been routinely used to measure and assess ground-borne construction vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 inches/second (in/sec) PPV.

[79] L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq}.

3.13.1.2 *Regulatory Framework*

State and Local

California Green Building Standards Code

For commercial uses, CalGreen (Section 5.507.4.1 and 5.507.4.2) requires that wall and roof-ceiling assemblies exposed to the adjacent roadways have a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when the commercial property falls within the 65 dBA L_{dn} or greater noise contour for a freeway or expressway, railroad, or industrial or stationary noise source. The state requires interior noise levels to be maintained at 50 dBA $L_{eq(1\text{-}hr)}$ or less during hours of operation at a proposed commercial use.

Santa Clara General Plan

The City of Santa Clara General Plan identifies noise and land use compatibility standards for various land uses (General Plan Table 5.10-2). The noise standard is 70 dBA Community Noise Equivalent Level (CNEL) for uses with an industrial land use designation and 55 dBA CNEL for uses with a residential land use designation. The following policies are applicable to the project:

Policies	Description
5.10.6-P1	Review all land use and development proposals for consistency with the General Plan compatibility standards and acceptable noise exposure levels defined on Table 5.10-1.
5.10.6-P2	Incorporate noise attenuation measures for all projects that have noise exposure levels greater than General Plan "normally acceptable" levels, as defined on Table 5.10-1.
5.10.6-P3	New development should include noise control techniques to reduce noise to acceptable levels, including site layout (setbacks, separation and shielding), building treatments (mechanical ventilation system, sound-rated windows, solid core doors and baffling) and structural measures (earthen berms and sound walls)
5.10.6-P4	Encourage the control of noise at the source through site design, building design, landscaping, hours of operation and other techniques.
5.10.6-P5	Require noise-generating uses near residential neighborhoods to include solid walls and heavy landscaping along common property lines, and to place compressors and mechanical equipment in sound-proof enclosures.
5.10.6-P6	Discourage noise sensitive uses, such as residences, hospitals, schools, libraries and rest homes, from areas with high noise levels, and discourage high noise generating uses from areas adjacent to sensitive uses.
5.10.6-P7	Implement measures to reduce interior noise levels and restrict outdoor activities in areas subject to aircraft noise in order to make Office/research and Development uses compatible with the Norman Y. Mineta International Airport land use restrictions.

City Code

Chapter 9.10 "Regulation of Noise and Vibration," of the City of Santa Clara City Code identifies allowable hours for construction to limit impacts to sensitive uses within 300 feet of a project site. The nearest sensitive receptors to the proposed project site are the Granada Islamic School about 0.5 miles northwest of the site and existing residences along Layfette Street in Santa Clara about 0.6 miles north of the site. The project is, therefore, not subject to the City Code regulations on construction hours.

The City Code also includes standards for maximum noise levels according to zoning districts for fixed sources of noise, as shown in Table 3.13-1 below.

Table 3.13-1: Noise Limits for Zoning Districts		
Receiving Zone	**Daytime Noise Limit (dBA)**	**Nighttime Noise Limit (DBA)**
Single-family and duplex residential	55	50
Multiple-family residential, public space	55	50
Commercial, Office	65	60
Light Industrial	70	70
Heavy Industrial	75	75

Santa Clara County Airport Land Use Commission Land Use Plan

The comprehensive land use plan adopted by the Santa Clara County Airport Land Use Commission (ALUC) contains standards for projects within the vicinity of Norman Y. Mineta International Airport which are relevant to this project:

Policies	Description
N-1	The Community Noise Equivalent Level (CNEL) method of representing noise levels shall be used to determine if a specific land use is consistent with the CLUP.
N-2	In addition to the other policies herein, the Noise Compatibility Policies presented in Table 4-1 shall be used to determine if a specific land use is consistent with this CLUP.
N-3	Noise impacts shall be evaluated according to the Aircraft Noise Contours presented on the 2027 CNEL Noise Contours for the Airport Master Plan.
N-6	Noise level compatibility standards for other types of land uses shall be applied in the same manner as the above residential noise level criteria. Table 4-1 presents acceptable noise levels for other land uses in the vicinity of the Airport.

3.13.1.3 *Existing Conditions*

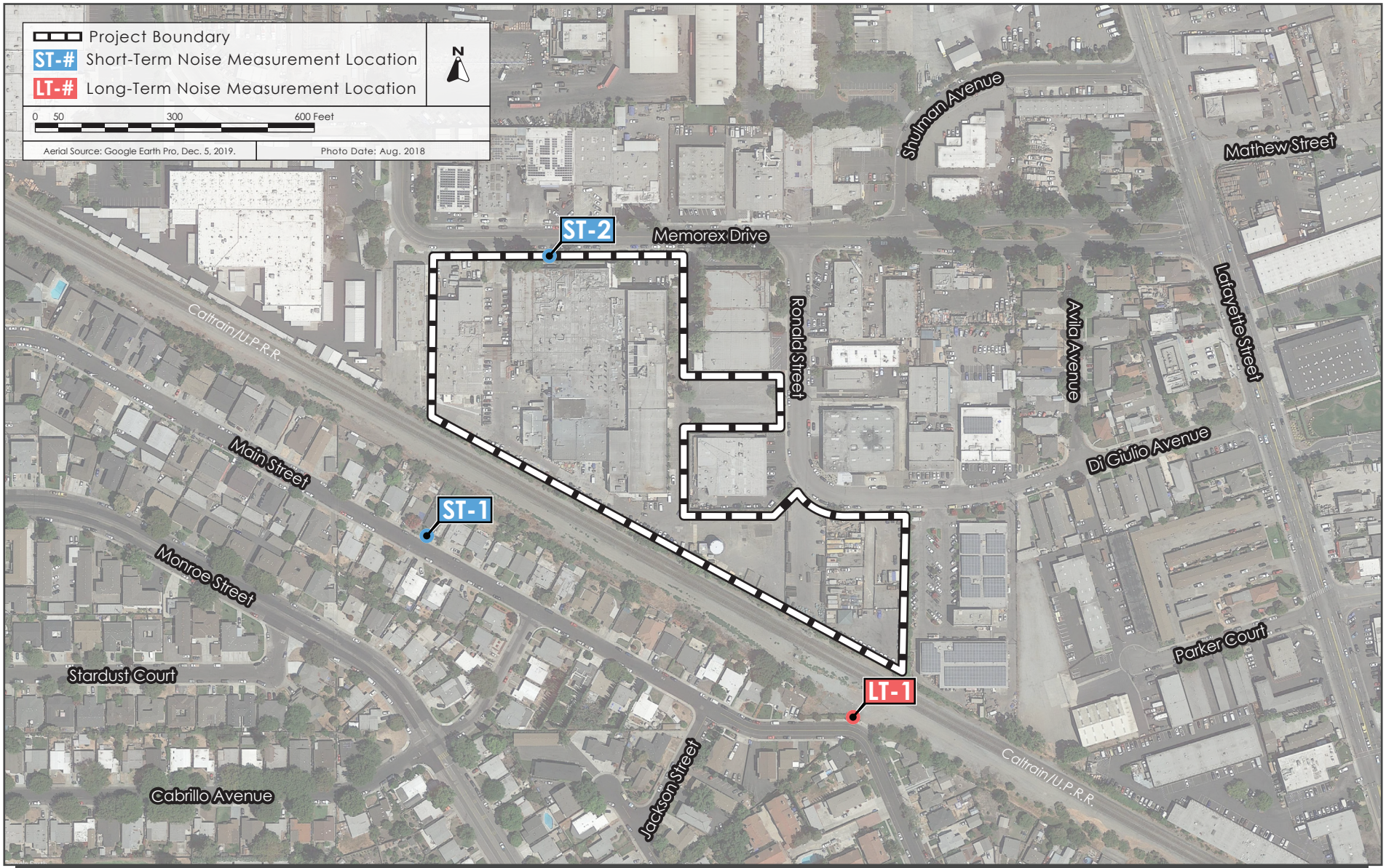
The predominant sources of noise in the project vicinity include traffic on Memorex Drive, mechanical equipment noise from surrounding uses, intermittent noise from Caltrain passbys, and intermittent noise from aircraft associated with Norman Y. Mineta International Airport.

A noise monitoring survey at the project site was conducted Friday, October 25, 2019 and Friday, November 1, 2019. One long-term noise measurement (LT-1) and three short-term noise measurements (ST-1 through ST-3), as shown in Figure 3.13-1, were made as part of the monitoring survey.

Long term measurement LT-1 was located along Main Street, approximately 130 feet southwest of the site. The primary noise sources at this location were Caltrain passbys and local traffic, with occasional noise generated by aircraft flyovers. Hourly average noise levels varied between 52 and

688 dBA Leq during daytime hours, and from 47 to 63 dBA Leq at night. Daily average community noise equivalent levels (CNEL) ranged between 61 and 66 dBA CNEL.

Short term measurements ST-1 and ST-2 were made on Tuesday March 10, 2020. Short term measurement ST-1 was made at the front of the residence located at 2109 Main Street. The primary noise sources at this location were local traffic and aircraft flyovers. The equivalent sound level at this location was 52 dBA L_{eq}. Short term measurement ST-2 was made along Memorex Drive at the north side of the site. The primary noise sources at this location were traffic along Memorex Drive, mechanical equipment operating at the site to north, and forklift operations. The equivalent sound level at this location was 67 dBA L_{eq}.



NOISE MEASUREMENT LOCATIONS

FIGURE 3.13-1

3.13.2 Impact Discussion

For the purpose of determining the significance of the project's impact on noise, would the project result in:

1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
2) Generation of excessive groundborne vibration or groundborne noise levels?
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

3.13.2.1 *Project Impacts*

Impact NOI-1:	As mitigated, the project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. **(Less than Significant Impact with Mitigation Incorporated)**

Construction

Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time. Maximum instantaneous noise levels generated by typical construction equipment at 50 feet are shown in Table 3.13-2. Typical hourly average construction-generated noise levels for construction of various types of facilities are shown in Table 3.13-3.

The construction of the proposed project would involve demolition of the existing structure and pavement, site preparation, grading and excavation, trenching, building erection, interior/architectural coating, and paving. Less intensive construction activities associated with the transmission line pole installation would occur for brief periods of time at each pole location or along the length of the potential underground portion of the line. The highest maximum noise levels generated by project construction typically range from about 81 to 90 dBA L_{max} at a distance of 50 feet from the noise source and typical hourly average construction-generated noise levels for this type of facility are about 74 to 89 dBA L_{eq} measured at a distance of 50 feet from the center of the site during busy construction periods (e.g., earth moving equipment, impact tools, etc.). Construction-generated noise levels drop off at a rate of about six dBA per doubling of the distance between the source and receptor. Shielding by buildings or terrain can provide an additional five to 10 dBA noise reduction at distant receptors.

Table 3.13-2: Construction Equipment 50-Foot Noise Emission Limits		
Equipment Category	**L_{max} Level (dBA)[1,2]**	**Impact/Continuous**
Arc Welder	73	Continuous
Auger Drill Rig	85	Continuous
Backhoe	80	Continuous
Bar Bender	80	Continuous
Boring Jack Power Unit	80	Continuous
Chain Saw	85	Continuous
Compressor[3]	70	Continuous
Compressor (other)	80	Continuous
Concrete Mixer	85	Continuous
Concrete Pump	82	Continuous
Concrete Saw	90	Continuous
Concrete Vibrator	80	Continuous
Crane	85	Continuous
Dozer	85	Continuous
Excavator	85	Continuous
Front End Loader	80	Continuous
Generator	82	Continuous
Generator (25 KVA or less)	70	Continuous
Gradall	85	Continuous
Grader	85	Continuous
Grinder Saw	85	Continuous
Horizontal Boring Hydro Jack	80	Continuous
Hydra Break Ram	90	Impact
Impact Pile Driver	105	Impact
Insitu Soil Sampling Rig	84	Continuous
Jackhammer	85	Impact
Mounted Impact Hammer (hoe ram)	90	Impact
Paver	85	Continuous
Pneumatic Tools	85	Continuous
Pumps	77	Continuous
Rock Drill	85	Continuous
Scraper	85	Continuous

Table 3.13-2: Construction Equipment 50-Foot Noise Emission Limits		
Equipment Category	**L_{max} Level (dBA)[1,2]**	**Impact/Continuous**
Slurry Trenching Machine	82	Continuous
Soil Mix Drill Rig	80	Continuous
Street Sweeper	80	Continuous
Tractor	84	Continuous
Truck (dump, delivery)	84	Continuous
Vacuum Excavator Truck (vac-truck)	85	Continuous
Vibratory Compactor	80	Continuous
Vibratory Pile Driver	95	Continuous
All other equipment with engines larger than 5 HP	85	Continuous

[1] Measured at 50 feet from the construction equipment, with a "slow" (1 sec.) time constant.

[2] Noise limits apply to total noise emitted from equipment and associated components operating at full power while engaged in its intended operation.

[3]Portable Air Compressor rated at 75 cfm or greater and that operates at greater than 50 psi

Table 3.13-3: Typical Ranges of Construction Noise Levels at 50 Feet, L_{eq} (dBA)								
	Domestic Housing		**Office Building, Hotel, Hospital, School, Public Works**		**Industrial Parking Garage, Religious Amusement & Recreations, Store, Service Station**		**Public Works Roads & Highways, Sewers, and Trenches**	
	I	**II**	**I**	**II**	**I**	**II**	**I**	**II**
Ground Clearing	83	83	84	84	84	83	84	84
Excavation	88	75	89	79	89	71	88	78
Foundations	81	81	78	78	77	77	88	88
Erection	81	65	87	75	84	72	79	78
Finishing	88	72	89	75	89	74	84	84

I - All pertinent equipment present at site.
II - Minimum required equipment present at site.

Noise sensitive uses surrounding the site include residential buildings along Main Street, located approximately 140 feet southwest of the project site, commercial buildings along Ronald Street, located approximately 25 feet east of the project site, and commercial buildings along Memorex Drive approximately 75 feet north and 15 feet west of the project site. Anticipated hourly average

and maximum noise levels at the surrounding uses are shown in Table 3.13-4. Noise levels at each use would be lower as construction moves away from shared property lines or into shielded areas.

Table 3.13-4: Calculated Construction Noise Levels at Surrounding Noise-Sensitive Uses			
Receptor Location	**Use**	**L_{eq} (dBA)**	**L_{max} (dBA)**
Main Street, ~150 ft. Southwest of Site	Residential	64 – 79	71 – 80
2100 – 2250 Ronald Street, ~25 ft. East of Site	Commercial	80 – 95	87 – 96
1330 Memorex Drive, ~15 ft. West of Site	Commercial	84 – 99	91 – 100
1125 – 1250 Memorex Drive, ~75 ft. North of Site	Commercial	70 – 85	77 – 86

As described previously, construction activities would also occur at the locations of each pole proposed as part of the overhead transmission line extension, or along the length of the potential underground portion of the line. The majority of the transmission line route is located adjacent to commercial and industrial uses, but in some locations on Di Giulio Avenue poles and/or the underground portion of the line would be installed adjacent to existing residential uses. Intermittent noise would be caused by periodic, short-term equipment operation. For example, a drill rig would need to be used with a backhoe or loader to create foundations for the pole installations, and this would require one or two days of work at each pole site. For the underground portion of the line, equipment such as excavators and backhoes would operate intermittently during the construction period along various segments of the line.

Mitigation Measures:

MM NOI-1.1: The project shall implement a construction noise control plan to regulate the hours of construction, reduce construction noise levels emanating from the site, and minimize disruption and annoyance at existing noise-sensitive receptors in the project vicinity. The control plan would include the following controls:

- Construction activities shall be limited to hours between 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or Holidays.
- Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment from adjacent properties. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines should be strictly prohibited.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors,

adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.

- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- Control noise from construction workers' radios to a point where they are not audible at existing residential uses to the north of the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

With implementation of identified mitigation measures, the project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project due to construction noise. **(Less than Significant Impact with Mitigation Incorporated)**

Operational Noise

The primary source of noise from operation of the project would be related to mechanical equipment associated with data center operations. Vehicle trips associated with the project would be low, substantially lower than site baseline traffic volumes, and would not result in a substantial noise generation.

Section 9.10.040 of the City Code establishes noise level performance standards for fixed sources of noise. At single- or multi-family residences, hourly average noise levels exceeding 55 dBA L_{eq} between the hours of 7:00 a.m. and 10:00 p.m. or 50 dBA L_{eq} between 10:00 p.m. and 7:00 a.m. would constitute a significant noise impact. At commercial uses, hourly average noise levels exceeding 65 dBA L_{eq}, between the hours of 7:00 a.m. and 10:00 p.m. or 60 dBA L_{eq} between 10:00 p.m. and 7:00 a.m. would constitute a significant noise impact. At light industrial land uses, hourly average noise levels exceeding 70 dBA L_{eq} at any time would constitute a significant noise impact. At heavy industrial uses, hourly average noise levels exceeding 75 dBA L_{eq} at any time would constitute a significant noise impact. The City Code states that noise limits set forth in the code are

not applicable to the performance of emergency work, including the operation of emergency generators and pumps or other equipment necessary to provide services during an emergency. However, the City has applied the noise limits to testing of the standby generators for previous data center buildings in Santa Clara.

Heating, ventilation, and air conditioning (HVAC) equipment would be located on the rooftop of the data center building. Proposed rooftop equipment includes sixty (60) 345T air-cooled chillers. An electrical distribution substation would be located at the southeastern corner of the site. Data sheets including noise levels for the generators and HVAC equipment were provided by the project applicant. Under full load, each chiller would be designed to meet a sound power level goal of 100 dBA or less. Other mechanical and electrical equipment located inside the building would not be anticipated to emit audible noise outside. The data center building would have a solid rooftop screen wall reaching 14 feet in height above the roof. In order to effectively shield the nearest residences from HVAC noise, the screen wall would need to extend along the full length of the building's southern façade, a minimum distance of 225 feet north of the southwestern corner of the building along the western façade, and a minimum distance of 135 feet north of the southeastern corner of the building along the eastern façade. The remaining roof line would incorporate louvers which are not anticipated to provide substantial noise reduction.

The project would include a generator yard located on the south side of the proposed data center building. The generator yard would include twenty-four (24) CAT 3-MW emergency backup generators and one CAT 500-kW house generator. The layout of the generator yard would have 22 generators double-stacked from ground level and two single units at ground level, all aligned with the southern façade of the data center building. Each generator would be enclosed and only tested during daytime hours. Based on the proposed generator testing schedule, only one generator would be tested at a time.

The backup generators would undergo weekly readiness testing. Readiness testing would occur between 9:00 a.m. and 11:30 a.m. on Mondays and Wednesdays, and between 9:00 a.m. and 10:15 a.m. on Fridays. Readiness testing would last 15 minutes per generator and be under zero percent load. Quarterly and annual PM tests would occur under zero percent load and last for 30 minutes and 60 minutes, respectively. Generators would also undergo annual load bank testing, with 15-minute stages under 25 percent, 50 percent, and 75 percent load, and for 75 minutes under 100 percent load. There will be a total of 437.5 hours of generator testing per year, with 31.25 total hours of testing under full load. Under full load, each three MW double-stacked or individual generator would meet a design goal of 70 dBA at a distance of 23 feet. Under zero percent load, generator noise would reach approximately 59 dBA at a distance of 23 feet. The generators would be equipped with an exhaust silencer so that noise from the exhaust would not exceed 63 dBA at a lateral distance of 23 feet and a height of five feet above ground.

As shown in Table 3.13-5 and in Figure 3.13-2, noise resulting from operations of rooftop chillers and the electrical substation would meet the 55 dBA daytime and 50 dBA nighttime criteria at the nearest residences along Main Street, assuming the use of chillers with sound power levels of 100 dBA or lower.

As seen in Table 3.13-5 and Figure 3.13-3, generator testing concurrent with HVAC and substation operations would result in noise levels reaching, but not exceeding, 55 dBA L_{eq} at the nearest

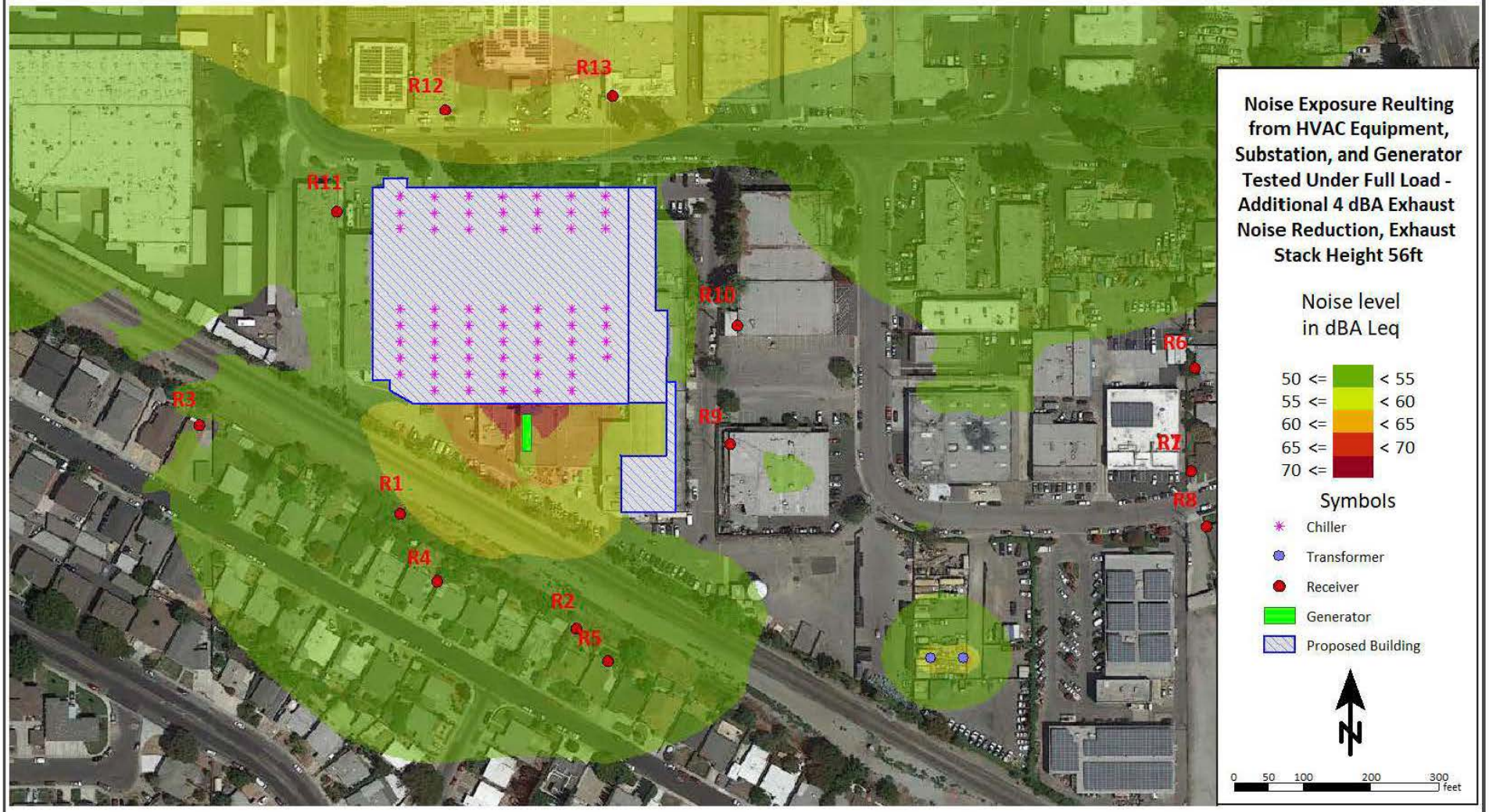
property line of the residences along Main Street. As generator testing will only take place during daytime hours, this would not result in standards being exceeded. Daytime and nighttime light industrial limits of 70 dBA L_{eq} would not be exceeded at any time. Again, this assumes that the design goal of 70 dBA at a distance of 23 feet under full load is achieved for each 3-MW double-stacked or individual generator.

Table 3.13-5: Calculated Noise Levels Resulting from Mechanical Equipment Operations

Receiver Location	Receiver Number	Calculated Noise Levels, dBA L_{eq}		Nighttime Threshold, dBA L_{eq}	Daytime Threshold, dBA L_{eq}	Exceedances
		Mechanical Equipment Only (Nighttime)	Mechanical Equipment and Generator Testing under 100% Load (Daytime)			
Main Street	R1	50	55	50	55	None None
	R2	50	52	50	55	None None
	R3	49	50	50	55	None None
	R4	49	54	50	55	None None
	R5	49	52	50	55	None None
Avila Avenue	R6	50	50	50	55	None None
	R7	35	49	50	55	None None
Di Giulio Avenue	R8	49	49	50	55	None None
2100 – 2300 Ronald Street	R9	47	50	70	70	None None
	R10	49	49	70	70	None None
1330 Memorex	R11	51	51	70	70	None None
Byington Steel	R12	59	59	70	70	None None
	R13	58	58	70	70	None None

Source: Illingworth & Rodkin, Inc., November 2, 2020.

NOISE EXPOSURE RESULTING FROM HVAC EQUIPMENT AND ELECTRICAL SUBSTATION | FIGURE 3.13-2



Source: Illingworth & Rodkin, Inc., March 30, 2021.

NOISE EXPOSURE RESULTING FROM HVAC EQUIPMENT, SUBSTATION, AND SINGLE GENERATOR TESTED UNDER FULL LOAD | FIGURE 3.13-3

To ensure the project conditions assumed in this noise analysis are enforceable, the project would be required to implement the following mitigation measures to reduce operational noise to less than significant levels.

Mitigation Measures:

MM NOI-1.2: The building shall include a rooftop screen wall reaching 14 feet in height above the roof, meeting a minimum surface weight of three pounds per square foot (such as one-inch-thick wood, ½-inch laminated glass, masonry block, concrete, or one-inch metal). The screen wall shall extend along the full length of the building's southern façade, a minimum distance of 225 feet north of the southwestern corner of the building along the western façade, and a minimum distance of 135 feet north of the southeastern corner of the building along the eastern façade.

MM NOI-1.3: Each chiller shall meet a sound power level goal of 100 dBA or less.

MM NOI-1.4: Each generator shall meet a design goal of 70 dBA or less at a lateral distance of 23 feet and a height of five feet above ground under full load. Generators shall be tested one at a time during daytime hours only.

MM NOI-1.4: Each generator shall be equipped with an exhaust silencer so that noise from the exhaust would not exceed 63 dBA at a lateral distance of 23 feet and a height of five feet above ground.

With implementation of the identified mitigation measures, noise from on-site equipment operations would not result in exceedances of criteria set in Section 9.10.040 of the City of Santa Clara City Code. **(Less than Significant Impact with Mitigation Incorporated)**

Impact NOI-2: The project would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact)**

The City of Santa Clara does not specify a construction vibration limit. For structural damage, the California Department of Transportation recommends a vibration limit of 0.5 in/sec PPV for new residential and modern commercial/industrial structures, 0.3 in/sec PPV for older residential structures, and a limit of 0.25 in/sec PPV for historic and some old buildings. The 0.3 in/sec PPV vibration limit would be applicable to residences along Main Street. The 0.5 in/sec PPV vibration limit would be applicable to other properties in the vicinity of the project site.

The construction of the project may generate perceptible vibration when heavy equipment or impact tools are used. Construction activities would include demolition, site preparation, grading and excavation, trenching, building (exterior), interior/architectural coating, and paving. Other project construction activities, such as the use of jackhammers, rock drills, and other high-power or vibratory tools, and rolling stock equipment may potentially generate substantial vibration in the immediate vicinity. Erection of the building structure is not anticipated to be a source of substantial vibration

with the exception of sporadic events such as dropping of heavy objects, which should be avoided to the extent possible.

The closest structures to the project site are residences to the south along Main Street, located 140 feet from the site, commercial buildings along Ronald Street to the east, located about 25 feet from the site, and commercial buildings along Memorex Drive to the north and east, located approximately 75 and 15 feet from the site.

Table 3.13-6 presents typical vibration levels that could be expected from construction equipment at a reference distance of 25 feet and calculated levels at distances of 15 feet, 75 feet, and 150 feet.

Table 3.13-6: Vibration Source Levels for Construction Equipment

Equipment		**Distance from Vibration Source**			
		Reference PPV at 25 feet (in/sec)	**PPV at 15 feet (in/sec)**	**PPV at 75 feet (in/sec)**	**PPV at 150 feet (in/sec)**
Clam shovel drop		0.202	0.354	0.060	0.028
Hydromill (slurry wall)	In soil	0.008	0.014	0.001	0.001
	In rock	0.017	0.030	0.002	0.002
Vibratory Roller		0.210	0.368	0.063	0.029
Hoe Ram		0.089	0.156	0.027	0.012
Large bulldozer		0.089	0.156	0.027	0.012
Caisson drilling		0.089	0.156	0.027	0.012
Loaded trucks		0.076	0.133	0.023	0.011
Jackhammer		0.035	0.061	0.010	0.005
Small bulldozer		0.003	0.005	0.001	0.000

As indicated in Table 3.13-6, construction vibration levels associated with the proposed data center facility are not anticipated to exceed 0.3 in/sec PPV at the nearest residences, located 140 feet from the site, or exceed 0.5 in/sec PPV at the nearest commercial structures, located 15 to 75 feet from the site. Vibration levels would be further below the threshold at more distant locations.

Construction of the proposed transmission line would generate less vibration than construction of the data center facility. Installation of the overhead poles could occur as close as 20 feet from existing residences on Di Giulio Avenue, but would not involve the use of equipment that generates substantial vibration (i.e., clam shovel drop, vibratory roller, etc.). Construction activities associated with the potential underground portion of the transmission line would occur in the street right-of-way at a distance greater than 25 feet from nearby buildings and would not generate substantial vibration at nearby structures. **(Less than Significant Impact)**

Impact NOI-3:	The project would not be located within the vicinity of a private airstrip, but is subject to an airport land use plan. Nevertheless, the project would not expose people residing or working in the project area to excessive noise levels. **(Less than Significant Impact)**

Norman Y. Mineta International Airport is located approximately 0.65 mile east of the project site. The project site located outside of the 60 dBA CNEL airport noise exposure contour shown in the Norman Y. Mineta International Airport Master Plan Update Project Report. This noise level would be considered compatible with the proposed industrial use. **(Less than Significant Impact)**

3.13.2.2 *Cumulative Impacts*

Impact NOI-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant noise impact. **(Less than Significant Cumulative Impact)**

Temporary Construction Noise

The geographic area for cumulative construction noise impacts is the immediate project vicinity. The nearest pending/approved projects are located at 917 Warburton Avenue, approximately 1,930 feet southeast of the project site, and 1627 Monroe Street, approximately 2,270 feet south of the project site. Noise from sources at this distance would not overlap in a manner that noticeably increases noise levels in the immediate vicinity of either project. Construction noise would be temporary and construction measures (required by the City Code) would be implemented to reduce construction noise. Therefore, construction of the projects would not result in a significant cumulative construction noise impact. **(Less Than Significant Cumulative Impact)**

Permanent Noise

The geographic area for cumulative permanent noise impacts includes the project site and surrounding roadways. A significant impact would occur if the cumulative traffic noise level increase was three dBA CNEL or greater for future levels exceeding normally acceptable levels or was five dBA CNEL or greater for future levels at or below normally acceptable levels and if the project would make a “cumulatively considerable” contribution to the overall traffic noise increase. As discussed in Section 3.13.2.1, the project would decrease daily roadway volumes compared to existing site uses, and would not exceed acceptable noise levels. Therefore, the cumulative projects (including the proposed project) would not result in a significant cumulative permanent noise increase. **(Less than Significant Cumulative Impact)**

3.14 POPULATION AND HOUSING

3.14.1 Environmental Setting

3.14.1.1 *Regulatory Framework*

State

Housing-Element Law

State requirements mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.[80]

The City of Santa Clara Housing Element and related land use policies were last updated in December of 2014.

Regional and Local

Plan Bay Area 2040

Plan Bay Area 2040 is a long-range transportation, land-use, and housing plan intended support a growing economy, provide more housing and transportation choices, and reduce transportation-related pollution and GHG emissions in the Bay Area. Plan Bay Area 2040 promotes compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified Priority Development Areas (PDAs).[81]

ABAG allocates regional housing needs to each city and county within the nine-county San Francisco Bay Area, based on statewide goals. ABAG also develops forecasts for population, households, and economic activity in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Regional Forecast of Jobs, Population, and Housing, which is an integrated land use and transportation plan through the year 2040 (upon which Plan Bay Area 2040 is based).

[80] California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed October 28, 2020. http://hcd.ca.gov/community-development/housing-element/index.shtml.
[81] Association of Bay Area Governments and Metropolitan Transportation Commission. "Project Mapper." http://projectmapper.planbayarea.org/. Accessed October 28, 2020.

3.14.1.2 *Existing Conditions*

According to the California Department of Finance data, the City had a population of approximately 129,104 residents as of January 1, 2020.[82] The Association of Bay Area Governments projects the Santa Clara population to be 137,215 in 2025 and 159,500 in 2040.[83]

The job/housing ratio quantifies the relationship between the number of housing units required as a result of local jobs and the number of residential units available in the City. When the ratio reaches 1.0, a balance is struck between the supply of local housing and local jobs. The jobs/housing ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing. The City of Santa Clara has fewer employed residents than jobs with a ratio of approximately two jobs per employed resident.[84] Accordingly, most employees within the City are required to seek housing outside of the community. ABAG estimates that the City of Santa Clara had 102,950 jobs in 2010, will have 151,310 jobs by 2025, and 170,575 jobs by 2040.[85]

The project site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Existing uses on the site are light industrial in nature and include operations such as aluminum plating, metal cleaning/polishing, a machine shop, construction contractors, a brewery, material storage, vehicle storage, and hauling. There are no residences on-site.

3.14.2 <u>Impact Discussion</u>

For the purpose of determining the significance of the project's impact on population and housing, would the project:

1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

[82] State of California, Department of Finance, E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change — January 1, 2019 and 2020.
[83] Association of Bay Area Governments. Plan Bay Area Projections 2040. November 2018. http://mtcmedia.s3.amazonaws.com/files/Projections_2040-ABAG-MTC-web.pdf
[84] Based on the ABAG-projected 106,750 jobs in 2010 and Santa Clara General Plan Housing Element.
[85] Association of Bay Area Governments. Plan Bay Area Projections 2040. November 2018. http://mtcmedia.s3.amazonaws.com/files/Projections_2040-ABAG-MTC-web.pdf

3.14.2.1 *Project Impacts*

Impact POP-1:	The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). **(Less than Significant Impact)**

The project would demolish the existing industrial buildings on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use component (of which roughly 51,000 square feet would be office space), for a combined square footage of 560,440. The project would be a low employment-generating use, supporting fewer jobs than the existing site buildings, therefore approval of the project would not substantially increase jobs in the City. The proposed project would not induce substantial population growth in the City or substantially alter the City's job/housing ratio and would, therefore, result in a less than significant population and housing impacts. **(Less than Significant Impact)**

Impact POP-2:	The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

The existing project site does not include residents or housing units and, therefore, the project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

3.14.2.2 *Cumulative Impacts*

Impact POP-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant population and housing impact. **(Less than Significant Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

The geographic area for cumulative population and housing impacts is the City of Santa Clara. The cumulative job-producing projects in the City would be inconsistent with applicable land use policies aimed at improving the City's jobs/housing balance and related assumptions in the existing General Plan. Worsening the City's jobs-housing imbalance results in secondary impacts of traffic, air quality and GHG emissions. The project would be a low employment-generating use, supporting fewer jobs than the existing site buildings, therefore approval of the project would be a minor increment of the overall jobs represented by the cumulative projects. For this reason, the jobs added by the project would not make a cumulatively considerable contribution to a worsening of the jobs/housing imbalance. **(Less than Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

3.15 PUBLIC SERVICES

3.15.1 Environmental Setting

3.15.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Regional and Local

Countywide Trails Master Plan

The Santa Clara County Trails Master Plan Update is a regional trails plan approved by the Santa Clara County Board of Supervisors. It provides a framework for implementing the County's vision of providing a contiguous trail network that connects cities to one another, cities to the county's regional open space resources, County parks to other County parks, and the northern and southern urbanized regions of the County. The plan identifies regional trail routes, sub-regional trail routes, connector trail routes, and historic trails.

Santa Clara General Plan

Applicable public services General Plan policies include, but are not limited to, the following listed below.

Policies	Description
5.9.3-P3	Maintain a City-wide average three-minute response time for 90 percent of police emergency service calls.
5.9.3-P4	Maintain a City-wide average three-minute response time for fire emergency service calls.

3.15.1.2 *Existing Conditions*

Fire Service

Fire protection services for the project site are provided by the City of Santa Clara Fire Department (SCFD). The SCFD consists of 10 stations (Station 10 is temporarily closed while it is relocated) consisting of eight engines, two trucks, one rescue/light unit, two ambulances, one hazardous materials unit and one command vehicle. The closest fire station to the project site is Station 2, located at 1900 Walsh Avenue, which is 1.1 miles northwest of the project site and Station 1, located at 777 Benton St, which is also 1.1 miles away from the site to the southeast.[86]

The Fire Department responds with highly trained and equipped personnel to emergency scenes, maintaining a City-wide response time of less than 5:30 minutes to 90 percent of all high-level emergency calls. Response time is measured from time of dispatch to the time of arrival at the call.[87]

Police Service

Police protection services are provided by the City of Santa Clara Police Department (SCPD). The SCPD consists of 239 full-time employees and a varying number of part-time or per diem employees, community volunteers, Police Reserves and Chaplains. Police headquarters are located at 601 El Camino Real, approximately 1.3 miles southeast of the project site.[88]

The General Plan identifies a public service goal to maintain the SCPD response time average of three minutes for all areas of the City.[89]

Parks and Schools

The nearest neighborhood park to the project site is Larry J. Marsalli Park, located at 1425 Lafayette Street (approximately 0.8 miles southeast of the site) and it is farther than a 10-minute walk.

The nearest public schools to the project site are Scott Lane Elementary School, located at 1925 Scott Boulevard (approximately 1.5 miles southwest of the site[90]), Cabrillo Middle School, located at 2550 Cabrillo Avenue (approximately 2.1 miles southwest of the site), and Santa Clara High School, located at 3000 Benton Street (approximately 3.2 miles southwest of the site). The nearest private

[86] City of Santa Clara Fire Department. "About Us." http://santaclaraca.gov/government/departments/fire/about-us. Accessed on November 11, 2019.
[87] City of Santa Clara. "Emergency Services." Accessed November 13, 2019. http://santaclaraca.gov/residents/emergency-services.
[88] City of Santa Clara Police Department. "About Us." Accessed on November 13, 2019. http://santaclaraca.gov/government/departments/police-department/about-us.
[89] City of Santa Clara. *City of Santa Clara 2010-2035 General Plan*. Section 5.9.3. November 2010.
[90] The school is located 1.5 miles via car or .35 miles southwest in a straight line (as the crow flies), as referenced in Section 3.10.

school to the site is Saint Clare School, located at 725 Washington Street (approximately 1.4 miles southeast of the site).

3.15.2 Impact Discussion

For the purpose of determining the significance of the project's impact on public services, would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

1) Fire protection?
2) Police protection?
3) Schools?
4) Parks?
5) Other public facilities?

3.15.2.1 *Project Impacts*

Impact PS-1:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. **(Less than Significant Impact)**

The project site is currently served by the SCFD. The proposed project may result in an incremental increase in the need for fire services associated with increased building area (though lower employment) but would not require the construction of new facilities or stations.

The project would be constructed in conformance with current building and fire codes, and the SCFD would review project plans to ensure appropriate safety features are incorporated to reduce fire hazards. The potential incremental increase in fire protection services would not require new or expanded fire protection facilities (the construction of which could cause significant environmental impacts) in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. **(Less than Significant Impact)**

Impact PS-2:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services. **(Less than Significant Impact)**

The project site is currently served by the SCPD. The project may result in an incremental increase in the need for police services associated with increased building area (though lower employment) but would not require the construction of new facilities or stations.

The Police Department would review the final site design, including proposed landscaping, access, and lighting, to ensure that the project provides adequate safety and security measures. The potential incremental increase in police protection services would not require new or expanded police protection facilities (the construction of which could cause significant environmental impacts) in order to maintain acceptable service rations, response times or other performance objectives for police protection services. **(Less than Significant Impact)**

Impact PS-3:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools. **(No Impact)**

The proposed project would not generate substantial population growth in the project area or result in the use of public facilities in the area by new residents. The project proposes a data center facility, not a residential use, and would therefore not generate students. The project would not require new or expanded school facilities, the construction of which could cause environmental impacts. **(No Impact)**

Impact PS-4:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. **(Less than Significant Impact)**

The proposed project would not generate substantial population growth in the project area or result in the use of public facilities in the area by new residents. Some employees at the project site may visit local parks; however, this would be a reduction compared to current site employment levels and this use would not create the need for any new facilities or adversely impact the physical condition of existing facilities. **(Less than Significant Impact)**

Impact PS-5:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities. **(No Impact)**

The proposed project would not generate substantial population growth in the project area or result in the use of public facilities in the area by new residents. Some employees at the project site may visit library facilities; however, this would be a reduction compared to current site employment levels and this would not create the need for any new facilities or adversely impact the physical condition of existing facilities. **(No Impact)**

3.15.2.2 *Cumulative Impacts*

Impact PS-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant public services impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative public services impacts is the City of Santa Clara. All cumulative projects would be built in conformance with current codes and public safety requirements in the General Plan. The project would not develop residences, and therefore, would not result in a cumulatively considerable contribution to a cumulative park and recreational facility impacts. For this reason, the cumulative projects would result in a less than significant cumulative impact to police, fire, and recreational facilities. **(Less than Significant Cumulative Impact)**

The project does not propose construction of residences, and therefore, would not contribute to cumulative school or library impacts. **(No Cumulative Impact)**

3.16 RECREATION

3.16.1 Environmental Setting

3.16.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Local

Santa Clara General Plan

Applicable recreational services General Plan policies, include, but are not limited to, the following listed below.

Policies	Description
Prerequisite	
5.1.1-P20	Prior to 2023, identify the location for new parkland and/or recreational facilities to serve employment centers and pursue funding to develop these facilities by 2035.

3.16.1.2 *Existing Setting*

The City of Santa Clara Parks & Recreation Department (Department) provides parks and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreation facilities, and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of April 2021, the Department maintains and operates Central Park, a 45.04-acre community park (45.04 acres improved and Central Park North 34.93 acres unimproved, resulting in 79.97 acres), 30 neighborhood parks (124.517 acres improved and 6.132 acres unimproved resulting in 130.65 acres), 13 mini parks (2.59 acres improved and 3.189 acres unimproved resulting in 5.779 acres), public open space (16.13 acres improved and 40.08 acres unimproved resulting in 56.21 acres), recreational facilities (23.898 acres excluding the Santa Clara Golf and Tennis Club/BMX track), recreational trails (7.59 acres improved and 0.20 acres unimproved resulting in 7.79 acres), and joint use facilities (48.588 acres) throughout the City totaling approximately 268.354 improved acres and 84.531 unimproved acres. Community parks are over fifteen acres, neighborhood parks are one to fifteen acres and mini parks are typically less than one acres in size.

The Department of Parks and Recreation also maintains a strong recreational program that supports a wide variety of activities. The Community Recreation Center, is the hub of the City's recreation

programs. The area in Central Park west of Saratoga Creek contains group and individual picnic facilities, playgrounds, restroom facilities, an amphitheater, two lighted tennis courts, basketball courts, and the Veterans Memorial. East of the creek is the world famous George F. Haines International Swim Center, Bob Fatjo Sports Center which includes the Tony Sanchez Field as well as a second lighted softball field, the Santa Clara Tennis Center with eight lighted tennis courts and a practice wall, open space, a lake, large group picnic areas, restroom facilities, a lawn bowling green, and an exercise course.

In addition to the parklands and facilities within Central Park, the City currently has a gymnastics center, a bicycle track, dog parks, a youth activity center, a teen center, a senior center, and a skate park. The City's recreational system is augmented by local school facilities, which are available to the general public after normal school hours.

The nearest neighborhood park to the project site is Larry J. Marsalli Park, located at 1425 Lafayette Street (approximately 0.8 miles southeast of the site) and it is farther than a 10-minute walk.

3.16.2 Impact Discussion

For the purpose of determining the significance of the project's impact on recreation:

1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

3.16.2.1 *Project Impacts*

Impact REC-1:	The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. **(Less than Significant Impact)**

The proposed project would be a reduction compared to current site employment levels. Some employees may use nearby parks and recreational facilities; however, this would not have an impact on these facilities such that adverse physical effects would result. **(Less than Significant Impact)**

Impact REC-2:	The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. **(Less than Significant Impact)**

The proposed project would not include recreational facilities. Some employees may use nearby parks and recreational facilities; however, this would be a reduction compared to current site employment levels and this would not require the construction or expansion of recreational facilities. **(Less than Significant Impact)**

3.16.2.2 *Cumulative Impacts*

Impact REC-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant recreation impact. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative park/recreational facility impacts is the City of Santa Clara. The proposed project would be an industrial development and would not include new residences. While employees of the project may use nearby parks and trails during lunch breaks, this would be a reduction compared to current site employment levels and the project would not result in permanent new residents that would substantially increase park use such that physical deterioration would occur. The project would not substantially contribute to the cumulative impacts to parks in the area. For these reasons, cumulative impacts to recreational facilities would be less than significant. **(Less Than Significant Cumulative Impact)**

3.17 TRANSPORTATION

The discussion in this section is based in part upon a VMT Evaluation completed using the VMT Evaluation Tool in May 2021. A copy of this assessment is included in Appendix K of this EIR.

3.17.1 Environmental Setting

3.17.1.1 *Regulatory Framework*

State

Regional Transportation Plan

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2040 in July 2017, which includes a Regional Transportation Plan to guide regional transportation investment for revenues from federal, state, regional and local sources through 2040.

Senate Bill 743

SB 743 establishes criteria for determining the significance of transportation impacts using a vehicle miles traveled (VMT) metric intended to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires analysis of VMT in determining the significance of transportation impacts. Local jurisdictions were required by Governor's Office of Planning and Research (OPR) to implement a VMT policy by July 1, 2020.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant.

Regional and Local

Congestion Management Program

VTA oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that urbanized counties in California prepare a CMP in order to obtain each county's share of gas tax revenues. State legislation requires that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management plan, a land use impact analysis program, and a capital improvement element. VTA has review responsibility for proposed development projects that are expected to affect CMP-designated intersections.

Vehicle Miles Traveled Transportation Analysis Policy

The City of Santa Clara currently adopted its VMT policy in June 2020. For industrial projects the City's VMT policy states that a project would have a significant impact if the project's VMT per employee is greater than 15 percent below the existing Countywide VMT per employee.

Santa Clara General Plan

General Plan policies applicable to transportation/traffic relevant to the proposed project include the following.

Policies	Description
5.4.1-P11	Locate parking at the side or rear of parcels and active uses along street frontages.
5.8.1-P5	Work with local, regional, State and private agencies, as well as employers and residents, to encourage programs and services that reduce vehicle miles traveled.
5.8.2-P1	Require that new and retrofitted roadways implement "Full-Service Streets" standards, including minimal vehicular travel lane widths, pedestrian amenities, adequate sidewalks, street trees, bicycle facilities, transit facilities, lighting and signage, where feasible.
5.8.3-P8	Require new development to include transit stop amenities, such as pedestrian pathways to stops, benches, traveler information and shelters.
5.8.3-P9	Require new development to incorporate reduced on-site parking and provide enhanced amenities, such as pedestrian links, benches and lighting, in order to encourage transit use and increase access to transit services.
5.8.4-P6	Require new development to connect individual sites with existing and planned bicycle and pedestrian facilities, as well as with on-site and neighborhood amenities/services, to promote alternate modes of transportation.
5.8.4-P8	Require new development and public facilities to provide improvements, such as sidewalks, landscaping and bicycling facilities, to promote pedestrian and bicycle use.
5.8.4-P9	Encourage pedestrian- and bicycle-oriented amenities, such as bicycle racks, benches, signalized mid-block crosswalks, and bus benches or enclosures.
5.8.4-P10	Encourage safe, secure and convenient bicycle parking and end-of-trip, or bicycle "stop" facilities, such as showers or bicycle repair near destinations for all users, including commuters, residents, shoppers, students and other bicycle travelers.
5.8.5-P1	Require new development and City employees to implement TDM programs that can include site-design measures, including preferred carpool and vanpool parking, enhanced pedestrian access, bicycle storage and recreational facilities.
5.8.5-P5	Encourage transportation demand management programs that provide incentives for the use of alternative travel modes to reduce the use of single-occupancy vehicles.
5.8.6-P3	Encourage flexible parking standards that meet business and resident needs as well as avoid an oversupply in order to promote transit ridership, bicycling and walking.
5.8.6-P11	Encourage development to "unbundle" parking spaces from leases and purchases to provide greater choices.

Santa Clara Bicycle and Pedestrian Master Plans

The City of Santa Clara Bicycle Plan Update 2018 establishes a long-term vision for improving bicycling in Santa Clara through policy, program, and project recommendations. Through the implementation of this Plan, the City intends to become a world-class bicycle community that prioritizes health and sustainability for its residents and visitors.

The City of Santa Clara Pedestrian Master Plan 2019 establishes a blueprint for creating safe, comfortable and enjoyable walking for current and future residents and visitors. The Plan is intended to make Santa Clara a walkable community that provides a comprehensive network of safe, convenient, and comfortable pedestrian routes for people of all ages and abilities.

3.17.1.2 *Existing Conditions*

Regional Roadway Access

Regional access to the project site is provided by Highway 101 (US 101) and Central Expressway as described below.

US 101 provides access to the project site via Lafayette Street and Mission College Boulevard. US 101 is a regional north/south freeway with six mixed-flow lanes and two high occupancy vehicle lanes in the project area. US 101 extends through the entire Bay Area north of San Francisco and south of San José.

Central Expressway is a regional east/west expressway with four lanes. Central Expressway extends from San Antonio Road in Mountain View to De La Cruz Boulevard in Santa Clara.

Local Roadway Access

Local access to the project site is provided via Lafayette Street, Memorex Drive, and Martin Avenue. These roadways are described below.

Lafayette Street is a north/south four-to-five-lane arterial road in the vicinity of the site. It extends from Alviso in North San Jose to Poplar Street in Santa Clara. North of Reed Street, Lafayette Street operates as a five-lane roadway with two lanes in each direction and a center turn lane. South of Reed Street, Lafayette Street is a four-lane roadway with two lanes in each direction. Lafayette Street is east of the project site and provides access via Memorex Drive.

Martin Avenue is an east/west four-lane roadway in the vicinity of the project site. It extends from Walsh Avenue to De la Cruz Boulevard. Martin Avenue is north of the project site and provides access via Memorex Drive. Parking is allowed on both sides of the roadway.

Memorex Drive is an east/west two-to-three-lane roadway in the vicinity of the project site (west of the project site the roadway curves north). The roadway extends from Lafayette Street to Richard Avenue. It has a posted speed of 25 miles per hour (mph). Two project driveways would be located along Memorex Drive.

Ronald Street begins at Memorex Drive and ends at Lafayette Street. Ronald Street is also known as Di Giulio Avenue beginning at the bend in the roadway. A project driveway would be located on Di Giulio Avenue.

Existing Transit Service

Bus Service

The nearest bus stop to the project site is the Scott Boulevard and Walsh Avenue stop, approximately 0.8 miles northwest of the project site. Local route 60 provides bus service to the Scott Boulevard and Walsh Avenue stop.[91]

Caltrain and ACE

The Santa Clara Caltrain station is located approximately 1.5 miles southeast of the project site, near Railroad Avenue and El Camino Real. Caltrain commuter rail service between San Francisco to Gilroy and the Altamont Commuter Express (ACE) rail service between Stockton and San Jose both stop at the Santa Clara Caltrain Station. Caltrain provides service with 15- to 30-minute headways during commute hours. The ACE rail service operates four trains during the morning and afternoon commute periods.

Bicycle and Pedestrian Facilities

Bicycle Facilities

Bicycle facilities comprise paths (Class I), lanes (Class II), routes (Class III), and protected bike lanes (Class IV). Bicycle paths are paved trails that are separate from roadways. Bicycle lanes are lanes on roadways designated for bicycle use by striping, pavement legends, and signs. Bicycle routes are roadways designated for bicycle use by signs only. Protected bike lanes are on-street bicycle facilities that are physically separated from motor vehicle traffic by a vertical element or barrier, such as a curb, bollards, or vehicle parking aisle. Class II bike lanes are located on portions of Scott Boulevard, west of the project site.[92]

Pedestrian Facilities

Pedestrian access to the site is provided by sidewalks on the site's northern frontage on Memorex Drive. Sidewalks are also located on the west side of Ronald Street/Di Giulio Avenue.

3.17.2 Impact Discussion

For the purpose of determining the significance of the project's impact on transportation, would the project:

1) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?

[91] Santa Clara Valley Transportation Authority. *Bus and Rail Map.* https://www.vta.org/sites/default/files/2019-07/VTA%20Main%20Map%20JUL%202019.pdf Accessed on November 11, 2019.
[92] Silicon Valley Bicycle Coalition. *Maps.* https://bikesiliconvalley.org/maps/ Accessed November 12, 2019.

2) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
4) Result in inadequate emergency access?

3.17.2.1 *Project Impacts*

Impact TRN-1:	The project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities. **(Less than Significant Impact)**

The VTA Congestion Management Plan (CMP) guidelines state that a project's traffic impacts should be analyzed during the weekday AM and PM peak periods if it will add more than 100 peak hour trips to the roadway network. Based upon Trip Generation analysis below, the project would not exceed the 100 peak hour trips threshold. As a result, no formal traffic impact analysis to evaluate changes in intersection level of service is required or proposed.

Vehicle Trips

The project would have low employment intensity and would not generate substantial vehicle trips. A trip generation estimate was completed to determine the net change in trips compared to existing conditions on the site (refer to Table 3.17-1, below). Trip generation rates for existing uses on the site were based on the Institute of Transportation Engineers' (ITE) Trip Generation Manual, Tenth Edition's trip generation rates for general light industrial land uses (land use code 110). Trip generation rates for the proposed project were based on ITE rates for data centers (land use code 160) and general office buildings (land use code 710). The trip rates for existing uses were applied to 348,950 square feet of light industrial building area and roughly 100,000 square feet of active outdoor light industrial uses, resulting in an estimated total of 2,227 existing daily trips, with 314 occurring in the AM peak hour and 283 occurring in the PM peak hour. For the proposed uses, the general office building trip rate was applied to the 51,000 square feet of office area, and the data center trip rate was applied to the remaining 509,440 square feet of the project, resulting in an estimated total of 1,001 daily project trips, with 115 occurring in the AM peak hour and 105 occurring in the PM peak hour. Based on ITE trip rates, the project would result in a net reduction of 1,226 daily vehicle trips, 129 AM peak hour trips, and 115 PM peak hour trips. The project, therefore, would not conflict with programs, plans, ordinances or polices addressing the circulation system as it pertains to roadways.

Table 3.17-1: Trip Generation							
Methodology	**Size (square feet)**	**Weekday**		**AM Peak Hour**		**PM Peak Hour**	
		Rate	**Trips**	**Rate**	**Total**	**Rate**	**Total**
Existing Uses							
General Light Industrial (ITE Land Use Code 110)	448,950	4.96	2,227	0.70	314	0.63	283
Proposed Uses							
Data Center (ITE Land Use Code 160)	509,440	0.99	504	0.11	56	0.09	46
General Office Building (ITE Land Use Code 710)	51,000	9.74	497	1.16	59	1.15	59
Net Trip Generation							
Total		--	-1,226	--	-199	--	-178
Source: Institute of Transportation Engineers. Trip Generation Manual, 10th Edition. 2017.							

Bicycle and Pedestrian Facilities

The project would retain the existing sidewalk on Memorex Drive, Ronald Street, and Di Giulio Avenue. In addition, the project would reduce the number of driveways on Memorex Drive and replace those driveways with a new sidewalk. The project, therefore, would not conflict with pedestrian circulation in the area, and would be consistent with the City's adopted Pedestrian Master Plan.

No bicycle lanes are located adjacent to the project site along Memorex Drive, Ronald Street, or Di Giulio Avenue. Thus, the project would not conflict with any existing or planned bicycle facilities within the project area, and would be consistent with the City's adopted Bicycle Master Plan. Additionally, as described previously, the project would provide bicycle parking, which is consistent with plans and policies intended to facilitate alternative modes of transportation and reduce VMT.

Transit Facilities

VTA, Caltrain and ACE provide transit service within the project vicinity. The nearest bus stop to the project site is the Scott Boulevard and Walsh Avenue stop, approximately 0.8 miles northwest of the project site, which is served by local route 60. There are adequate pedestrian pathways connecting the project site to the bus stop.

The project is not proposing public improvements that would disrupt existing transit services or facilities nor conflict with an existing or planned transit facility. Additionally, as described below, mitigation measure MM TRN-2.1 would require the project to implement a TDM program that would include measures such as commute trip reduction education and transit subsidies, which is

consistent with plans and policies intended to facilitate transit use and reduce VMT. **(Less than Significant Impact)**

Impact TRN-2:	The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(Less than Significant Impact with Mitigation Incorporated)**

The CEQA Guidelines Section 15064.3, Subdivision (b)(1) states that land use projects with vehicle miles traveled (VMT) exceeding an applicable threshold of significance may indicate a significant impact. The City of Santa Clara currently adopted its VMT policy in June 2020. For industrial projects such as the proposed data center, the City's VMT policy states that a project would have a significant impact if the VMT per employee is greater than 15 percent below the existing Countywide VMT per employee. The Countywide VMT per employee is 16.64, meaning a project-level VMT greater than 14.14 would be considered significant. The VTA's VMT Evaluation Tool was used to determine the project's VMT in comparison to the Countywide average (refer to Appendix K). The VMT Evaluation Tool determined that the project's VMT per employee would be 15.53, which is above the threshold of 15 percent below the Countywide average.

MM TRN-2.1: The project shall implement a TDM program sufficient to demonstrate that VMT associated with the project would be reduced to 14.14 or less per employee. The TDM program may include, but is not limited to, the following measures which have been determined to be a feasible method for achieving the required VMT reduction:

- Provide commute trip reduction marketing and education for all eligible employees.
  - Implement marketing campaign targeting all project employees and visitors that encourages the use of transit, shared rides, and active modes. Marketing strategies may include new employee orientation on alternative commute options, event promotions, and publications. Providing information and encouragement to use transit, share ride modes, and active modes, reducing drive-alone trips and thereby reducing VMT.
- Provide a subsidized or discounted transit program for all eligible employees.
  - This strategy requires the project employer to subsidize transit passes for participating employees.
- Provide a rideshare program for all eligible employees.
  - Organize a program to match individuals interested in carpooling who have similar commute patterns. Strategy encourages the use of carpooling, reducing the number of vehicle trips and thereby reducing VMT.

The TDM program shall be submitted and approved by the Director of Community Development and shall be monitored annually to gauge its effectiveness in meeting the required VMT reduction. The TDM program shall

establish an appropriate estimate of initial vehicle trips generated by the occupant of the proposed project and shall conduct driveway traffic counts annually to measure peak-hour entering and exiting vehicle volumes. The volumes will be compared to trip thresholds established in the TDM program to determine whether the required reduction in vehicle trips is being met. In addition to monitoring driveway volumes, a survey will be developed as part of the TDM program to determine actual mode splits for employees. The survey will also gather information on usage of individual TDM program components. The results of the annual vehicle counts and survey will be reported in writing to the Director of Community Development.

If TDM program monitoring results show that the trip reduction targets are not being met, the TDM program shall be updated to identify replacement and/or additional feasible TDM measures to be implemented. The updated TDM program shall be subject to the same approvals and monitoring requirements listed above.

If monitoring and reporting demonstrates that the project is non-compliant (i.e, did not fulfill the requirements of the TDM program, meet the drive-alone reduction targets, etc.), the City as the enforcing agency may impose penalties including fines and/or permit limitations.

The TDM measures listed in MM TRN-2.1 would be made available to all eligible employees. This analysis assumes that 100 percent of employees would participate in commute trip reduction marketing and education, the transit subsidy would be 50 percent, and 10 percent of employees would participate in a rideshare program. At these rates of participation, MM TRN-2.1 would reduce the project's VMT to 13.9 per employee, which is below the threshold of 14.14. As a result, the project's VMT would be reduced to a less than significant level with implementation of MM TRN-2.1. The project, therefore, would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(Less than Significant Impact with Mitigation Incorporated)**

Impact TRN-3:	The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **(No Impact)**

The project would not alter the shape of adjacent roadways or create any sharp curves or dangerous intersections. The project would reduce the number of driveways accessing public streets compared to current site conditions. The project, therefore, would not substantially increase hazards. **(No Impact)**

Impact TRN-4:	The project would not result in inadequate emergency access. **(Less than Significant Impact)**

The City of Santa Clara standards require two-way driveways providing access to all properties be a minimum width of 22 feet (20-foot pavement with one-foot clearance on each side). Access to the site would be provided by two two-way driveways on Memorex Drive and one two-way driveway on

Di Giulio Avenue at similar locations to current driveways (refer to Figure 2.4). The western driveway on Memorex Drive would have a width 26 feet and the driveway on Di Giulio Avenue would have a width of 40 feet. These driveways would provide emergency vehicle access. The eastern driveway on Memorex Drive would have a two-foot wide median in the center of the driveway, with a width of 20 feet for vehicles entering the site and a width of 12 feet for vehicles exciting the site. This driveway would not meet width requirements for emergency vehicles. While this driveway would not meet width requirements for emergency vehicles, the project would provide full access to the site via the other two driveways (mentioned above) that meet emergency vehicle access requirements. The final site design would be required to be consistent with regulatory requirements for fire truck access. **(Less Than Significant Impact)**

3.17.2.2 *Cumulative Impacts*

Impact TRN-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant transportation impact. **(Less than Significant Cumulative Impact)**

VMT

The City has established a VMT policy to ensure development in the City does not result in a significant cumulative increase in VMT. For industrial projects such as the proposed data center facility, the City requires a project VMT that does not exceed 15 percent below the Countywide average. As described in the discussion under Impact TRN-2, the project's VMT would be below the Countywide average with implementation of TDM measures, as required by MM TRN-2.1. Additionally, the project would result in a net reduction in daily trips to/from the site, and a net reduction in employment levels, all of which would serve to reduce total VMT generated at the site. As a result, the project would not result in, or contribute substantially to, a significant cumulative VMT impact. **(Less than Significant Cumulative Impact)**

General Plan Transportation Policies

The project would be consistent with applicable General Plan policies regarding transportation and, therefore, would not have a cumulatively considerable contribution to a significant cumulative conflict with those policies. **(Less than Significant Cumulative Impact)**

Emergency Access and Geometric Design

All cumulative projects (including the project) would comply with current building and fire codes and be reviewed by the Fire Department to ensure adequate emergency access. For these reasons, the cumulative projects would not result in a significant cumulative impact to emergency access. The project would provide adequate sight distance and would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). For these reasons, the cumulative projects would not result in a significant cumulative impact due to transportation hazards. **(Less than Significant Cumulative Impact)**

3.18 TRIBAL CULTURAL RESOURCES

3.18.1 Environmental Setting

3.18.1.1 *Regulatory Framework*

State

Assembly Bill 52

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
    - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
    - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency to be a TCR.

3.18.1.2 *Existing Conditions*

No Native American tribes have contacted the City pursuant to AB 52 to be notified about projects within the City for the purposes of requesting consultation.

3.18.2 Impact Discussion

For the purpose of determining the significance of the project's impact on tribal cultural resources, would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

3.18.2.1 *Project Impacts*

Impact TCR-1:	The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact)**

No tribes have requested consultation for projects in the area under AB 52 and there are no known TCRs on-site. A record search of the NAHC Sacred Lands File was completed for the site and the results were negative.[93] While there is the potential for unknown Native American resources or human remains to be present in the project area, impacts would be less than significant with implementation of the City's General Plan policies and Standard Permit Conditions related to discovery of archaeological resources or human remains as well as implementation of mitigation incorporated into the project (described in detail in Section 3.5 Cultural Resources).

On December 5, 2019, letters were sent to the following Native American tribes based on the recommendation of the Native American Heritage Commission (NAHC): Amah Mutsun Tribal Band, the Ohlone Indian Tribe, Amah Mutsun Tribal Band of Mission San Juan Bautista, Indian Canyon Mutsun Band of Costanoan, Muwekma Ohlone Indian Tribe of the San Francisco Bay Area, and North Valley Yokuts Tribe. The letters contained information about the project; an inquiry for any unrecorded Native American cultural resources or other areas of concern within or adjacent to the project site; and a solicitation of comments, questions, or concerns with regard to the project. To date, one response was received from the Ohlone Indian Tribe requesting access to a "Phase I Literature Search and/or a Foot Survey" if they had been completed for the project. It is unclear whether the request is referring to a Phase I Environmental Site Assessment, which assesses potential hazardous materials conditions on the site and surrounding area, or a Cultural Resources Literature Search, which assesses potential archaeological resources on the site and surrounding area. Regardless, Appendices L and M include summaries of previous Phase I Environmental Site Assessments completed for the site, and Appendix D includes a Cultural Resources Literature Search completed for the site.

Because the record search of the NAHC Sacred Lands File did not identify the presence of TCRs on the site or surrounding area, and because no tribes responded to outreach letters indicating that TCRs are present on the site, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact)**

[93] Nancy Gonzalez-Lopez, NAHC. Personal Communication. December 2, 2019.

Impact TCR-2:	The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact)**

As discussed under Impact TCR-1, there are no known TCRs on-site, and the project includes measures to reduce potential impacts to less than significant levels should TCRs be unexpectedly discovered during project construction. For this reason, the project would not cause a substantial adverse change in the significance of a TCR that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact)**

3.18.2.2 *Cumulative Impacts*

Impact TCR-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant tribal cultural resources impact. **(No Cumulative Impact)**

The geographic study area for cumulative impacts to tribal cultural resources is the surrounding area (within 1,000 feet of the project site). No tribal cultural features, including sites, features, places, cultural landscapes or sacred place have been identified at the site based on available information. Additionally, no tribes have sent written requests for notification of projects to the City of Santa Clara under AB 52. As a result, the project would not contribute to a cumulative impact to tribal resources. **(No Cumulative Impact)**

3.19 UTILITIES AND SERVICE SYSTEMS

3.19.1 Environmental Setting

3.19.1.1 *Regulatory Framework*

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Santa Clara adopted its most recent UWMP in November 2016.

Assembly Bill 939

The California Integrated Waste Management Act of 1989, or AB 939, established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

Assembly Bill 341

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

In January 2010, the State of California adopted the California Green Building Standards Code, establishing mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental quality. These standards include the

following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 50 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupants.

Local

General Plan

General Plan policies applicable to utilities and service systems include, but are not limited to, the following listed below.

Policies	Description
Prerequisite Policies	
5.1.1-P3	Prior to the implementation of Phase III of the General Plan, undertake a comprehensive assessment of water, sanitary sewer conveyance, wastewater treatment, solid waste disposal, storm drain, natural gas, and energy demand and facilities in order to ensure adequate capacity and funding to implement the necessary improvements to support development in the next phase.
5.1.1-P21	Prior to 2023, identify and secure adequate solid waste disposal facilities to serve development in Phase III.
5.10.1-P6	Require adequate wastewater treatment and sewer conveyance capacity for all new development.
General Land Use	
5.3.1-P9	Require that new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.
5.3.1-P11	Encourage new developments proposed within a reasonable distance of an existing or proposed recycled water distribution system to utilize recycled water for landscape irrigation, industrial processes, cooling and other appropriate uses to reduce water use consistent with the CAP.
5.3.1-P27	Encourage screening of above-ground utility equipment to minimize visual impacts.
5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.
Safety	
5.10.5-P20	Maintain, upgrade and replace storm drains throughout the City to reduce potential flooding.
5.10.5-P21	Require that storm drain infrastructure is adequate to serve all new development and is in place prior to occupancy.

3.19.1.2 *Existing Conditions*

Water Service

Potable Water

Water services to the site are provided by the City of Santa Clara Department of Water and Sewer Utilities. The water system consists of more than 335 miles of water mains, 27 active water wells and seven storage tanks with 28.8 million gallons of water storage capacity.[94] Drinking water is provided by an extensive underground aquifer (accessed by the City's wells) and by two wholesale water importers: the Santa Clara Valley Water District (imported from the Sacramento-San Joaquin Delta) and the San Francisco Hetch-Hetchy System (imported from the Sierra Nevada). About 30 percent of the City's water comes from these imported treated water supplies. The remaining 70 percent is pumped from the City's system of 26 active water wells.[95] The three sources are used interchangeably or are blended together. In 2015, the Water Utility had approximately 25,715 water service connections with an average potable water demand of 16.8 million gallons per day (MGD) potable water and an average demand of 3.2 MGD recycled water demand.[96]

The existing water use on-site is approximately 2.2 million gallons per year.[97]

Recycled Water

Tertiary treated (or 'recycled') water serves as a fourth source of water supply and comprises approximately 16 percent of the City's overall water supply.[98] Recycled water is supplied from South Bay Recycled Water, which provides advanced tertiary treated water from the San Jose—Santa Clara Regional Wastewater Facility (formerly known as the San Jose/Santa Clara Water Pollution Control Plant). The City of Santa Clara recycles approximately one percent of its water through non-potable uses by businesses, industries, parks, and schools along pipeline routes. The City's recycled water program delivers recycled water throughout the City for landscaping, parks, public services and businesses. The nearest recycled water lines are located in Lafayette Street as well as in the northern section of Martin Avenue off of Walsh Avenue.[99]

Wastewater

The City of Santa Clara Departments of Public Works and Water and Sewer Utilities are responsible for the wastewater collection system within the City. Wastewater is collected by sewer systems in Santa Clara and is conveyed by pipelines to the Regional Wastewater Facility (RWF) located in San José. The RWF is one of the largest advanced wastewater treatment facilities in California and serves over 1,400,000 people in San José, Santa Clara, Milpitas, Campbell, Cupertino, Los Gatos, Saratoga,

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[94] City of Santa Clara. *2015 Urban Water Management Plan, City of Santa Clara Water Utility*. Page 12. Adopted November 2016. Accessed: November 21, 2019. http://santaclaraca.gov/index.aspx?page=1984.
[95] *Ibid.*
[96] *Ibid.*
[97] Estimate based on 2018-2019 utility bills for the site provided by the project applicant.
[98] City of Santa Clara. *Water Utility*. Updated July 2012. Accessed: November 21, 2019. http://santaclaraca.gov/government/departments/water-sewer-utilities/water-utility.
[99] City of Santa Clara. *Recycled Water System Map. City of Santa Clara, California.* Updated July 2012. Accessed: November 12, 2020. http://santaclaraca.gov/home/showdocument?id=14883.

and Monte Sereno.[100] The RWF has available capacity to treat up to 167 million gallons per day (mgd). The RWF presently operates at an average dry weather flow of 110 mgd, which is 57 mgd (or 35 percent) under the facility's 167 mgd treatment capacity.[101] Approximately 10 percent of the plant's effluent is recycled for non-potable uses and the remainder flows into San Francisco Bay.

The existing wastewater generation on-site is approximately 1.98 million gallons per year.[102] Wastewater from the existing buildings on-site currently discharges to a ten inch sanitary sewer line along the western border of the site and a ten inch sanitary sewer line along Ronald Street, which both connect to a ten inch sanitary sewer line that flows east along Memorex Drive and is eventually conveyed to the RWF. Sanitary sewer lines that serve the project site are maintained by the City of Santa Clara Sewer Utility.

Storm Drainage

The City of Santa Clara owns and maintains the municipal storm drainage system which serves the project site. The on-site drainage system is comprised of overland flows. Stormwater from the western portion of the existing site flows into a 24 inch stormdrain that flows north to a 24 inch stormdrain in Memorex Drive. Stormwater from the eastern portion of the existing site flows into a 12 inch stormdrain in Memorex Drive flowing east, which then flows into a 24 inch stormdrain. The stormdrain eventually discharges to the Guadalupe River, which ultimately flows to the San Francisco Bay.

Solid Waste

Solid waste collection in the City of Santa Clara is provided by Mission Trail Waste System through a contract with the City. The City has an arrangement with the owners of Newby Island Sanitary Landfill (NISL), located in San José, to provide disposal capacity for the City of Santa Clara through 2024. Recycling services are provided through Stevens Creek Disposal and Recycling. The site currently produces approximately 495 tons of waste per year.[103]

Natural Gas and Electricity Services

Electric service is provided to the site by Silicon Valley Power and natural gas is provided by Pacific Gas and Electric (PG&E).

3.19.2 Impact Discussion

For the purpose of determining the significance of the project's impact on utilities and service systems, would the project:

[100] City of San José. "San José-Santa Clara Regional Wastewater Facility." Accessed: November 21, 2020. http://www.sanjoseca.gov/index.aspx?NID=1663.
[101] City of Santa Clara. 2010-2035 General Plan Integrated Final Environmental Impact Report. SCH# 2008092005. January 2011.
[102] This number equates to 90 percent of the estimated water usage in the existing buildings.
[103] Atmospheric Dynamics, Inc. Memorex Data Center and Office Project Air Quality and GHG Emissions Assessment. Attachment 1. November 2020.

1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
5) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?

Impact UTL-1:	The project would require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. **(Less than Significant Impact)**

Water Facilities

The project would install water lines on-site with service connections to the existing water main in Memorex Drive. The new and existing water system infrastructure would be adequate to meet the demands of the project.

Sanitary Sewer System/Wastewater Treatment Facilities

The proposed project would replace existing sanitary sewer lines on the site with six-inch sanitary lines with manhole connections. The new sanitary lines would connect to existing sewer lines on Memorex Drive. The project's estimated sanitary sewer discharge was added to the City's Sanitary Sewer Hydraulic Model (SSHM) to determine if there is enough conveyance capacity in the sanitary sewer trunk system to accommodate the proposed development. The SSHM output indicated that there would be enough sanitary sewer conveyance capacity to accommodate the proposed project, and no capacity improvement would be needed.

Based on the City's General Plan, the RWF has the capacity to treat 167 million gallons of wastewater a day. Based on 2020 data, the City's peak week flow is 15.5 mgd while the treatment capacity is 25.17 mgd.[104] The proposed project would generate approximately 4.23 million gallons per year of wastewater, or 0.012 mgd. The RWF has the ability to treat wastewater generated by the proposed project and, as a result, the project would not have a significant impact on the capacity of the RWF.

[104] City of San Jose, Environmental Services Department. San Jose - Santa Clara Regional Wastewater Facility Tributary Agencies' Estimated Available Plant Capacity – 2020. December 2020. Available at: https://www.sanjoseca.gov/Home/ShowDocument?id=68283

Storm Drainage System

The project would remove the existing on-site storm drain line and catch basins. Stormwater runoff from the site's impervious surfaces would be directed to treatment systems before being collected in a series of pipes sized for a 10-year storm event in accordance with the City's design requirements. The biotreatment basins would be located throughout the surface parking on the eastern section of the site, along the southern and northern site boundaries, and along the central section of the northern site boundary. These pipes would ultimately leave the site, connecting to the existing City storm drainage pipes in Memorex Drive and/or Di Giulio Avenue.

The project would result in a net decrease of 61,510 sf in impervious surfaces at the site, thereby resulting in a corresponding net decrease in runoff. The project, therefore, would not result in a net increase in runoff from the site and the existing and new storm drainage system would be adequate to serve the project.

Electric Power

The project would include construction of a new 150 megavolt amps (MVA) electrical substation in the eastern portion of the site to provide electric power to the proposed data center. A 60 kilovolt (kV) overhead transmission line would be extended to the site to connect the substation to the existing electrical grid. As shown on Figure 2.5, the transmission line would form a loop, with the route starting on the east side of Lafayette Street and heading west on Shulman Avenue to Memorex Drive. From there, the route would continue west to Ronald Street and then head south to Di Giulio Avenue to connect to the proposed substation. The route would then head east from the substation to Lafayette Street and turn north towards Mathew Street to close the loop. The transmission line would be supported by utility poles up to 85 feet in height. The portion of the transmission line located on Di Giulio Street may be undergrounded, if determined to be feasible by the City (refer to Figure 2.5). Under this scenario, the overhead portion of the transmission line would be supported by up to 10 steel poles with no wood poles. The impacts of both transmission line scenarios are analyzed in this EIR and determined not to result in significant environmental impacts.

Natural Gas

PG&E owns natural gas distribution facilities within the City of Santa Clara. The project would incrementally increase natural gas use, but would not require the construction of any additional off-site facilities.

The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. The project would require the expansion of an overheard transmission line, however, the expansion would not cause significant environmental effects. **(Less than Significant Impact)**

Impact UTL-2:	The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. **(Less than Significant Impact)**

The project would require up to 14.4 acre-feet (or 4.7 million gallons) of water per year. The City of Santa Clara Water Department Staff has reviewed the anticipated water demand of the project and determined that the demand does not meet any of the regulatory criteria that would require the preparation of a WSA.[105]

The City has determined that the projected increase in water demand associated with the proposed project is consistent with the growth projections and future water demand assumed in the preparation and analysis of the City's 2015 Urban Water Management Plan (UWMP).[106] The City's 2015 UWMP concluded that sufficient water supplies are available to meet the project demand. As such, there is a sufficient water supply to serve the project site under normal water year (non-drought) conditions.

In addition to normal water years, the UWMP assessed the ability of Santa Clara to meet forecasted water demands (including the proposed project) during multiple dry weather (drought) years. The City concluded that with projected supply totals and implementation of conservation measures consistent with its Water Shortage Contingency Plan, the retailer would be able to meet the projected demand during multiple dry water years.

Implementation of the project would not have a significant impact on existing or future water supplies. **(Less than Significant Impact)**

Impact UTL-3:	The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. **(Less than Significant Impact)**

Based on the City's General Plan, the RWF has the capacity to treat 167 million gallons of wastewater a day. Based on 2009 data, the City's average dry weather flow is 13.3 mgd while the treatment capacity is 23 mgd. The proposed project would generate approximately 4.23 million gallons per year of wastewater, or 0.012 mgd. The RWF has the ability to treat wastewater generated by the proposed project and, as a result, the project would not have a significant impact on the capacity of the RWF.

[105] City of Santa Clara, Water & Sewer Utilities. Memorandum: Water Supply Assessment for 1200 Memorex Data Center. November 27, 2019.
[106] City of Santa Clara. "2015 Urban Water Management Plan." November 22, 2016.

Impact UTL-4:	The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

The proposed project would generate a total of approximately 695 tons of solid waste per year.[107] This is 200 tons per year more than the solid waste currently generated on-site. The proposed project would comply with the City's construction debris diversion ordinance and State waste diversion requirements.

The Newby Island Landfill, located in San José, has an agreement with the City to provide disposal capacity through 2024. If the Newby Island Landfill is not available to accept waste after 2024, the City will prepare a contract with another landfill with capacity, such as Guadalupe Mines in San José, which is not anticipated to close until 2048. Because the project can be served by a landfill with capacity, the project's impacts related to solid waste and landfill capacity would be less than significant. **(Less than Significant Impact)**

Impact UTL-5:	The project would not be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste. **(Less than Significant Impact)**

The construction and operation of the project would comply with federal, state, and local regulations related to diversion of materials from disposal and appropriate disposal of solid waste. **(Less than Significant Impact)**

3.19.2.1 *Cumulative Impacts*

Impact UTL-C:	The project would not result in a cumulatively considerable contribution to a cumulatively significant utilities and service systems impact. **(Less than Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

Water Supply and System

The geographic area for cumulative water supply and system impacts is the service area of the City of Santa Clara water system. The cumulative projects (including the proposed project) are accounted for in population and employment assumptions of the UWMP, which evaluates growth in water demand based on planned growth through the year 2040. For this reason, there is adequate water supply (with the implementation of the City's Water Shortage Contingency Plan if needed) for the cumulative projects. The project, therefore, would not result in a considerable contribution to a significant cumulative water supply impact. **(Less than Significant Cumulative Impact)**

[107] The solid waste generation is based on CalEEMod's solid waste generation rate of 1.24 tons per 1,000 square feet per year for light industrial uses. This is likely an overestimation of the project's solid waste generation, as data centers typically do not generate as much waste as typical light industrial projects.

Sanitary Sewer System/Wastewater Treatment

The geographic area for cumulative sanitary sewer system and wastewater treatment is the City's sanitary sewer system service area. Build-out of the General Plan would result in an increase in sewage generated within the City. As discussed in the certified General Plan EIR, the average dry weather flows projected from the full build-out of the General Plan were projected to be within the City's allocated treatment capacity at RWF, which at the time of the certification of the General Plan EIR was 20.1 mgd[108] and below the City's 2017 flow allocation of approximately 20.5 mgd.

Since the certification date of the General Plan EIR, however, the City has approved development applications that have included General Plan amendments, each of which have incrementally increased the potential sewage generation at full build-out. Consequently, it is conceivable that at some point prior to 2035, the City could exceed its current capacity allocation, and the proposed project is anticipated to generate an additional 0.012 mgd. The RWF has excess flow capacity of approximately 59.7 mgd and the City has a process to obtain additional capacity rights at the RWF should the need arise.[109]

Based on the above discussion, there is sufficient treatment capacity at the RWF to serve the build-out of the General Plan and the cumulative projects (including the proposed project). The cumulative projects (including the proposed project) would not result in a significant cumulative impact on wastewater treatment capacity. **(Less than Significant Cumulative Impact)**

Storm Drainage System

The geographic area for cumulative storm drain impacts includes the project site and surrounding area, specifically areas upstream and downstream of the project site that also drain to the San Tomas Aquino Creek. Build out of the cumulative projects would involve redevelopment of existing developed sites that contain impervious surfaces, and these projects would be required to comply with applicable regulations regarding stormwater runoff and infrastructure. For these reasons, the cumulative projects would not result in a significant cumulative impact to the storm drain system. As described above, the project would result in decrease in stormwater runoff from the site as a result of increasing the amount of pervious area on the site and reducing the amount of impervious area. The project, therefore, would not result in a considerable contribution to a significant cumulative storm drain system impact. **(Less than Significant Cumulative Impact)**

Electricity, Natural Gas, and Telecommunication Services

Energy is a cumulative resource. The geographic area for cumulative electricity, natural gas, and telecommunication services is the State of California. If a project is determined to have a significant energy impact, it is concluded that the impact is a cumulative impact. As discussed under Impact EN-3 in Section 3.6, the project would not result in a significant energy impact. In addition, the cumulative projects are within urban areas already served by existing electricity, natural gas, and

[108] City of Santa Clara. *2010-2035 General Plan Integrated Final Environmental Impact Report.* SCH# 2008092005. January 2011. Page 228.

[109] The total flow capacity at the RWF is 167 mgd, and the joint owners (Santa Clara and San José) have agreements with several tributary agencies, which have capacity rights of approximately 35 mgd. Pursuant to Section V.B.3 of the 1983 agreements with the tributary agencies, Santa Clara can purchase additional capacity from those tributary agencies.

telecommunication infrastructure. The project, therefore, would not result in a considerable contribution to a significant cumulative impact to electricity, natural gas, and telecommunication infrastructure. **(Less than Significant Cumulative Impact)**

Solid Waste

Build-out of the City and the proposed project would generate solid waste that would need to be disposed of appropriately. Consistent with the conclusion in the certified General Plan and City Place Santa Clara Project FEIR,[110] without a specific plan for disposing of solid waste beyond 2024, the solid waste generated by development in the City post-2024 (including waste from the proposed project and other cumulative projects such as City Place Santa Clara) would result in a significant unavoidable cumulative impact.

As described above, the project would result in a net increase of 200 tons of solid waste per year.[111] The General Plan EIR determined that the total increase in solid waste (residential + nonresidential) associated with net new General Plan growth in 2035 would be approximately 37,000-42,000 tons per year. The project would represent a small fraction of the overall solid waste generation in the City. The proposed project, by itself, would not have a considerable contribution towards a significant cumulative solid waste impact. **(Less than Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

[110] City of Santa Clara. *City Place Santa Clara Project Draft Environmental Impact Report.* SCH# 2014072078. Certified June 2016. Pages 3.14-38 and 3.14-39.

[111] As stated previously, the estimate of the project's solid waste generation relies on standard rates for light industrial uses, and likely overstates the actual solid waste generation of the proposed data center facility.

3.20 WILDFIRE

3.20.1 Environmental Setting

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.[112]

3.20.2 Impact Discussion

For the purpose of determining the significance of the project's impact on wildfire, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

1) Substantially impair an adopted emergency response plan or emergency evacuation plan?
2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

3.20.2.1 *Project Impacts*

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in wildfire impacts. **(No Impact)**

3.20.2.2 *Cumulative Impacts*

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in cumulative wildfire impacts. **(No Cumulative Impact)**

[112] State of California Department of Forestry and Fire Protection. Santa Clara County Fire Hazard Severity Zones in SRA. Adopted November 7, 2007.

SECTION 4.0 GROWTH-INDUCING IMPACTS

Impact GRO-1:	The project would not foster or stimulate significant economic or population growth in the surrounding environment. **(Less than Significant Impact)**

The CEQA Guidelines require that an EIR identify the likelihood that a proposed project could "foster" or stimulate "economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment" (Section 15126.2(d)). This section of the EIR is intended to evaluate the impacts of such growth in the surrounding environment.

The project is proposed on an infill site in the City of Santa Clara. The site is developed with industrial buildings and is surrounded by existing infrastructure and both existing and planned development. The project does not include expansion of the existing infrastructure that would facilitate growth in the project area or other areas of the City. The project would reduce the employment levels on the site compared to current levels in existing buildings, as data centers are very low employment uses.

Development of the project site would place a new data center in the middle of an industrial area. The proposed project would be compatible with the surrounding land uses and would not pressure adjacent industrial, office, and commercial properties to redevelop with new or different land uses.

The project would not have a significant growth inducing impact. **(Less Than Significant Impact)**

SECTION 5.0 SIGNIFICANT AND IRREVERSIBLE ENVIRONMENTAL CHANGES

This section was prepared pursuant to CEQA Guidelines Section 15126.2(c), which requires a discussion of the significant irreversible changes that would result from the implementation of a proposed project. Significant irreversible changes include the use of nonrenewable resources, the commitment of future generations to similar use, irreversible damage resulting from environmental accidents associated with the project, and irretrievable commitments of resources. Applicable environmental changes are described in more detail below.

5.1 USE OF NONRENEWABLE RESOURCES

The proposed project, during construction and operation, would require the use and consumption of nonrenewable resources. Renewable resources, such as lumber and other wood byproducts, could also be used. Additionally, building materials present in the existing buildings on site that would not be suitable for recycling would be landfilled and the energy embedded in those materials wasted. Unlike renewable resources, nonrenewable resources cannot be regenerated over time. Nonrenewable resources include fossil fuels and metals.

Energy would be consumed during both the construction and operational phases of the project. The construction phase would require the use of nonrenewable construction material, such as concrete, metals, and plastics, and glass. Nonrenewable resources and energy would also be consumed during the manufacturing and transportation of building materials, preparation of the site, and construction of the buildings. The operational phase would consume energy for multiple purposes including, building heating and cooling, lighting, appliances, and electronics. Energy, in the form of fossil fuels, would be used to fuel vehicles traveling to and from the project site.

The project would result in a substantial increase in demand for nonrenewable resources. The project would, however, be subject to the standard California Code of Regulations Title 24 Part 6 and CALGreen energy efficiency requirements.

As discussed in *Section 3.5, Energy*, the project is consistent with the City's General Plan policies regarding energy use, which fosters development that reduces the use of nonrenewable energy resources in transportation, buildings, and urban services (utilities).

SECTION 6.0 SIGNIFICANT AND UNAVOIDABLE IMPACTS

A significant unavoidable impact is an impact that cannot be mitigated to a less than significant level if the project is implemented as it is proposed. The following significant unavoidable impacts have been identified as resulting from the proposed project:

- **Cultural Resources:** The proposed project would demolish existing structures on the site and result in a significant unavoidable impact to the significance of a historical resource (i.e. the former Memorex campus) pursuant to CEQA Guidelines Section 15064.5.

All other significant impacts of the proposed project would be reduced to a less than significant level with the implementation of mitigation measures identified in this EIR.

SECTION 7.0 ALTERNATIVES

CEQA requires that an EIR identify and evaluate alternatives to a project as it is proposed. Two key provisions from the CEQA Guidelines pertaining to the discussion of alternatives are included below:

> **Section 15126.6(a). Consideration and Discussion of Alternatives to the Proposed Project.** An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.
>
> **Section 15126.6(b). Purpose.** Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or be more costly.

Other elements of the Guidelines discuss that alternatives should include enough information to allow a meaningful evaluation and comparison with the proposed project. The CEQA Guidelines state that if an alternative would cause one or more additional impacts, compared to the proposed project, the discussion should identify the additional impact, but in less detail than the significant effects of the proposed project.

The three critical factors to consider in selecting and evaluating alternatives are: (1) the significant impacts from the proposed project that could be reduced or avoided by an alternative, (2) consistency with the project's objectives, and (3) the feasibility of the alternatives available. Each of these factors is discussed below.

7.1 OBJECTIVES OF THE PROJECT

While CEQA does not require that alternatives be capable of meeting all project objectives, their ability to meet most of the objectives is considered relevant to their consideration. The stated objectives of the project proponent are to:

1. Redevelop the 9.18-acre site with a state of the art data center capable of supporting at least 60 MW of IT power in an environmentally controlled structure with redundant subsystems (cooling, power, network links, storage, fire suppression, etc.) along with sufficient ancillary office and storage space to accommodate the needs of future tenants (estimated to require up to 472,920 square feet of data center space and 87,520 square feet of ancillary space). The data center shall be located near a reliable large power source, and emergency response

access, and being located such that it can be protected, to the maximum extent feasible, from security threats, natural disasters, and similar events. The project shall include backup power generation facilities that provide sufficient generation capacity, reliability, and redundancy to meet the needs of future tenants.

2. Provide operational electric power to the proposed data center via an electric substation, and provide other utility infrastructure to serve the project, including water, storm drainage, sanitary sewer, electric, natural gas, and telecommunications. Extend a 60 kilovolt (kV) overhead transmission line to connect the substation to the existing electrical grid.

3. Meet high sustainability and green building standards by designing the data center to meet US Green Building Code LEED and Cal-Green standards for any new construction.

4. Incorporate the most reliable and flexible form of backup electric generating technology considering the following evaluation criteria.
   - Commercial Availability and Feasibility. The selected backup electric generation technology must currently be in use and proven as an accepted industry standard for technology. It must be operational within a reasonable timeframe where permits and approvals are required.
   - Technical Feasibility. The selected backup electric generation technology must utilize systems that are compatible with one another.
   - Reliability. The selected backup electric generation technology must be extremely reliable in the case of an emergency loss of electricity from the utility.
   - Industry Standard. The selected backup electric generation technology must be considered industry standard or best practice.

5. Construct a high-quality data center that is marketable and produces a reasonable return on investment for the project applicant and its investors and is able to attract investment capital and construction financing.

7.2 SIGNIFICANT IMPACTS FROM THE PROJECT

The significant unavoidable impacts identified in this EIR resulting from the proposed project include:

- **Cultural Resources:** The proposed project would demolish existing structures on the site and result in a significant unavoidable impact to the significance of a historical resource (i.e. the former Memorex campus) pursuant to CEQA Guidelines Section 15064.5.

Alternatives may also be considered if they would further reduce impacts that are already less than significant because of identified mitigation. The project would result in potentially significant impacts in the following areas, but mitigation measures have been identified that would reduce the impacts to less than significant levels:

- **Biological Resources:** Construction activities associated with the proposed project could result in damage to existing trees and/or the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment.
- **Cultural Resources:** Construction activities associated with the proposed project could result damage to unrecorded subsurface resources during trenching and excavation of the site. The project could disturb human remains, including those interred outside of dedicated cemeteries.
- **Geological Resources:** The project could directly or indirectly destroy a unique paleontological resource or site or unique geological feature.
- **Hazardous Materials:** The project could create a significant hazard to the public or the environment resulting from disturbance of existing soil and groundwater contamination on the site.
- **Noise:** Construction and operation of the project could result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies/

7.3 PROJECT ALTERNATIVES

The discussion in this section is based in part upon a Preservation Alternatives Analysis prepared by Architectural Resources Group in September 2020 (see Appendix N).

7.3.1 Project Alternatives Considered but Rejected

The following alternatives were considered for the project but rejected.

7.3.1.1 *Location Alternative*

There is no rule requiring an EIR to explore off-site project alternatives in every case. As stated in the Guidelines: "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." (Guidelines, § 15126.6, subd. (a), italics added.) As this implies, "an agency may evaluate on-site alternatives, off-site alternatives, or both." (*Mira Mar, supra*, 119 Cal.App.4th at p. 491.) The Guidelines thus do not require analysis of off-site alternatives in every case. Nor does any statutory provision in CEQA "expressly require a discussion of alternative project locations." (119 Cal.App.4th at p. 491 citing §§ 21001, subd. (g), 21002.1, subd. (a), 21061.)

In considering an alternative location in an EIR, the CEQA Guidelines advise that the key question is "whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location".[113] The proposed project is a data center development within the City of Santa Clara. The project would result in a significant unavoidable impact to a historical resource that is currently on the site. An alternative location would avoid this impact. However, for a variety of reasons, an alternative location is not considered feasible for this project. The proposed

[113] CEQA Guidelines Section 15126.6(f)(2)(A)

development is a joint venture between the applicant and current property owner. The applicant does not have purchasing rights (i.e. site control) to any other properties in the area, and thus would have no ability to develop the project at an alternative location. Prior to filing the application for the proposed project, the applicant completed due diligence in the project area to determine potential sites for development. The project site is the only site that was found that was available for redevelopment and had the required site characteristics to accommodate the proposed development. For these reasons, developing a project that would meet the stated objectives at an alternative location is not feasible. Consideration of an alternative location is most relevant for a public agency choosing to locate a project, where the public agency could potentially use eminent domain to acquire another suitable site. This ability does not exist for private applicants.

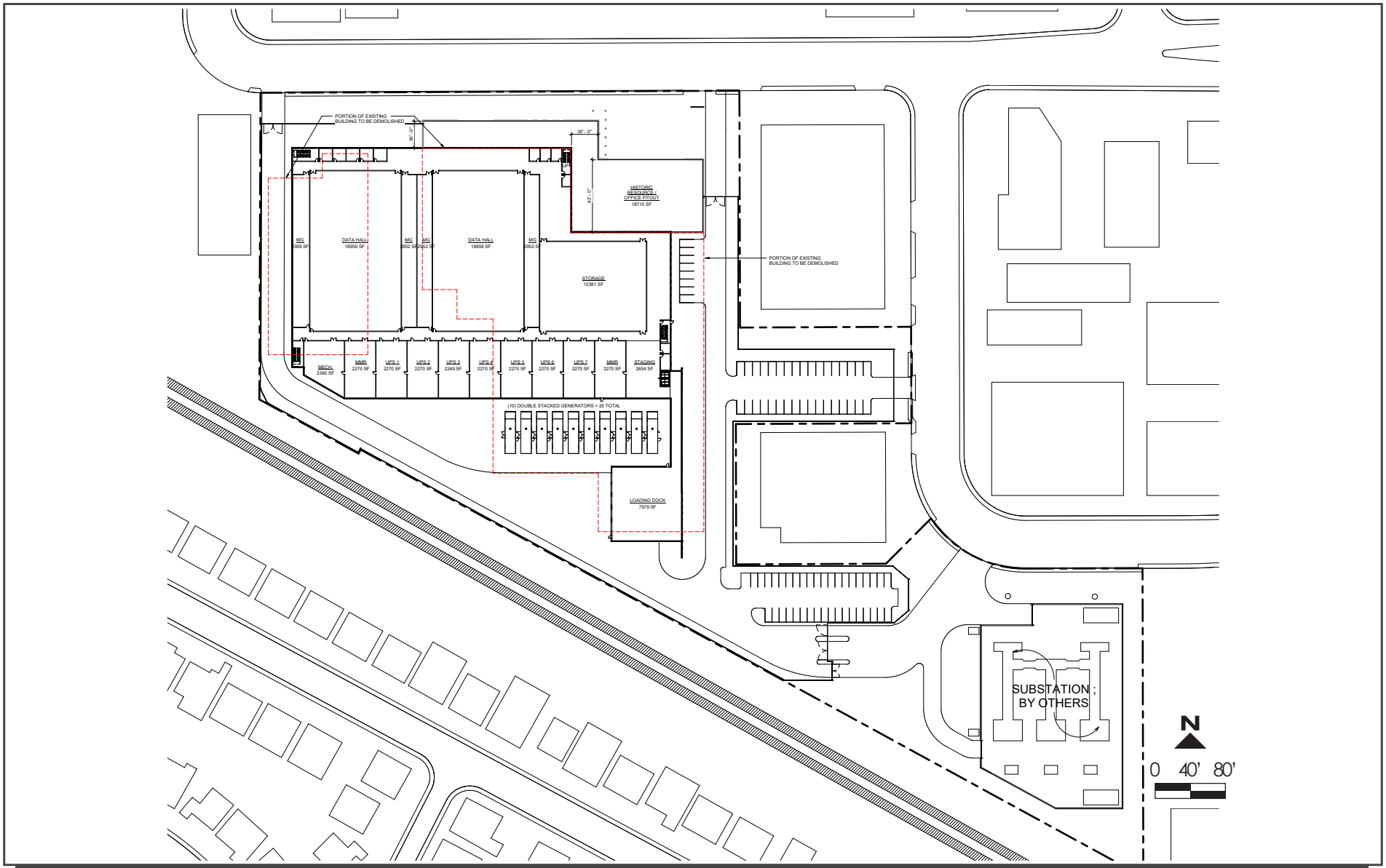
7.3.1.2 *Adaptive Reuse of the Historical Resource*

Adaptive reuse of the historical resource, with no demolition of the exterior of the former Memorex headquarters building and circa 1960 warehouse building, was considered but rejected due to this alternative's failure to meet project objectives. Reuse and interior alteration of these buildings (including the demolition of the mezzanines in the former headquarters building) would allow approximately 204,990 square feet of space for the proposed data center and ancillary office and storage uses, or about two-fifths of the approximately 560,000 square feet identified in the project description. Based on the configuration of the site, reuse of the existing building would allow for the construction of only six generators, rather than the 25 proposed by the project. Additionally, the existing structure is not designed to support the heavy infrastructure required to operate the data center, such as large rooftop equipment, and would require substantial renovation that may impact the integrity of the historical resource. Additionally, even if the building were able to be renovated to accommodate the proposed data center, the site constraints would greatly reduce the potential capacity of the proposed data center, leaving the project unable to meet its objectives. For these reasons, it is not a viable project alternative.

7.3.1.3 *Preservation Alternative – Retain Portion of Historical Resource*

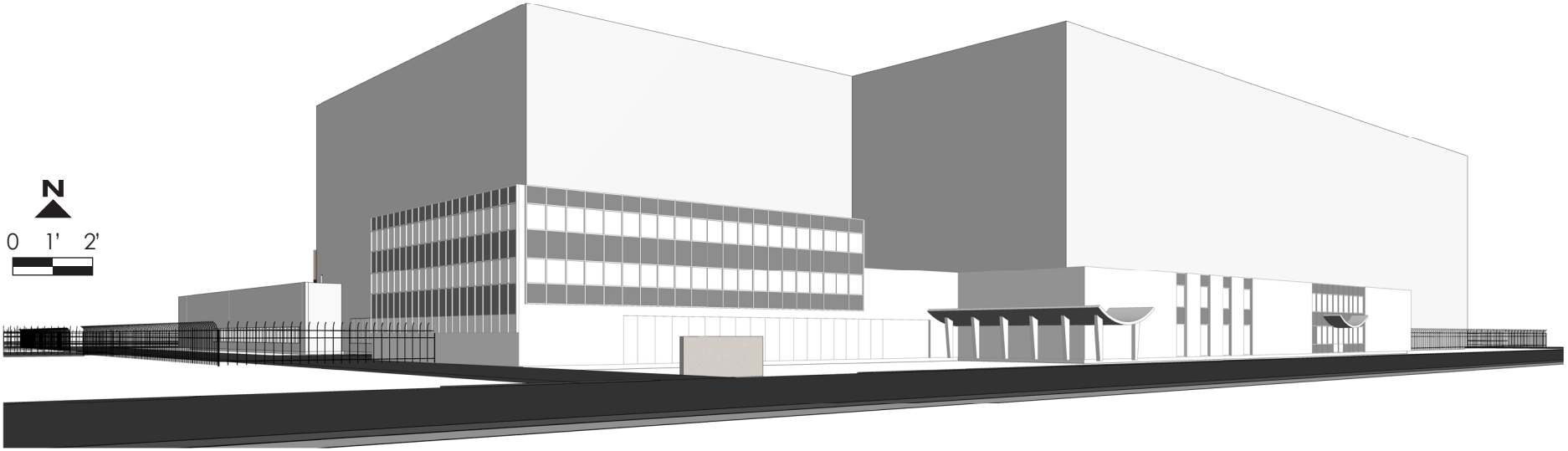
The Preservation Alternative – Retain Portions of Historical Resource would retain the former headquarters building along Memorex Drive to a depth of between 30 feet and 82 feet from the project boundary (See Figures 7.3-1 and 7.3-2). This alternative would demolish 158,202 square feet and retain 46,185 square feet of the existing buildings on the site. This alternative would construct a four-story 444,513 square feet data center building behind the retained historic structure. The historic structure would be utilized for office (36,000 square feet) and storage (10,185 square feet). The combined square footage of the facility would be 490,698 square feet. The project would include 20 three MW diesel-fueled generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site.

The purpose of Preservation Alternative – Retain Portion of Historical Resources is to consider a plan that would lessen the significant impacts of the proposed project on the existing historical resource while achieving a majority of project objectives. The alternative would retain a portion of the headquarters building behind the north (primary) and east facades and adapt this space for office and lobby use. The circa 1960 warehouse and circa 1966 gable-roofed building would be demolished. New construction would be located south and west of the retained portion of the headquarters building.



PRESERVATION ALTERNATIVE - RETAIN PORTION OF HISTORICAL RESOURCE (SITE PLAN)

FIGURE 7.3-1



PRESERVATION ALTERNATIVE – RETAIN PORTION OF HISTORICAL RESOURCE (MASSING) | FIGURE 7.3-2

The alternative would maintain several of the character-defining features on the primary and east facades of the former headquarters building, including a portion of its smooth stucco finish, alternating aluminum windows and metal spandrel panels, and curvilinear porch roofs. However, the proposed four-story addition to the south and west portion of the building would substantially alter the appearance of the building and its characteristic broad, low profile. The proposed new construction would also mean substantial alteration or loss of additional character-defining features of the former headquarters building and wholesale loss of the warehouse and gable-roofed building. New construction would occupy a much larger footprint than the existing building and be immediately discernible from Memorex Drive, which is the public face of the property. As a result, it would not be in conformance with the Secretary of the Interior's Standards for Rehabilitation.

While this alternative would retain a portion of the existing historical resource, it would materially impair the historical resource and would not reduce impacts to a less than significant level. The property would no longer qualify for listing on the CRHR, meaning it would no longer be considered a historical resource. Because this alternative would still result in a significant unavoidable impact to the historical resource on the site and would result in a property that no longer qualifies as a historical resource, the project's impacts would not be substantially lessened, and it is not a viable project alternative.

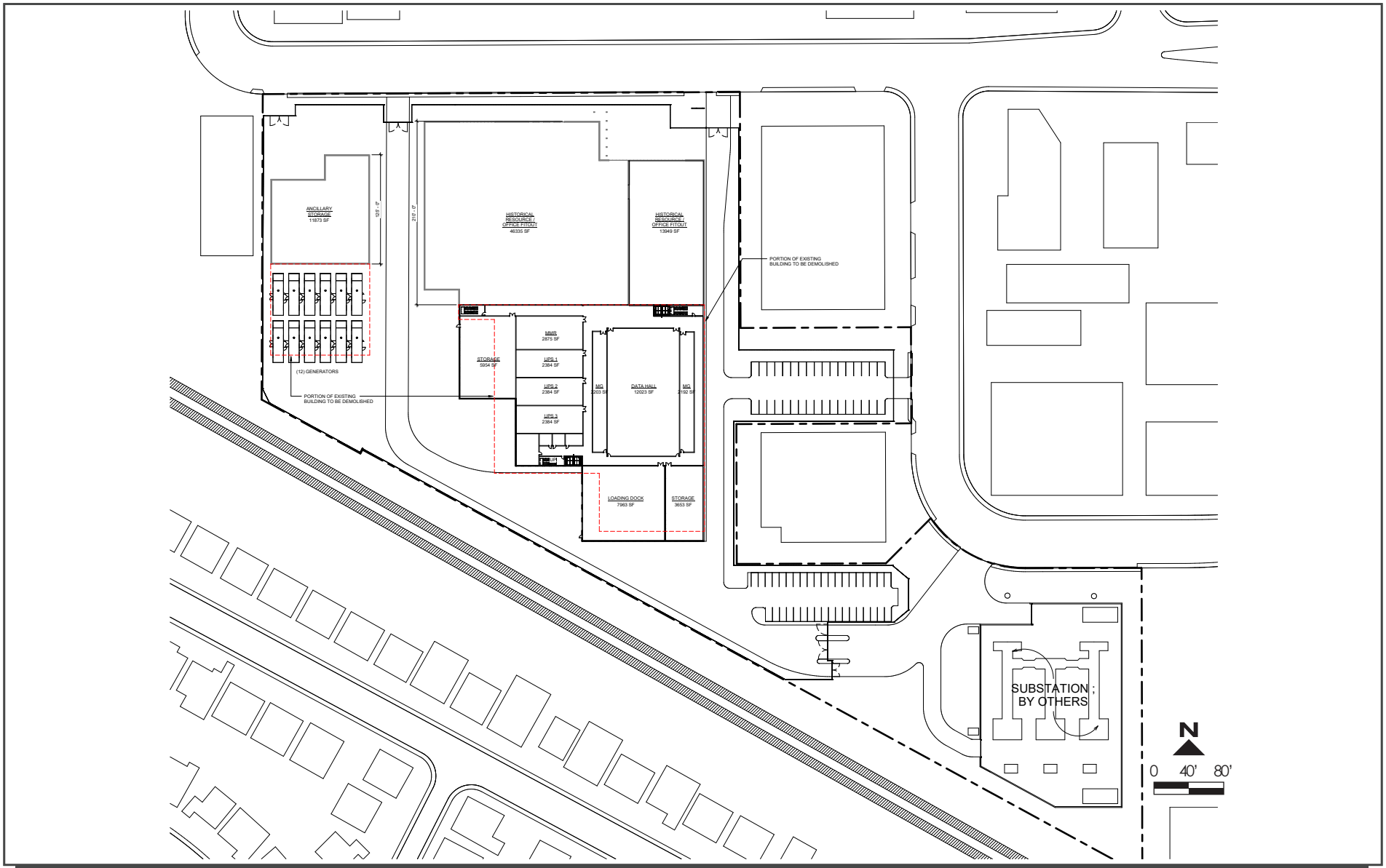
7.3.2 No Project Alternative

The CEQA Guidelines [Section 15126(d)4] require an EIR specifically include a "No Project" alternative. The purpose of including a No Project alternative is to allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project. The Guidelines specifically advise that the No Project alternative is "what would be reasonably expected to occur in the foreseeable future if the project is not approved, based on current plans and consistent with available infrastructure and community services." [Section 15126.6(e)(2)] The Guidelines emphasize that an EIR should take a practical approach, and not "…create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment [Section 15126.6(e)(3)(B)]."

The No Project Alternative would retain the existing three buildings and surface parking lot. The existing development is consistent with the General Plan designation. If the site were to remain as is, there would be no new impacts, and the historic Memorex campus would remain intact. New tenants may occupy the site buildings over time, consistent with current zoning regulations. None of the project objectives would be met under the No Project Alternative.

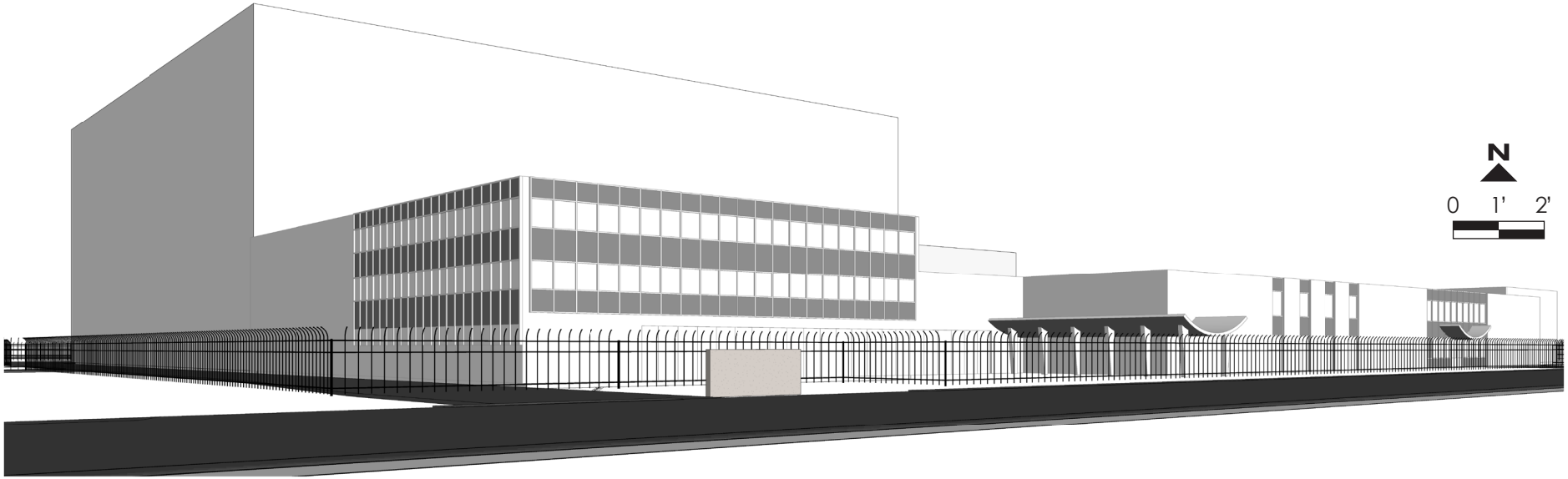
7.3.3 Preservation Alternative – Retain Historical Resource

The Preservation Alternative – Retain Historical Resource would retain the majority of the character defining features of the historical resource while demolishing other portions of the existing development not considered character defining features, allowing for the construction of the data center facility (See Figures 7.3-3 and 7.3-4). This alternative would retain the historical resources along Memorex Drive to depths of 210 feet (former headquarters building) and 125 feet (former



PRESERVATION ALTERNATIVE - RETAIN HISTORICAL RESOURCE (SITE PLAN)

FIGURE 7.3-3



PRESERVATION ALTERNATIVE – RETAIN HISTORICAL RESOURCE (MASSING)

FIGURE 7.3-4

warehouse building) from the project boundary. Overall, this alternative would demolish 93,736 square feet and retain 111,254 square feet of the existing buildings on site. This alternative would construct a four-story, 209,296 square feet data center building behind the retained historic structures. The historic structures would be utilized for office (89,000 square feet) and storage (22,254 square feet). The combined square footage of the facility would be 320,550 square feet. The project would include 12 three MW diesel-fueled engine generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site.

7.3.3.1 *Alternative Impacts*

Cultural Resources

The purpose of Preservation Alternative – Retain Historical Resource is to consider a plan that would retain a substantial portion of the historical resources at the project site and adapt it for use as office space, while also integrating a new addition to house the data center. The alternative would maintain the majority of the character-defining features and form of the existing historical resource as visible from Memorex Drive. The character defining features are summarized in Table 7.3-1, below.

Table 7.3-1: Character Defining Features
Site
Vehicular access from Memorex Drive, along the northern property boundary
Vehicular and pedestrian circulation through the site along north/south-oriented alleyways on either side of the original 1961 building and its additions and along one northwest/southeast-oriented alleyway along the southern property boundary
Exposed aggregate walkways and shallow stairs linking the primary entrances on the northern façade to the sidewalk along Memorex Drive
Paved surfaces throughout the site
All extant buildings, including the original 1961 headquarters building and its additions; the ca. 1960 warehouse building that was purchased and added to the property in 1964; and the ca. 1966 gable-roofed building located at the southern end of the property
North/south orientation of major building elements
Low-profile, landscaped vegetation at the northern façade of the 1961 building and its 1964 addition
Former Memorex Headquarters Building and Additions
Rectangular plan of building and additions, with primary façades fronting Memorex Drive
Broad, horizontal profile, with verticality emphasized through fenestration
One- to three-story height
Flat roofs with simple parapets
Steel-frame construction
Smooth stucco finish on exterior walls
Aluminum fixed windows throughout
Curtain walls with glazing and metal spandrel panels centered in the northern façade of the 1961 building and 1964 addition
Curtain walls with glazing and metal spandrel panels dominating the northern and, to a slightly lesser

Table 7.3-1: Character Defining Features
extent, the eastern façades of the 1966 three-story addition
Near-continuous glazing across the northern façade of the 1966 three-story addition and the eastern façade of the 1964 addition
Symmetrical curvilinear porch hood over the primary entrance to the 1961 building
Asymmetrical curvilinear porch roof with angular columns at the primary entrance to the 1964 addition
Physical connection (i.e., the ca. 1967 breezeway) between the main building and the ca. 1960 warehouse building
Loading facilities on the western and southern façades

Under this alternative, the primary (north) facades of the former Memorex headquarters building and the circa 1960 warehouse building to its west would be retained to a depth of 210 feet and 125 feet from the northern boundary, respectively. Vehicular access from Memorex Drive would be retained, as would the exposed aggregate walkways along the north façade of the former headquarters building and its addition. The smooth stucco finish, aluminum windows and metal spandrel panels, and curvilinear porch roofs of the headquarters building would be preserved, along with the primary façade of the ca. 1960 warehouse building to its east. While the circa 1966 gable-roofed building located at the southern end of the property would be removed under this preservation alternative, the building is not readily visible from Memorex Drive. Additionally, as this building did not historically contain offices or research and development facilities, it is of comparatively lesser significance with regard to the property's role in the development of Memorex's IBM-compatible hard disk drives in the late 1960s.

The new four-story addition to the rear of the headquarters building would be taller than the retained portion; this would somewhat diminish the horizontality of the headquarters building, which has been identified as a character-defining feature. However, the potential visual impact of new construction on the building is reduced because the addition would be set back 210 feet from the northern project boundary. The massing and flat roof of the addition would echo to the form of the retained portions of the headquarters building, while also being clearly differentiated from the historical resource. No addition would be constructed to the rear of the warehouse building, as this space would be given over to 12 three MW generators. Alterations to the retained portions of the headquarters and warehouse buildings would be limited to the interior in order to repurpose them for offices and storage.

Under this alternative, most of the character-defining features of the historical resource at the project site would remain intact, such that the property would remain eligible for listing in the California Register. Because the alternative retains a majority of the property's character-defining features and because new construction would be visibly differentiated from the existing buildings, this alternative appears to be in conformance with the Secretary of the Interior's Standards for Rehabilitation. As a result, this alternative would avoid the project's significant unavoidable impact to a historical resource.

Other Impact Areas

As described previously, the project's only significant unavoidable impact is associated with the proposed demolition of a historical resource. Other significant impacts were identified that would be reduced to less than significant levels with implementation of mitigation measures (refer to Section 7.2).

Under this alternative, physical impacts associated with development of the site and the proposed overhead transmission line, such as those related to trees and nesting birds, buried archeological and/or paleontological resources, and construction noise, would be essentially identical to the proposed project since substantial construction and ground disturbing activities would still occur.

Impacts associated with operation, such as increases in noise levels, would be lessened under this alternative due to the decrease in the amount of mechanical equipment required to operate the reduced size data center. However, as mentioned previously, mitigation is already identified to reduce the project's noise impacts to less than significant levels. Under this alternative, the decrease in mechanical equipment would allow for less restrictive mitigation measures, such as less restrictive requirements for noise reduction related to the rooftop mechanical equipment (MM NOI 2.1 through 2.3). In other words, the operational impacts in either scenario would likely be similar, just with different mitigation measures.

7.3.3.2 *Conclusion*

The alternative would not meet project objectives one and five to the same extent as the project. The alternative would reduce the size of the data center by approximately 263,624 square feet and reduce the number of generators by 12. This reduction in size would reduce the project's marketability and return on investment for the project applicant to some degree, potentially to the point where the project may not be able to attract the investors needed to facilitate its development. The alternative would reduce the significant and unavoidable impact to cultural resources to a less than significant level, and would result in similar impacts to the project in other impact areas.

7.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The CEQA Guidelines state than an EIR shall identify an environmentally superior alternative. If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (Section 15126.6(e)(2)).
The environmentally superior alternative would be the No Project Alternative, which would avoid all project impacts; however, this alternative would not meet any project objectives.

The Preservation Alternative – Retain Historical Resource Alternative would reduce project impacts to historical resources to a less than significant level. The alternative result in similar impacts to the project in other impact areas. This alternative would not meet project objectives one and five. Due to the fact that the alternative reduces impacts to historical resources to a less than significant level, the Preservation Alternative – Retain Historical Resource Alternative would be the environmentally superior alternative.

SECTION 8.0 REFERENCES

The analysis in this Environmental Impact Report is based on the professional judgement and expertise of the environmental specialists preparing this document, based upon review of the site, surrounding conditions, site plans, and the following references:

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SECTION 9.0 LEAD AGENCY AND CONSULTANTS

9.1 LEAD AGENCY

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Holman and Associates
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Illingworth & Rodkin
Noise and Vibration

SECTION 10.0 ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ADT	Average Daily Traffic
AIA	Airport Influence Area
ALUC	Airport Land Use Commission
BAAQMD	Bay Area Air Quality Management District
bgs	Below ground surface
BMP	Best Management Practice
Btu	British thermal units
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
CalEEMod	California Emissions Estimator Model
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CAP	Clean Air Plan
CARB	California Air Resources Board
CARE	Community Air Risk Evaluation
CBC	California Building Standards Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH_4	Methane
CHRIS	California Historical Resources Information System
CLUP	Comprehensive Land Use Plan
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalents
CNEL	Community Noise Equivalent Level
CRHR	California Register of Historical Resources
DPM	Diesel Particulate Matter
DSOD	California Division of Safety of Dams

EIR	Environmental Impact Report
EMU	Electric Multiple Unit
EO	Executive Order
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FIRMs	Flood Insurance Rate Maps
FMMP	Farmland Mapping and Monitoring Program
GHG	Greenhouse Gases
GIS	Geographic Information Systems
HABS	Historic American Building Survey
HAER	Historic American Engineering Record
HALS	Historic American Landscapes Survey
HFCs	Hydrofluorocarbons
HI	Hazard Index
HRI	Historic Resources Inventory
HVAC	Heating, Ventilation, and Air Conditioning
IT	Information Technology
ITE	Institute of Transportation Engineers
kV	Kilovolt
LID	Low Impact Development
LOS	Level of Service
MBTA	Migratory Bird Treaty Act
MDC	Memorex Data Center
MEI	Maximally Exposed Individual
$MMTCO_2e$	Million Metric Tons of Carbon Dioxide Equivalent
MND	Mitigated Negative Declaration
MPO	Metropolitan Planning Organizations
MTC	Metropolitan Transportation Commission
MW	Megawatts
MWh	Megawatt Hours
MVA	Megavolt Amps

N_2O	Nitrous Oxide
NAHC	Native American Heritage Commission
NFIP	National Flood Insurance Program
NOD	Notice of Determination
NOI	Notice of Intent
NOP	Notice of Preparation
NO_2	Nitrogen dioxide
NO_x	Nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O_3	Ground-level ozone
OHA	Oral History Association
PDAs	Priority Development Areas
PFCs	Perfluorocarbons
PM	Particulate Matter
$PM_{2.5}$	Fine Particulate Matter
PM_{10}	Coarse Particulate Matter
Ppm	Parts Per Million
PPV	Peak Particle Velocity
PUE	Power Usage Effectiveness
PV	Photovoltaics
RHNA	Regional Housing Need Allocation
ROG	Reactive Organic Gases
RPS	Renewable Portfolio Standard
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCCHGS	Santa Clara County Historical & Genealogical Society
SCFD	City of Santa Clara Fire Department
SCPD	City of Santa Clara Police Department
SCS	Sustainable Communities Strategy
SCVWD	Santa Clara Valley Water District
SHMA	Seismic Hazards Mapping Act
SF_6	Sulfur Hexafluoride

SFHA	Special Flood Hazard Area
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board
SO_x	Sulfur Oxides
SO_2	Sulfur Dioxide
SVP	Silicon Valley Power
SWPPP	Storm Water Pollution Prevention Plan
TACs	Toxic Air Contaminants
TCRs	Tribal Cultural Resources
TDM	Transportation Demand Management
TPZ	Traffic Pattern Zone
UPRR	Union Pacific Railroad
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
VTA	Santa Clara Valley Transportation Authority

HISTORIC RESOURCE EVALUATION

1200-1310 Memorex Drive
Santa Clara, California

David J. Powers & Associates, Inc. | *December 2019*

Architecture
Planning
Conservation

Architectural
Resources Group

Architectural Resources Group

1200-1310 Memorex Drive
Historic Resource Evaluation
Santa Clara, California

December 2019

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1. Introduction

1.1 Project Background

At the request of David J. Powers & Associates, Inc., Architectural Resources Group (ARG) prepared this Historic Resource Evaluation (HRE) for the property at 1200-1310 Memorex Drive (APN 224-66-006) in Santa Clara, California (Figure 1). The property consists of a multitenant office, warehouse, and industrial building originally constructed for Memorex Corporation in 1961. Prior to the property's development, the land was cultivated as an agricultural field.

This report provides a physical description and historical summary of the property at 1200-1310 Memorex Drive. The property is also evaluated for listing in the California Register of Historical Resources (California Register) to determine whether it qualifies as an historical resource under the California Environmental Quality Act (CEQA). The California Energy Commission (CEC) is the lead agency under CEQA.

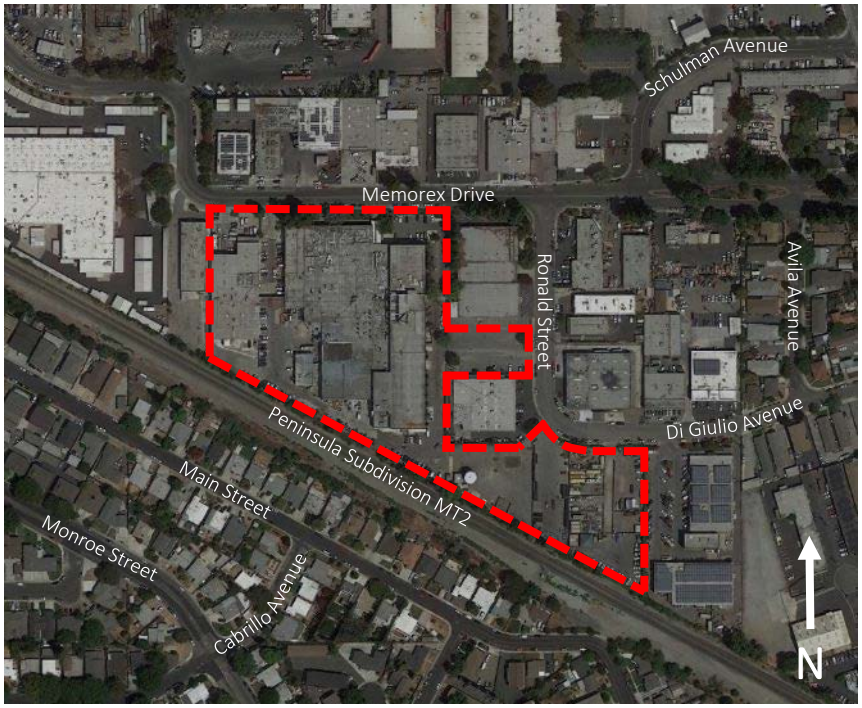

Figure 1. Aerial photograph of the subject property and immediate vicinity (Google Earth, amended by author).

1.2 Current Historic Status

On November 21, 2019, staff at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) completed a records search (NWIC File No. 19-0841) for the proposed project. Cultural resources records and studies for the City of Santa Clara are on file at the NWIC. The purpose of the records search for this investigation is to verify if the subject property and adjacent parcels have been previously recorded and evaluated for listing in the National Register of

Historic Places (National Register), California Register, County of Santa Clara's Heritage Resource Inventory, and City of Santa Clara's Historic Properties List.

The records search indicates that the industrial complex at 1200-1310 Memorex Drive and the adjacent parcels have not been previously recorded in the national, state, or local registers (Table 1). Likewise, the properties have not been evaluated as a contributor to an historic district eligible at the national, state, or local level.

Figure 2. Aerial photograph showing parcel adjacent to the subject property (Google Earth, amended by author; see Table 1 for additional information).

Table 1. Properties Adjacent to 1200-1310 Memorex Drive

Figure 2 Identifier	APN	Address	Property Type	Construction Date[1]	Previously Recorded or Evaluated Status
1	224-66-001	1330 Memorex Dr., 1331 Memorex Dr.	Industrial	1959	Not Recorded or Evaluated
2	224-63-015	No Address	Undeveloped	Undeveloped	Not Recorded or Evaluated
3	224-63-014	1255 Memorex Dr., 1257 Memorex Dr., 1259 Memorex Dr., 1261 Memorex Dr.	Industrial	1962	Not Recorded or Evaluated

[1] City of Santa Clara, *MAP Santa Clara*, accessed November 15, 2019, https://map.santaclaraca.gov/public/index.html?viewer=regional.

Figure 2 Identifier	APN	Address	Property Type	Construction Date[1]	Previously Recorded or Evaluated Status
4	224-63-013	1225 Memorex Dr.	Industrial	1958	Not Recorded or Evaluated
5	224-63-012	1175 Memorex Dr., 1185 Memorex Dr.	Industrial	1959	Not Recorded or Evaluated
6	224-63-011	1155 Memorex Dr.	Industrial	1962	Not Recorded or Evaluated
7	224-63-021	1125 Memorex Dr., 1135 Memorex Dr.	Industrial	1971	Not Recorded or Evaluated
8	224-63-009	1081 Memorex Dr., 1085 Memorex Dr., 1089 Memorex Dr., 1093 Memorex Dr., 1097 Memorex Dr., 1099 Memorex Dr.	Industrial	1963	Not Recorded or Evaluated
9	224-66-005	1210 Memorex Dr., 1260 Memorex Dr., 2222 Ronald St.	Industrial	1960	Not Recorded or Evaluated
10	224-66-003	2122 Ronald St.	Industrial	1959	Not Recorded or Evaluated
11	224-67-021	2175 Ronald St.	Industrial	1959	Not Recorded or Evaluated
12	224-67-020	2119 Ronald St., 2121 Ronald St., 2125 Ronald St., 1085 Di Giulio Ave.	Industrial	1970	Not Recorded or Evaluated
13	224-67-019	1051 Di Giulio Ave., 1053 Di Giulio Ave., 1055 Di Giulio Ave., 1057 Di Giulio Ave., 1059 Di Giulio Ave., 1061 Di Giulio Ave.	Industrial	1960	Not Recorded or Evaluated
14	224-05-093	1040 Di Giulio Ave.	Industrial	1971	Not Recorded or Evaluated
15	N/A	Peninsula Subdivision MT2	Railroad	1888,[2] 1991[3]	Not Recorded or Evaluated

[2] Derek R. Whaley, "Railroads: Southern Pacific Branch Lines and Divisions," *Santa Cruz Trains: Railroads of the Monterey Bay Area*, April 5, 2019, https://www.santacruztrains.com/2019/04/railroads-southern-pacific-branch-lines.html. This is the date that Southern Pacific Railroad Company laid standard gauge along this route.
[3] "History," *Caltrain*, accessed December 12, 2019, http://www.caltrain.com/about/History.html?PageMode=Print. This is the date that the Peninsula Corridor Joint Powers Board, the governing body for the Caltrain Peninsula, purchased the right-of-way.

1.3 Methodology

To complete the HRE for 1200-1310 Memorex Drive, ARG:

- Conducted a site visit to examine and photograph the subject property and surrounding parcels on November 22, 2019;
- Completed archival research at relevant repositories, including the Santa Clara County Recorder's Office; Santa Clara Building Division; and the San Jose Public Library;
- Reviewed online repositories, including the California Digital Newspaper Collection; the Computer History Museum; Newspapers.com; Newspaper Archive; ProQuest Historical Newspapers; Online Archive of California; University of California, Santa Cruz Digital Collections; and United States Geological Society (USGS) EarthExplorer;
- Reviewed primary and secondary sources regarding the history and development of the Santa Clara Valley and Memorex Corporation; and
- Prepared a set of Department of Parks and Recreation (DPR) 523 forms for the subject property. These forms are included in Appendix D.

2. Physical Description

The following section provides a physical description of the buildings at 1200-1310 Memorex Drive and the property's immediate setting. Additional photographs are presented in Appendix A.

2.1 Site Description

The subject property at 1200-1310 Memorex Drive is situated on an irregularly shaped parcel (APN 224-66-006) in east-central Santa Clara. The property dominates an irregularly shaped block roughly bounded by Memorex Drive to the north, Ronald Street to the east, and the Peninsula Subdivision MT2 rail line to the southwest (Figure 1). A narrow strip of landscaped vegetation extends along the eastern two-thirds of the Memorex Drive frontage, and a row of trees follows the southwestern property boundary.

The subject property contains a large industrial complex comprised of several adjoining one-, two-, and three-story manufacturing facilities, warehouse buildings, and offices. The complex is surrounded on all sides by asphalt-paved driveways, parking, and loading areas. The surrounding blocks are also characterized by light industrial development with surface lot parking.

2.2 Building Description

The industrial complex at 1200-1310 Memorex Drive features an irregular footprint and is comprised of multiple additions and building components constructed in the mid-twentieth century. The original portion of the building, which was completed in 1961, is a two-story building fronting Memorex Drive to the north. This building is rectangular in plan, and its exterior walls are finished with smooth stucco. The center of the primary (northern) façade is dominated by a curtain wall that extends across both stories and includes the building's primary entrance (Figure 3). At the ground level, the curtain wall features a

pair of fully glazed metal doors with a narrow transom, flanked by four aluminum fixed windows to either side. The westernmost window has been infilled with an opaque metal panel. At the upper level, the curtain wall contains a continuous ribbon of ten aluminum fixed windows. Short metal spandrel panels are located above the upper level windows, between the upper and lower level windows, and below the lower level windows. A curvilinear porch hood is anchored above the primary entrance, sheltering both the double doors and one window unit to either side. A poured concrete walkway extends across the façade and connects the primary entrance to the sidewalk along Memorex Drive. A secondary entrance, a single-leaf metal door, is also located in the primary façade, to the east of the curtain wall and primary entrance (Figure 4).

Figure 3. Northern façade of the 1961 building, view south (ARG, November 2019).

Figure 4. Northern façade of the 1961 building, view southwest (ARG, November 2019).

The eastern, western, and southern façades of the 1961 building have all been covered by additions. The addition across the eastern façade, which roughly doubled the square footage of the original building, was completed in late 1964 (Figure 5). It is rectangular in plan and matches the height of the 1961 building, and its northern façade is also dominated by a centrally located curtain wall that extends across both stories (Figure 6). Unlike the curtain wall on the 1961 building, however, this is predominantly filled with opaque panels, featuring only four fixed aluminum windows on either story (Figures 5 and 6). The primary entrance to the building is on its eastern façade, sheltered by a curvilinear, asymmetrical porch roof supported by a series of angular columns (Figures 7 through 10). The columns are constructed from concrete, and the roof appears to clad in sheet metal. The porch covers only the northernmost part of the eastern façade, extending beyond the corner of the building to cover a portion of the walkway that connects the entrance to the sidewalk along Memorex Drive. Below the porch, the façade is punctuated by a pair of fully glazed aluminum doors with a transom and a ribbon of four full-height fixed windows (Figures 9 and 10). A small eating area with circular tables and curving, fixed-in-place benches is located to the east of the porch, beyond the angular columns (Figure 10). Both this area and the associated walkways that connect the building's entrances to the sidewalk are paved with exposed aggregate concrete.

Figure 5. 1961 building (right) and 1964 addition (left), view southwest (ARG, November 2019).

Figure 6. Fenestration in the curtain wall of the 1964 addition, view south (ARG, November 2019).

Figure 7. Northeastern corner of the 1964 addition, view southeast (ARG, November 2019).

Figure 8. Porch affixed to the eastern façade of the 1964 addition, view south (ARG, November 2019).

Figure 9. Primary entrance on the eastern façade of the 1964 addition, view southwest (ARG, November 2019).

Figure 10. Picnic area and fountain near the northeastern corner of the 1964 addition, view northeast (ARG, November 2019).

Across the 1964 addition's eastern façade, beginning at the southern end of the porch roof, is a narrow, two-story addition that is rectangular in plan. It features large, fixed aluminum windows across the first story on its primary (northern) façade, while its eastern façade is covered entirely by a three-story addition, completed in 1966, that extends beyond the southern façades of the previously constructed buildings (Figure 11). The three-story addition is rectangular in plan, with a flat roof and a high parapet screening a variety of rooftop mechanical equipment. At the ground level, its primary (northern) façade features stucco cladding, fixed aluminum windows, and fully glazed aluminum doors; the primary entrance, a pair of aluminum double doors, is sheltered below a short vinyl awning (Figure 12). The upper stories are a steel-framed curtain wall containing alternating rows of fixed windows and opaque panels. The eastern façade, which is nearly five times the width of the northern façade, features a more varied appearance (Figure 13). The curtain wall wraps around the northeastern corner of the building, covering all three floors of the northern third of the eastern façade. It then continues at only the upper floor across the length of the façade. Multiple secondary entrances, including roll-up garage doors and one set of fully glazed aluminum doors with a transom and sidelights, punctuate the first story below the curtain wall. The southern façade features a loading area covered by a projecting metal awning at the first story and a metal door accessed by a metal exterior staircase at the second story (Figure 14).

Figure 11. Northern façade of the additions to the 1964 addition, view southwest (ARG, November 2019).

Figure 12. Primary entrance in the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Figure 13. Eastern façade of the 1966 addition, view northwest (ARG, November 2019).

Figure 14. Southern façade of the 1966 addition, view northwest (ARG, November 2019).

The rear (southern) façade of the 1961 building and its 1964 addition have been covered by additional two-story, flat-roofed, rectangular-in-plan additions completed ca. 1966. The eastern façade of these additions adjoins the 1966 three-story addition. The southern façade of the additions is clad in corrugated sheet metal siding, punctuated on the first story by two roll-up metal garage doors, two half-glass metal doors, one fully glazed metal door, and one aluminum fixed picture window (Figure 15). The western façade of the additions features four-light windows across the first and second stories, with one roll-up metal garage door and two single-leaf metal doors in the first story as well as one single-leaf metal door in the second story (Figure 16). The latter is served by a metal exterior staircase.

Figure 15. Southern façade of the ca. 1966 additions to the southern façade of the 1961 building and 1964 addition, view north-northwest (ARG, November 2019).

Figure 16. Western façade of the ca. 1966 additions to the southern façade of the 1961 building and 1964 addition, view northeast (ARG, November 2019).

Across the western façade of the original 1961 building has been constructed another narrow, rectangular-in-plan, two-story addition, completed by 1966. Its northern (primary) façade is even with that of the 1961 building and clad in stucco to match (Figure 17). The addition's western and southern façades are also clad in stucco, and the northern portion of the western façade is punctuated by ribbons of square, fixed aluminum windows across the upper story (Figure 18).

Figure 17. Northern façade of the ca. 1966 addition across the western façade of the 1961 building, view southeast (ARG, November 2019).

Figure 18. Western façade of the ca. 1966 addition across the western façade of the 1961 building, view northeast (ARG, November 2019).

A metal breezeway clad with a flat roof clad in corrugated sheet metal extends perpendicularly from southern corner of the addition's western façade, connecting it to a separate building that has itself experienced multiple rounds of addition and alterations (Figure 19). The core of this building is a ca. 1960, two-story building that is rectangular in plan. It is of concrete construction and features a convex roof (Figure 20). Fenestration is limited to one fixed aluminum window, one roll-up metal garage door, and one single-leaf metal door on the eastern façade and two roll-up garage doors and three single-leaf metal doors on the southern façade. The southern façade also features a small, one-story, metal-clad addition with a shed roof and one single-leaf door on its own southern façade. The western façade of the building is blank, and the northern façade has been obscured entirely by a series of additions that match the original building's width.

The eastern façade of the additions to the ca. 1960 building is constructed from concrete. It is punctuated variously by single-leaf doors, one metal roll-up garage door, and horizontally oriented, fixed and sliding aluminum windows in both the first and second stories. The northern (primary) façade is articulated such that the eastern portion projects further north than the western portion; the eastern portion, which is clad in stucco, features a raised loading dock with three metal roll-up garage doors and a flat porch roof clad in corrugated sheet metal (Figure 21); the western portion, which is constructed of concrete masonry units and features a short parapet, is also punctuated by two metal roll-up garage doors as well as a fully glazed metal door with sidelights (Figure 22). The western façade of the additions is blank.

Figure 19. Breezeway joining the ca. 1966 addition to the ca. 1960 building, view south (ARG, November 2019).

Figure 20. Southern and eastern façades of the ca. 1960 building, view northwest (ARG, November 2019).

Figure 21. Addition to the eastern portion of the ca. 1960 building's northern façade, view southwest (ARG, November 2019)

Figure 22. Addition to the western portion of the ca. 1960 building's northern façade, view south (ARG, November 2019).

The property also includes one ca. 1966 freestanding building near the southern boundary of the property, between the ca. 1960 building and the ca. 1966 additions to the southern façade of the 1961 building. The freestanding building is one story in height, rectangular in plan, and comparatively small. It is of steel-frame construction with corrugated sheet metal cladding and a shallowly pitched, metal-clad roof (Figure 23). The building's primary (southern) façade is punctuated by two metal roll-up garage doors, one paneled metal or fiberglass door, and a vinyl sliding window, which the western façade features a single metal roll-up garage door flanked by half-glass, single-leaf metal doors (Figures 23 and 24). The eastern façade features one single-leaf metal door near the southern corner of the building, and the western façade is blank.

Figure 23. Southern façade of the ca. 1966 freestanding building, view north (ARG, November 2019).

Figure 24. Western façade of the ca. 1966 freestanding building, view northeast (ARG, November 2019).

3. Site History

The following site history has been compiled using building permits on file at the City of Santa Clara Building Division (Table 2); Memorex's monthly employee newsletters, which are digitized and made available through the Computer History Museum; Sanborn Fire Insurance Maps (see Appendix C); USGS topographic maps; and aerial imagery accessed through USGS EarthExplorer and the University of California Santa Cruz digital collections.

According to aerial photography from 1939, the subject property and its immediate vicinity appear to have been cultivated as agricultural fields and orchards prior to development for industrial use (Figure 27). Farmhouses, barns, and associated ancillary buildings dotted the landscape, and the outer limits of Santa Clara's residential area ended less than a mile from the subject property. The subject property itself was devoid of built resources at the time, but the Southern Pacific Railroad line forming its southern boundary was in place. In 1950, the property remained undeveloped, but suburban development had encroached northward to the rail line, within the vicinity of the subject property (Figure 28).

By the early 1960s, the bulk of the subject property was addressed as 1180 Shulman Avenue and purchased by Memorex Corporation, a nascent electronics company founded by a group of entrepreneurs in 1961. In that same year, Memorex applied for a permit to erect an office and factory at the site; the result was the two-story, steel-framed building at the center of the present-day industrial

complex. Constructed by J.B. Tulloch Engineers and Contractors and completed in November of 1961, this building was the company's first dedicated plant and the corporate headquarters.[4]

In 1963, Memorex Corporation applied for a permit to add a warehouse and factory addition across the eastern façade of the original building, and this was completed in October 1964.[5] Also in 1964, the company purchased the parcel comprising the western end of the present-day subject property; this parcel included an existing ca. 1960 building (Figure 29), which Memorex used to expand their warehousing needs.[6] Additionally, a freestanding, shed-roofed storage building was constructed at the southern boundary of the property ca. 1963.[7]

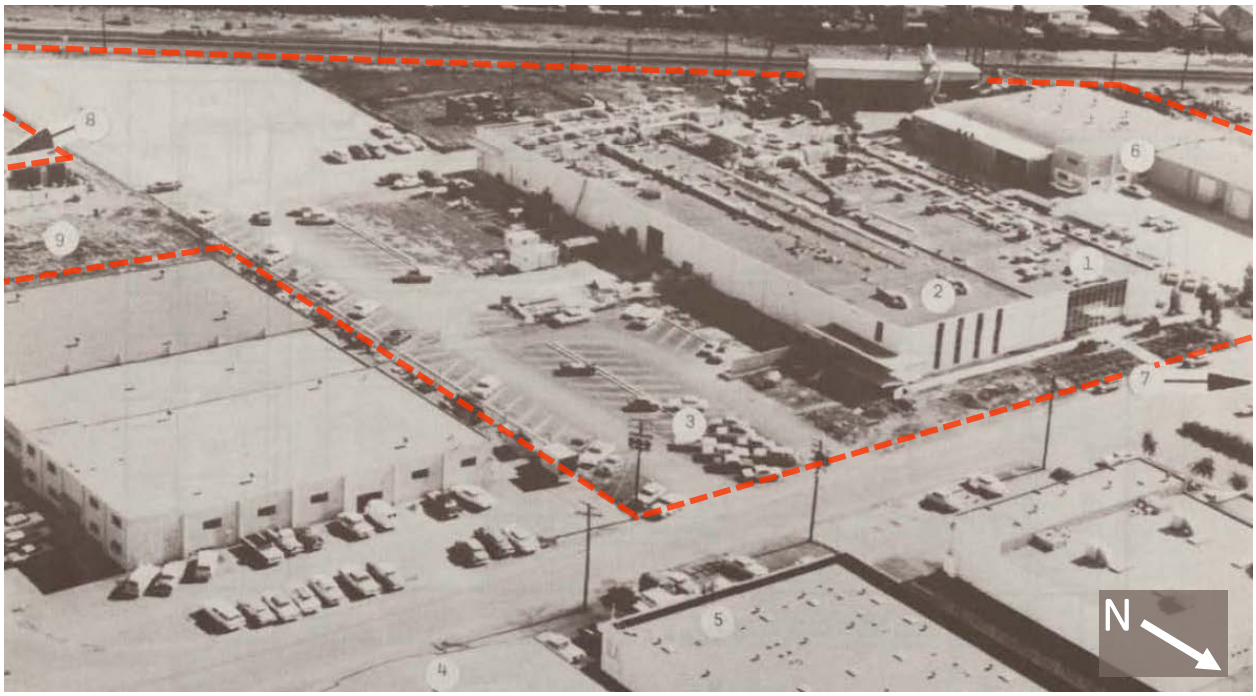

Figure 25. The subject property as it appeared in early 1965. The numbered labels, original to the image, denote the following: 1), the original building constructed for Memorex Corporation, completed November 1961; 2), the addition to the building's eastern façade, completed October 1964; 3), an employee parking lot; 4), a rented building used for warehousing; 5), a rented building used for offices; 6), the ca. 1960 building used for warehousing, purchased by Memorex Corporation in October 1964; 7), additional property purchased for future plant expansion; 8), an employee parking lot; and 9), an additional employee parking lot. Additionally, a shed-roofed building constructed ca. 1963 is located near the upper right corner of the image ("Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 [June 1965]: 4, amended by author).

[4] "First Memorex Building," ca. June 1961, Memorex Memorabilia [Digital Archive], accessed November 20, 2019, https://mrxhist.org/docs/MRX%2019610632_est%20First%20Building.jpg; "Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 (June 1965): 4; Santa Clara Building Permit BLD1961-21921.

[5] "Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 (June 1965): 4; Santa Clara Building Permit BLD1963-26698.

[6] "Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 (June 1965): 4.

[7] Santa Clara Building Permit BLD1963-26167.

By 1965, the company had grown sufficiently large so as to rent space in two buildings north of Memorex Drive (then Shulman Avenue), currently 1065-1069 Memorex Drive (APN 224-63-008) and 1081-1099 Memorex Drive (APN 224-63-009) (Figure 25).[8] This relationship appears to have been short-lived, however, and Memorex Corporation soon began to expand its own facilities. The area to the east of the 1964 addition, which had formerly been an employee parking lot, was developed with a three-story addition including office, laboratory, and warehouse space, as well as a one-story cafeteria at the northeastern corner of the property.[9] The three-story addition was completed in early 1966 (Figures 30 and 31).[10] By October of that year, further additions had been constructed off the rear (southern) façade of the 1961 building and 1964 addition, as well as across the western façade of the 1961 building. The freestanding, gable-roofed building at the south-central portion of the property had also been completed by this time. The ca. 1960 building also saw two additions cover its primary (northern) façade by late 1966 (Figure 31).[11] In 1967, a breezeway or canopy was built to connect the ca. 1960 building with the ca. 1966 addition across the western façade of the 1961 building.[12] A large box beam joined the northern façade of the ca. 1960 building's westernmost addition to the northern façade of the same (Figure 26). In 1968, Memorex Corporation completed a disk packing plant on a nearby parcel (currently 1400-1500 Memorex Drive, APN 224-65-009), separate from the subject property (Figure 26).[13]

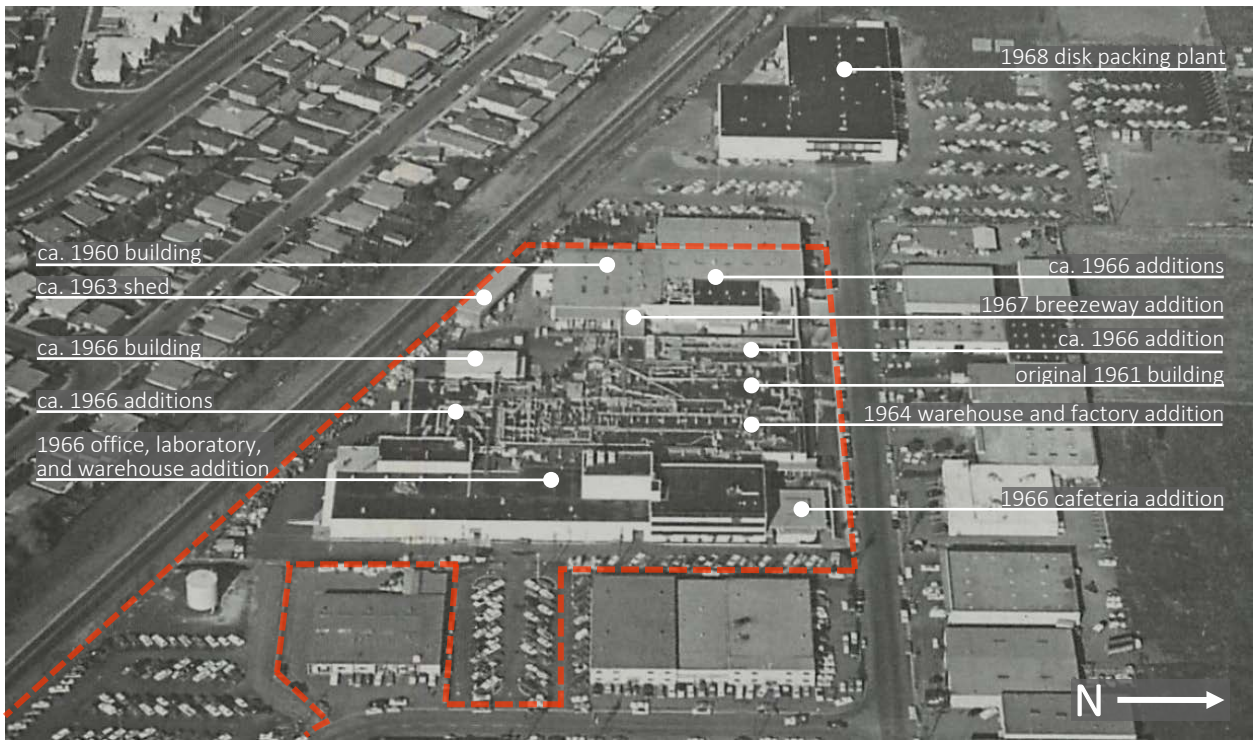

Figure 26. Subject property as it appeared in early 1968
("Open House 1968, Welcome," *Memorex Intercom* 5, no. 4 [April 1968]: 1, amended by author).

[8] "Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 (June 1965): 4.
[9] "Memorex is Busting Out All Over," *Memorex Intercom* 2, no. 9 (September 1965): 1; Santa Clara Building Permit BLD1965-29818; "Construction Nears Completion," *Memorex Intercom* 2, no. 12 (December 1965): 1.
[10] "New Facilities," *Memorex Intercom* 3, no. 3 (March 1966): 2.
[11] "Map Index," *Memorex Intercom* 3, no. 10 (October 1966): 4.
[12] Santa Clara Building Permit BLD1967-32310.
[13] "This is the recently completed…," *Memorex Intercom* 5, no. 2 (February 1968): 1.

By 1972, a second breezeway had been constructed to join the 1966 three-story addition to the ca. 1960 building at the southwest corner of Memorex Drive and Ronald Street (2222 Ronald Street, APN 224-66-005; this parcel is not part of the subject property) (Figure 32). Few other additions were made to the complex's exterior for the duration of Memorex Corporation's ownership of the property, which ended in the early 1990s (Figure 33 through 36). However, permit records indicate that the building's interior experienced many alterations and reconfigurations during the same period (Table 2).

Memorex Corporation liquidated the facility's assets in February 1994.[14] Following the liquidation, the building and property experienced a number of alterations targeted toward dividing space for use by multiple tenants. The breezeway connecting the 1966 addition and the ca. 1960 building at 2222 Ronald Street was demolished ca. 1995, as was the shed-roofed storage building at the southern boundary of the property (Figure 37).[15] The large cafeteria at northern end of the 1966 three-story addition was demolished in 2004 and replaced with surface parking.[16] In 2014, a shed roof on the southern portion of the ca. 1960 building's eastern façade was removed, and in early 2015, the westernmost addition to the building's northern façade was truncated and replaced with a new concrete masonry unit façade.[17] The box beam that had joined its northern façade to the ca. 1966 addition on the original Memorex building was also removed.

Table 2 below summarizes the building permits on file at the City of Santa Clara Permit Center for exterior alterations to the building. While the complete record was reviewed for the purposes of this report, permits for interior alterations, plumbing and electrical projects, and parking lot reconfigurations are omitted from this table in the interest of clarity. The majority of omitted alterations coincide with construction of the building's major additions or occurred after the sale of the building, at which time it was apparently remodeled to accommodate multiple tenants.

Table 2. Construction Chronology for 1200-1310 Memorex Drive

Permit No.	Year Issued	Address	Description of Work
BLD1961-21921	1961	1300 Memorex Dr.	Erect office and factory.
BLD1963-26698	1963	1260 Memorex Dr.	Add warehouse and factory.
BLD1965-29818	1965	1250 Memorex Dr.	Erect offices and warehouse.
BLD1965-29898	1965	1260 Memorex Dr.	Add process area/lab and pump house.

[14] "A Ross-Dove Company Auction: Complete Liquidation of a Major Computer Tape Manufacturing Facility Assets Surplus to Continuing Operations," auction catalog, 1994; item 102770298, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[15] Santa Clara Building Permit BLD1995-106005.
[16] Santa Clara Building Permit BLD2004-03917.
[17] Santa Clara Building Permit BLD2014-36949; Santa Clara Building Permit BLD2015-37252.

Permit No.	Year Issued	Address	Description of Work
BLD1966-31547	1966	1200 Memorex Dr.	Add canopy, arcade, labs, and offices to industrial building.
BLD1966-31624	1966	1252 Memorex Dr.	Add to industrial building.
BLD1967-32310	1967	1270 Memorex Dr.	Construct canopy.
BLD1969-35269	1969	1250 Memorex Dr.	Add one-story structural frame addition.
BLD1974-43092	1974	1200 Memorex Dr.	Erect mix mill building.
BLD1979-50814	1979	1250 Memorex Dr.	Erect mezzanine and roof structure for dryer equipment.
BLD1981-54107	1981	1200 Memorex Dr.	Add canopy.
BLD1981-54615	1981	1200 Memorex Dr.	Add canopy.
BLD1985-69469	1985	1260 Memorex Dr.	Add foundation and pad.
BLD1986-69599	1986	1260 Memorex Dr.	Erect building platform.
BLD1986-70505	1986	1232 Memorex Dr.	Install exterior doors and stairs.
BLD1995-105447	1995	1300 Memorex Dr.	Alter exterior openings.
BLD1995-106005	1995	1290 Memorex Dr.	Demolish storage building and awning.
BLD1997-113071	1997	1200 Memorex Dr.	Exterior alterations and parking restriping.
BLD1997-114521	1997	1220 Memorex Dr.	Demolish part of roof.
BLD1997-115677	1997	1250 Memorex Dr.	Alterations to openings.
BLD1997-115678	1997	1260 Memorex Dr.	Alterations to openings.
BLD1997-115679	1997	1280 Memorex Dr.	Alterations to openings.
BLD2004-03917	2004	1210 Memorex Dr.	Demolition of former cafeteria.

Permit No.	Year Issued	Address	Description of Work
BLD2005-07629	2005	1220 Memorex Dr.	Landscaping, grading, and alterations to exterior lighting.
BLD2006-09708	2006	1300 Memorex Dr.	Add storefront and upgrade restrooms.
BLD2006-11306	2006	1290 Memorex Dr.	Construct addition.
BLD2007-12119	2007	1220 Memorex Dr.	Expand exterior door.
BLD2014-35678	2014	1290 Memorex Dr.	Voluntary seismic upgrade and alterations to exterior lighting at the mezzanine level.
BLD2014-36949	2014	1290 Memorex Dr.	Demolish shed portion of building.
BLD2015-37252	2015	1300 Memorex Dr.	Demolish front portion of building.
BLD2016-41966	2016	1250 Memorex Dr.	Construct of an exterior sheet metal acoustical enclosure, electrical control panel, and roof penetrations
BLD2018-50676	2018	1220 Memorex Dr.	Modify exterior entryways and restripe parking area.

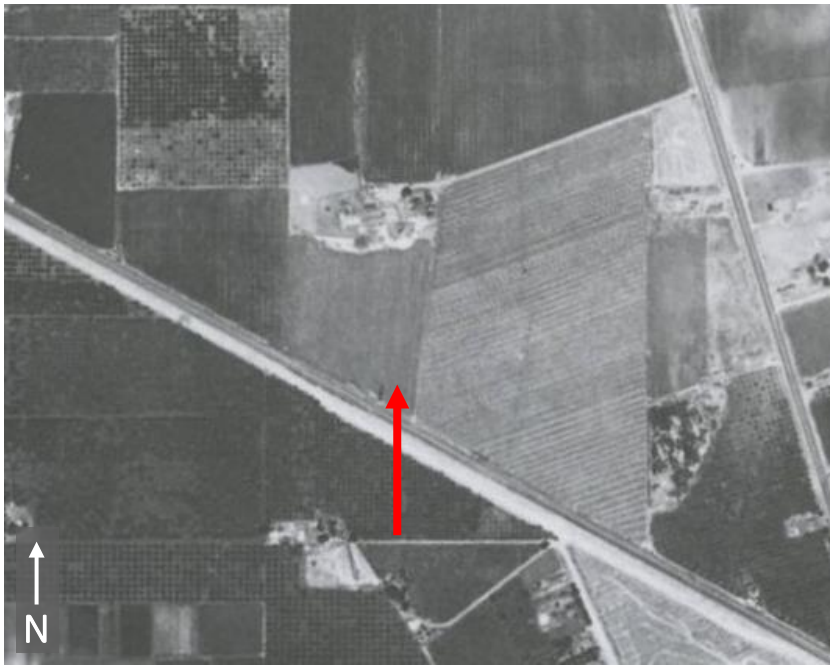

Figure 27. 1939 aerial photograph; the arrow indicates the location of the subject property (UC Santa Cruz Digital Collections, amended by author).

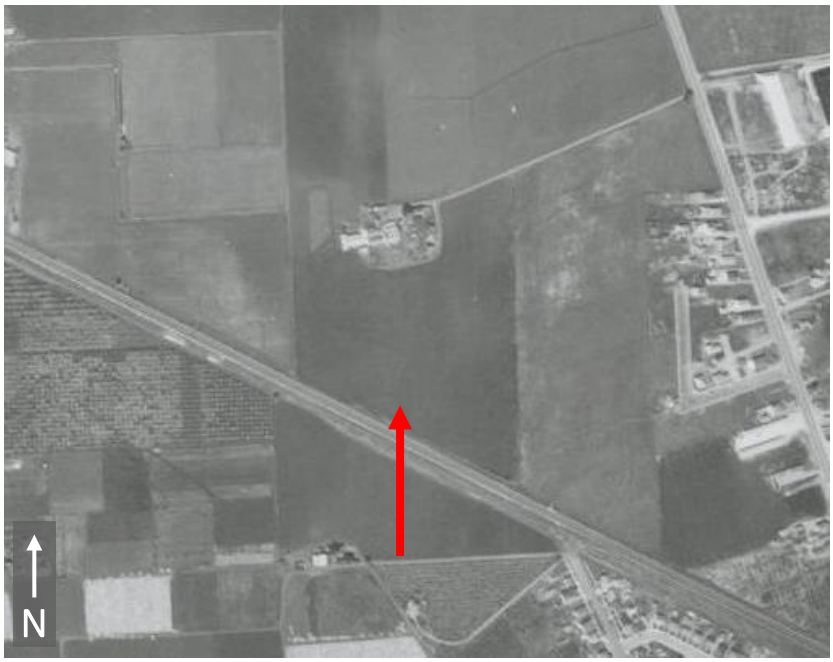

Figure 28. 1950 aerial photograph; the arrow indicates the location of the subject property (UC Santa Cruz Digital Collections, amended by author).

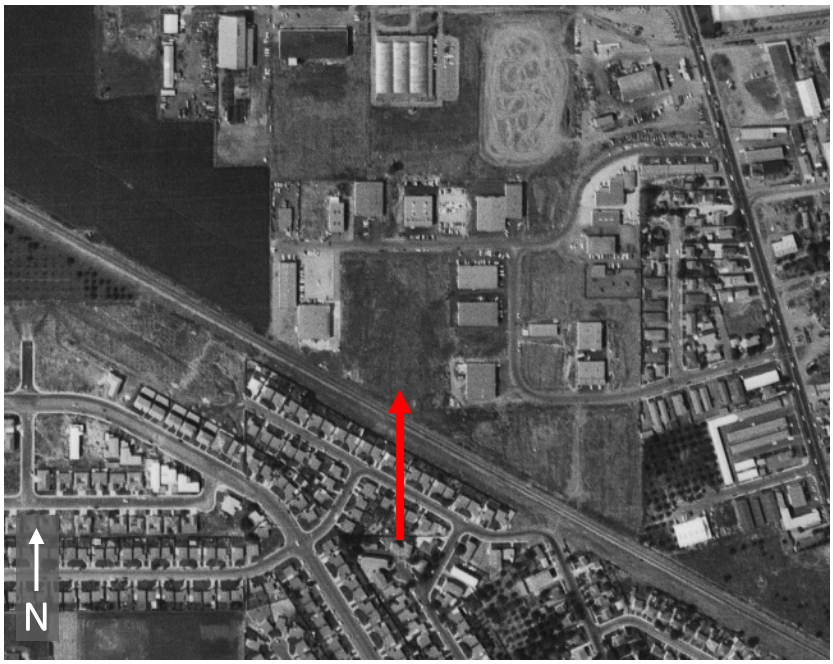

Figure 29. 1960 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

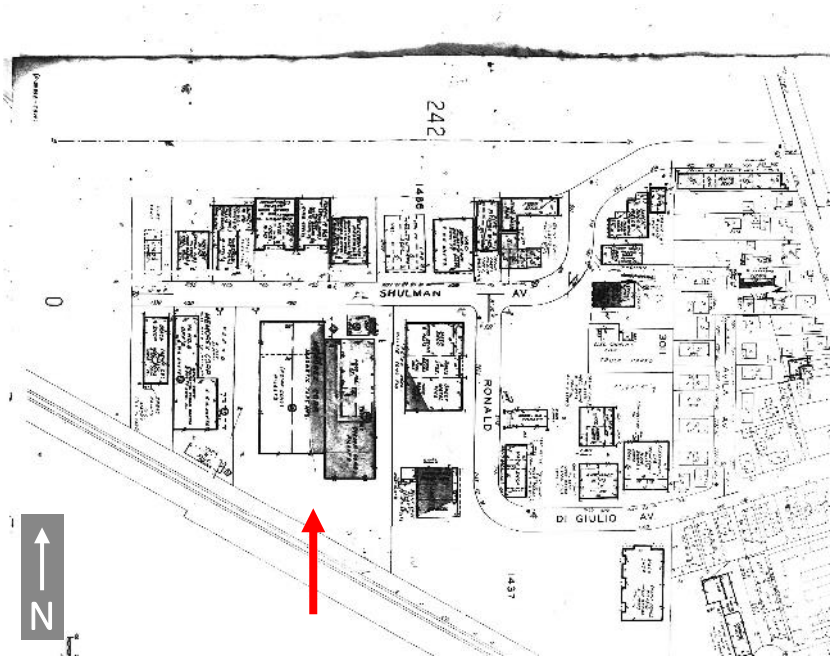

Figure 30. 1966 Sanborn Fire Insurance Map, San Jose, Volume 3, Sheet 253; the arrow indicates the location of the subject property (amended by author).

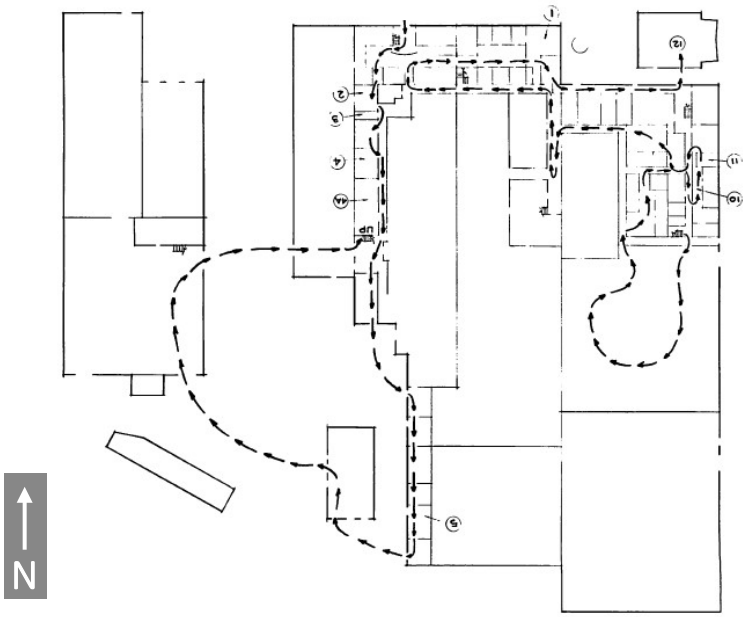

Figure 31. Layout of the subject property at the time of the Memorex Corporation's annual open house, 1966 ("Map Index," *Memorex Intercom* 3, no. 10 [October 1966]: 4, amended by author).

Figure 32. 1968 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

Figure 33. 1972 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

Figure 34. 1980 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

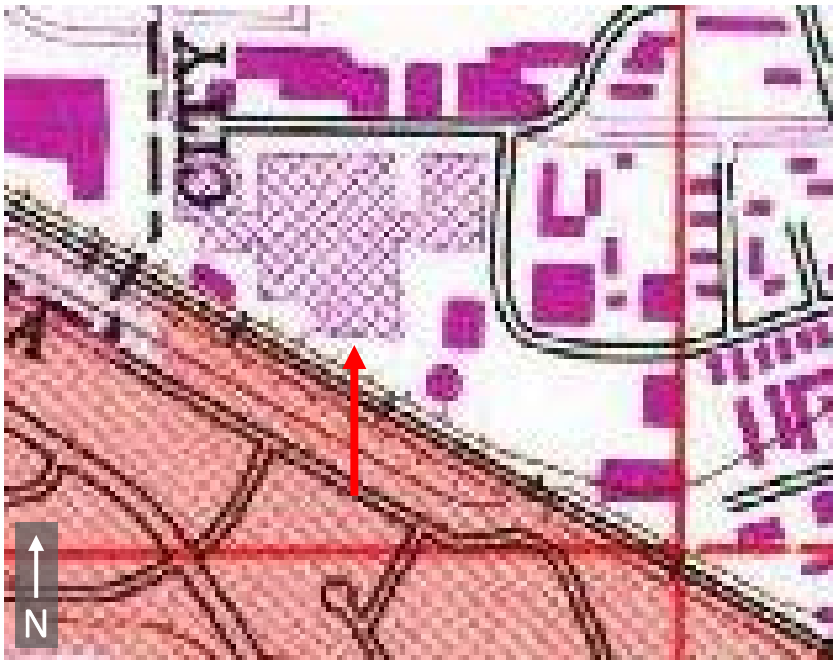

Figure 35. 1961 topographic map, 1980 revision; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

Figure 36. 1993 aerial photograph; the arrow indicates the location of the subject property (Google Earth, amended by author).

Figure 37. 2000 aerial photograph; the arrow indicates the location of the subject property (Google Earth, amended by author).

4. Historic Context

4.1 Prewar Development of the Santa Clara Valley

The County of Santa Clara is one of twenty-seven California counties created in 1850, the year that California entered the Union. San José was selected as the first state capital, and the combination of legislators, newsmen, and others seeking employment in the city spurred urban development in the surrounding Santa Clara Valley region. The fertile valley also attracted agricultural interests, including many former gold miners who shifted their efforts from prospecting to farming or ranching.[18]

Outside of San José, cattle ranching was the Santa Clara Valley's primary economic activity in the early years of California statehood. Initially, the open range method was common among ranchers, but pasture lands were reduced as the region became more densely settled; stock farming, which utilized smaller lots and intensified production techniques, supplanted pasture grazing by the 1860s. Wheat was also a staple agricultural product of the Santa Clara Valley at this time, as the region's highly fertile soil facilitated easy cultivation and high yields with relatively little capital investment. By 1854, thirty percent of California's total wheat crop was produced in Santa Clara County, and it was "arguably the most important agricultural county" in the state.[19] Other grain crops, primarily barley and oats, were also produced in significant volumes.[20]

In addition to agricultural development, the 1860s saw the introduction of railroad transportation into Santa Clara County. The San Francisco & San Jose Railroad (SF&SJ) was organized in 1860, and the first train arrived in San José from San Francisco on January 16, 1864. The Central Pacific Railroad (CPRR, originally the Western Pacific Railroad) was completed between San José and Niles, California, in 1869, connecting San José with the transcontinental railroad and opening the Santa Clara Valley to markets across the United States. The railroad, subsequent population growth, and intensified agricultural production changed the landscape of the valley, catalyzing the development of small towns along the rail lines and resulting in the breakup of large land holdings.[21]

By 1870, nearly all acreage in rural Santa Clara County was devoted to wheat and barley production. When yields fell in 1879-1880, however, farmers quickly diversified their interests to include dairy cows, sheep for wool, poultry for eggs, swine for meat, and hay, grape vines, and fruit trees. The latter proved to be particularly lucrative. By the late 1880s, orchard products (prunes, in particular) came to dominate agricultural production in the Santa Clara Valley. The region's fruit canning and packing industry was pioneered by a San José physician, Dr. James Dawson, in 1871 and grew alongside orchard production. Subsequently, the manufacture of food processing machinery and orchard spraying equipment became an important aspect of the local industrial economy. Early industrial development in Santa Clara County began to appear in 1864 alongside the recently constructed transportation lines.[22]

[18] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement* (Santa Clara, California: County of Santa Clara Department of Planning and Development Planning Office), 7.
[19] Jim Gerber, "The Origin of California's Export Surplus in Cereals," *Agricultural History* 67, no. 4 (Autumn 1993): 47.
[20] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 37-38.
[21] Ibid., 40.
[22] Ibid., 40-41.

Fruit production in the Santa Clara Valley continued to increase, peaking in the 1920s. As the ratio of crop value to land area increased, many of the large, diversified farms and wheat fields that had been prevalent in the nineteenth century were subdivided into specialized "fruit ranches" that were 3 to 50 acres in area. The introduction of the automobile and commercial development of the trucking industry in the early twentieth century also impacted land use patterns in the valley, as it greatly facilitated local distribution and catalyzed the development of city roads and intercity highways. By 1928, all of San José's city streets had been paved, and highways connected the city to San Francisco, Oakland, and the coast.[23]

At the onset of the Great Depression, there were 38 canneries and 13 packing plants in Santa Clara County. 172,190 acres of land were engaged in crop production, approximately 66,000 of which were devoted to prunes and 20,000 to apricots. Orchards and related industries were hit particularly hard by the Great Depression, in which time the prices of California's specialty crops fell further and faster than those of basic agricultural commodities, such as wheat.[24] The local workforce, already facing low wages and an unprecedented level of unemployment, was further challenged to accommodate an influx of farmers displaced by the Dust Bowl. Unrest with regard to low wages, substandard working conditions, and poor job security catalyzed the labor movement in the 1930s, and membership and related activism increased substantially during the Depression years. In August 1931, the Cannery and Agricultural Workers' Industrial Union organized a strike of nearly sixteen thousand cannery workers in the Santa Clara Valley, in protest of a twenty percent wage decrease.[25] By the end of the decade, all San José canneries were unionized.[26]

The fruit industry gradually recovered from the effects of the Great Depression, but military training and wartime production associated with World War II played the greater role in the Santa Clara Valley's economic resurgence. The San Francisco Bay area was the gateway to the Pacific theater of the war, and thousands of military personnel were brought to the area for training and processing at Moffett Field and shipyards along the coastline. Numerous industrial plants for the construction of marine engines and landing craft were established in Sunnyvale and Santa Clara; the two largest military contractors, whose contracts totaled $289 million, were the Food Machinery Company and the Joshua Hendy Iron Works. The growth of these wartime industries changed both the physical and ethnic landscape of the Santa Clara Valley. Work in the industrial plants employed local workers, including women, from the orchards and canneries, and they were frequently replaced by Mexican Americans and by braceros, Mexican nationals working in the United States under the auspices of the Mexican Farm Labor Agreement. At the same time, the Santa Clara Valley's agricultural acreage was reduced, as farms and orchards were converted to industrial plants and housing for the region's increased population.[27]

4.2 Postwar Industrialization in the Santa Clara Valley

The population and economy of the Santa Clara Valley grew rapidly in the postwar years, as the economic focus of the region shifted from agriculture to electronics and manufacturing. Orchards were swiftly

[23] Ibid., 43-44.
[24] Glenna Matthews, "The Apricot War: A Study of the Changing Fruit Industry during the 1930s," *Agricultural History* 59, no. 1 (January 1985): 25-29.
[25] Kevin Starr, *Endangered Dreams: The Great Depression in California* (New York: Oxford University Press, 1996), 69-70.
[26] David Bacon, "Roots of Social Justice Organizing in Silicon Valley," *El Reportero* (San Francisco), May 23, 2016.
[27] Glenna Matthews, *Silicon Valley, Women, and the California Dream: Gender, Class, and Opportunity in the Twentieth Century* (Stanford, California: Stanford University Press, 2003), 82-88.

replaced with residential subdivisions and shopping centers, and rural roadways were widened into freeways to accommodate the massive influx of people and commercial activity that accompanied increasing industrialization and the related population boom.[28] The growth of the region's electronics sector and the transformation of the "Valley of the Heart's Delight" into "Silicon Valley" in the postwar years was driven by a growing number of defense contracts and Stanford University officials' efforts to institutionalize a relationship between the research university and the federal government.

Stanford University was a key contributor to the economic success of the Santa Clara Valley in the postwar years. From the university's inception in 1891, its founders had intended their school to have a strong emphasis on science, engineering, and practical applications. The 1927 appointment of radio engineer Frederick Terman, who would be named Stanford's dean of engineering in 1944 and provost in 1955, reinforced this mission. Terman educated and encouraged a number of students who would go on to establish some of the most successful electronic firms in the country, including William R. Hewlett and David Packard of the Hewlett-Packard Company, but his greater contribution to the Santa Clara Valley was his work to build a "university-government alliance" for defense-related research, to the benefit of all involved.[29] Terman played a crucial role in Stanford University's postwar efforts to secure defense research contracts from the federal government in the late 1940s; he believed that government partnerships were the future of U.S. research institutions and American military security. In the decades following World War II, the Cold War economy and the billions of dollars in government contracts that were granted to universities and firms in the Santa Clara Valley shaped the technological and economic advancements of the region.[30]

Research-oriented industry, much of it funded by Department of Defense grants during the Cold War, transformed the Santa Clara Valley from an agricultural and extractive economy to one that was based on scientific research and technological advancement. A synergistic relationship developed between the region's universities, the federal government, local municipalities, and the local business community. Stanford University emerged as a national leader in research and development in the electronics field, conducting applied research in California's industrial and defense sectors beginning as early as 1946. In 1951, the university founded the Stanford Industrial Park, which attracted major tenants including Hewlett-Packard, Eastman Kodak, Varian Associates, the Sylvania Products Company, the Philco-Ford Corporation, General Electric, and the research division of the Lockheed Corporation (later Lockheed Martin Corporation). Other major firms, such as the Fairchild Camera and Instrument Corporation, Memorex Corporation, and National Semiconductor located nearby. Municipal governments, for their part, incentivized industrial growth by providing tax relief and other incentives, and by clearing tracts of land for development. Underpinning all of this growth were grants and contracts extended by the Department of Defense; by the late 1970s, Santa Clara County was receiving $2 billion annually in federal defense contracts, a trend that continues today.[31]

Approximately 800 electronics businesses emerged in Santa Clara County between 1950 and 1974, spurred by government contracts, municipal governments' incentives, and the desire to locate

[28] Glenna Matthews, *Silicon Valley, Women, and the California Dream*, 46-47.
[29] David Naguib Pellow and Lisa Sun-Hee Park, *The Silicon Valley of Dreams: Environmental Injustice, Immigrant Workers, and the High-Tech Global Economy* (New York: New York University Press, 2002), 60.
[30] Ibid., 61; John M. Findlay, *Magic Lands: Western Cityscapes and American Culture after 1940* (Berkeley, CA: University of California Press, 1992), 133-134.
[31] Pellow and Park, *The Silicon Valley of Dreams*, 60-61; Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 46.

themselves alongside the companies and university programs that had established themselves as leaders in the field.[32] The development of integrated circuitry, which made possible the pocket calculator, and the microprocessor, which led to the proliferation of computers for consumer use, solidified the region's position as the electronics industry leader in the 1960s and beyond. Santa Clara County's population swelled from 290,547 in 1950 to over a million in 1970, one year before journalist Donald Hoefler would use the term "Silicon Valley."[33] The valley's orchards were replaced with auto-oriented development like shopping centers and residential subdivisions, and rural roadways were widened into freeways to accommodate the massive influx of people and commercial activity that accompanied increasing industrialization and population boom.[34]

4.3 Memorex Corporation

Memorex Corporation was one of the hundreds of electronics start-up companies founded in the Santa Clara Valley in the postwar period. Memorex was established in 1961 by Laurence L. Spitters, Arnold T. Challman, Donald F. Eldridge, and W. Lawrence Noon, all of whom had resigned from Ampex Corporation, another Santa Clara Valley electronics enterprise, in order to launch their own business venture. The nascent operation began research and development operations from a rented facility in Mountain View, California, but before the year had ended, Memorex completed construction on their first plant and office facility at 1180 Shulman Avenue (the subject property, now 1200-1310 Memorex Drive) in east-central Santa Clara (Figure 38).

Figure 38. The subject property, ca. 1966
("February Marks 5th Anniversary," *Memorex Intercom* 3, no. 2 [February 1966]: 1).

Initially, Memorex Corporation focused on magnetic recording media, beginning with the production of magnetic computer tape, but it soon expanded its offerings to include a range of peripheral equipment including removable disk packs and hard disk drives that were plug-compatible with computers produced

[32] Pellow and Park, *The Silicon Valley of Dreams*, 62.
[33] "Obituary: Dan Hoefler, writer who coined term 'Silicon Valley,'" *San Jose Mercury News*, April 16, 1986.
[34] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 46-47.

by the International Business Machines Corporation (IBM).[35] IBM, another Santa Clara Valley electronics firm, was the unequivocal leader in the global computer market at the time, and Memorex was the first independent manufacturer of peripheral equipment that could be used with their proprietary computer systems.[36] The Memorex 630, an IBM 2311 plug-compatible disk drive, was introduced in 1968 (Figu re 39), and a higher-capacity IBM 2314 plug-compatible drive was introduced a year later. These products were marketed as being faster and more reliable than the IBM-produced disk drives that they promised to replace, and they were more affordable, as well. The invention of IBM plug-compatible disk drive enabled Memorex, a relatively small company, to compete with IBM and gain a share of the massive computer market that the larger company controlled. Memorex's early success encouraged other electronics companies to create their own IBM plug-compatible peripheral equipment, including Marshall, Potter Instruments, Telex, Century Data, Control Data Corporation, and Memorex's founders' former employer, Ampex.[37]

Figure 39. Memorex 630 prototype trade show, 1967 (Item 500004506, Mainframe Computers Exhibit, Computer History Museum, Mountain View, California).

Figure 40. Memorex audio tape trade show, 1970. ("Check Your Favorite Hi-Fi Dealer—Company's First Consumer Products Go on Sale This Month," *Memorex Intercom* 7, no. 10 [October 1970]: 14).

[35] Disk packs are the core components of hard disk drives. In modern hard disk drives, the disk pack is permanently sealed within the drive; removable packs, such as those produced by IBM and later Memorex, allowed for greater customization.

[36] Adam Augustyn, "IBM," *Encyclopedia Britannica*, accessed December 3, 2019, https://www.britannica.com/topic/International-Business-Machines-Corporation. By the 1960s, IBM was producing 70 percent of the world's computers and fully 80 percent of those used in the United States.

[37] "1968: Memorex Introduces an IBM compatible HDD," *Computer History Museum*, last modified September 19, 2018, https://www.computerhistory.org/storageengine/memorex-introduces-an-ibm-compatible-hdd/.

In the early 1970s, Memorex expanded to a new headquarters in San Tomas Industrial Park, less than two miles away from their original headquarters (the subject property), which remained in use as a production facility.[38] The company also established a Consumer Products Division; for the first time, Memorex products were available for sale through retail shops, beginning with blank audio cassettes and ¼-inch tape on 5-inch and 7-inch open reels (Figure 40). The company engaged the Leo Burnett Agency in Chicago to handle their advertising, which was disseminated via newspapers, magazines, radio, and television.[39] One of their most successful ad campaigns showed celebrated jazz artist Ella Fitzgerald singing a high note, shattering a wine glass with the frequency of her delivery; a recording of her voice on Memorex tape was then player, shattering a second wine glass and demonstrating the clarity and quality of Memorex's blank audio cassettes.[40] The accompanying slogan, "Is it live, or is it Memorex?" made the company a household name.[41]

After years of producing peripheral equipment, Memorex introduced its own computer systems in late March 1972.[42] However, a series of aggressive pricing and product actions by IBM, who dominated the computer mainframe industry at the time, reduced the profitability of the venture; in September 1973, Memorex reported a total loss of $101 million for the first six months of the year, including more than $90 million in asset write-offs and $8 million in operating losses.[43] The company subsequently sued IBM for monopolizing the market for peripheral products for use with IBM computers, alleging that they and their subsidiaries had "been virtually unable to obtain equity or debt financing at reasonable interest rates" to remain viable.[44] In turn, IBM charged that Memorex had engaged in "industrial espionage," deliberately hiring former IBM employees and deploying IBM's trade secrets in the design and marketing of Memorex products.[45] Unable to secure a unanimous vote from the jury and refused an appeal in the Supreme Court, Memorex's antitrust suit ultimately ended in a mistrial.[46]

In 1974, Robert C. Wilson replaced founder Laurence Spitters as CEO and restructured the company in cooperation with Bank of America; approximately 300 employees were laid off, and through the end of the decade, Memorex successfully focused on its media products and IBM plug-compatible peripheral

[38] "EXPAND! in San Tomas Industrial Park," *San Francisco Examiner*, February 18, 1970; "More Land Acquired in Santa Clara; Ground Broken for Corporate Offices," *Memorex Intercom* 7, no. 5 (May 1970): 6.
[39] "Check Your Favorite Hi-Fi Dealer—Company's First Consumer Products Go on Sale This Month," *Memorex Intercom* 7, no. 10 (October 1970): 3.
[40] Michelle Mercer, "The Voice That Shattered Glass," *NPR*, September 3, 2019, https://www.npr.org/2019/09/03/749019831/the-voice-that-shattered-glass.
[41] "Imation Agrees to Buy Memorex," *Los Angeles Times*, January 20, 2006.
[42] "Memorex MRX/40 and MRX/50," promotional material, 1972; item 102770468, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[43] "Memorex Sues IBM for $3 Billion," *Electronic News* (New York), December 17, 1973; "Memorex: This is the 'Year of Restoration,'" *Business Week*, November 10, 1975.
[44] "Memorex Sues IBM for $3 Billion."
[45] Ibid.
[46] "Memorex and I.B.M. in Mistrial," *New York Times*, July 6, 1978; "Memorex Loses Again in IBM Antitrust Case," *San Francisco Examiner*, June 22, 1981.

offerings.[47] Wilson retired in 1979 and was replaced by Clarence W. Spangle in early 1980.[48] Declining profits in the first quarter of that year forced the new CEO to lay off 220 employees from the Santa Clara tape plant (the subject property).[49] In 1981, the company was acquired by the Detroit-based Burroughs Corporation (later Unisys) for $106 million in cash, and in 1982, its tape division was sold to Tandy Corporation.[50] Business problems and poor sales in the late 1980s led to the dismemberment of Memorex by Unisys. A sizeable portion of the company was sold to an international group of Memorex executives and New York financier Eli S. Jacobs for $550 million in late 1986.[51] The new Memorex International NV was registered in the Netherlands and headquartered in London, with Giorgio Ronchi as its president.[52] In 1988, it acquired Telex Corporation in a bid to expand its American market and emerged as Memorex Telex NV.[53]

Memorex Telex N.V. was plagued by instability in the 1990s, filing for Chapter 11 bankruptcy protection in three times between 1992 and 1996.[54] Many of the company's international sales and service subsidiaries continued as subsidiaries of other firms; the tape division of the Memorex license, still owned by Tandy Corporation at the time, was purchased by Hanny Holdings Limited of Hong Kong in 1993 and continued as Memorex International Inc.[55] The contents of the company's original Santa Clara tape plant (the subject property) were liquidated in 1994.[56] In 2006, Memorex International Inc. was bought out by Imation Corps, a maker of data storage disks and tapes, for $330 million in cash.[57] Imation subsequently sold the Memorex brand to Digital Products International, a Missouri-based consumer electronic products firm, in 2015. The brand continues to produce and market disk recordable media, flash memory, and other computer accessories.[58]

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[47] "Memorex: This is the 'Year of Restoration,'" *Business Week*, November 10, 1975; "Memorex Lays Off 220," *Santa Cruz Sentinel*, June 8, 1980.
[48] "Chairman Wilson Announces Selection of Clarence W. Spangle as New President and CEO," *Memorex Intercom* 17, no. 1 (February 1980): 1.
[49] "Memorex Lays Off 220," *Santa Cruz Sentinel*, June 8, 1980.
[50] H.J. Maidenberg, "Burroughs in Pact for Memorex," *New York Times*, August 3, 1981; William H. Inman, "Tandy Gets Go-Ahead for Memorex Takeover; Now Nation's No. 1 Tape, Video Seller," *United Press International*, April 26, 1982.
[51] Donna K. H. Walters, "Burroughs to Sell Part of Memorex: Group to pay $550 Million; Move Will Ease Debt Load," *Los Angeles Times*, November 7, 1986.
[52] "Memorex International Seeks to Expand by Acquisition in Maintenance, Leasing," *Computer Business Review*, February 18, 1987.
[53] Daniel F. Cuff, "Memorex Chief Calls Telex Deal a Good Fit," *New York Times*, December 16, 1987; "Memorex Telex: The Global Strength," March 1988, Memorex Memorabilia [Digital Archive], accessed November 27, 2019, https://mrxhist.org/docs/Ronc_5511.pdf.
[54] "Here We Go Again: Memorex Telex Is Back in Chapter 11," *Computer Business Review*, October 17, 1996.
[55] "Tandy to Sell Memorex Name to Hong Kong Company," *New York Times*, November 12, 1993.
[56] "A Ross-Dove Company Auction: Complete Liquidation of a Major Computer Tape Manufacturing Facility Assets Surplus to Continuing Operations," auction catalog, 1994; item 102770298, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[57] "Imation Agrees to Buy Memorex," *Los Angeles Times*, January 20, 2006.
[58] "About Digital Products International, Inc.," *DPI Inc.*, accessed December 3, 2019, https://www.dpiinc.com/about.

4.4 Postwar Industrial Architecture and the International Style

Postwar industrial architecture is generally characterized by utilitarian design and materials that prioritize functionality over style. Common features among industrial resources from the postwar period are one- to two-story construction, simple footprints, and the use of readily available construction materials including concrete, steel, stucco, and glass.[59]

Some industrial buildings constructed between 1945 and 1970, including the subject property, exhibit elements of the International Style and other midcentury architectural movements. While these stylistic elements are frequently minimized in warehouses and manufacturing facilities, they are emphasized at the resources' primary façades and office spaces. The International Style originated in Western Europe in the 1920s and 1930s and famously rejected vernacular building forms in favor of a geometric play of volumes and an absence of traditional ornamentation. Common features include square or rectangular building footprints, horizontal bands of windows, flat roofs, smooth and uniform wall surfaces, and the use of stucco, concrete, and curtain walls with large plate glass windows. These features lent themselves well to the new industrial campuses developing in the postwar era, and they were regularly employed to elevate the design of otherwise utilitarian offices and industrial facilities.[60]

5. Evaluative Framework

5.1 California Register of Historical Resources

The California Register of Historical Resources (California Register) is the authoritative guide to the State's significant historical and archeological resources. It serves to identify, evaluate, register, and protect California's historical resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for historic preservation grant funding and affords certain protections under the California Environmental Quality Act. All resources listed on or formally determined eligible for the National Register of Historic Places (National Register) are automatically listed on the California Register. In addition, properties designated under municipal or county ordinances are eligible for listing in the California Register.

Significance Criteria

The California Register criteria are modeled on the National Register criteria discussed above. An historical resource must be significant at the local, state, or national level under one or more of the following criteria:

1. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

[59] City of Fremont, "Registration Requirements for Postwar Historic Resources (1945-1970)," March 30, 2018, https://fremont.gov/DocumentCenter/View/37670/PLN2018_00236-Exh-A.
[60] City of Fremont, "Registration Requirements for Postwar Historic Resources (1945-1970)," March 30, 2018, https://fremont.gov/DocumentCenter/View/37670/PLN2018_00236-Exh-A; John Blumenson, *Identifying American Architecture* (New York: W. W. Norton & Company, 1981), 74-75.

2. It is associated with the lives of persons important to local, California, or national history.

3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.

4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, state or the nation.

Like the National Register, evaluation for eligibility to the California Register requires an establishment of historic significance before integrity is considered. California's integrity threshold is slightly lower than the federal level. As a result, some resources that are historically significant but do not meet National Register integrity standards may be eligible for listing on the California Register.[61]

Integrity

Second, for a property to qualify under the National Register's Criteria for Evaluation, it must also retain "historic integrity of those features necessary to convey its significance."[62] While a property's significance relates to its role within a specific historic context, its integrity refers to "a property's physical features and how they relate to its significance."[63] Since integrity is based on a property's significance within a specific historic context, an evaluation of a property's integrity can only occur after historic significance has been established. To determine if a property retains the physical characteristics corresponding to its historic context, the National Register has identified seven aspects of integrity:

> *Location* is the place where the historic property was constructed or the place where the historic event occurred.
>
> *Setting* is the physical environment of an historic property.
>
> *Design* is the combination of elements that create the form, plan, space, structure, and style of a property.
>
> *Materials* are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form an historic property.
>
> *Workmanship* is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
>
> *Feeling* is a property's expression of the aesthetic or historic sense of a particular period of time.
>
> *Association* is the direct link between an important historic event or person and an historic property.

[61] California Office of Historic Preservation, *California Register and National Register: A Comparison (for the purposes of determining eligibility for the California Register), Technical Assistance Series #6* (Sacramento: California Department of Parks and Recreation, n.d.), accessed December 5, 2017, http://ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf.
[62] National Park Service, *How to Apply the National Register Criteria for Evaluation*, accessed December 5, 2017, http://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_8.htm.
[63] Ibid.

6. Evaluation

6.1 California Register of Historical Resources

An evaluation of the subject property for individual significance under each California Register of Historical Resources (California Register) criterion is presented below.

California Register Criterion 1 [Association with Significant Events]

To be considered eligible for listing under Criterion 1, a property must be associated with one or more events important in a defined historic context. This criterion recognizes properties associated with single events, a pattern of events, repeated activities, or historic trends. The event or trends, however, must clearly be important within the associated context. Further, mere association of the property with historic events or trends is not enough, in and of itself, to qualify under this criterion: the specific association must be considered important as well.[64]

The subject property was constructed in 1961 as the first world headquarters of Memorex Corporation, one of the many electronics start-up companies that catalyzed the Santa Clara Valley's transformation into "Silicon Valley" during the postwar era. As a multifaceted industrial campus including a manufacturing plant, research and development facilities, and administrative offices, the subject property conveys popular trends in industrial development during the postwar era. Memorex Corporation holds particular significance within the context of the development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Because IBM dominated 71 to 83 percent of the global computer market at the time, the introduction of compatible computer equipment established an important avenue for smaller electronics firms to establish themselves within the field.[65] Many other early electronics companies, including Marshall, Potter Instruments, Telex, Century Data, Control Data Corporation, and Ampex, released their own IBM-compatible plug-ins in subsequent years, and modern computer systems continue to accommodate singular components produced by disparate electronics companies. Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and the product itself was both developed and manufactured at the subject property in the late 1960s. For these reasons, the property appears to be eligible for listing on the California Register under Criterion 1.

California Register Criterion 2 [Association with Significant Persons]

This criterion "applies to properties associated with individuals whose specific contributions to history can be identified and documented." It identifies properties associated with individuals "whose activities are demonstrably important within a local, State, or national historic context," and is typically limited to those properties that have the ability to illustrate a person's important achievements.[66]

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[64] National Park Service, *How to Apply the National Register Criteria for Evaluation*.
[65] Ross Knox Bassett, *To the Digital Age: Research Labs, Start-up Companies, and the Rise of MOS Technology* (Baltimore, MD: Johns Hopkins University Press, 2002), 222.
[66] National Park Service, *How to Apply the National Register Criteria for Evaluation*.

Although Memorex Corporation appears to hold significance in the overall context of Silicon Valley's industrial development and in the development of the modern electronics industry, none of its individual founders or employees are known to have made a singular and significant contribution to the electronics industry in the local, state, or national context. As such, the property does not appear to meet the threshold for listing in the California Register under this criterion.

California Register Criterion 3 [Architectural Significance]

This criterion applies to properties that "embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction." "Distinctive characteristics" are the physical and design features that commonly recur in individual types, periods, or methods of construction. To be eligible, a property must clearly contain enough of those characteristics to be considered a true representative of a particular style. A master "is a figure of generally recognized greatness in a field, a known craftsman of consummate skill, or an anonymous craftsman whose work is distinguishable from others by its characteristic style and quality…. A property is not eligible as the work of a master, however, simply because it was designed by a prominent architect."[67]

Despite the International Style detailing on the building's primary façade, the former Memorex Corporation plant at 1200-1310 Memorex Drive is a relatively generic example of midcentury industrial architecture. The building is not associated with a prominent architect or builder, and its straightforward steel-framed construction and stucco wall treatment do not display unusually skilled craftsmanship or employ unique finishes. For these reasons, the property does not appear to meet the threshold for listing in the California Register under Criterion 3.

California Register Criterion 4 [Potential to Yield Information]

Criterion 4 is generally applied to archaeological resources, and evaluation of the subject property for eligibility under this criterion was beyond the scope of this report.

6.2 Period of Significance

The period of significance for the subject property spans 1961 through 1971. It begins in 1961 when the original portion of the building was completed for Memorex Corporation, then a fledgling start-up company focused on the production of magnetic computer tape. Over the next decade, Memorex expanded its facilities at and around the subject property, adding additional offices, manufacturing facilities, and laboratories for research and development. In 1968, an important date in the company's history, Memorex introduced the first IBM plug-compatible hard disk drive.

Although Memorex maintained operations at the subject property through 1994, no innovations of comparable significance were made after 1968. Furthermore, the company seems to have ended its multi-year pattern of expansion at and near the subject property after the late 1960s; instead, Memorex turned its attention to the development of a new, 750,000 square foot headquarters in the nearby San

[67] National Park Service, *How to Apply the National Register Criteria for Evaluation*.

Tomas Industrial Park.[68] The period of significance for the subject property ends in 1971, when the new facility was dedicated and the subject property ceased to serve as Memorex's headquarters.[69]

6.3 Integrity Analysis

In order for a building to qualify for listing on the California Register of Historical Resources, it must both display significance under one or more of the California Register criteria and retain historical integrity. An integrity analysis of the subject property is presented below.

Location
The subject property has not been moved from its original location. As such, it retains integrity of location.

Design
Although the original 1961 building has been extensively altered by numerous large additions, these occurred during the period of significance and generally display continuity of materials and architectural style, thereby maintaining the building's overall integrity of design. Like the original 1961 building, the major 1964 and 1966 additions exhibit elements of the Postwar Industrial Style and the International Style in their use of stucco, glazed curtain walls, and in the case of the 1964 addition, a curvilinear porch roof that complements the Midcentury Modern stylings of the 1961 building's curvilinear porch hood. Rear additions, which are far simpler in design, are still in keeping with the utilitarian style of Postwar Industrial architecture. Those alterations that occurred outside of the period of significance, such as the removal of the 1966 cafeteria at the northeast corner of the building and the changes to the primary façade of the ca. 1960 building, do not irreparably detract from the building's design as seen in the extant 1961 building and its additions. In these ways, subject property retains integrity of design.

Setting
Little change has occurred in the immediate setting since the end of the historic period in the early 1970s. The building continues to be surrounded by surface parking lots and low-scale, one- to two-story light industrial buildings dating from the late-1950s through the early 1970s. Although the circulation pattern has been altered slightly with the addition of a ca. 1970 through-road connecting Lafayette Street with Memorex Drive (formerly Shulman Avenue), the property's immediate vicinity has essentially remained unchanged. Therefore, the building retains integrity of setting.

Materials
Most exterior materials (stucco, plate glass, sheet metal, aluminum window frames) appear to be intact or have been replaced in-kind. As such, the building retains integrity of materials.

[68] [Facilities Dedication], May 19, 1971, Memorex Memorabilia [Digital Archive], accessed December 11, 2019, https://mrxhist.org/docs/Will_5172.03.pdf; "A Ross-Dove Company Auction: Complete Liquidation of a Major Computer Tape Manufacturing Facility Assets Surplus to Continuing Operations," auction catalog, 1994; item 102770298, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[69] "Mr. Spitters Dedicated New Site to the People of Memorex," *Memorex Intercom* 8, no. 6 (June 1971): 3.

Workmanship
The additions to the original 1961 building on the subject property display workmanship consistent with that of the original building. With the exception of the cafeteria building at the northeast corner of the property, which was constructed in 1966 and removed in 2004, the building and its additions remain largely intact. As such, the property retains a degree of integrity of workmanship.

Feeling
The subject property displays integrity of feeling through its intact Postwar Industrial and International Style design features, original materials, and setting amongst other light industry. Therefore, the property retains integrity of feeling.

Association
Through its intact midcentury design and materials, and due to the fact that it continues to be engaged in light industrial use, the property maintains integrity of association with the postwar industrial development of the Santa Clara Valley.

6.4 Adjacent Properties

Although not required under CEQA regulations and guidelines, the CEC requests documentation of the parcels adjacent the subject property (where project activities will occur). Based on preliminary research conducted for this investigation, ARG verified that the properties over 45 years of age that are adjacent to the subject property have not been previously evaluated for listing in the local, state, or national register (Table 1). The developed parcels appear to contain light industrial buildings constructed in the postwar era, and several were occupied by Memorex Corporation in the 1960s and 1970s. 1065-1069 Memorex Drive (APN 224-63-008) and 1081-1099 Memorex Drive (APN 224-63-009), which are located opposite the subject property on the north side of Memorex Drive, were rented by the corporation in the early- to mid-1960s.[70] 2222 Ronald Street (APN 224-66-005) was connected to the building on the subject property in the 1980s.[71] One nearby but nonadjacent property, 1400-1500 Memorex Drive (APN 224-65-009), was constructed by Memorex Corporation as a disk packing plant in 1968.[72] These resources share a similar development and context with the subject property, but because none served as the Memorex Corporation's primary offices or manufacturing space, they do not appear to be comparable in terms of significance within the context of Silicon Valley's development or the evolution of the modern electronics industry.

No work will occur outside the boundary of the subject property as part of the proposed project, and there would be no direct impacts to adjacent properties as a result of the proposed project should the properties be found to be historical resources under CEQA as part of future development at those sites. Future projects at these locations subject to CEQA would require separate historic resource evaluations as part of the environmental review process.

[70] "Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 (June 1965): 4.
[71] USGS, 1961 *San Jose West* quadrangle (topographic map), 1980 revision, EarthExplorer, accessed November 20, 2019, http://earthexplorer.usgs.gov/.
[72] "Open House 1968, Welcome," *Memorex Intercom* 5, no. 4 (April 1968): 1.

7. Character-Defining Features

A character-defining feature is an aspect of a building or structure's design, construction, or detail that is representative of its function, type, or architectural style. Generally, character-defining features include specific building systems, architectural ornament, construction details, massing, materials, craftsmanship, site characteristics, and landscaping built or installed within the period of significance. In order for an important historic property to retain its significance, its character-defining features must be retained to the greatest extent possible.

Character-defining features of 1200-1310 Memorex Drive include those pertaining to the overall site as well as the former headquarters building.

Character-defining features of the site include:

- Vehicular access from Memorex Drive at the northern property boundary.
- Vehicular and pedestrian circulation through the site along north/south-oriented alleyways on either side of the original 1961 building and its additions and along one northwest/southeast-oriented alleyway along the southern property boundary.
- Exposed aggregate walkways and shallow stairs linking the primary entrances on the northern façade to the sidewalk along Memorex Drive.
- Paved surfaces throughout the site.
- All extant buildings, including the original 1961 and all of its additions; the ca. 1960 building that was purchased and added to the property in 1964; and the ca. 1966 gable-roofed building located at the southern end of the property.
- North/south orientation of major building elements.
- Low-profile, landscaped vegetation at the northern façade of the 1961 building and its 1964 addition.

Character-defining features of the former headquarters building include:

- Rectangular plans with primary façades facing Memorex Drive.
- Broad, horizontal profile, with verticality emphasized through fenestration.
- One- to three-story height.
- Flat roofs with simple parapets.
- Steel-frame construction.
- Smooth stucco finish on exterior walls.
- Aluminum fixed windows throughout.
- Curtain walls with glazing and metal spandrel panels centered in the northern façade of the 1961 building and 1964 addition.
- Curtain walls with glazing and metal spandrel panels dominating the northern and, to a slightly lesser extent, the eastern façades of the 1966 three-story addition.

- Near-continuous glazing across the northern façade of the 1966 three-story addition and the eastern façade of the 1964 addition.
- Symmetrical curvilinear porch hood over the primary entrance to the 1961 building.
- Asymmetrical curvilinear porch roof with angular columns at the primary entrance to the 1964 addition.
- Physical connection (i.e., the ca. 1967 breezeway) between the main building and the ca. 1960 building.
- Loading facilities on the western and southern façades.

8. Conclusion

The subject property at 1200-1310 Memorex Drive appears to be eligible for listing in the California Register under Criterion 1 (Association with Significant Events) for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s. Memorex Corporation's innovative plug-compatible peripheral computer equipment had a significant impact on the early electronics industry, and the products themselves were first developed at the subject property in the late 1960s. The building also retains a relatively high degree of integrity with regard to the period in which these developments occurred. For these reasons, the building appears to qualify as an historical resource under CEQA.

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APPENDIX A: EXISTING CONDITION PHOTOGRAPHS

Overview of the subject property, view southwest (ARG, November 2019).

Northern façade of the 1966 addition at the northeastern corner of the building, view southeast (ARG, November 2019).

Primary entrance at the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Glazing across first story of the northern façade of the 1966 addition, view south-southwest (ARG, November 2019).

Secondary entrance on the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Northern façade of the 1966 addition and eastern façade of the 1964 addition, including one of the building's primary entrances, view southwest (ARG, November 2019).

Secondary entrance in the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Primary entrance in the eastern façade of the 1964 addition, view west-southwest (ARG, November 2019).

Picnic area, fountain, and porch before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Fountain before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Picnic area before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Porch affixed to the eastern façade of the 1964 addition, view south (ARG, November 2019).

Porch roof affixed to eastern façade of 1964 addition, view southeast (ARG, November 2019).

Northern façade of the 1964 addition, view southwest (ARG, November 2019).

Northern façade of the 1964 addition (left) and the original 1961 building (right), view west-southwest (ARG, November 2019).

Northern façade of the 1964 addition (left), the original 1961 building (center), and ca. 1966 addition (right), view southwest (ARG, November 2019).

Northern façade of the original 1961 building including the primary entrance, view south (ARG, November 2019).

Primary entrance to the 1961 building, view southwest (ARG, November 2019).

Northern façade of the ca. 1966 addition across the western façade of the original 1961 building, view west (ARG, November 2019).

Northern façade of the 1964 addition (left), the original 1961 building (center), and ca. 1966 addition (right), view east-southeast (ARG, November 2019).

Western façade of the ca. 1966 addition across the western façade of the original 1961 building, view south-southeast (ARG, November 2019).

Fenestration at the northern corner of the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view northeast (ARG, November 2019).

Entrance at the northern corner of the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view northeast (ARG, November 2019).

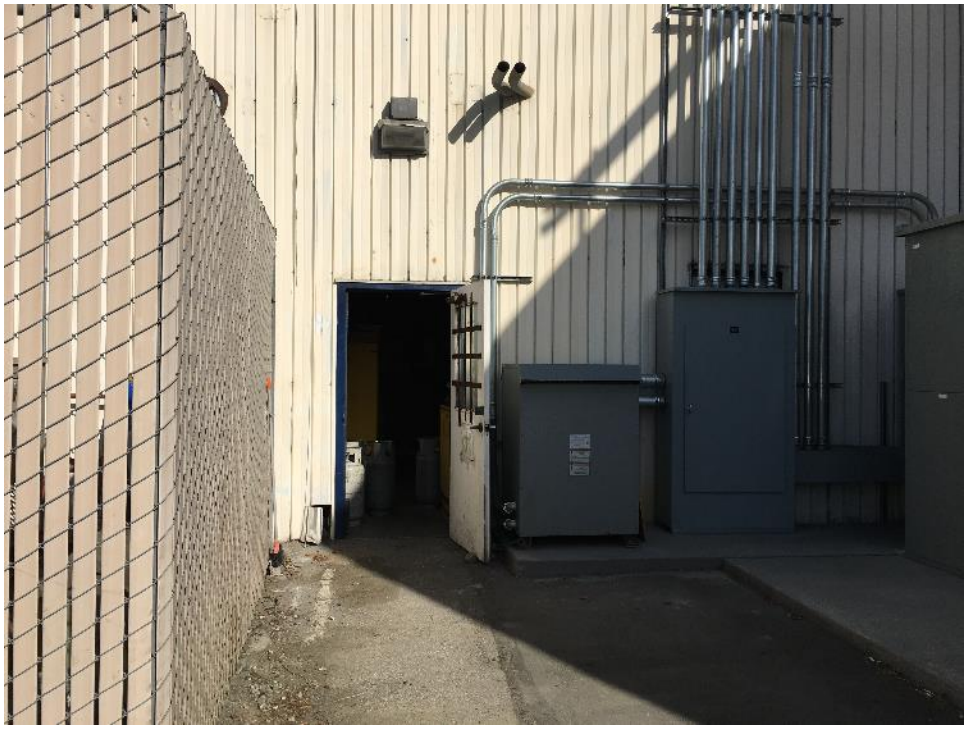
Western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Entrance on the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Roll-up door and breezeway on the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Southern façade of the ca. 1966 addition and western façade of the original 1961 building, view east (ARG, November 2019).

Southern façade of the ca. 1966 addition and western façade of the original 1961 building, view northeast (ARG, November 2019).



Entrance in the southern façade of the ca. 1966 addition across the western façade of the original 1961 building, view north (ARG, November 2019).

Western façade of the original 1961 building to the north of the ca. 1966 addition, view northeast (ARG, November 2019).

Southern façade of the original 1961 building and western façade of an addition to its southern façade, view northeast (ARG, November 2019).

Entrances in the southern façade of the original 1961 building, view north (ARG, November 2019).

Metal roll-up door in the southern façade of the original 1961 building, view north (ARG, November 2019).

Entrances in the western façade of a ca. 1966 addition to the southern façade of the original 1961 building, view east (ARG, November 2019).

Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view southeast (ARG, November 2019).

Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view south (ARG, November 2019).

Fenestration in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view east (ARG, November 2019).

Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Fenestration in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Entrance in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Western and southern façades of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Entrances in the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view north (ARG, November 2019).

Entrance in the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view north-northeast (ARG, November 2019).

Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition (left) and western façade of the three-story 1966 addition (right), view northeast (ARG, November 2019).

Entrances at the eastern end of the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northwest (ARG, November 2019).

Fenestration in the western and southern façades of the three-story 1966 addition, view northeast (ARG, November 2019).

Entrance in the southern façade of the three-story 1966 addition, view north-northeast (ARG, November 2019).

Roll-up door in the southern façade of the three-story 1966 addition, view north-northeast (ARG, November 2019).

Southern façade of the three-story 1966 addition, view northeast (ARG, November 2019).

Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and its 1964 addition (left), southern façade of the three-story 1966 addition (center), and eastern façade of the three-story 1966 addition (right), view northwest (ARG, November 2019).

Eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Entrance in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Roll-up door in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Entrances in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Entrances in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Northern end of the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Eastern façade of the ca. 1960 building (the breezeway connection to the ca. 1966 addition across the western façade of the original 1961 building is visible at the right), view west (ARG, November 2019).

Eastern façade of the ca. 1960 building including ca. 1967 breezeway connection to the ca. 1966 addition across the western façade of the original 1961, view southwest (ARG, November 2019).

Eastern façade of the ca. 1960 building including ca. 1967 breezeway connection to the ca. 1966 addition across the western façade of the original 1961, view northwest (ARG, November 2019).

Entrances in the eastern façade of the ca. 1960 building, view west (ARG, November 2019).

Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west (ARG, November 2019).

Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west-southwest (ARG, November 2019).

Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west-northwest (ARG, November 2019).

Eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view south-southwest (ARG, November 2019).

Entrance in eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building (left) and loading area on the northern façade of the same, view west (ARG, November 2019).

Eastern façade of the ca. 1960 building (left), eastern façade of its ca. 1966 addition (center), and northern façade of the same ca. 1966 addition (right), view southwest (ARG, November 2019).

Loading dock at the northern façade of the ca. 1966 addition to the ca. 1960 building, view southwest (ARG, November 2019).

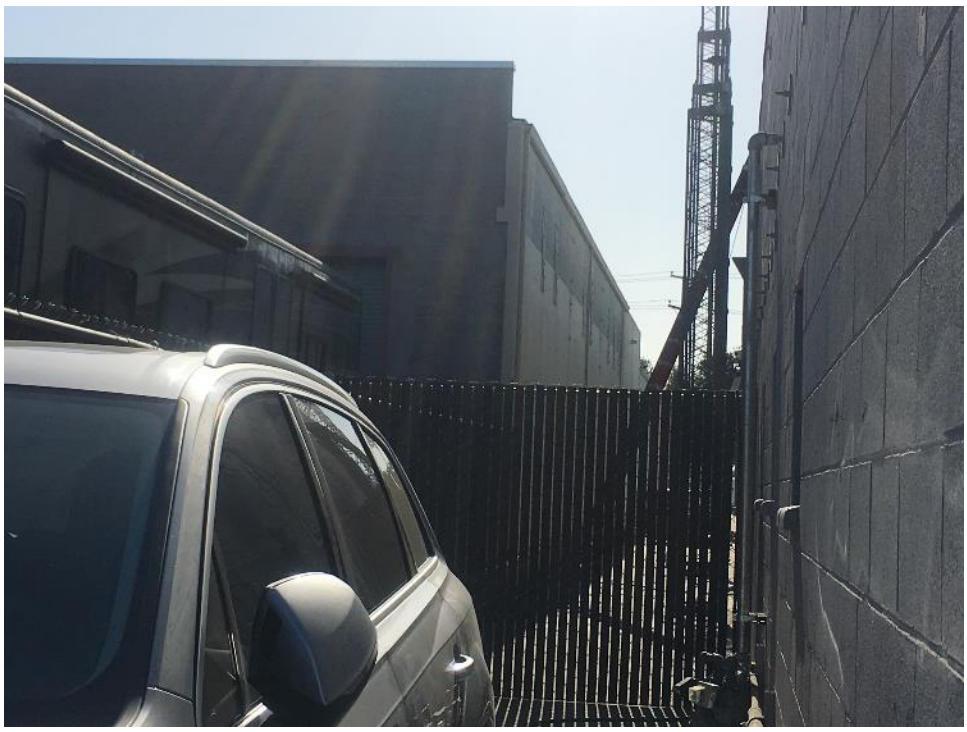
Loading dock at the northern façade of the ca. 1966 addition to the ca. 1960 building, view southeast (ARG, November 2019).

Western façade of ca. 1966 addition to the eastern half of the northern façade of the ca. 1960 building, view east (ARG, November 2019).

Northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view south (ARG, November 2019).

Primary entrance to the northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view southeast (ARG, November 2019).

Roll-up doors in the northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view southeast (ARG, November 2019).



Western façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view south (ARG, November 2019).

Southern and eastern façades of the ca. 1960 building, view northwest (ARG November 2019).

Small addition to southern façade of the ca. 1960 building, view west (ARG, November 2019).

Western façade of the ca. 1966 freestanding building at the southwestern corner of the ca. 1966 additions to the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Entrances in the western façade of the ca. 1966 freestanding building, view northeast (ARG, November 2019).

Southern façade of the ca. 1966 freestanding building, view northeast (ARG, November 2019).

Southern façade of the ca. 1966 freestanding building, view north (ARG, November 2019).

Southern and eastern façades of the ca. 1966 freestanding building, view northwest (ARG, November 2019).

Entrance in eastern façade of the ca. 1966 freestanding building, view west (ARG, November 2019).

Western and northern façades of the ca. 1966 freestanding building, view southwest (ARG, November 2019).

Tank at the southeastern corner of the property, view southeast (ARG, November 2019).

View of equipment, fencing, and canopy at the southeastern corner of the property, view northwest (ARG, November 2019).

View of equipment and fencing at the southeastern corner of the property, view west (ARG, November 2019).

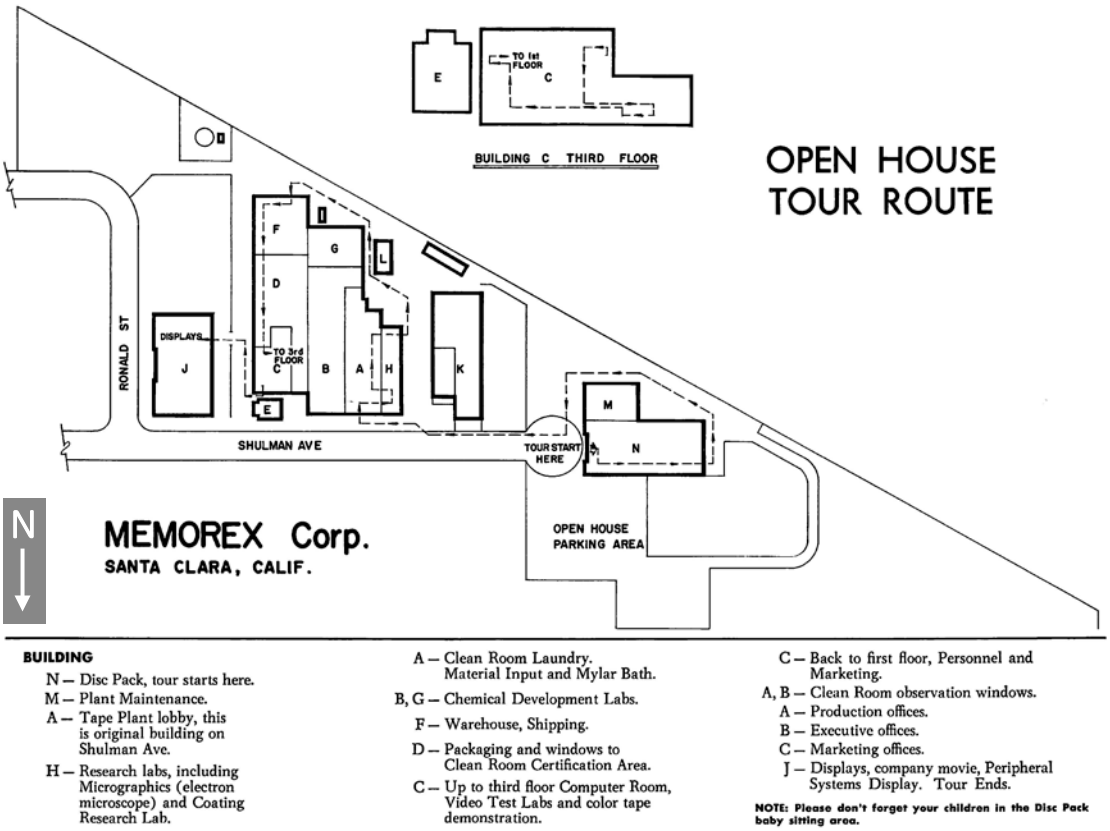
APPENDIX B: HISTORIC PHOTOGRAPHS

Subject property, view southwest, ca. November 1961
("Five-Year-Pinners Recall Company's Hectic Beginning," *Memorex Intercom* 4, no. 12 [December 1967]: Special Section).

Subject property, view southwest, ca. 1965
("Memorex Expansion Story Told." *Memorex Intercom* 2, no. 5 [June 1965]: 4).

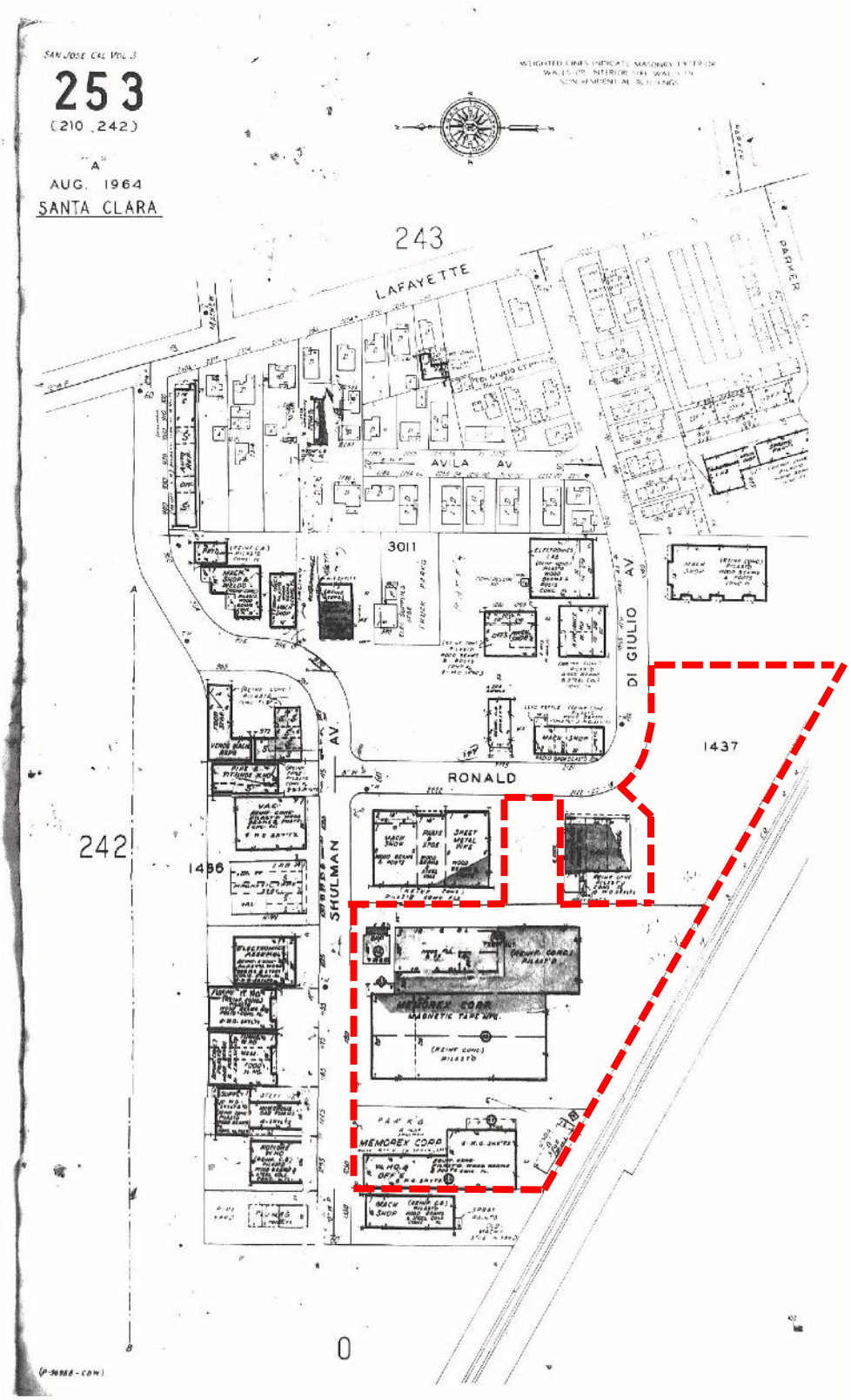
Subject property, view southeast, late 1965
("Construction Nears Completion," *Memorex Intercom* 2, no. 11 [December 1965]: 1).

Subject property, view southeast, early 1966
("February Marks 5th Anniversary," *Memorex Intercom* 3, no. 2 [February 1966]: 1).



Map of subject property produced by Memorex Corporation, 1968
("Open House Tour Route," *Memorex Intercom* 4, no. 4 [April 1968]: 3, amended by author).

APPENDIX C: SANBORN FIRE INSURANCE MAPS



1966 Sanborn Fire Insurance Map, Volume 3, Sheet 253 (amended by author).
This is the only Sanborn Map found to depict the subject property.

APPENDIX D: DEPARTMENT OF PARKS AND RECREATION (DPR) 523 FORMS

State of California — The Resources Agency	Primary #_____
DEPARTMENT OF PARKS AND RECREATION	HRI #_____
PRIMARY RECORD	Trinomial_____
	NRHP Status Code_____
Other Listings_____	
Review Code_____ Reviewer_____ Date_____	

 ***Resource Name or #** 1200-1310 Memorex Drive

P1. Other Identifier: APN 224-66-006

***P2. Location:** ☐ **Not for Publication** ☑ **Unrestricted**

***a. County:** Santa Clara **and** (P2b and P2c or P2d. Attach a Location Map as necessary.)

***b. USGS 7.5' Quad:** San Jose West **Date:** 1980 **T** T6S; **R** R1W; **Sec** 34; Mount Diablo **B.M.**

c. Address: 1200-1310 Memorex Drive City: Santa Clara Zip: 95050

d. UTM: Zone 10S, 592673.47 mE / 4135525.2 mN

e. Other Locational Data: APN 224-66-006

***P3a. Description:**

The subject property at 1200-1310 Memorex Drive is situated on an irregularly shaped parcel (APN 224-66-006) in east-central Santa Clara. The property dominates an irregularly shaped block roughly bounded by Memorex Drive to the north, Ronald Street to the east, and the Peninsula Subdivision MT2 rail line to the southwest. A narrow strip of landscaped vegetation extends along the eastern two-thirds of the Memorex Drive frontage, and a row of trees follows the southwestern property boundary. (See continuation sheet.)

***P3b. Resource Attributes:** HP8 – Industrial Building

***P4. Resources Present:** ☑Building ☐Structure ☐Object ☐Site ☐District ☐Element of District ☐Other (Isolates, etc.)

P5a. Photo or Drawing

P5b. Photo: View of northern façade, camera facing southwest; November 22, 2019 (Architectural Resources Group)

***P6. Date Constructed/Age and Sources:**
☑Historic ☐Prehistoric ☐Both
Constructed 1961 (County Assessor Records)

***P7. Owner and Address:**
1200 Partners LLC
14573 Big Basin Way
Saratoga, California 95070-6013

***P8. Recorded by:**
Architectural Resources Group
Pier 9, The Embarcadero, Suite 107
San Francisco, CA 94111

***P9. Date Recorded:** November 22, 2019

***P10. Survey Type:** Intensive-level Survey

***P11. Report Citation:** None

***Attachments:** ☐NONE ☑Location Map ☐Sketch Map ☑Continuation Sheet ☑Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐Other (List):

BUILDING, STRUCTURE, AND OBJECT RECORD

***NRHP Status Code** 7
***Resource Name or #** 1200-1310 Memorex Drive

B1. Historic Name: Memorex Corporation Headquarters
B2. Common Name: None
B3. Original Use: Industrial (mixed use)
B4. Present Use: Industrial (manufacturing/warehousing)
***B5. Architectural Style:** Industrial, International Style
***B6. Construction History:** Selected:

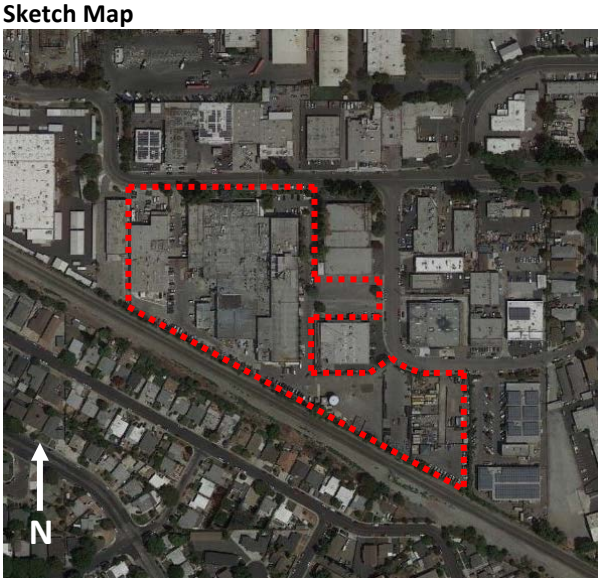
1961 – Building constructed for Memorex (assessor records).
1963 – Freestanding shed constructed (building permit).
1964 – Eastern warehouse and factory addition completed; parcel and ca. 1960 building to the west purchased by Memorex (*Memorex Intercom* 2, no. 5).
1966 – Eastern office, laboratory, warehouse, and cafeteria addition completed (*Memorex Intercom* 3, no. 3); additions to southern façade of 1961 building and 1964 addition completed by this time; additions to northern façade of ca. 1960 building also completed by this time (*Memorex Intercom* 3, no. 10) .
1967 – Breezeway between main building and ca. 1960 building added (buliding permit).
1968 – Freestanding warehouse building completed by this time (*Memorex Intercom* 5, no. 4).
1972 – Breezeway between 1966 office, laboratory, warehouse addition and 2222 Ronald St. added (building permit).
1995 – 1963 shed demolished (building permit); 1972 breezeway demolished (building permit).
2004 – 1966 cafeteria demolished (building permit)
2014 – Shed roof on ca. 1960 building demolished (building permit).
2015 – Northern façade of ca. 1960 building truncated (building permit).

***B7. Moved?** ☑**No** ☐**Yes** ☐**Unknown** **Date:** **Original Location:**
***B8. Related Features:** Paved parking and loading areas, chain-like fencing
B9a. Architect: Unknown
b. Builder: Unknown
***B10. Significance: Theme:** N/A
Area: N/A
Period of Significance: N/A
Property Type: N/A
Applicable Criteria: N/A

Historic Context

Prewar Development of the Santa Clara Valley
The County of Santa Clara is one of twenty-seven California counties created in 1850, the year that California entered the Union. San José was selected as the first state capital, and the combination of legislators, newsmen, and others seeking employment in the city spurred urban development in the Santa Clara Valley region. The fertile valley also attracted agricultural interests, including many former gold miners who shifted their efforts from prospecting to farming or ranching.[1] (See continuation sheet.)

Sketch Map



B11. Additional Resource Attributes: None
***B12. References:** See continuation sheet.
B13. Remarks: None
***B14. Evaluator:** Architectural Resources Group
***Date of Evaluation:** November 22, 2019

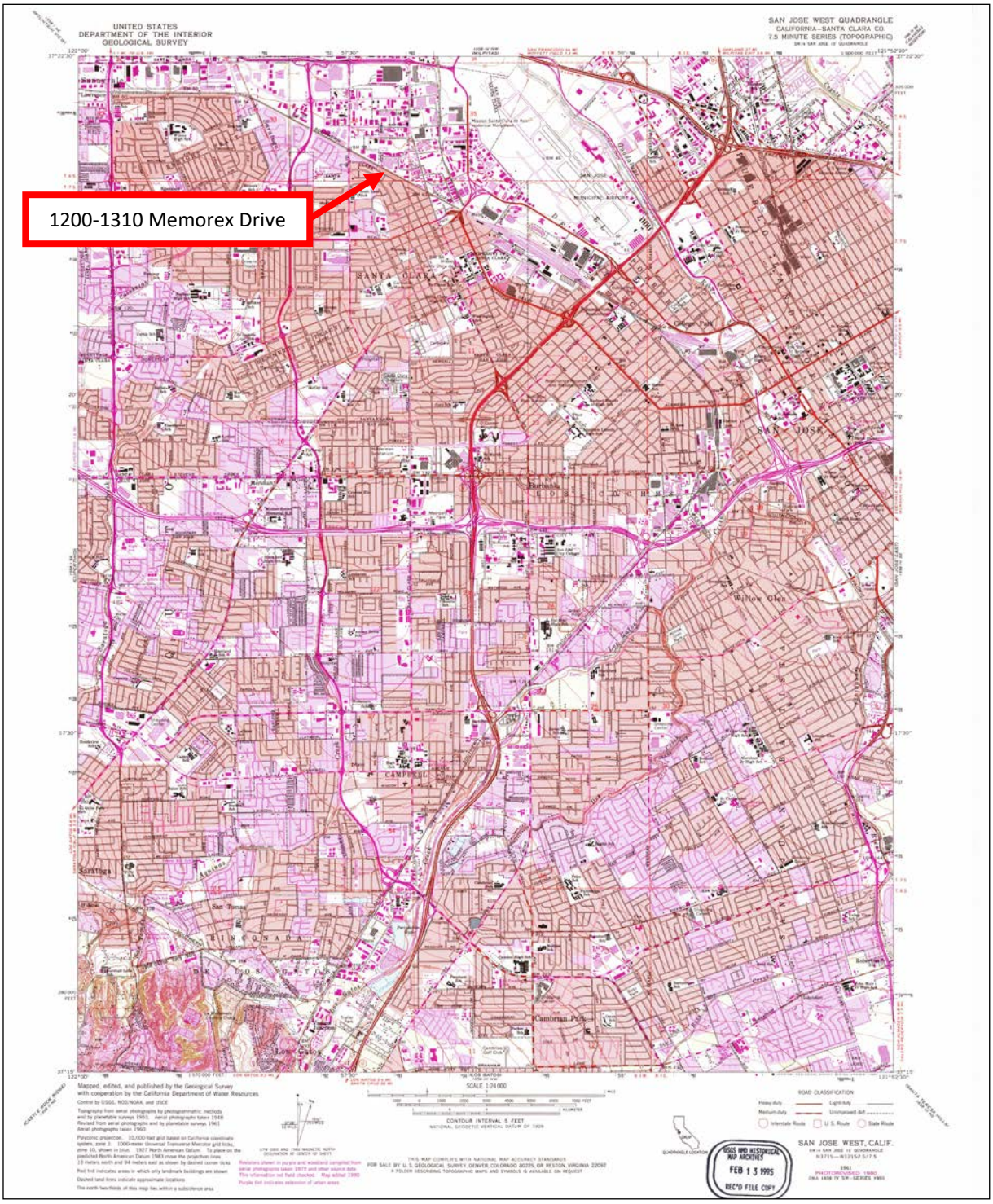
(This space reserved for official comments.)

[1] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement* (Santa Clara, California: County of Santa Clara Department of Planning and Development Planning Office), 7.

State of California — The Resources Agency	Primary #
DEPARTMENT OF PARKS AND RECREATION	HRI#
LOCATION MAP	Trinomial

 ***Resource Name or #** 1200-1310 Memorex Drive

***Map Name:** West San Jose, California, USGS 7.5-minute topographic quadrangle ***Scale:** 1:24,000 ***Date of Map:** 1980



Continuation of P3a. Description:

The industrial complex at 1200-1310 Memorex Drive features an irregular footprint and is comprised of multiple additions and building components constructed in the mid-twentieth century. The original portion of the building, which was completed in 1961, is a two-story building fronting Memorex Drive to the north. This building is rectangular in plan, and its exterior walls are finished with smooth stucco. The center of the primary (northern) façade is dominated by a curtain wall that extends across both stories and includes the building's primary entrance. At the ground level, the curtain wall features a pair of fully glazed metal doors with a narrow transom, flanked by four aluminum fixed windows to either side. The westernmost window has been infilled with an opaque metal panel. At the upper level, the curtain wall contains a continuous ribbon of ten aluminum fixed windows. Short metal spandrel panels are located above the upper level windows, between the upper and lower level windows, and below the lower level windows. A curvilinear porch hood is anchored above the primary entrance, sheltering both the double doors and one window unit to either side. A poured concrete walkway extends across the façade and connects the primary entrance to the sidewalk along Memorex Drive. A secondary entrance, a single-leaf metal door, is also located in the primary façade, to the east of the curtain wall and primary entrance.

The eastern, western, and southern façades of the 1961 building have all been covered by additions. The addition across the eastern façade, which roughly doubled the square footage of the original building, was completed in late 1964. It is rectangular in plan and matches the height of the 1961 building, and its northern façade is also dominated by a centrally located curtain wall that extends across both stories. Unlike the curtain wall on the 1961 building, however, this is predominantly filled with opaque panels, featuring only four fixed aluminum windows on either story. The primary entrance to the building is on its eastern façade, sheltered by a curvilinear, asymmetrical porch roof supported by a series of angular columns. The columns are constructed from concrete, and the roof appears to clad in sheet metal. The porch covers only the northernmost part of the eastern façade, extending beyond the corner of the building to cover a portion of the walkway that connects the entrance to the sidewalk along Memorex Drive. Below the porch, the façade is punctuated by a pair of fully glazed aluminum doors with a transom and a ribbon of four full-height fixed windows. A small eating area with circular tables and curving, fixed-in-place benches is located to the east of the porch, beyond the angular columns. Both this area and the associated walkways that connect the building's entrances to the sidewalk are paved with exposed aggregate concrete.

Across the 1964 addition's eastern façade, beginning at the southern end of the porch roof, is a narrow, two-story addition that is rectangular in plan. It features large, fixed aluminum windows across the first story on its primary (northern) façade, while its eastern façade is covered entirely by a three-story addition, completed in 1966, that extends beyond the southern façades of the previously constructed buildings. The three-story addition is rectangular in plan, with a flat roof and a high parapet screening a variety of rooftop mechanical equipment. At the ground level, its primary (northern) façade features stucco cladding, fixed aluminum windows, and fully glazed aluminum doors; the primary entrance, a pair of aluminum double doors, is sheltered below a short vinyl awning. The upper stories are a steel-framed curtain wall containing alternating rows of fixed windows and opaque panels. The eastern façade, which is nearly five times the width of the northern façade, features a more varied appearance. The curtain wall wraps around the northeastern corner of the building, covering all three floors of the northern third of the eastern façade. It then continues at only the upper floor across the length of the façade. Multiple secondary entrances, including roll-up garage doors and one set of fully glazed aluminum doors with a transom and sidelights, punctuate the first story below the curtain wall. The southern façade features a loading area covered by a projecting metal awning at the first story and a metal door accessed by a metal exterior staircase at the second story.

The rear (southern) façade of the 1961 building and its 1964 addition have been covered by additional two-story, flat-roofed, rectangular-in-plan additions completed ca. 1966. The eastern façade of these additions adjoins the 1966 three-story addition. The southern façade of the additions is clad in corrugated sheet metal siding, punctuated on the first story by two roll-up metal garage doors, two half-glass metal doors, one fully glazed metal door, and one aluminum fixed picture window. The western façade of the additions features four-light windows across the first and second stories, with one roll-up metal garage door and two single-leaf metal doors in the first story as well as one single-leaf metal door in the second story. The latter is served by a metal exterior staircase.

Across the western façade of the original 1961 building has been constructed another narrow, rectangular-in-plan, two-story addition, completed by 1966. Its northern (primary) façade is even with that of the 1961 building and clad in stucco to match.

The addition's western and southern façades are also clad in stucco, and the northern portion of the western façade is punctuated by ribbons of square, fixed aluminum windows across the upper story.

A metal breezeway clad with a flat roof clad in corrugated sheet metal extends perpendicularly from southern corner of the addition's western façade, connecting it to a separate building that has itself experienced multiple rounds of addition and alterations. The core of this building is a ca. 1960, two-story building that is rectangular in plan. It is of concrete construction and features a convex roof. Fenestration is limited to one fixed aluminum window, one roll-up metal garage door, and one single-leaf metal door on the eastern façade and two roll-up garage doors and three single-leaf metal doors on the southern façade. The southern façade also features a small, one-story, metal-clad addition with a shed roof and one single-leaf door on its own southern façade. The western façade of the building is blank, and the northern façade has been obscured entirely by a series of additions that match the original building's width.

The eastern façade of the additions to the ca. 1960 building is constructed from concrete. It is punctuated variously by single-leaf doors, one metal roll-up garage door, and horizontally oriented, fixed and sliding aluminum windows in both the first and second stories. The northern (primary) façade is articulated such that the eastern portion projects further north than the western portion; the eastern portion, which is clad in stucco, features a raised loading dock with three metal roll-up garage doors and a flat porch roof clad in corrugated sheet metal; the western portion, which is constructed of concrete masonry units and features a short parapet, is also punctuated by two metal roll-up garage doors as well as a fully glazed metal door with sidelights. The western façade of the additions is blank.

The property also includes one ca. 1966 freestanding building near the southern boundary of the property, between the ca. 1960 building and the ca. 1966 additions to the southern façade of the 1961 building. The freestanding building is one story in height, rectangular in plan, and comparatively small. It is of steel-frame construction with corrugated sheet metal cladding and a shallowly pitched, metal-clad roof. The building's primary (southern) façade is punctuated by two metal roll-up garage doors, one paneled metal or fiberglass door, and a vinyl sliding window, which the western façade features a single metal roll-up garage door flanked by half-glass, single-leaf metal doors. The eastern façade features one single-leaf metal door near the southern corner of the building, and the western façade is blank.

Continuation of B10. Significance:

Outside of San José, cattle ranching was the Santa Clara Valley's primary economic activity in the early years of California statehood. Initially, the open range method was common among ranchers, but pasture lands were reduced as the region became more densely settled; stock farming, which utilized smaller lots and intensified production techniques, supplanted pasture grazing by the 1860s. Wheat was also a staple agricultural product of the Santa Clara Valley at this time, as the region's highly fertile soil facilitated easy cultivation and high yields with relatively little capital investment. By 1854, thirty percent of California's total wheat crop was produced in Santa Clara County, and it was "arguably the most important agricultural county" in the state.[2] Other grain crops, primarily barley and oats, were also produced in significant volumes.[3]

In addition to agricultural development, the 1860s saw the introduction of railroad transportation into Santa Clara County. The San Francisco & San Jose Railroad (SF&SJ) was organized in 1860, and the first train arrived in San José from San Francisco on January 16, 1864. The Central Pacific Railroad (CPRR, originally the Western Pacific Railroad) was completed between San José and Niles, California, in 1869, connecting San José with the transcontinental railroad and opening the Santa Clara Valley to markets across the United States. The railroad, subsequent population growth, and intensified agricultural production changed the landscape of the valley, catalyzing the development of small towns along the rail lines and resulting in the breakup of large land holdings.[4]

[2] Jim Gerber, "The Origin of California's Export Surplus in Cereals," *Agricultural History* 67, no. 4 (Autumn 1993), 47.
[3] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 37-38.
[4] Ibid., 40.

By 1870, nearly all acreage in rural Santa Clara County was devoted to wheat and barley production. When yields fell in 1879-1880, however, farmers quickly diversified their interests to include dairy cows, sheep for wool, poultry for eggs, swine for meat, and hay, grape vines, and fruit trees. The latter proved to be particularly lucrative. By the late 1880s, orchard products (prunes, in particular) came to dominate agricultural production in the Santa Clara Valley. The region's fruit canning and packing industry was pioneered by a San José physician, Dr. James Dawson, in 1871 and grew alongside orchard production. Subsequently, the manufacture of food processing machinery and orchard spraying equipment became an important aspect of the local industrial economy. Early industrial development in Santa Clara County began to appear in 1864 alongside the recently constructed transportation lines.[5]

Fruit production in the Santa Clara Valley continued to increase, peaking in the 1920s. As the ratio of crop value to land area increased, many of the large, diversified farms and wheat fields that had been prevalent in the nineteenth century were subdivided into specialized "fruit ranches" that were 3 to 50 acres in area. The introduction of the automobile and commercial development of the trucking industry in the early twentieth century also impacted land use patterns in the valley, as it greatly facilitated local distribution and catalyzed the development of city roads and intercity highways. By 1928, all of San José's city streets had been paved, and highways connected the city to San Francisco, Oakland, and the coast.[6]

At the onset of the Great Depression, there were 38 canneries and 13 packing plants in Santa Clara County. 172,190 acres of land were engaged in crop production, approximately 66,000 of which were devoted to prunes and 20,000 to apricots. Orchards and related industries were hit particularly hard by the Great Depression, in which time the prices of California's specialty crops fell further and faster than those of basic agricultural commodities, such as wheat.[7] The local workforce, already facing low wages and an unprecedented level of unemployment, was further challenged to accommodate an influx of farmers displaced by the Dust Bowl. Unrest with regard to low wages, substandard working conditions, and poor job security catalyzed the labor movement in the 1930s, and membership and related activism increased substantially during the Depression years. In August 1931, the Cannery and Agricultural Workers' Industrial Union organized a strike of nearly sixteen thousand cannery workers in the Santa Clara Valley, in protest of a twenty percent wage decrease.[8] By the end of the decade, all San José canneries were unionized.[9]

The fruit industry gradually recovered from the effects of the Great Depression, but military training and wartime production associated with World War II played the greater role in the Santa Clara Valley's economic resurgence. The San Francisco Bay area was the gateway to the Pacific theater of the war, and thousands of military personnel were brought to the area for training and processing at Moffett Field and shipyards along the coastline. Numerous industrial plants for the construction of marine engines and landing craft were established in Sunnyvale and Santa Clara; the two largest military contractors, whose contracts totaled $289 million, were the Food Machinery Company and the Joshua Hendy Iron Works. The growth of these wartime industries changed both the physical and ethnic landscape of the Santa Clara Valley. Work in the industrial plants employed local workers, including women, from the orchards and canneries, and they were frequently replaced by Mexican Americans and by braceros, Mexican nationals working in the United States under the auspices of the Mexican Farm Labor Agreement. At the same time, the Santa Clara Valley's agricultural acreage was reduced, as farms and orchards were converted to industrial plants and housing for the region's increased population.[10]

Postwar Industrialization in the Santa Clara Valley

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[5] Ibid., 40-41.
[6] Ibid., 43-44.
[7] Glenna Matthews, "The Apricot War: A Study of the Changing Fruit Industry during the 1930s," *Agricultural History* 59, no. 1 (January 1985), 25-29.
[8] Kevin Starr, *Endangered Dreams: The Great Depression in California* (New York, NY: Oxford University Press, 1996), 69-70.
[9] David Bacon, "Roots of Social Justice Organizing in Silicon Valley," *El Reportero* (San Francisco), May 23, 2016.
[10] Glenna Matthews, *Silicon Valley, Women, and the California Dream: Gender, Class, and Opportunity in the Twentieth Century* (Stanford, California: Stanford University Press, 2003), 82-88.

The population and economy of the Santa Clara Valley grew rapidly in the post-war years, as the economic focus of the region shifted from agriculture to electronics and manufacturing. Orchards were swiftly replaced with residential subdivisions and shopping centers, and rural roadways were widened into freeways to accommodate the massive influx of people and commercial activity that accompanied increasing industrialization and the related population boom.[11] The growth of the region's electronics sector and the transformation of the "Valley of the Heart's Delight" into "Silicon Valley" in the postwar years was driven by a growing number of defense contracts and Stanford University officials' efforts to institutionalize a relationship between the research university and the Federal government.

Stanford University was a key contributor to the economic success of the Santa Clara Valley in the postwar years. From the university's inception in 1891, its founders had intended their school to have a strong emphasis on science, engineering, and practical applications. The 1927 appointment of radio engineer Frederick Terman, who would be named Stanford's dean of engineering in 1944 and provost in 1955, served to reinforce this mission. Terman educated and encouraged a number of students who would go on to establish some of the most successful electronic firms in the country, including William R. Hewlett and David Packard of the Hewlett-Packard Company, but his greater contribution to the Santa Clara Valley was his work to build a "university-government alliance" for defense-related research, to the benefit of all involved.[12] Terman played a crucial role in Stanford University's postwar efforts to secure defense research contracts from the federal government in the late 1940s; he believed that government partnerships were the future of U.S. research institutions and American military security. In the decades following World War II, the Cold War economy and the billions of dollars in government contracts that were granted to universities and firms in the Santa Clara Valley shaped the technological and economic advancements of the region.[13]

Research-oriented industry, much of it funded by Department of Defense grants in the Cold War, transformed the Santa Clara Valley from an agricultural and extractive economy to one that was based on scientific research and technological advancement. A synergistic relationship developed between the region's universities, the federal government, local municipalities, and the local business community. Stanford University emerged as a national leader in research and development in the electronics field, conducting applied research in California's industrial and defense sectors beginning as early as 1946. In 1951, the university founded the Stanford Industrial Park, which attracted major tenants including Hewlett-Packard, Eastman Kodak, Varian Associates, the Sylvania Products Company, the Philco-Ford Corporation, General Electric, and the research division of the Lockheed Corporation (later Lockheed Martin Corporation). Other major firms, such as the Fairchild Camera and Instrument Corporation, Memorex Corporation, and National Semiconductor located nearby. Municipal governments, for their part, incentivized industrial growth by providing tax relief and other incentives, and by clearing tracts of land for development. Underpinning all of this growth were grants and contracts extended by the Department of Defense; by the late 1970s, Santa Clara County was receiving $2 billion annually in federal defense contracts, a trend that continues today.[14]

Approximately 800 electronics businesses emerged in Santa Clara County between 1950 and 1974, spurred by government contracts, municipal governments' incentives, and the desire to locate themselves alongside the companies and university programs that had established themselves as leaders in the field.[15] The development of integrated circuitry, which made possible the pocket calculator, and the microprocessor, which led to the proliferation of computers for consumer use, solidified the region's position as the electronics industry leader in the 1960s and beyond. Santa Clara County's population swelled from 290,547 in 1950 to over a million in 1970, one year before journalist Donald Hoefler would use the term "Silicon Valley."[16] The

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[11] Ibid., 46-47.
[12] David Naguib Pellow and Lisa Sun-Hee Park, *The Silicon Valley of Dreams: Environmental Injustice, Immigrant Workers, and the High-Tech Global Economy* (New York, NY: New York University Press, 2002), 60.
[13] Ibid., 61; John M. Findlay, *Magic Lands: Western Cityscapes and American Culture after 1940* (Berkeley, CA: University of California Press, 1992), 133-134.
[14] Pellow and Park, *The Silicon Valley of Dreams*, 60-61; Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 46.
[15] Pellow and Park, *The Silicon Valley of Dreams*, 62.
[16] "Obituary: Dan Hoefler, writer who coined term 'Silicon Valley,'" *San Jose Mercury News*, April 16, 1986.

valley's orchards were replaced with auto-oriented development like shopping centers and residential subdivisions, and rural roadways were widened into freeways to accommodate the massive influx of people and commercial activity that accompanied increasing industrialization and population boom.[17]

Memorex Corporation and 1200-1310 Memorex Drive

Memorex Corporation was one of the hundreds of electronics start-up companies founded in the Santa Clara Valley in the postwar period. Memorex was established in 1961 by Laurence L. Spitters, Arnold T. Challman, Donald F. Eldridge, and W. Lawrence Noon, all of whom had resigned from Ampex Corporation, another Santa Clara Valley electronics enterprise, in order to launch their own business venture. The nascent operation began research and development operations from a rented facility in Mountain View, California, but before the year had ended, Memorex completed construction on their first plant and office facility at 1180 Shulman Avenue (the subject property, now 1200-1310 Memorex Drive) in east-central Santa Clara.

Initially, Memorex Corporation focused on magnetic recording media, beginning with the production of magnetic computer tape, but it soon expanded its offerings to include a range of peripheral equipment including removable disk packs and hard disk drives that were plug-compatible with computers produced by the International Business Machines Corporation (IBM).[18] IBM, another Santa Clara Valley electronics firm, was the unequivocal leader in the global computer market at the time, and Memorex was the first independent manufacturer of peripheral equipment that could be used with their proprietary computer systems.[19] The Memorex 630, an IBM 2311 plug-compatible disk drive, was introduced in 1968, and a higher-capacity IBM 2314 plug-compatible drive was introduced a year later. These products were marketed as being faster and more reliable than the IBM-produced disk drives that they promised to replace, and they were more affordable, as well. The invention of IBM plug-compatible disk drive enabled Memorex, a relatively small company, to compete with IBM and gain a share of the massive computer market that the larger company controlled. Memorex's early success encouraged other electronics companies to create their own IBM plug-compatible peripheral equipment, including Marshall, Potter Instruments, Telex, Century Data, Control Data Corporation, and Memorex's founders' former employer, Ampex.[20]

In the early 1970s, Memorex expanded to a new headquarters in San Tomas Industrial Park, less than two miles away from their original headquarters (the subject property), which remained in use as a production facility.[21] The company also established a Consumer Products Division; for the first time, Memorex products were available for sale through retail shops, beginning with blank audio cassettes and ¼-inch tape on 5-inch and 7-inch open reels (Figure 40). The company engaged the Leo Burnett Agency in Chicago to handle their advertising, which was disseminated via newspapers, magazines, radio, and television.[22] One of their most successful ad campaigns showed celebrated jazz artist Ella Fitzgerald singing a high note, shattering a wine glass with the frequency of her delivery; a recording of her voice on Memorex tape was then player, shattering a second wine glass and demonstrating the clarity and quality of Memorex's blank audio cassettes.[23] The accompanying slogan, "Is it live, or is it Memorex?" made the company a household name.[24]

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[17] Archives & Architecture, LLC, *County of Santa Clara Historic Context Statement*, 46-47.
[18] Disk packs are the core components of hard disk drives. In modern hard disk drives, the disk pack is permanently sealed within the drive; removable packs, such as those produced by IBM and later Memorex, allowed for greater customization.
[19] Adam Augustyn, "IBM," *Encyclopedia Britannica*, accessed December 3, 2019, https://www.britannica.com/topic/International-Business-Machines-Corporation. By the 1960s, IBM was producing 70 percent of the world's computers and fully 80 percent of those used in the United States.
[20] "1968: Memorex Introduces an IBM compatible HDD," *Computer History Museum*, last modified September 19, 2018, https://www.computerhistory.org/storageengine/memorex-introduces-an-ibm-compatible-hdd/.
[21] "EXPAND! in San Tomas Industrial Park," *San Francisco Examiner*, February 18, 1970.
[22] "Check Your Favorite Hi-Fi Dealer—Company's First Consumer Products Go On Sale This Month," *Memorex Intercom* 7, no. 10 (October 1970): 3.
[23] Michelle Mercer, "The Voice That Shattered Glass," *NPR*, September 3, 2019, https://www.npr.org/2019/09/03/749019831/the-voice-that-shattered-glass.
[24] "Imation Agrees to Buy Memorex," *Los Angeles Times*, January 20, 2006.

After years of producing peripheral equipment, Memorex introduced its own computer systems in late March 1972.[25] However, a series of aggressive pricing and product actions by IBM, who dominated the computer mainframe industry at the time, reduced the profitability of the venture; in September 1973, Memorex reported a total loss of $101 million for the first six months of the year, including more than $90 million in asset write-offs and $8 million in operating losses.[26] The company subsequently sued IBM for monopolizing the market for peripheral products for use with IBM computers, alleging that they and their subsidiaries had "been virtually unable to obtain equity or debt financing at reasonable interest rates" to remain viable.[27] In turn, IBM charged that Memorex had engaged in "industrial espionage," deliberately hiring former IBM employees and deploying IBM's trade secrets in the design and marketing of Memorex products.[28] Unable to secure a unanimous vote from the jury and refused an appeal in the Supreme Court, Memorex's antitrust suit ultimately ended in a mistrial.[29]

In 1974, Robert C. Wilson replaced founder Laurence Spitters as CEO and restructured the company in cooperation with Bank of America; approximately 300 employees were laid off, and through the end of the decade, Memorex successfully focused on its media products and IBM plug-compatible peripheral offerings.[30] Wilson retired in 1979 and was replaced by Clarence W. Spangle in early 1980.[31] Declining profits in the first quarter of that year forced the new CEO to lay off 220 employees from the Santa Clara tape plant (the subject property).[32] In 1981, the company was acquired by the Detroit-based Burroughs Corporation (later Unisys) for $106 million in cash, and in 1982, its tape division was sold to Tandy Corporation.[33] Business problems and poor sales in the late 1980s led to the dismemberment of Memorex by Unisys. A sizeable portion of the company was sold to an international group of Memorex executives and New York financier Eli S. Jacobs for $550 million in late 1986.[34] The new Memorex International NV was registered in the Netherlands and headquartered in London, with Giorgio Ronchi as its president.[35] In 1988, it acquired Telex Corporation in a bid to expand its American market, and emerged as Memorex Telex NV.[36]

Memorex Telex N.V. was plagued by instability in the 1990s, filing for Chapter 11 bankruptcy protection in three times between 1992 and 1996.[37] Many of the company's international sales and service subsidiaries continued as subsidiaries of other firms; the tape division of the Memorex license, still owned by Tandy Corporation at the time, was purchased by Hanny Holdings

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[25] "Memorex MRX/40 and MRX/50," promotional material, 1972; item 102770468, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[26] "Memorex Sues IBM for $3 Billion," *Electronic News* (New York, NY), December 17, 1973; "Memorex: This is the 'Year of Restoration,'" *Business Week*, November 10, 1975.
[27] "Memorex Sues IBM for $3 Billion."
[28] Ibid.
[29] "Memorex and I.B.M. in Mistrial," *New York Times*, July 6, 1978; "Memorex Loses Again in IBM Antitrust Case," *San Francisco Examiner*, June 22, 1981.
[30] "Memorex: This is the 'Year of Restoration,'" *Business Week*, November 10, 1975; "Memorex Lays Off 220," *Santa Cruz Sentinel*, June 8, 1980.
[31] "Chairman Wilson Announces Selection of Clarence W. Spangle as New President and CEO," *Memorex Intercom* 17, no. 1 (February 1980), 1.
[32] "Memorex Lays Off 220," *Santa Cruz Sentinel*, June 8, 1980.
[33] H.J. Maidenberg, "Burroughs in Pact for Memorex," *New York Times*, August 3, 1981; William H. Inman, "Tandy Gets Go-Ahead for Memorex Takeover; Now Nation's No. 1 Tape, Video Seller," *United Press International*, April 26, 1982.
[34] Donna K. H. Walters, "Burroughs to Sell Part of Memorex: Group to pay $550 Million; Move Will Ease Debt Load," *Los Angeles Times*, November 7, 1986.
[35] "Memorex International Seeks to Expand by Acquisition in Maintenance, Leasing," *Computer Business Review*, February 18, 1987.
[36] Daniel F. Cuff, "Memorex Chief Calls Telex Deal a Good Fit," *New York Times*, December 16, 1987; "Memorex Telex: The Global Strength," March 1988, Memorex Memorabilia [Digital Archive], accessed November 27, 2019, https://mrxhist.org/docs/Ronc_5511.pdf.
[37] "Here We Go Again: Memorex Telex Is Back in Chapter 11," *Computer Business Review*, October 17, 1996.

Limited of Hong Kong in 1993 and continued as Memorex International Inc.[38] The contents of the company's original Santa Clara tape plant (the subject property) were liquidated in 1994.[39] In 2006, Memorex International Inc. was bought out by Imation Corps, a maker of data storage disks and tapes, for $330 million in cash.[40] Imation subsequently sold the Memorex brand to Digital Products International, a Missouri-based consumer electronic products firm, in 2015. The brand continues to produce and market disk recordable media, flash memory, and other computer accessories.[41]

Postwar Industrial Architecture and the International Style

Postwar industrial architecture is generally characterized by utilitarian design and materials that prioritize functionality over style. Common features among industrial resources from the postwar period are one- to two-story construction, simple footprints, and the use of readily available construction materials including concrete, steel, stucco, and glass.[42] Some industrial buildings constructed between 1945 and 1970, including the subject property, exhibit elements of the International Style and other midcentury architectural movements. While these stylistic elements are frequently minimized in warehouses and manufacturing facilities, they are emphasized at the resources' primary façades and office spaces. The International Style originated in Western Europe in the 1920s and 1930s and famously rejected vernacular building forms in favor of a geometric play of volumes and an absence of traditional ornamentation. Common features include square or rectangular building footprints, horizontal bands of windows, flat roofs, smooth and uniform wall surfaces, and the use of stucco, concrete, and curtain walls with large plate glass windows. These features lent themselves well to the new industrial campuses developing in the postwar era, and they were regularly employed to elevate the design of otherwise utilitarian offices and industrial facilities.[43]

Evaluation

The subject property at 1200-1310 Memorex Drive appears to be eligible for listing in the California Register under Criterion 1, *Association with Significant Events*, for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s. Memorex Corporation's innovative plug-compatible peripheral computer equipment had a significant impact on the early electronics industry, and the products themselves were first developed at the subject property in the late 1960s. The building also retains a relatively high degree of integrity with regard to the period in which these developments occurred. For these reasons, the building appears to qualify as an historical resource under CEQA.

California Register Criterion 1 [Association with Significant Events]

To be considered eligible for listing under Criterion 1, a property must be associated with one or more events important in a defined historic context. This criterion recognizes properties associated with single events, a pattern of events, repeated activities, or historic trends. The event or trends, however, must clearly be important within the associated context. Further, mere association of the property with historic events or trends is not enough, in and of itself, to qualify under this criterion: the specific association must be considered important as well.[44]

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[38] "Tandy to Sell Memorex Name to Hong Kong Company," *New York Times*, November 12, 1993.
[39] "A Ross-Dove Company Auction: Complete Liquidation of a Major Computer Tape Manufacturing Facility Assets Surplus to Continuing Operations," auction catalog, 1994; item 102770298, Information Technology Corporate Histories Collection; Computer History Museum, Mountain View, California.
[40] "Imation Agrees to Buy Memorex," *Los Angeles Times*, January 20, 2006.
[41] "About Digital Products International, Inc.," *DPI Inc.*, accessed December 3, 2019, https://www.dpiinc.com/about.
[42] City of Fremont, "Registration Requirements for Postwar Historic Resources (1945-1970)," March 30, 2018, https://fremont.gov/DocumentCenter/View/37670/PLN2018_00236-Exh-A.
[43] City of Fremont, "Registration Requirements for Postwar Historic Resources (1945-1970)," March 30, 2018, https://fremont.gov/DocumentCenter/View/37670/PLN2018_00236-Exh-A; John Blumenson, *Identifying American Architecture* (New York: W. W. Norton & Company, 1981), 74-75.

[44] National Park Service, *How to Apply the National Register Criteria for Evaluation*.

The subject property was constructed in 1961 as the first world headquarters of Memorex Corporation, one of the many electronics start-up companies that catalyzed the Santa Clara Valley's transformation into "Silicon Valley" during the postwar era. As a multifaceted industrial campus including a manufacturing plant, research and development facilities, and administrative offices, the subject property conveys popular trends in industrial development during the postwar era. Memorex Corporation holds particular significance within the context of the development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Because IBM dominated 71 to 83 percent of the global computer market at the time, the introduction of compatible computer equipment established an important avenue for smaller electronics firms to establish themselves within the field.[45] Many other early electronics companies, including Marshall, Potter Instruments, Telex, Century Data, Control Data Corporation, and Ampex, released their own IBM-compatible plug-ins in subsequent years, and modern computer systems continue to accommodate singular components produced by disparate electronics companies. Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and the product itself was both developed and manufactured at the subject property in the late 1960s. For these reasons, the property appears to be eligible for listing on the California Register under Criterion 1.

California Register Criterion 2 [Association with Significant Persons]
This criterion "applies to properties associated with individuals whose specific contributions to history can be identified and documented." It identifies properties associated with individuals "whose activities are demonstrably important within a local, State, or national historic context," and is typically limited to those properties that have the ability to illustrate a person's important achievements.[46]

Although Memorex Corporation appears to hold significance in the overall context of Silicon Valley's industrial development and in the development of the modern electronics industry, none of its individual founders or employees are known to have made a singular and significant contribution to the electronics industry in the local, state, or national context. As such, the property does not appear to meet the threshold for listing in the California Register under this criterion.

California Register Criterion 3 [Architectural Significance]
This criterion applies to properties that "embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction." "Distinctive characteristics" are the physical and design features that commonly recur in individual types, periods, or methods of construction. To be eligible, a property must clearly contain enough of those characteristics to be considered a true representative of a particular style. A master "is a figure of generally recognized greatness in a field, a known craftsman of consummate skill, or an anonymous craftsman whose work is distinguishable from others by its characteristic style and quality…. A property is not eligible as the work of a master, however, simply because it was designed by a prominent architect."[47]

Despite the International Style detailing on the building's primary façade, the former Memorex Corporation plant at 1200-1310 Memorex Drive is a relatively generic example of midcentury industrial architecture. The building is not associated with a prominent architect or builder, and its straightforward steel-framed construction and stucco wall treatment do not display unusually skilled craftsmanship or employ unique finishes. For these reasons, the property does not appear to meet the threshold for listing in the California Register under Criterion 3.

California Register Criterion 4 [Potential to Yield Information]

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[45] Ross Knox Bassett, *To the Digital Age: Research Labs, Start-up Companies, and the Rise of MOS Technology* (Baltimore, MD: Johns Hopkins University Press, 2002), 222.

[46] National Park Service, *How to Apply the National Register Criteria for Evaluation*.

[47] National Park Service, *How to Apply the National Register Criteria for Evaluation*.

Criterion 4 is generally applied to archaeological resources, and evaluation of the subject property for eligibility under this criterion was beyond the scope of this report.

Integrity Analysis

In order for a building to qualify for listing on the California Register of Historical Resources, it must both display significance under one or more of the California Register criteria and retain historical integrity. An integrity analysis of the subject property is presented below.

Location

The subject property has not been moved from its original location. As such, it retains integrity of location.

Design

Although the original 1961 building has been extensively altered by numerous large additions, these occurred during the period of significance and generally display continuity of materials and architectural style, thereby maintaining the building's overall integrity of design. Like the original 1961 building, the major 1964 and 1966 additions exhibit elements of the Postwar Industrial Style and the International Style in their use of stucco, glazed curtain walls, and in the case of the 1964 addition, a curvilinear porch roof that complements the Midcentury Modern stylings of the 1961 building's curvilinear porch hood. Rear additions, which are far simpler in design, are still in keeping with the utilitarian style of Postwar Industrial architecture. Those alterations that occurred outside of the period of significance, such as the removal of the 1966 cafeteria at the northeast corner of the building and the changes to the primary façade of the ca. 1960 building, do not irreparably detract from the building's design as seen in the extant 1961 building and its additions. In these ways, subject property retains integrity of design.

Setting

Little change has occurred in the immediate setting since the end of the historic period in the early 1970s. The building continues to be surrounded by surface parking lots and low-scale, one- to two-story light industrial buildings dating from the late-1950s through the early 1970s. Although the circulation pattern has been altered slightly with the addition of a ca. 1970 through-road connecting Lafayette Street with Memorex Drive (formerly Shulman Avenue), the property's immediate vicinity has essentially remained unchanged. Therefore, the building retains integrity of setting.

Materials

Most exterior materials (stucco, plate glass, sheet metal, aluminum window frames) appear to be intact or have been replaced in-kind. As such, the building retains integrity of materials.

Workmanship

The additions to the original 1961 building on the subject property display workmanship consistent with that of the original building. With the exception of the cafeteria building at the northeast corner of the property, which was constructed in 1966 and removed in 2004, the building and its additions remain largely intact. As such, the property retains a degree of integrity of workmanship.

Feeling

The subject property displays integrity of feeling through its intact Postwar Industrial and International Style design features, original materials, and setting amongst other light industry. Therefore, the property retains integrity of feeling.

Association

Through its intact midcentury design and materials, and due to the fact that it continues to be engaged in light industrial use, the property maintains integrity of association with the postwar industrial development of the Santa Clara Valley.

Current Photographs

Figure 1. Overview of the subject property, view southwest (ARG, November 2019).

Figure 2. Northern façade of the 1966 addition at the northeastern corner of the building, view southeast (ARG, November 2019).

Figure 3. Primary entrance at the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Figure 4. Glazing across first story of the northern façade of the 1966 addition, view south-southwest (ARG, November 2019).

Figure 5. Secondary entrance on the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Figure 6. Northern façade of the 1966 addition and eastern façade of the 1964 addition, including one of the building's primary entrances, view southwest (ARG, November 2019).

Figure 7. Secondary entrance in the northern façade of the 1966 addition, view southwest (ARG, November 2019).

Figure 8. Primary entrance in the eastern façade of the 1964 addition, view west-southwest (ARG, November 2019).

Figure 9. Picnic area, fountain, and porch before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Figure 10. Fountain before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Figure 11. Picnic area before the eastern façade of the 1964 addition, view northwest (ARG, November 2019).

Figure 12. Porch affixed to the eastern façade of the 1964 addition, view south (ARG, November 2019).

Figure 13. Porch roof affixed to eastern façade of 1964 addition, view southeast (ARG, November 2019).

Figure 14. Northern façade of the 1964 addition, view southwest (ARG, November 2019).

Figure 15. Northern façade of the 1964 addition (left) and the original 1961 building (right), view west-southwest (ARG, November 2019).

Figure 16. Northern façade of the 1964 addition (left), the original 1961 building (center), and ca. 1966 addition (right), view southwest (ARG, November 2019).

Figure 17. Northern façade of the original 1961 building including the primary entrance, view south (ARG, November 2019).

Figure 18. Primary entrance to the 1961 building, view southwest (ARG, November 2019).

Figure 19. Northern façade of the ca. 1966 addition across the western façade of the original 1961 building, view west (ARG, November 2019).

Figure 20. Northern façade of the 1964 addition (far left), the original 1961 building (center, with porch), and ca. 1966 addition (right), view east-southeast (ARG, November 2019).

Figure 21. Western façade of the ca. 1966 addition across the western façade of the original 1961 building, view south-southeast (ARG, November 2019).

Figure 22. Fenestration at the northern corner of the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view northeast (ARG, November 2019).

Figure 23. Entrance at the northern corner of the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view northeast (ARG, November 2019).

Figure 24. Western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Figure 25. Entrance on the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Figure 26. Roll-up door and breezeway on the western façade of the ca. 1966 addition across the western façade of the original 1961 building, view southeast (ARG, November 2019).

Figure 27. Southern façade of the ca. 1966 addition and western façade of the original 1961 building, view east (ARG, November 2019).

Figure 28. Southern façade of the ca. 1966 addition and western façade of the original 1961 building, view northeast (ARG, November 2019).

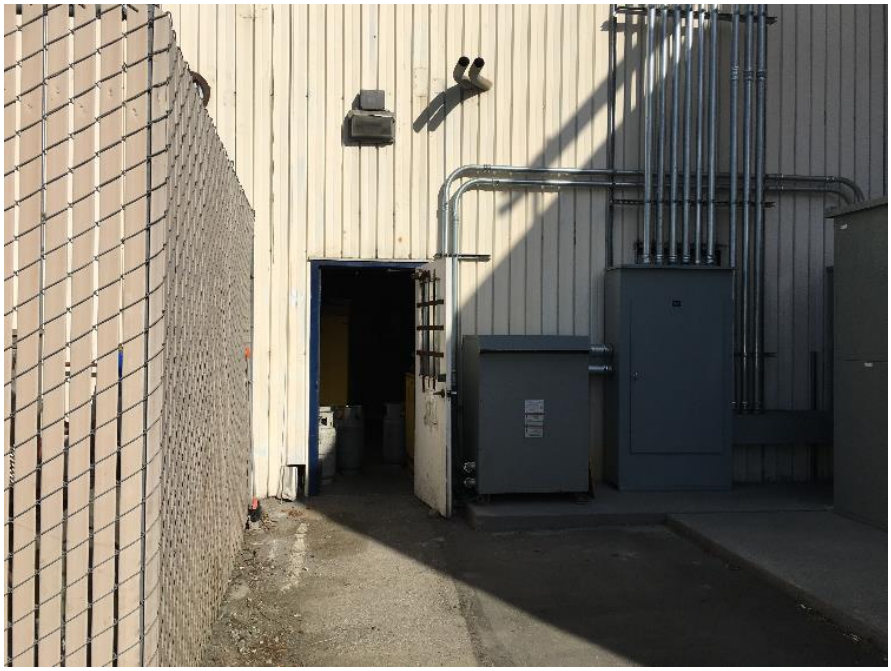

Figure 29. Entrance in the southern façade of the ca. 1966 addition across the western façade of the original 1961 building, view north (ARG, November 2019).

Figure 30. Western façade of the original 1961 building to the north of the ca. 1966 addition, view northeast (ARG, November 2019).

Figure 31. Southern façade of the original 1961 building and western façade of an addition to its southern façade, view northeast (ARG, November 2019).

Figure 32. Entrances in the southern façade of the original 1961 building, view north (ARG, November 2019).

Figure 33. Metal roll-up door in the southern façade of the original 1961 building, view north (ARG, November 2019).

Figure 34. Entrances in the western façade of a ca. 1966 addition to the southern façade of the original 1961 building, view east (ARG, November 2019).

Figure 35. Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view southeast (ARG, November 2019).

Figure 36. Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view south (ARG, November 2019).

Figure 37. Fenestration in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view east (ARG, November 2019).

Figure 38. Western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Figure 39. Fenestration in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Figure 40. Entrance in the western façade of the ca. 1966 addition to the southern façade of the original 1961 building, view northeast (ARG, November 2019).

Figure 41. Western and southern façades of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Figure 42. Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Figure 43. Entrances in the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view north (ARG, November 2019).

Figure 44. Entrance in the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view north-northeast (ARG, November 2019).

Figure 45. Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition (left) and western façade of the three-story 1966 addition (right), view northeast (ARG, November 2019).

Figure 46. Entrances at the eastern end of the southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Figure 47. Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and 1964 addition, view northwest (ARG, November 2019).

Figure 48. Fenestration in the western and southern façades of the three-story 1966 addition, view northeast (ARG, November 2019).

Figure 49. Entrance in the southern façade of the three-story 1966 addition, view north-northeast (ARG, November 2019).

Figure 50. Roll-up door in the southern façade of the three-story 1966 addition, view north-northeast (ARG, November 2019).

Figure 51. Southern façade of the three-story 1966 addition, view northeast (ARG, November 2019).

Figure 52. Southern façade of the ca. 1966 addition to the southern façade of the original 1961 building and its 1964 addition (left), southern façade of the three-story 1966 addition (center), and eastern façade of the three-story 1966 addition (right), view northwest (ARG, November 2019).

Figure 53. Eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 54. Eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 55. Entrance in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 56. Roll-up door in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 57. Entrances in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 58. Entrances in the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 59. Northern end of the eastern façade of the three-story 1966 addition, view northwest (ARG, November 2019).

Figure 60. Eastern façade of the ca. 1960 building (breezeway connection to the ca. 1966 addition across the western façade of the original 1961 building at right), view west (ARG, November 2019).

Figure 61. Eastern façade of the ca. 1960 building including breezeway connection to the ca. 1966 addition across the western façade of the original 1961, view southwest (ARG, November 2019).

Figure 62. Eastern façade of the ca. 1960 building including breezeway connection to the ca. 1966 addition across the western façade of the original 1961, view northwest (ARG, November 2019).

Figure 63. Entrances in the eastern façade of the ca. 1960 building, view west (ARG, November 2019).

Figure 64. Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west (ARG, November 2019).

Figure 65. Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west-southwest (ARG, November 2019).

Figure 66. Entrance in the eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view west-northwest (ARG, November 2019).

Figure 67. Eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building, view south-southwest (ARG, November 2019).

Figure 68. Entrance in eastern façade of the ca. 1966 addition to the northern façade of the ca. 1960 building (left) and loading area on the northern façade of the same, view west (ARG, November 2019).

Figure 69. Eastern façade of the ca. 1960 building (left), eastern façade of its ca. 1966 addition (center), and northern façade of the same ca. 1966 addition (right), view southwest (ARG, November 2019).

Figure 70. Loading dock at the northern façade of the ca. 1966 addition to the ca. 1960 building, view southwest (ARG, November 2019).

Figure 71. Loading dock at the northern façade of the ca. 1966 addition to the ca. 1960 building, view southeast (ARG, November 2019).

Figure 72. Western façade of ca. 1966 addition to the eastern half of the northern façade of the ca. 1960 building, view east (ARG, November 2019).

Figure 73. Northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view south (ARG, November 2019).

Figure 74. Primary entrance to the northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view southeast (ARG, November 2019).

Figure 75. Roll-up doors in the northern façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view southeast (ARG, November 2019).

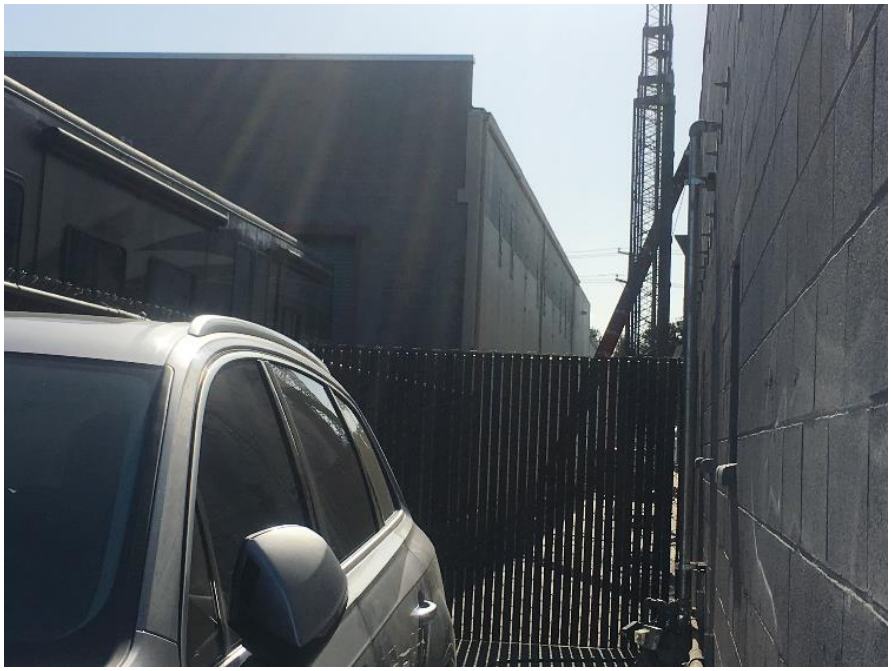

Figure 76. Western façade of the ca. 1966 addition to the western half of the northern façade of the ca. 1960 building (altered 2015), view south (ARG, November 2019).

Figure 77. Southern and eastern facades of the ca. 1960 building, view northwest (ARG November 2019).

Figure 78. Small addition to southern façade of the ca. 1960 building, view west (ARG, November 2019).

Figure 79. Western façade of the ca. 1966 freestanding building at the southwestern corner of the ca. 1966 additions to the original 1961 building and 1964 addition, view northeast (ARG, November 2019).

Figure 80. Entrances in the western façade of the ca. 1966 freestanding building, view northeast (ARG, November 2019).

Figure 81. Southern façade of the ca. 1966 freestanding building, view northeast (ARG, November 2019).

Figure 82. Southern façade of the ca. 1966 freestanding building, view north (ARG, November 2019).

Figure 83. Southern and eastern façades of the ca. 1966 freestanding building, view northwest (ARG, November 2019).

Figure 84. Entrance in eastern façade of the ca. 1966 freestanding building, view west (ARG, November 2019).

Figure 85. Western and northern façades of the ca. 1966 freestanding building, view southwest (ARG, November 2019).

Figure 86. Tank at the southeastern corner of the property, view southeast (ARG, November 2019).

Figure 87. View of equipment, fencing, and canopy at the southeastern corner of the property, view northwest (ARG, November 2019).

Figure 88. View of equipment and fencing at the southeastern corner of the property, view southeast (ARG, November 2019).

Historic Photographs

Figure 89. 1939 aerial photograph; the arrow indicates the location of the subject property (UC Santa Cruz Digital Collections, amended by author).

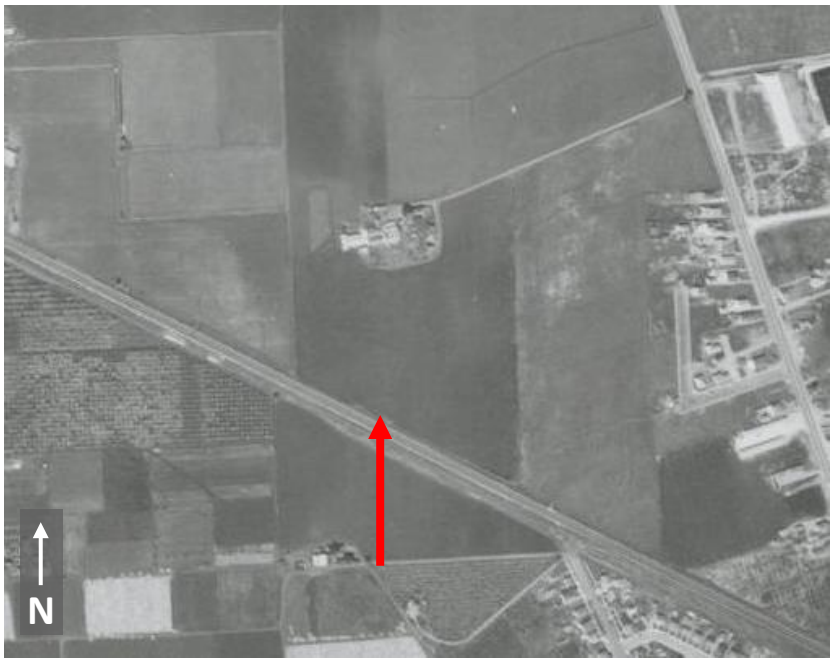

Figure 90. 1950 aerial photograph; the arrow indicates the location of the subject property (UC Santa Cruz Digital Collections, amended by author).

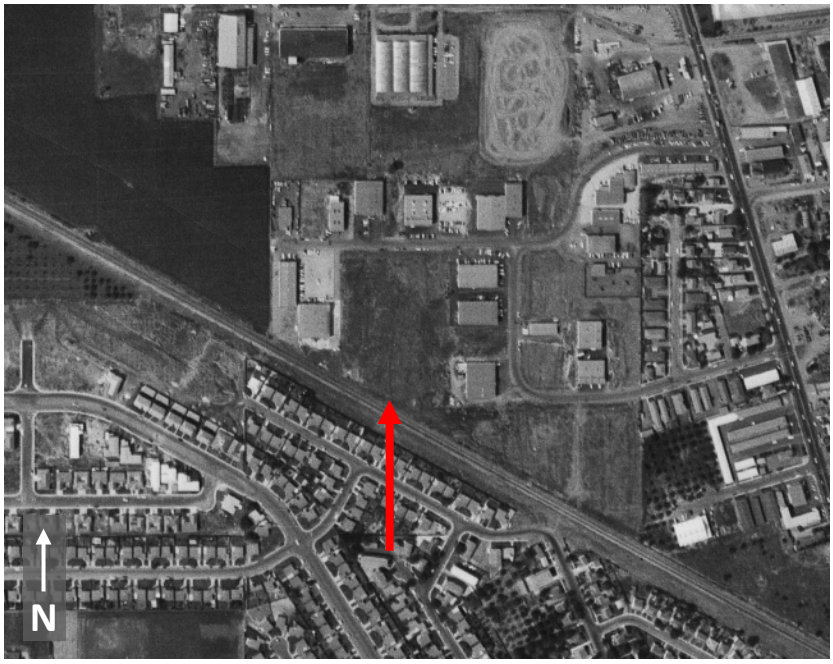

Figure 91. 1960 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

Figure 92. Subject property, view southwest, ca. November 1961 ("Five-Year-Pinners Recall Company's Hectic Beginning," Memorex Intercom 4, no. 12 [December 1967]: Special Section).

Figure 93. The subject property as it appeared in early 1965. The numbered labels, original to the image, denote the following: 1), the original building constructed for Memorex Corporation, completed November 1961; 2), the addition to the building's eastern façade, completed October 1964; 3), an employee parking lot; 4), a rented building used for warehousing; 5), a rented building used for offices; 6), the ca. 1960 building used for warehousing, purchased by Memorex Corporation in October 1964; 7), additional property purchased for future plant expansion; 8), an employee parking lot; and 9), an additional employee parking lot. Additionally, a shed-roofed building constructed ca. 1963 is located near the upper right corner of the image ("Memorex Expansion Story Told," *Memorex Intercom* 2, no. 5 [June 1965]: 4, amended by author).

Figure 94. Subject property, view southeast, late 1965 ("Construction Nears Completion," *Memorex Intercom* 2, no. 11 [December 1965]: 1).

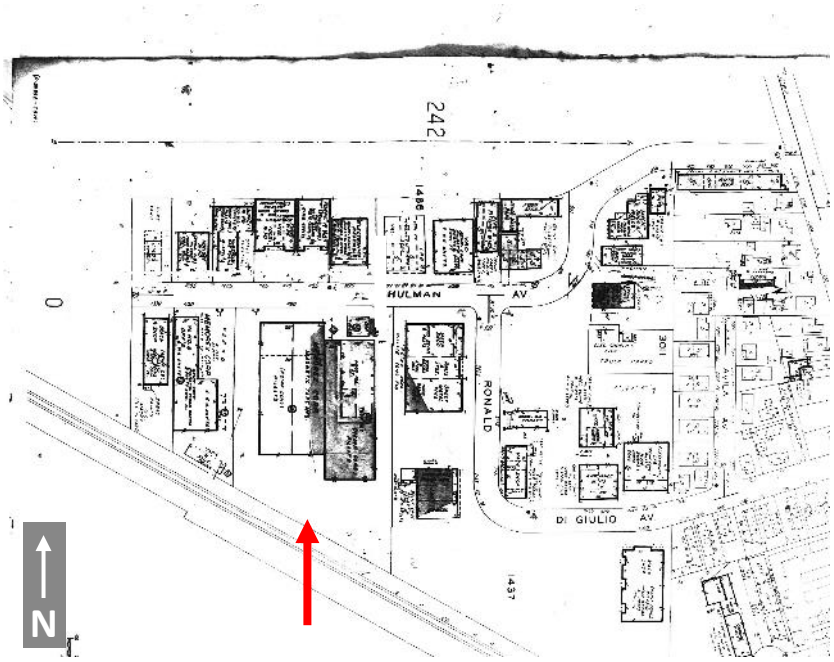

Figure 95. 1966 Sanborn Fire Insurance Map, San Jose, Volume 3, Sheet 253; the arrow indicates the location of the subject property (amended by author).

Figure 96. Subject property, view southeast, early 1966 ("February Marks 5th Anniversary," *Memorex Intercom* 3, no. 2 [February 1966]: 1).

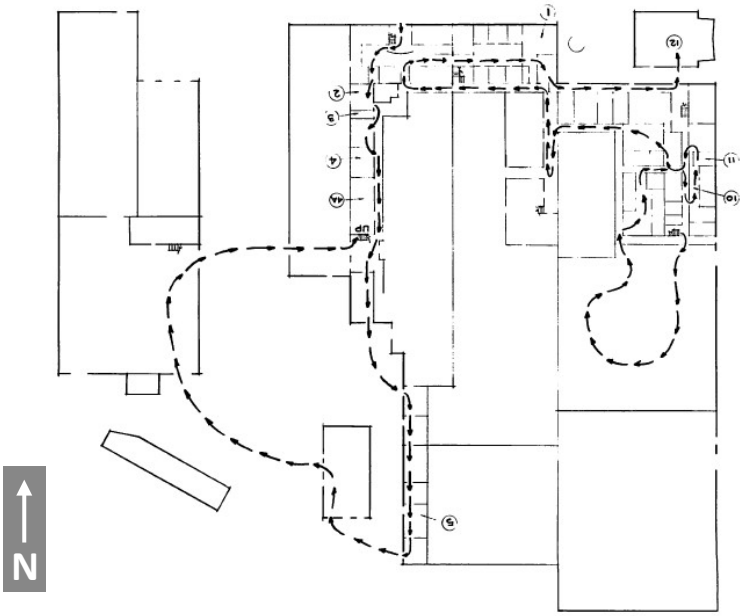

Figure 97. Layout of the subject property from Memorex Corporation's annual open house, 1966 (*Memorex Intercom* 3, no. 10 [October 1966], amended by author).

Figure 98. 1968 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

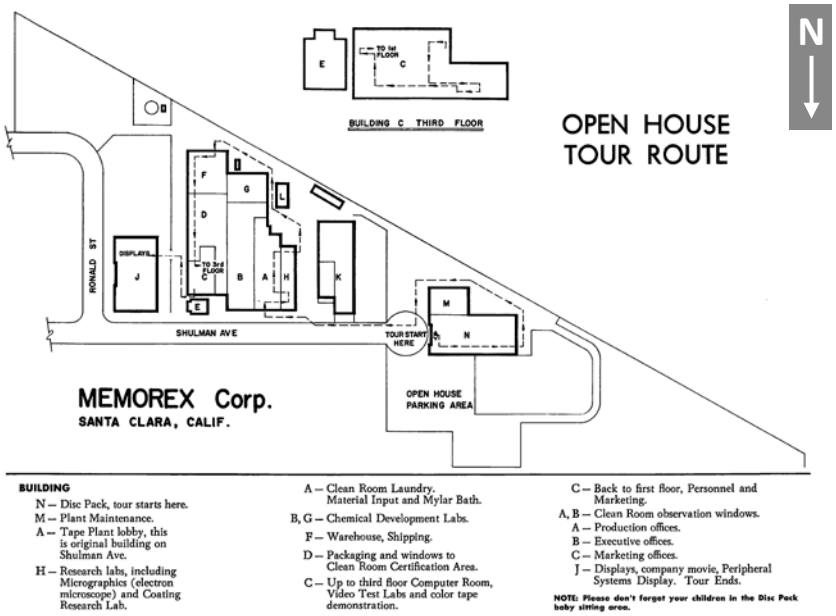

Figure 99. Map of subject property produced by Memorex Corporation, 1968 (*Memorex Intercom* 4, no. 4 [April 1968]: 3, amended by author).

Figure 100. 1972 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

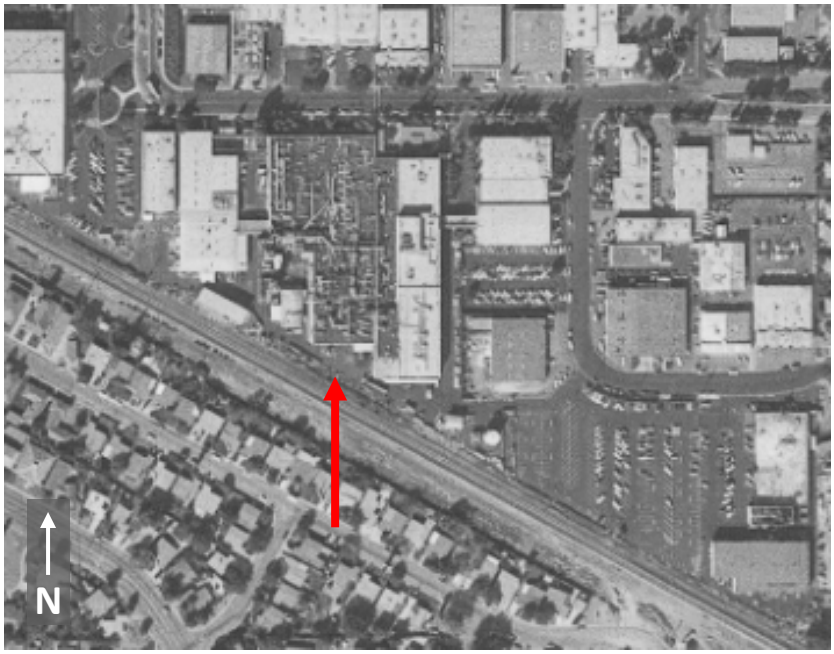

Figure 101. 1980 aerial photograph; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

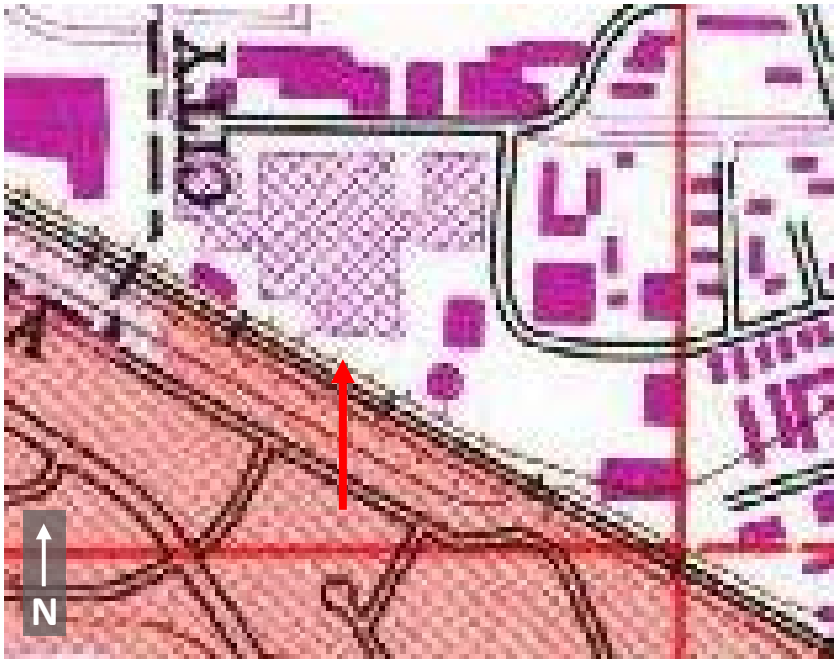

Figure 102. 1961 topographic map, 1980 revision; the arrow indicates the location of the subject property (USGS EarthExplorer, amended by author).

Figure 103. 1993 aerial photograph; the arrow indicates the location of the subject property (Google Earth, amended by author).

Figure 104. 2000 aerial photograph; the arrow indicates the location of the subject property (Google Earth, amended by author).

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Memorandum

To	Mike Lisenbee, Senior Project Manager
	David J. Powers & Associates
Project:	1200-1310 Memorex Drive Impacts Analysis
Project No.:	191002
Date:	April 17, 2020
Via:	Email

I. INTRODUCTION

At the request of David J. Powers & Associates, Architectural Resources Group (ARG) prepared a preliminary impacts analysis for the demolition of the property at 1200-1310 Memorex Drive (APN 224-66-006) in Santa Clara, California. ARG previously prepared an Historic Resource Evaluation (HRE) for the subject property and recommended it as eligible for listing in the California Register of Historical Resources (California Register) under Criterion 1 (Association with Significant Events) for its association with the development of the modern electronics industry and the broader context of Silicon Valley's development in the 1960s and 1970s.[1] This memorandum provides a summary of the historic status of the property, an overview of the CEQA process as it relates to historical resources, a preliminary impact analysis for the proposed project, and identification of potential mitigation measures. To complete this memorandum, ARG reviewed renderings of the proposed project, as conveyed to ARG on April 1, 2020.

II. HISTORIC STATUS

A records search completed by Northwest Information Center (NWIC) staff on November 21, 2019, indicated that the industrial complex at 1200-1310 Memorex Drive had not been previously recorded in the national, state, or local registers, nor had it been evaluated as a contributor to an historic district eligible at the national, state, or local level. However, an evaluation of the property's eligibility for the California Register, prepared by ARG in late 2019, indicates that the complex at 1200-1310 Memorex Drive is historically significant as the first world headquarters of Memorex Corporation, one of the many electronics start-up companies that catalyzed the Santa Clara Valley's transformation into Silicon Valley during the postwar era.

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[1] Architectural Resources Group, "1200-1310 Memorex Drive, Santa Clara, California, Historic Resources Evaluation," prepared for David J. Powers & Associates, December 2019.

Memorex Corporation holds particular significance within the context of the development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Because IBM dominated 71 to 83 percent of the global computer market at the time, its introduction of compatible computer equipment provided an important avenue for smaller electronics firms to establish themselves within the field.[2] Many other early electronics companies, including Marshall, Potter Instruments, Telex, Century Data, Control Data Corporation, and Ampex, released their own IBM-compatible plug-ins in subsequent years, and modern computer systems continue to accommodate singular components produced by disparate electronics companies. Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and it developed and manufactured the product at the subject property in the late 1960s. For these reasons, the property appears to be eligible for listing in the California Register under Criterion 1 (Association with Significant Events). Lacking a significant association with a person or persons of historical importance and lacking architectural or engineering prominence, the property does not appear to be eligible for listing under Criteria 2 (Association with Significant Persons) or 3 (Architectural Significance). Evaluation for eligibility under Criterion 4 (Potential to Yield Information) was beyond the scope of the historic resource evaluation.

The period of significance for the subject property spans 1961 through 1971, the period in which Memorex Corporation was headquartered at this location. The subject property retains a relatively high degree of integrity with regard to the period of significance and therefore qualifies as an historical resource under CEQA (see below).

III. REGULATORY BACKGROUND

An overview of CEQA as it pertains to historical resources, the California Register, the City of Santa Clara's Criteria for Local Significance, and the Secretary of the Interior's Standards for Rehabilitation are provided below.

California Environmental Quality Act

When a proposed project may cause a substantial adverse change in the significance of an historical resource, CEQA requires a city or county to carefully consider the possible impacts before proceeding (Public Resources Code Section 21084.1). CEQA equates a substantial adverse change in the significance of an historical resource with a significant effect on the environment (Section 21084.1). CEQA explicitly prohibits the use of a categorical exemption within the CEQA Guidelines for projects that may cause such a change (Section 21084).

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[2] Ross Knox Bassett, *To the Digital Age: Research Labs, Start-up Companies, and the Rise of MOS Technology* (Baltimore, MD: Johns Hopkins University Press, 2002), 222.

CEQA Guidelines section 15064.5(b) defines a "substantial adverse change" in the significance of an historical resource as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." Further, that the significance of an historical resource is "materially impaired" when a project:

- "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in the California Register of Historical Resources; or

- "demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources... or its identification in an historical resources survey..., unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

- "demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA." (Guidelines Section 15064.5(b))

For the purposes of CEQA (Guidelines Section 15064.5), the term "historical resources" shall include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in, the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4850 et. seq.).

2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be

considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4852) as follows:

A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

B. Is associated with the lives of persons important in our past;

C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

D. Has yielded, or may be likely to yield, information important in prehistory or history. (Guidelines Section 15064.5)

California Register of Historical Resources

The California Register is the authoritative guide to the State's significant historical and archaeological resources. It serves to identify, evaluate, register, and protect California's historical resources. The California Register program encourages public recognition and protection of cultural resources and affords certain protections under CEQA. All resources listed in or formally determined eligible for listing in the National Register of Historic Places (National Register) are automatically listed in the California Register. In addition, properties designated under municipal or county ordinances are eligible for listing in the California Register. The California Register criteria are modeled on the National Register criteria. An historical resource must be significant at the local, state, or national level under one or more of the following criteria:

1. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States (Criterion 1).

2. It is associated with the lives of persons important to local, California, or national history (Criterion 2).

3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values (Criterion 3).

4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, state or the nation (Criterion 4).

Like the National Register, evaluation for eligibility in the California Register requires an establishment of historic significance before integrity is considered. California's integrity threshold is slightly lower than the federal level. As a result, some resources that are historically significant but do not meet National Register integrity standards may be eligible for listing in the California Register.

In order for a property to qualify as an historical resource, significance must be established and the property must also retain "historic integrity of those features necessary to convey its significance."[3] While a property's significance relates to its role within a specific historic context, its integrity refers to "a property's physical features and how they relate to its significance."[4] Since integrity is based on a property's significance within a specific historic context, an evaluation of a property's integrity can only occur after historic significance has been established. To determine if a property retains the physical characteristics corresponding to its historic context, the National Register has identified seven aspects of integrity. These criteria are also used in evaluations for listing in the California Register.

- *Location* is the place where the historic property was constructed or the place where the historic event occurred.
- *Setting* is the physical environment of an historic property.
- *Design* is the combination of elements that create the form, plan, space, structure, and style of a property.
- *Materials* are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form an historic property.
- *Workmanship* is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- *Feeling* is a property's expression of the aesthetic or historic sense of a particular period of time.
- *Association* is the direct link between an important historic event or person and an historic property.

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[3] National Park Service, "How to Apply the National Register Criteria for Evaluation" (Washington, DC: National Park Service, 2002), 3, accessed October 15, 2018, https://www.nps.gov/nr/publications/bulletins/nrb15/.

[4] Ibid., 44.

City of Santa Clara Criteria for Local Significance

The City of Santa Clara's Criteria for Local Significance establish an evaluation framework that help to determine significance for properties not yet included in the city's Historic Resources Inventory (HRI). Any building, site, or property in Santa Clara that is 50 years old or older and meets at least one of the following criteria for cultural, historical, architectural, geographical, or archeological significance is potentially eligible.[5]

Criteria for Historical or Cultural Significance

To be historically or culturally significant, a property must meet at least one of the following criteria:

1. The site, building or property has character, interest, integrity and reflects the heritage and cultural development of the city, region, state, or nation.

2. The property is associated with an historical event.

3. The property is associated with an important individual or group who contributed in a significant way to the political, social and/or cultural life of the community.

4. The property is associated with a significant industrial, institutional, commercial, agricultural, or transportation activity.

5. A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.

6. A notable historical relationship between a site, building, or property's site and its immediate environment, including original native trees, topographical features, outbuildings or agricultural setting.

Criteria for Architectural Significance

To be architecturally significant, a property must meet at least one of the following criteria:

1. The property characterizes an architectural style associated with a particular era and/or ethnic group.

2. The property is identified with a particular architect, master builder or craftsman.

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[5] City of Santa Clara, "City of Santa Clara General Plan – 8.9 Historic Preservation and Resource Inventory," 8.9-18 and 8.9-19, accessed April 10, 2020, https://www.santaclaraca.gov/Home/ShowDocument?id=3743.

3. The property is architecturally unique or innovative.

4. The property has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.

5. The property has a visual symbolic meaning or appeal for the community.

6. A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.

7. A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

Criteria for Geographic Significance
To be geographically significant, a property must meet at least one of the following criteria:

1. A neighborhood, group or unique area directly associated with broad patterns of local area history.

2. A building's continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings.

3. An intact, historical landscape or landscape features associated with an existing building.

4. A notable use of landscaping design in conjunction with an existing building.

Criteria for Archaeological Significance
For the purposes of CEQA, an "important archaeological resource" is one which:

1. Is associated with an event or person of
    a. Recognized significance in California or American history, or
    b. Recognized scientific importance in prehistory.

2. Can provide information, which is both of demonstrable public interest, and useful in addressing scientifically consequential and reasonable or archaeological research questions;

3. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind

4. Is at least 100 years old and possesses substantial stratigraphic integrity; or

5. Involves important research questions that historical research has shown can be answered only with archaeological methods.

According to Santa Clara City Code 18.106.060, an Environmental Impact Report (EIR) shall be required for any application to demolish a property listed on the HRI or a property determined to be eligible for listing. The demolition permit application and environmental impact report shall be referred to the Santa Clara Historical and Landmarks Commission (HLC) for a recommendation on whether to grant, modify, or deny the demolition permit application. The HLC recommendation shall be forwarded to the Architectural Committee of Santa Clara, which shall make a final decision on the application for demolition. The HLC shall recommend approval of a demolition permit, and the Architectural Committee shall approve a demolition permit, only if there are no viable alternatives for saving the property, and such alternatives have been fully addressed in an EIR.

Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior is responsible for establishing standards for all programs under departmental authority and for advising federal agencies on the preservation of historic properties listed in or eligible for listing in the National Register. The Standards for Rehabilitation (Standards; codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives program) address the most prevalent treatment. "Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."[6]

Initially developed by the Secretary of the Interior to determine the appropriateness of proposed project work on registered properties within the Historic Preservation Fund grant-in-aid program, the Standards for Rehabilitation have been widely used over the years, particularly to determine if a rehabilitation qualifies as a Certified Rehabilitation for federal tax purposes. In addition, the Standards have guided federal agencies in carrying out their historic preservation responsibilities for properties in federal ownership or control and state and local officials in reviewing both federal and nonfederal rehabilitation proposals. They have also been adopted by historic preservation and planning commissions across the country.

The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials,

[6] Anne E. Grimmer, *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (Washington, D.C.: National Park Service, 2017), 76.

construction types, sizes, and occupancy and a building's site, environment, and associated landscape features, as well as attached, adjacent, or related new construction.

As stated in the definition, the treatment "rehabilitation" assumes that at least some repair or alteration of the historic building will be needed in order to provide for an efficient contemporary use; however, these repairs and alterations must not damage or destroy materials, features or finishes that are important in defining the building's historic character. For example, certain treatments – if improperly applied – may cause or accelerate physical deterioration of the historic building. This can include using improper repointing or exterior masonry cleaning techniques or introducing insulation that damages historic fabric. In almost all of these situations, use of these materials and treatments would result in a project that does not meet the Standards. Similarly, exterior additions that duplicate the form, material, and detailing of the structure to the extent that they compromise the historic character of the structure will fail to meet the Standards. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

Under CEQA, a project that conforms with the Secretary of the Interior's Standards can generally be considered to be a project that will not cause a significant impact (14 CCR § 15126.4(b)(1)). In most cases, a project that meets the Secretary of Interior's Standards can be considered categorically exempt from CEQA (14 CCR § 15331).[7]

The ten Standards for Rehabilitation are:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties will not be undertaken.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

[7] California Office of Historic Preservation, "California Office of Historic Preservation, Technical Assistance Series #1, California Environmental Quality Act (CEQA) and Historical Resources," 2001, accessed April 8, 2020, http://www.ohp.parks.ca.gov/pages/1054/files/ts01ca.pdf.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

7. Chemicals or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

IV. IMPACT ANALYSIS

The industrial complex at 1200-1310 Memorex Drive is proposed for demolition and replacement by a multistory data center, including server storage and office space. The significance of an historical resource is considered to be "materially impaired" when a project demolishes or materially alters the physical characteristics that justify the determination of an historical resource's significance (CEQA Guidelines §15064.5(b)). If the industrial complex at the subject property is demolished, the project would require the preparation of an EIR and a finding of a significant and unavoidable impact that could not be mitigated.

CEQA requires that all feasible mitigation be completed even if it does not mitigate below a level of significance (14 CCR § 15126.4(b)). Although recordation of a resource prior to demolition does not mitigate the physical impact on the resource, it serves a "legitimate archival purpose."[8] Documentation of historic buildings typically consists of Historic American Buildings Survey (HABS) recordation and the installation of a publicly visible, interpretive display at the property and/or offsite, at a relevant repository

[8] California Office of Historic Preservation, "California Environmental Quality Act (CEQA) and Historical Resources."

or other space in the public realm. Mitigation measures may also include the preparation of a narrated video walkthrough documenting the building and the collection of oral histories from relevant sources. These mitigation measures are discussed in detail below.

Historic American Buildings Survey (HABS) Recordation

HABS recordation is one of the most frequently required mitigation measures for historical resources subject to significant and unavoidable impacts. Prior to project implementation, the historical resource should be recorded to HABS standards established by the National Park Service, as detailed below.[9]

A. A HABS written report should be completed to document the physical history and description of the historical resource, the historic context for its construction and use, and its historic significance. The report should follow the standard outline format described in the *Historic American Buildings Survey Guidelines for Historical Reports* in effect at the time of recording. The report should be prepared by a professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History.

B. Large-format, black and white photographs of the historical resource should be taken and processed for archival permanence in accordance with the *HABS/HAER/HALS Photography Guidelines* in effect at the time of recording. The photographs should be taken by a professional with HABS photography experience. The number and type of views required should be determined in consultation with the local jurisdiction.

C. Existing drawings, where available, should be reproduced on archival paper. If existing drawings are not available, a full set of measured drawings depicting existing conditions should be prepared. The drawings should be prepared in accordance with the *Historic American Engineering Guidelines for Drawings* (Chapter 4.0 Measured Drawings) in effect at the time of recording. The drawings should be prepared by a professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architecture or Historic Architecture.

D. The HABS documentation, including the written report, large-format photographs, and drawings, should be submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. The documentation should be prepared in accordance with the archival standards outlined in the *Transmittal Guidelines for Preparing HABS/HAER/HALS Documentation* in effect at the time of recording. A professional who

[9] National Park Service, "HABS Guidelines," accessed April 8, 2020, https://www.nps.gov/hdp/standards/habsguidelines.htm.

meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History should manage production of the HABS documentation.

Video Documentation

Video documentation of the subject property would supplement HABS documentation by recording the exterior and interior of the industrial complex at 1200-1310 Memorex Drive as it appears prior to project implementation. Using visuals in combination with active narration, the documentation should include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. The documentation should be conducted by a professional videographer, preferably one with experience recording architectural resources, and produced in conjunction with a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth by the Secretary of the Interior's Professional Qualification Standards.

It is recommended that the video documentation be preserved in an electronic format that is cross-platform and nonproprietary. Like HABS documentation, archival copies of the video documentation should be submitted to appropriate repositories, such as the SCCHGS, Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. It may also be shared online via a freely accessible platform such as YouTube.

For a recent example of video documentation of an historic resource, see the video prepared by ARG and Stephen Schafer as part of the mitigation documentation package for 1500 Mission Street in San Francisco, California: https://www.youtube.com/watch?v=9ZpfcibWRgw&feature=youtu.be.

Interpretive Display

Interpretive displays vary widely in size, style, construction, and information capacity. Specifications for a particular interpretive display should consider a number of factors, including but not limited to the nature of the resource, the intended audience, and the location of the display. Although typically located at the subject property, offsite interpretive displays may be appropriate in certain cases, such as when the property is not publicly accessible for security or other reasons. In all instances, interpretive displays should be conducted by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards, in coordination with an exhibit designer.

Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200-1310 Memorex Drive. Onsite displays should be located in a prominent space, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200-1310 Memorex Drive and its operation during the property's period of significance.

Because of the nature of the proposed replacement project, however, the subject property may not be easily accessible by the public, and an offsite interpretive display may be recommended in place of or in addition to the onsite display. An offsite interpretive display should be located in a place with a connection to the subject property or its historical context. For example, the Computer History Museum in Mountain View may be an appropriate location for an interpretive display because of the substantial, contextual connection between the museum's mission and the subject property's significance within the development of the modern computer industry. The Computer History Museum also holds hundreds of Memorex Corporation artifacts and records in its repository, which would complement an interpretive display related to the subject property.

Oral History Collection

Oral history is a method of gathering and preserving the memories of people and communities, including personal commentaries of historical significance. Oral history interviews, which are typically conducted by an interviewer and recorded in an audio or video format, provide a fuller and more accurate account of an historical event or era by augmenting other archival materials. Recordings from an interview may be transcribed, summarized, and/or indexed and then placed in a physical library or other archival repository. They may also be made accessible electronically over the internet.[10]

Best practices for performing oral interviews are outlined by the Oral History Association (OHA), which was founded in 1966 and serves as the principal membership organization for those involved in the field of oral history.[11] The OHA outlines four key elements of oral history work, summarized below.

A. The first element of oral history work is preparation. This includes developing an oral history process appropriate for the project at hand; engaging interviewers; identifying and engaging candidates (called "narrators") for interviews; preparing an open-ended outline of themes to be covered and general questions to be asked during the interview; and locating an appropriate repository to house the finished oral histories and related documentation.

B. The second element of oral history work is the interview itself. Wherever possible, the interview should be conducted in a quiet location with minimal background noise. The interview should begin with a lead-in, given by the interviewer, with contextual information such as the names of participants, dates, location, and subject of the recording. Questions posed to the narrator should be open-ended, and the interviewer should ask follow-up questions seeking additional clarification, elaboration, and reflection.

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[10] For more information on conducting, preserving, and using oral interviews, see *The Oral History Manual, Third Edition*, by Barbara W. Sommer and Mary Kay Quinlan (Latham, MD: Rowman and Littlefield, 2018).
[11] "Best Practices," *Oral History Association*, accessed April 8, 2020, https://www.oralhistory.org/best-practices/.

C. The third element of oral history work is the preservation of original recordings. Although no particular format is mandated, it is recommended that electronic files be preserved in formats that are cross-platform and nonproprietary; redundant copies should be made as a contingency. Whenever possible, oral histories should be deposited in a public repository, such as a library or archive, with the capacity to ensure long-term, professionally managed preservation and public access.

D. The fourth and final element of oral history work is the matter of access and use. In order to enhance accessibility of oral history work, written documentation such as transcripts, indices with time tags, detailed descriptions of interview content should accompany audio or audio/digital files. Oral histories may also be made available electronically through a repository's online catalog or through a web endeavor, as a means of ensuring that the material is available to a broad public audience.

An oral history collection prepared for the proposed project would ideally focus on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. A good faith effort should be made to identify at least one former employee of the Memorex Corporation who was employed at the subject property and is willing to participate as an interviewee. A list of guests at the Memorex at Fifty Reunion, hosted at the Computer History Museum in Mountain View in 2011, may serve as preliminary list of potential narrators. Early research suggests that at least one attendee, Edward Seaman, was employed by Memorex in California prior to 1971 and is still alive today.[12]

Oral history audio and visual files collected as part of a mitigation effort for 1200-1310 Memorex Drive should be conducted by a professional oral historian and preserved in an accessible, electronic format and submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, Oral History Center at the Bancroft Library in Berkeley, and/or the Computer History Museum, which currently houses more than one hundred oral history interviews related to the development of the modern computer industry. In the event that no appropriate narrators are identified, or in the event that all potential narrators decline to participate, a memorandum should be prepared to document the project methodology and efforts.

[12] "Memorex at 50," CHM Oral History Collection, Lot X6304.2012, Catalog 102738692, Computer History Museum, Mountain View, CA.

PRESERVATION ALTERNATIVES ANALYSIS

1200-1310 Memorex Drive
Santa Clara, California

David J. Powers & Associates, Inc. | *September 2020*

Architecture
Planning
Conservation

Architectural
Resources Group

Architectural
Resources Group

Preservation Alternatives Analysis
1200-1310 Memorex Drive
Santa Clara, California

Draft – September 2020

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Appendix

Preservation Alternatives Graphics Package

1. INTRODUCTION

At the request of David J. Powers & Associates, Inc., Architectural Resources Group (ARG) has prepared this Preservation Alternatives Analysis for the proposed Memorex Data Center project at 1200-1310 Memorex Drive (APN 224-66-006) in Santa Clara. The subject property dominates an irregularly shaped block roughly bounded by Memorex Drive to the north, Ronald Street to the east, the Peninsula Subdivision MT2 rail line to the southwest, and light industrial properties to the west. Originally constructed in 1961 and expanded through various additions during the 1960s, the property features a multi-tenant office, warehouse, and paved surface parking (Figure 1). The complex was the original headquarters for Memorex Corporation, one of the many start-up electronics companies that catalyzed the Santa Clara Valley's transformation into Silicon Valley during the postwar era.

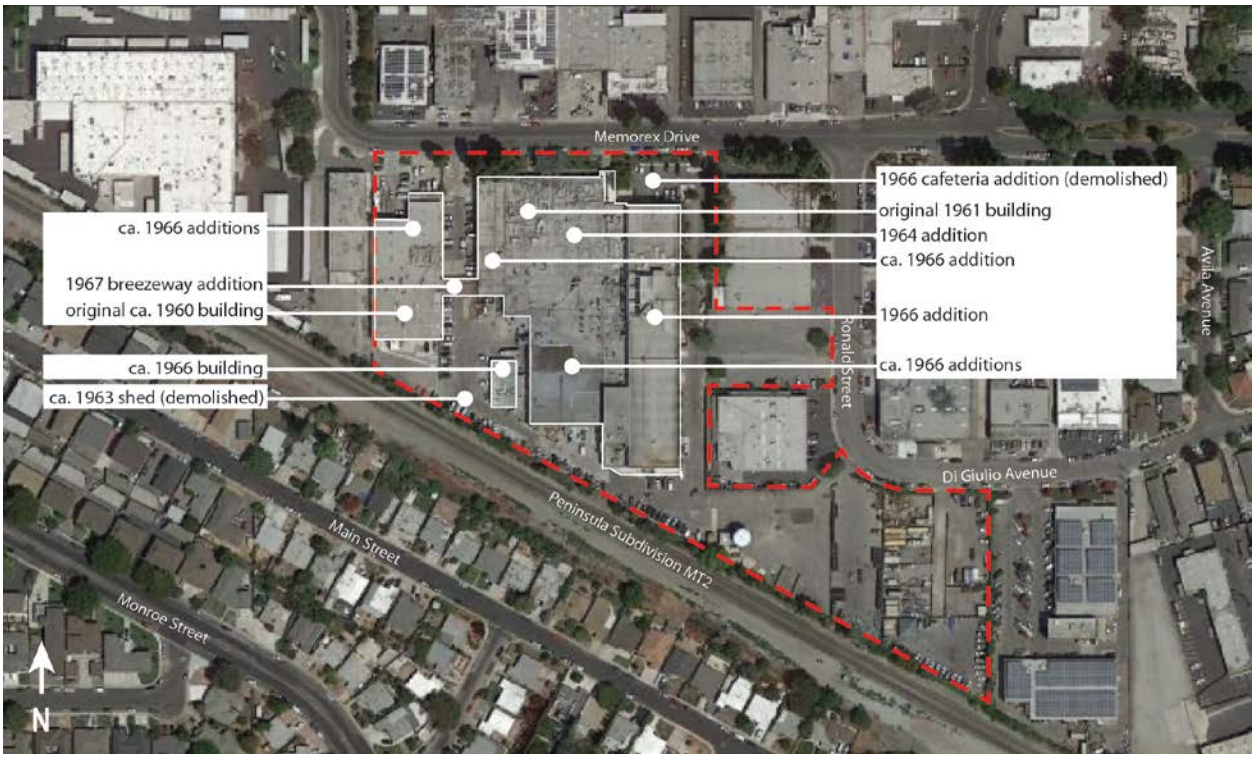

Figure 1. Site map of 1200-1310 Memorex Drive with construction dates for extant and demolished features (Google Earth, amended by author)

In December 2019, ARG prepared an Historic Resource Evaluation (HRE) Part 1 report for 1200-1310 Memorex Drive and found that the property qualifies for listing in the California Register of Historical Resources (California Register) under Criterion 1 for its association with the development of the modern electronics industry and the broader context of Silicon Valley's development in the 1960s and 1970s. Although currently occupied by several disparate commercial tenants, the former headquarters building retains a high level of integrity.[1] As such, the property is an individual historical resource for the purposes of environmental review under the California Environmental Quality Act (CEQA).

[1] Architectural Resources Group, "1200-1310 Memorex Drive, Santa Clara, California, Historic Resource Evaluation," prepared for David J. Powers & Associates, December 2019.

The proposed project includes the demolition of the existing buildings on the site and the construction of a four-story 472,920-square-foot data center building with an attached six-story 87,520-square-foot ancillary use office and storage component, totaling approximately 560,000 square feet in area. The project would also include the construction of 24 diesel-fueled engine generators on the southern portion of the site and an electrical substation on the eastern portion of the site. In April 2020, ARG prepared a preliminary impacts analysis for the demolition of the property, which concluded that the proposed project would result in a finding of a significant and unavoidable impact that could not be mitigated in the Memorex Data Center Environmental Impact Report (EIR) prepared under CEQA.

This report presents two preservation alternatives to the proposed project to be included in the Memorex Data Center EIR (see Table 1), as well as one alternative that was considered but rejected (see Section 4). Alternatives to a proposed project are developed to consider alternate schemes that would avoid or lessen significant project impacts resulting from demolition, additions, and related new construction. The following sections provide a description of the proposed project, the alternative considered but rejected, and the two preservation alternatives, as well as an evaluation of impacts associated with both preservation alternatives. Graphics illustrating the proposed project and the alternatives are appended.

Table 1: Summary of 1200-1310 Memorex Drive under the Proposed Project and EIR Alternatives

		EIR Alternatives	
	Proposed Project	**Preservation Alternative #1**	**Preservation Alternative #2**
Treatment of Historical Resources	Demolish all existing improvements on site.	Retain entirety of historical resources along Memorex Drive to a depth of 210’0” (former headquarters building) and 125’0” (former warehouse building).	Retain former headquarters building along Memorex Drive to a depth between 30’0” and 82’0”.
New Construction	New construction of a 4-story data center building with an attached 6-story ancillary use office and storage component, for a total of 560,440 sf. New construction of 24 three-MW diesel-fueled engine generators near the southern boundary of the site and a 150 MVA electrical substation on the eastern portion of the site.	New construction of 4-story data center to the rear of the retained portion of the former headquarters building. New construction of 12 three-MW diesel-fueled engine generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site. Retained portions of historical resources will be repurposed for office and storage use.	New construction of 4-story data center to the rear of the retained portion of the former headquarters building. New construction of 20 three-MW diesel-fueled engine generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site. Retained portions of historical resource will be repurposed for office use.
Building Height			
In Stories	Data Center Bldg: 4 stories Office/Storage Bldg: 6 stories	Data Center Bldg: 4 stories	Data Center Bldg: 4 stories
In Feet	87’0”	87’0”	87’0”
Building Area	Data Center Bldg: 472,920 sf Office/Storage Bldg: 87,520 sf Total: 560,440 sf	Data Center Bldg: 209,296 sf Office/Storage Bldg: 111,254 sf Total: 320,550 sf	Data Center Bldg: 444,513 sf Office/Storage Bldg: 46,185 sf Total: 490,698 sf

Methodology

The preservation alternatives presented in this report were developed with input from ARG, David J. Powers & Associates, Inc., and project architects Corgan. This analysis focuses on the treatment of the existing historical resource at 1200-1310 Memorex Drive, proposed alterations and new construction under each alternative, and the impacts of these changes on the character-defining features of the property as delineated in Section 2. The alternatives are evaluated for conformance with the Secretary of the Interior's Standards for Rehabilitation.

California Environmental Quality Act

This analysis examines the character-defining features that would be affected by each proposed alternative, and then determines whether the alternative would cause a significant impact to the historical resource per CEQA. To evaluate potential impacts of each alternative, this memorandum draws primarily on CEQA Guidelines Section 15064.5, "Determining the Significance of Impacts to Archaeological and Historical Resources." Relevant sections are presented below:

> (b) A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.
>
> (1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.
>
> (2) The significance of an historical resource is materially impaired when a project:
>
> (C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.
>
> (3) Generally, a project that follows the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1995, revised 2017), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.[2]

[2] California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, Article 5, Preliminary Review of Projects and Conduct of Initial Study (Sections 15060-15065), accessed August 28, 2020, https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-5-preliminary-review-of-projects-and-conduct-of-initial-study.

Secretary of the Interior's Standards for the Treatment of Historic Properties

The Secretary of the Interior's Standards (Standards) for the Treatment of Historic Properties are a series of concepts developed by the U.S. Department of the Interior to assist in the continued preservation of a property's historical significance through the preservation of character-defining materials and features. They are intended to guide the appropriate maintenance, repair, and replacement of historic materials and to direct the design of compatible new additions or alterations to historic buildings. The Standards are used by federal, state, and local agencies to review both federal and nonfederal rehabilitation proposals.

In California, properties listed in, or formally determined eligible for listing in, the California Register or a local historic register qualify as historical resources under CEQA and must be considered in the environmental review process. (Resources formally determined eligible for, or listed in, the National Register of Historic Places are automatically listed in the California Register.) In general, a project involving a historical resource that has been determined to comply with the Secretary of the Interior's Standards can be considered a project that will not cause a significant impact on the historical resource per CEQA.

The Standards offer four approaches to the treatment of historic properties—preservation, rehabilitation, restoration, and reconstruction. The Standards for Rehabilitation (codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives program) address the most prevalent treatment. Rehabilitation is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."[3] The ten Standards for Rehabilitation are:

1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old

[3] National Park Service, Technical Preservation Services, "Standards for Rehabilitation," *The Secretary of the Interior's Standards*, accessed September 16, 2020, https://www.nps.gov/tps/standards/four-treatments/treatment-rehabilitation.htm.

in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

2. SUMMARY OF SIGNIFICANCE

The following statement of significance, description of the period of significance, and list of character-defining features for 1200-1310 Memorex Drive have been adapted from the December 2019 HRE report prepared by ARG.

Statement of Significance

The industrial complex at 1200-1310 Memorex Drive was constructed in 1961 as the first world headquarters for Memorex Corporation, one of the many start-up electronics companies that catalyzed the Santa Clara Valley's postwar transformation from a recently-industrialized, former agricultural region into a global center for technological innovation. Memorex Corporation holds particular significance within the context of the development of the modern electronics and computer industry due to its early innovations in the field of peripheral computer equipment. In 1968, while still headquartered at the subject property, Memorex released the first independently produced hard disk drives that were compatible with IBM computers. Because IBM dominated 71 to 83 percent of the global computer market at the time, its introduction of compatible computer equipment provided an important avenue for smaller electronics firms to establish themselves within the field.[4] Many other fledgling electronics companies released their own IBM-compatible plug-ins in subsequent years, and modern computer systems continue to accommodate singular components produced by disparate electronics companies.

Memorex Corporation's development of the first IBM-compatible hard drive had a significant impact on the early electronics industry, and it developed and manufactured the product at the subject property in the late 1960s. As such, the property is eligible for listing in the California Register under Criterion 1 for

[4] Ross Knox Bassett, *To the Digital Age: Research Labs, Start-up Companies, and the Rise of MOS Technology* (Baltimore, MD: Johns Hopkins University Press, 2002), 222.

its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s.

Period of Significance

The period of significance for 1200-1310 Memorex Drive is 1961 through 1971, the period in which Memorex Corporation was headquartered at this location. Over this period, the original headquarters building (constructed in 1961) was expanded by the construction of a major addition across its eastern façade in late 1964; a second major addition across the eastern façade of the 1964 addition in 1966; an addition across the western façade of the 1961 building, also in 1966; and multiple rear additions constructed off the southern façade of the 1961 building and 1964 addition, constructed ca. 1966. A ca. 1960 warehouse building at the western edge of the property was also purchased by Memorex in October 1964 and connected to the main headquarters building by a breezeway in 1967. A smaller, freestanding storage building was constructed near the southwestern corner of the property ca. 1966. The subject property retains a relatively high degree of integrity with regard to the period of significance: the original buildings, major additions, and layout and circulation pattern of the site all remain intact.

Character-defining Features

A character-defining feature is an aspect of a building or structure's design, construction, or detail that is representative of its function, type, or architectural style. Generally, character-defining features include specific building systems, architectural ornament, construction details, massing, materials, craftsmanship, site characteristics, and landscaping built or installed within the period of significance. In order for an important historical resource to retain its significance, its character-defining features must be retained to the greatest extent possible.

Character-defining features of 1200-1310 Memorex Drive include those pertaining to the overall site as well as the former headquarters building.

Table 2. Character-defining Features
Site
Vehicular access from Memorex Drive, along the northern property boundary
Vehicular and pedestrian circulation through the site along north/south-oriented alleyways on either side of the original 1961 building and its additions and along one northwest/southeast-oriented alleyway along the southern property boundary
Exposed aggregate walkways and shallow stairs linking the primary entrances on the northern façade to the sidewalk along Memorex Drive
Paved surfaces throughout the site
All extant buildings, including the original 1961 headquarters building and its additions; the ca. 1960 warehouse building that was purchased and added to the property in 1964; and the ca. 1966 gable-roofed building located at the southern end of the property
North/south orientation of major building elements
Low-profile, landscaped vegetation at the northern façade of the 1961 building and its 1964 addition
Former Memorex Headquarters Building and Additions
Rectangular plan of building and additions, with primary façades fronting Memorex Drive
Broad, horizontal profile, with verticality emphasized through fenestration
One- to three-story height

Flat roofs with simple parapets
Steel-frame construction
Smooth stucco finish on exterior walls
Aluminum fixed windows throughout
Curtain walls with glazing and metal spandrel panels centered in the northern façade of the 1961 building and 1964 addition
Curtain walls with glazing and metal spandrel panels dominating the northern and, to a slightly lesser extent, the eastern façades of the 1966 three-story addition
Near-continuous glazing across the northern façade of the 1966 three-story addition and the eastern façade of the 1964 addition
Symmetrical curvilinear porch hood over the primary entrance to the 1961 building
Asymmetrical curvilinear porch roof with angular columns at the primary entrance to the 1964 addition
Physical connection (i.e., the ca. 1967 breezeway) between the main building and the ca. 1960 warehouse building
Loading facilities on the western and southern façades

3. PROJECT DESCRIPTION

The following project description was provided by the City of Santa Clara in the Notice of Preparation of a Draft Environmental Impact Report for the Memorex Data Center, issued July 17, 2020:

> The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440 square feet. The data center portion of the building would house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 60 megawatts (MW) of information technology (IT) power. Three floors of the data center portion of the building would consist of production data hall space, which requires backup power generation, while one floor would consist of development data hall space, which does not require backup power generation. The ancillary use portion of the building would be used for office (roughly 51,000 square feet) and storage uses.
>
> The project would also construct a total of 24 three-MW diesel-fueled engine generators on the south side of the building, with 16 primary generators providing 48 MW of backup power generation capacity and eight additional generators providing redundancy for the primary generators. Mechanical cooling equipment would be located on the roof of the building, with metal panel perimeter screening above the building parapet.
>
> The project would also construct a 150 megavolt amps (MVA) electrical substation on the eastern portion of the site. The substation would have three 50 MVA transformers, one of which would be redundant and would only become active if one of the other transformers fails. The substation capacity would be a nominal 100 MVA. The substation would have an all-weather asphalt surface underlain by an aggregate base. A 60 kilovolt (kV) overhead transmission line would be extended to the site to connect the substation to the existing electrical grid. The transmission line would form a loop, with the route starting on the east side of Lafayette Street and heading west on Shulman

Avenue to Memorex Drive. From there, the route would continue west to Ronald Street and then head south to Di Giulio Avenue to connect to the proposed substation. The route would then head east from the substation to Lafayette Street and turn north towards Mathew Street to close the loop. The transmission line would be supported by utility poles up to 85 feet in height.[5]

4. ALTERNATIVE CONSIDERED BUT REJECTED

Adaptive reuse of the historical resource, with no demolition of the exterior of the former Memorex headquarters building and ca. 1960 warehouse building, was considered but rejected due to this alternative's failure to meet project objectives. Reuse and interior alteration of these buildings (including the demolition of the mezzanines in the former headquarters building) would allow approximately 204,990 square feet of space for the proposed data center and ancillary office and storage uses, or about two-fifths of the approximately 560,000 square feet identified in project objectives. Additionally, reuse of the existing buildings would allow for the construction of only six generators, rather than the 24 identified in the project objectives. It is not a viable project alternative, because reuse of the former Memorex headquarters building and ca. 1960 warehouse building would greatly reduce the potential area of the proposed data center as well as the number of generators that the site could accommodate.

The graphics package detailing this alternative (identified as Alternative Considered but Rejected) is appended to this document. Due to its apparent inability to meet project needs, this alternative is not analyzed further in this report.

5. PRESERVATION ALTERNATIVE #1

Description of the Alternative

The following description of Preservation Alternative #1 was provided by the project sponsor. The graphics package detailing this alternative is appended to this document.

> Preservation Alternative 1 proposes to retain the entirety of historic resources along Memorex Drive to depths of 210 feet (former headquarters building) and 125 feet (former warehouse building) from the project boundary. Overall, this alternative would demolish 93,736 square feet and retain 111,254 square feet of the existing buildings on the site. This alternative would construct a four-story, 209,296-square-foot data center building behind the retained historic structures. The historic structures would be utilized for office (89,000 square feet) and storage (22,254 square feet). The combined square footage of the facility would be 320,550 square feet. The project would include 12 three-MW diesel-fueled engine generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site.

[5] City of Santa Clara Community Development Department, Planning Division, "Notice of Preparation of a Draft Environmental Impact Report for the Memorex Data Center and Notice of Public Scoping Meeting," July 17, 2020, 2-3.

Impacts

The purpose of Preservation Alternative #1 is to consider a plan that would retain a substantial portion of the historical resource at 1200-1310 Mission Street and adapt it for use as office space, while also integrating a new addition to house the data center. The intent is to present a plan that reduces the impact on the historic property while attempting to achieve many of the project objectives.

Preservation Alternative #1 would maintain a majority of the character-defining features and form of the existing historical resource as visible from Memorex Drive, the public right-of-way which bounds the property to the north. The primary (north) façades of the former Memorex headquarters building and the ca. 1960 warehouse building to its west would be retained to a depth of 210 feet and 125 feet from the northern boundary, respectively. Vehicular access from Memorex Drive would be retained, as would the exposed aggregate walkways along the north façade of the former headquarters building and its addition. The smooth stucco finish, aluminum windows and metal spandrel panels, and curvilinear porch roofs of the headquarters building would be preserved, along with the primary façade of the ca. 1960 warehouse building to its east. While the ca. 1966 gable-roofed building located at the southern end of the property would be removed under this preservation alternative, the building is not readily visible from Memorex Drive. Additionally, as this building did not historically contain offices or research and development facilities, it is of comparatively lesser significance with regard to the property's role in the development of Memorex's IBM-compatible hard disk drives in the late 1960s.

The new four-story addition to the rear of the headquarters building would be taller than the retained portion; this would somewhat diminish the horizontality of the headquarters building, which has been identified as a character-defining feature. However, the potential visual impact of new construction on the building is reduced because the addition would be set back 210 feet from the northern project boundary. The massing and flat roof of the addition would echo the form of the retained portions of the headquarters building, while also being clearly differentiated from the historical resource. No addition would be constructed to the rear of the warehouse building, as this space would be given over to 12 three-MW generators. Alterations to the retained portions of the headquarters and warehouse buildings would be limited to the interior in order to repurpose them for offices and storage.

Under Preservation Alternative #1, most of the character-defining features of the historical resource at 1200-1310 Memorex Drive would remain intact, such that the property would remain eligible for listing in the California Register. Because Preservation Alternative #1 retains a majority of the property's character-defining features and because new construction will be visibly differentiated from the existing buildings, this alternative appears to be in conformance with the Secretary of the Interior's Standards for Rehabilitation. Under CEQA, a project's impact will generally be considered mitigated below a level of significance and thus is not significant if it complies with the Standards.

5. PRESERVATION ALTERNATIVE #2

Description of the Alternative

The following description of Preservation Alternative #2 was provided by the project sponsor. The graphics package detailing this alternative is appended to this document.

> Preservation Alternative 2 proposes to retain the former headquarters building along Memorex Drive to a depth of between 30 feet and 82 feet from the project boundary. Overall, this

alternative would demolish 158,202 square feet and retain 46,185 square feet of the existing buildings on the site. This alternative would construct a four-story 444,513 square foot data center building behind the retained historic structure. The historic structure would be utilized for office (36,000 square feet) and storage (10,185 square feet). The combined square footage of the facility would be 490,698 square feet. The project would include 20 three-MW diesel-fueled engine generators at the southwestern corner of the site and a 150 MVA electrical substation on the eastern portion of the site.

Impacts

The purpose of Preservation Alternative #2 is to consider a plan that would lessen the significant impacts of the proposed project on the existing historical resource while achieving a majority of project objectives. It would retain a portion of the headquarters buildings behind the north (primary) and east façades and adapt this space for office and lobby use. The ca. 1960 warehouse and ca. 1966 gable-roofed building would be demolished. New construction would be located the south (rear) and west of the retained portion of the headquarters building.

Preservation Alternative #2 would maintain several of the character-defining features on the primary and east façades of the former headquarters building, including a portion of its smooth stucco finish, alternating aluminum windows and metal spandrel panels, and curvilinear porch roofs. However, the proposed four-story addition to the south and west portion of the building would substantially alter the appearance of the building and its characteristic broad, low profile. The proposed new construction would also mean substantial alteration or loss of additional character-defining features of the former headquarters building and wholesale loss of the warehouse and gable-roofed building. New construction would occupy a much larger footprint than the existing building and be immediately discernible from Memorex Drive, which is the public face of the property.

In contrast to the Proposed Project, this alternative would retain a portion of the historical resource and meet many of the project objectives. However, the Preservation Alternative #2 would not result in a project with a less than significant impact. It does not appear to be in conformance with the Secretary of the Interior's Standards for Rehabilitation and would result in a greater visual and physical impact on the character-defining features of 1200-1310 Memorex Drive than Preservation Alternative #1. Preservation Alternative #2 would materially impair the historical resource and would not result in a project with a less than significant impact under CEQA.

6. CONCLUSION

Originally constructed in 1961 as the headquarters for Memorex Corporation, one of the many start-up electronics companies that catalyzed the development of Silicon Valley's technology sector, the property at 1200-1310 Memorex Drive is the location of the development and production of the first IBM-compatible hard disk drive. This invention launched the development of an entire field of plug-compatible, peripheral computer equipment and diversified the early electronics industry. The property is therefore eligible for listing in the California Register under Criterion 1 for its association with the development of the modern electronics industry and in the broader context of Silicon Valley's development in the 1960s and 1970s.

The proposed project at 1200-1310 Memorex Drive would remove the existing buildings, including all of their historic materials, and alter the layout and circulation patterns of the site. As such, it would not comply with the Secretary of the Interior's Standards for Rehabilitation and constitutes a significant impact to this historical resource. Adaptive reuse of the historical resource, with no demolition of the exterior of the former Memorex headquarters building and ca. 1960 warehouse building, was an alternative considered but rejected due to its inability to provide the square footage and number of generators required to meet project objectives.

Two alternatives to the proposed project—Preservation Alternative #1 and Preservation Alternative #2—were developed and analyzed in this report. In ARG's professional opinion, Preservation Alternative #1 would maintain the majority of the character-defining features of the industrial complex despite a major southern addition, and this alternative would therefore result in a less-than-significant impact on the historical resource at 1200-1310 Memorex Drive. Preservation Alternative #2 would maintain the character-defining features of the former headquarters building along Memorex Drive, which bounds the property to the north, and along a portion of the east façade. However, the proposed new construction in the southern and western portions of the site would result in the demolition of the majority of the headquarters building as well as the ca. 1960 warehouse building and the ca. 1964 gable-roofed building. Although in contrast to the Proposed Project, the Preservation Alternative #2 would reduce impacts to the historical resource and meet several of the project objectives, it would not result in a project with a less than significant impact.

7. BIBLIOGRAPHY

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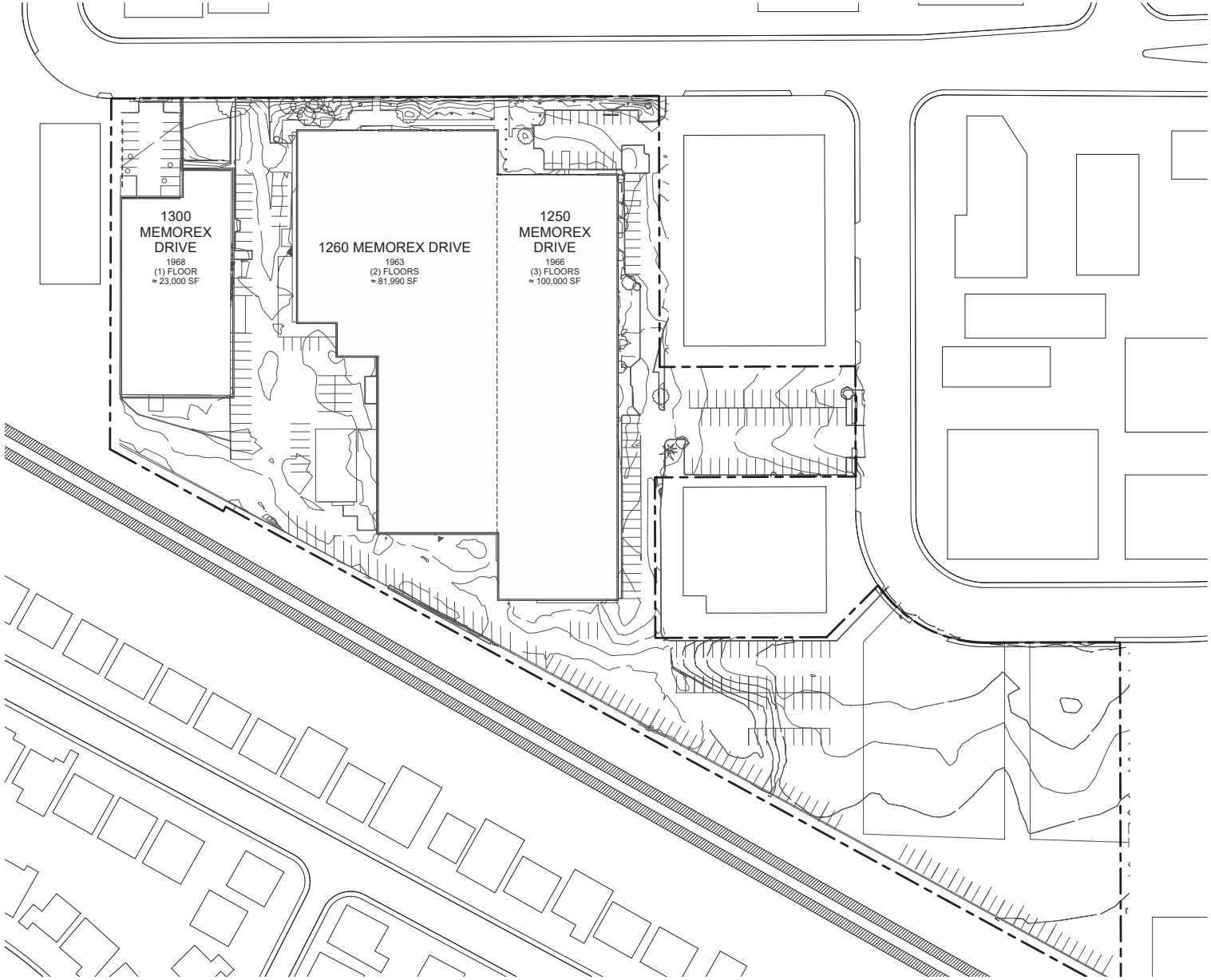
Appendix
Preservation Alternatives Graphics Package

Architectural
Resources Group



Project Number: 19110.0000

SKYBOX DATACENTERS

CRITICAL PROJECT SERVICES, LLC

CORGAN

EXISTING CONDITIONS

1" = 40'-0"

09.11.2020

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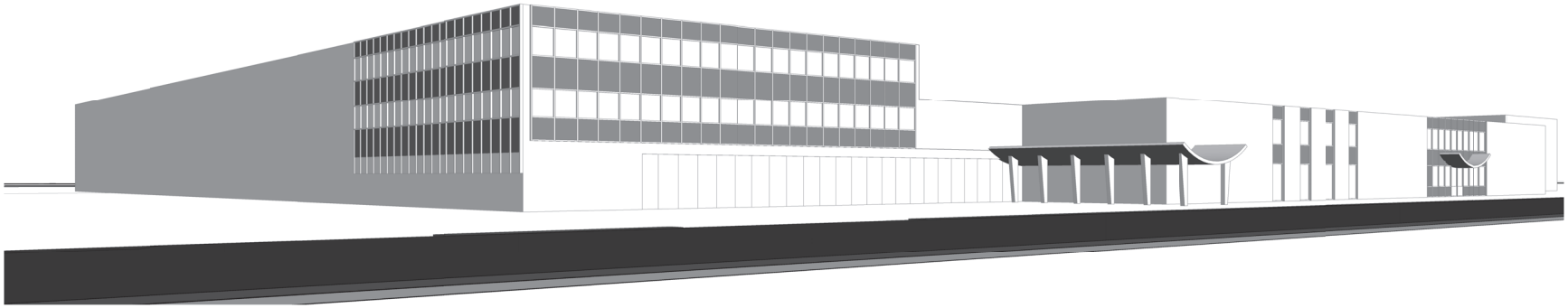
PROPOSED SCHEME	ALTERNATIVE
METRICS	METRICS
GROSS SF = 561,981 SF	GROSS SF = 204,990 SF
SF BUILDING RETAINED = 0 SF	SF BUILDING RETAINED = 199,410 SF
SF BUILDING DEMO = 204,990 SF	SF BUILDING DEMO = 5,580 SF
12 DATA HALLS = 227,064 SF	3 DATA HALLS = 30,472 SF
50 MW / 227,064 SF = 220 W/SF	6 MW / 30,472 SF = 196 W/SF
30 UPS ROOMS + 2 MMR ROOMS	6 UPS ROOMS + 1 MMR ROOM
24 GENERATORS	6 GENERATORS



Project Number: 19110.0000

SKYBOX DATACENTERS

CRITICAL PROJECT SERVICES, LLC

CORGAN

ALTERNATIVE CONSIDERED BUT REJECTED

1" = 1'-0"

09.11.2020

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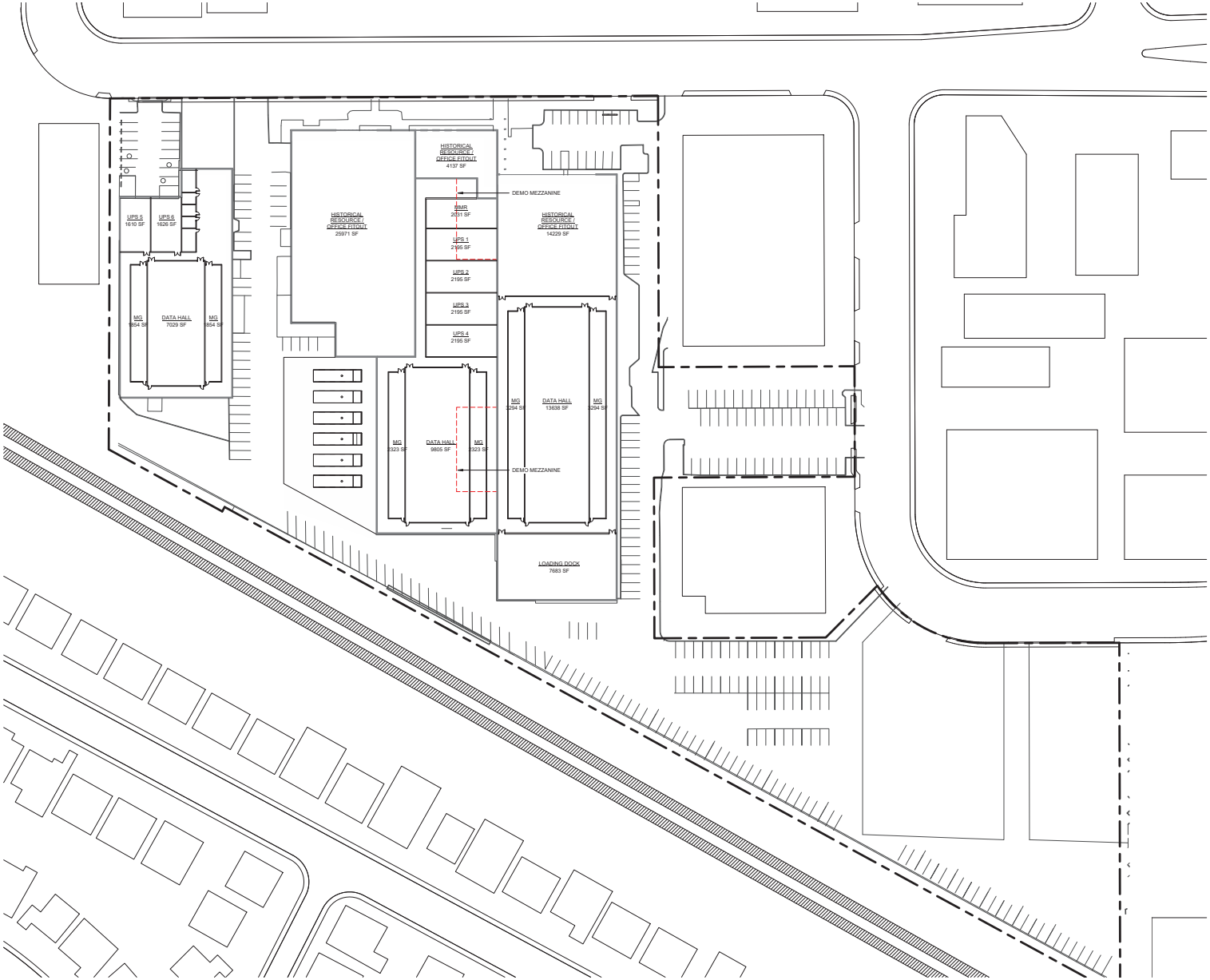

Project Number: 19110.0000

SKYBOX DATACENTERS

CRITICAL PROJECT SERVICES, LLC

CORGAN

ALTERNATIVE CONSIDERED BUT REJECTED

1" = 40'-0"

09.11.2020

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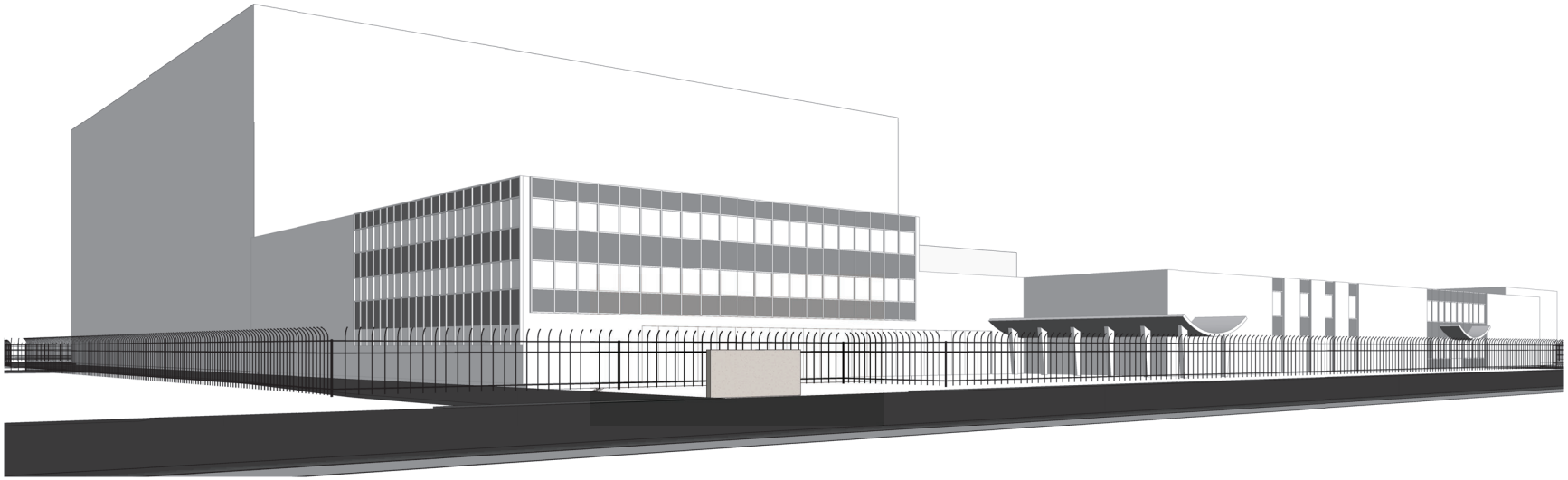
PROPOSED SCHEME	ALTERNATIVE 1
METRICS	METRICS
GROSS SF = 561,981 SF	GROSS SF = 320,550 SF
SF BUILDING RETAINED = 0 SF	SF BUILDING RETAINED = 111,254 SF
SF BUILDING DEMO = 204,990 SF	SF BUILDING DEMO = 93,736 SF
12 DATA HALLS = 227,064 SF	7 DATA HALLS = 69,362 SF
50 MW / 227,064 SF = 220 W/SF	18 MW / 69,362 SF = 260 W/SF
30 UPS ROOMS + 2 MMR ROOMS	12 UPS ROOMS + 2 MMR ROOMS
24 GENERATORS	12 GENERATORS



Project Number: 19110.0000

SKYBOX DATACENTERS

CRITICAL PROJECT SERVICES, LLC

CORGAN

ALTERNATIVE 1 - HERO SHOT

1" = 1'-0"

09.11.2020

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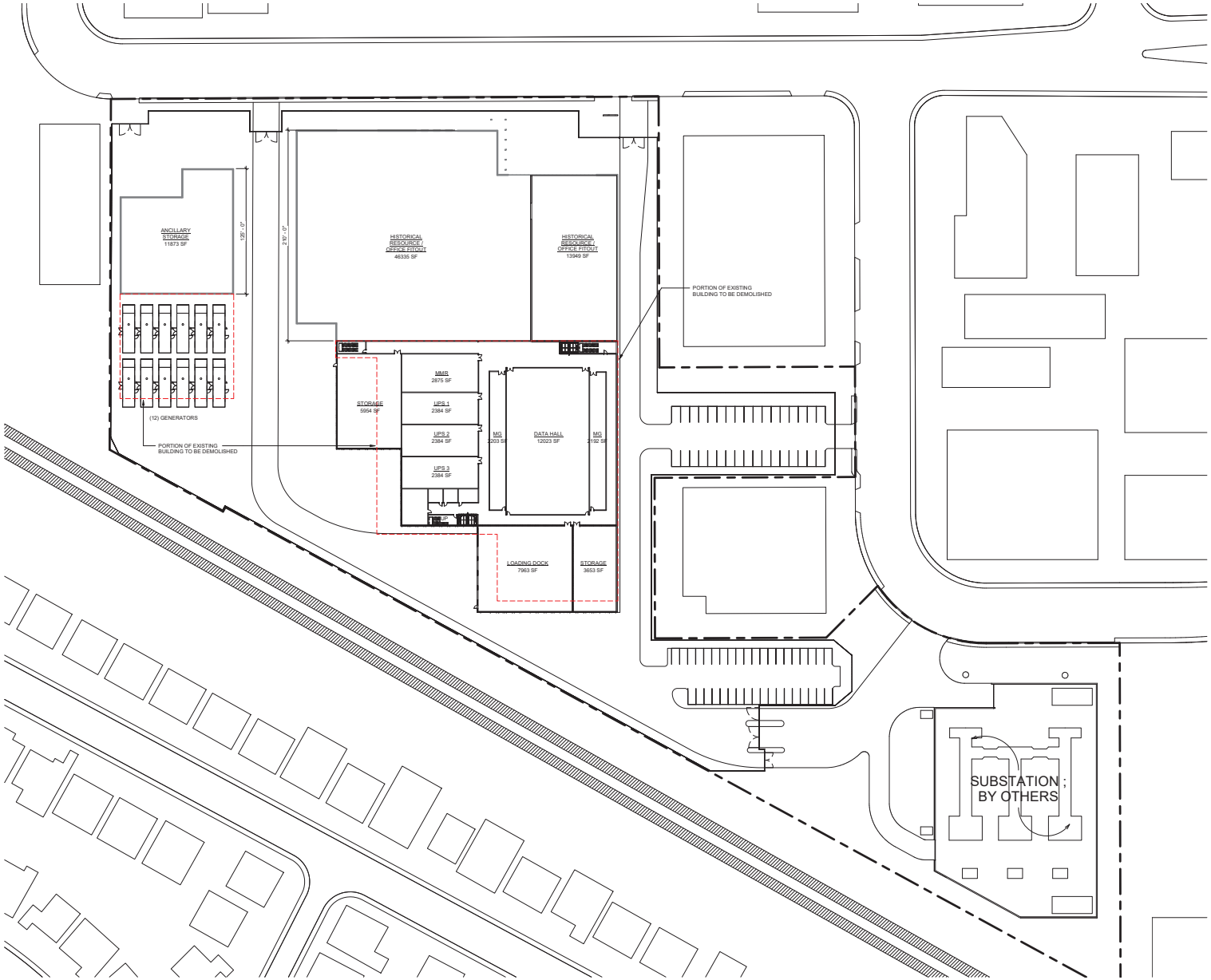

Project Number: 19110.0000

SKYBOX DATACENTERS

CRITICAL PROJECT SERVICES, LLC

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ALTERNATIVE 1 - SITE PLAN

1" = 40'-0"

09.11.2020

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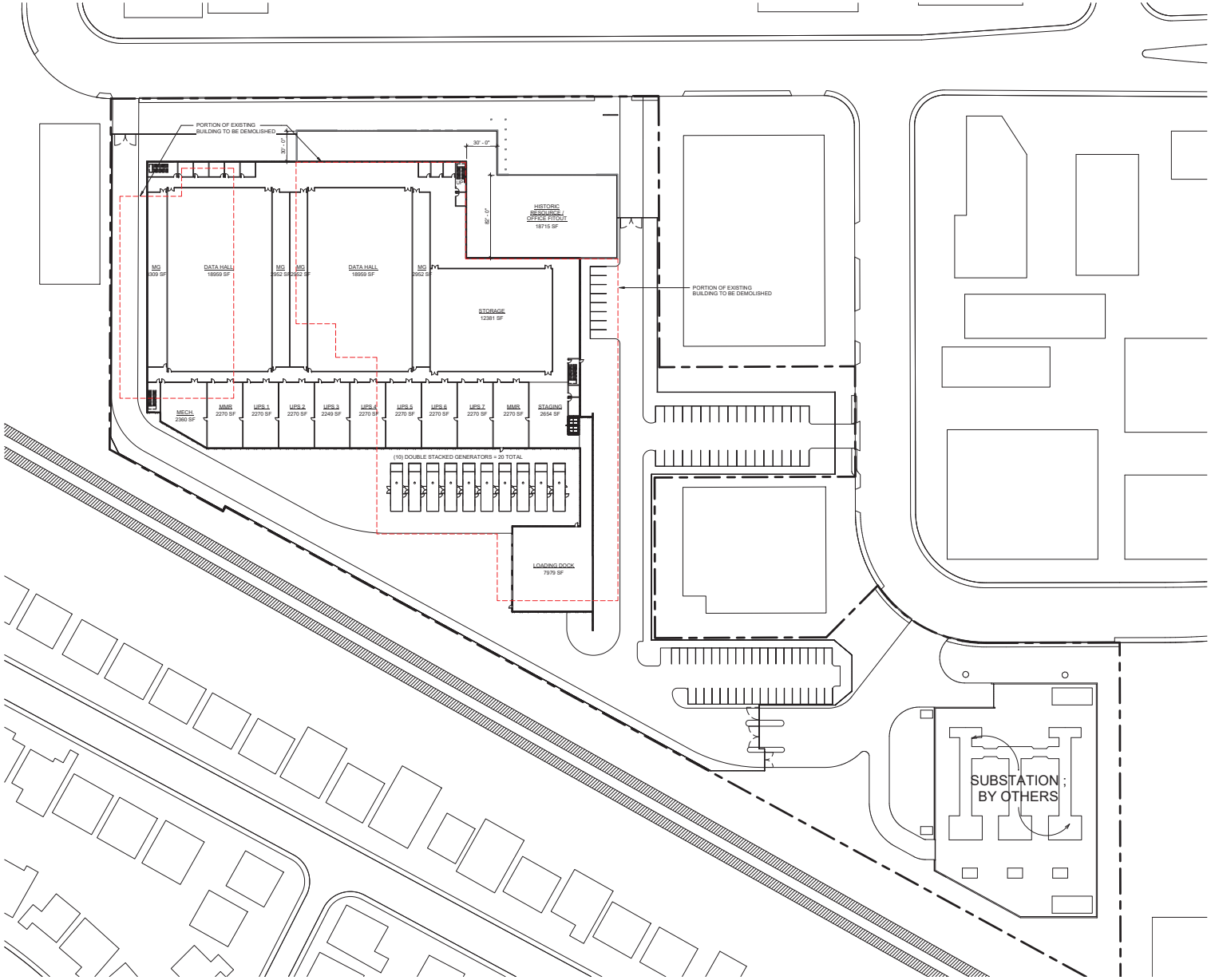

Project Number: 19110.0000

SKYBOX DATACENTERS

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ALTERNATIVE 2 - SITE PLAN

1" = 40'-0"

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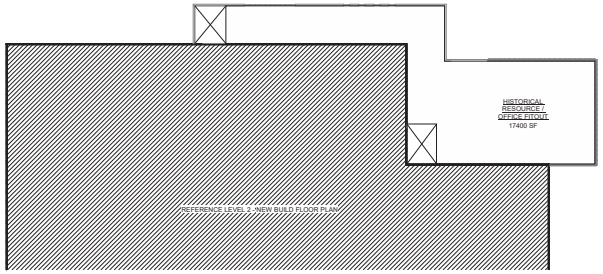
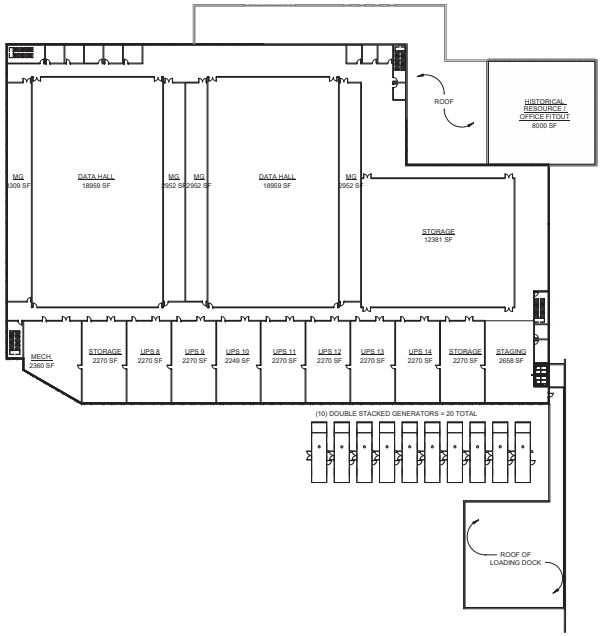
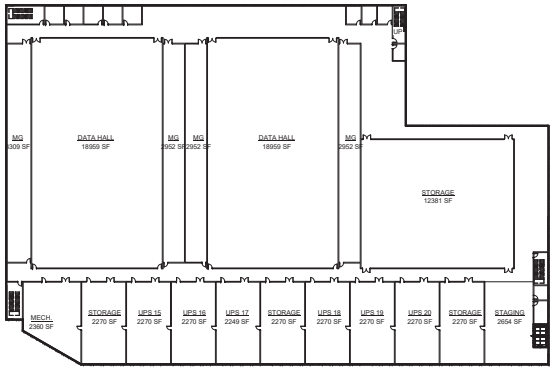


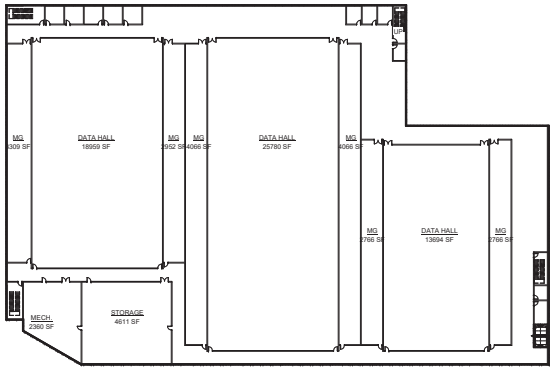
4 LEVEL 2 - HISTORICAL RESOURCE - ALT. 2
1" = 40'-0"



1 LEVEL 2 - NEW BUILD - ALT.2
1" = 40'-0"



2 LEVEL 3 - NEW BUILD - ALT. 2
1" = 40'-0"



3 LEVEL 4 - NEW BUILD - ALT. 2
1" = 40'-0"

Project Number: 19110.0000

SKYBOX DATACENTERS

CRITICAL PROJECT SERVICES, LLC

CORGAN

ALTERNATIVE 2 - LEVEL 2 - 4

1" = 40'-0"
09.11.2020

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Portland, OR 97205
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arg-pnw.com

1200 MEMOREX

PCC PACKAGE

SCOPE OF WORK
THE PROJECT PROPOSES TO DEMOLISH THE EXISTING IMPROVEMENTS ON THE SITE TO CONSTRUCT A FOUR-STORY 472,920 SQUARE FOOT DATA CENTER BUILDING WITH AN ATTACHED SIX-STORY 87,520 SQUARE FOOT ANCILLARY USE OFFICE AND STORAGE COMPONENT, FOR A COMBINED SQUARE FOOTAGE OF 560,440.

SKYBOX DATA CENTERS | CORGAN | CRITICAL PROJECT SERVICES, LLC | R+G RUTH AND GOING, INC. Civil Engineering Land Surveying Planning | REED ASSOCIATES LANDSCAPE ARCHITECTURE 477 SOUTH MAFFE STREET SUNNYVALE, CALIFORNIA 94086 | kW mission critical engineering

SHEET INDEX

SHEET NO.	SHEET NAME	PCC PACKAGE - 2019.06.05	PCC PACKAGE V2 - 2019.11.13	PCC PACKAGE V3 - 2020.03.01
00 - PCC				
A-110	SITE PLAN	■	■	■
A-121	LEVEL 1 FLOOR PLAN	■	■	■
A-122	LEVEL 2 FLOOR PLAN	■	■	■
A-123	LEVEL 3 FLOOR PLAN	■	■	■
A-124	LEVEL 4 FLOOR PLAN	■	■	■
A-125	OFFICE LEVEL - FLOOR PLANS	■	■	■
A-126	OFFICE LEVEL - FLOOR PLANS	■	■	■
A-130	ROOF PLAN	■	■	■
A-140	BUILDING SECTION	■	■	■
A-150	ELEVATIONS	■	■	■
A-151	ELEVATIONS	■	■	■
A-152	ELAVATIONS			
A-210	SITE PLAN - MP	■	■	■
A-221	LEVEL 1 FLOOR PLAN - MP	■	■	■
A-222	LEVEL 2 FLOOR PLAN - MP	■	■	■
A-223	LEVEL 3 FLOOR PLAN - MP	■	■	■
A-224	LEVEL 4 FLOOR PLAN - MP	■	■	■
A-225	OFFICE LEVEL - FLOOR PLANS - MP	■	■	■
A-226	OFFICE LEVEL - FLOOR PLANS - MP	■	■	■
A-230	ROOFTOP EQUIPMENT PLAN - MP	■	■	■
A-240	BUILDING SECTION - MP	■	■	■
G-000	COVER SHEET	■	■	■
G-100	PROJECT INFORMATION	■	■	■
H-100	HISTORIC RESOURCE ELEMENTS			■
06-CIVIL-PCC				
C-100	EXISTING SITE CONDITIONS	■	■	■
C-110	EXISTING UTILITY CONDITIONS	■	■	■
C-200	SITE ACCESS AND CIRCULATION PLAN	■	■	■
C-210	FIRE ACCESS AND APPARATUS DIAGRAM	■	■	■
C-211	ADJACENT PARCEL EXISTING FIRE SERVICE PLAN		■	■
C-300	PRELIMINARY GRADING AND DRAINAGE PLAN	■	■	■
C-400	PRELIMINARY SITE UTILITY PLAN	■	■	■
C-500	PRELIMINARY STORMWATER CONTROL PLAN	■	■	■
C-510	STORMWATER CONTROL DETAILS	■	■	■
C-520	PRELIMINARY STORMWATER CALCULATIONS	■	■	■
C-521	PRELIMINARY STORMWATER CALCULATIONS	■	■	■
08-LANDSCAPE-PCC				
L-1.0	LANDSCAPE PLANTING PLAN	■		
L-1.1	LANDSCAPE PLANTING PLAN	■		
L-2.0	LANDSCAPE HYDROZONE PLAN	■		
L-2.1	LANDSCAPE HYDROZONE PLAN	■		
L-100	LANDSCAPE PLANTING PLAN		■	■
L-101	LANDSCAPE PLANTING PLAN		■	■
L-102	EXISTING TREE PLAN		■	■
L-103	LANDSCAPE HYDROZONE PLAN		■	■
L-104	LANDSCAPE HYDROZONE PLAN		■	■
L-105	PRELIMINARY IRRIGATION PLAN			■
L-106	PRELIMINARY IRRIGATION PLAN			■
10 - ELECTRICAL-PCC				
E-100	LEGEND AND ABBREVIATIONS		■	■
E-101	MV ONE-LINE	■	■	■
E-102	ELECTRICAL SITE ROUTING PLAN	■	■	■
E-103	ELECTRICAL SITE DETAILS		■	■
E-104	ELECTRICAL SITE LIGHTING PLAN		■	■
E-105	SITE LIGHTING PHOTOMETRICS		■	■
E-106	LUMINAIRE SCHEDULE		■	■

1200 Memorex - Santa Clara, CA

Development, Design, and Construction Anticipated Milestones

ACTIVITY	DATE
PCC Approval	4/09/2020
CEC CEQA Exemption	12/10/2020
Building Permit Issued	3/12/2021
Demolition Complete	5/24/2021
Grading Complete	6/21/2021
Building Shell Complete	6/13/2022
Interior Finish Out Complete	6/13/2022
Substantial Completion	**9/1/2022**

PROJECT DATA AND CODE INFORMATION

PROJECT DATA		
PROJECT NAME:	1200 MEMOREX	
PROJECT ADDRESS:	1200 Memorex Dr. Santa Clara, CA 95050	
OWNER:	1200 Partners, LLC	
APPLICABLE CODES	NOTE:INCLUDED IN SPECIFICATION SECTION 014100 REGULATORY REQUIREMENTS	
BUILDING CODE:	2016 California Building Code	
ACCESSIBILITY CODE:	2016 California Building Code - Chapter 11B	
ELECTRICAL CODE:	2016 California Electrical Code	
ENERGY CODE:	2016 California Energy Code & 2016 California Green Building Standards	
FIRE CODE:	2016 California Fire Code	
MECHANICAL CODE:	2016 California Mechanical Code	
PLUMBING CODE:	2016 California Plumbing Code	
REGIONAL OR MUNICIPAL CODE:	City of Santa Clara Zoning and Local Amendments	
LIFE SAFETY INFORMATION		**REFERENCE**
		2016 CBC
USE OR OCCUPANCY CLASSIFICATION		
OCCUPANCY:	(S2) STORAGE	
TYPE OF CONSTRUCTION		
CONSTRUCTION TYPE:	II-A	
FIRE PROTECTION REQUIREMENTS		
BEARING WALLS: INT./EXT.	1	
NONBEARING WALLS: INT./EXT.	0 AND 1 @ WEST EXT. WALL	
ROOF / CEILING:	0 AND 1 @ <-20 FEET FROM FLOOR.	
FLOOR/ CEILING:	1	
STRUCTURAL FRAME / COLUMNS:	1	
RATED SEPARATIONS:	1 BUILDING SEPARATION @ 2 HR.	

DESIGN LIMITATIONS	MAX. ALLOWED	MAX. PROVIDED	2 HR. SEPARATION PLAN
HEIGHT:	85' - 0"	83' - 6"	
AREA:	1. 121700 SF	1. 118230 SF	
	2. 117000 SF	2. 14585 SF	
# OF FLOORS:	1. 6	1. 4	
	2. 6	2. 6	

MEANS OF EGRESS	MAX. ALLOWED	MAX. PROVIDED
TRAVEL DISTANCE TO EXIT:		
TOTAL OCCUPANT LOAD:		

EGRESS WIDTH PER OCCUPANT	MIN. ALLOWED	PROVIDED
0.2" STAIRS	0' - 0"	0' - 0"
0.15" DOORS	0' - 0"	0' - 0"

PLUMBING FIXTURE REQUIREMENTS

	FEMALE		MALE		SINGLE USER	
FIXTURE	# REQUIRED	# PROVIDED	# REQUIRED	# PROVIDED	# REQUIRED	# PROVIDED
WATER CLOSETS	#	#	#	#	#	#
URINALS			#	#	#	#
LAVATORIES	#	#	#	#	#	#
SHOWERS	#	#	#	#	#	#

	SERVICE	
	# REQUIRED	# PROVIDED
SERVICE SINKS	#	#
DRINKING FOUNTAINS	#	#

PROJECT NARRATIVE

1200 Memorex

1.1.1 Existing Development

The 9.18-acre project site is located at 1200 Memorex Drive. The site is zoned ML-Light Industrial and has a General Plan designation of Light Industrial. The site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Roughly 100,000 square feet of active outdoor uses are located on the eastern portion of the site. Existing uses on the site are light industrial in nature and include operations such as aluminum plating, metal cleaning/polishing, a machine shop, construction contractors, a brewery, material storage, vehicle storage, and hauling. The vehicle storage and hauling operations are primarily located in the outdoor areas on the site.

1.1.2 Proposed Development

The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440. The structure would have a height of 87 feet to the top of building parapet. The data center portion of the building would house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 60 megawatts (MW) of information technology (IT) power. The ancillary use portion of the building would be used for office (roughly 51,000 square feet) and storage uses.

Three-quarters of the data center portion of the building would consist of production data hall space, which requires backup power generation, while the other quarter would consist of development data hall space, which does not require backup power generation. Standby backup emergency electrical generators would be installed to provide an uninterrupted power supply to the production data hall space. A total of 24 three-MW diesel-fueled engine generators would be located on the south side of the building, providing 48 MW of backup power generation capacity. Of the 24 proposed generators (16 critical & 8 redundant), 21 units would be located within a ground-level generator yard and three units would be located on the roof of the adjacent loading dock. Mechanical cooling equipment would be located on the roof with metal panel perimeter screening above the building parapet.

The project would also construct a 150 megavolt amps (MVA) electrical substation on the eastern portion of the site. The substation would have three 50 MVA transformers, one of which would be redundant and would only become active if one of the other transformers fails. The substation capacity would be a nominal 100 MVA. The substation would have an all-weather asphalt surface underlain by an aggregate base.

1.1.2.1 *Site Access and Parking*

The site currently has four driveways on Memorex Drive and three driveways on Ronald Street/Di Giulio Avenue, all of which would be removed by the project. Access to the site would be provided by two new driveways on Memorex Drive and one new driveway on Di Giulio Avenue. The project would result in a net decrease in driveways accessing the site, reducing curb cuts and eliminating hazards associated with site distances from current driveways located near intersections and roadway bends.

Based on input from City staff, the project would be classified as a Storage use, which requires one parking space per 5,000 square feet of gross floor area. The office component (Business use), of the project would occupy less than 10 percent of the gross floor area and would be considered an ancillary use to the primary Storage use. As a result, the parking requirements for the Storage use would apply to the entire project. With a gross square footage of 560,440, and a required parking ratio of one space per 5,000 square feet, the project would be required to provide 112 spaces. The project proposes to provide 113 parking spaces in surface parking lots located on the eastern portion of the site. Five parking spaces would be ADA accessible, and 11 parking spaces would be dedicated for clean air vehicles. Electric vehicle charging stations would be located adjacent to the clean air vehicle spaces.

1.1.2.2 *Building Height and Floor Area Ratio Variances*

The project would construct a building with a maximum height of 87 feet to the top of parapet, which would exceed the maximum height of 70 feet allowed under the ML – Light Industrial zoning designation. Additionally, the project would have a floor area ratio (FAR) of 1.40, which would exceed the maximum FAR of 0.6 allowed under the Light Industrial General Plan designation.

The project is requesting variances to allow building heights and FAR above those allowed in the Zoning Ordinance and General Plan. The building height and FAR variances would allow the project to maximize the efficiency of the proposed data center. By consolidating the data center equipment in a single large structure instead of multiple smaller structures, energy efficiency is increased and fewer resources are required for building operation and maintenance. Further, due to the low employment requirement of data centers, the proposed project would result in a decrease in vehicle trips and vehicle miles travelled associated with the site, even with the proposed increases in allowed height and FAR (see discussion below).

1.1.2.3 *Vehicle Trips and Vehicle Miles Travelled*

Data centers result in fewer vehicle trips than typical light industrial uses because the building is primarily occupied by IT equipment and associated mechanical infrastructure. Few employees are required to operate the data center. While the project includes an office component, the office use is ancillary to the data center use and makes up less than 10 percent of the overall building square footage.

A preliminary assessment was completed to determine the net vehicle trip generation resulting from the project. Trip generation rates for existing uses on the site were based on the Institute of Transportation Engineers' (ITE) Trip Generation Manual, Tenth Edition's trip generation rates for general light industrial land uses (land use code 110). Trip generation rates for the proposed project were based on ITE rates for data centers (land use code 160) and general office buildings (land use code 710). The trip rates for existing uses were applied to 348,950 square feet of light industrial building area and roughly 100,000 square feet of active outdoor light industrial uses, resulting in an estimated total of 2,227 existing daily trips. For the proposed uses, the general office building trip rate was applied to the 51,000 square feet of office area, and the data center trip rate was applied to the remaining 509,440 square feet of the project, resulting in an estimated total of 1,001 daily project trips. Based on ITE trip rates, the project would result in a net reduction of 1,226 daily vehicle trips associated with the site. A reduction in daily vehicle trips would also result in a reduction in vehicle miles travelled (VMT). By reducing vehicle trips and VMT associated with the site, the project would result in a net reduction in air pollutants and greenhouse gas emissions associated with vehicle trips, and would reduce traffic congestion in the surrounding area. It should be noted that this assessment is preliminary and will be refined as part of the environmental review completed for the project.

1.1.2.4 *Hazardous Materials Remediation*

Known contamination is present in the soils and groundwater on the site. The contamination is associated with historic uses by the Memorex Corporation, which manufactured magnetic tape on the site through approximately 1993. The site is subject to Regional Water Quality Control Board (RWQCB) oversight and cleanup requirements related to this contamination. Since 1993, uses on the site have included the use and storage of hazardous materials, and it is possible that additional contamination is present on the site in areas that have not been previously investigated. The project would complete soil, soil vapor, and groundwater quality investigations to determine the extent of contamination on the site. It is anticipated that the project would prepare a Site Management Plan (SMP) and a Health and Safety Plan (HSP) to establish appropriate protocols for handling and monitoring contaminated soil, soil vapor, and groundwater, and to determine what remediation measures are necessary. As a result, the project would facilitate the remediation of contamination on the site. Additionally, current uses on the site such as aluminum plating and metal cleaning/polishing likely involve the use and storage of hazardous materials. The proposed data center project would not involve the use or storage of hazardous materials, representing an improvement over existing condition. Further, by developing a data center on the site, the project would eliminate the potential for additional hazardous materials releases to occur from other light industrial uses that may otherwise occupy the site in the future.

1.1.2.5 *Power Usage Effectiveness, Energy Efficiency, and Water Conservation*

Power Usage Effectiveness (PUE) is a metric used to compare the operating efficiency of data center facilities. PUE is defined as the ratio of total power use of a facility to the power used strictly by the information technology (IT) equipment (e.g. PUE=Total Facility Power/IT Equipment Power). For example, with a PUE of 2.0 a data center would use two watts of total power for every one watt of power used by the IT equipment. The annualized PUE for the proposed data center would be less than 1.29, which is on the low/efficient end of the scale for data centers in the area.

The project includes a variety of measures to minimize total power usage of the data center. Due to substantial cooling requirements, the primary method for achieving energy efficiency in data centers is through the cooling system. The proposed data center would maximize efficiency by utilizing direct outside air economization, economized chillers, or DSE cooling units, reducing energy consumption and eliminating the requirement for large quantities of water utilized for cooling purposes by other data centers in the area.

1.1.2.6 *Landscaping and Stormwater Control*

Currently, landscaping on the site is sparse. Mature trees are located on the site's frontage with Memorex Drive, and additional trees and shrubbery are located along portions of the site's perimeter. Although the project would remove some of the existing trees and landscaping on the site, the project would plant replacement trees that would meet or exceed required replacement ratios, resulting in an increase in trees and landscaping on the site.

The project would result in a decrease in the amount of impervious area on the site. Storm drainage runoff from the site's impervious surfaces would be directed to treatment systems before being collected in a series of pipes sized for a 10-year storm event in accordance with the City's design requirements. These pipes would ultimately leave the site, connecting to the existing City storm drainage pipes in Memorex Drive and/or Di Giulio Avenue. No new off-site storm drain facilities are anticipated to serve the project. Since redevelopment of the site would not increase the storm drain runoff compared to existing conditions, the project would have no adverse impact on the existing City storm drainage system downstream of the site.

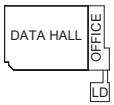
The goal of project is to ensure that the final design incorporates an efficient program of best management practices (BMP's) as appropriate to the site conditions and urban runoff pollution prevention requirements. To this end, development of the property shall comply with the requirements of the California Regional Water Quality Control Board, San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP). The project would implement site design measures, source control measures and treatment systems into the site design in accordance with Provision C.3 of the MRP. The project would also employ treatment control measures (TCMs) as appropriate based upon site specific design to achieve stormwater requirements for urban runoff pollution.

Project Number: 19110.0000

SKYBOX CORGAN RUTH AND GOING, INC. CRITICAL kw REED ASSOCIATES LANDSCAPE ARCHITECTURE

PROJECT INFORMATION

04.09.2020



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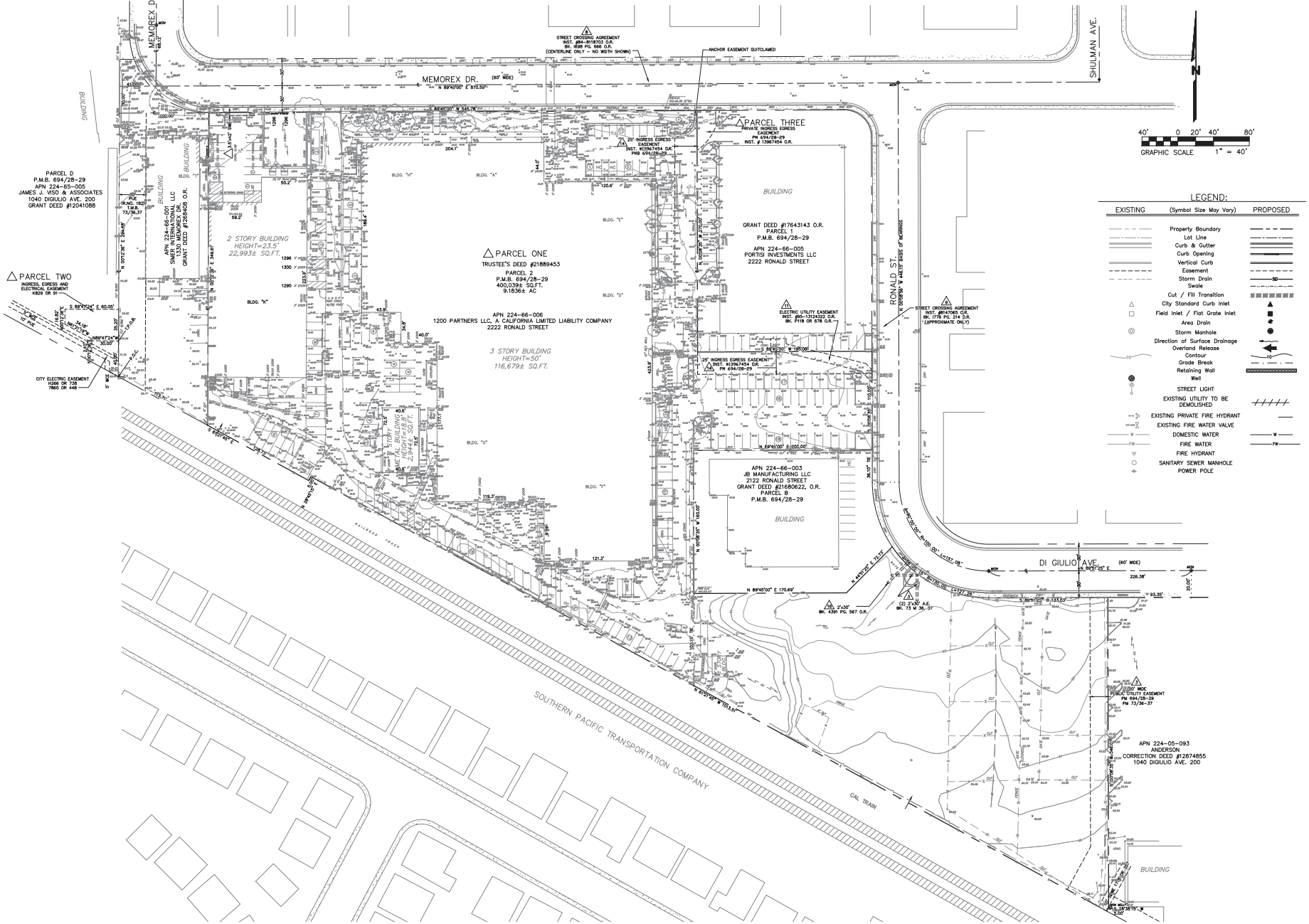

Project Number: 19110.0000

SKYBOX

CORGAN

RUTH AND GOING, INC.

CRITICAL PROJECT SERVICES, LLC

kW mission critical engineering

REED ASSOCIATES LANDSCAPE ARCHITECTURE

EXISTING SITE CONDITIONS

04.09.2020

DATA HALL

OFFICE

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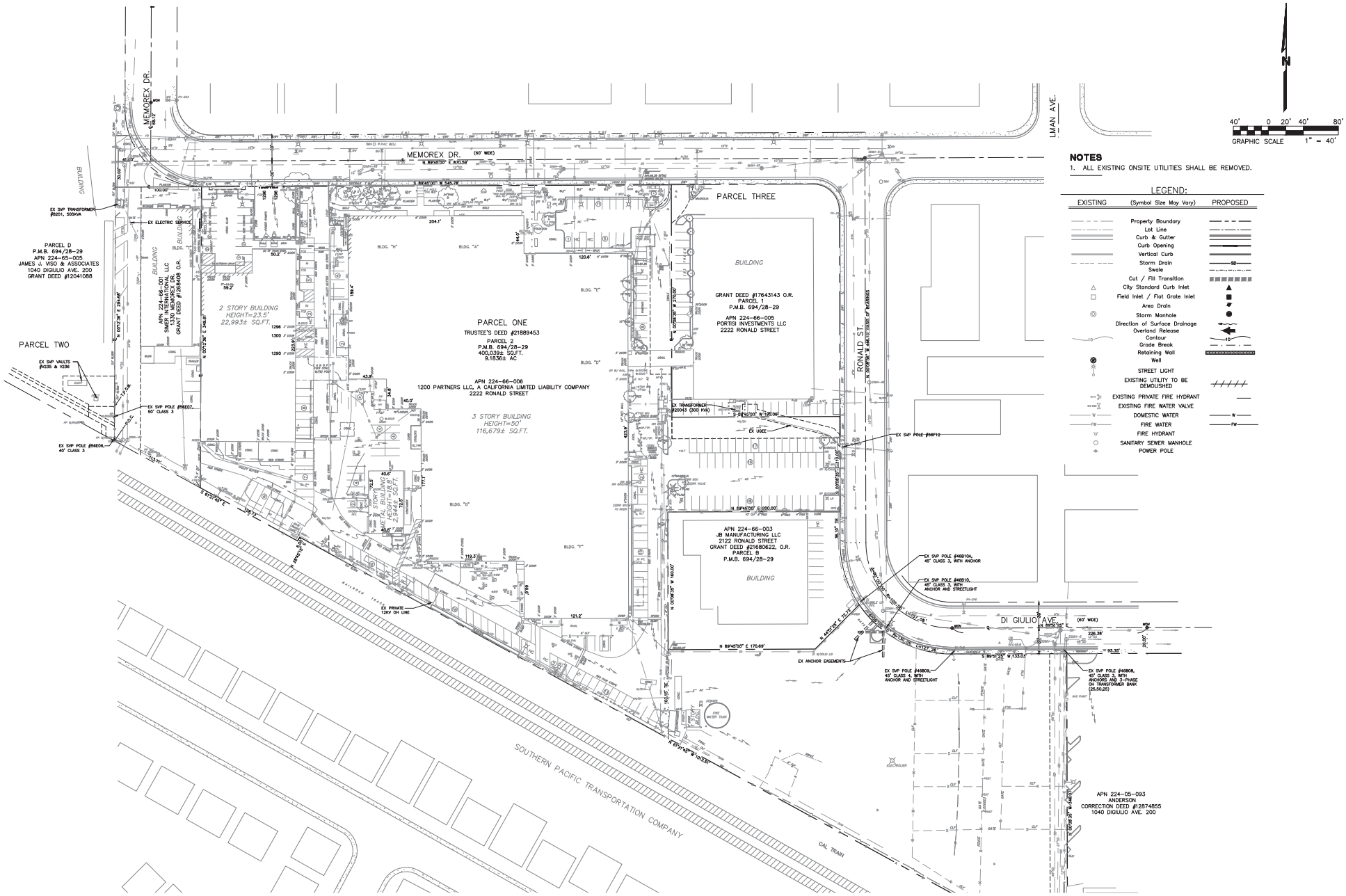

NOTES

1. ALL EXISTING ONSITE UTILITIES SHALL BE REMOVED.

LEGEND:

EXISTING	(Symbol Size May Vary)	PROPOSED
	Property Boundary	
	Lot Line	
	Curb & Gutter	
	Curb Opening	
	Vertical Curb	
	Storm Drain	SD
	Swale	
	Cut / Fill Transition	
	City Standard Curb Inlet	
	Field Inlet / Flat Grate Inlet	
	Area Drain	
	Storm Manhole	
	Direction of Surface Drainage	
	Overland Release	
	Contour	
	Grade Break	
	Retaining Wall	
	Well	
	STREET LIGHT	
	EXISTING UTILITY TO BE DEMOLISHED	
	EXISTING PRIVATE FIRE HYDRANT	
	EXISTING FIRE WATER VALVE	
	DOMESTIC WATER	W
	FIRE WATER	FW
	FIRE HYDRANT	
	SANITARY SEWER MANHOLE	
	POWER POLE	

Project Number: 19110.0000

SKYBOX DATATECHNICS

CORGAN

R+G RUTH AND GOING, INC.

CRITICAL PROJECT SERVICES, LLC

kW mission critical engineering

REED ASSOCIATES LANDSCAPE ARCHITECTURE

EXISTING UTILITY CONDITIONS

04.09.2020

DATA HALL OFFICE

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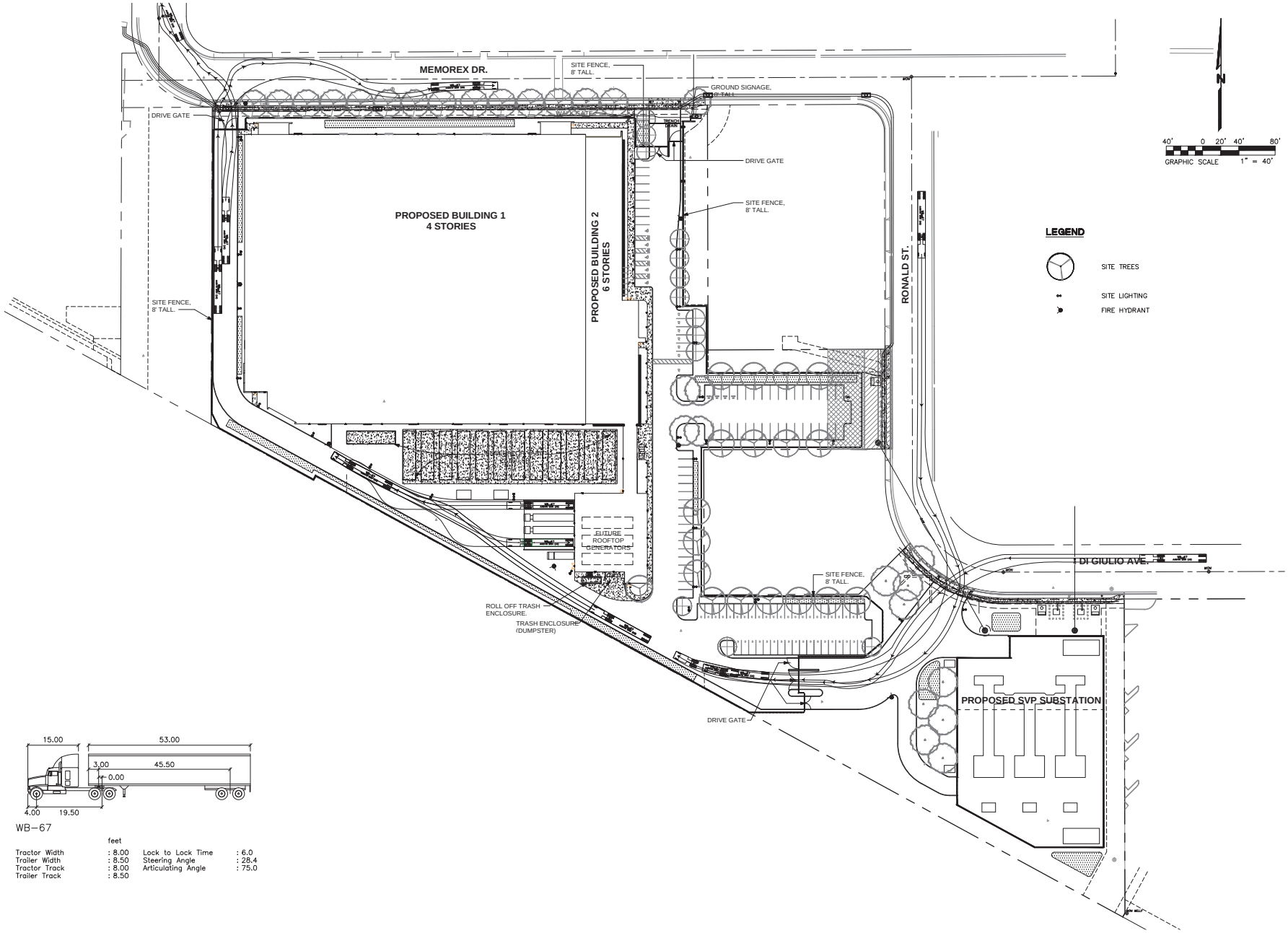

WB-67

	feet		
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 28.4
Tractor Track	: 8.00	Articulating Angle	: 75.0
Trailer Track	: 8.50		

Project Number: 19110.0000

SKYBOX DATA SYSTEMS

CORGAN

RUTH AND GOENG, INC.

CRITICAL PROJECT SERVICES, LLC

kW mission critical engineering

REED ASSOCIATES LANDSCAPE ARCHITECTURE

SITE ACCESS AND CIRCULATION PLAN

04.09.2020

DATA HALL

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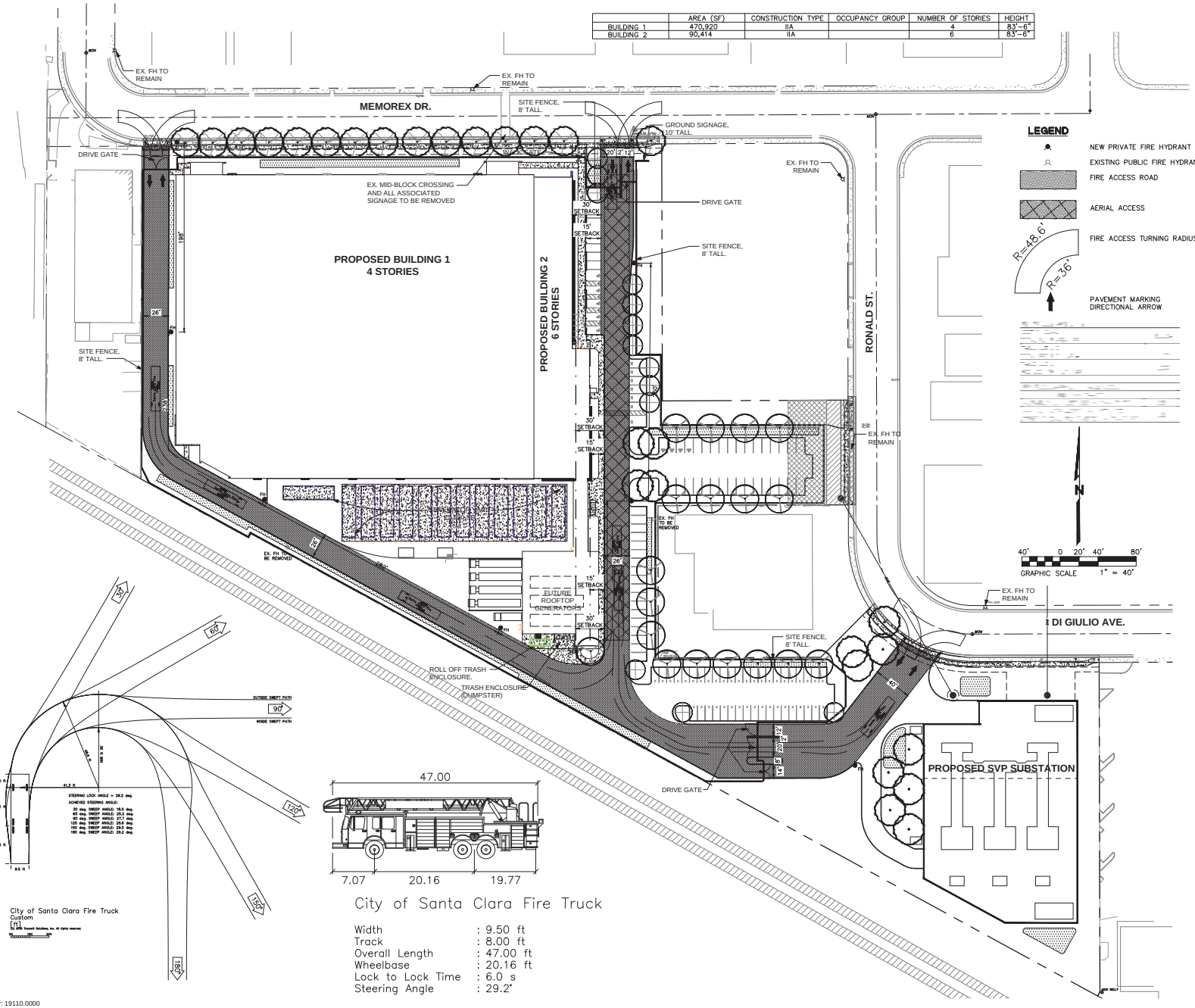
	AREA (SF)	CONSTRUCTION TYPE	OCCUPANCY GROUP	NUMBER OF STORIES	HEIGHT
BUILDING 1	470,920	IIA		4	83'-6"
BUILDING 2	90,414	IIA		6	83'-6"

NOTES

1. SECURITY GATES SHALL BE EQUIPPED WITH OPTICOM SWITCH OR APPROVED ALTERNATIVE FOR FIRE DEPARTMENT ACCESS.
2. SCFD DEFICIENCY: ALL PORTIONS OF THE BUILDING (SOUTH WALL NEAR THE GENERATORS) ARE NOT WITH 150 FEET FROM AN APPROVED FIRE DEPARTMENT ACCESS ROAD. THE DIMENSION OF 150 FEET IN RELATION TO FIRE DEPARTMENT ACCESS IS COMMONLY REFERRED TO AS HOSE PULL DISTANCE. HOSE PULL IS MEASURED ALONG THE PATH THAT SIMULATES THE ROUTE A FIRE FIGHTER MAY TAKE TO ACCESS ALL PORTIONS OF THE EXTERIOR OF A STRUCTURE FROM THE NEAREST FIRE ROAD.
3. AMMR: PROJECT DESIGN TEAM WILL SUBMIT AN AMM TO SCFD, PROPOSING TO INCREASE BLDG FIRE SPRINKLER DENSITY TO SATISFY DEFICIENCY DURING PERMIT DOCS.



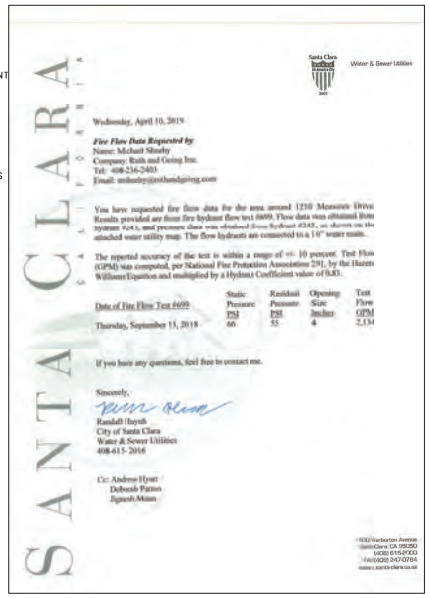
LEGEND

- NEW PRIVATE FIRE HYDRANT
- EXISTING PUBLIC FIRE HYDRANT
- FIRE ACCESS ROAD
- AERIAL ACCESS
- FIRE ACCESS TURNING RADIUS (R=48.6', R=36')
- PAVEMENT MARKING DIRECTIONAL ARROW

City of Santa Clara Fire Truck
Custom
[ft]
N ARK Transit Studios, Inc. All rights reserved.

City of Santa Clara Fire Truck

Width	: 9.50 ft
Track	: 8.00 ft
Overall Length	: 47.00 ft
Wheelbase	: 20.16 ft
Lock to Lock Time	: 6.0 s
Steering Angle	: 29.2°


SANTA CLARA

Santa Clara Water & Sewer Utilities

Wednesday, April 10, 2019

Fire Flow Data Requested by
Name: Michael Shoaby
Company: Ruth and Going Inc.
Tel: 408-236-2403
Email: mshoaby@ruthandgoing.com

You have requested fire flow data for the area around 1210 Memorex Drive. Results provided are from fire hydrant flow test #699. Flow data was obtained from hydrant #283, and pressure data was obtained from hydrant #282, as shown on the attached water utility map. The flow hydrants are connected to a 10" water main.

The reported accuracy of the test is within a range of +/- 10 percent. Test Flow (GPM) was computed, per National Fire Protection Association 291, by the Hazen Williams Equation and multiplied by a Hydrant Coefficient value of 0.83.

Date of Fire Flow Test #699	Static Pressure PSI	Residual Pressure PSI	Opening Size Inches	Test Flow GPM
Thursday, September 13, 2018	60	55	4	2,134

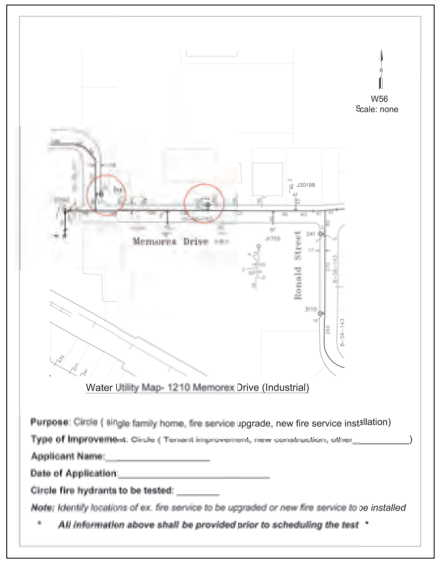
If you have any questions, feel free to contact me.

Sincerely,

Randall Huyth
City of Santa Clara
Water & Sewer Utilities
408-615-2016

Cc: Andrew Hyatt
Deborah Pantos
Jignesh Mistry

1500 Warburton Avenue
Santa Clara, CA 95050
(408) 615-2000
fax (408) 247-0784
www.santaclaraca.gov



Water Utility Map- 1210 Memorex Drive (Industrial)

Purpose: Circle (single family home, fire service upgrade, new fire service installation)
Type of Improvement: Circle (Tenant improvement, new construction, other_____)
Applicant Name:_____
Date of Application:_____
Circle fire hydrants to be tested: _____
Note: *Identify locations of ex. fire service to be upgraded or new fire service to be installed*
* ***All information above shall be provided prior to scheduling the test*** *

Project Number: 19110.0000

SKYBOX | CORGAN | RUTH AND GOING, INC. | CRITICAL PROJECT SERVICES, LLC | kW mission critical engineering | REED ASSOCIATES LANDSCAPE ARCHITECTURE

FIRE ACCESS AND APPARATUS DIAGRAM

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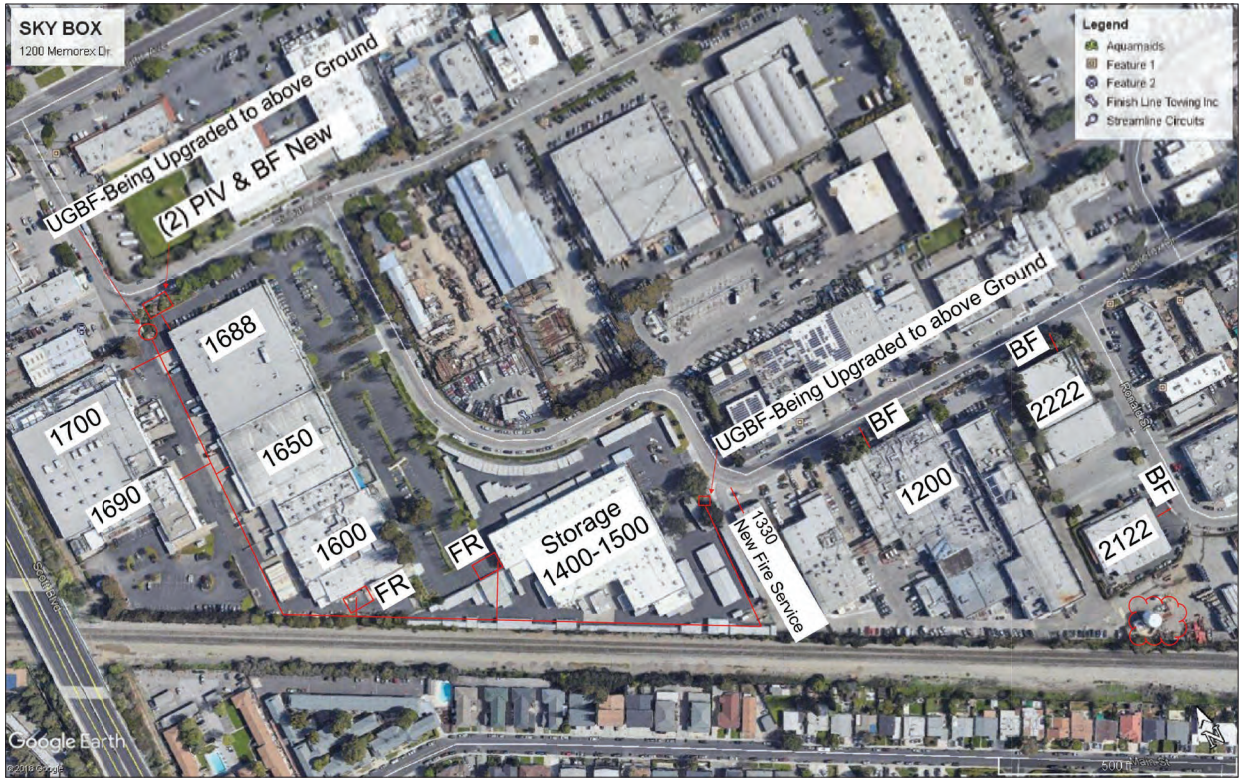

ABBREVIATIONS

1700	ADDRESS NUMBER
BF	CSC BACKFLOW
FR	FIRE RAISER
PIV	POST INDICATOR VALVE
UGBF	UNDERGROUND BACKFLOW

ADJACENT FIRE PERMITS

PERMIT #	ADDRESS
18–1101	1688 & 1700 RICHARD AVE
18–1094	1600, 1650 & 1690 RICHARD AVE

Project Number: 19110.0000

SKYBOX DATA SYSTEMS
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ADJACENT PARCEL
EXISTING FIRE SERVICE PLAN

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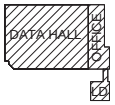

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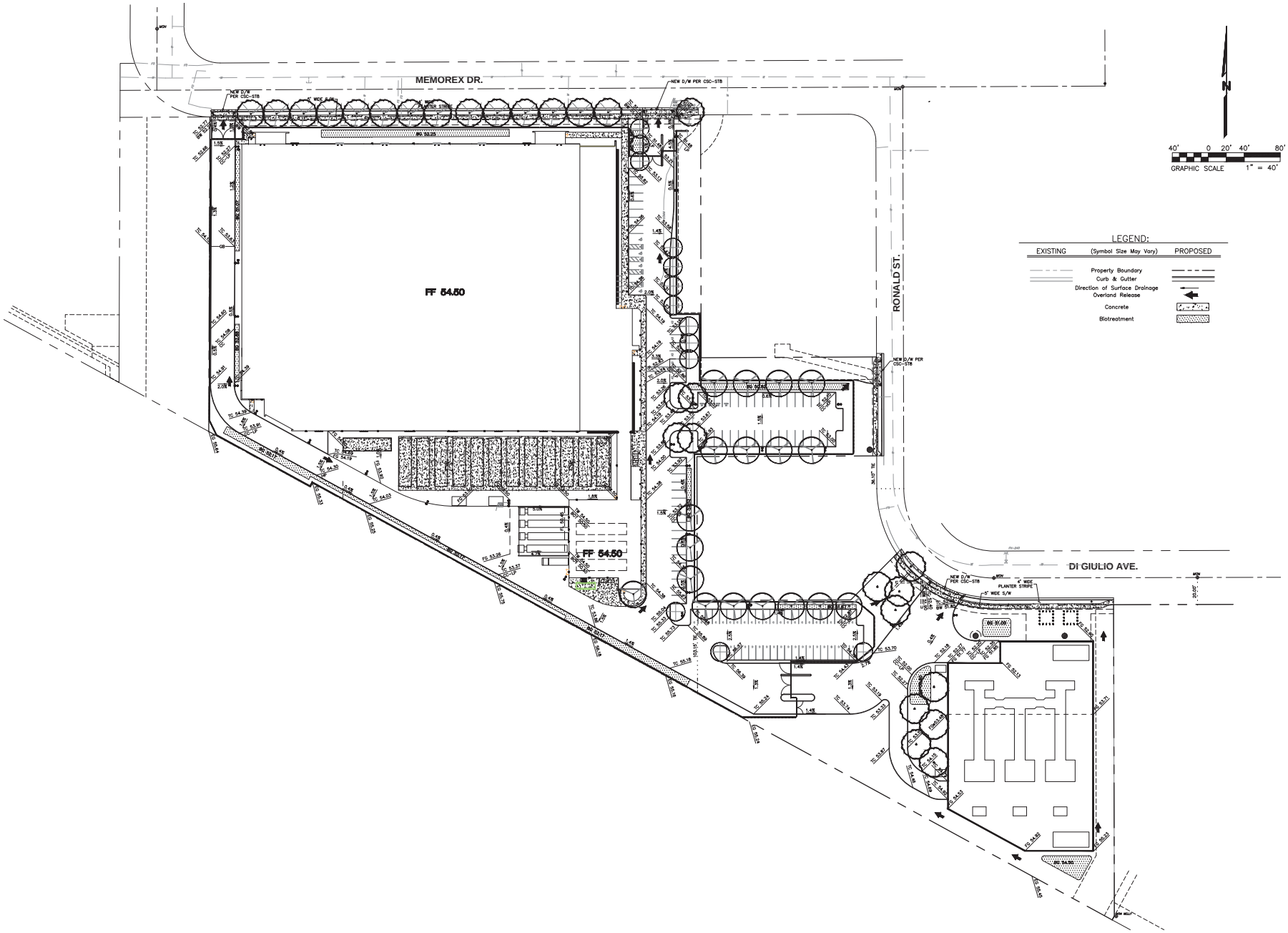

Project Number: 19110.0000

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PRELIMINARY GRADING AND DRAINAGE PLAN

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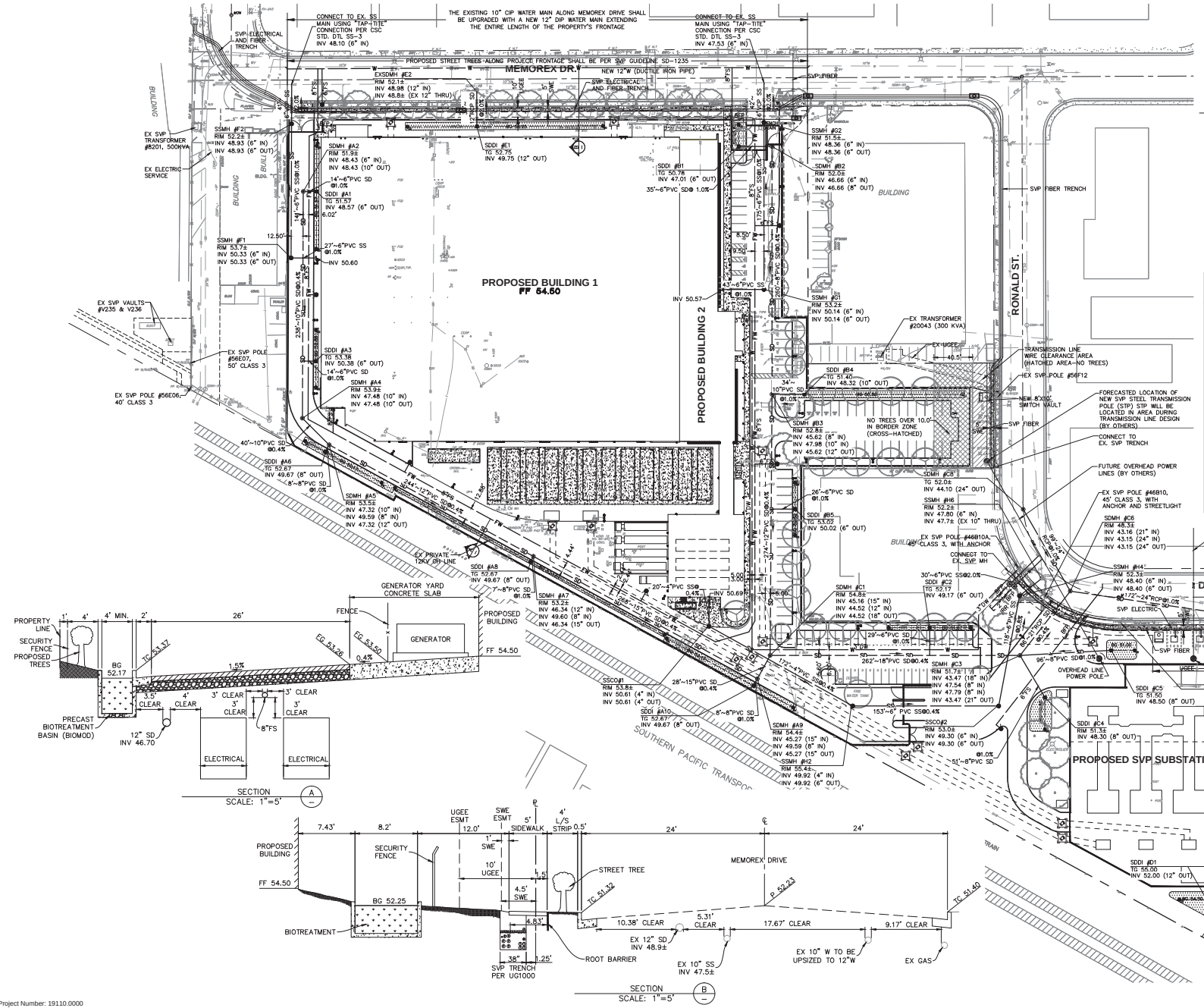

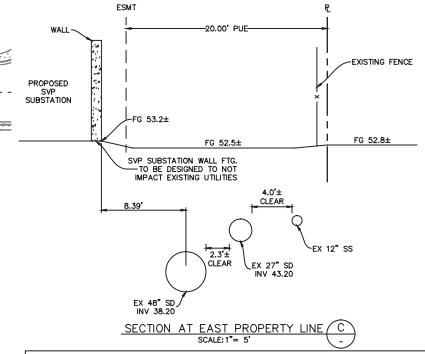

SECTION AT EAST PROPERTY LINE C
SCALE: 1"= 5'

WATER AND SEWER SERVICE LATERAL SUMMARY TABLE

EXISTING:

TYPE	SIZE	# OF SERVICE CONNECTIONS FROM PUBLIC WATER MAIN	DISPOSITION
IRRIGATION	UNKNOWN	1	TO BE ABANDONED PER CSC STANDARDS
DOMESTIC WATER	4"	1	TO BE ABANDONED PER CSC STANDARDS
FIRE SERVICE	8"	2	TO BE ABANDONED PER CSC STANDARDS
SANITARY SEWER	UNKNOWN	3	TO BE ABANDONED PER CSC STANDARDS

PROPOSED:

TYPE	SIZE	# OF SERVICE CONNECTIONS FROM PUBLIC WATER MAIN	MATERIAL
IRRIGATION	2"	1	PVC – PER CSC STANDARDS
DOMESTIC WATER	4"	1	PVC – PER CSC STANDARDS
FIRE SERVICE	8"	2 (LOOP SYSTEM)	PVC – PER CSC STANDARDS
SANITARY SEWER	6"	1	PVC – PER CSC STANDARDS
FIRE HYDRANT	6"	2 (1 PUBLIC/1 PRIVATE)	PVC – PER CSC STANDARDS

NOTES

1. ALL EXISTING ONSITE UTILITIES SHALL BE REMOVED.
2. ALL UTILITIES SHALL MAINTAIN A MINIMUM 12" OF VERTICAL CLEARANCE AT WATER SERVICE CROSSING WITH OTHER UTILITIES, AND ALL REQUIRED MINIMUM HORIZONTAL CLEARANCES FROM WATER SERVICES:
   - 10' FROM SANITARY SEWER UTILITIES
   - 10' FROM RECYCLED WATER UTILITIES
   - 8' FROM STORM DRAIN UTILITIES
   - 5' FROM FIRE AND OTHER WATER UTILITIES
   - 3' FROM ABANDONED WATER SERVICES
   - 5' FROM GAS UTILITIES
   - 5' FROM THE EDGE OF THE PROPOSED OR EXISTING DRIVEWAY.

   SANITARY SEWER, WATER AND RECYCLED WATER UTILITIES SHALL MAINTAIN A MINIMUM HORIZONTAL CLEARANCE OF 10' FROM EXISTING AND PROPOSED TREES. IF TREE ROOT BARRIERS ARE INSTALLED, CLEARANCE FROM TREES REDUCES TO 5' (CLEARANCE MUST BE FROM THE EDGE OF TREE ROOT BARRIER TO EDGE OF WATER FACILITIES).
3. INDIVIDUAL BUILDINGS WITHIN A PARCEL MUST HAVE THEIR OWN DEDICATED SERVICE (FIRE, WATER, AND IRRIGATION). DIFFERENT TYPES OF BUILDING USE (RETAIL, RESIDENTIAL, COMMERCIAL, ETC.) SHALL BE SERVED BY SEPARATE WATER METERS.
4. NO STRUCTURES (FENCING, FOUNDATION, BIOFILTRATION SWALES, ETC.) ALLOWED OVER SANITARY SEWER AND/OR WATER UTILITIES AND EASEMENTS.
5. EASEMENTS ALONG PROJECT FRONTAGE WILL BE FINALIZED DURING PREPARATION OF CONSTRUCTION DOCUMENTS.

40' 0 20' 40' 80'
GRAPHIC SCALE 1" = 40'

Project Number: 19110.0000

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PRELIMINARY SITE UTILITY PLAN

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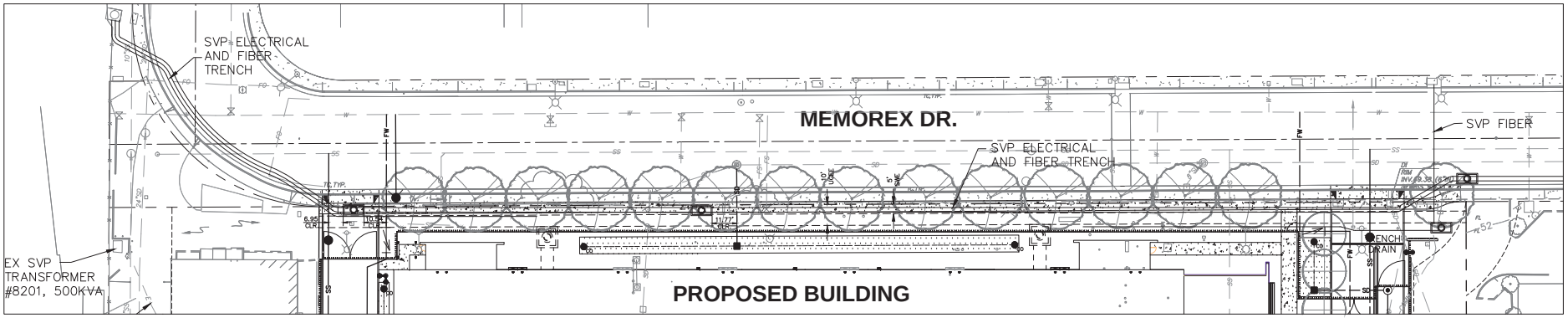

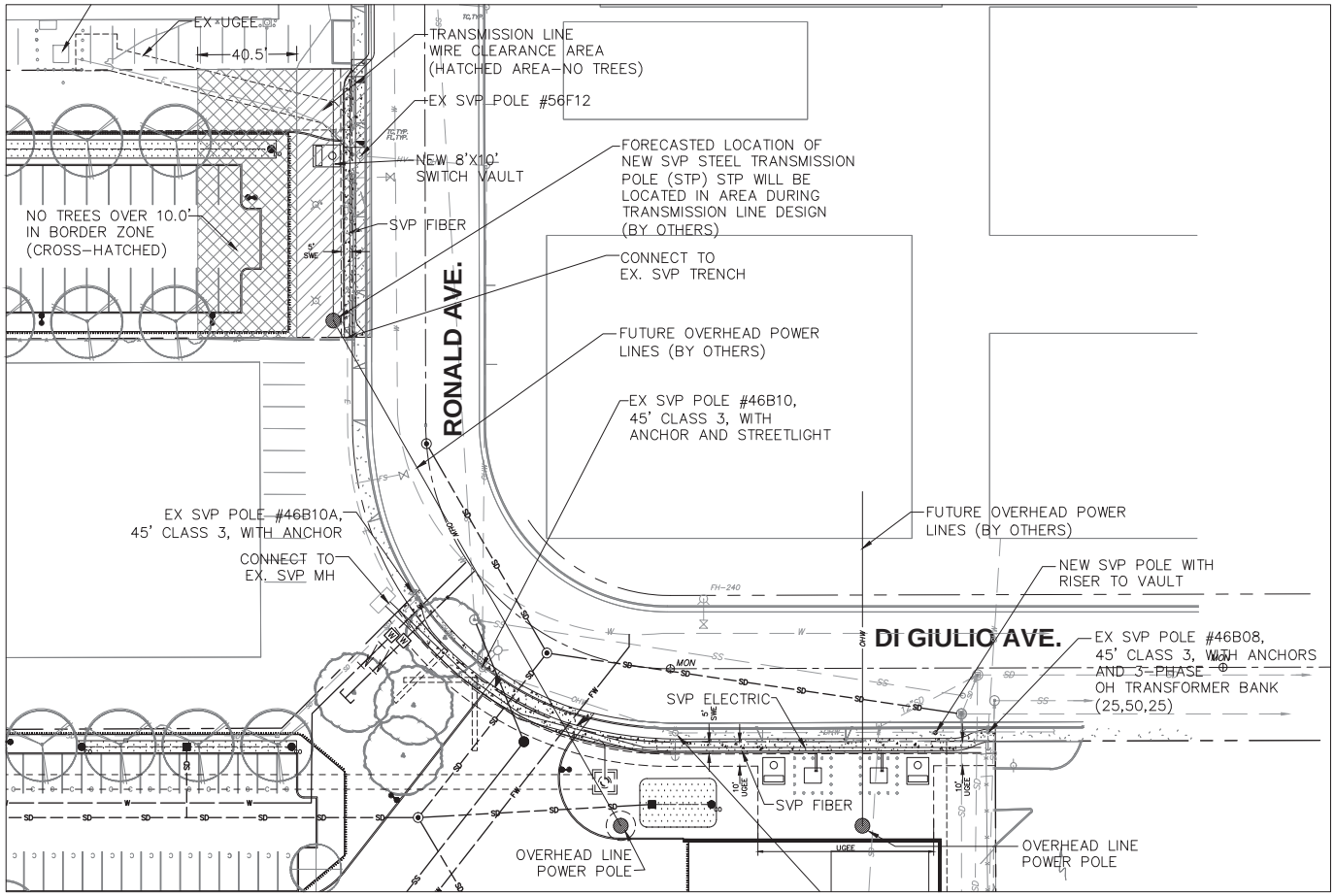

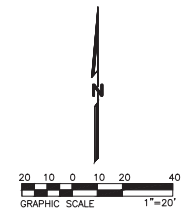

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ENLARGED SVP CLEARANCE PLAN

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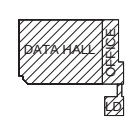

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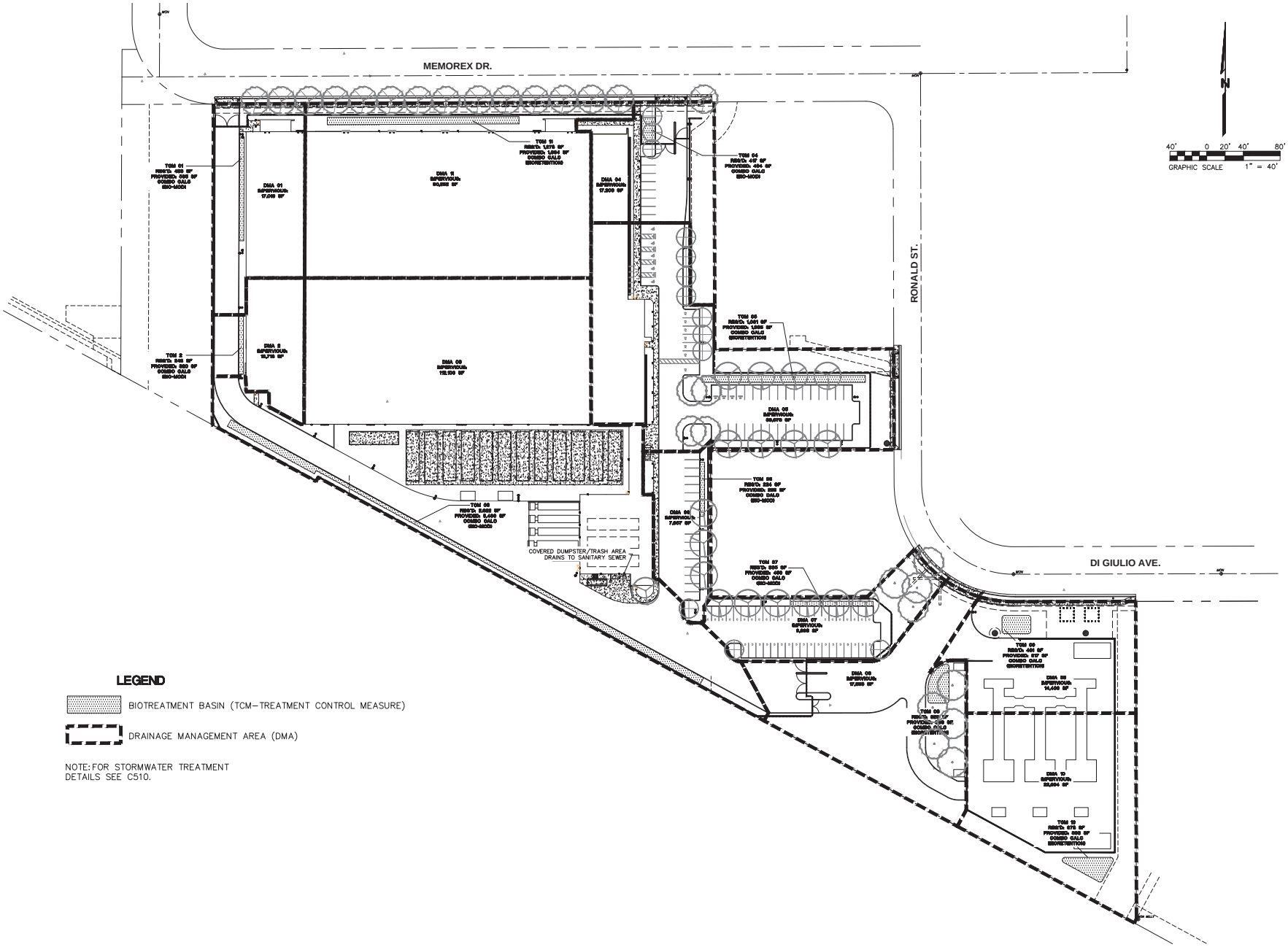

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REED ASSOCIATES LANDSCAPE ARCHITECTURE

PRELIMINARY STORMWATER CONTROL PLAN

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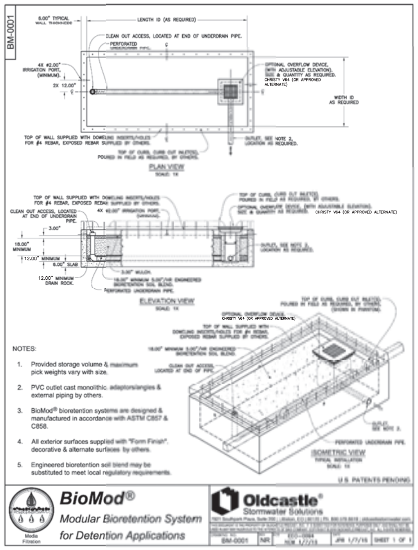
BIOTREATMENT SOIL REQUIREMENTS

- BIORETENTION SOIL MIX SHALL MEET THE REQUIREMENTS AS OUTLINED IN APPENDIX C OF THE C.3 STORM WATER HANDBOOK AND SHALL BE A MIXTURE OF FINE SAND AND COMPOST MEASURED ON A VOLUME BASIS OF 60–70% SAND AND 30–40% COMPOST. CONTRACTOR TO REFER TO APPENDIX C FOR SAND AND COMPOST MATERIAL SPECIFICATIONS.
- PRIOR TO ORDERING THE BIOTREATMENT SOIL MIX OR DELIVERY TO THE PROJECT SITE, CONTRACTOR SHALL PROVIDE A BIOTREATMENT SOIL MIX SPECIFICATION CHECKLIST, COMPLETED BY THE SOIL MIX SUPPLIER AND CERTIFIED TESTING LAB.

STANDARD STORMWATER CONTROL NOTES:

- STANDING WATER SHALL NOT REMAIN IN THE TREATMENT MEASURES FOR MORE THAN FIVE DAYS, TO PREVENT MOSQUITO GENERATION. SHOULD ANY MOSQUITO ISSUES ARISE, CONTACT THE SANTA CLARA VALLEY VECTOR CONTROL DISTRICT (DISTRICT). MOSQUITO LARVICIDES SHALL BE APPLIED ONLY WHEN ABSOLUTELY NECESSARY, AS INDICATED BY THE DISTRICT, AND THEN ONLY BY A LICENSED PROFESSIONAL OR CONTRACTOR. CONTACT INFORMATION FOR THE DISTRICT IS PROVIDED BELOW.
- DO NOT USE PESTICIDES OR OTHER CHEMICAL APPLICATIONS TO TREAT DISEASED PLANTS, CONTROL WEEDS OR REMOVED UNWANTED GROWTH. EMPLOY NON-CHEMICAL CONTROLS (BIOLOGICAL, PHYSICAL AND CULTURAL CONTROLS) TO TREAT A PEST PROBLEM. PRUNE PLANTS PROPERLY AND AT THE APPROPRIATE TIME OF YEAR. PROVIDE ADEQUATE IRRIGATION FOR LANDSCAPE PLANTS. DO NOT OVER WATER.



BIORETENTION NOTES:

1. SEE GRADING PLAN FOR BASIN FOOTPRINT AND DESIGN ELEVATIONS.
2. PLACE 3 INCHES OF COMPOSTED, NON–FLOATABLE MULCH IN AREAS BETWEEN STORMWATER PLANTINGS.
3. SEE LANDSCAPE PLAN FOR MULCH, PLANT MATERIALS AND IRRIGATION REQUIREMENTS
4. CURB CUTS SHALL BE A MINIMUM 18" WIDE AND SPACED AT MAXIMUM 10' O.C. INTERVALS AND SLOPED TO DIRECT STORMWATER TO DRAIN INTO THE BASIN. CURB CUTS SHALL ALSO NOT BE PLACED INLINE WITH OVERFLOW CATCH BASIN.
5. A MINIMUM 0.2' DROP BETWEEN STORM WATER ENTRY POINT (I.E. CURB OPENING, FLUSH CURB, ETC.) AND ADJACENT LANDSCAPE FINISHED GRADE.
6. DO NOT COMPACT NATIVE SOIL / SUBGRADE AT BOTTOM OF BASIN. LOOSEN SOIL TO 12" DEPTH.

PROJECT SITE INFORMATION:

1. **SOILS TYPE:** ______
2. **GROUND WATER DEPTH:** ______
3. **NAME OF RECEIVING BODY:** ______
4. **FLOOD ZONE: ZONE X - AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD**
5. **FLOOD ELEVATION (IF APPLICABLE):** ______

OPERATION AND MAINTENANCE INFORMATION:

I. PROPERTY INFORMATION:

I.A. PROPERTY ADDRESS:
1220 MEMOREX DRIVE
SANTA CLARA, CA 95050

I.B. PROPERTY OWNER:
1220 SANTA CLARA PROPCO, LLC

II. RESPONSIBLE PARTY FOR MAINTENANCE:

II.A. CONTACT:
JOHN SHANK

II.B. PHONE NUMBER OF CONTACT:
(408) 872–9500

II.C. EMAIL:
JON@PELIO.COM

II.D. ADDRESS:
14573 BIG BASIN WAY
SARATOGA, CA 95070

SOURCE CONTROL MEASURES:

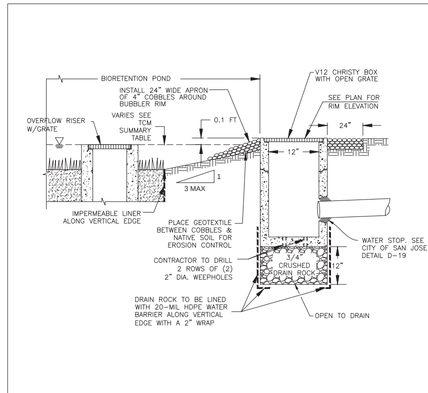
1. CONNECT THE FOLLOWING FEATURES TO SANITARY SEWER:
   a. COVERED TRASH/ RECYCLING ENCLOSURES.
   b. COVERED LOADING DOCKS AND MAINTENANCE BAYS.
2. BENEFICIAL LANDSCAPING.
3. USE OF WATER EFFICIENT IRRIGATION SYSTEMS.
4. MAINTENANCE (PAVEMENT SWEEPING, CATCH BASIN CLEANING, GOOD HOUSEKEEPING).
5. STORM DRAIN LABELING.

SITE DESIGN MEASURES:

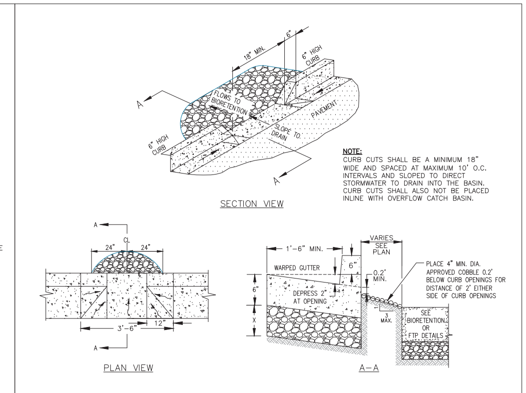
1. PROTECT EXISTING TREES, VEGETATION, AND SOIL.
2. REDUCE EXISTING IMPERVIOUS SURFACES.
3. CREATE NEW PERVIOUS AREAS:
4. LANDSCAPING
   a. PARKING STALLS.
   b. PRIVATE STREETS AND SIDEWALKS.
5. DIRECT RUNOFF FROM ROOFS, SIDEWALKS, PATIOS TO LANDSCAPED AREAS.
6. CLUSTER STRUCTURES/PAVEMENT.
7. PLANT TREES ADJACENT TO AND IN PARKING AREAS AND ADJACENT TO OTHER IMPERVIOUS AREAS.
8. PARKING:
   a. NOT PROVIDED IN EXCESS OF CODE.

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE

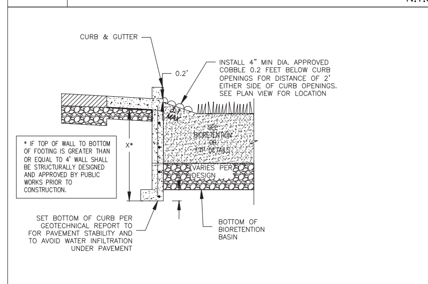
a. Total Site Area: 9.18 acres	b. Total Site Area Disturbed: [illegible] acres (including clearing, grading, or excavating)				
Impervious Area[1] (IA)	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Roof	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Surface Parking	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Sidewalks, streets, etc.	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
c. Total Impervious Area	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
d. Total new and replaced impervious area			[illegible]		
Pervious Area (PA)	[illegible]				[illegible]
Landscaping[2]	[illegible]				[illegible]
Pervious Paving	[illegible]				[illegible]
Other (e.g. Green Roof)	[illegible]				[illegible]
e. Total Pervious Area	[illegible]				[illegible]
f. Total Area (IA+PA)	[illegible]				[illegible]
g. Percent Replacement of IA in Redevelopment Projects [illegible]					[illegible] %



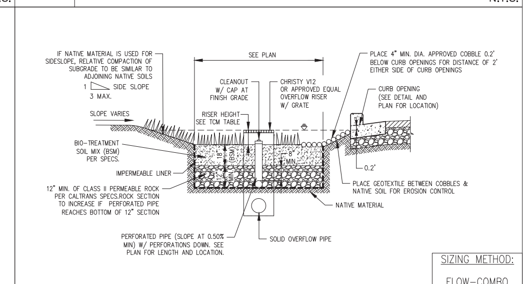
1 BUBBLER BOX DETAIL N.T.S.



2 CURB OPENING N.T.S.



3 CURB ADJACENT TO BIORETENTION N.T.S.



4 BIORETENTION BASIN W/ LINER N.T.S.

TREATMENT CONTROL MEASURE SUMMARY TABLE

DMA #	TCM #	Location	Treatment Type	LID or Non-LID	Sizing Method	Drainage Area (s.f.)	Impervious Area (s.f.)	Pervious Area (Permeable Pavement) (s.f.)	Pervious Area (Other) (s.f.)	% Onsite Area Treated by LID or Non-LID TCM	Bioretention Area Required (s.f.)	Bioretention Area Provided (s.f.)	Overflow Riser Height (in)	Comments
1	1	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	20,439	17,019	0	3,420	5.11%	433	565	6	
2	2	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	11,358	10,718	0	640	2.84%	248	320	6	
3	3	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	120,939	112,100	0	8,839	30.23%	2,622	3,400	6	
4	4	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	19,400	17,203	0	2,197	4.85%	417	434	11	
5	5	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	50,925	39,678	0	11,247	12.73%	1,061	1,335	7	
6	6	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	10,889	7,957	0	2,932	2.72%	224	295	6	
7	7	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	17,148	9,893	0	7,255	4.29%	335	450	6	
8	8	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	32,265	17,253	0	15,012	8.07%	620	838	6	
9	9	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	23,258	14,409	0	8,849	5.81%	461	617	6	
10	10	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	33,283	22,694	0	10,589	8.32%	673	893	6	
11	11	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	60,134	50,252	0	9,882	15.03%	1,273	1,664	6	
					Totals:	400,038	319,176	0	80,862	100.00%				

Footnotes:
* "Lined" refers to an impermeable liner placed on the bottom of a Bioretention basin or a concrete Flow-Through Planter, such that no infiltration into native soil occurs.

TABLE 1
ROUTINE MAINTENANCE ACTIVITIES FOR BIORETENTION AREAS

NO.	MAINTENANCE TASK	FREQUENCY OF TASK
1	REMOVE OBSTRUCTIONS, WEEDS, DEBRIS AND TRASH FROM BIORETENTION AREA AND ITS INLETS AND OUTLETS; AND DISPOSE OF PROPERLY.	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
2	INSPECT BIORETENTION AREA FOR STANDING WATER. IF STANDING WATER DOES NOT DRAIN WITHIN 2-3 DAYS, TILL AND REPLACE THE SURFACE BIOTREATMENT SOIL WITH THE APPROVED SOIL MIX AND REPLANT.	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
3	CHECK UNDERDRAINS FOR CLOGGING. USE THE CLEANOUT RISER TO CLEAN ANY CLOGGED UNDERDRAINS.	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
4	MAINTAIN THE IRRIGATION SYSTEM AND ENSURE THAT PLANTS ARE RECEIVING THE CORRECT AMOUNT OF WATER (IF APPLICABLE).	QUARTERLY
5	ENSURE THAT THE VEGETATION IS HEALTHY AND DENSE ENOUGH TO PROVIDE FILTERING AND PROTECT SOILS FROM EROSION. PRUNE AND WEED THE BIORETENTION AREA. REMOVE AND/OR REPLACE ANY DEAD PLANTS.	ANNUALLY, BEFORE THE WET SEASON BEGINS
6	USE COMPOST AND OTHER NATURAL SOIL AMENDMENTS AND FERTILIZERS INSTEAD OF SYNTHETIC FERTILIZERS, ESPECIALLY IF THE SYSTEM USES AN UNDERDRAIN.	ANNUALLY, BEFORE THE WET SEASON BEGINS
7	CHECK THAT MULCH IS AT APPROPRIATE DEPTH (2 - 3 INCHES PER SOIL SPECIFICATIONS) AND REPLENISH AS NECESSARY BEFORE WET SEASON BEGINS. IT IS RECOMMENDED THAT 2" – 3" OF ARBOR MULCH BE REAPPLIED EVERY YEAR.	ANNUALLY, BEFORE THE WET SEASON BEGINS
8	INSPECT THE ENERGY DISSIPATION AT THE INLET TO ENSURE IT IS FUNCTIONING ADEQUATELY, AND THAT THERE IS NO SCOUR OF THE SURFACE MULCH. REMOVE ACCUMULATED SEDIMENT.	ANNUALLY, BEFORE THE WET SEASON BEGINS
9	INSPECT OVERFLOW PIPE TO ENSURE THAT IT CAN SAFELY CONVEY EXCESS FLOWS TO A STORM DRAIN. REPAIR OR REPLACE DAMAGED PIPING.	ANNUALLY, BEFORE THE WET SEASON BEGINS
10	REPLACE BIOTREATMENT SOIL AND MULCH, IF NEEDED. CHECK FOR STANDING WATER, STRUCTURAL FAILURE AND CLOGGED OVERFLOWS. REMOVE TRASH AND DEBRIS. REPLACE DEAD PLANTS.	
11	INSPECT BIORETENTION AREA USING THE ATTACHED INSPECTION CHECKLIST.	ANNUALLY, BEFORE THE WET SEASON

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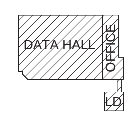
STORMWATER CONTROL DETAILS

04.09.2020



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SIZING FOR VOLUME BASED TREATMENT

DMA # 1
A= 20,439 s.f.
Impervious Area = 17,019 s.f. % Imperviousness= 83.27%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.52512858 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.54980185 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.52512858 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5402402 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 920.16 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 20,439 sq. ft
Impervious Area = 17,019 sq. ft
Pervious Area = 3,420 sq. ft
Equivalent Impervious Area = 342 sq. ft Total Equivalent Impervious = **17,361** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.701201 hrs

Estimate the Surface Area = 365 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 635.90773 cu. ft
Volume in Ponding Area = 284.25838 cu. ft
Depth of Ponding = 0.5031986 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 2
A= 11,322 s.f.
Impervious Area = 10,691 s.f. % Imperviousness= 94.43%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.55872302 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.58328034 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.55872302 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5748302 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 543.30 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 11,322 sq. ft
Impervious Area = 10,691 sq. ft
Pervious Area = 631 sq. ft
Equivalent Impervious Area = 63 sq. ft Total Equivalent Impervious = **10,754** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.8791508 hrs

Estimate the Surface Area = 320 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 383.88677 cu. ft
Volume in Ponding Area = 159.40898 cu. ft
Depth of Ponding = 0.4981531 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 3
A= 120,939 s.f.
Impervious Area = 112,100 s.f. % Imperviousness= 92.69%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.55434321 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.57807407 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.55434321 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5702955 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 5,747.69 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 120,939 sq. ft
Impervious Area = 112,100 sq. ft
Pervious Area = 8,839 sq. ft
Equivalent Impervious Area = 884 sq. ft Total Equivalent Impervious = **112,984** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.8514776 hrs

Estimate the Surface Area = 3400 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 4038.5933 cu. ft
Volume in Ponding Area = 1707.9878 cu. ft
Depth of Ponding = 0.5023493 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 4
A= 19,400 s.f.
Impervious Area = 17,203 s.f. % Imperviousness= 88.68%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.54189933 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.56802577 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.54189933 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5574874 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 901.27 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 19,400 sq. ft
Impervious Area = 17,203 sq. ft
Pervious Area = 2,197 sq. ft
Equivalent Impervious Area = 220 sq. ft Total Equivalent Impervious = **17,423** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.7874366 hrs

Estimate the Surface Area = 434 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 504.06148 cu. ft
Volume in Ponding Area = 397.20974 cu. ft
Depth of Ponding = 0.9152298 ft Depth of Ponding = 11 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 5
A= 50,925 s.f.
Impervious Area = 39,675 s.f. % Imperviousness= 77.91%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.5085352 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.53374374 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.5085352 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5231693 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 2,220.20 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 50,925 sq. ft
Impervious Area = 39,675 sq. ft
Pervious Area = 11,247 sq. ft
Equivalent Impervious Area = 1,125 sq. ft Total Equivalent Impervious = **40,800** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.6158465 hrs

Estimate the Surface Area = 1335 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 1450.0646 cu. ft
Volume in Ponding Area = 785.13511 cu. ft
Depth of Ponding = 0.5731349 ft Depth of Ponding = 6.9 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 6
A= 10,689 s.f.
Impervious Area = 7,957 s.f. % Imperviousness= 73.07%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.49352861 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.51922123 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.49352861 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5077309 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 460.72 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 10,689 sq. ft
Impervious Area = 7,957 sq. ft
Pervious Area = 2,932 sq. ft
Equivalent Impervious Area = 293 sq. ft Total Equivalent Impervious = **8,250** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.5386543 hrs

Estimate the Surface Area = 285 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 312.04293 cu. ft
Volume in Ponding Area = 148.58052 cu. ft
Depth of Ponding = 0.5040018 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 7
A= 17,148 s.f.
Impervious Area = 9,893 s.f. % Imperviousness= 57.69%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.44584476 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.47307558 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.44584476 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.4586749 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 655.45 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 17,148 sq. ft
Impervious Area = 9,893 sq. ft
Pervious Area = 7,255 sq. ft
Equivalent Impervious Area = 726 sq. ft Total Equivalent Impervious = **10,619** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.2933741 hrs

Estimate the Surface Area = 450 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 430.00765 cu. ft
Volume in Ponding Area = 225.43468 cu. ft
Depth of Ponding = 0.5008748 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 8
A= 32,265 s.f.
Impervious Area = 17,253 s.f. % Imperviousness= 53.47%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.43276569 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.46041841 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.43276569 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.4452194 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 1,197.08 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 32,265 sq. ft
Impervious Area = 17,253 sq. ft
Pervious Area = 15,012 sq. ft
Equivalent Impervious Area = 1,501 sq. ft Total Equivalent Impervious = **18,754** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.2269969 hrs

Estimate the Surface Area = 638 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 777.27883 cu. ft
Volume in Ponding Area = 419.80477 cu. ft
Depth of Ponding = 0.5009603 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

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PRELIMINARY STORMWATER CALCULATIONS

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SIZING FOR VOLUME BASED TREATMENT

DMA # 9
A= 23,258 s.f.
Impervious Area = 14,409 s.f. % Imperviousness= 61.95%

MAPsize = 14.3 Correction Factor= 1.0288
MAPpage = 13.9

Clay (D): X Sandy Clay (D): Clay Loam (D):

Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.45905392 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.48565863 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.46906392 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.4722641 inches

Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1/12 inch

Design Volume = 915.33 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 23,258 sq. ft
Impervious Area = 14,409 sq. ft
Pervious Area = 8,849 sq. ft
Equivalent Impervious Area = 885 sq. ft Total Equivalent Impervious = **15,294** sq. ft

Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.3613205 hrs

Estimate the Surface Area = 517 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 807.05615 cu. ft
Volume in Ponding Area = 308.27039 cu. ft
Depth of Ponding = 0.4996279 ft Depth of Ponding > 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 10
A= 33,283 s.f.
Impervious Area = 22,694 s.f. % Imperviousness= 68.18%

MAPsize = 14.3 Correction Factor= 1.0288
MAPpage = 13.9

Clay (D): X Sandy Clay (D): Clay Loam (D):

Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.47637337 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.50455488 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.47637337 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.4921395 inches

Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1/12 inch

Design Volume = 1,364.99 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 33,283 sq. ft
Impervious Area = 22,694 sq. ft
Pervious Area = 10,589 sq. ft
Equivalent Impervious Area = 1,059 sq. ft Total Equivalent Impervious = **23,753** sq. ft

Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.4686976 hrs

Estimate the Surface Area = 893 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 915.58455 cu. ft
Volume in Ponding Area = 449.4054 cu. ft
Depth of Ponding = 0.5032535 ft Depth of Ponding > 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 11
A= 60,134 s.f.
Impervious Area = 50,252 s.f. % Imperviousness= 83.57%

MAPsize = 14.3 Correction Factor= 1.0288
MAPpage = 13.9

Clay (D): X Sandy Clay (D): Clay Loam (D):

Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.52605677 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.5507001 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.52605677 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5411951 inches

Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1/12 inch

Design Volume = 2,712.02 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 60,134 sq. ft
Impervious Area = 50,252 sq. ft
Pervious Area = 9,882 sq. ft
Equivalent Impervious Area = 988 sq. ft Total Equivalent Impervious = **51,240** sq. ft

Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.7069755 hrs

Estimate the Surface Area = 1664 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 1876.143 cu. ft
Volume in Ponding Area = 835.87583 cu. ft
Depth of Ponding = 0.5023292 ft Depth of Ponding > 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

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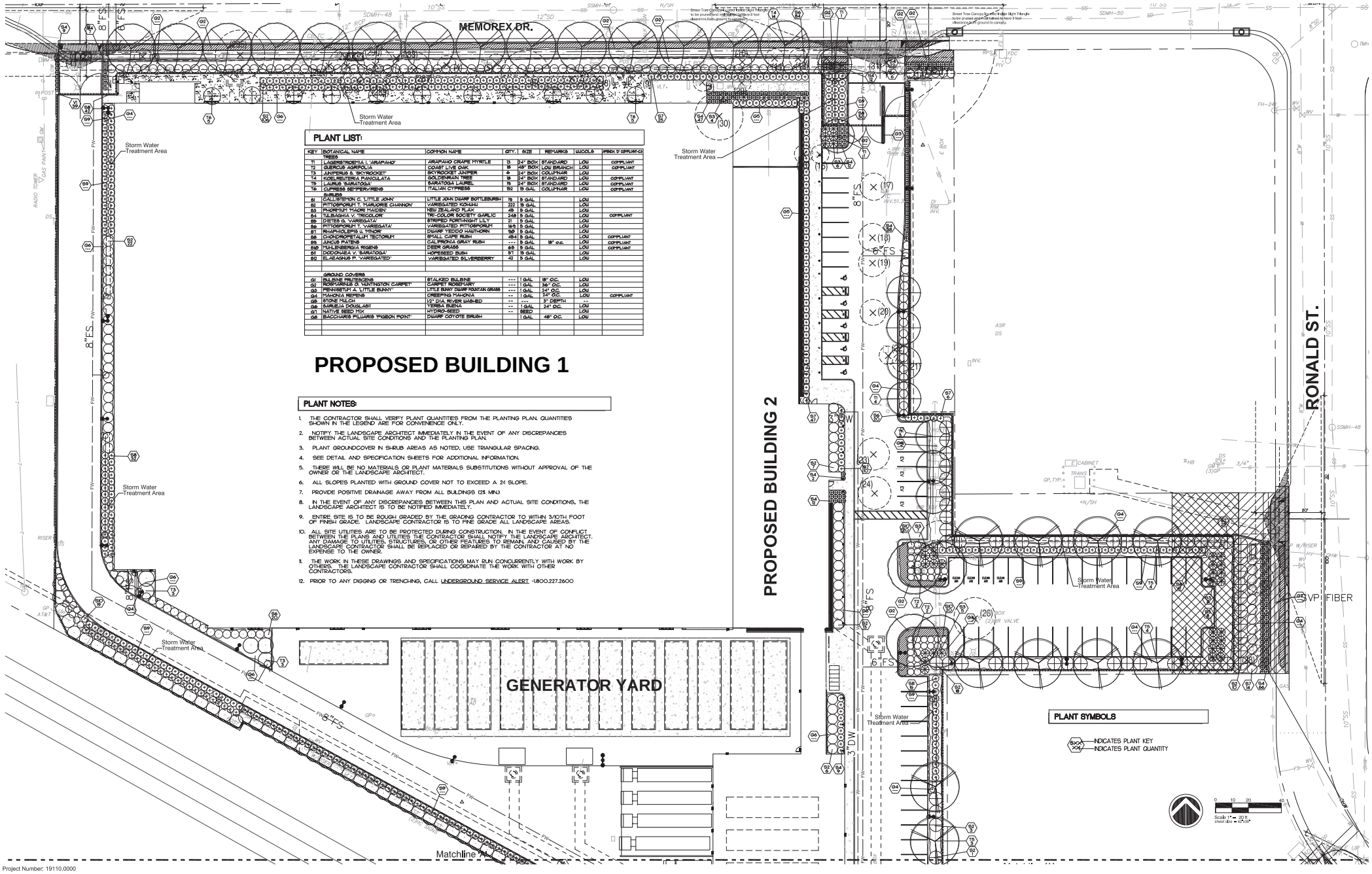

PLANT LIST:

KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	W.UCOLS	#BOX 5' COMPLIANT
	TREES						
T1	LAGERSTROEMIA I. 'ARAPAHO'	ARAPAHO CRAPE MYRTLE	15	24" BOX	STANDARD	LOW	COMPLIANT
T2	QUERCUS AGRIFOLIA	COAST LIVE OAK	18	48" BOX	LOW BRANCH	LOW	COMPLIANT
T3	JUNIPERUS S. 'SKYROCKET'	SKYROCKET JUNIPER	6	24" BOX	COLUMNAR	LOW	
T4	KOELREUTERIA PANICULATA	GOLDENRAIN TREE	18	24" BOX	STANDARD	LOW	COMPLIANT
T5	LAURUS S.'SARATOGA'	SARATOGA LAUREL	15	24" BOX	STANDARD	LOW	COMPLIANT
T6	CUPRESS SEMPERVIRENS	ITALIAN CYPRESS	52	15 GAL	COLUMNAR	LOW	COMPLIANT
	SHRUBS						
S1	CALLISTEMON C. 'LITTLE JOHN'	LITTLE JOHN DWARF BOTTLEBRUSH	19	5 GAL		LOW	
S2	PITTOSPORUM T. 'MARJORIE CHANNON'	VARIEGATED KOHUHU	222	5 GAL		LOW	
S3	PHORMIUM 'MAORI MAIDEN'	NEW ZEALAND FLAX	49	5 GAL		LOW	
S4	TULBAGHIA V. 'TRICOLOR'	TRI-COLOR SOCIETY GARLIC	248	5 GAL		LOW	COMPLIANT
S5	DIETES G. 'VARIEGATA'	STRIPED FORTNIGHT LILY	21	5 GAL		LOW	
S6	PITTOSPORUM T. 'VARIEGATA'	VARIEGATED PITTOSPORUM	165	5 GAL		LOW	
S7	RHAPHIOLEPIS I. 'PINKIE'	DWARF YEDDO HAWTHORN	50	5 GAL		LOW	
S8	CHONDROPETALUM TECTORUM	SMALL CAPE RUSH	454	5 GAL		LOW	COMPLIANT
S9	JUNCUS PATENS	CALIFORNIA GRAY RUSH	---	5 GAL	18" o.c.	LOW	COMPLIANT
S10	MUHLENBERGIA RIGENS	DEER GRASS	65	5 GAL		LOW	COMPLIANT
S11	DODONAEA V. 'SARATOGA'	HOPSEED BUSH	97	5 GAL		LOW	
S12	ELAEAGNUS P. 'VARIEGATED'	VARIEGATED SILVERBERRY	42	5 GAL		LOW	
	GROUND COVERS						
G1	BULBINE FRUTESCENS	STALKED BULBINE	---	1 GAL	18" O.C.	LOW	
G2	ROSMARINUS O. 'LENTINSTON CARPET'	CARPET ROSEMARY	--	1 GAL	36" O.C.	LOW	
G3	PENNISETUM A. 'LITTLE BUNNY'	LITTLE BUNNY DWARF FOUNTAIN GRASS	---	1 GAL	24" O.C.	LOW	
G4	TRACHELO R. REPENS	CREEPING TRACHELO	--	1 GAL	24" O.C.	LOW	COMPLIANT
G5	STONE MULCH	1/2" DIA RIVER WASHED	--	---	3" DEPTH	--	
G6	SALVIA DOUGLASII	YERBA BUENA	--	1 GAL	24" O.C.	LOW	
G7	NATIVE SEED MIX	HYDRO-SEED	--	SEED		LOW	
G8	BACCHARIS PILLARIS 'PIGEON POINT'	DWARF COYOTE BRUSH		1 GAL	48" O.C.	LOW	

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN THE LEGEND ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUNDCOVER IN SHRUB AREAS AS NOTED, USE TRIANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. ALL SLOPES PLANTED WITH GROUND COVER NOT TO EXCEED A 2:1 SLOPE.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS (2% MIN)
8. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THIS PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
9. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GRADING CONTRACTOR TO WITHIN 3/10TH FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
10. ALL SITE UTILITIES ARE TO BE PROTECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN, AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
11. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MAY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
12. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT -1.800.227.2600

Project Number: 19110.0000

SKYBOX
CORGAN
RUTH AND GOING, INC.
CRITICAL PROJECT SERVICES, LLC
kW mission critical engineering
REED ASSOCIATES LANDSCAPE ARCHITECTURE

LANDSCAPE PLANTING PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT
PATRI JAY REED
No. 5496
EXP. 9/30/2021
STATE OF CALIFORNIA

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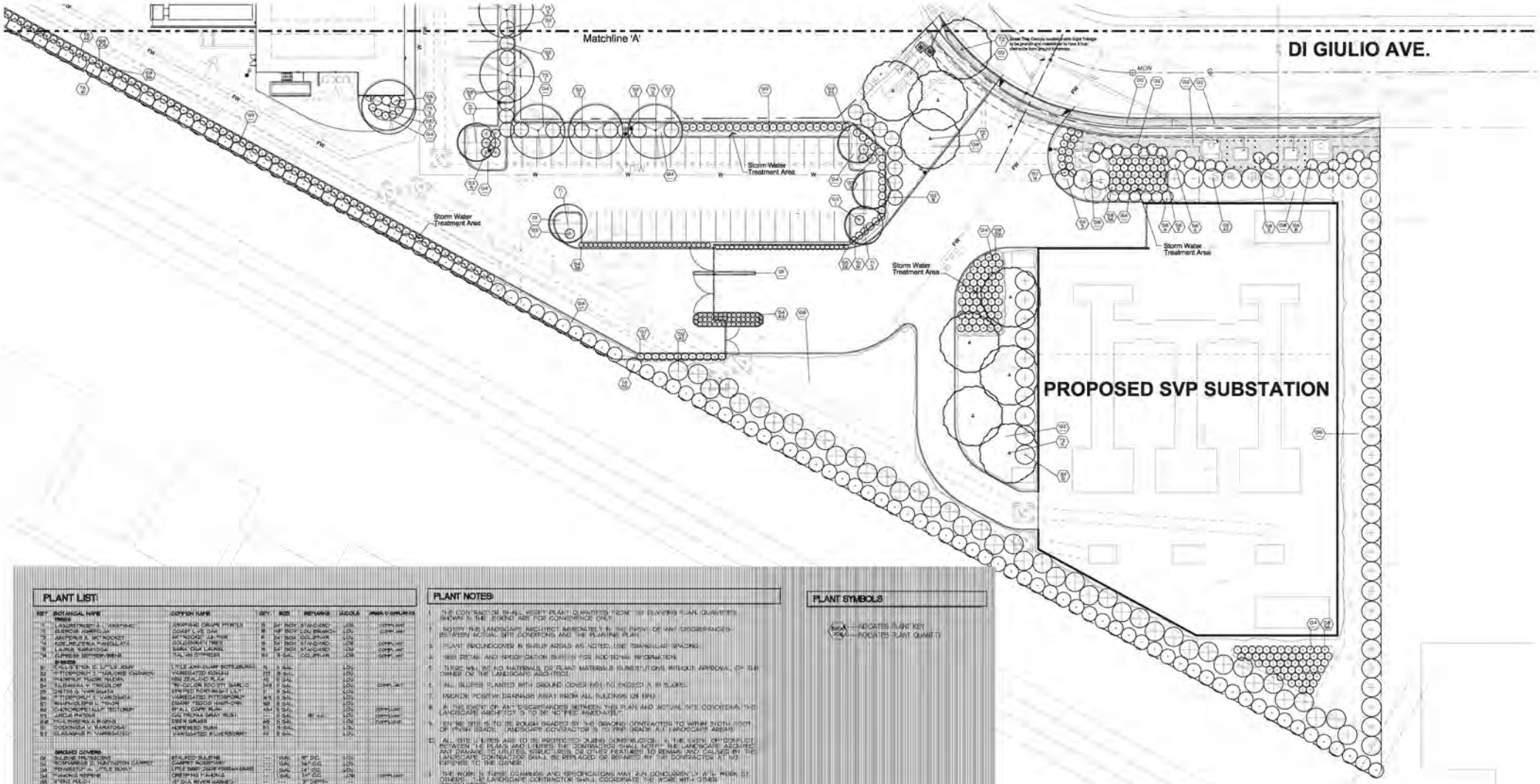

PLANT LIST:

KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	WUCOLS	WMWD WORKSHEET
	TREES						
T1	LAGERSTROEMIA L. 'WATANABE'	ARAPAHO CRAPE MYRTLE	5	24" BOX	STANDARD	LOW	COMPLIANT
T2	QUERCUS AGRIFOLIA	COAST LIVE OAK	8	48" BOX	LOW BRANCH	LOW	COMPLIANT
T3	JUNIPERUS S. 'SKYROCKET'	SKYROCKET JUNIPER	6	24" BOX	COLUMNAR	LOW	
T4	KOELREUTERIA PANICULATA	GOLDEN RAIN TREE	5	24" BOX	STANDARD	LOW	COMPLIANT
T5	LAURUS NOBILIS 'SARATOGA'	SWEET BAY LAUREL	5	24" BOX	STANDARD	LOW	COMPLIANT
T6	CUPRESSUS SEMPERVIRENS	ITALIAN CYPRESS	53	5 GAL.	COLUMNAR	LOW	COMPLIANT
	SHRUBS						
S1	CALLISTEMON C. 'LITTLE JOHN'	LITTLE JOHN BUNNY BOTTLEBRUSH	5	5 GAL.		LOW	
S2	PITTOSPORUM T. 'WILDWOOD CHARM'	VARIEGATED FOREM	77	5 GAL.		LOW	
S3	CHAMAEROP TRACHY. MUNDI	WIND SEA PALM FLAX	15	5 GAL.		LOW	
S4	ELEAGNUS V. 'PINCOLOR'	TRI-COLOR BOG TH SAILOR	149	5 GAL.		LOW	COMPLIANT
S5	PHTIS S. 'VARIGATA'	WHITED KUNFAUGHT LILY	7	5 GAL.		LOW	
S6	PITTOSPORUM T. 'VARIGATA'	VARIEGATED PITTOSPORUM	45	5 GAL.		LOW	
S7	RHAPHIOLEPIS I. 'TRIOM'	EMBER TRIOO HAWTHORN	58	5 GAL.		LOW	
S8	CHONOPETALUP TECTORUM	SMALL CAPE RUSH	454	5 GAL.		LOW	COMPLIANT
S9	JUNCUS PATENS	CALIFORNIA GRAY RUSH	11	5 GAL.	36" O.C.	LOW	COMPLIANT
S10	POLYSTICHUM A. ACULEA	SWORD GRASS	48	5 GAL.		LOW	COMPLIANT
S11	COCKIMASA V. 'SARATOGA'	HOPEMESS BUSH	53	5 GAL.		LOW	
S12	ELEAGNUS P. 'VARIEGATED'	VARIEGATED FLOWERSHRUB	29	5 GAL.		LOW	
	GROUND COVERS						
G1	SILENE PRUTECORS	STALKED SILENE	---	GAL.	36" O.C.	LOW	
G2	ROSMARINUS O. 'MINTUSTON CAMPIT'	CAMPIT ROSEMARY	---	GAL.	36" O.C.	LOW	
G3	PENNISETUM A. 'LITTLE BUNNY'	LITTLE BUNNY FOUNTAIN GRASS	---	GAL.	18" O.C.	LOW	
G4	FRAGARIA CHILOENSIS	CHILEAN STRAWBERRY	---	GAL.	24" O.C.	LOW	COMPLIANT
G5	ZONO HELICT	GOLD BLUE RIVER MARINEO	---	---	3" DEPTH	---	
G6	SLAMICA CONCLAR	TERSILA BUGLE	---	GAL.	24" O.C.	LOW	
G7	NATIVE SEED MIX	HYDRO-SEED	---	SEED	---	LOW	
G8	BACCHARIS PILULARIS 'PIGEON POINT'	DWARF COYOTE BRUSH	---	GAL.	48" O.C.	LOW	

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES "CONTAINER" SHOWN ON PLANTING PLANS QUANTITIES SHOWN IN THE PLANTING ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUNDCOVER IN SHRUB AREAS AS NOTED, USE TRIANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. ALL SLOPES PLANTED WITH GROUND COVER NO LONGER EXCEED A 3:1 SLOPE.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS OR BPU.
8. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
9. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GENERAL CONTRACTOR TO WITHIN TENTH OF FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
10. ALL SITE UTILITIES ARE TO BE INSPECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S NO EXPENSE TO THE OWNER.
11. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MAY BE CONDUCTED IN A NUMBER OF OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
12. PRIOR TO ANY DIGGING OR TRENCHING CALL UNDERGROUND SERVICE ALERT (800)227-2600.

PLANT SYMBOLS

KEY — INDICATES PLANT KEY
QTY — INDICATES PLANT QUANTITY

Scale 1" = 20 ft
Sheet size = 40"x24"

Project Number: 19110.0000

SKYBOX
CORGAN
RG RUTH AND GOBEL, INC.
CRITICAL
kW
REED ASSOCIATES

LANDSCAPE PLANTING PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT
PAUL JAY REED
No. 2008
STATE OF CALIFORNIA

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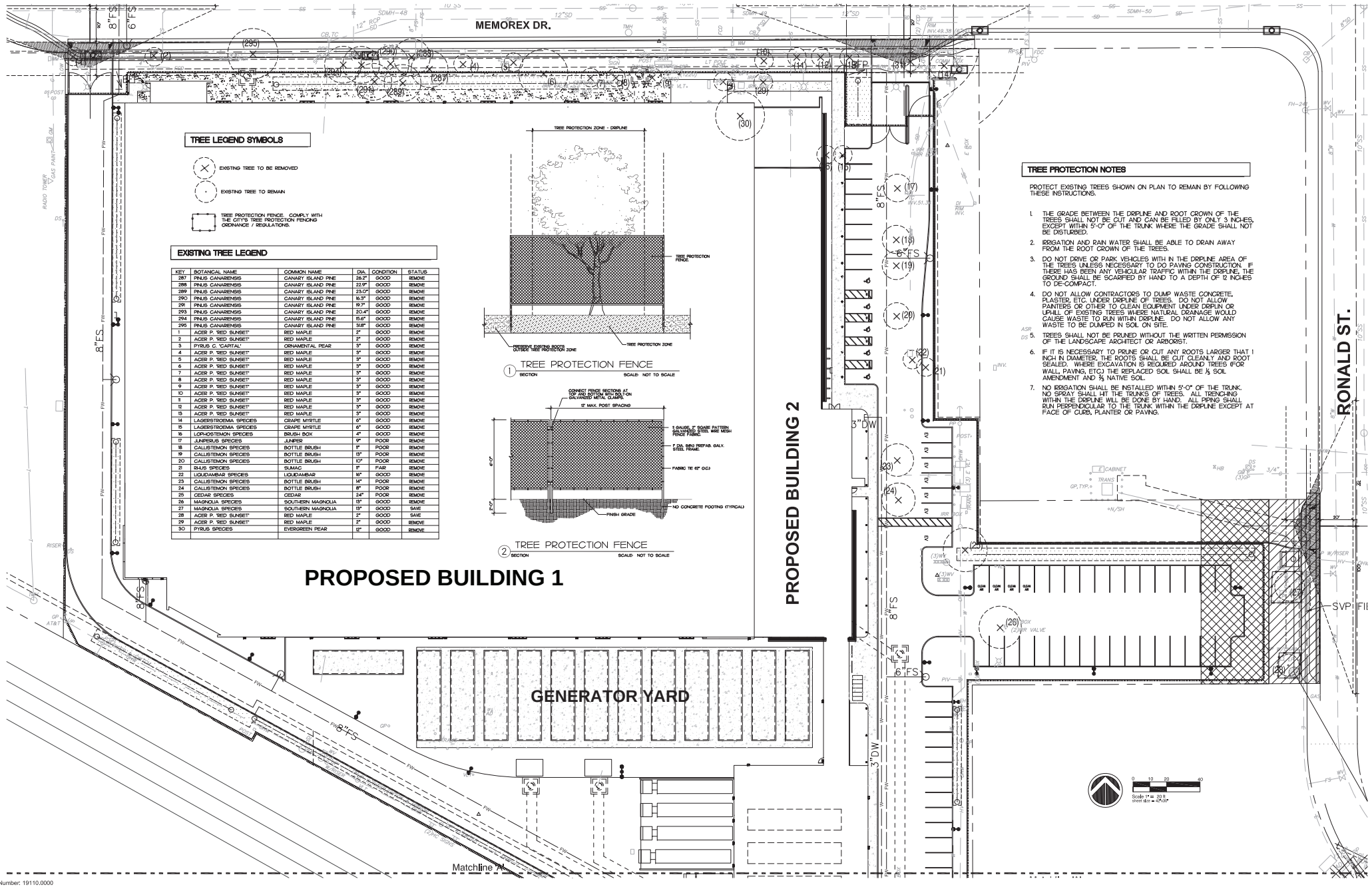

EXISTING TREE LEGEND

KEY	BOTANICAL NAME	COMMON NAME	DIA.	CONDITION	STATUS
287	PINUS CANARIENSIS	CANARY ISLAND PINE	26.2"	GOOD	REMOVE
288	PINUS CANARIENSIS	CANARY ISLAND PINE	22.9"	GOOD	REMOVE
289	PINUS CANARIENSIS	CANARY ISLAND PINE	23.0"	GOOD	REMOVE
290	PINUS CANARIENSIS	CANARY ISLAND PINE	16.3"	GOOD	REMOVE
291	PINUS CANARIENSIS	CANARY ISLAND PINE	19.7"	GOOD	REMOVE
293	PINUS CANARIENSIS	CANARY ISLAND PINE	20.4"	GOOD	REMOVE
294	PINUS CANARIENSIS	CANARY ISLAND PINE	15.6"	GOOD	REMOVE
295	PINUS CANARIENSIS	CANARY ISLAND PINE	31.8"	GOOD	REMOVE
1	ACER P. "RED SUNSET"	RED MAPLE	2"	GOOD	REMOVE
2	ACER P. "RED SUNSET"	RED MAPLE	2"	GOOD	REMOVE
3	PYRUS C. "CAPITAL"	ORNAMENTAL PEAR	3"	GOOD	REMOVE
4	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
5	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
6	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
7	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
8	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
9	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
10	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
11	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
12	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
13	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
14	LAGERSTROEMIA SPECIES	CRAPE MYRTLE	6"	GOOD	REMOVE
15	LAGERSTROEMIA SPECIES	CRAPE MYRTLE	6"	GOOD	REMOVE
16	LOPHOSTEMON SPECIES	BRUSH BOX	4"	GOOD	REMOVE
17	JUNIPERUS SPECIES	JUNIPER	9"	POOR	REMOVE
18	CALLISTEMON SPECIES	BOTTLE BRUSH	11"	POOR	REMOVE
19	CALLISTEMON SPECIES	BOTTLE BRUSH	13"	POOR	REMOVE
20	CALLISTEMON SPECIES	BOTTLE BRUSH	10"	POOR	REMOVE
21	RHUS SPECIES	SUMAC	11"	FAIR	REMOVE
22	LIQUIDAMBAR SPECIES	LIQUIDAMBAR	16"	GOOD	REMOVE
23	CALLISTEMON SPECIES	BOTTLE BRUSH	14"	POOR	REMOVE
24	CALLISTEMON SPECIES	BOTTLE BRUSH	8"	POOR	REMOVE
25	CEDAR SPECIES	CEDAR	24"	POOR	REMOVE
26	MAGNOLIA SPECIES	SOUTHERN MAGNOLIA	13"	GOOD	SAVE
27	MAGNOLIA SPECIES	SOUTHERN MAGNOLIA	13"	GOOD	SAVE
28	ACER P. "RED SUNSET"	RED MAPLE	2"	GOOD	SAVE
29	ACER P. "RED SUNSET"	RED MAPLE	2"	GOOD	REMOVE
30	PYRUS SPECIES	EVERGREEN PEAR	12"	GOOD	REMOVE

Project Number: 19110.0000

SKYBOX
CORGAN
RUTH AND GOING, INC.
CRITICAL PROJECT SERVICES, LLC
kW mission critical engineering
REED ASSOCIATES LANDSCAPE ARCHITECTURE

EXISTING TREE PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT
PAUL JAY BEED
No. 2002
EXP. 9/30/2021
STATE OF CALIFORNIA

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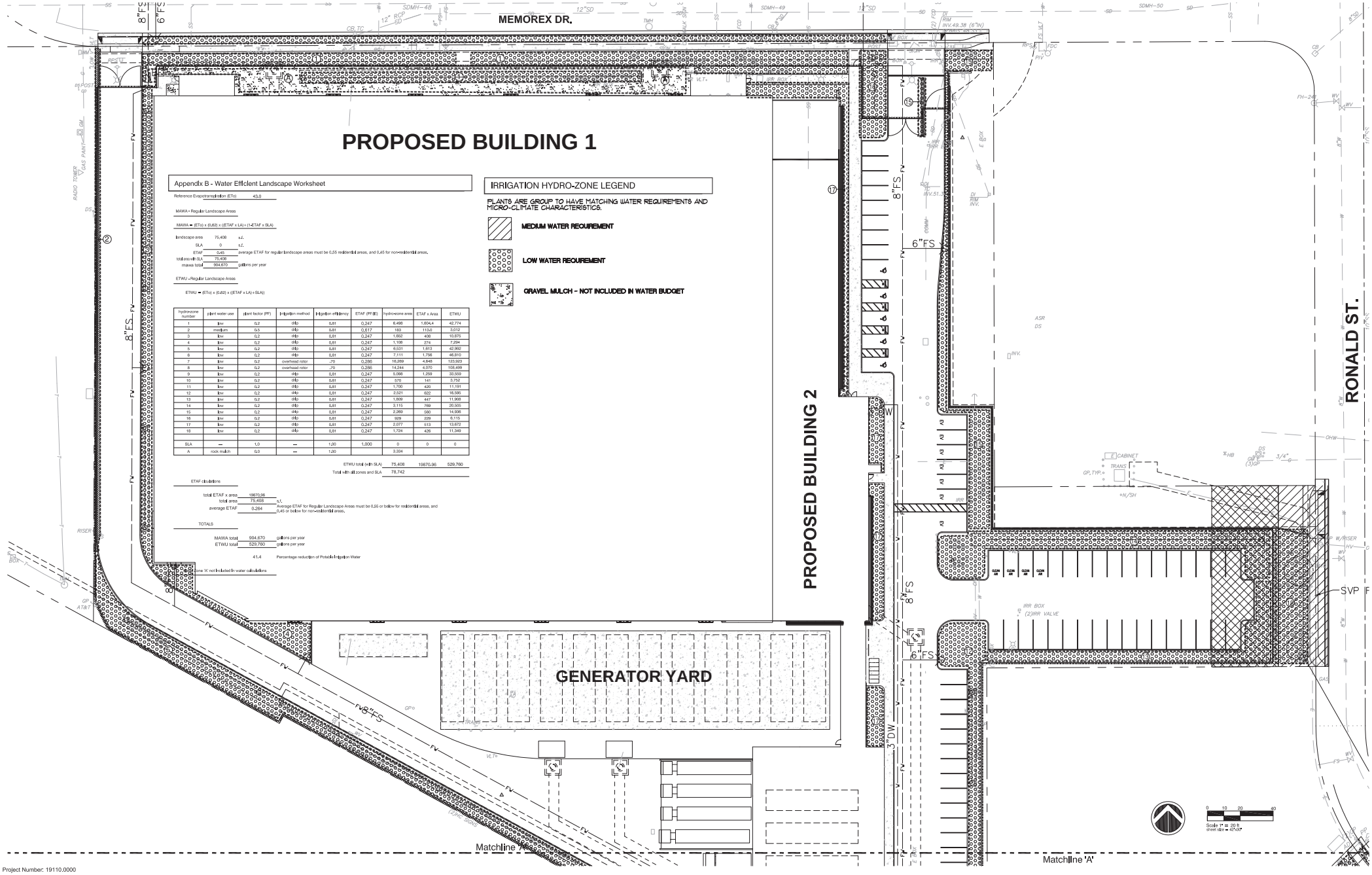

Appendix B - Water Efficient Landscape Worksheet

Reference Evapotranspiration (ETo) 43.0

MAWA - Regular Landscape Areas

MAWA = (ETo) x (0.62) x ((ETAF x LA) + (1-ETAF x SLA))

landscape area	75,408	s.f.
SLA	0	s.f.
ETAF	0.45	average ETAF for regular landscape areas must be 0.55 residential areas, and 0.45 for non-residential areas.
total area with SLA	75,408	
mawa total	994,670	gallons per year

ETWU - Regular Landscape Areas

ETWU = (ETo) x (0.62) x ((ETAF x LA) + SLA))

hydro-zone number	plant water use	plant factor (PF)	irrigation method	irrigation efficiency	ETAF (PF/IE)	hydro-zone area	ETAF x Area	ETWU
1	low	0.2	drip	0.81	0.247	6,495	1,604.4	42,774
2	medium	0.5	drip	0.81	0.617	183	113.0	3,012
3	low	0.2	drip	0.81	0.247	1,662	408	10,875
4	low	0.2	drip	0.81	0.247	1,108	274	7,294
5	low	0.2	drip	0.81	0.247	6,531	1,613	42,992
6	low	0.2	drip	0.81	0.247	7,111	1,756	46,810
7	low	0.2	overhead rotor	.70	0.286	16,269	4,648	123,923
8	low	0.2	overhead rotor	.70	0.286	14,244	4,070	108,499
9	low	0.2	drip	0.81	0.247	5,098	1,259	33,559
10	low	0.2	drip	0.81	0.247	570	141	3,752
11	low	0.2	drip	0.81	0.247	1,700	420	11,191
12	low	0.2	drip	0.81	0.247	2,521	622	16,595
13	low	0.2	drip	0.81	0.247	1,809	447	11,908
14	low	0.2	drip	0.81	0.247	3,115	769	20,505
15	low	0.2	drip	0.81	0.247	2,269	560	14,936
16	low	0.2	drip	0.81	0.247	929	229	6,115
17	low	0.2	drip	0.81	0.247	2,077	513	13,672
18	low	0.2	drip	0.81	0.247	1,724	426	11,349
SLA	—	1.0	—	1.00	1.000	0	0	0
A	rock mulch	0.0	—	1.00		3,334		

ETWU total (with SLA)	75,408	19670.96	529,760
Total with all zones and SLA	78,742		

ETAF calculations

total ETAF x area	19670.96	
total area	75,408	s.f.
average ETAF	0.264	Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

TOTALS

MAWA total	994,670	gallons per year
ETWU total	529,760	gallons per year
	41.4	Percentage reduction of Potable Irrigation Water

Zone 'A' not included in water calculations

IRRIGATION HYDRO-ZONE LEGEND

PLANTS ARE GROUP TO HAVE MATCHING WATER REQUIREMENTS AND MICRO-CLIMATE CHARACTERISTICS.

MEDIUM WATER REQUIREMENT

LOW WATER REQUIREMENT

GRAVEL MULCH - NOT INCLUDED IN WATER BUDGET

Project Number: 19110.0000

SKYBOX

CORGAN

RG RUTH AND GOING, INC.

CRITICAL PROJECT SERVICES, LLC

kW mission critical engineering

REED ASSOCIATES LANDSCAPE ARCHITECTURE

LANDSCAPE HYDROZONE PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL VAN REED No. 2002 EXP. 9/30/2021 STATE OF CALIFORNIA

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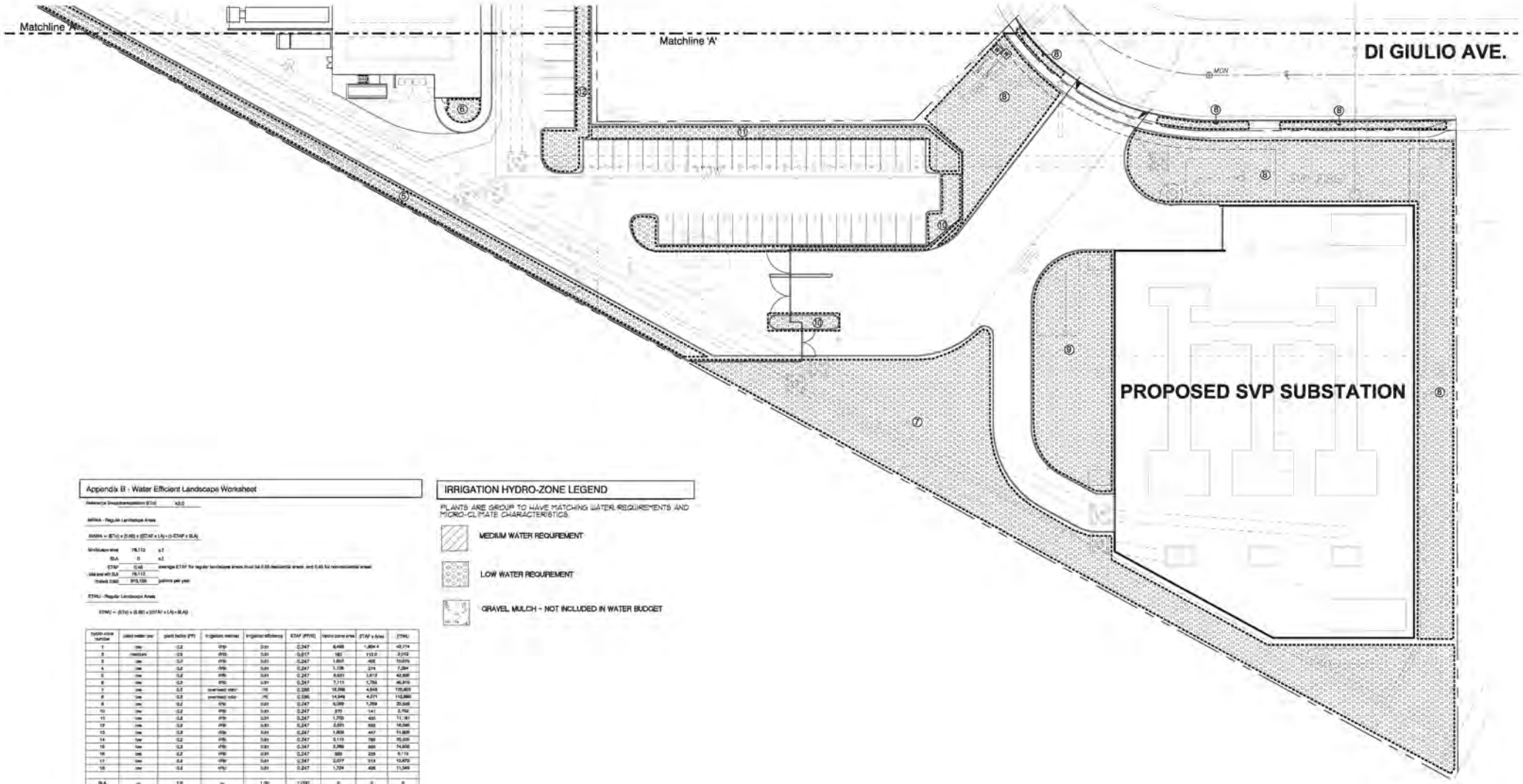

Appendix B - Water Efficient Landscape Worksheet

Reference Evapotranspiration (ETo) 43.0

MAWA - Regular Landscape Areas

MAWA = (ETo) x (0.45) x (ETAF x LA) + (1-ETAF x SLA)

landscape area	78,112	s.f.
SLA	0	s.f.
ETAF	0.45	average ETAF for regular landscape areas must be 0.55 residential areas, and 0.45 for non-residential areas
total area with SLA	78,112	
mawa total	913,128	gallons per year

ETWU - Regular Landscape Areas

ETWU = (ETo) x (0.45) x (ETAF x LA) + (SLA)

hydro-zone number	plant water use	plant factor (PF)	irrigation method	irrigation efficiency	ETAF (PF/IE)	hydro-zone area	ETAF x Area	ETWU
1	low	0.2	drip	0.81	0.247	6,498	1,604.4	42,174
2	medium	0.5	drip	0.81	0.617	183	113.0	2,012
3	low	0.2	drip	0.81	0.247	1,805	405	10,675
4	low	0.2	drip	0.81	0.247	1,108	274	7,284
5	low	0.2	drip	0.81	0.247	6,631	1,612	42,800
6	low	0.2	drip	0.81	0.247	7,115	1,756	46,210
7	low	0.2	overhead color	.75	0.286	16,298	4,648	105,805
8	low	0.2	overhead color	.75	0.286	14,948	4,271	112,880
9	low	0.2	drip	0.81	0.247	5,099	1,259	33,548
10	low	0.2	drip	0.81	0.247	570	141	3,762
11	low	0.2	drip	0.81	0.247	1,770	436	11,181
12	low	0.2	drip	0.81	0.247	2,531	622	16,560
13	low	0.2	drip	0.81	0.247	1,809	447	11,888
14	low	0.2	drip	0.81	0.247	3,115	769	20,500
15	low	0.2	drip	0.81	0.247	2,289	565	14,958
16	low	0.2	drip	0.81	0.247	900	225	5,115
17	low	0.2	drip	0.81	0.247	2,077	513	13,672
18	low	0.2	drip	0.81	0.247	1,724	426	11,349
SLA	—	1.0	—	1.00	1.000	0	0	0
A	rock mulch	0.0	—	1.00		3,984		
					ETWU total (with SLA)	78,113	20072.39	936,130
					Total with all zones and SLA	78,447		

ETAF calculations

total ETAF x area	20072.39	
total area	78,113	s.f.
average ETAF	0.284	Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas

TOTALS

MAWA total	913,128	gallons per year
ETWU total	936,130	gallons per year
	41.6	Percentage reduction of Possible irrigation Water

Note: Zone 'A' not included in water calculations

IRRIGATION HYDRO-ZONE LEGEND

PLANTS ARE GROUP TO HAVE MATCHING WATER REQUIREMENTS AND MICRO-CLIMATE CHARACTERISTICS

MEDIUM WATER REQUIREMENT

LOW WATER REQUIREMENT

GRAVEL MULCH - NOT INCLUDED IN WATER BUDGET

Scale 1" = 20 ft.
sheet size = 42"x36"

Project Number: 19110.0000

SKYBOX CORGAN RG RUTH AND GOERS, INC. CRITICAL kW REED ASSOCIATES

LANDSCAPE HYDROZONE PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL JAY REED No. 2002 EXP. 9/30/2020 STATE OF CALIFORNIA

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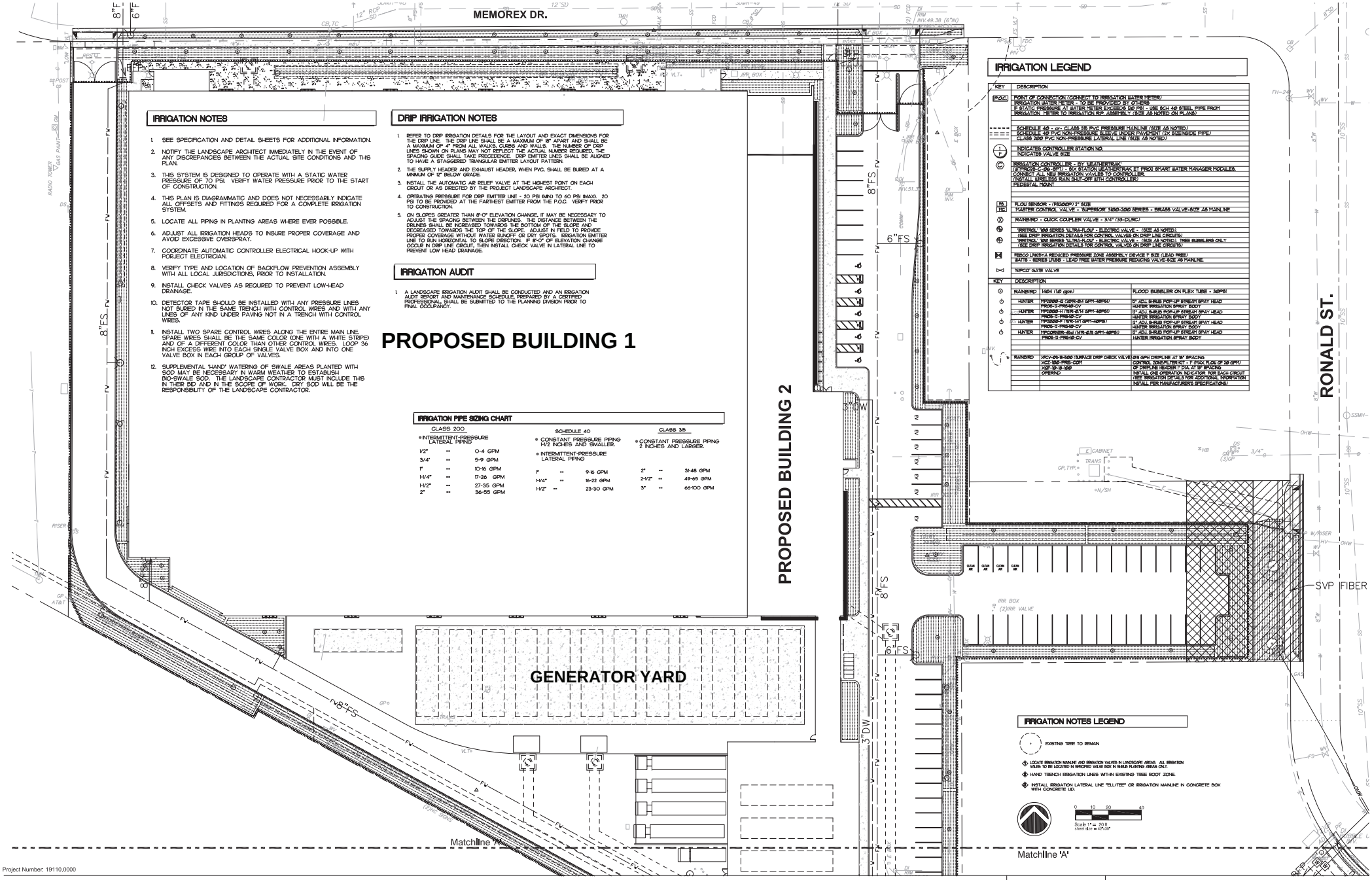
L-104



IRRIGATION NOTES

1. SEE SPECIFICATION AND DETAIL SHEETS FOR ADDITIONAL INFORMATION.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE ACTUAL SITE CONDITIONS AND THIS PLAN.
3. THIS SYSTEM IS DESIGNED TO OPERATE WITH A STATIC WATER PRESSURE OF 70 PSI. VERIFY WATER PRESSURE PRIOR TO THE START OF CONSTRUCTION.
4. THIS PLAN IS DIAGRAMMATIC AND DOES NOT NECESSARILY INDICATE ALL OFFSETS AND FITTINGS REQUIRED FOR A COMPLETE IRRIGATION SYSTEM.
5. LOCATE ALL PIPING IN PLANTING AREAS WHERE EVER POSSIBLE.
6. ADJUST ALL IRRIGATION HEADS TO INSURE PROPER COVERAGE AND AVOID EXCESSIVE OVERSPRAY.
7. COORDINATE AUTOMATIC CONTROLLER ELECTRICAL HOOK-UP WITH PORJECT ELECTRICIAN.
8. VERIFY TYPE AND LOCATION OF BACKFLOW PREVENTION ASSEMBLY WITH ALL LOCAL JURISDICTIONS, PRIOR TO INSTALLATION.
9. INSTALL CHECK VALVES AS REQUIRED TO PREVENT LOW-HEAD DRAINAGE.
10. DETECTOR TAPE SHOULD BE INSTALLED WITH ANY PRESSURE LINES NOT BURIED IN THE SAME TRENCH WITH CONTROL WIRES AND WITH ANY LINES OF ANY KIND UNDER PAVING NOT IN A TRENCH WITH CONTROL WIRES.
11. INSTALL TWO SPARE CONTROL WIRES ALONG THE ENTIRE MAIN LINE. SPARE WIRES SHALL BE THE SAME COLOR (ONE WITH A WHITE STRIPE) AND OF A DIFFERENT COLOR THAN OTHER CONTROL WIRES. LOOP 36 INCH EXCESS WIRE INTO EACH SINGLE VALVE BOX AND INTO ONE VALVE BOX IN EACH GROUP OF VALVES.
12. SUPPLEMENTAL "HAND" WATERING OF SWALE AREAS PLANTED WITH SOD MAY BE NECESSARY IN WARM WEATHER TO ESTABLISH BIO-SWALE SOD. THE LANDSCAPE CONTRACTOR MUST INCLUDE THIS IN THEIR BID AND IN THE SCOPE OF WORK. DRY SOD WILL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.

DRIP IRRIGATION NOTES

1. REFER TO DRIP IRRIGATION DETAILS FOR THE LAYOUT AND EXACT DIMENSIONS FOR THE DRIP LINE. THE DRIP LINE SHALL BE A MAXIMUM OF 18" APART AND SHALL BE A MAXIMUM OF 4" FROM ALL WALKS, CURBS AND WALLS. THE NUMBER OF DRIP LINES SHOWN ON PLANS MAY NOT REFLECT THE ACTUAL NUMBER REQUIRED. THE SPACING GUIDE SHALL TAKE PRECEDENCE. DRIP EMITTER LINES SHALL BE ALIGNED TO HAVE A STAGGERED TRIANGULAR EMITTER LAYOUT PATTERN.
2. THE SUPPLY HEADER AND EXHAUST HEADER, WHEN PVC, SHALL BE BURIED AT A MINIMUM OF 12" BELOW GRADE.
3. INSTALL THE AUTOMATIC AIR RELIEF VALVE AT THE HIGHEST POINT ON EACH CIRCUIT OR AS DIRECTED BY THE PROJECT LANDSCAPE ARCHITECT.
4. OPERATING PRESSURE FOR DRIP EMITTER LINE - 20 PSI MIN TO 60 PSI (MAX). 20 PSI TO BE PROVIDED AT THE FARTHEST EMITTER FROM THE P.O.C. VERIFY PRIOR TO CONSTRUCTION.
5. ON SLOPES GREATER THAN 8'-0" ELEVATION CHANGE, IT MAY BE NECESSARY TO ADJUST THE SPACING BETWEEN THE DRIPLINES. THE DISTANCE BETWEEN THE DRLINES SHALL BE INCREASED TOWARDS THE BOTTOM OF THE SLOPE AND DECREASED TOWARDS THE TOP OF THE SLOPE. ADJUST IN FIELD TO PROVIDE PROPER COVERAGE WITHOUT WATER RUNOFF OR DRY SPOTS. IRRIGATION EMITTER LINE TO RUN HORIZONTAL TO SLOPE DIRECTION. IF 8'-0" OF ELEVATION CHANGE OCCUR IN DRIP LINE CIRCUIT, THEN INSTALL CHECK VALVE IN LATERAL LINE TO PREVENT LOW HEAD DRAINAGE.

IRRIGATION AUDIT

1. A LANDSCAPE IRRIGATION AUDIT SHALL BE CONDUCTED AND AN IRRIGATION AUDIT REPORT AND MAINTENANCE SCHEDULE, PREPARED BY A CERTIFIED PROFESSIONAL, SHALL BE SUBMITTED TO THE PLANNING DIVISION PRIOR TO FINAL OCCUPANCY.

IRRIGATION PIPE SIZING CHART

CLASS 200			SCHEDULE 40			CLASS 315		
* INTERMITTENT-PRESSURE LATERAL PIPING			* CONSTANT PRESSURE PIPING 1-1/2 INCHES AND SMALLER.			* CONSTANT PRESSURE PIPING 2 INCHES AND LARGER.		
* INTERMITTENT-PRESSURE LATERAL PIPING								
1/2"	=	0-4 GPM	1"	=	9-16 GPM	2"	=	31-48 GPM
3/4"	=	5-9 GPM	1-1/4"	=	16-22 GPM	2-1/2"	=	49-65 GPM
1"	=	10-16 GPM	1-1/2"	=	23-30 GPM	3"	=	66-100 GPM
1-1/4"	=	17-26 GPM						
1-1/2"	=	27-35 GPM						
2"	=	36-55 GPM						

IRRIGATION LEGEND

KEY	DESCRIPTION
(P.O.C.)	POINT OF CONNECTION (CONNECT TO IRRIGATION WATER METER)
	IRRIGATION WATER METER - TO BE PROVIDED BY OTHERS
	IF STATIC PRESSURE AT WATER METER EXCEEDS 150 PSI - USE SCH 40 STEEL PIPE FROM IRRIGATION METER TO IRRIGATION R.P. ASSEMBLY (SIZE AS NOTED ON PLANS)
	SCHEDULE 40 - or - CLASS 315 PVC PRESSURE MAINLINE (SIZE AS NOTED)
	SCHEDULE 40 PVC NON-PRESSURE SLEEVE UNDER PAVEMENT (2X SIZE INSIDE PIPE)
	CLASS 200 PVC NON-PRESSURE LATERAL LINE (SIZE AS NOTED)
1 / 1	INDICATES CONTROLLER STATION NO. INDICATES VALVE SIZE
C	IRRIGATION CONTROLLER - BY WEATHERTRAK (WTMPRO-C-06-SMT) - BOX STATION WEATHERTRAK BY PROT SMART WATER MANAGER MODULES. CONNECT ALL 120V IRRIGATION VALVES TO CONTROLLER. (INSTALL WIRELESS RAIN SHUT-OFF WITH CONTROLLER) PEDESTAL MOUNT
FS / FC	FLOW SENSOR - (FS2000P) 2" SIZE
	MASTER CONTROL VALVE - "SUPERSORT 3100-1000 SERIES - BRASS VALVE-SIZE AS MAINLINE
	RAINBIRD - QUICK COUPLER VALVE - 3/4" (33-DLRC)
	"WRITROL" 100 SERIES "ULTRA-FLOW" - ELECTRIC VALVE - (SIZE AS NOTED). (SEE DRIP IRRIGATION DETAILS FOR CONTROL VALVES ON DRIP LINE CIRCUITS)
	"WRITROL" 100 SERIES "ULTRA-FLOW" - ELECTRIC VALVE - (SIZE AS NOTED). TREE BUBBLERS ONLY (SEE DRIP IRRIGATION DETAILS FOR CONTROL VALVES ON DRIP LINE CIRCUITS)
	FEBCO LF825Y-A REDUCED PRESSURE ZONE ASSEMBLY DEVICE T SIZE (LEAD FREE)
	WATS - SERIES LF880 - LEAD FREE WATER PRESSURE REDUCING VALVE-SIZE AS MAINLINE
	"NIPCO" GATE VALVE

KEY	DESCRIPTION		
	RAINBIRD	1404 (1.0 gpm)	FLOOD BUBBLER ON FLEX TUBE - 30PSI
	HUNTER	PP2000-Q (10PR-8'x 6GPM-40PSI)	5' ADJ. SHRUB POP-UP STREAM SPRAY HEAD
		PROS-2-PRS40-CV	HUNTER IRRIGATION SPRAY BODY
	HUNTER	PP2000-H (15PR-8'x14 GPM-40PSI)	15' ADJ. SHRUB POP-UP STREAM SPRAY HEAD
		PROS-2-PRS40-CV	HUNTER IRRIGATION SPRAY BODY
	HUNTER	PP2000-F (19PR-14' GPM-40PSI)	21' ADJ. SHRUB POP-UP STREAM SPRAY HEAD
		PROS-2-PRS40-CV	HUNTER IRRIGATION SPRAY BODY
	HUNTER	PP2CORNER-8x4 (14PR-8'x8 GPM-40PSI)	15' ADJ. SHRUB POP-UP STREAM SPRAY HEAD
		PROS-2-PRS40-CV	HUNTER IRRIGATION SPRAY BODY
	RAINBIRD	XFCV-06-18-1000 (SURFACE DRIP CHECK VALVE) 6/6 GPM DRIPLINE AT 18" SPACING	
		XCZ-100-PRB-COM	CONTROL ZONE/FILTER KIT - 1" (MAX. FLOW OF 10 GPM)
		XQF-12-18-100	OF DRIPLINE HEADER 1" DIA. AT 18" SPACING
		OPERIND	INSTALL ONE OPERATION INDICATOR FOR EACH CIRCUIT. TREE IRRIGATION DETAILS FOR ADDITIONAL INFORMATION. INSTALL PER MANUFACTURER'S SPECIFICATIONS)

IRRIGATION NOTES LEGEND

- EXISTING TREE TO REMAIN
- LOCATE IRRIGATION MAINLINE AND IRRIGATION VALVES IN LANDSCAPE AREAS. ALL IRRIGATION VALES TO BE LOCATED IN SPECIFIED VALVE BOX IN SHRUB PLANTING AREAS ONLY.
- HAND TRENCH IRRIGATION LINES WITHIN EXISTING TREE ROOT ZONE.
- INSTALL IRRIGATION LATERAL LINE "ELL/TEE" OR IRRIGATION MAINLINE IN CONCRETE BOX WITH CONCRETE LID.

0 10 20 40
Scale 1" = 20 ft
sheet size = 42x30"

Project Number: 19110.0000

SKYBOX CORGAN RG RUTH AND GOING, INC. CRITICAL PROJECT SERVICES, LLC kW mission critical engineering REED ASSOCIATES LANDSCAPE ARCHITECTURE

PRELIMINARY IRRIGATION PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL JAY REED No. 2002 EXP. 9/30/2021 STATE OF CALIFORNIA

DATA HALL OFFICE

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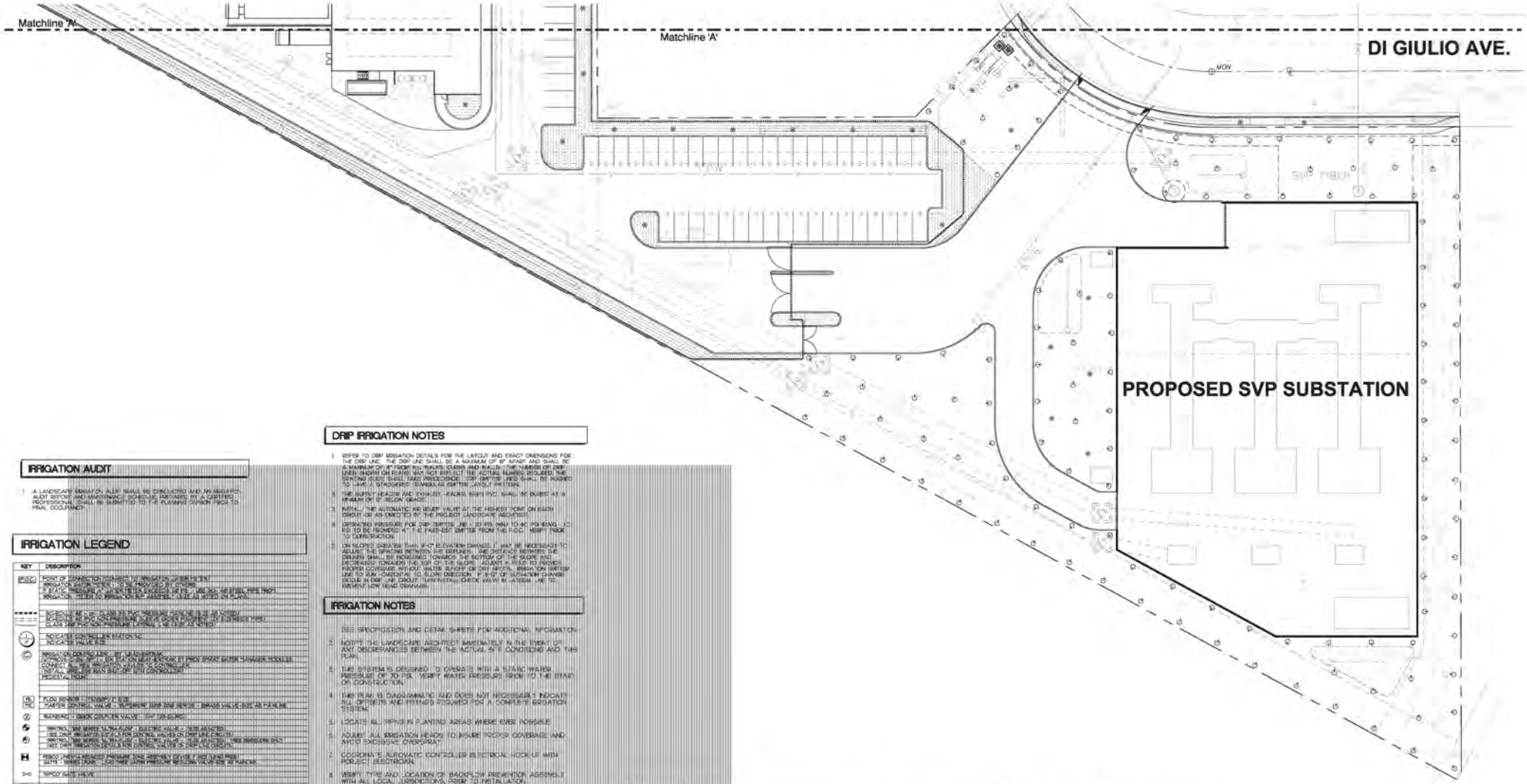

IRRIGATION AUDIT

1. A LANDSCAPE IRRIGATION AUDIT SHALL BE CONDUCTED AND AN IRRIGATION AUDIT REPORT AND MAINTENANCE SCHEDULE PREPARED BY A CERTIFIED PROFESSIONAL SHALL BE SUBMITTED TO THE PLANNING DIVISION PRIOR TO FINAL OCCUPANCY.

IRRIGATION LEGEND

KEY	DESCRIPTION
POC	POINT OF CONNECTION (CONNECT TO IRRIGATION WATER LINE) IRRIGATION WATER METER (TO BE PROVIDED BY OWNER) 2 STATIC PRESSURE 7 - 40 PSI (IF PRESSURE EXCEEDS 80 PSI, USE SCH. 40 PIPE) IRRIGATION METER TO BE INSTALLED BY APPROVED CONTRACTOR AS NOTED ON PLANS
	MAINLINE PIPE: SCH 40 PVC PIPE UNDERGROUND PIPE SIZE AS NOTED MAINLINE PIPE: SCH 40 PVC UNDERGROUND PIPE SIZE AS NOTED SLEEVE PIPE: CLASS 200 PVC NON-PRESSURE LATERAL LINE PIPE SIZE AS NOTED
	INDICATES CONTROL LINE STATION NO. INDICATES VALVE SIZE
	IRRIGATION CONTROLLER - WALL MOUNTED INTERFACE WITH EXISTING CONTROLLER (SEE SPECS) - SEE PLAN ON NEXT SHEET FOR SPRAY WATER HARVESTING MODULES CONTROL LINE - 24 VOLT AC CONNECTIONS (INSTALL AND TEST BACK STOP OFF WITH CONTRACTOR REPRESENTATIVE)
FS / RS	FLOW SENSOR - DESIGNATE FLOW FAIRTER SENTINEL VALVE - NORMALLY OPEN ZONE SENSOR - BRASS VALVE SHOWN FOR PURPOSE
	MAINLINE - BRASS SHUTOFF VALVE - SAY 2-1/2 SCHED
	WATER SAVER SERIES 'ULTRA FLOW' - ELECTRIC VALVE - SEE SPECIFICATIONS (SEE DRIP IRRIGATION DETAILS FOR CONTROL VALVES ON DRIP LINE CIRCUITS)
	WATER SAVER SERIES 'ULTRA FLOW' - ELECTRIC VALVE - SEE SPECIFICATIONS (SEE DRIP IRRIGATION DETAILS FOR CONTROL VALVES ON DRIP LINE CIRCUITS) - THREE SWING ELBOWS ONLY
	REBUILD LANDSCAPE IRRIGATION PRESSURE ZONE ASSEMBLY (DOUBLE CHECK VALVE ASSEMBLY) GATE - SERVICE ZONE - LOCKTAGS LANDSCAPE PRESSURE REDUCING VALVE SIZE AS PLANNED
	10"CO" GATE VALVE

KEY	DESCRIPTION	
	MAINLINE - PVC - 2" SCH 40	PLACED BURIED ON TOP OF PIPE - 12" BELOW
	WATER - PROSPRAY 12 SERIES 6.0 (SPY-12PC) PROS-12 PRESS CO	6" ABOVE WATER UP THROUGH SPRAY HEAD WATER IRRIGATION SPACE - SCH 40
	WATER - PROSPRAY 1 TURF 6.0 (SPY-1PC) PROS-1 PRESS CO	12" ABOVE WATER UP THROUGH SPRAY HEAD WATER IRRIGATION SPACE - SCH 40
	WATER - PROSPRAY 2 TURF 6.0 (SPY-2PC) PROS-2 PRESS CO	12" ABOVE WATER UP THROUGH SPRAY HEAD WATER IRRIGATION SPACE - SCH 40
	WATER - PROSPRAY 4 TURF 6.0 (SPY-4PC) PROS-4 PRESS CO	12" ABOVE WATER UP THROUGH SPRAY HEAD WATER IRRIGATION SPACE - SCH 40
	MAINLINE - PVC - 2" SCH 40	6" ABOVE WATER UP THROUGH SPRAY HEAD WATER IRRIGATION SPACE - SCH 40
	MAINLINE - VICTORIAN - 2" SCH 40 - SEE DRIP DETAILS FOR DRIP LINE CIRCUITS	SEE DRIP DETAILS FOR DRIP LINE CIRCUITS
		SCH 40 - PVC - 2"
		DRIP - 18" - 24"
		OPTIONAL
		INSTALL ONE OPERATION INDICATOR FOR EACH CIRCUIT (SEE IRRIGATION DETAILS FOR ADDITIONAL INFORMATION) INSTALL PER MANUFACTURER'S SPECIFICATIONS

DRIP IRRIGATION NOTES

1. REFER TO DRIP IRRIGATION DETAILS FOR THE LAYOUT AND EXACT DIMENSIONS FOR THE DRIP LINE. THE DRIP LINE SHALL BE A MAXIMUM OF 18" APART AND SHALL BE A MINIMUM OF 18" FROM ALL WALKS, CURBS AND WALLS. THE NUMBER OF DRIP LINES SHOWN ON PLANS MAY NOT REFLECT THE ACTUAL NUMBER REQUIRED. THE SPACING GUIDE SHALL TAKE PRECEDENCE. DRIP EMITTER LINES SHALL BE ADJUSTED TO HAVE A STAGGERED TRIANGULAR EMITTER LAYOUT PATTERN.
2. THE SUPPLY HEADER AND EXHAUST HEADER MUST PVC SHALL BE BURIED AT A MINIMUM OF 12" BELOW GRADE.
3. INSTALL THE AUTOMATIC AIR RELIEF VALVE AT THE HIGHEST POINT ON EACH CIRCUIT OR AS DIRECTED BY THE PROJECT LANDSCAPE ARCHITECT.
4. OPERATING PRESSURE FOR DRIP EMITTER ARE 30 PSI (MIN) TO 40 PSI (MAX). 30 PSI TO BE PROVIDED AT THE FARTHEST EMITTER FROM THE P.O.C. VERIFY PRIOR TO CONSTRUCTION.
5. ON SLOPES GREATER THAN 8"OF ELEVATION CHANGE, IT MAY BE NECESSARY TO ADJUST THE SPACING BETWEEN THE EMITTERS. THE DISTANCE BETWEEN THE EMITTERS SHALL BE INCREASING TOWARDS THE BOTTOM OF THE SLOPE AND DECREASED TOWARDS THE TOP OF THE SLOPE. ADJUST IN FIELD TO PROVIDE PROPER COVERAGE WITHOUT WATER RUNOFF OR DRY SPOTS. IRRIGATION EMITTER LINE TO RUN HORIZONTAL TO SLOPE DIRECTION. IF 8"OF ELEVATION CHANGE OCCUR IN DRIP LINE CIRCUIT, THEN INSTALL CHECK VALVE IN LATERAL LINE TO PREVENT LOW HEAD DRAINAGE.

IRRIGATION NOTES

1. SEE IRRIGATION AND DETAIL SHEETS FOR ADDITIONAL INFORMATION.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE ACTUAL SITE CONDITIONS AND THIS PLAN.
3. THE SYSTEM IS DESIGNED TO OPERATE WITH A STATIC WATER PRESSURE OF 70 PSI. VERIFY WATER PRESSURE PRIOR TO THE START OF CONSTRUCTION.
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5. LOCATE ALL PIPING IN PLANTING AREAS WHERE EVER POSSIBLE.
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7. COORDINATE AUTOMATIC CONTROLLER ELECTRICAL HOOKUP WITH PROJECT ELECTRICIAN.
8. VERIFY TYPE AND LOCATION OF BACKFLOW PREVENTION ASSEMBLY WITH ALL LOCAL JURISDICTIONS PRIOR TO INSTALLATION.
9. INSTALL CHECK VALVES AS REQUIRED TO PREVENT LOW-HEAD DRAINAGE.
10. DETECTOR TAPE SHOULD BE INSTALLED WITH ANY PRESSURE LINES NOT BURIED IN THE SAME TRENCH WITH CONTROL WIRES AND WITH ANY LINES OF ANY KIND UNDER PAVING NOT IN A TRENCH WITH CONTROL WIRES.
11. INSTALL TWO SPARE CONTROL WIRES ALONG THE ENTIRE MAIN LINE. SPARE WIRES SHALL BE THE SAME COLOR (ONE WITH A WHITE STRIPE) AND OF A DIFFERENT COLOR THAN OTHER CONTROL WIRES. LOOP 3M INCH EXCESS WIRE INTO EACH SINGLE VALVE BOX AND INTO ONE VALVE BOX IN EACH GROUP OF VALVES.
12. SUPPLEMENTAL HAND WATERING OF SWALE AREAS PLANTED WITH SOD MAY BE NECESSARY IN WARM WEATHER TO ESTABLISH SOD-SWALE SOD. THE LANDSCAPE CONTRACTOR MUST INCLUDE THIS IN THEIR BID AND IN THE SCOPE OF WORK. DRY SOD WILL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.

IRRIGATION PIPE SIZING CHART

CLASS 200		
■ INTERMITTENT PRESSURE LATERAL PIPING		
1/2"	=	0-4 GPM
3/4"	=	5-9 GPM
1"	=	10-16 GPM
1-1/4"	=	17-26 GPM
1-1/2"	=	27-35 GPM
2"	=	36-70 GPM

SCHEDULE 40			CLASS 35		
● CONSTANT PRESSURE PIPING 1-1/2 INCHES AND SMALLER.			● CONSTANT PRESSURE PIPING 2 INCHES AND LARGER.		
● INTERMITTENT PRESSURE LATERAL PIPING					
1"	=	9-16 GPM	2"	=	31-48 GPM
1-1/4"	=	16-12 GPM	2-1/2"	=	49-65 GPM
1-1/2"	=	23-30 GPM	3"	=	66-100 GPM

IRRIGATION NOTES LEGEND

- EXISTING TREE TO REMAIN
- ① LOCATE IRRIGATION MAINLINE AND IRRIGATION VALVES IN LANDSCAPE AREAS. ALL IRRIGATION VALVES TO BE LOCATED IN SPECIFIED VALVE BOX IN SHRUB PLANTING AREAS ONLY.
- ② HAND TRENCH IRRIGATION LINES WITHIN EXISTING TREE ROOT ZONE.
- ③ INSTALL IRRIGATION LATERAL LINE "BLUTEST" OR IRRIGATION MAINLINE IN CONCRETE BOX WITH CONCRETE LID.

Scale 1" = 20'-0"
Elevation = 427.00'

Project Number: 191 10.0000

SKYBOX | CORGAN | RG RUTH AND GOING, INC. | CRITICAL | kW | REED ASSOCIATES LANDSCAPE ARCHITECTS

PRELIMINARY IRRIGATION PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL JAY REED No. 2002 EXP. 11/30/2020 STATE OF CALIFORNIA

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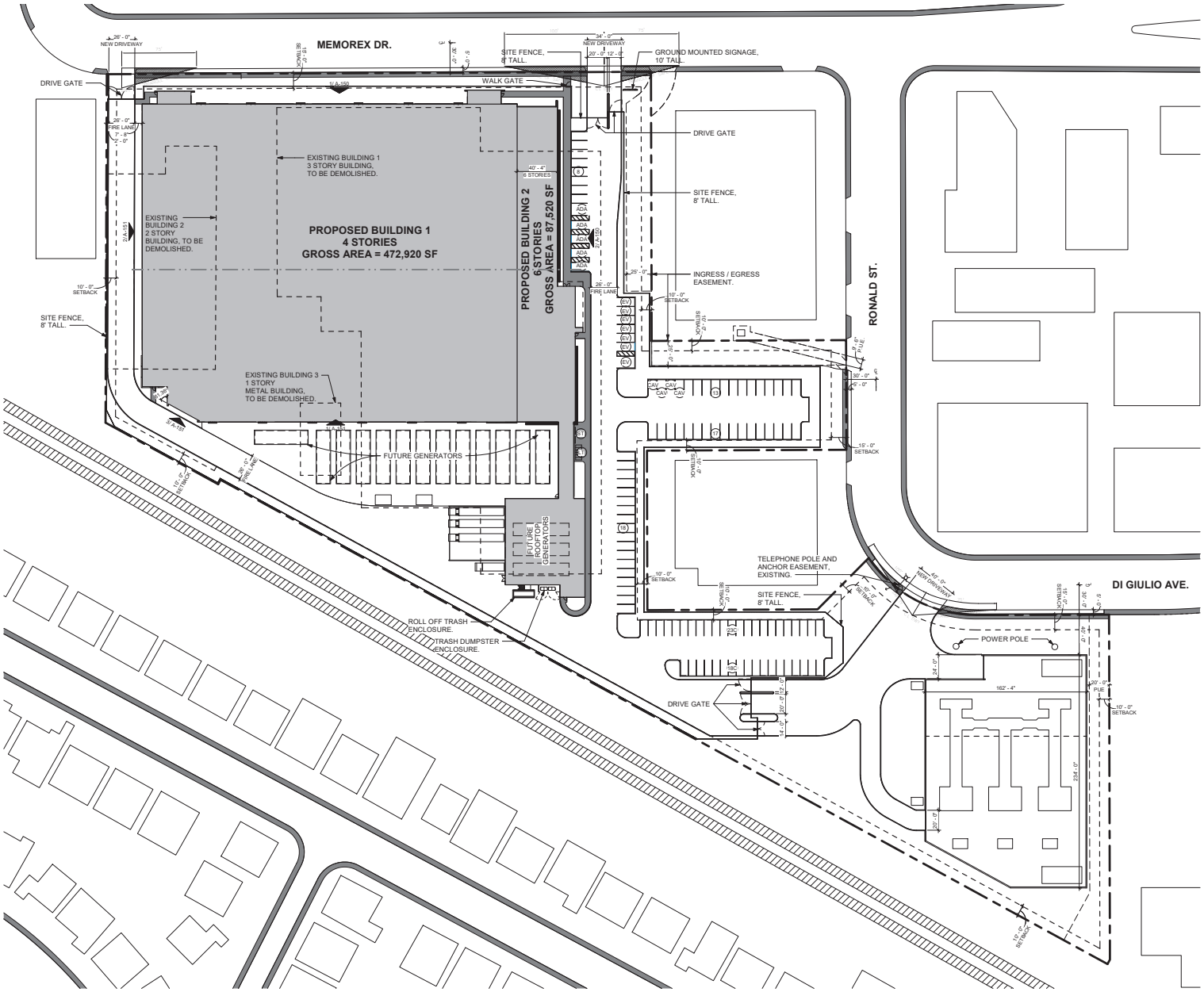

EXISTING

LOT SIZE - 400,038± SF - 9.18 ACRES

3 EXISTING BUILDINGS - TO BE DEMOLISHED

BUILDING 1 - FACTORY - 3 STORIES @ 116,679± SF BUILDING FOOTPRINT
BUILDING 2 - FACTORY - 2 STORIES @ 22,996± SF BUILDING FOOTPRINT
BUILDING 3 - STORAGE - 1 STORY @ 2,944± SF BUILDING FOOTPRINT

LOT COVERAGE - 142,619± SF - 36%

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF
PROD. DATA HALL - 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL - 6 @ 19,780 SF = 118,680 SF
MECH GALLERY - 24 @ 3,536 SF = 84,860 SF
UPS - 30 @ 2,275 SF =68,250 SF
OPEN OFFICE - 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC. -118,970 SF

* PRODUCTION AND DEVELOPMENT DATA HALLS ARE IDENTIFIABLE BY THEIR BACKUP POWER GENERATION.
- PRODUCTION DATA HALL - BACKUP POWER GENERATION PROVIDED FOR 100% OF LOAD
- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

PARKING

112 REQUIRED SPACES @ 1 PER 5,000 SF
113 PARKING SPACES PROVIDED
56 PARKING SPACES
41 COMPACT PARKING SPACES (C)
11 CLEAN AIR VEHICLE PARKING SPACES (CAV)
7 FUTURE EV CHARGING SPACES (EV)
5 ADA ACCESSIBLE SPACES (ADA)

BICYCLE PARKING - 5% SHORT & LONG TERM
6 SHORT TERM SPACES (ST)
6 LONG TERM SPACES (LT)

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

SITE PLAN

1" = 40'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE

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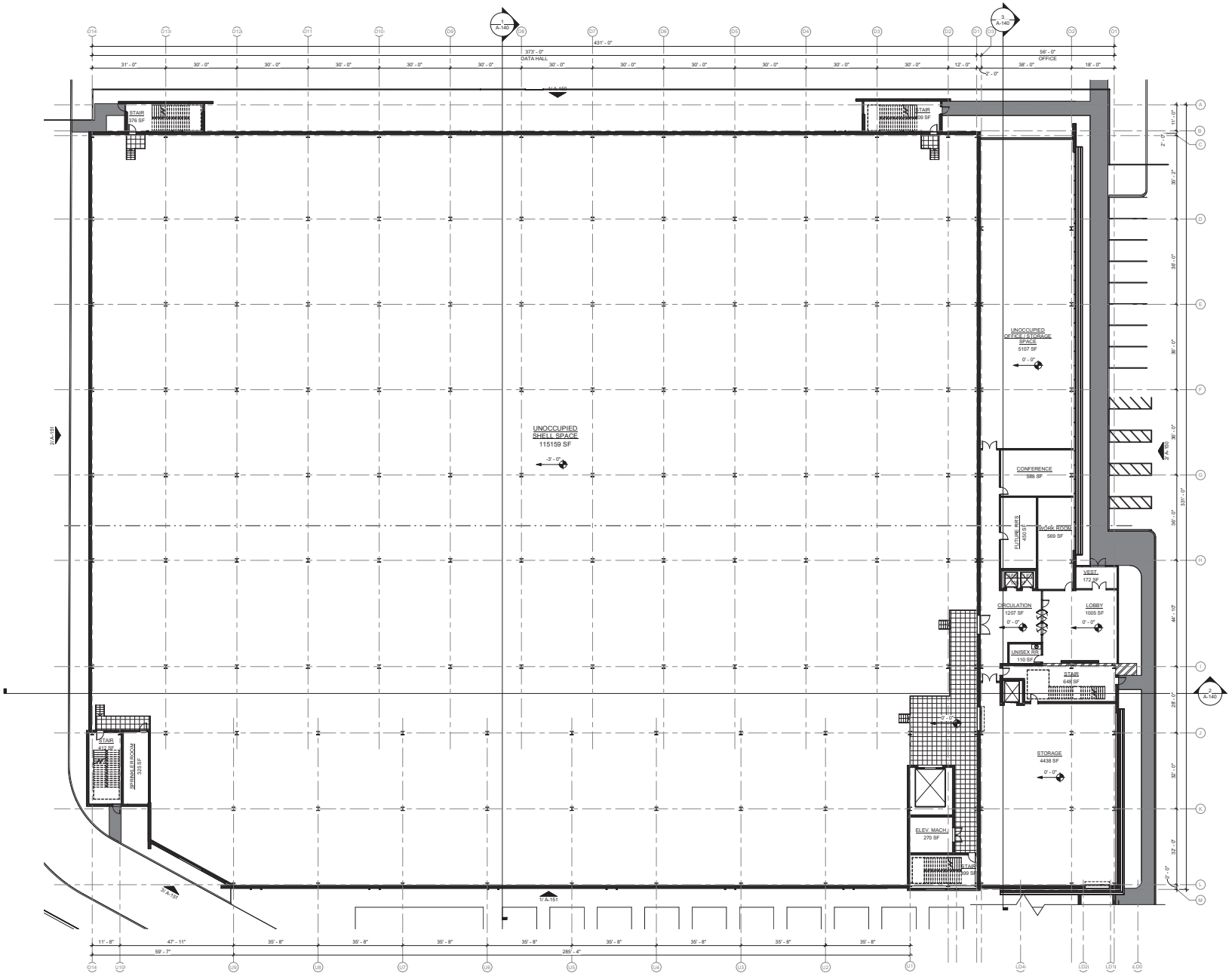

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 870" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF

PROD. DATA HALL	- 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL	- 6 @ 19,780 SF = 118,680 SF
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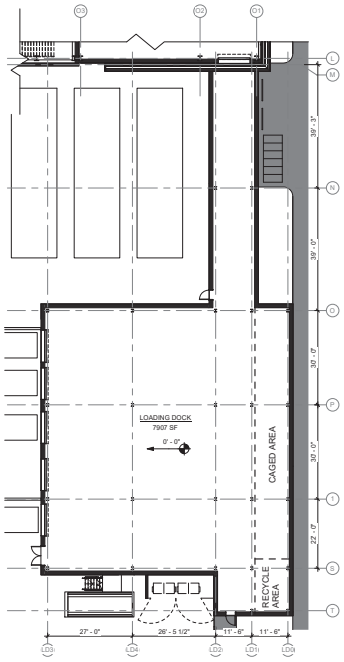


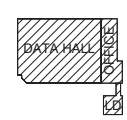
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 1 FLOOR PLAN

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020



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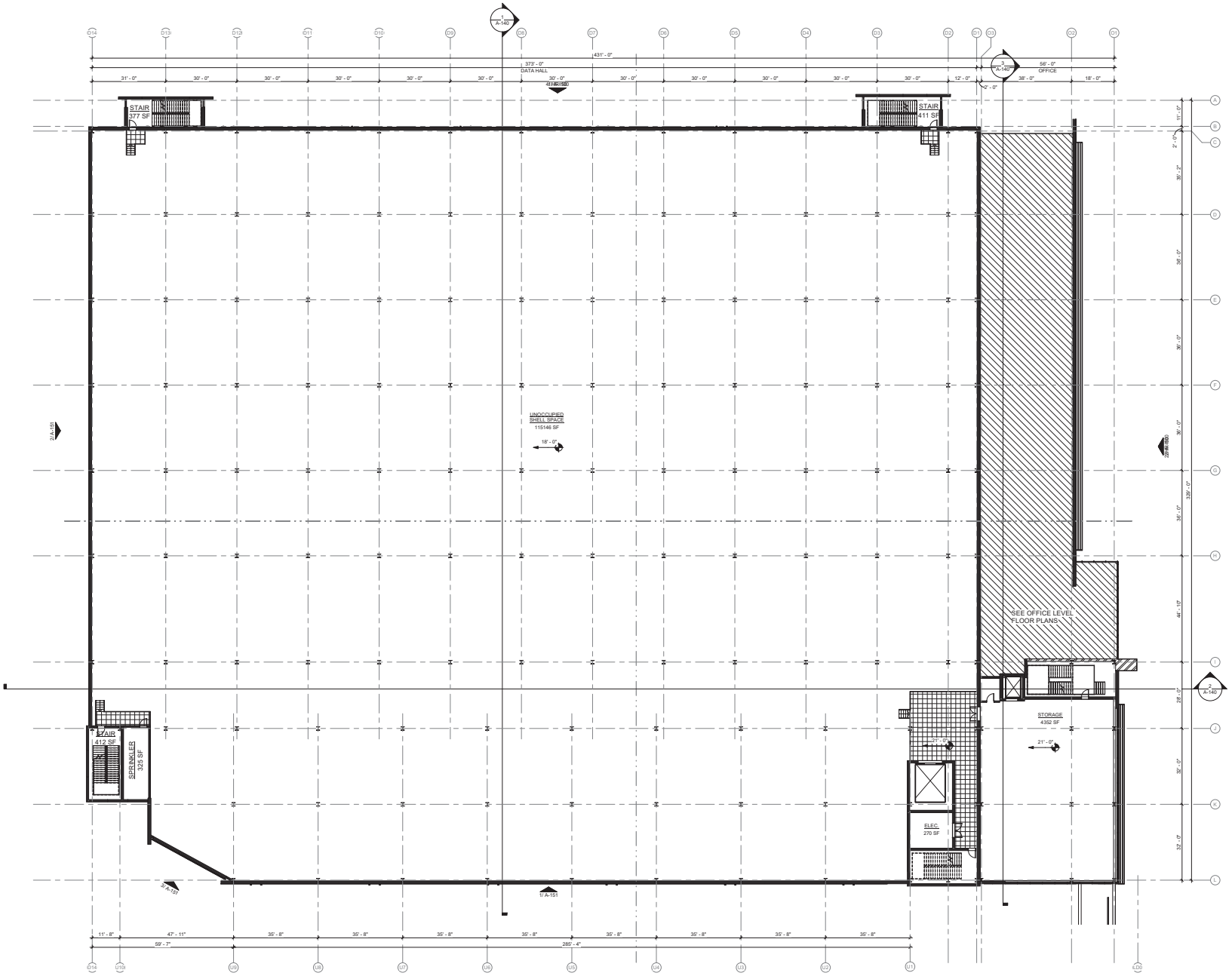

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

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PARPAET - 870" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF

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- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 2 FLOOR PLAN

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

A-122

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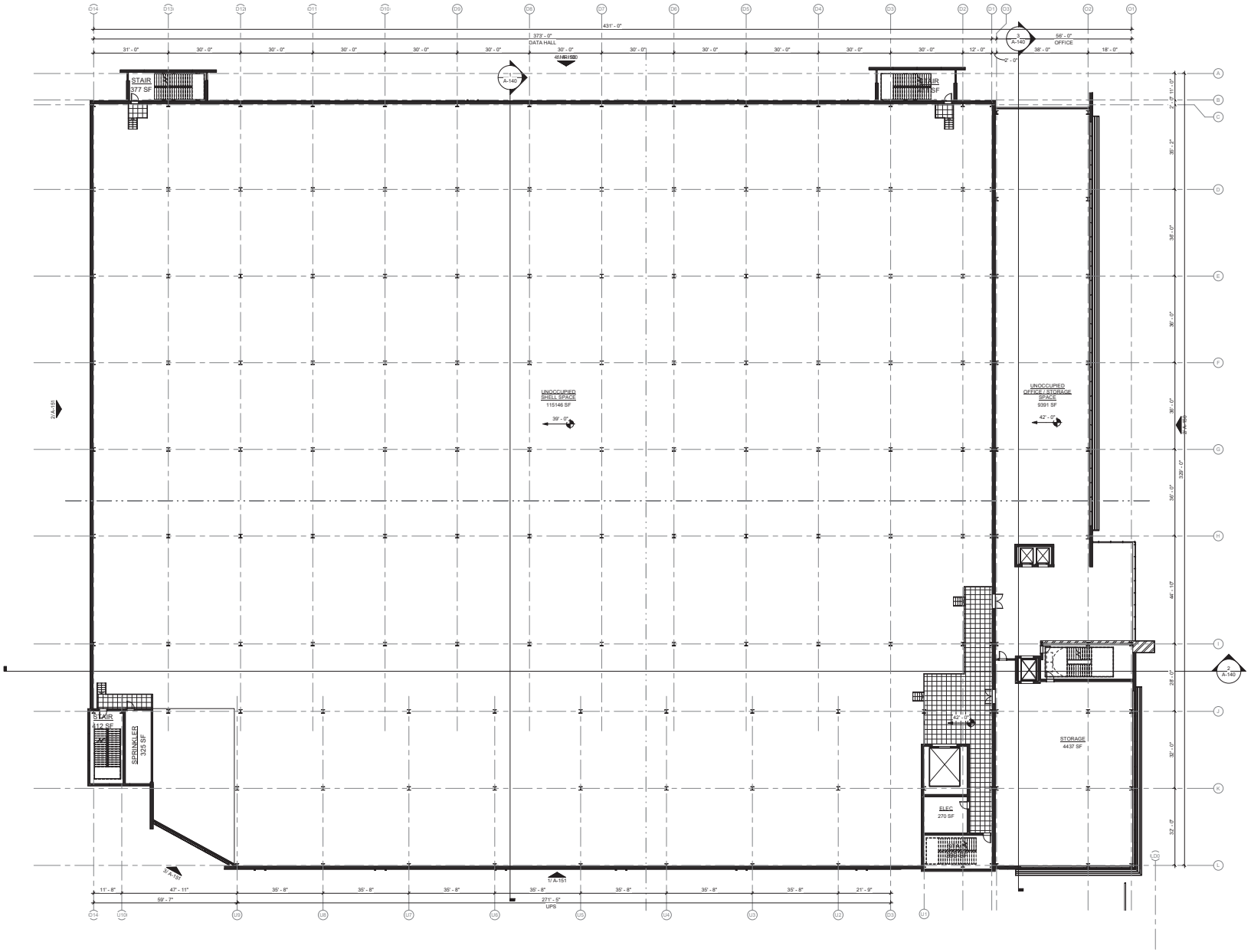

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF

PROD. DATA HALL	- 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL	- 6 @ 19,780 SF = 118,680 SF
MECH GALLERY	- 24 @ 3,536 SF = 84,860 SF
UPS	- 30 @ 2,275 SF =68,250 SF
OPEN OFFICE	- 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC.	-118,970 SF

* PRODUCTION AND DEVELOPMENT DATA HALLS ARE IDENTIFIABLE BY THEIR BACKUP POWER GENERATION.
- PRODUCTION DATA HALL - BACKUP POWER GENERATION PROVIDED FOR 100% OF LOAD
- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 3 FLOOR PLAN

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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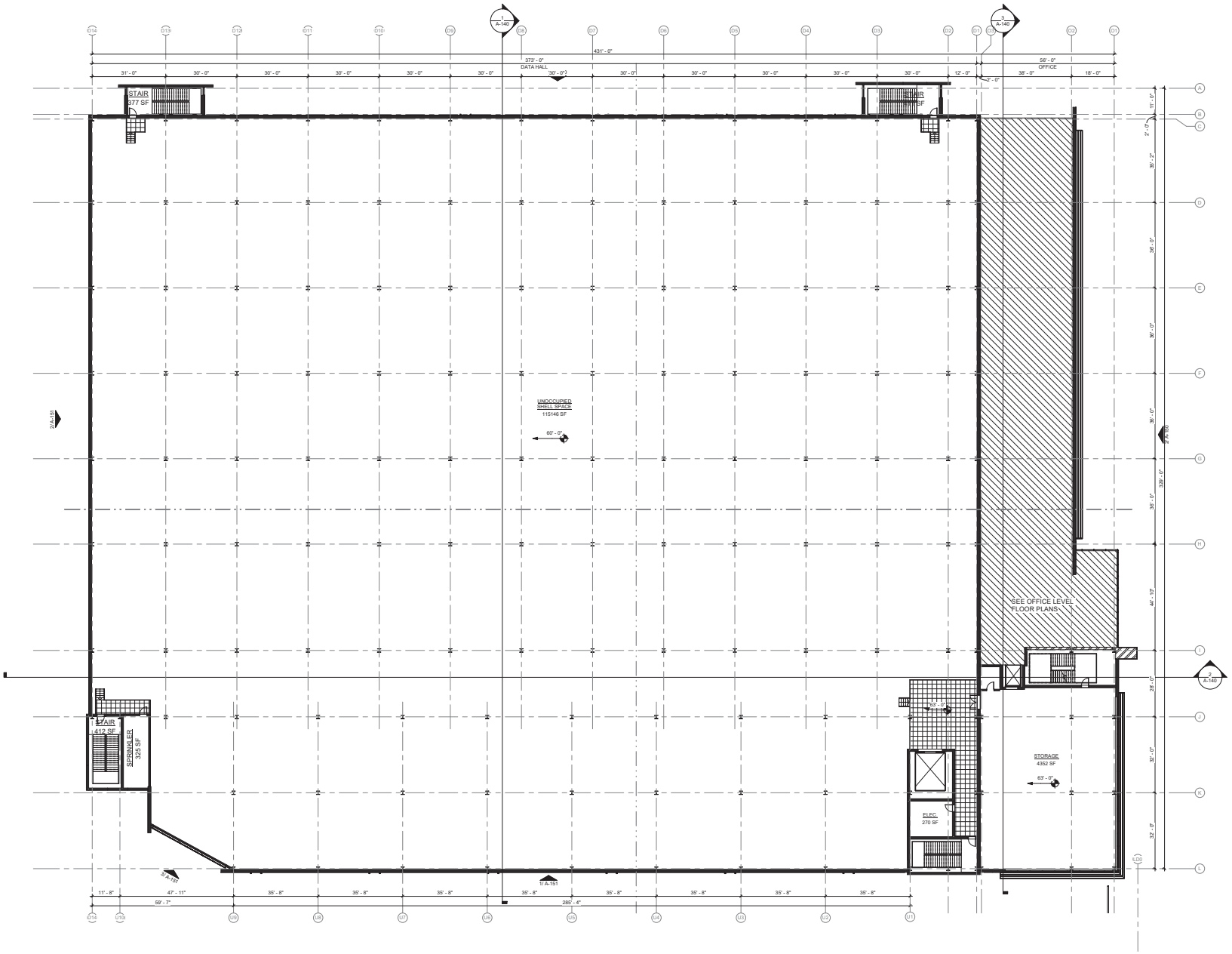

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

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PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

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Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 4 FLOOR PLAN

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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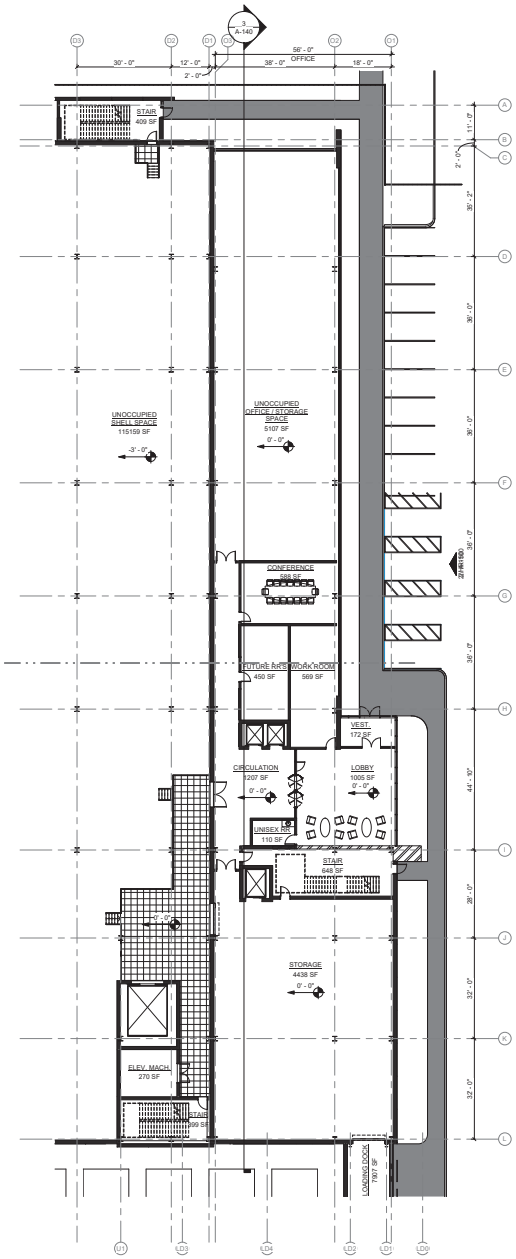
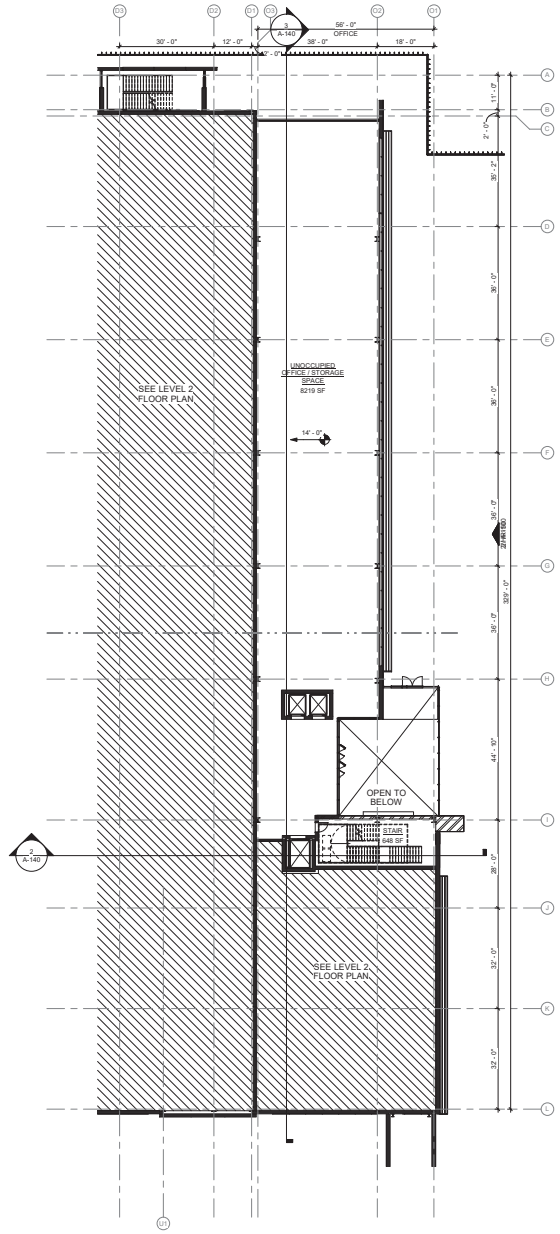
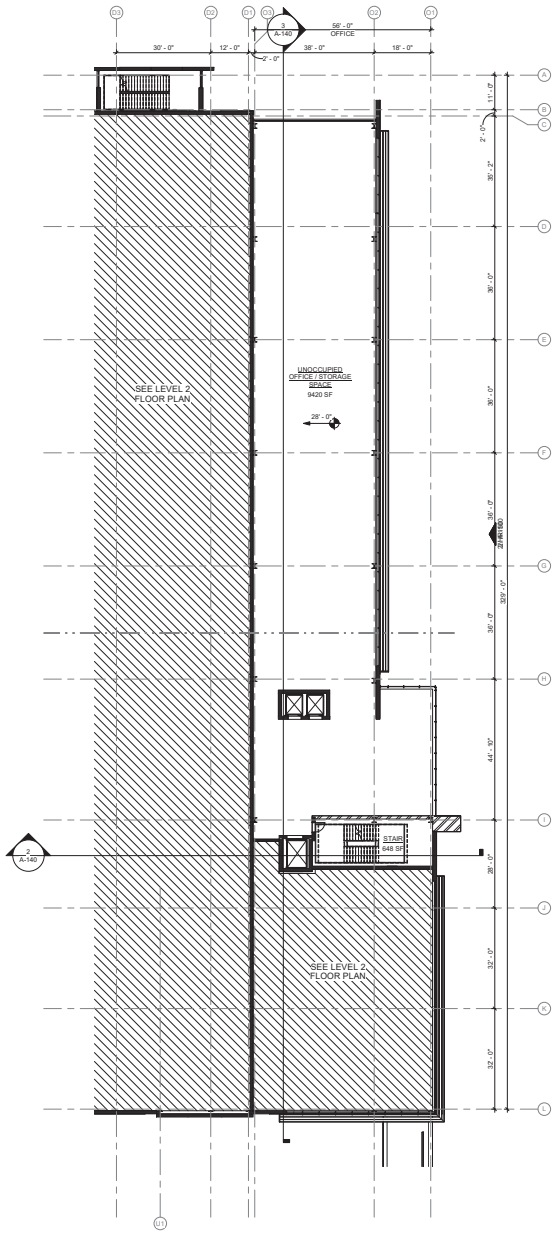


1 LEVEL 1 FLOOR PLAN - OFFICE
1/16" = 1'-0"



2 LEVEL 1.5 FLOOR PLAN - OFFICE
1/16" = 1'-0"



3 LEVEL 2.5 FLOOR PLAN - OFFICE
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

OFFICE LEVEL - FLOOR PLANS

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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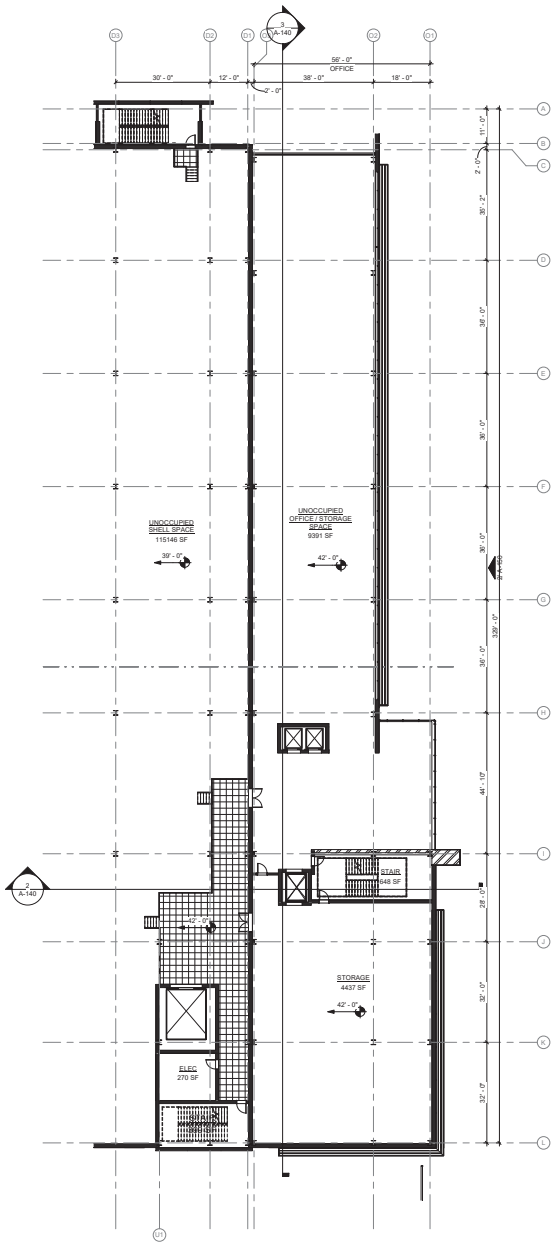
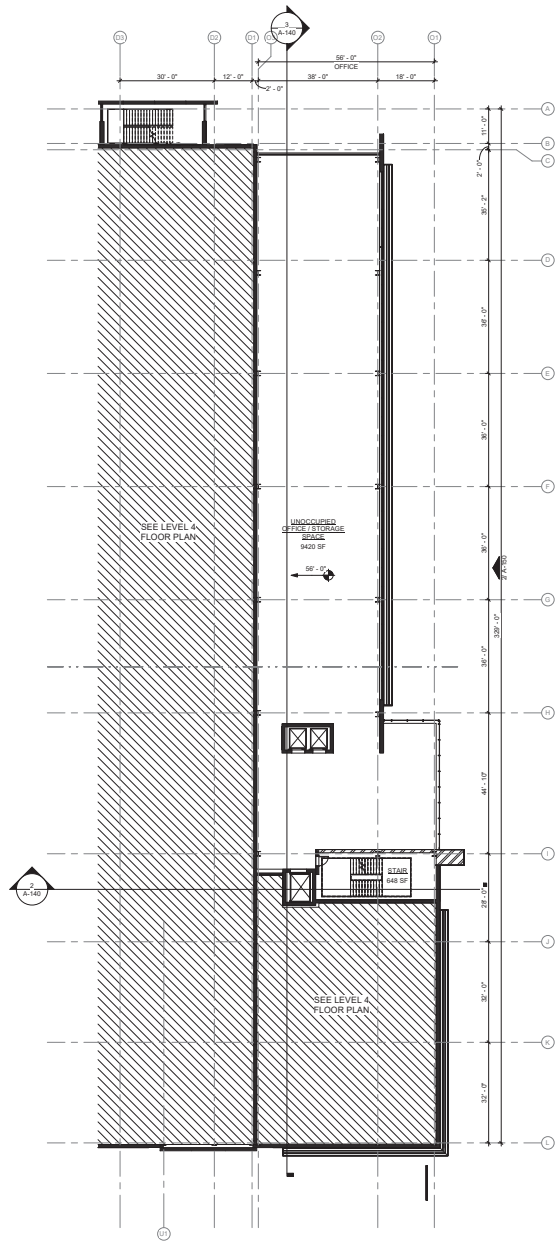
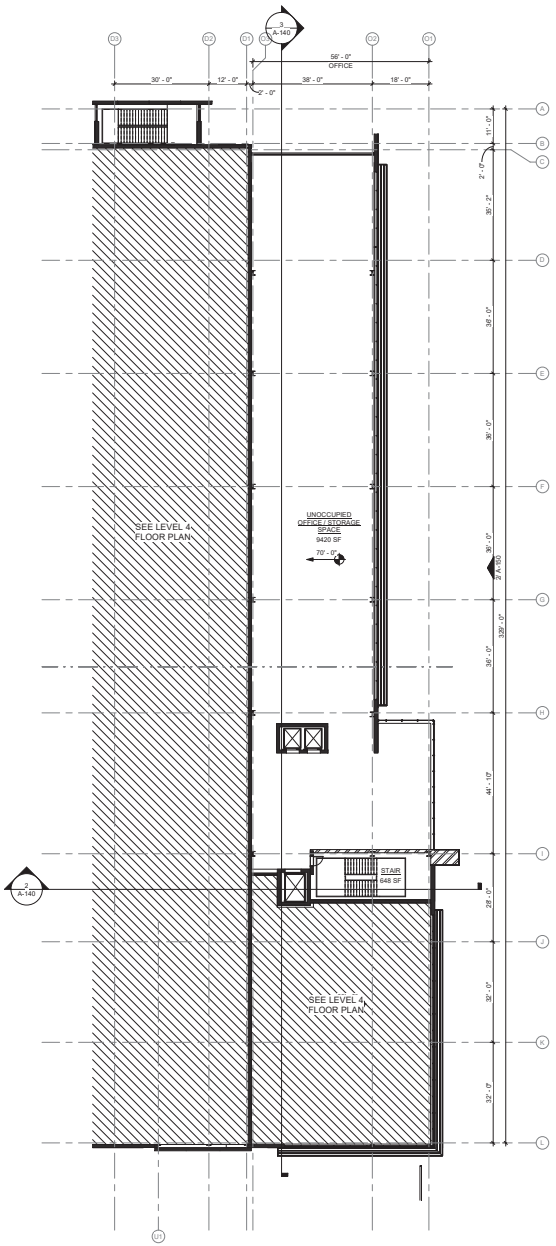


1 LEVEL 3 FLOOR PLAN - OFFICE
1/16" = 1'-0"



2 LEVEL 3.5 FLOOR PLAN - OFFICE
1/16" = 1'-0"



3 LEVEL 4.5 - FLOOR PLAN OFFICE
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

OFFICE LEVEL - FLOOR PLANS

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 REGISTERED DATE 6-30-21 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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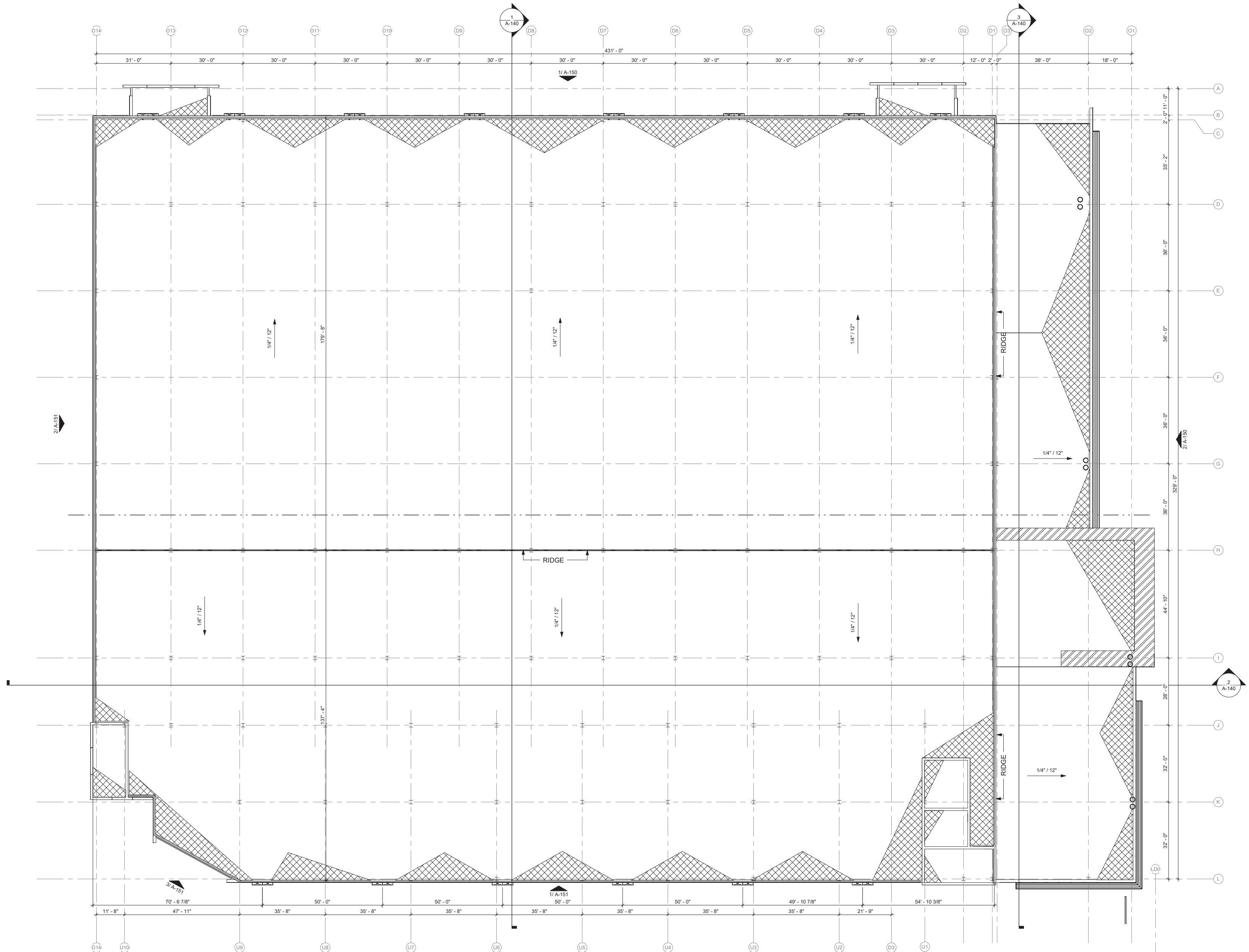

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF   GROSS - 472,920 SF±
PARAPET - 87' 0"   MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF   GROSS - 87,520 SF±
PARPAET - 87'0"   MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
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GROSS BUILDING - 560,440± SF

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UPS	- 30 @ 2,275 SF =68,250 SF
OPEN OFFICE	- 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC.	-118,970 SF

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- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

Project Number: 19110.0000

SKYBOX CORGAN R·G CRITICAL kW REED ASSOCIATES

ROOF PLAN

1/16" = 1'-0"
04.09.2020

DATA HALL OFFICE LD

A-130

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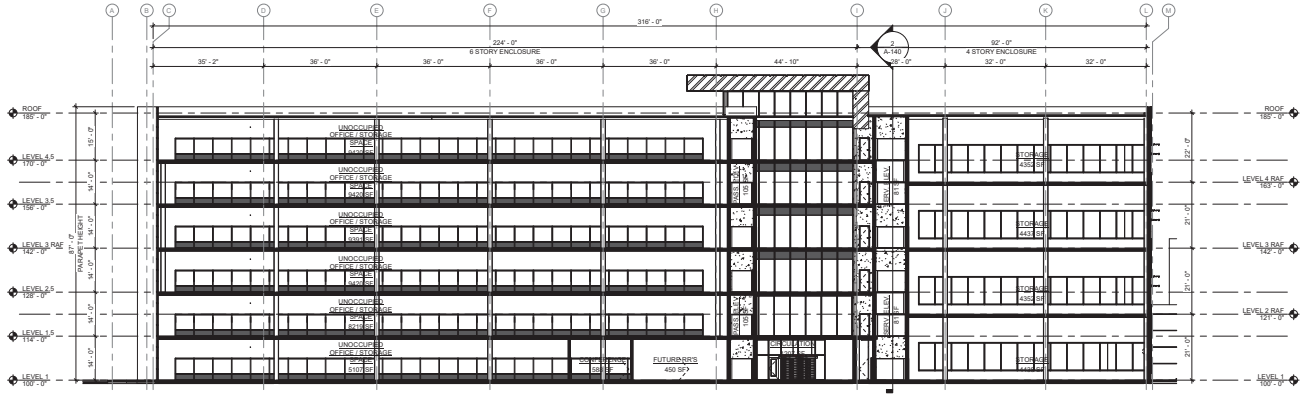
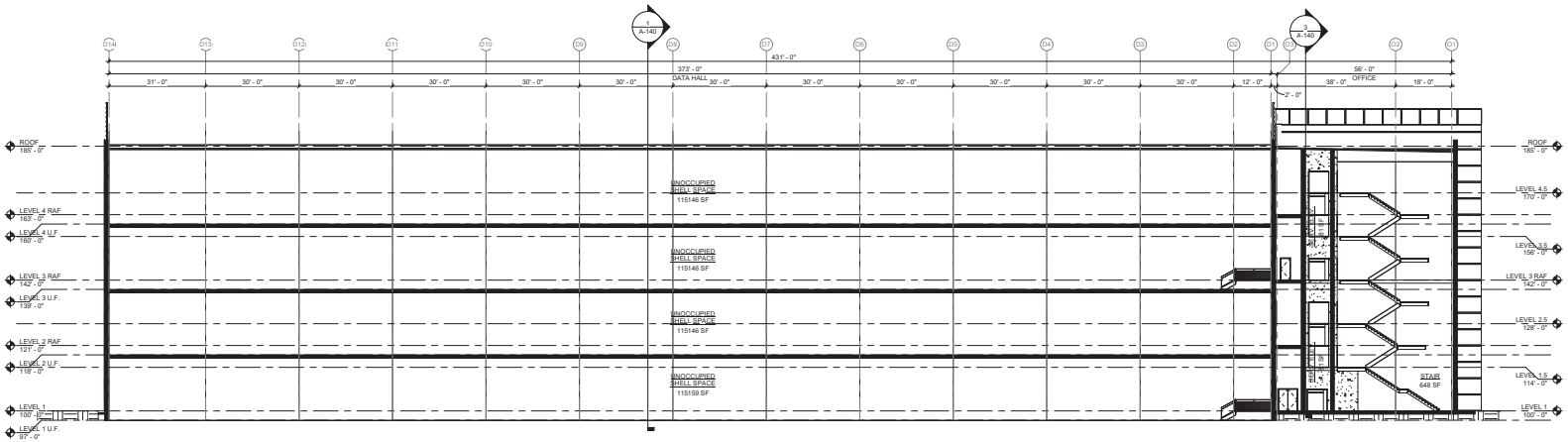
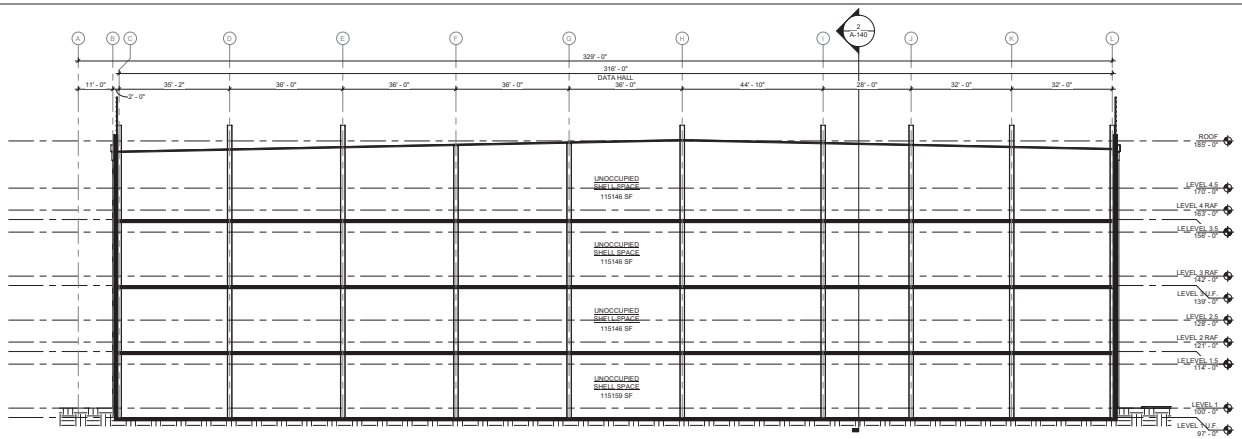


3 OFFICE SECTION - N-S
1/16" = 1'-0"



2 BUILDING SECTION E-W
1/16" = 1'-0"



1 DATA HALL SECTION N-S
N.T.S.

Project Number: 19110.0000

SKYBOX CORGAN RG RUTHS AND GORGE INC. CRITICAL kw REED ASSOCIATES

BUILDING SECTION

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013056 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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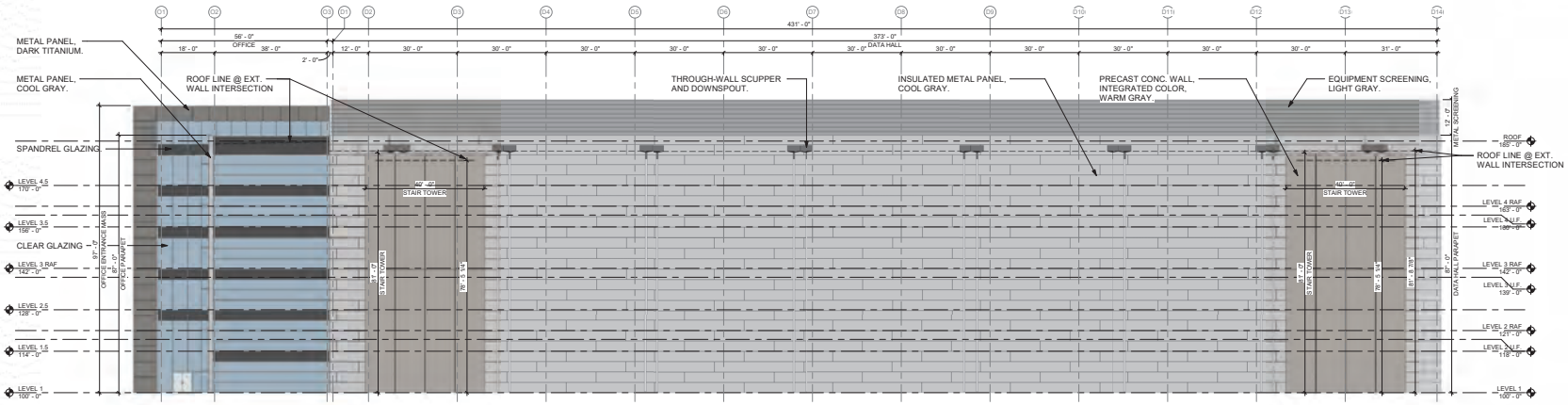
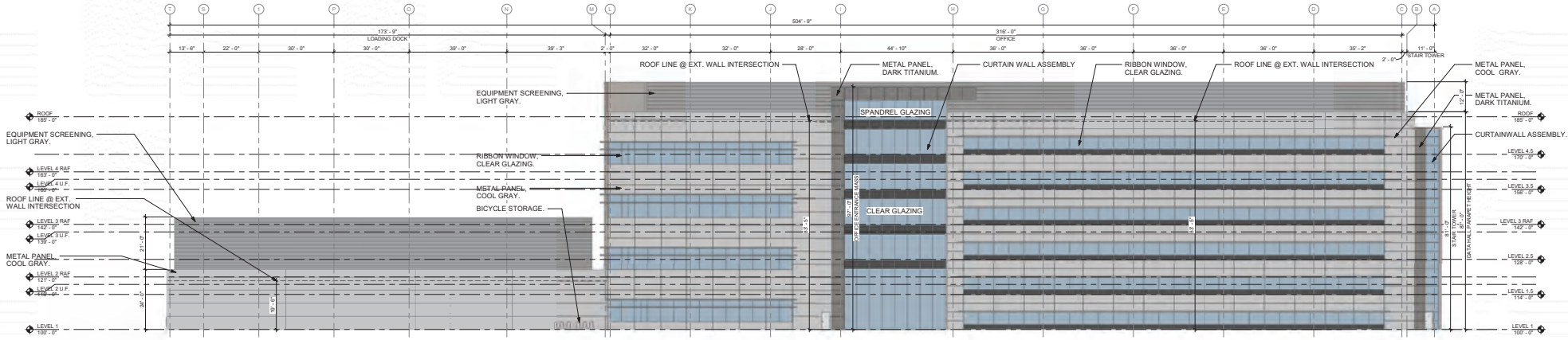


1 NORTH
1/16" = 1'-0"



2 EAST
1/16" = 1'-0"

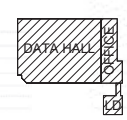
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

ELEVATIONS

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020



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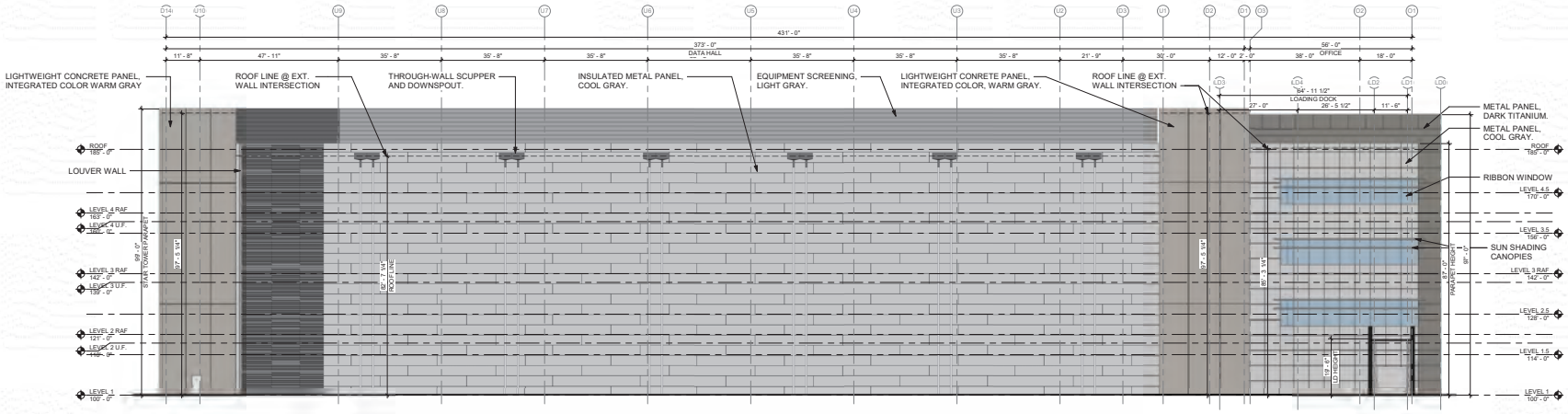
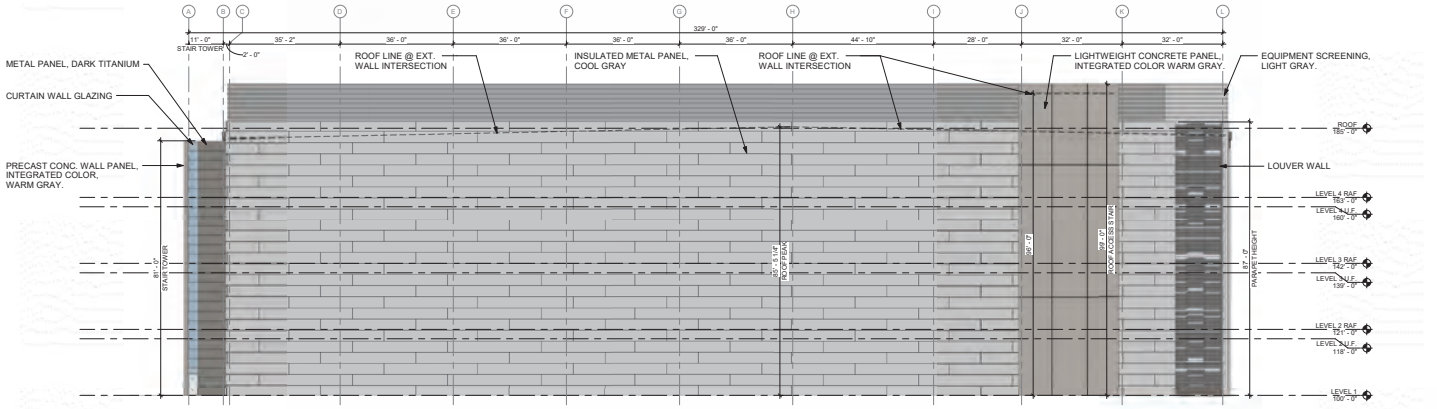
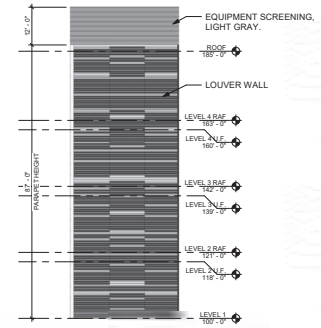


1 SOUTH
1/16" = 1'-0"



2 WEST
1/16" = 1'-0"



3 ELEVATION - SW CORNER
1/16" = 1'-0"

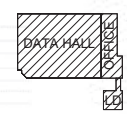
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

ELEVATIONS

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020



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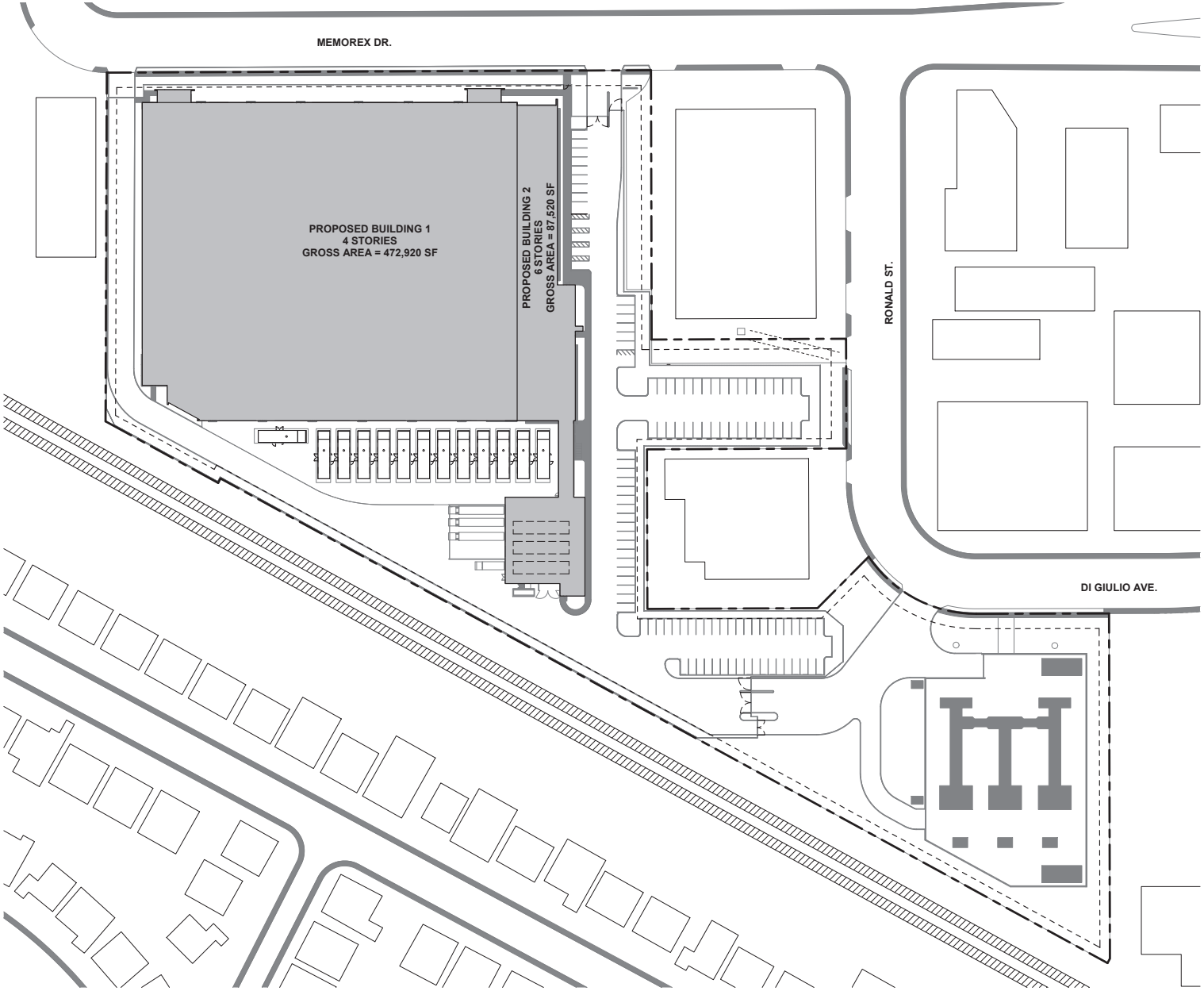

EXISTING

LOT SIZE - 400,038± SF - 9.18 ACRES

3 EXISTING BUILDINGS - TO BE DEMOLISHED

BUILDING 1 - FACTORY - 3 STORIES @ 116,679± SF BUILDING FOOTPRINT
BUILDING 2 - FACTORY - 2 STORIES @ 22,996± SF BUILDING FOOTPRINT
BUILDING 3 - STORAGE - 1 STORY @ 2,944± SF BUILDING FOOTPRINT

LOT COVERAGE - 142,619± SF - 36%

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF
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UPS - 30 @ 2,275 SF =68,250 SF
OPEN OFFICE - 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC. -118,970 SF

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- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

PARKING

112 REQUIRED SPACES @ 1 PER 5,000 SF
113 PARKING SPACES PROVIDED
56 PARKING SPACES
41 COMPACT PARKING SPACES (C)
11 CLEAN AIR VEHICLE PARKING SPACES (CAV)
7 FUTURE EV CHARGING SPACES (EV)
5 ADA ACCESSIBLE SPACES (ADA)

BICYCLE PARKING - 5% SHORT & LONG TERM
6 SHORT TERM SPACES (ST)
6 LONG TERM SPACES (LT)

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

SITE PLAN - MP

1" = 40'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE

A-210

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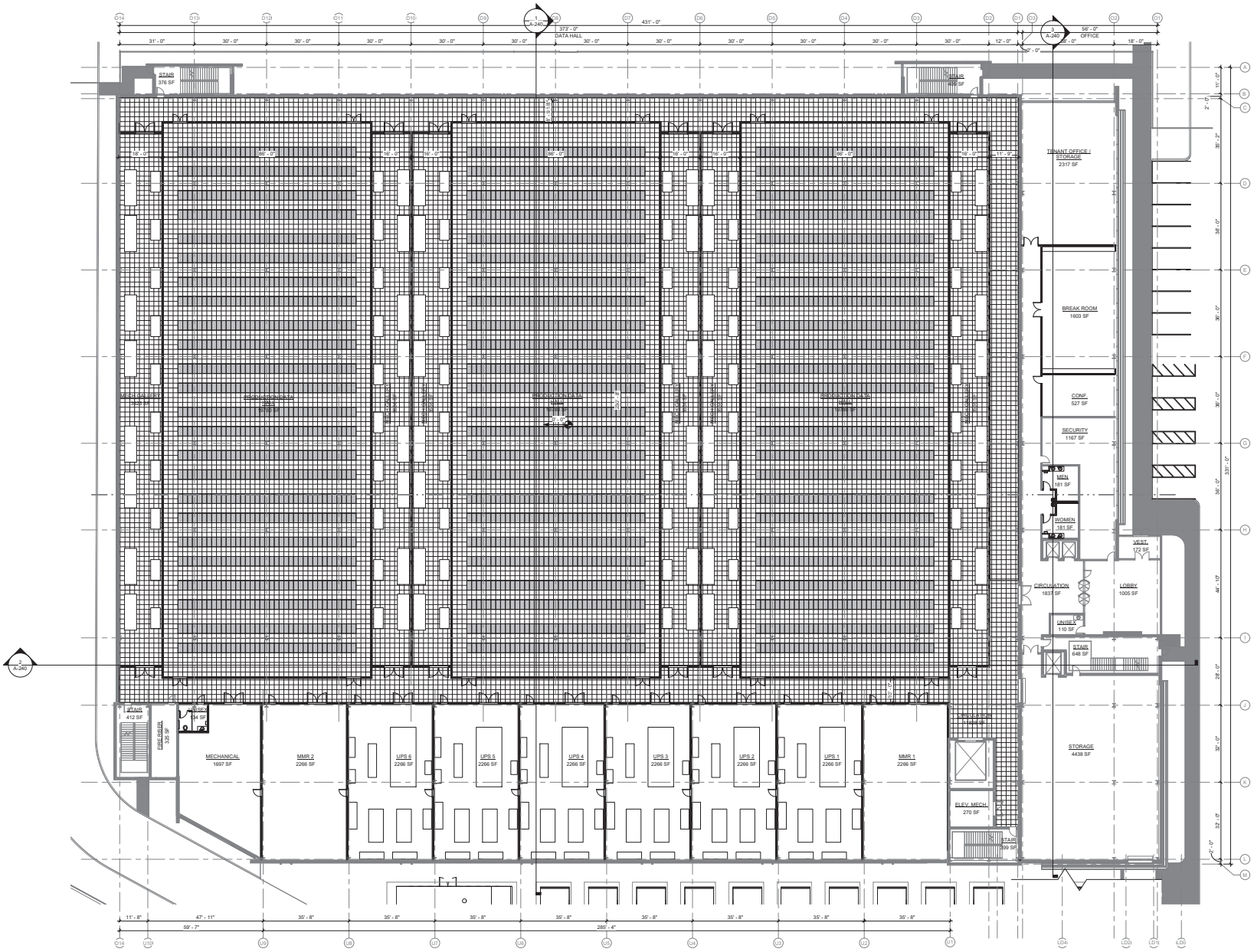

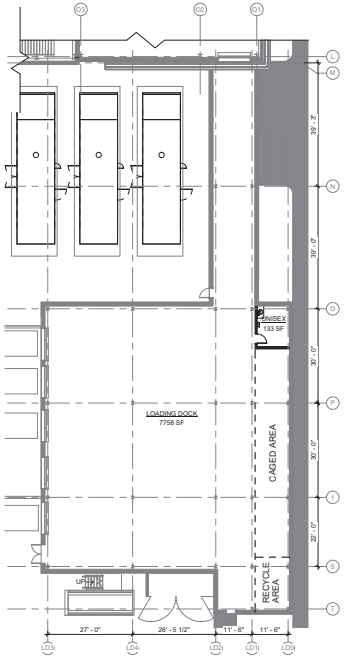

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

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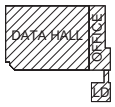
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 1 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020



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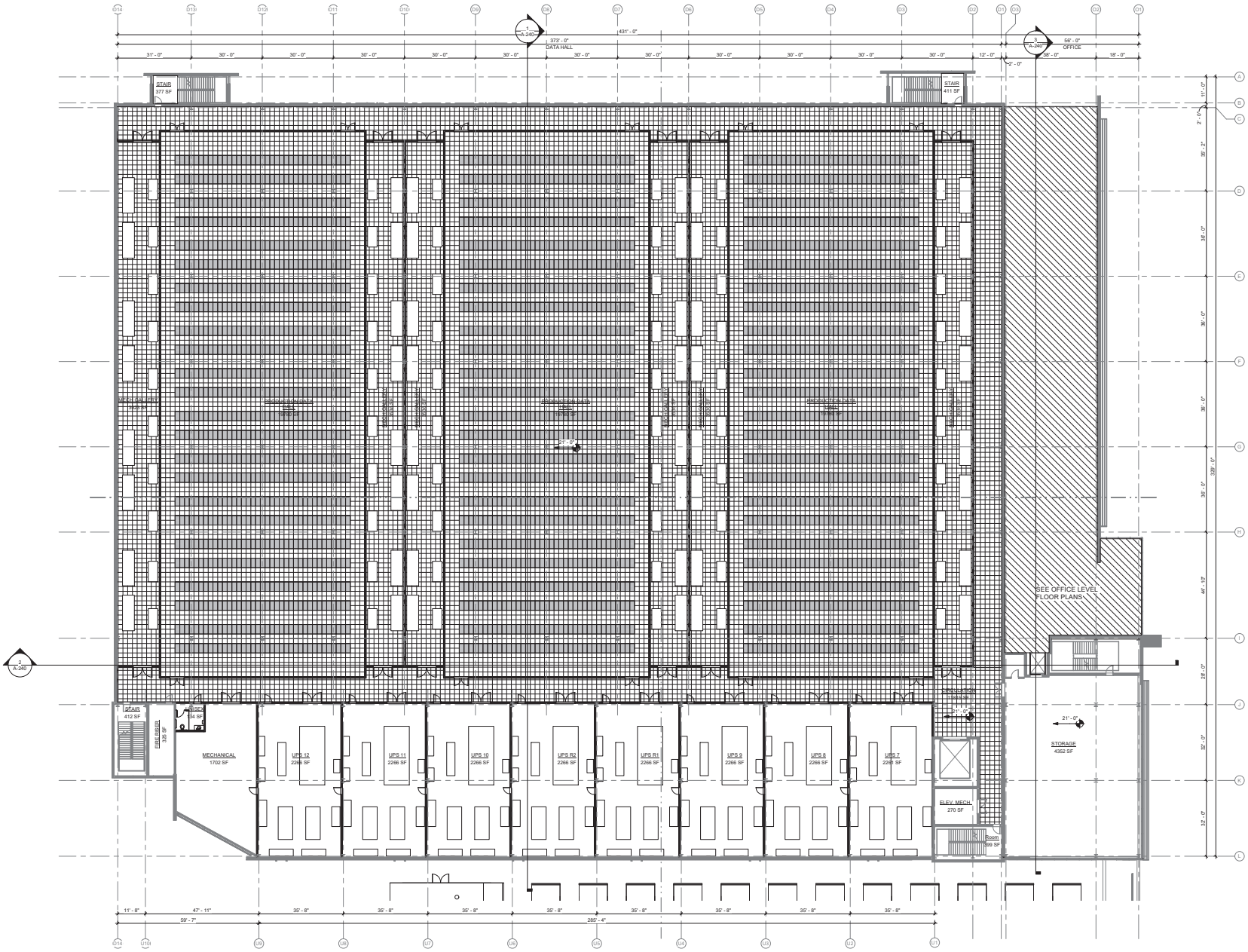

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

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PARPAET - 870" MID SLOPE OF ROOF - 83' 6"

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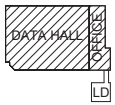
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 2 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020



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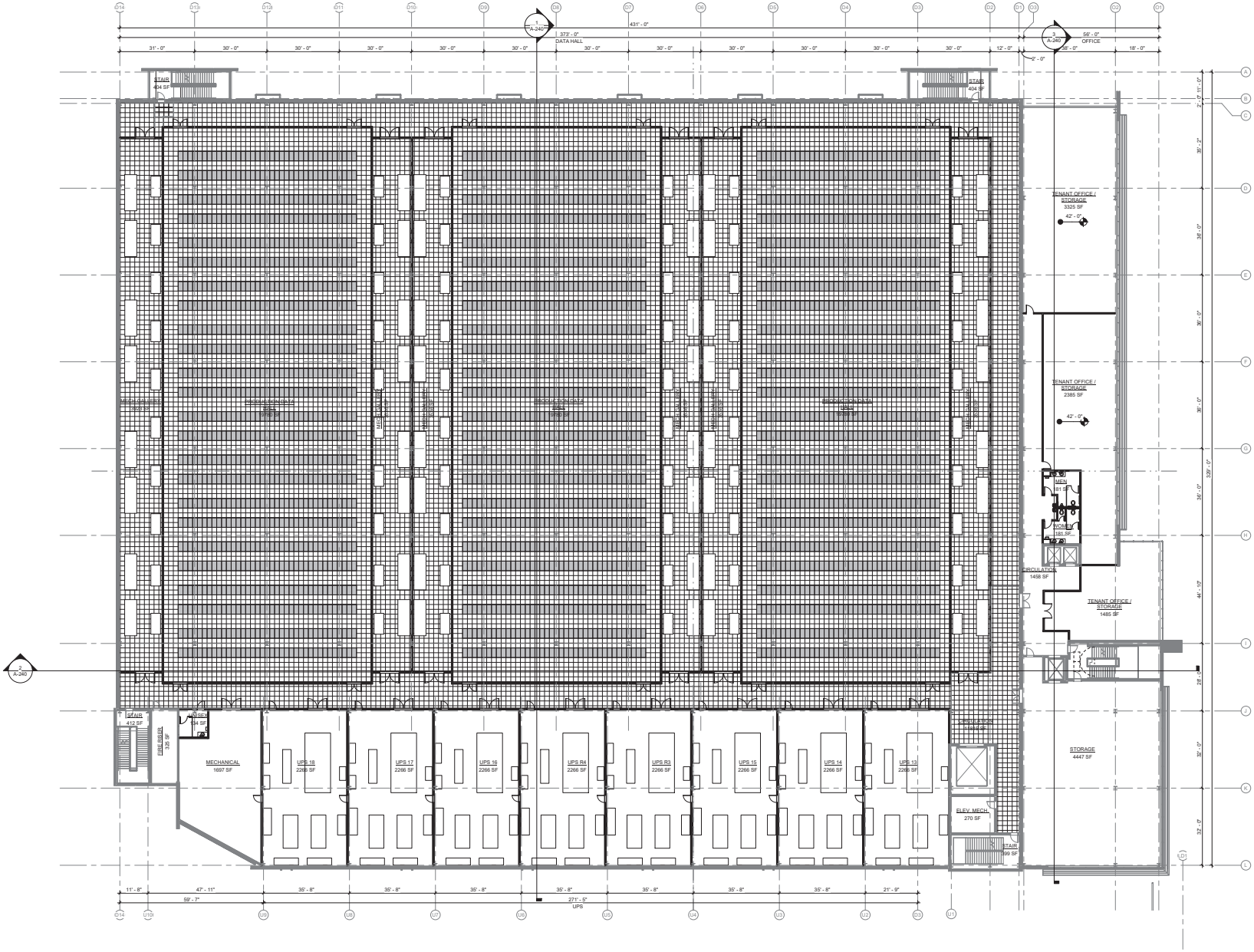

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF

PROD. DATA HALL	- 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL	- 6 @ 19,780 SF = 118,680 SF
MECH GALLERY	- 24 @ 3,536 SF = 84,860 SF
UPS	- 30 @ 2,275 SF =68,250 SF
OPEN OFFICE	- 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC.	-118,970 SF

* PRODUCTION AND DEVELOPMENT DATA HALLS ARE IDENTIFIABLE BY THEIR BACKUP POWER GENERATION.
- PRODUCTION DATA HALL - BACKUP POWER GENERATION PROVIDED FOR 100% OF LOAD
- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

Project Number: 19110.0000

SKYBOX CORGAN R+G RUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES LANDSCAPE ARCHITECTURE

LEVEL 3 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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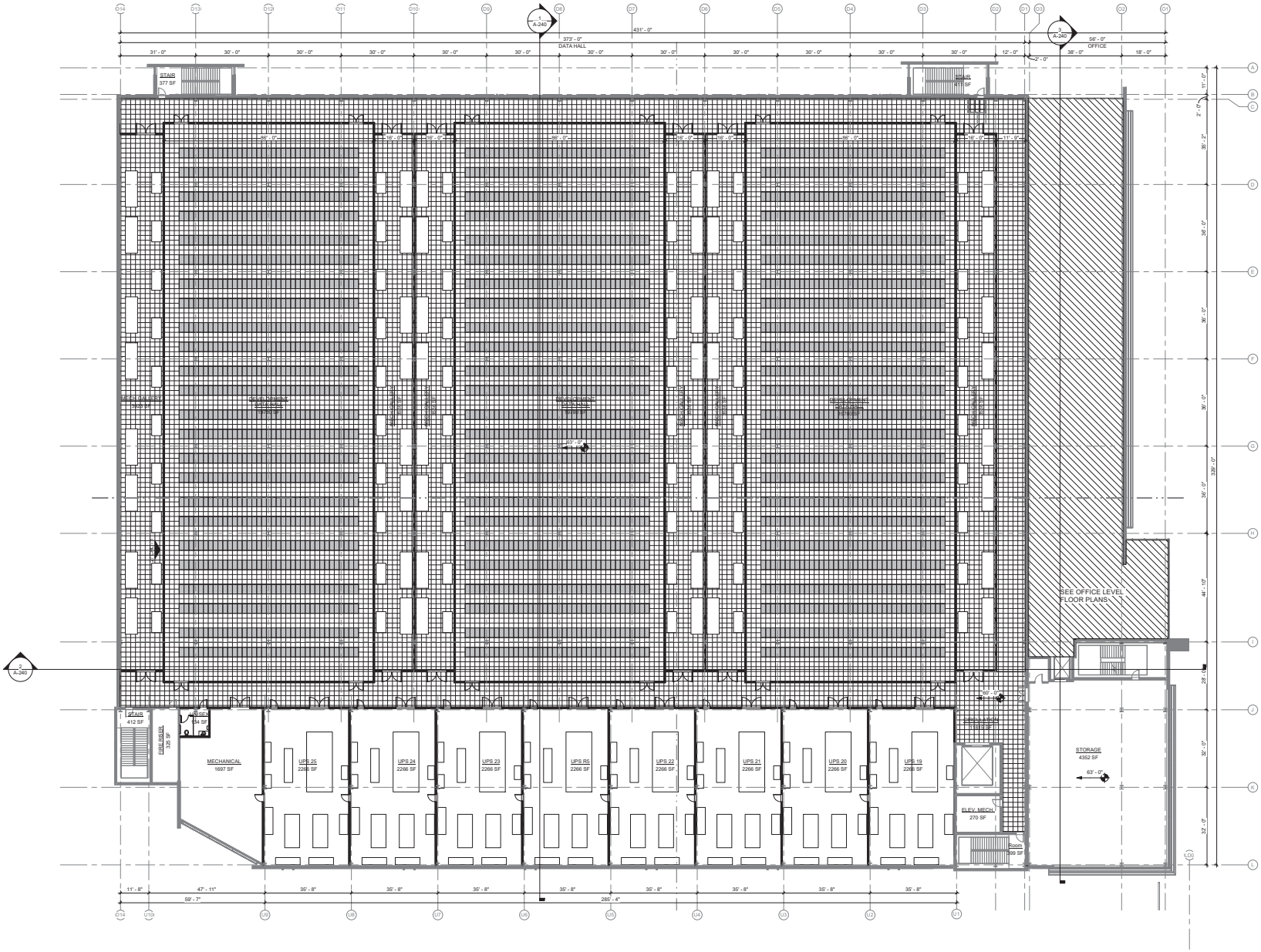

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

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BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
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- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

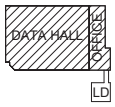
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 4 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020



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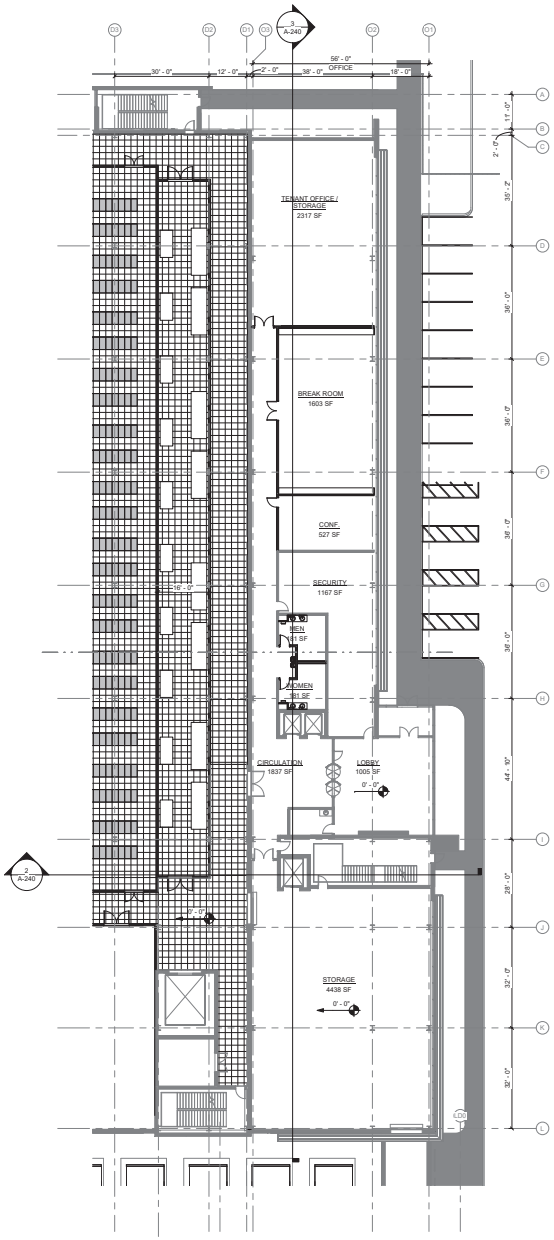
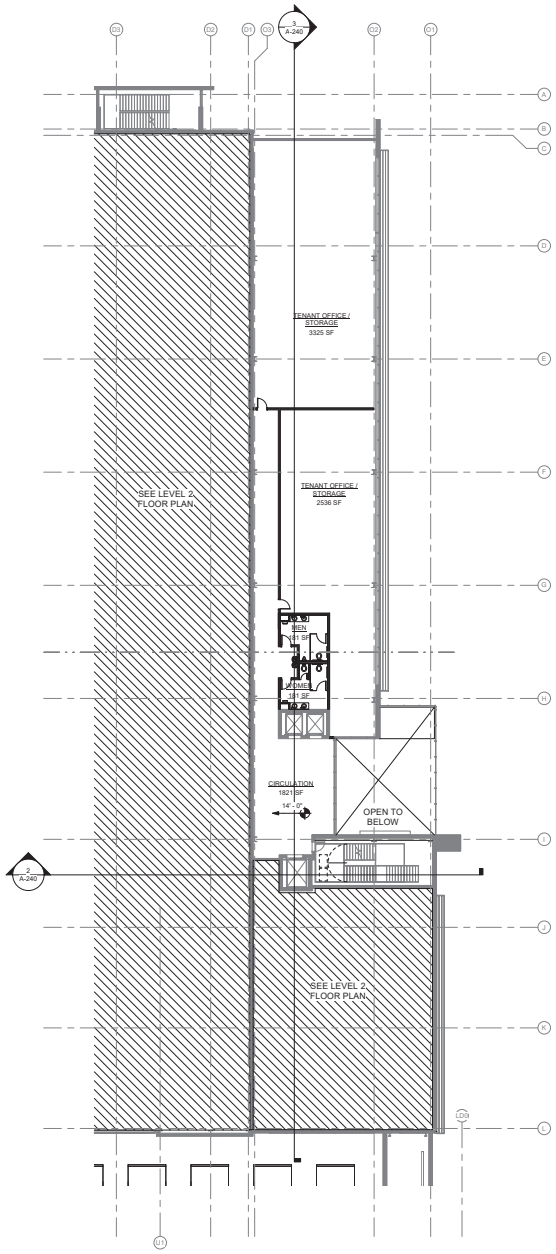
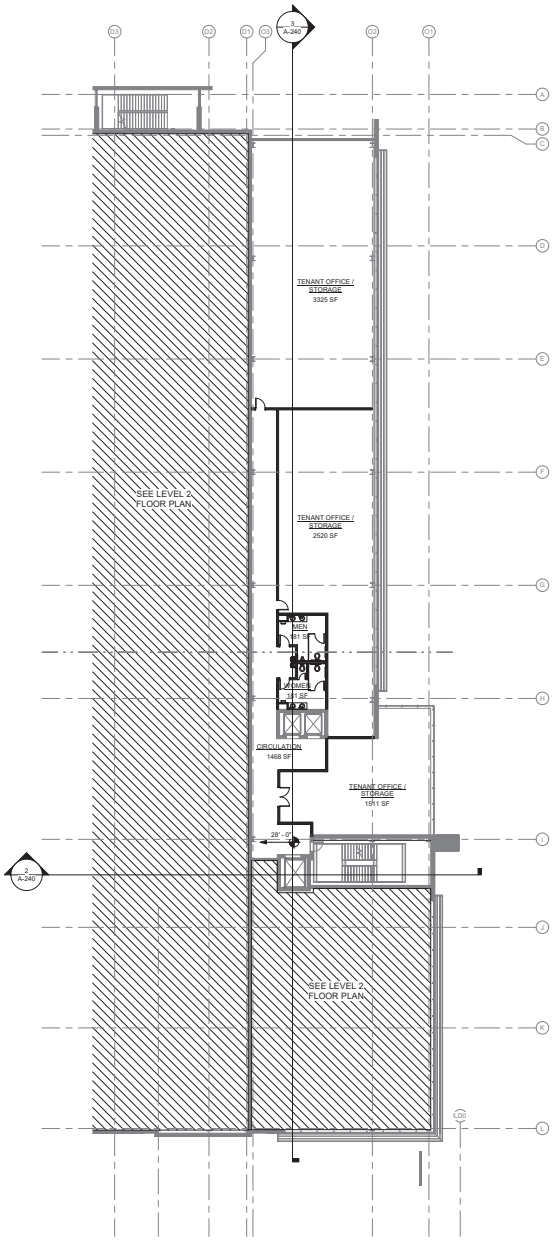


1 LEVEL 1 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



2 LEVEL 1.5 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



3 LEVEL 2.5 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

OFFICE LEVEL - FLOOR PLANS - MP

1/16" = 1'-0"
04.09.2020

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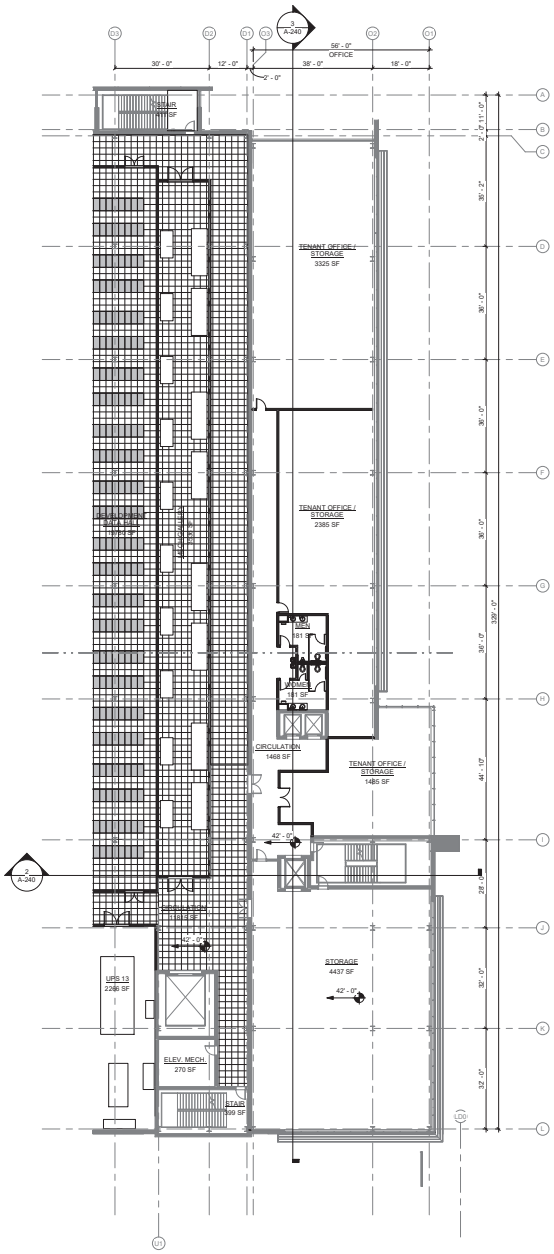
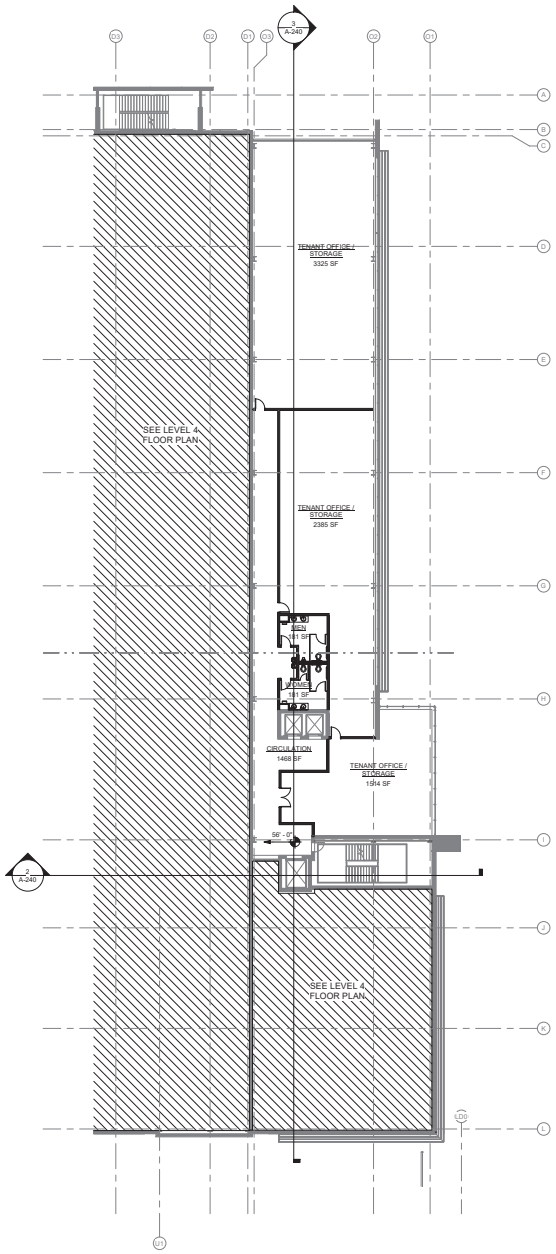
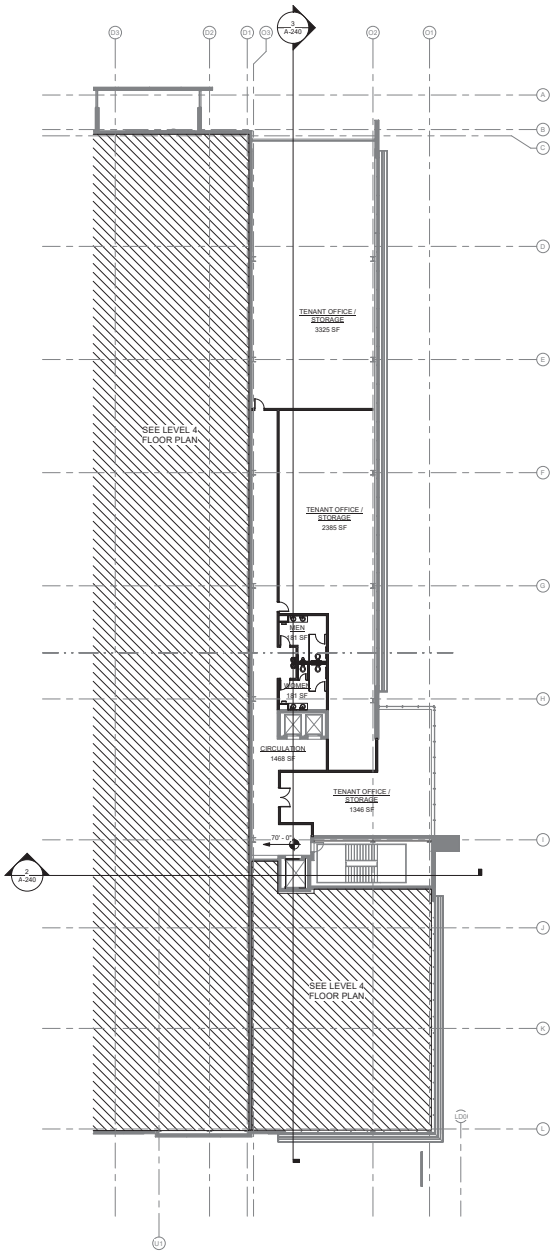


1 LEVEL 3 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



2 LEVEL 3.5 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



3 LEVEL 4.5 - FLOOR PLAN OFFICE - MP
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

OFFICE LEVEL - FLOOR PLANS - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

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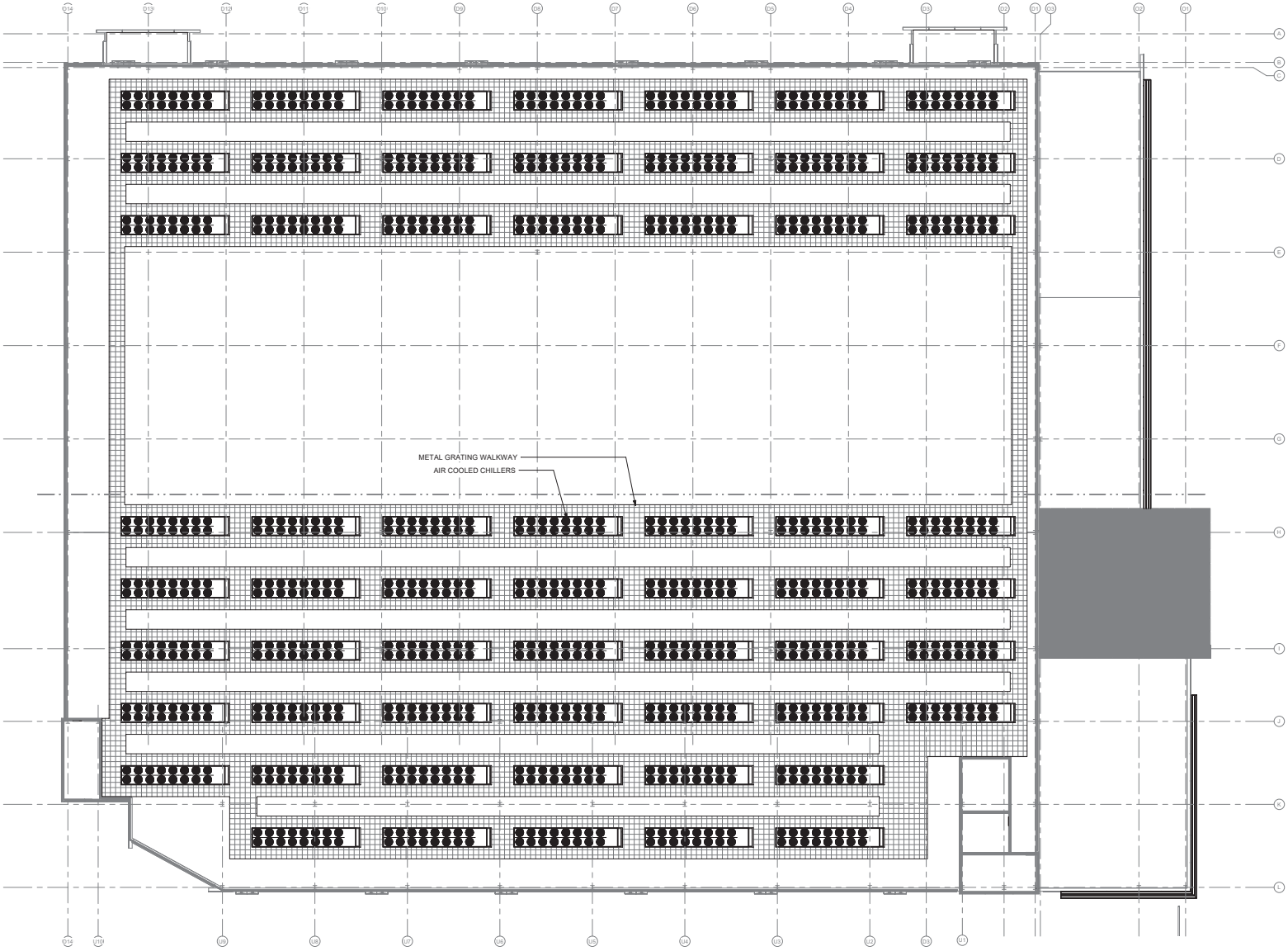

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

ROOFTOP EQUIPMENT PLAN - MP

1/16" = 1'-0"
04.09.2020

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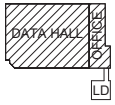

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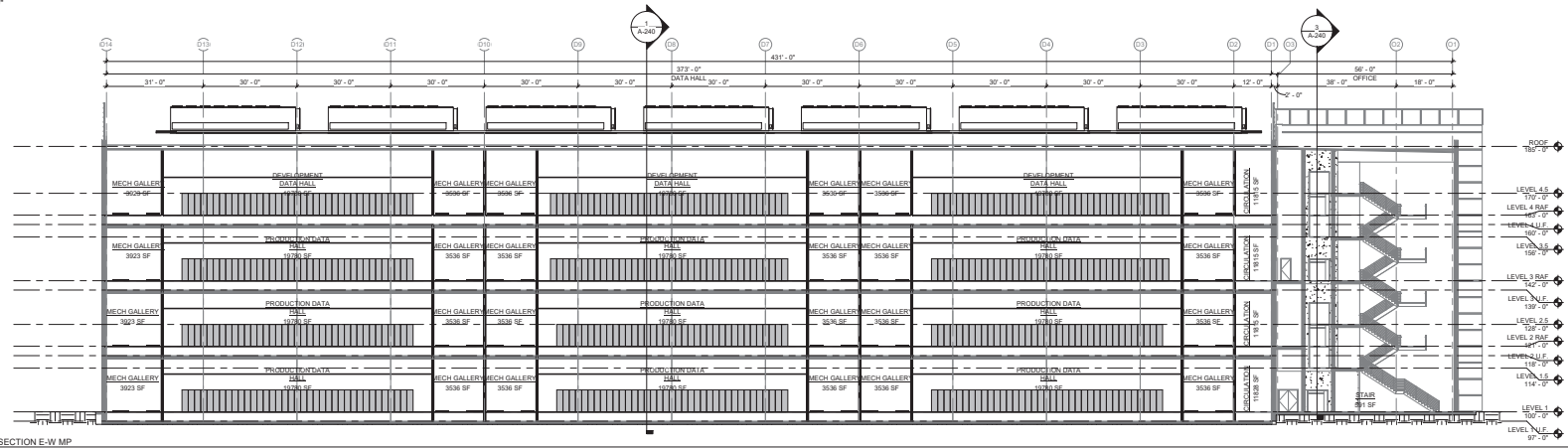
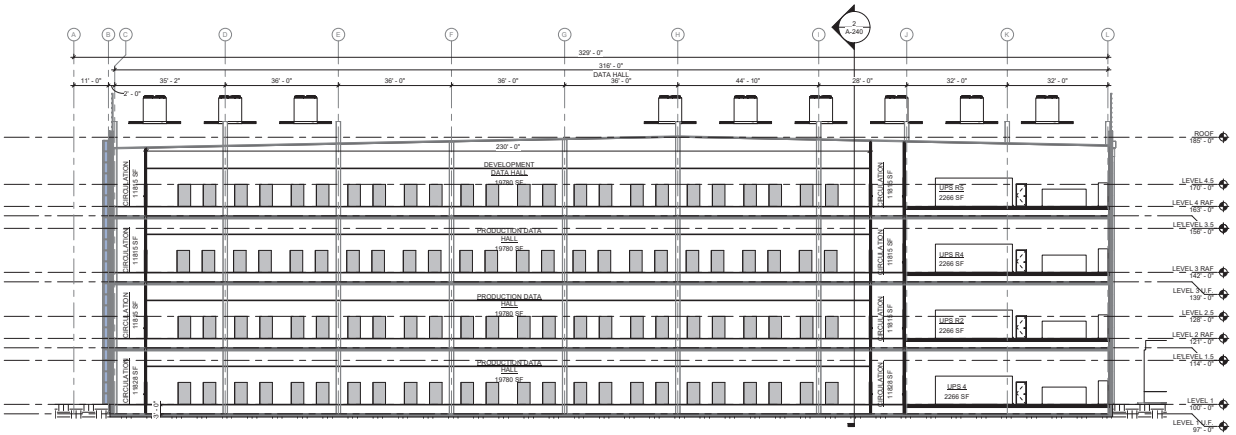
3 OFFICE SECTION - N-S MP
1/16" = 1'-0"



2 BUILDING SECTION E-W MP
1/16" = 1'-0"



1 BUILDING SECTION N-S MP
1/16" = 1'-0"

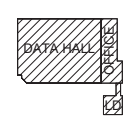
Project Number: 19110.0000

SKYBOX
CORGAN
RUTH AND GOING, INC.
CRITICAL
kW
REED ASSOCIATES LANDSCAPE ARCHITECTURE

BUILDING SECTION - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT
JEFFREY H. GYZEN
No. C-013086
STATE OF CALIFORNIA
4/9/2020



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ONE LINE

CIRCUIT BREAKER 3 POLE OR AS NOTED
DRAW OUT CIRCUIT BREAKER 3 POLE OR AS NOTED
MEDIUM VOLTAGE LOAD INTERRUPTER
MEDIUM VOLTAGE FAULT INTERRUPTER
DISCONNECT SWITCH
FUSED DISCONNECT SWITCH 3 POLE OR AS NOTED
SURGE PROTECTIVE DEVICE (SPD)
AC-DC INVERTER / RECTIFIER
DC-AC INVERTER
5000-3-CU — FEEDER TAG - REFER TO SCHEDULES
GROUND
FUSE - SIZE IN AMPERES
DIESEL GENERATOR
C41 — MOTOR OR OTHER EQUIPMENT ## INDICATES HORSEPOWER UON
3 PHASE TRANSFORMER DELTA PRIMARY Δ GROUNDED WYE SECONDARY
CURRENT TRANSFORMERS
POTENTIAL TRANSFORMER
POM — POWER QUALITY METER
PM — POWER METER
SURGE ARRESTER
TRANSFER SWITCH AUTOMATIC OR MANUAL AS INDICATED
PANEL BOARD - NAME, VOLTAGE, AND MCB CONFIGURATION AS NOTED
DISTRIBUTION PANEL, NAME AND RATINGS AS INDICATED
DC BATTERY
STATIC TRANSFER SWITCH
K1 — BREAKER ABLE TO CLOSE AND KEY WILL BE HELD CAPTIVE
K1 — BREAKER LOCKED OPEN AND KEY ABLE TO BE REMOVED
K1 K1 K1 — KEY TRANSFER BLOCK
TAP BOX
K1 — ADJUSTABLE SPEED DRIVE
CONTINUATION
— KEYED NOTE CALLOUT

LIGHTING

$x — SINGLE POLE SWITCH; WALL MTD. 48" AFF TO CL UON LOWER CASE LETTER INDICATES SWITCHING ZONE
$3 — SWITCH-THREE WAY; WALL MTD. 48" AFF TO CL UON
$4 — SWITCH- FOUR WAY; WALL MTD. 48" AFF TO CL UON
$D — DIMMING LIGHT SWITCH; WALL MTD. 48" AFF TO CL
$LS — SINGLE POLE SWITCH FOR CONTROL OF LIFE SAFETY LIGHTS; WALL MTD. 48" AFF TO CL
$OS — OCCUPANCY SENSOR WALL SWITCH; WALL MTD. 48" AFF TO CL "a,b" INDICATES DUAL-SWITCH, DUAL-RELAY STYLE
OCCUPANCY SENSOR; CEILING MTD. UON
R EM — EMERGENCY SHUNT RELAY

NOTE: IN CORRIDORS, WHERE SWITCHES ARE INSTALLED ON DRYWALL WITH REVEALS, LOWER SWITCH MOUNTING HEIGHT TO 42" TO COORDINATE WITH REVEAL.

TYPICAL FIXTURE TAGS

FIXTURE TYPE (REFER TO LUMINAIRE SCHEDULE) — A
SWITCHING IDENTIFICATION — a
SOLID SHADING THROUGH FIXTURE INDICATES EMERGENCY POWER
NL — NL INDICATES NIGHT LIGHT (FEED WITH UNSWITCHED POWER)
LP-1 #23 — PANEL AND CIRCUIT IDENTIFICATION

POWER

RECEPTACLE - SIMPLEX, 18" AFF TO CL UON
RECEPTACLE - DUPLEX, 18" AFF TO CL UON
RECEPTACLE - DUPLEX, 6" TO CL ABOVE COUNTER UON
GFI — RECEPTACLE - DUPLEX, GFI, 18" AFF TO CL UON
RECEPTACLE - DOUBLE DUPLEX, 18" AFF TO CL UON
RECEPTACLE - DOUBLE DUPLEX, 6" TO CL ABOVE COUNTER UON
GFI — RECEPTACLE - DOUBLE DUPLEX, GFI, 18" AFF TO CL UON
SPECIALTY RECEPTACLE - TYPE AS NOTED.
FLUSH FLOOR BOX, ADDITIONAL REQUIREMENTS AS INDICATED
E — EQUIPMENT CONNECTION, REFER TO ELEC. EQUIP. AND CONTROL SCHEDULE
J — JUNCTION BOX / MISC. EQUIPMENT CONNECTION
DISCONNECT SWITCH (SAFETY SWITCH); X/X/X = AMP RATING/PHASE/FUSE SIZE NF = NOT FUSED
F C — DRY TYPE TRANSFORMER F = FLOOR MOUNTED C = CEILING MOUNTED (OVERHEAD)

FIRE ALARM

F — FIRE ALARM MANUAL PULL STATION - MOUNTED AT 48" AFF TO CENTER OF BOX
FIRE ALARM HORN/STROBE UNIT*
xx cd — CEILING MOUNTED FIRE ALARM HORN/STROBE UNIT*
FIRE ALARM STROBE UNIT - MOUNTED AT 80" AFF TO THE BOTTOM OF THE LENS, OR CEILING MOUNTED WHERE INDICATED
S — SMOKE DETECTOR - PHOTOELECTRIC UON. MOUNTED TO CEILING OR STRUCTURAL DECK UON.
HEAT DETECTOR, COMBINATION RATE-OF-RISE / 135 DEG F UON
S D — DUCT TYPE SMOKE DETECTOR WITH HOUSING**
MM — ADDRESSABLE MONITORING MODULE***
CM — ADDRESSABLE CONTROL MODULE
ASSD SAMPLING POINT
BF — SUBSCRIPT TYPE BF - BELOW RAISED FLOOR
AC — SUBSCRIPT TYPE AC - ABOVE SUSPENDED CEILING, OR AT STRUCTURE WHERE NO CEILING PROVIDED
FACP — FIRE ALARM CONTROL PANEL; MOUNTED AT 60" AFF TO CENTER OF BOX
FRA — FIRE ALARM REMOTE ANNUNCIATOR CABINET; MOUNTED AT 60" AFF TO CENTER OF BOX
NAC — NOTIFICATION APPLIANCE CIRCUIT PANEL
ASSD — AIR SAMPLING SMOKE DETECTOR CONTROL PANEL; MOUNTED AT 60" AFF TO CENTER OF BOX UNLESS OTHERWISE NOTED
RTS — REMOTE LED / TEST STATION FOR DUCT DETECTOR
* ALL AUDIBLE DEVICES SHALL BE MUTLI-TAP dB; LEVEL SHALL BE HIGHEST TAP UON.
** DUCT DETECTORS ARE FURNISHED BY MECHANICAL CONTRACTOR, MOUNTED BY MECHANICAL CONTRACTOR, AND WIRED BY ELECTRICAL CONTRACTOR
*** FLOW, TAMPER AND PRESSURE SWITCHES ARE PROVIDED BY SPRINKLER CONTRACTOR, WIRED BY ELECTRICAL CONTRACTOR
S AS — AIR SAMPLING SMOKE DETECTOR
S BR — BEAM TYPE SMOKE DETECTOR - RECEIVER
S BT — BEAM TYPE SMOKE DETECTOR - TRANSMITTER
AUDIBLE NOTIFICATION FOR FIRE ALARM
R — HEAT DETECTOR - RATE OF RISE
HEAT DETECTOR - LINE TYPE
F — HEAT DETECTOR - FIXED TEMPERATURE

GROUNDING

GROUND BAR
EQUIPMENT GROUND CONNECTION
FUTURE EQUIPMENT GROUND CONNECTION
GROUND ROD
GROUND TEST WELL
UNDERGROUND EXOTHERMIC WELD
PEDESTAL BOND
GROUND LOOP
EQUIPMENT GROUNDING OVERHEAD
EQUIPMENT GROUNDING UNDER SLAB

LIGHTNING PROTECTION

CLASS 1 AIR TERMINAL, 1/2" DIA. SOLID ALUMINUM WITH SAFETY TIP.
TYPE "A" UNLESS OTHERWISE NOTED:
- TYPE "A": 18"L, ADHERED TO INNER SIDE OF PARAPET
- TYPE "B": 24"L, ADHERED DIRECTLY TO ROOF

CLASS 1 ALUMINUM LIGHTNING CONDUCTOR, MAIN SIZE EXCEPT WHERE BONDING CONDUCTORS ARE EXPLICITLY ALLOWED BY CODE :
- MAIN CONDUCTOR: MINIMUM 102 LB PER 1000', 26 STRANDS #14 AWG
- BONDING CONDUCTOR: MINIMUM 40 LB PER 1000', 10 STRANDS #14 AWG

COPPER DOWN CONDUCTOR TO BURIED GROUND RING, CONCEALED IN SEAM OF PRE-CAST BUILDING PANELS

ABBREVIATIONS

A	AMPERES
A	ALTERNATE
AB	ABOVE
AC	ALTERNATING CURRENT
AF	AMPERE FRAME
AFF	ABOVE FINISHED FLOOR
AFG	ABOVE FINISHED GRADE
AHU	AIR HANDLING UNIT
ALT	ALTERNATE
AIC	AMPERE INTERRUPTING CAPACITY
ANN	ANNUNCIATOR
ASSD	AIR SAMPLING SMOKE DETECTION
AT	AMPERE TRIP
ASTS	AUTOMATIC STATIC TRANSFER SWITCH
ATS	AUTOMATIC TRANSFER SWITCH
AUTO	AUTOMATIC
AUX	AUXILIARY
AWG	AMERICAN WIRE GAUGE
BFF	BELOW FINISHED FLOOR
BFG	BELOW FINISHED GRADE
BC/BF	DEVICES MOUNTED BELOW SUSPENDED CEILING AND BELOW RAISED FLOOR
BATT	BATTERY
BF	BELOW RAISED FLOOR
BKR	BREAKER
BLDG	BUILDING
C	CONDUIT
CAB	CABINET
CB	CIRCUIT BREAKER
C-BUS	CABLE BUS
CKT	CIRCUIT
CL	CENTER LINE
CLG	CEILING
CO	COMPANY
COL	COLUMN
COMM	COMMUNICATIONS
CONC	CONCRETE
CONN	CONNECTION, CONNECT
COORD	COORDINATE
CRAH	COMPUTER ROOM AIR HANDLER
CUH	CABINET UNIT HEATER
CT	CURRENT TRANSFORMER
CU	COPPER
Δ	DELTA CONNECTION
DB	DECIBEL
DC	DIRECT CURRENT
DET	DETECTOR
DIA	DIAMETER
DISC	DISCONNECT
DIST	DISTRIBUTION
DIV	DIVISION
DN	DOWN
DP	DISTRIBUTION PANEL
DWG	DRAWING
EA	EACH
EF	EXHAUST FAN
EG	EQUIPMENT GROUND
EL	ELEVATION
ELEC	ELECTRIC(AL)
ELU	EMERGENCY LIGHT UNIT
EMER	EMERGENCY
EMT	ELECTRICAL METALLIC TUBING
EMH	ELECTRICAL MANHOLE
ENCL	ENCLOSURE
E.O.	ELECTRONICALLY OPERATED
EPMS	ELECTRICAL POWER MONITORING SYSTEM
EPO	EMERGENCY POWER OFF
EPR	ETHYLENE PROPYLENE RUBBER INSULATION
EQUIP	EQUIPMENT
EUH	ELECTRIC UNIT HEATER
EWC	ELECTRIC WATER COOLER
EWH	ELECTRIC WALL HEATER
EXIST	EXISTING
EXT	EXTERIOR
F	FUSE(D)
FA	FIRE ALARM
FACP	FIRE ALARM CONTROL PANEL
FCU	FAN COIL UNIT
FIXT	FIXTURE
FLA	FULL LOAD AMPERES
FLR	FLOOR
FLEX	FLEXIBLE
FLUOR	FLUORESCENT
FO	FIBER OPTIC
FTR	FUTURE
FURN	FURNISH
G, GND	GROUND
GALV	GALVANIZE(D)
GEN	GENERATOR
GFEP	GROUND FAULT EQUIPMENT PROTECTION (30MA)
GFCI	GROUND FAULT CIRCUIT INTERRUPTER
GFP	GROUND FAULT PROTECTION
GPS	GLOBAL POSITIONING SYSTEM
HD	HEAVY DUTY
HGT	HEIGHT
HH	HAND HOLE
HID	HIGH INTENSITY DISCHARGE
HO	HIGH OUTPUT
HOA	HAND-OFF-AUTOMATIC
HP	HORSEPOWER
HPF	HIGH POWER FACTOR
HPS	HIGH PRESSURE SODIUM
HTR	HEATER
HV	HIGH VOLTAGE
IC	INTERCOMMUNICATION
ID	IDENTIFY, IDENTIFICATION
IMC	INTERMEDIATE METAL CONDUIT
INCAN	INCANDESCENT
INSUL	INSULATION
IPS	INTERRUPTIBLE POWER SUPPLY
IR	PASSIVE INFRARED
JB	JUNCTION BOX
JCT	JUNCTION
KILO	THOUSAND
KA	KILO AMPERES
KCMIL	THOUSAND CIRCULAR MILS
KVA	KILOVOLT-AMPERES
KVAR	KILOVARS
KV	KILOVOLTS
KW	KILOWATTS
LHD	LINEAR HEAT DETECTOR
LI	LONG TIME INSTANTANEOUS
LTG	LIGHTING
LT(S)	LIGHTS
MA	MILLIAMPERE
MAINT	MAINTAINED
MAN	MANUAL
MAX	MAXIMUM
MC	METAL CLAD CABLE
MCB	MAIN CIRCUIT BREAKER
MCC	MOTOR CONTROL CENTER
MCS	MOLDED CASE SWITCH
MCCB	MOLDED CASE CIRCUIT BREAKER
MDP	MAIN DISTRIBUTION PANEL
MEGA	MILLION
MFR	MANUFACTURER
MH	MANHOLE
MIN	MINIMUM
MLO	MAIN LUGS ONLY
MO	MANUALLY OPERATED
MTD	MOUNT(ED)
MTR	MOTOR
MTS	MANUAL TRANSFER SWITCH
MV	MEDIUM VOLTAGE
MW	MEGA WATTS
N	NORTH
NAC	NOTIFICATION APPLIANCE CIRCUIT
NC	NORMALLY CLOSED
NEC	NATIONAL ELECTRICAL CODE
NF	NON-FUSED
NIC	NOT IN CONTRACT
NL	NIGHT LIGHT
N.O.	NORMALLY OPEN
NTP	NEUTRAL TIME PROTOCOL
NTS	NOT TO SCALE
OCPD	OVERCURRENT PROTECTIVE DEVICE
OH	OVERHEAD
OHD	OVERHEAD DOOR
OL	OVERLOAD
OS	OCCUPANCY SENSOR
P	POLE(S)
P	PREFERRED
PC	PHOTOCELL
PB	PUSHBUTTON
PDU	POWER DISTRIBUTION UNIT
PF	POWER FACTOR
PFR	PREFERRED
PL	PILOT LIGHT
PNL	PANEL
PQM	POWER QUALITY METER
PM	POWER METER
PR	PAIR
PREP	PREPARED
PRI	PRIMARY
PVC	POLYVINYL CHLORIDE
PWR	POWER
ØPH	PHASE
QTY	QUANTITY
RECEPT	RECEPTACLE
RECT	RECTIFIER
REFR	REFRIGERATOR
RGS	RIGID GALVANIZED STEEL CONDUIT
RHW	EPR INSULATED WIRE
RM	ROOM
RMC	RIGID METALLIC CONDUIT
RPP	REMOTE POWER PANEL
SCH	SCHEDULE
SEC	SECONDARY
SFL	SUB-FEED LUGS
SKRU	SOLENOID KEY RELEASE UNIT
SHT	SHEET
ST	SHUNT TRIP
SPC	SPACE
SPKR	SPEAKER
SPR	SPARE
SQ	SQUARE
SS	STAINLESS STEEL
STP	SHIELDED TWISTED PAIR
SUSP	SUSPEND(ED)
SW	SWITCH
SWBD	SWITCHBOARD
SWGR	SWITCHGEAR
T	TRAY
TYP	TYPICAL
U	ULTRASONIC
UC	UNDER COUNTER
UG	UNDERGROUND
UGC	UNDERGROUND COMMUNICATION
UGP	UNDERGROUND POWER
UH	UNIT HEATER
UON	UNLESS OTHERWISE NOTED
UPS	UNINTERRUPTIBLE POWER SUPPLY
UTIL	UTILITY
UTP	UNSHIELDED TWISTED PAIR
V	VOLT(S)
VA	VOLT-AMPERES
VAR	REACTIVE VOLT-AMPERES
VAV	VARIABLE AIR VOLUME
VRLA	VALVE REGULATED LEAD ACID
W	WIRE
W	WATTS
W/	WITH
WG	WIRE GUARD
WP	WEATHERPROOF
WT	WATERTIGHT
XP	EXPLOSION PROOF
XHHW	CROSS LINKED POLYETHYLENE INSULATED WIRE
XFMR	TRANSFORMER
Y	WYE CONNECTION

FEEDER NAMING SCHEME

20-3-AL C-AG

INDICATES CONDUCTOR MATERIAL
INDICATES 3 OR 4 WIRE
INDICATES AMPACITY
CONDUCTOR CONVEYANCE

MATERIAL LEGEND:
AL ALUMINUM
CU COPPER

CONVEYANCE LEGEND:
C-AG ABOVE GRADE CONDUIT
C-BG BELOW GRADE CONDUIT
C-BUS CABLEBUS
MC METAL CLAD CABLE
T CABLE TRAY

LINE TYPE LEGEND

NEW WORK
FUTURE WORK
EXISTING WORK

Project Number: 19.161

SKYBOX CORGAN R-G CRITICAL kW REED ASSOCIATES

LEGEND AND ABBREVIATIONS

As indicated
04.09.2020

04/09/2020

E-100

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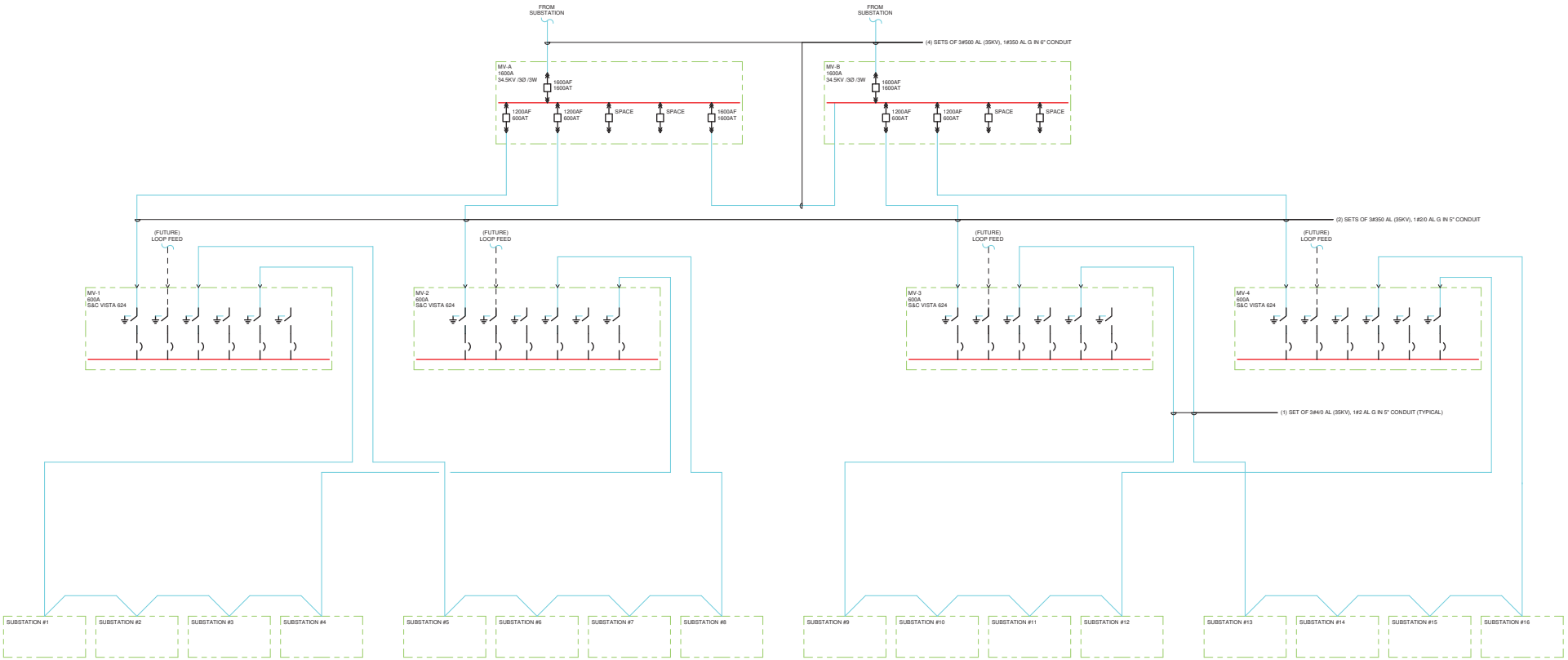

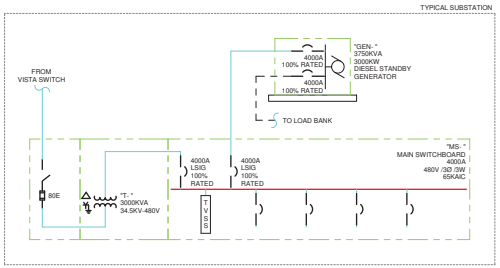

Project Number: 19.161

SKYBOX CORGAN RG KUTH AND GOING, INC CRITICAL kW REED ASSOCIATES

MV ONELINE

N.T.S.

03.17.2020

04/09/2020

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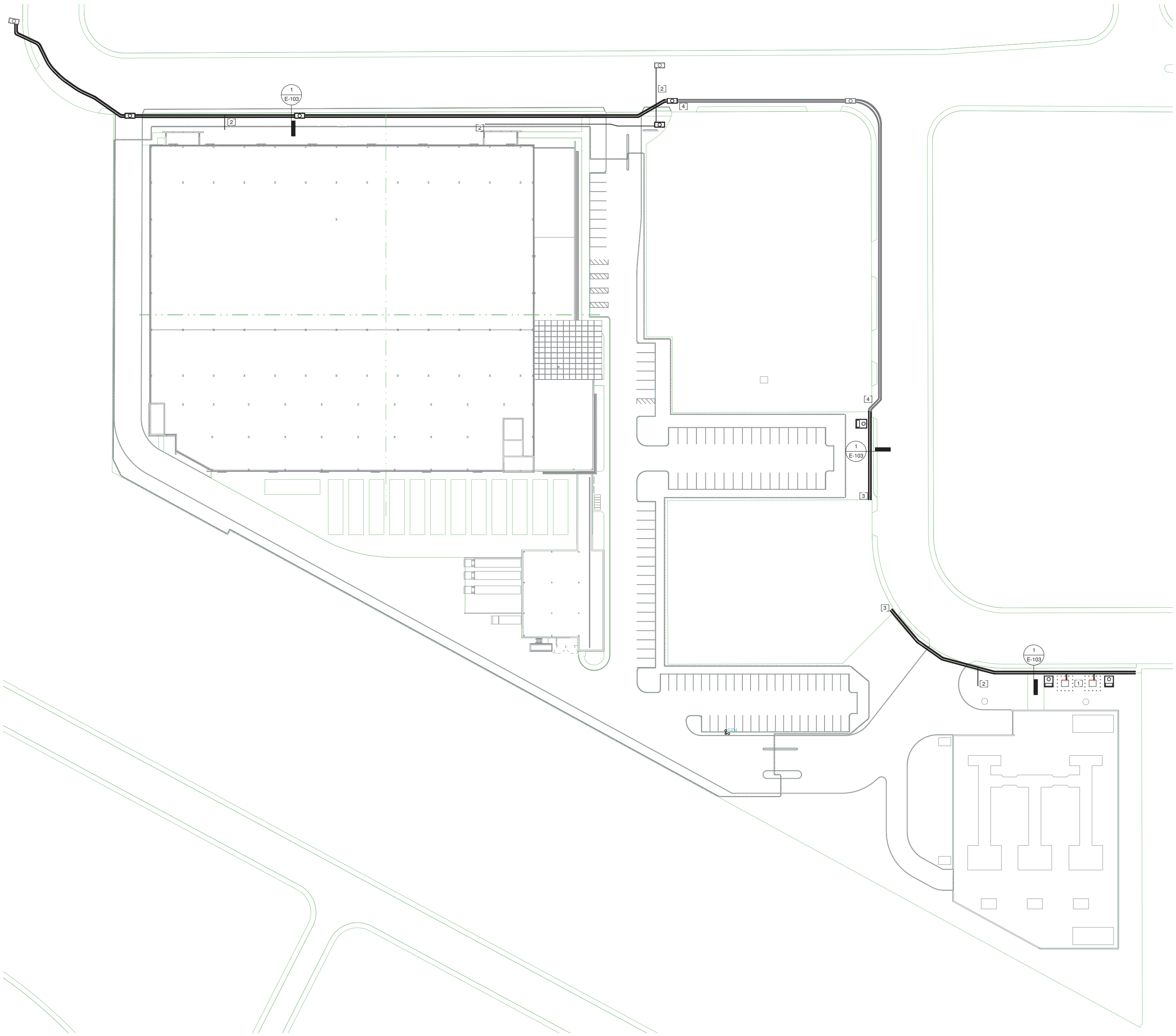


KEYED NOTES

1 PROVIDE TWO (2) SVP PM TRANSFORMER PADS IN VICINITY FOR SVP CONTROL ROOM POWER. DIVERSE 12KV SOURCES REQUIRED. REFERENCE SVP 'UG1000' FOR ADDITIONAL REQUIREMENTS.

2 PROVIDE (1) 4"C FOR SVP FIBER OPTIC CONNECTION.

3 TIE INTO EXISTING DUCTBANK AT INDICATED LOCATION.

4 SCOPE OF WORK BY OTHERS.

NORTH

Project Number: 19.161

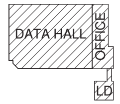
SKYBOX CORGAN R·G CRITICAL kW REED ASSOCIATES

ELECTRICAL SITE ROUTING PLAN

1" = 40'-0"

03.17.2020

04/09/2020



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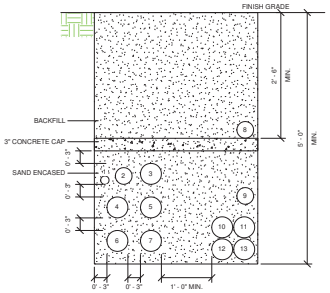

1 UTILITY DUCTBANK - SVP UG1000 - JOINT TRENCH
N.T.S.

Project Number: 19.161

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

ELECTRICAL SITE DETAILS

N.T.S.
03.17.2020

04/09/2020

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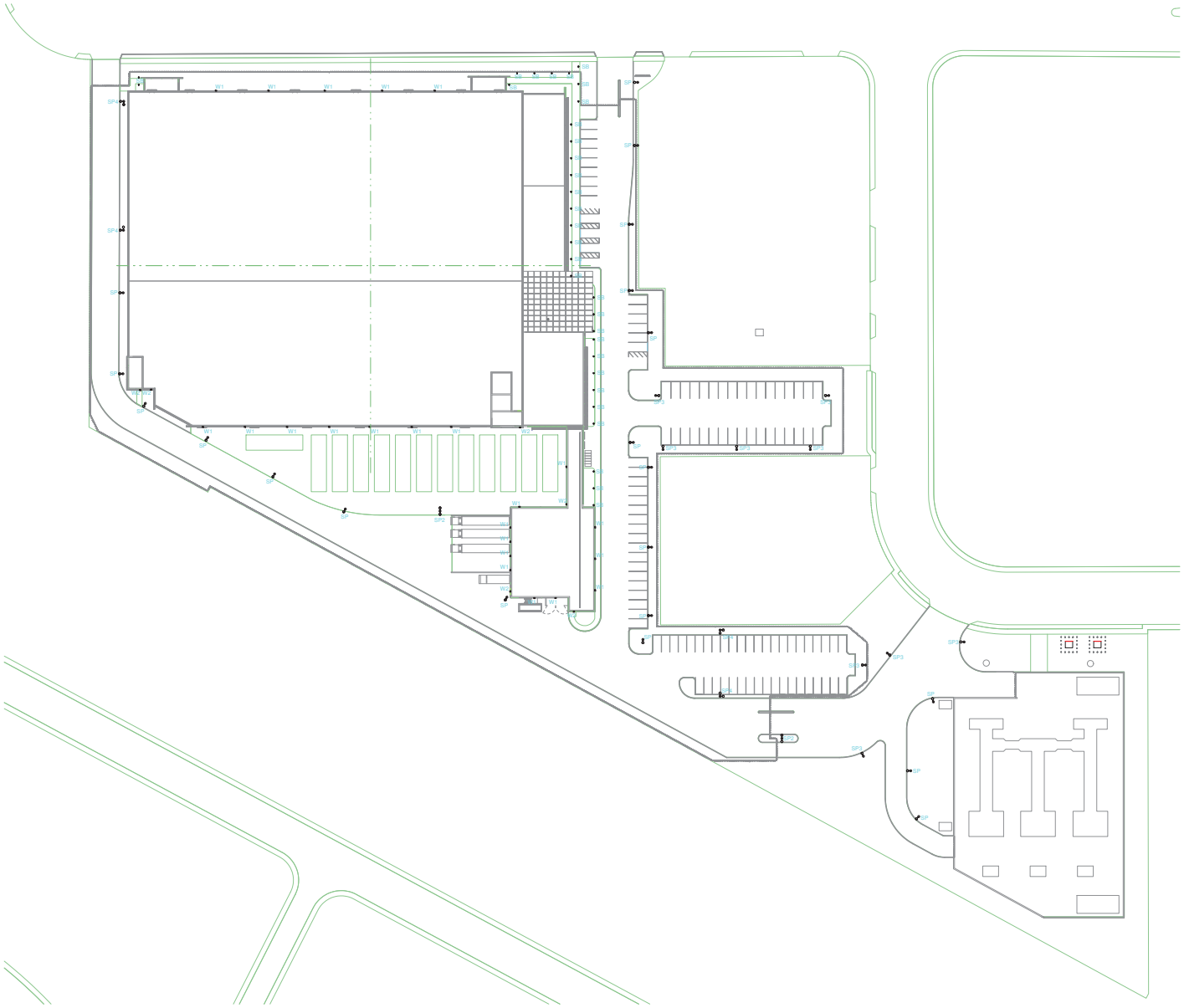

Project Number: 19.161

SKYBOX

CORGAN

R G KUTH AND GOING, INC.

CRITICAL

kW

REED ASSOCIATES

ELECTRICAL SITE LIGHTING PLAN

1" = 40'-0"

03.17.2020

04/09/2020

DATA HALL

OFFICE

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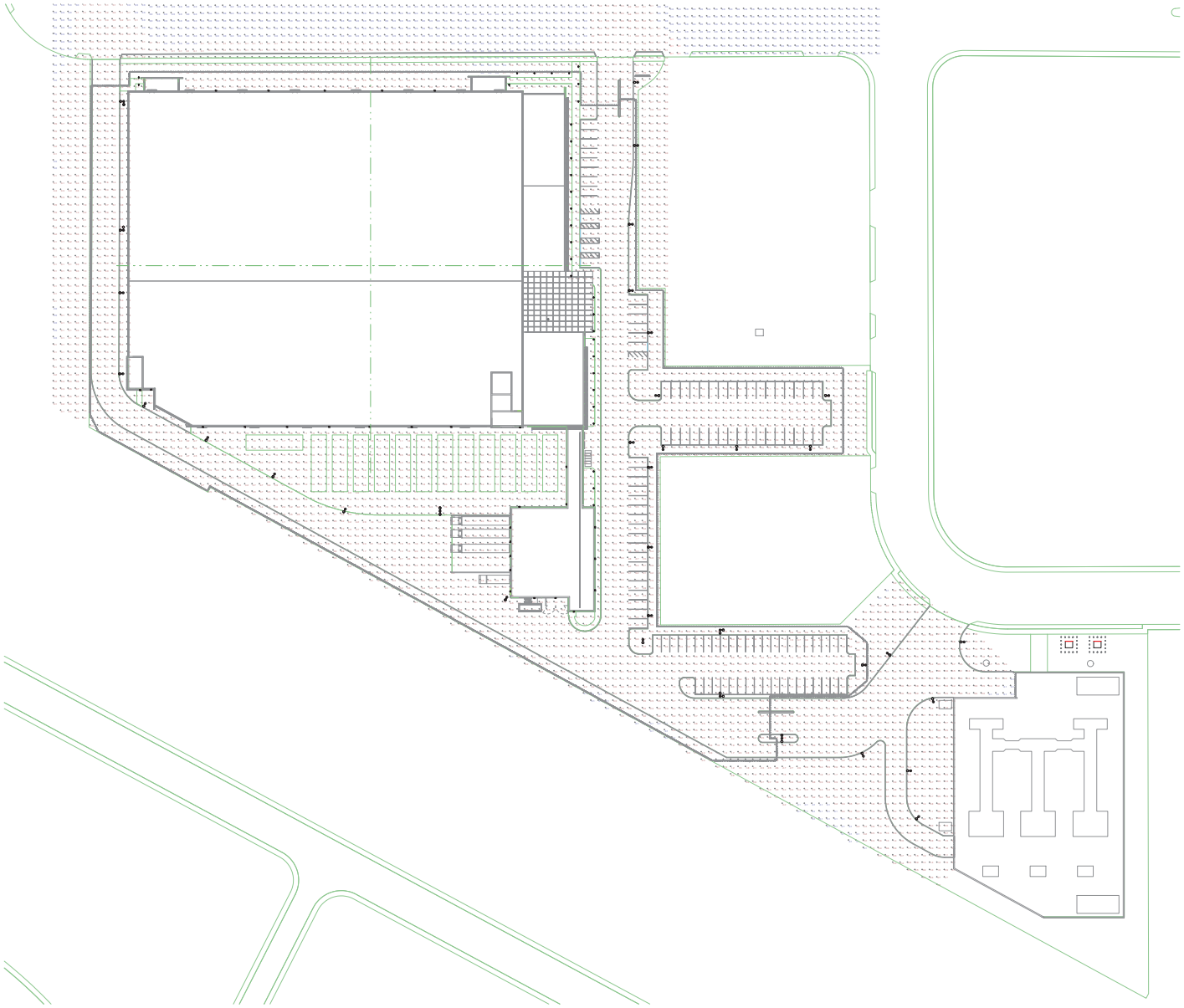

Project Number: 19.161

SKYBOX

CORGAN

RG KUTH AND GOING, INC.

CRITICAL

kW

REED ASSOCIATES

SITE LIGHTING PHOTOMETRICS

1" = 40'-0"

03.17.2020

04/09/2020

DATA HALL

OFFICE

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LUMINAIRE SCHEDULE								
FIXTURE TYPE	Manufacturer	Cat. No.	Description	Lamp Count	Lamp Type	Input Voltage	Wattage	Mounting
SB	LITHONIA	KBR8 LED 16C 530 40K SYM MVOLT	SPECIFICATION LED BOLLARD WITH SYMMETRIC DISTRIBUTION, 8" DIAMETER, 40" HEIGHT	1	4000K LED MODULE, 1598 LUMEN OUTPUT	MVOLT	28W	MOUNTED 3'-6" ABOVE FINISHED GRADE U.O.N.
SP	SIGNIFY GARDCO	H14L-48L-700-NW-G2-2	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE II OPTIC, GLASS LENS	1	4000K LED MODULE, 8476 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
SP2	SIGNIFY GARDCO	H14L-48L-700-NW-G2-2	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE II OPTIC, GLASS LENS TWO HEAD OPTION 180 DEGREE ORIENTATION	2	4000K LED MODULE, 8476 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
SP3	SIGNIFY GARDCO	H14L-48L-700-NW-G2-3	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE III OPTIC, GLASS LENS	1	4000K LED MODULE, 11446 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
SP4	SIGNIFY GARDCO	H14L-48L-700-NW-G2-2	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE II OPTIC, GLASS LENS TWO HEAD OPTION 90 DEGREE ORIENTATION	2	4000K LED MODULE, 8476 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
W1	LITHONIA	WST LED P1 40K VF MVOLT	EXTERIOR LED WALL MOUNT, VISUAL COMFORT, FORWARD THROW	1	4000K LED MODULE, 1500 LUMEN OUTPUT	MVOLT	12W	MOUNTED 16'-0" ABOVE FINISHED FLOOR U.O.N.
W2	LITHONIA	WST LED P1 40K VF MVOLT	EXTERIOR LED DOOR PACK, VISUAL COMFORT, FORWARD THROW	1	4000K LED MODULE, 1500 LUMEN OUTPUT	MVOLT	12W	MOUNTED 1'-0" OVER DOOR U.O.N.

Project Number: 19.161

SKYBOX CORGAN RG KUTH AND GOING, INC

CRITICAL PROJECT STANDARDS LLP kW REED ASSOCIATES LANDSCAPE ARCHITECTURE

LUMINAIRE SCHEDULE

03.17.2020

04/09/2020

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Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:

August 2, 2021

Tiffany Vien, Assistant Planner
Community Development Department
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

RE: Memorex Data Center – Draft Environmental Impact Report

Dear Ms. Vien,

Bay Area Air Quality Management District (Air District) staff has reviewed the Draft Environmental Impact Report (DEIR) for the Memorex Data Center (Project). The Project applicant proposes to demolish the existing buildings on the 9.18-acre site at 1200 Memorex Drive in Santa Clara to construct a four-story, 472,920 square foot data center building with an attached six-story, 87,520 square foot ancillary use office and storage component. To provide an uninterrupted power supply, the Project would include 24 three-megawatt (MW) diesel-fueled generators for the data center, of which 16 generators would be providing 48 MW of backup power generation capacity and eight generators would be providing redundancy, and one 500-kilowatt (kW) diesel-fueled generator for the ancillary use portion of the building.

Since the data center includes backup diesel generators, the Project will require Air District approval of an Authority to Construct and Permit to Operate for the backup diesel generators, and, as such, the Project will be required to comply with all applicable Air District regulations, including, but not limited to, the achieved-in-practice Best Available Control Technology for large emergency backup engines requiring that engines meet U.S. EPA Tier 4 emissions standards. Because diesel combustion produces greenhouse gases (GHGs) and toxic air contaminants (TACs), the Air District encourages the City to go beyond current regulatory requirements and require the project applicant to use cleaner, non-diesel technologies.

Additionally, staff are providing the following recommendations for how the City could enhance its CEQA analysis and minimize emissions from the Project and future proposed data centers.

Consistency with Long-Term State Climate Goals

The DEIR states that "the project would not conflict with plans, policies or regulations adopted for the purpose of reducing the emissions of GHG." However, the DEIR does not evaluate, disclose, nor discuss the Project's consistency with State policies requiring long-term (i.e., 2045 and 2050) reductions in emissions of GHGs. See *Cleveland Nat'l Forest Foundation v. San Diego Ass'n of Governments* (2017) 3 Cal.5th 497, 516 (CEQA analysis should "compare the [project's] projected greenhouse gas emissions ... from 2020 through 2050 with the Executive Order's goal of reducing emissions to 80 percent below 1990 levels by 2050."). Air District staff recommends that the GHG analysis be augmented to include an evaluation, disclosure, and discussion of whether the Project will be consistent with the State's policies beyond 2030. Regardless of whether upon further evaluation the City deems that deployment of 25 diesel backup generators is consistent with the State's carbon neutrality target, the Air District recommends that the City compel the project applicant to adopt alternative zero emitting technologies, procure renewable fuel, commit to otherwise mitigate GHG emissions, or a combination of the three.

Non-Testing/Non-Maintenance Operations

The DEIR should include various scenarios of backup power generation operations beyond routine testing and maintenance. Air District staff has reviewed data regarding backup generator usage during non-testing/non-maintenance operations at several Bay Area data centers. Between September 1, 2019, and September 30, 2020, nearly half of the identified data centers in Santa Clara, San Jose, and Sunnyvale operated backup diesel generators for reasons other than routine testing and maintenance. Many of the data centers operated diesel generators during multiple non-testing/non-maintenance events over the course of this period; operation approached 50 hours for one generator for one event; it appears 40 or more generators operated concurrently at two facilities; and one facility ran diesel generators for approximately 400 hours. Please see Attachment 1 for details of the preliminary information on non-testing/non-maintenance operations that the Air District has received from data centers, which demonstrates the need to evaluate these operations. Air District staff recommends that the DEIR include GHG, criteria pollutant, and TAC impacts due to the non-testing/non-maintenance operations of backup power generators. Various scenarios should be considered for non-testing/non-maintenance operations, including non-zero hours of operation and concurrent generator operations.

Recommendations for Achieving Additional Emissions Reductions

To the extent that further analysis concludes the Project's emissions would be cumulatively considerable or inconsistent with the State's climate goals, the Project may need to incorporate mitigation measures to reduce emissions. Even if the revised analysis does not conclude the Project's emissions will be cumulatively considerable, the Air District encourages the City to compel the applicant to incorporate additional emission reduction measures as a condition of approval of the Project. These recommended measures will help ensure the Project's emissions impacts are reduced by the maximum extent possible to achieve the most health protective air quality for Bay Area residents and to achieve climate protection goals established by the State.

The DEIR identifies the predominant source of the Project's GHG emissions as electricity use (75,354 $MTCO_2e$ per year), which would be provided by the city-operated, publicly-owned utility, Silicon Valley Power (SVP). Although the DEIR states that SVP is on track to meet the 2030 GHG emissions reduction target, the Project could significantly reduce GHG emissions by purchasing all its electricity from renewable sources. Specifically, Air District staff recommends that the Project join SVP's Santa Clara Green Power program and thus commit to purchase 100 percent renewable electricity, or otherwise negotiate an electricity contract with SVP for 100 percent renewables.

The Project, as proposed, would use diesel fuel to power the 25 backup generators. To meet State and regional climate goals, the Air District encourages projects to go above and beyond Air District New Source Review permitting requirements. In September 2018, the Air District launched a Diesel Free by '33 campaign to eliminate diesel emissions. Mayor Lisa Gillmor of the City of Santa Clara signed Diesel Free by '33 to pledge the City's commitment to cut diesel use to zero by the end of 2033. To this end, the Air District recommends the City compel the Project applicant to use the cleanest available technologies such as solar battery power, fuel cells, other non-diesel alternatives, or renewable fuels.

Lastly, Air District staff strongly recommends that the City work with SVP, the Air District, State agencies, and the Project proponents for this and similar proposed data center projects to explore alternative options to reduce GHG emissions. For example, the Air District awarded a Climate Protection Grant of $300,000 to the City of Santa Clara to conduct a pilot project to demonstrate the viability of replacing data center backup diesel generators with electric energy storage systems, and the California Energy Commission has previously provided Electric Program Investment Charge (EPIC) awards for data center microgrids.

We encourage the City to contact Air District staff with any questions and/or to request assistance during the environmental review process. If you have any questions or would like to discuss Air District recommendations further, please contact Josephine Fong, Environmental Planner, at (415) 749-8637 or jfong@baaqmd.gov, or Jakub Zielkiewicz, Advanced Projects Advisor, at (415) 749-8429 or jzielkiewicz@baaqmd.gov.

Sincerely,

Greg Nudd
Deputy Air Pollution Control Officer

Attachment 1: Preliminary Back-Up Diesel Engine Operations (Non-Testing/Non-Maintenance)

cc: BAAQMD Director Margaret Abe-Koga
BAAQMD Chair Cindy Chavez
BAAQMD Director Rich Constantine
BAAQMD Director Rob Rennie

Attachment 1: Preliminary Back-Up Diesel Engine Operations (Non-Testing/Non-Maintenance)

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
1	1	Santa Clara	2	9	5%	90	8/17/20-8/18/20	State Emergency Load Shedding
1	2	Santa Clara	2	8.8	6%	240	8/17/20-8/18/20	State Emergency Load Shedding
1	2	Santa Clara	2	1.2	5%	29	8/17/20-8/18/20	Human error event
1	3	Santa Clara	2	1	1%	5	8/17/20-8/18/20	Human error event
1	4	Santa Clara	2	8.5	25%	390	8/17/20-8/18/20	State Emergency Load Shedding
1	4	Santa Clara	2	1	26%	58	8/17/20-8/18/20	Human error event
1	5	Santa Clara	2	9.1	31%	400	8/17/20-8/18/20	State Emergency Load Shedding
1	6	Santa Clara	2	8.9	21%	300	8/17/20-8/18/20	State Emergency Load Shedding
1	7	Santa Clara	2	8.8	24%	350	8/17/20-8/18/20	State Emergency Load Shedding
1	8	Santa Clara	2	8.8	25%	350	8/17/20-8/18/20	State Emergency Load Shedding
1	9	Santa Clara	2	8.6	22%	325	8/17/20-8/18/20	State Emergency Load Shedding
1	10	Santa Clara	2	9	19%	300	8/17/20-8/18/20	State Emergency Load Shedding
2	1	Sunnyvale	2	12.6	34%	682	Various	Utility inflicted disturbance
2	2	Sunnyvale	2	14.7	41%	795	Various	Utility inflicted disturbance
2	3	Sunnyvale	2	15.3	30%	828	Various	Utility inflicted disturbance
2	4	Sunnyvale	2	13.8	32%	747	Various	Utility inflicted disturbance
2	5	Sunnyvale	2	20.2	26%	1093	Various	Utility inflicted disturbance
3	1	Santa Clara	2	0.5	1%		8/17/20-8/18/20	State Emergency Load Shedding
3	2	Santa Clara	2	1.4	2%		8/17/20-8/18/20	State Emergency Load Shedding
3	3	Santa Clara	2	36.7	40%		8/17/20-8/18/20	State Emergency Load Shedding
3	4	Santa Clara	2.25	0.2	1%		8/17/20-8/18/20	State Emergency Load Shedding
3	5	Santa Clara	2.25	31.7	36%		8/17/20-8/18/20	State Emergency Load Shedding
3	6	Santa Clara	2.25	37.3	36%		8/17/20-8/18/20	State Emergency Load Shedding
4	1	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	2	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	3	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	4	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	5	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	6	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	7	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	8	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	9	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	10	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	11	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	12	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
4	13	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	14	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	15	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	16	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	17	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	18	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	19	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	20	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	21	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	22	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	23	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	24	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	25	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	26	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	27	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	28	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	29	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	30	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	31	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	32	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	33	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	34	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	35	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	36	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	37	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	38	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	39	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	40	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	41	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	42	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	43	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	44	Santa Clara	2.25	0.6	52%	51	8/16/2020	Lightning strikes to transmission line
5	1	Santa Clara	2	5	46%	325	8/17/20-8/18/20	State Emergency Load Shedding
5	2	Santa Clara	2	6	58%	400	8/17/20-8/18/20	State Emergency Load Shedding
6	1	Santa Clara	2	41.9	30%	200	8/17/20-8/18/20	utility outage

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
6	2	Santa Clara	2	47.7	22%	180	8/17/20-8/18/20	utility outage
6	3	Santa Clara	2	13	2%	20	8/17/20-8/18/20	utility outage
6	4	Santa Clara	2	37.2	54%	500	8/17/20-8/18/20	utility outage
6	5	Santa Clara	2	37.3	38%	250	8/17/20-8/18/20	utility outage
6	6	Santa Clara	2	41.7	0%	20	8/17/20-8/18/20	utility outage
7	1	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	1	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	1	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	2	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	2	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	2	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	3	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	3	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	3	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	4	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	4	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	4	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	5	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	5	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	5	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	6	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	6	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	6	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	7	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	7	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	7	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	8	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	8	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	8	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	9	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	9	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	9	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	10	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	10	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	10	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
7	11	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	11	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	11	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	12	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	12	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	12	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	13	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	13	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	13	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	14	Santa Clara	2	3.7	45%	220	8/17-8/18	Power outage
7	14	Santa Clara	2	4.9	55%	370	9/6/2020	Power outage
7	15	Santa Clara	2	3.7	45%	210	8/17-8/18	Power outage
7	15	Santa Clara	2	0.4	50%	390	9/6/2020	Power outage
7	16	Santa Clara	2	3.7	45%	220	8/17-8/18	Power outage
7	16	Santa Clara	2	4.9	5%	1.5	9/6/2020	Power outage
7	17	Santa Clara	2	0.2	5%	1.4	8/17-8/18	Power outage
7	17	Santa Clara	2	0.2	5%	0.2	9/6/2020	Power outage
7	18	Santa Clara	2	3.7	40%	210	8/17-8/18	Power outage
7	18	Santa Clara	2	4.9	55%	400	9/6/2020	Power outage
7	19	Santa Clara	2	5.5	50%	360	8/17-8/18	Power outage
7	19	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	20	Santa Clara	2	5.5	50%	370	8/17-8/18	Power outage
7	20	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	21	Santa Clara	2	5.5	50%	370	8/17-8/18	Power outage
7	21	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	22	Santa Clara	2	5.5	50%	370	8/17-8/18	Power outage
7	22	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	23	Santa Clara	2	5.5	20%	150	8/17-8/18	Power outage
7	23	Santa Clara	2	0.7	15%	14	9/6/2020	Power outage
7	24	Santa Clara	2	0.2	5%	1	8/17-8/18	Power outage
7	24	Santa Clara	2	0.1	5%	1	9/6/2020	Power outage
8	1	Santa Clara	2	0.3	5%	2	11/27/2019	System-wide power quality event
8	1	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	2	Santa Clara	2	0.3	5%	2	11/27/2019	System-wide power quality event
8	2	Santa Clara	2	0.3	5%	2	2/15/2020	System-wide power quality event

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
8	3	Santa Clara	2	0.3	6%	2	11/27/2019	System-wide power quality event
8	3	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	4	Santa Clara	2	0.3	7%	2	2/15/2020	System-wide power quality event
8	4	Santa Clara	2	0.2	8%	2	11/27/2019	System-wide power quality event
8	5	Santa Clara	2	0.2	10%	2	11/27/2019	System-wide power quality event
8	5	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	6	Santa Clara	2	0.2	9%	2	11/27/2019	System-wide power quality event
8	6	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	7	Santa Clara	2	0.2	15%	2	11/27/2019	System-wide power quality event
8	7	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	8	Santa Clara	2	0.2	13%	2	11/27/2019	System-wide power quality event
8	8	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	9	Santa Clara	2	0.2	9%	2	11/27/2019	System-wide power quality event
8	9	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	10	Santa Clara	2	0.2	12%	2	11/27/2019	System-wide power quality event
8	10	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	11	Santa Clara	2	0.2	5%	2	11/27/2019	System-wide power quality event
8	11	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	12	Santa Clara	2	0.2	5%	2	11/27/2019	System-wide power quality event
8	12	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	13	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	13	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	14	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	14	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	15	Santa Clara	2	0.2	12%	2	11/27/2019	System-wide power quality event
8	15	Santa Clara	2	0.2	11%	2	2/15/2020	System-wide power quality event
8	16	Santa Clara	2	0.3	10%	2	11/27/2019	System-wide power quality event
8	16	Santa Clara	2	0.2	9%	2	2/15/2020	System-wide power quality event
8	17	Santa Clara	2	0.3	9%	2	11/27/2019	System-wide power quality event
8	17	Santa Clara	2	0.2	9%	2	2/15/2020	System-wide power quality event
8	18	Santa Clara	2	0.2	7%	2	11/27/2019	System-wide power quality event
8	18	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	19	Santa Clara	2	0.2	10%	2	11/27/2019	System-wide power quality event
8	19	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	20	Santa Clara	2	0.2	9%	2	11/27/2019	System-wide power quality event

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
8	20	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	21	Santa Clara	2	0.2	17%	2	11/27/2019	System-wide power quality event
8	21	Santa Clara	2	0.2	12%	2	2/15/2020	System-wide power quality event
8	22	Santa Clara	2	0.2	8%	2	11/27/2019	System-wide power quality event
8	22	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	23	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	23	Santa Clara	2	0.2	5%	2	2/15/2020	System-wide power quality event
8	24	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	24	Santa Clara	2	0.2	5%	2	2/15/2020	System-wide power quality event
9	1	Santa Clara	2	8.4	65%	524	8/17/20-8/18/20	State Emergency Load Shedding
9	2	Santa Clara	2	5.6	60%	400	8/17/20-8/18/20	State Emergency Load Shedding
9	3	Santa Clara	2	2.6	50%	300	8/17/20-8/18/20	Equipment failure
9	4	Santa Clara	2	2.9	1%	20	8/17/20-8/18/20	State Emergency Load Shedding
9	5	Santa Clara	0.23	6.5	7%	10	8/17/20-8/18/20	State Emergency Load Shedding
10	1	Santa Clara	2	9	50%	256	8/17/20-8/18/20	State Emergency Load Shedding
10	2	Santa Clara	2	9	50%	256	8/17/20-8/18/20	State Emergency Load Shedding
10	3	Santa Clara	2	9	50%	256	8/17/20-8/18/20	State Emergency Load Shedding
10	4	Santa Clara	2.06	4	60%	296	8/17/20-8/18/20	State Emergency Load Shedding
10	5	Santa Clara	2.06	4	60%	296	8/17/20-8/18/20	State Emergency Load Shedding
10	6	Santa Clara	2.06	4	60%	296	8/17/20-8/18/20	State Emergency Load Shedding
10	7	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	7	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	8	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	8	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	9	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	9	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	10	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	10	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	11	Santa Clara	3	5	50%	780	8/17/20-8/18/20	State Emergency Load Shedding
10	12	Santa Clara	3	5	50%	780	8/17/20-8/18/20	State Emergency Load Shedding
10	13	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	14	Santa Clara	3	5	50%	780	8/17/20-8/18/20	State Emergency Load Shedding
10	15	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	16	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	17	Santa Clara	2.75	9	70%	625	8/17/20-8/18/20	State Emergency Load Shedding

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

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Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
10	18	Santa Clara	2.75	8.2	70%	525	8/17/20-8/18/20	State Emergency Load Shedding
10	19	Santa Clara	2.75	8.9	70%	615	8/17/20-8/18/20	State Emergency Load Shedding
10	20	Santa Clara	2.75	11.3	70%	975	8/17/20-8/18/20	State Emergency Load Shedding
10	21	Santa Clara	2	4	60%	238	8/17/20-8/18/20	State Emergency Load Shedding
10	22	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	23	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	24	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	25	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	26	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	27	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	28	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	29	Santa Clara	3	11.6	60%	1786		Power bump
10	29	Santa Clara	3	4	60%	616		Power bump
10	29	Santa Clara	3	3.5	60%	539	8/17/20-8/18/20	State Emergency Load Shedding
10	29	Santa Clara	3	3	60%	462		Power bump
10	29	Santa Clara	3	2.7	60%	416		Power bump
10	29	Santa Clara	3	1	60%	154		Power bump
10	29	Santa Clara	3	1	60%	154		Utility outage
10	30	Santa Clara	3	10.1	60%	1555		Utility outage
10	30	Santa Clara	3	5.5	60%	847		Power bump
10	30	Santa Clara	3	4	60%	616		Utility outage
10	30	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	30	Santa Clara	3	2.8	60%	431		Power bump
10	30	Santa Clara	3	1	60%	154		Utility outage
10	30	Santa Clara	3	1	60%	154		Utility outage
10	31	Santa Clara	3	11.5	60%	1771		Utility outage
10	31	Santa Clara	3	4	60%	616		Utility outage
10	31	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	31	Santa Clara	3	3	60%	462		Power bump
10	31	Santa Clara	3	2.7	60%	416		Power bump
10	31	Santa Clara	3	1	60%	154		Utility outage
10	31	Santa Clara	3	1	60%	154		Utility outage
10	32	Santa Clara	3	11.6	60%	1786		Utility outage
10	32	Santa Clara	3	4	60%	616		Utility outage
10	32	Santa Clara	3	3	60%	462		Power bump

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
10	32	Santa Clara	3	3	60%	462	8/17/20-8/18/20	State Emergency Load Shedding
10	32	Santa Clara	3	2.7	60%	416		Power bump
10	32	Santa Clara	3	1	60%	154		Utility outage
10	32	Santa Clara	3	1	60%	154		Utility outage
10	33	Santa Clara	3	11.6	60%	1786		Utility outage
10	33	Santa Clara	3	4	60%	616		Utility outage
10	33	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	33	Santa Clara	3	3	60%	462		Power bump
10	33	Santa Clara	3	2.8	60%	431.2		Power bump
10	33	Santa Clara	3	1	60%	154		Utility outage
10	33	Santa Clara	3	1	60%	154		Utility outage
10	34	Santa Clara	3	11.6	60%	1786		Utility outage
10	34	Santa Clara	3	4	60%	616		Utility outage
10	34	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	34	Santa Clara	3	3	60%	462		Power bump
10	34	Santa Clara	3	2.9	60%	447		Power bump
10	34	Santa Clara	3	1	60%	154		Utility outage
10	34	Santa Clara	3	1	60%	154		Utility outage
10	35	Santa Clara	3	6	40%	450	8/17/20-8/18/20	State Emergency Load Shedding
10	36	Santa Clara	3	2	40%	150	8/17/20-8/18/20	State Emergency Load Shedding
10	37	Santa Clara	3	5.5	40%	412	8/17/20-8/18/20	State Emergency Load Shedding
10	38	Santa Clara	3	5.5	40%	412	8/17/20-8/18/20	State Emergency Load Shedding
10	39	Santa Clara	3	5.5	40%	412	8/17/20-8/18/20	State Emergency Load Shedding
10	40	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
11	1	Santa Clara	2	5.8	25%	390	8/17/20-8/18/20	Power supplier request
11	1	Santa Clara	2	4.1	25%	390	8/17/20-8/18/20	Power supplier request
11	2	Santa Clara	2	4.7	31%	280	8/17/20-8/18/20	Power supplier request
11	2	Santa Clara	2	3.9	31%	280	8/17/20-8/18/20	Power supplier request
11	3	Santa Clara	2	5.6	28%	380	8/17/20-8/18/20	Power supplier request
11	3	Santa Clara	2	4.3	28%	380	8/17/20-8/18/20	Power supplier request
11	4	Santa Clara	2	5.4	43%	605	8/17/20-8/18/20	Power supplier request
11	4	Santa Clara	2	3.5	43%	605	8/17/20-8/18/20	Power supplier request
11	5	Santa Clara	0.23	6	17%	27	8/17/20-8/18/20	Power supplier request
11	5	Santa Clara	0.23	3.5	17%	27	8/17/20-8/18/20	Power supplier request
11	6	Santa Clara	2	4.5	17%	75	8/17/20-8/18/20	Power supplier request

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
11	7	Santa Clara	2	4.7	8%	75	8/17/20-8/18/20	Power supplier request
11	8	Santa Clara	2	4.7	8%	100	8/17/20-8/18/20	Power supplier request
11	9	Santa Clara	2	4.7	9%	100	8/17/20-8/18/20	Power supplier request
11	10	Santa Clara	2	4.8	11%	100	8/17/20-8/18/20	Power supplier request
11	11	Santa Clara	0.23	4.8	7%	30	8/17/20-8/18/20	Power supplier request
12	1	Santa Clara	0.23	2.9	14%	87	8/17/20-8/18/20	Utility outage
12	2	Santa Clara	2	43	8%	160	8/17/20-8/18/20	Utility outage
12	3	Santa Clara	2	42.8	6%	160	8/17/20-8/18/20	Utility outage
12	4	Santa Clara	2	38	15%	420	8/17/20-8/18/20	Utility outage
12	5	Santa Clara	2	24	55%	500	8/17/20-8/18/20	Utility outage
12	6	Santa Clara	2	10	6%	160	8/17/20-8/18/20	Utility outage
12	7	Santa Clara	2	10.4	7%	160	8/17/20-8/18/20	Utility outage
12	8	Santa Clara	2	42.1	30%	250	8/17/20-8/18/20	Utility outage
12	9	Santa Clara	2	41.8	30%	250	8/17/20-8/18/20	Utility outage
12	10	Santa Clara	2	10.3	1%	50	8/17/20-8/18/20	Utility outage
12	11	Santa Clara	2	10	7%	160	8/17/20-8/18/20	Utility outage
13	1	Santa Clara	2	19.8	37%	80.3	Various	Utility power outages; power blips, UPS/board repair
13	2	Santa Clara	2	20.4	37%	82.5	Various	Utility power outages; power blips, UPS/board repair
13	3	Santa Clara	1.25	14.96	43%	527	Various	Utility power outages; power blips, UPS/board repair
13	4	Santa Clara	1.25	14.94	42%	525	Various	Utility power outages; power blips, UPS/board repair
13	5	Santa Clara	1.25	14.92	43%	523	Various	Utility power outages; power blips, UPS/board repair
14	1	Santa Clara	2.7	1.9	22%	90	11/27/2019	Utiilty sag event
14	2	Santa Clara	2.7	1.9	32%	95	11/27/2019	Utiilty sag event
14	3	Santa Clara	2.7	1.9	1%	57	11/27/2019	Utiilty sag event
14	4	Santa Clara	2.7	1.9	34%	99.75	11/27/2019	Utiilty sag event
14	5	Santa Clara	2.7	4.4	41%	422	8/18/2020	Mandatory load transfer
14	6	Santa Clara	2.7	6.3	32%	445	8/18/2020	Mandatory load transfer
14	7	Santa Clara	2.7	4.7	2%	139	8/18/2020	Mandatory load transfer
14	8	Santa Clara	2.7	4.5	48%	123	8/18/2020	Mandatory load transfer
15	1	Santa Clara	2	14	65%	693		
15	2	Santa Clara	2	14	65%	693		
15	3	Santa Clara	2	14	65%	693		
15	4	Santa Clara	2	14				
15	5	Santa Clara	2	14				
15	6	Santa Clara	2.5	14	19%	486		

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
15	7	Santa Clara	2.5	14				
16	1	Santa Clara	2	2.4	2%	45.6	7/31/2020	Utility power outage
16	2	Santa Clara	2	2.4	18%	48	7/31/2020	Utility power outage
16	3	Santa Clara	1.5	2.4	30%	40.8	7/31/2020	Utility power outage
16	4	Santa Clara	1.5	2.4	25%	38.4	7/31/2020	Utility power outage
17	1	San Jose	2	2	14%	80	11/26/2019	Commercial power outage
17	2	San Jose	2	2	14%	80	11/26/2019	Commercial power outage
18	1	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	1	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	2	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	2	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	3	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	3	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	4	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	4	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	5	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	5	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	6	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	6	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
19	1	San Jose	1.5	4	20%	200	8/19/2020	Substation transformer power equipment failure
19	2	San Jose	1.5	4	17%	190	8/19/2020	Substation transformer power equipment failure
19	3	San Jose	1.5	4	50%	290	8/19/2020	Substation transformer power equipment failure
19	4	San Jose	1.5	4	60%	310	8/19/2020	Substation transformer power equipment failure
19	5	San Jose	1.5	4	53%	300	8/19/2020	Substation transformer power equipment failure
19	6	San Jose	1.5	4	40%	280	8/19/2020	Substation transformer power equipment failure
20	1	Santa Clara	3	4.1	42%	410	8/18/2020	State Emergency Load Shedding
20	1	Santa Clara	3	3.5	42%	350	9/7/2020	State Emergency Load Shedding
20	1	Santa Clara	3	1.5	42%	150	8/17/2020	State Emergency Load Shedding
20	2	Santa Clara	3	4.1	37%	410	8/18/2020	State Emergency Load Shedding
20	2	Santa Clara	3	3.6	37%	360	9/7/2020	State Emergency Load Shedding
20	2	Santa Clara	3	2.6	37%	250	8/17/2020	State Emergency Load Shedding
20	3	Santa Clara	3	4.1	40%	410	8/18/2020	State Emergency Load Shedding
20	3	Santa Clara	3	3.6	40%	360	9/7/2020	State Emergency Load Shedding
20	3	Santa Clara	3	1.8	40%	180	8/17/2020	State Emergency Load Shedding
20	4	Santa Clara	3	4.1	38%	410	8/18/2020	State Emergency Load Shedding

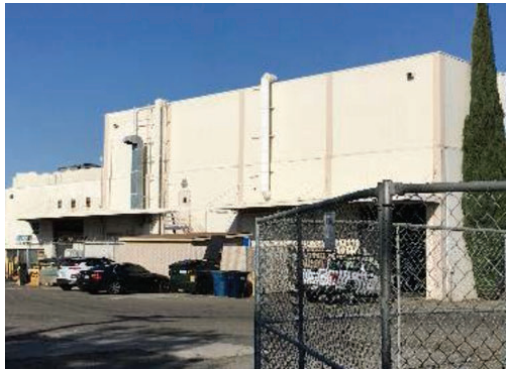
Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

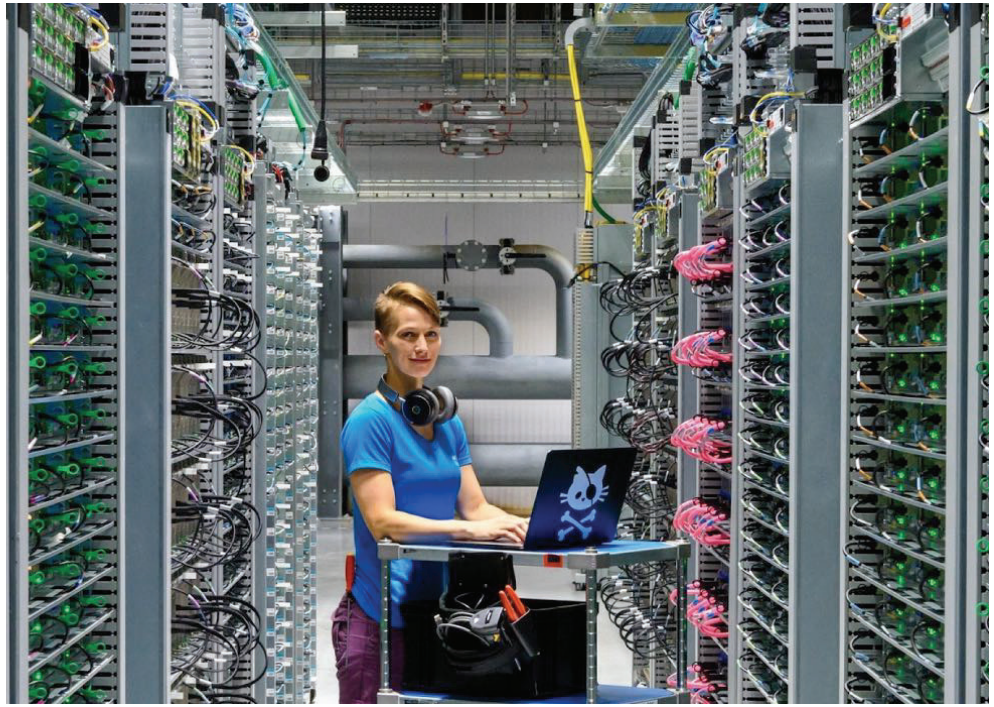
Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
20	4	Santa Clara	3	3.6	38%	360	9/7/2020	State Emergency Load Shedding
20	4	Santa Clara	3	1.4	38%	150	8/17/2020	State Emergency Load Shedding
20	5	Santa Clara	3	4.2	20%	410	8/18/2020	State Emergency Load Shedding
20	5	Santa Clara	3	1.1	20%	120	8/17/2020	State Emergency Load Shedding
20	6	Santa Clara	3	4.1	17%	410	8/18/2020	State Emergency Load Shedding
20	6	Santa Clara	3	1.3	17%	130	8/17/2020	State Emergency Load Shedding
20	7	Santa Clara	3	4.1	18%	410	8/18/2020	State Emergency Load Shedding
20	7	Santa Clara	3	1.4	18%	140	8/17/2020	State Emergency Load Shedding
20	8	Santa Clara	3	4.1	19%	410	8/18/2020	State Emergency Load Shedding
20	8	Santa Clara	3	1.4	19%	140	8/17/2020	State Emergency Load Shedding
20	9	Santa Clara	3	4.2	15%	420	8/18/2020	State Emergency Load Shedding
20	9	Santa Clara	3	1.1	15%	110	8/17/2020	State Emergency Load Shedding
20	10	Santa Clara	3	4.1	29%	410	8/18/2020	State Emergency Load Shedding
20	10	Santa Clara	3	1.3	29%	130	8/17/2020	State Emergency Load Shedding
20	11	Santa Clara	3	4.3	18%	430	8/18/2020	State Emergency Load Shedding
20	11	Santa Clara	3	1.4	18%	140	8/17/2020	State Emergency Load Shedding
20	12	Santa Clara	3	4.1	19%	410	8/18/2020	State Emergency Load Shedding
20	12	Santa Clara	3	1.4	19%	140	8/17/2020	State Emergency Load Shedding
20	13	Santa Clara	3	4.1	3%	120	8/18/2020	State Emergency Load Shedding
20	13	Santa Clara	3	1.2	3%	40	8/17/2020	State Emergency Load Shedding
20	14	Santa Clara	3	4	2%	120	8/18/2020	State Emergency Load Shedding
20	14	Santa Clara	3	1.3	2%	40	8/17/2020	State Emergency Load Shedding
20	15	Santa Clara	3	4	2%	160	8/18/2020	State Emergency Load Shedding
20	15	Santa Clara	3	1.3	2%	50	8/17/2020	State Emergency Load Shedding
20	16	Santa Clara	3	2	30%	20	8/17/2020	State Emergency Load Shedding
20	16	Santa Clara	3	1.5	30%	20	8/18/2020	State Emergency Load Shedding
20	17	Santa Clara	3	0.9	10%	20	8/17/2020	State Emergency Load Shedding
20	17	Santa Clara	3	0.8	10%	20	8/18/2020	State Emergency Load Shedding

Innovation in Information Technology
& Data Center Sectors



1964 Data Center

Modern Day Data Center



https://www.google.com/about/datacenters/gallery/

IBM

1953 - 1964

IBM 2311 Disk Storage

MEMOREX

Founded 1961

Memorex pioneers assembled in front of this early company facility for a group photograph in 1961. The prototype for Memorex's first precision tape coating line was built in this building in Mountain View while the company's first plant was being built in Santa Clara.

Arnold Chalman (Founder) Carl Anderson Larry Noon (Founder)

IBM

1953 - 1964

83% Market Share

IBM 2311 Disk Storage Drive

MEMOREX

Founded 1961
Hard Drive 1968

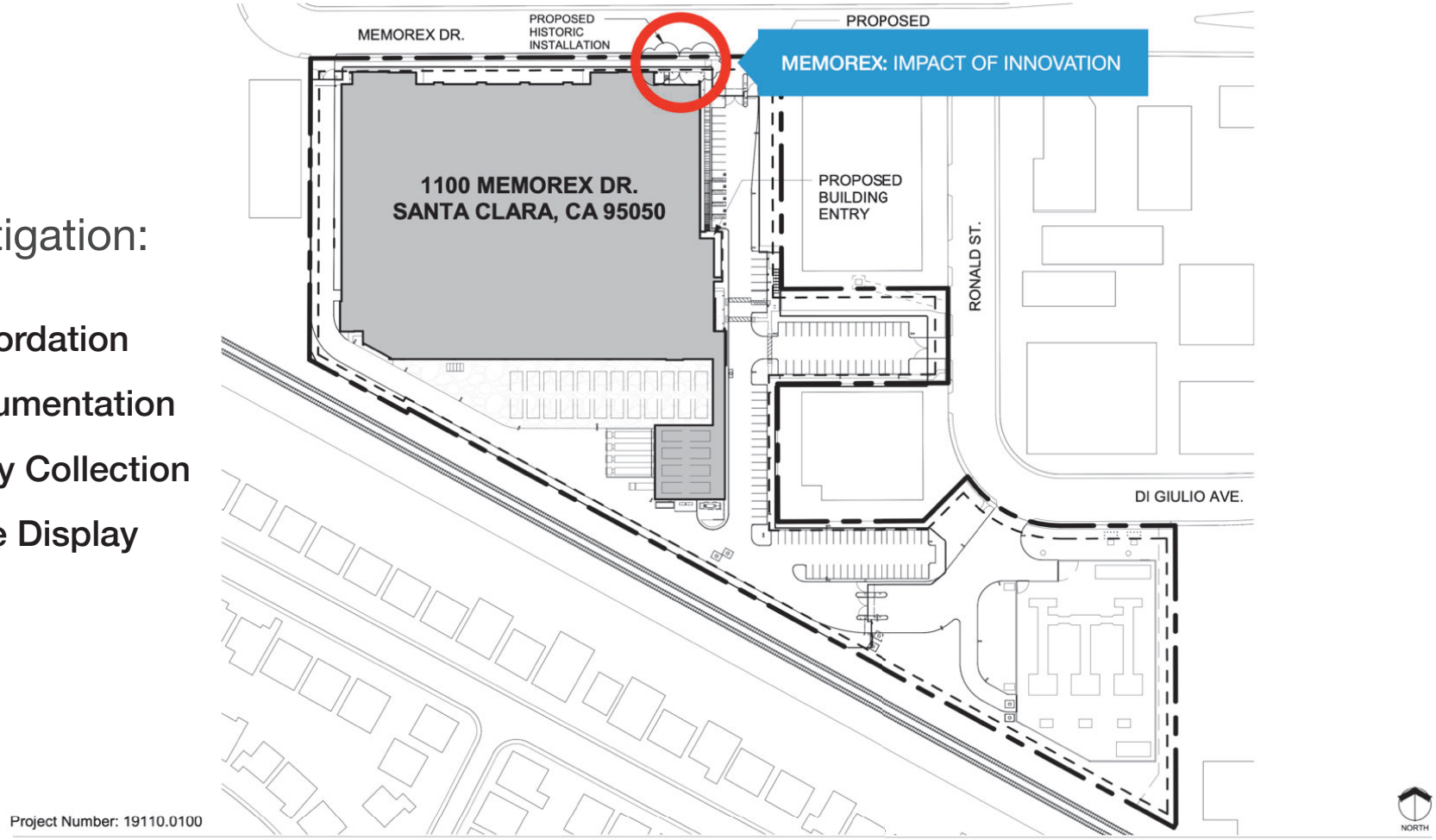
Courtesy: Memorex Corporation

Rapid Development & New Competition

Lower Costs to Businesses, Their Data Centers & Customers

Project Mitigation:

- **HABS Recordation**
- **Video Documentation**
- **Oral History Collection**
- **Interpretive Display**



Project Number: 19110.0100

SKYBOX

PROPOSED HISTORIC INSTALLATION
1" = 100'-0"
06.29.2021

CORGAN

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This document is incomplete and may not be used for regulatory approval, permit or construction.

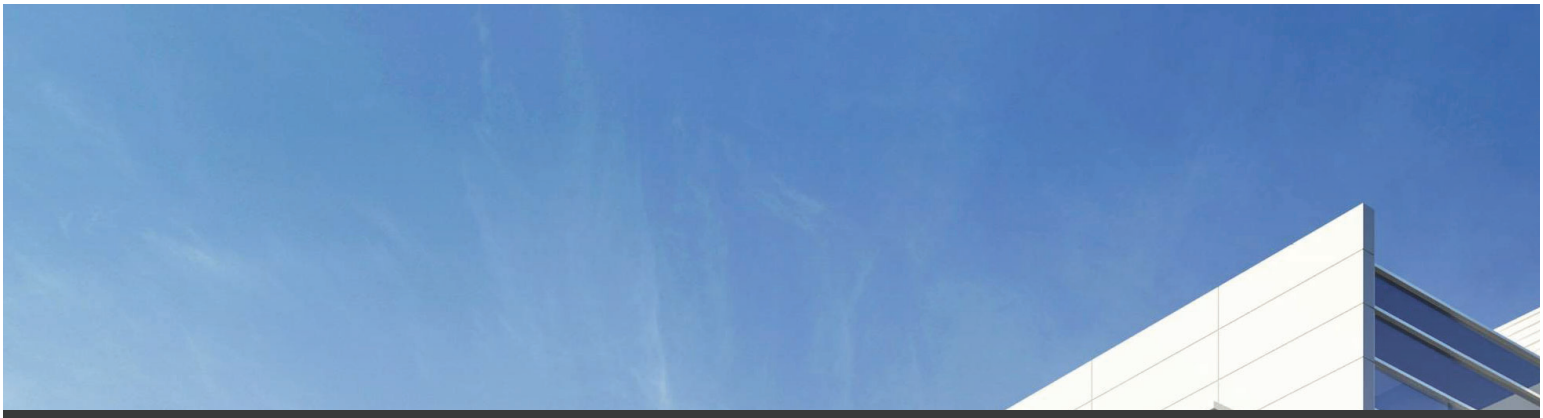
MEMOREX: IMPACT OF INNOVATION

Web Link to

Memorex Data Center Project

Draft Environmental Impact Report and Appendices A to N

1200 Memorex Data Center | Environmental Review/CEQA | City of Santa Clara



Final Environmental Impact Report

Memorex Data Center

Prepared by the

City of Santa Clara

In Consultation with

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

October 2021

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SECTION 1.0 INTRODUCTION

This document, together with the Draft Environmental Impact Report (Draft EIR), constitutes the Final Environmental Impact Report (Final EIR) for the Memorex Data Center project.

1.1 PURPOSE OF THE FINAL EIR

In conformance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this Final EIR provides objective information regarding the environmental consequences of the proposed project. The Final EIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The Final EIR is intended to be used by the City and any Responsible Agencies in making decisions regarding the project.

Pursuant to CEQA Guidelines Section 15090(a), prior to approving a project, the Lead Agency shall certify that:

(1) The Final EIR has been completed in compliance with CEQA;
(2) The Final EIR was presented to the decision-making body of the Lead Agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
(3) The Final EIR reflects the Lead Agency's independent judgment and analysis.

1.2 CONTENTS OF THE FINAL EIR

CEQA Guidelines Section 15132 specify that the Final EIR shall consist of:

a) The Draft EIR or a revision of the Draft EIR;
b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
d) The Lead Agency's responses to significant environmental points raised in the review and consultation process; and
e) Any other information added by the Lead Agency.

1.3 PUBLIC REVIEW

In accordance with CEQA and the CEQA Guidelines, the City shall provide a written response to a public agency on comments made by that public agency at least 10 days prior to certifying the EIR. The Final EIR and all documents referenced in the Final EIR are available for public review at the Planning Division office in City Hall at 1500 Warburton Avenue on weekdays during normal business hours. The Final EIR is also available for review on the City's website: https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/372/3649

SECTION 2.0 DRAFT EIR PUBLIC REVIEW SUMMARY

The Draft EIR for the Memorex Data Center project, dated June 2021, was circulated to affected public agencies and interested parties for a 45-day review period from June 17th, 2021 through August 2nd, 2021. The City of Santa Clara undertook the following actions to inform the public of the availability of the Draft EIR:

- A Notice of Availability of Draft EIR was published on the City's website (https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/372/3649);
- Notification of the availability of the Draft EIR was mailed to project-area residents and other members of the public who had indicated interest in the project;
- The Draft EIR was sent electronically to the State Clearinghouse on June 15th, 2021, as well as sent to various governmental agencies, organizations, businesses, and individuals (see *Section 3.0* for a list of agencies, organizations, businesses, and individuals that received the Draft EIR); and
- The Draft EIR was made available on the City's website (https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/372/3649).

SECTION 3.0 DRAFT EIR RECIPIENTS

CEQA Guidelines Section 15086 requires that a local Lead Agency consult with and request comments on the Draft EIR prepared for a project of this type from Responsible Agencies (government agencies that must approve or permit some aspect of the project), trustee agencies for resources affected by the project, adjacent cities and counties, and transportation planning agencies.

The Notice of Availability (NOA) for the Draft EIR was sent to owners and occupants adjacent to the project site and to adjacent jurisdictions. The following agencies received a copy of the Draft EIR from the City or via the State Clearinghouse:

- California Air Resources Board
- Native American Heritage Commission
- Office of Historic Preservation

Copies of the Draft EIR or NOA for the Draft EIR were sent to the following organizations, businesses, and individuals by the City:

- Adams Broadwell Joseph & Cardozo

SECTION 4.0 RESPONSES TO DRAFT EIR COMMENTS

In accordance with CEQA Guidelines Section 15088, this document includes written responses to comments received by the City of Santa Clara on the Draft EIR.

Comments are organized under headings containing the source of the letter and its date. The specific comments from each of the letters and/or emails are presented with each response to that specific comment directly following. Copies of the actual letters and emails received by the City of Santa Clara are included in their entirety in Appendix A of this document. Comments received on the Draft EIR are listed below.

Comment Letter and Commenter **Page of Response**

Regional and Local Agencies

A. Responses to Comment Letter A from the Bay Area Air Quality Management District (dated August 2, 2021). 5

Comment letters were received from one public agency. CEQA Guidelines Section 15086(c) require that:

> A Responsible Agency or other public agency shall only make substantive comments regarding those activities involved in the project that are within an area of expertise of the agency or which are required to be carried out or approved by the Responsible Agency. Those comments shall be supported by specific documentation.

Regarding mitigation measures identified by commenting public agencies, the CEQA Guidelines Section 15086(d) state that:

> Prior to the close of the public review period, a Responsible Agency or trustee agency which has identified what the agency considers to be significant environmental effects shall advise the Lead Agency of those effects. As to those effects relevant to its decisions, if any, on the project, the responsible or trustee agency shall either submit to the Lead Agency complete and detailed performance objectives for mitigation measures addressing those effects or refer the Lead Agency to appropriate, readily available guidelines or reference documents concerning mitigation measures. If the responsible or trustee agency is not aware of mitigation measures that address identified effects, the responsible or trustee agency shall so state.

REGIONAL AND LOCAL AGENCIES

A. Responses to Comment Letter A from the Bay Area Air Quality Management District (dated August 2, 2021).

Comment A.1: Bay Area Air Quality Management District (Air District) staff has reviewed the Draft Environmental Impact Report (DEIR) for the Memorex Data Center (Project). The Project applicant proposes to demolish the existing buildings on the 9.18-acre site at 1200 Memorex Drive in Santa Clara to construct a four-story, 472,920 square foot data center building with an attached six-story, 87,520 square foot ancillary use office and storage component. To provide an uninterrupted power supply, the Project would include 24 three-megawatt (MW) diesel-fueled generators for the data center, of which 16 generators would be providing 48 MW of backup power generation capacity and eight generators would be providing redundancy, and one 500-kilowatt (kW) diesel-fueled generator for the ancillary use portion of the building.

Since the data center includes backup diesel generators, the Project will require Air District approval of an Authority to Construct and Permit to Operate for the backup diesel generators, and, as such, the Project will be required to comply with all applicable Air District regulations, including, but not limited to, the achieved-in- practice Best Available Control Technology for large emergency backup engines requiring that engines meet U.S. EPA Tier 4 emissions standards. Because diesel combustion produces greenhouse gases (GHGs) and toxic air contaminants (TACs), the Air District encourages the City to go beyond current regulatory requirements and require the project applicant to use cleaner, non-diesel technologies.

Additionally, staff are providing the following recommendations for how the City could enhance its CEQA analysis and minimize emissions from the Project and future proposed data centers.

Consistency with Long-Term State Climate Goals

The DEIR states that "the project would not conflict with plans, policies or regulations adopted for the purpose of reducing the emissions of GHG." However, the DEIR does not evaluate, disclose, nor discuss the Project's consistency with State policies requiring long-term (i.e., 2045 and 2050) reductions in emissions of GHGs. See Cleveland Nat'l Forest Foundation v. San Diego Ass'n of Governments (2017) 3 Cal.5th 497, 516 (CEQA analysis should "compare the [project's] projected greenhouse gas emissions ... from 2020 through 2050 with the Executive Order's goal of reducing emissions to 80 percent below 1990 levels by 2050."). Air District staff recommends that the GHG analysis be augmented to include an evaluation, disclosure, and discussion of whether the Project will be consistent with the State's policies beyond 2030. Regardless of whether upon further evaluation the City deems that deployment of 25 diesel backup generators is consistent with the State's carbon neutrality target, the Air District recommends that the City compel the project applicant to adopt alternative zero emitting technologies, procure renewable fuel, commit to otherwise mitigate GHG emissions, or a combination of the three.

> **Response A.1:** Evaluating the project's emissions in 2050 with any specificity would be highly speculative due to uncertainties in the future regulatory environment and the rapidly evolving nature of data center equipment and operations. Neither the State's CEQA Guidelines nor the Bay Area Air Quality Management District's (BAAQMD) CEQA Guidelines require that a project's emissions be compared to 2050 statewide targets, or that a

project show at the time of approval it will meet those targets nearly 30 years into the future. As stated in the May 2017 BAAQMD CEQA Guidelines (Page D-4), "…the 2020 timeframe is examined in this threshold evaluation because doing so for the 2050 timeframe (with respect to population, employment, and GHG emissions projections) would be too speculative. Advances in technology and policy decisions at the state level will be needed to meet the aggressive 2050 goals. It is beyond the scope of the analysis tools available at this time to examine reasonable emissions reductions that can be achieved through CEQA analysis in the year 2050." Instead of evaluating the project's emissions in 2050, it is more appropriate to qualitatively discuss the project's consistency with existing local, regional, and statewide efforts to meet interim GHG targets as part of an overall strategy to achieve the 2050 reduction goal along a trajectory of continual emissions reduction. The project's consistency with relevant plans and policies adopted as part of an overall effort to meet the State's long term goals is included on pages 88-92 of the Draft EIR.

Further, BAAQMD adopted its most recent Clean Air Plan in 2017. As stated in the Clean Air Plan (Page D-24), "Consistent with the GHG reduction targets adopted by the state of California, the plan lays the groundwork for a long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050." In other words, the Clean Air Plan is intended to outline BAAQMD's strategy for conforming with the State's long-term GHG reduction policies. The project's consistency with the Clean Air Plan is discussed on pages 35-36 and 90 of the Draft EIR. By evaluating the project's consistency with the Clean Air Plan, the project's consistency with the State's long-term GHG emission goals was also analyzed, since the Clean Air Plan represents BAAQMD's own plan for conformance with those goals.

Additionally, as discussed throughout the Draft EIR, Silicon Valley Power (SVP) would be required to adhere to SB 100, which requires 100 percent of total retail sales of electricity in California to come from eligible renewable energy resources and zero-carbon resources by 2045. As shown on page 87 of the Draft EIR, greater than 95% of the project's GHG emissions are related to consumption of electricity provided by Silicon Valley Power. As a result, by 2045 the project's GHG emissions would be less than 5% of the currently estimated emissions upon project approval, putting the project on track to meet the State's long-term goals discussed in the comment.

It should also be noted that the decision in the court case cited in the comment (Cleveland Nat'l Forest Foundation v. San Diego Ass'n of Governments (2017) 3 Cal.5th 497, 516) does not directly state that a project "should" compare the project's projected greenhouse gas emissions from 2020 through 2050 with the Executive Order's goal of reducing emissions to 80 percent below 1990 levels by 2050, as implied by the comment. The text from the decision reads "(h)ere, however, it was not difficult for the public, reading the EIR, to compare the upward trajectory of projected greenhouse gas emissions under the Plan from 2020 through 2050 with the Executive Order's goal of reducing emissions to 80 percent below 1990 levels by 2050." The court case pertains to a long-term regional development plan for the San Diego area that was intended to guide the area's transportation infrastructure from 2010 to 2050. As such, a plan-level, programmatic CEQA analysis was completed that evaluated the project's impacts through the horizon year of 2050. Included in this analysis was an estimate of GHG emissions through the 2050 horizon year, which is a common

methodology when evaluating plan-level projects where individual components of the plan will be constructed throughout the planning horizon and therefore require a comparison to future thresholds that may be in place at the time those components are constructed and become operational. The BAAQMD CEQA Guidelines acknowledge that analysis of GHG impacts for plan-level projects should differ from near-term development projects and include separate methodologies for each. The decision in the court case cited in the comment, therefore, is not directly applicable to the proposed project, which is a near-term development project that would be constructed and fully operational shortly after project approval. As stated previously in this response, for a near-term development project such as the proposed project, it is more appropriate to discuss the project's consistency with existing local, regional, and statewide efforts to meet interim GHG targets as part of an overall strategy to achieve the 2050 reduction goal along a trajectory of continual emissions reduction. As previously noted, the project's consistency with relevant plans and policies adopted as part of an overall effort to meet the State's long term goals is included on pages 88-92 of the Draft EIR.

The Air District's recommendation that the City compel the project applicant to adopt alternative zero emitting technologies, procure renewable fuel, commit to otherwise mitigate GHG emissions, or a combination of the three, is acknowledged and will be taken into consideration. However, since the project would not result in significant GHG impacts and no mitigation is needed to reduce GHG emissions, there would be no CEQA nexus to require these measures.

Comment A.2: Non-Testing/Non-Maintenance Operations

The DEIR should include various scenarios of backup power generation operations beyond routine testing and maintenance. Air District staff has reviewed data regarding backup generator usage during non-testing/non-maintenance operations at several Bay Area data centers. Between September 1, 2019, and September 30, 2020, nearly half of the identified data centers in Santa Clara, San Jose, and Sunnyvale operated backup diesel generators for reasons other than routine testing and maintenance. Many of the data centers operated diesel generators during multiple non-testing/non-maintenance events over the course of this period; operation approached 50 hours for one generator for one event; it appears 40 or more generators operated concurrently at two facilities; and one facility ran diesel generators for approximately 400 hours. Please see Attachment 1 for details of the preliminary information on non-testing/non-maintenance operations that the Air District has received from data centers, which demonstrates the need to evaluate these operations. Air District staff recommends that the DEIR include GHG, criteria pollutant, and TAC impacts due to the non-testing/non-maintenance operations of backup power generators. Various scenarios should be considered for non-testing/non-maintenance operations, including non-zero hours of operation and concurrent generator operations.

Response A.2: As described on page 38 of the Draft EIR, during normal facility operation the proposed generators would not be operated other than for periodic testing and maintenance requirements. CEQA does not require evaluation of emergency conditions, as that involves substantial speculation. The Draft EIR appropriately focused on the reasonably foreseeable operations of the proposed facility, and CEQA does not require lead agencies to attempt to evaluate conditions under future emergency situations, including power outages. As described on page 38 of the Draft EIR, the project proposes a weekly testing schedule that

would result in roughly 18 hours of operation per generator per year, all at zero percent load, with the exception of an annual load bank test that would reach up to 100 percent load. However, for purposes of estimating emissions and potential air quality impacts from the engines, it was assumed that each engine could be operated for 50 hours per year (maximum operation hours allowed by the State's Air Toxic Control Measure and BAAQMD for testing and maintenance) at a maximum load of 100 percent. Only emissions from routine testing and maintenance, not emissions from potential emergency operations, were considered in the analysis. This procedure is in accordance with BAAQMD Regulation 2, Rule 5, and the number of non-emergency operation hours per year is limited to 50 hours per the Airborne Toxic Control Measure for Stationary Toxic Compression Ignition Engines (Section 93115, Title 17 CCR). The Air District's procedure for permitting emergency generators is to consider operation of the generators for up to 50 hours per year. By evaluating emissions of the maximum allowed 50 hours of operation per year instead of the 18 hours per year proposed by the project, the Draft EIR overestimates the project's emissions. This represents a conservative maximum impact scenario based on the allowed operation per California Air Resources Board (CARB) and BAAQMD permit conditions.

The data submitted by BAAQMD as Attachment 1 to the comment letter, which describes generator usage at select data center facilities in the Bay Area between September 1, 2019 and September 30, 2020, was evaluated by the California Energy Commission (CEC).[1] The CEC found that of all the engines at all facilities in the BAAQMD's review, the average engine ran no more than 36.5 hours over the 13-month reporting period. The CEC also found that no single engine ran for more than 50 hours overall for "non-testing/non-maintenance" purposes. As noted previously, the Draft EIR conservatively evaluated the project's emissions assuming 50 hours per year of operation per generator. Further, according to the CEC, California experienced different types of emergency situations within the 13-month period of BAAQMD's review. This period included the expansion of PG&E's Public Safety Power Shutoff (PSPS) program, severe wildfires, several California Independent System Operator (CAISO)-declared emergencies, and winter storms. From August 14 to 19, 2020, California experienced excessive heat. On August 16, 2020, Governor Newsom declared a State of Emergency because of the extreme heat wave in California and surrounding western states. This was a 1 in 30 year weather event that resulted in the first system-wide power outages California had seen in 20 years. In addition to the extreme heat wave in mid-August, high temperatures and high electricity demand occurred over the 2020 Labor Day weekend, especially on Sunday, September 6 and Monday, September 7, 2020. Thus, the data set provided by BAAQMD is not necessarily representative of an average 13-month period from which one could extrapolate average backup generator use into the future.

Based on Silicon Valley Power (SVP) data, only two outages from 2009 to 2019 affected data centers in the SVP service territory. One approximately 7.5-hour outage on May 28, 2016, which was the result of two contingencies (a balloon and a breaker failure), affected

[1] California Energy Commission. Great Oaks South Backup Generating Facility Final Environmental Impact Report. July 28, 2021. Available at: https://efiling.energy.ca.gov/GetDocument.aspx?tn=239063&DocumentContentId=72499

two data centers. Another 12-minute outage on December 2, 2016 affected four data centers. SVP's root cause analysis of this outage resulted in changes in maintenance procedures to ensure that breakers are reset before power is restored to a portion of the system that was down for maintenance. Outages have been extremely rare, and the consequences or effects on data centers, almost negligible. The data provided by BAAQMD confirms that these types of events remain infrequent, irregular, and unlikely and the resulting emissions are not easily predictable or quantifiable, nor can they be modeled in an informative or meaningful way. According to the data provided by BAAQMD, the generator engines under review were collectively available for over 2.74 million engine-hours during the 13-month period (288 engines * 9,504 hours), and they were used for emergency operations for 1,877 engine-hours, meaning that at those facilities where operation occurred, the engines entered into emergency operations during 0.07 percent of their available time (1,877 / 2.74 million). It is important to note that this calculation only takes into consideration those engines that the BAAQMD found to run during this time period; a more comprehensive review would also include the availability of the 25 facilities that had zero hours of engine run time and also conceivably the 21 facilities that were not surveyed at all. If these facilities without engine runs were included, the estimated probability that any given engine would be likely to run would be lower.

In summary, the Draft EIR appropriately evaluated the project's impacts under normal operating conditions and not emergency operations. The Draft EIR even overestimated the project's emissions by conservatively assuming more generator operation than is proposed. The data provided by BAAQMD emphasizes the fact that emergency operation of generators at data centers is extremely rare, and CEQA does not require lead agencies to attempt to evaluate conditions under future emergency situations, any analysis of which would be highly speculative.

Comment A.3: Recommendations for Achieving Additional Emissions Reductions
To the extent that further analysis concludes the Project's emissions would be cumulatively considerable or inconsistent with the State's climate goals, the Project may need to incorporate mitigation measures to reduce emissions. Even if the revised analysis does not conclude the Project's emissions will be cumulatively considerable, the Air District encourages the City to compel the applicant to incorporate additional emission reduction measures as a condition of approval of the Project. These recommended measures will help ensure the Project's emissions impacts are reduced by the maximum extent possible to achieve the most health protective air quality for Bay Area residents and to achieve climate protection goals established by the State.

Response A.3: As described in Responses A.1 and A.2, the analysis of air quality and GHG impacts in the Draft EIR is appropriate and adequate under CEQA, and no additional analysis is needed. The Draft EIR determined that no mitigation measures are necessary to reduce air quality and GHG impacts to less than significant levels. The Air District's recommendation to compel the applicant to adopt additional emission reduction measures is noted and will be taken into consideration; however, there would be no CEQA nexus to require additional measures.

Comment A.4: The DEIR identifies the predominant source of the Project's GHG emissions as electricity use (75,354 MTCO2e per year), which would be provided by the city-operated, publicly-owned utility, Silicon Valley Power (SVP). Although the DEIR states that SVP is on track to meet the 2030 GHG emissions reduction target, the Project could significantly reduce GHG emissions by purchasing all its electricity from renewable sources. Specifically, Air District staff recommends that the Project join SVP's Santa Clara Green Power program and thus commit to purchase 100 percent renewable electricity, or otherwise negotiate an electricity contract with SVP for 100 percent renewables.

> **Response A.4:** The Air District's recommendation for the project to join SVP's Santa Clara Green Power program is noted and will be taken into consideration. As described on page 88 of the Draft EIR, the project's emissions associated with electricity consumption are considered indirect emissions since they occur at a source other than the project site and have already been accounted for at the emission source. For example, emissions associated with the project's electricity consumption occur at power production facilities within the SVP (and outside suppliers') system. These emissions are accounted for and reported by SVP pursuant to State GHG reporting regulations. Attributing these emissions to the proposed project is, therefore, a form of double counting. Nevertheless, to be conservative, the project's indirect emissions are included in the analysis of the project's GHG impacts in the Draft EIR. The Draft EIR determined that the project would result in a less than significant GHG impact utilizing the standard SVP power mix.

Comment A.5: The Project, as proposed, would use diesel fuel to power the 25 backup generators. To meet State and regional climate goals, the Air District encourages projects to go above and beyond Air District New Source Review permitting requirements. In September 2018, the Air District launched a Diesel Free by '33 campaign to eliminate diesel emissions. Mayor Lisa Gillmor of the City of Santa Clara signed Diesel Free by '33 to pledge the City's commitment to cut diesel use to zero by the end of 2033. To this end, the Air District recommends the City compel the Project applicant to use the cleanest available technologies such as solar battery power, fuel cells, other non-diesel alternatives, or renewable fuels.

> **Response A.5:** As described in the Draft EIR, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. The project's consistency with relevant plans and policies adopted as part of an overall effort to meet the State's long term goals is included on pages 88-92 of the Draft EIR. The Diesel Free by '33 campaign is a BAAQMD-sponsored initiative, and is not an applicable plan, policy or regulation. The Air District's recommendation to compel the applicant to use non-diesel alternatives is noted and will be taken into consideration; however, because the project would not result in significant air quality or GHG emissions, there would be no CEQA nexus to require this measure.

Comment A.6: Lastly, Air District staff strongly recommends that the City work with SVP, the Air District, State agencies, and the Project proponents for this and similar proposed data center projects to explore alternative options to reduce GHG emissions. For example, the Air District awarded a Climate Protection Grant of $300,000 to the City of Santa Clara to conduct a pilot project to demonstrate the viability of replacing data center backup diesel generators with electric energy

storage systems, and the California Energy Commission has previously provided Electric Program Investment Charge (EPIC) awards for data center microgrids.

We encourage the City to contact Air District staff with any questions and/or to request assistance during the environmental review process. If you have any questions or would like to discuss Air District recommendations further, please contact Josephine Fong, Environmental Planner, at (415) 749-8637 or jfong@baaqmd.gov, or Jakub Zielkiewicz, Advanced Projects Advisor, at (415) 749-8429 or jzielkiewicz@baaqmd.gov.

> **Response A.6:** As described in previous responses, the project would not result in significant GHG emissions and, therefore, no additional emissions reductions are required under CEQA. The Air District's recommendation for the City to explore additional GHG emissions reductions options is noted and will be taken into consideration.

SECTION 5.0 DRAFT EIR TEXT REVISIONS

This section contains revisions to the text of the Memorex Data Center Draft EIR dated June 2021. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Text Revisions

Pages 61-62 Section 3.5.2.1, Mitigation Measure MM CUL-2.1 will be **REVISED** as follows:

MM CUL-2.1: A Native American cultural resources monitor shall be on site to monitor all construction activities disturbing native soils. In the event that prehistoric or historical resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the Native American monitor and a qualified archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. If the find is deemed significant, a Treatment Plan will be prepared by a qualified archaeologist in consultation with a Native American representative and provided to the Director of Community Development. The key elements of a Treatment Plan shall include the following:

- Identify scope of work and range of subsurface effects (include location map and development plan),
- Describe the environmental setting (past and present) and the historic/prehistoric background of the parcel (potential range of what might be found),
- Develop research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information),
- Detail field strategy used to record, recover, or avoid the finds, determined in consultation with a Native American representative (photogs, drawings, written records, provenience data maps, soil profiles, excavation techniques, standard archaeological methods) and address research goals.
- Analytical methods, determined in consultation with a Native American representative (radiocarbon dating, obsidian studies, ~~bone studies,~~ historic artifacts studies [list categories and methods], packaging methods for artifacts, etc.).
- Report structure, including a technical and layman's report and an outline of document contents in one year of

completion of development (provide a draft for review before a final report),

- Disposition of the artifacts,
- Appendices: site records, update site records, correspondence, consultation with Native Americans, etc.

Page 159 Section 3.18.2.1, the text on the page will be **REVISED** as follows:

~~No tribes have requested consultation for projects in the area under AB 52. and t~~There are no known TCRs on-site. A record search of the NAHC Sacred Lands File was completed for the site and the results were negative.[2] While there is the potential for unknown Native American resources or human remains to be present in the project area, impacts would be less than significant with implementation of the City's General Plan policies and Standard Permit Conditions related to discovery of archaeological resources or human remains as well as implementation of mitigation incorporated into the project (described in detail in Section 3.5 Cultural Resources).

On December 5, 2019, letters were sent to the following Native American tribes based on the recommendation of the Native American Heritage Commission (NAHC): Amah Mutsun Tribal Band, the Ohlone Indian Tribe, Amah Mutsun Tribal Band of Mission San Juan Bautista, Indian Canyon Mutsun Band of Costanoan, Muwekma Ohlone Indian Tribe of the San Francisco Bay Area, and North Valley Yokuts Tribe. The letters contained information about the project; an inquiry for any unrecorded Native American cultural resources or other areas of concern within or adjacent to the project site; and a solicitation of comments, questions, or concerns with regard to the project. To date, one response was received from the Ohlone Indian Tribe requesting access to a "Phase I Literature Search and/or a Foot Survey" if they had been completed for the project. It is unclear whether the request is referring to a Phase I Environmental Site Assessment, which assesses potential hazardous materials conditions on the site and surrounding area, or a Cultural Resources Literature Search, which assesses potential archaeological resources on the site and surrounding area. Regardless, Appendices L and M include summaries of previous Phase I Environmental Site Assessments completed for the site, and Appendix D includes a Cultural Resources Literature Search completed for the site.

During the public circulation period of the Draft EIR, the Tamien Nation tribe, which was not on the list of tribes provided by the NAHC, formally requested tribal consultation for the proposed project under AB 52. The City met with a representative of the tribe on August 18, 2021. During the meeting, the tribal representative requested that mitigation measure MM CUL-2.1 be modified to

[2] Nancy Gonzalez-Lopez, NAHC. Personal Communication. December 2, 2019.

include a requirement for a Native American monitor to be present during construction activities disturbing native soils on the site, Native American involvement in the assessment of any cultural resource finds, and Native American involvement in the formulation of a Treatment Plan, should one be necessary. The tribal representative did not indicate that any known TCRs are present on the site or in the project area.

Because the record search of the NAHC Sacred Lands File did not identify the presence of TCRs on the site or surrounding area, and because no tribes ~~responded to outreach letters indicating~~ have provided information indicating that TCRs are present on the site, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).

Appendix A: Draft EIR Comment Letters

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

ALAMEDA COUNTY
John J. Bauters
(Secretary)
Pauline Russo Cutter
David Haubert
Nate Miley

CONTRA COSTA COUNTY
John Gioia
David Hudson
Karen Mitchoff
(Vice Chair)
Mark Ross

MARIN COUNTY
Katie Rice

NAPA COUNTY
Brad Wagenknecht

SAN FRANCISCO COUNTY
Tyrone Jue
(SF Mayor's Appointee)
Myrna Melgar
Shamann Walton

SAN MATEO COUNTY
David J. Canepa
Carole Groom
Davina Hurt

SANTA CLARA COUNTY
Margaret Abe-Koga
Cindy Chavez
(Chair)
Rich Constantine
Rob Rennie

SOLANO COUNTY
Erin Hannigan
Lori Wilson

SONOMA COUNTY
Teresa Barrett
Lynda Hopkins

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:

August 2, 2021

Tiffany Vien, Assistant Planner
Community Development Department
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

RE: Memorex Data Center – Draft Environmental Impact Report

Dear Ms. Vien,

Bay Area Air Quality Management District (Air District) staff has reviewed the Draft Environmental Impact Report (DEIR) for the Memorex Data Center (Project). The Project applicant proposes to demolish the existing buildings on the 9.18-acre site at 1200 Memorex Drive in Santa Clara to construct a four-story, 472,920 square foot data center building with an attached six-story, 87,520 square foot ancillary use office and storage component. To provide an uninterrupted power supply, the Project would include 24 three-megawatt (MW) diesel-fueled generators for the data center, of which 16 generators would be providing 48 MW of backup power generation capacity and eight generators would be providing redundancy, and one 500-kilowatt (kW) diesel-fueled generator for the ancillary use portion of the building.

Since the data center includes backup diesel generators, the Project will require Air District approval of an Authority to Construct and Permit to Operate for the backup diesel generators, and, as such, the Project will be required to comply with all applicable Air District regulations, including, but not limited to, the achieved-in-practice Best Available Control Technology for large emergency backup engines requiring that engines meet U.S. EPA Tier 4 emissions standards. Because diesel combustion produces greenhouse gases (GHGs) and toxic air contaminants (TACs), the Air District encourages the City to go beyond current regulatory requirements and require the project applicant to use cleaner, non-diesel technologies.

Additionally, staff are providing the following recommendations for how the City could enhance its CEQA analysis and minimize emissions from the Project and future proposed data centers.

Consistency with Long-Term State Climate Goals

The DEIR states that "the project would not conflict with plans, policies or regulations adopted for the purpose of reducing the emissions of GHG." However, the DEIR does not evaluate, disclose, nor discuss the Project's consistency with State policies requiring long-term (i.e., 2045 and 2050) reductions in emissions of GHGs. See *Cleveland Nat'l Forest Foundation v. San Diego Ass'n of Governments* (2017) 3 Cal.5th 497, 516 (CEQA analysis should "compare the [project's] projected greenhouse gas emissions ... from 2020 through 2050 with the Executive Order's goal of reducing emissions to 80 percent below 1990 levels by 2050."). Air District staff recommends that the GHG analysis be augmented to include an evaluation, disclosure, and discussion of whether the Project will be consistent with the State's policies beyond 2030. Regardless of whether upon further evaluation the City deems that deployment of 25 diesel backup generators is consistent with the State's carbon neutrality target, the Air District recommends that the City compel the project applicant to adopt alternative zero emitting technologies, procure renewable fuel, commit to otherwise mitigate GHG emissions, or a combination of the three.

Non-Testing/Non-Maintenance Operations

The DEIR should include various scenarios of backup power generation operations beyond routine testing and maintenance. Air District staff has reviewed data regarding backup generator usage during non-testing/non-maintenance operations at several Bay Area data centers. Between September 1, 2019, and September 30, 2020, nearly half of the identified data centers in Santa Clara, San Jose, and Sunnyvale operated backup diesel generators for reasons other than routine testing and maintenance. Many of the data centers operated diesel generators during multiple non-testing/non-maintenance events over the course of this period; operation approached 50 hours for one generator for one event; it appears 40 or more generators operated concurrently at two facilities; and one facility ran diesel generators for approximately 400 hours. Please see Attachment 1 for details of the preliminary information on non-testing/non-maintenance operations that the Air District has received from data centers, which demonstrates the need to evaluate these operations. Air District staff recommends that the DEIR include GHG, criteria pollutant, and TAC impacts due to the non-testing/non-maintenance operations of backup power generators. Various scenarios should be considered for non-testing/non-maintenance operations, including non-zero hours of operation and concurrent generator operations.

Recommendations for Achieving Additional Emissions Reductions

To the extent that further analysis concludes the Project's emissions would be cumulatively considerable or inconsistent with the State's climate goals, the Project may need to incorporate mitigation measures to reduce emissions. Even if the revised analysis does not conclude the Project's emissions will be cumulatively considerable, the Air District encourages the City to compel the applicant to incorporate additional emission reduction measures as a condition of approval of the Project. These recommended measures will help ensure the Project's emissions impacts are reduced by the maximum extent possible to achieve the most health protective air quality for Bay Area residents and to achieve climate protection goals established by the State.

The DEIR identifies the predominant source of the Project's GHG emissions as electricity use (75,354 $MTCO_2e$ per year), which would be provided by the city-operated, publicly-owned utility, Silicon Valley Power (SVP). Although the DEIR states that SVP is on track to meet the 2030 GHG emissions reduction target, the Project could significantly reduce GHG emissions by purchasing all its electricity from renewable sources. Specifically, Air District staff recommends that the Project join SVP's Santa Clara Green Power program and thus commit to purchase 100 percent renewable electricity, or otherwise negotiate an electricity contract with SVP for 100 percent renewables.

The Project, as proposed, would use diesel fuel to power the 25 backup generators. To meet State and regional climate goals, the Air District encourages projects to go above and beyond Air District New Source Review permitting requirements. In September 2018, the Air District launched a Diesel Free by '33 campaign to eliminate diesel emissions. Mayor Lisa Gillmor of the City of Santa Clara signed Diesel Free by '33 to pledge the City's commitment to cut diesel use to zero by the end of 2033. To this end, the Air District recommends the City compel the Project applicant to use the cleanest available technologies such as solar battery power, fuel cells, other non-diesel alternatives, or renewable fuels.

Lastly, Air District staff strongly recommends that the City work with SVP, the Air District, State agencies, and the Project proponents for this and similar proposed data center projects to explore alternative options to reduce GHG emissions. For example, the Air District awarded a Climate Protection Grant of $300,000 to the City of Santa Clara to conduct a pilot project to demonstrate the viability of replacing data center backup diesel generators with electric energy storage systems, and the California Energy Commission has previously provided Electric Program Investment Charge (EPIC) awards for data center microgrids.

We encourage the City to contact Air District staff with any questions and/or to request assistance during the environmental review process. If you have any questions or would like to discuss Air District recommendations further, please contact Josephine Fong, Environmental Planner, at (415) 749-8637 or jfong@baaqmd.gov, or Jakub Zielkiewicz, Advanced Projects Advisor, at (415) 749-8429 or jzielkiewicz@baaqmd.gov.

Sincerely,

Greg Nudd
Deputy Air Pollution Control Officer

Attachment 1: Preliminary Back-Up Diesel Engine Operations (Non-Testing/Non-Maintenance)

cc: BAAQMD Director Margaret Abe-Koga
BAAQMD Chair Cindy Chavez
BAAQMD Director Rich Constantine
BAAQMD Director Rob Rennie

Attachment 1: Preliminary Back-Up Diesel Engine Operations (Non-Testing/Non-Maintenance)

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
1	1	Santa Clara	2	9	5%	90	8/17/20-8/18/20	State Emergency Load Shedding
1	2	Santa Clara	2	8.8	6%	240	8/17/20-8/18/20	State Emergency Load Shedding
1	2	Santa Clara	2	1.2	5%	29	8/17/20-8/18/20	Human error event
1	3	Santa Clara	2	1	1%	5	8/17/20-8/18/20	Human error event
1	4	Santa Clara	2	8.5	25%	390	8/17/20-8/18/20	State Emergency Load Shedding
1	4	Santa Clara	2	1	26%	58	8/17/20-8/18/20	Human error event
1	5	Santa Clara	2	9.1	31%	400	8/17/20-8/18/20	State Emergency Load Shedding
1	6	Santa Clara	2	8.9	21%	300	8/17/20-8/18/20	State Emergency Load Shedding
1	7	Santa Clara	2	8.8	24%	350	8/17/20-8/18/20	State Emergency Load Shedding
1	8	Santa Clara	2	8.8	25%	350	8/17/20-8/18/20	State Emergency Load Shedding
1	9	Santa Clara	2	8.6	22%	325	8/17/20-8/18/20	State Emergency Load Shedding
1	10	Santa Clara	2	9	19%	300	8/17/20-8/18/20	State Emergency Load Shedding
2	1	Sunnyvale	2	12.6	34%	682	Various	Utility inflicted disturbance
2	2	Sunnyvale	2	14.7	41%	795	Various	Utility inflicted disturbance
2	3	Sunnyvale	2	15.3	30%	828	Various	Utility inflicted disturbance
2	4	Sunnyvale	2	13.8	32%	747	Various	Utility inflicted disturbance
2	5	Sunnyvale	2	20.2	26%	1093	Various	Utility inflicted disturbance
3	1	Santa Clara	2	0.5	1%		8/17/20-8/18/20	State Emergency Load Shedding
3	2	Santa Clara	2	1.4	2%		8/17/20-8/18/20	State Emergency Load Shedding
3	3	Santa Clara	2	36.7	40%		8/17/20-8/18/20	State Emergency Load Shedding
3	4	Santa Clara	2.25	0.2	1%		8/17/20-8/18/20	State Emergency Load Shedding
3	5	Santa Clara	2.25	31.7	36%		8/17/20-8/18/20	State Emergency Load Shedding
3	6	Santa Clara	2.25	37.3	36%		8/17/20-8/18/20	State Emergency Load Shedding
4	1	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	2	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	3	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	4	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	5	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	6	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	7	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	8	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	9	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	10	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	11	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	12	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
4	13	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	14	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	15	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	16	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	17	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	18	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	19	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	20	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	21	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	22	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	23	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	24	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	25	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	26	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	27	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	28	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	29	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	30	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	31	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	32	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	33	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	34	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	35	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	36	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	37	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	38	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	39	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	40	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	41	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	42	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	43	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	44	Santa Clara	2.25	0.6	52%	51	8/16/2020	Lightning strikes to transmission line
5	1	Santa Clara	2	5	46%	325	8/17/20-8/18/20	State Emergency Load Shedding
5	2	Santa Clara	2	6	58%	400	8/17/20-8/18/20	State Emergency Load Shedding
6	1	Santa Clara	2	41.9	30%	200	8/17/20-8/18/20	utility outage

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
6	2	Santa Clara	2	47.7	22%	180	8/17/20-8/18/20	utility outage
6	3	Santa Clara	2	13	2%	20	8/17/20-8/18/20	utility outage
6	4	Santa Clara	2	37.2	54%	500	8/17/20-8/18/20	utility outage
6	5	Santa Clara	2	37.3	38%	250	8/17/20-8/18/20	utility outage
6	6	Santa Clara	2	41.7	0%	20	8/17/20-8/18/20	utility outage
7	1	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	1	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	1	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	2	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	2	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	2	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	3	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	3	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	3	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	4	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	4	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	4	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	5	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	5	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	5	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	6	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	6	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	6	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	7	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	7	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	7	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	8	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	8	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	8	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	9	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	9	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	9	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	10	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	10	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	10	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
7	11	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	11	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	11	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	12	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	12	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	12	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	13	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	13	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	13	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	14	Santa Clara	2	3.7	45%	220	8/17-8/18	Power outage
7	14	Santa Clara	2	4.9	55%	370	9/6/2020	Power outage
7	15	Santa Clara	2	3.7	45%	210	8/17-8/18	Power outage
7	15	Santa Clara	2	0.4	50%	390	9/6/2020	Power outage
7	16	Santa Clara	2	3.7	45%	220	8/17-8/18	Power outage
7	16	Santa Clara	2	4.9	5%	1.5	9/6/2020	Power outage
7	17	Santa Clara	2	0.2	5%	1.4	8/17-8/18	Power outage
7	17	Santa Clara	2	0.2	5%	0.2	9/6/2020	Power outage
7	18	Santa Clara	2	3.7	40%	210	8/17-8/18	Power outage
7	18	Santa Clara	2	4.9	55%	400	9/6/2020	Power outage
7	19	Santa Clara	2	5.5	50%	360	8/17-8/18	Power outage
7	19	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	20	Santa Clara	2	5.5	50%	370	8/17-8/18	Power outage
7	20	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	21	Santa Clara	2	5.5	50%	370	8/17-8/18	Power outage
7	21	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	22	Santa Clara	2	5.5	50%	370	8/17-8/18	Power outage
7	22	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	23	Santa Clara	2	5.5	20%	150	8/17-8/18	Power outage
7	23	Santa Clara	2	0.7	15%	14	9/6/2020	Power outage
7	24	Santa Clara	2	0.2	5%	1	8/17-8/18	Power outage
7	24	Santa Clara	2	0.1	5%	1	9/6/2020	Power outage
8	1	Santa Clara	2	0.3	5%	2	11/27/2019	System-wide power quality event
8	1	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	2	Santa Clara	2	0.3	5%	2	11/27/2019	System-wide power quality event
8	2	Santa Clara	2	0.3	5%	2	2/15/2020	System-wide power quality event

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
8	3	Santa Clara	2	0.3	6%	2	11/27/2019	System-wide power quality event
8	3	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	4	Santa Clara	2	0.3	7%	2	2/15/2020	System-wide power quality event
8	4	Santa Clara	2	0.2	8%	2	11/27/2019	System-wide power quality event
8	5	Santa Clara	2	0.2	10%	2	11/27/2019	System-wide power quality event
8	5	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	6	Santa Clara	2	0.2	9%	2	11/27/2019	System-wide power quality event
8	6	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	7	Santa Clara	2	0.2	15%	2	11/27/2019	System-wide power quality event
8	7	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	8	Santa Clara	2	0.2	13%	2	11/27/2019	System-wide power quality event
8	8	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	9	Santa Clara	2	0.2	9%	2	11/27/2019	System-wide power quality event
8	9	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	10	Santa Clara	2	0.2	12%	2	11/27/2019	System-wide power quality event
8	10	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	11	Santa Clara	2	0.2	5%	2	11/27/2019	System-wide power quality event
8	11	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	12	Santa Clara	2	0.2	5%	2	11/27/2019	System-wide power quality event
8	12	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	13	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	13	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	14	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	14	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	15	Santa Clara	2	0.2	12%	2	11/27/2019	System-wide power quality event
8	15	Santa Clara	2	0.2	11%	2	2/15/2020	System-wide power quality event
8	16	Santa Clara	2	0.3	10%	2	11/27/2019	System-wide power quality event
8	16	Santa Clara	2	0.2	9%	2	2/15/2020	System-wide power quality event
8	17	Santa Clara	2	0.3	9%	2	11/27/2019	System-wide power quality event
8	17	Santa Clara	2	0.2	9%	2	2/15/2020	System-wide power quality event
8	18	Santa Clara	2	0.2	7%	2	11/27/2019	System-wide power quality event
8	18	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	19	Santa Clara	2	0.2	10%	2	11/27/2019	System-wide power quality event
8	19	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	20	Santa Clara	2	0.2	9%	2	11/27/2019	System-wide power quality event

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
8	20	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	21	Santa Clara	2	0.2	17%	2	11/27/2019	System-wide power quality event
8	21	Santa Clara	2	0.2	12%	2	2/15/2020	System-wide power quality event
8	22	Santa Clara	2	0.2	8%	2	11/27/2019	System-wide power quality event
8	22	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	23	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	23	Santa Clara	2	0.2	5%	2	2/15/2020	System-wide power quality event
8	24	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	24	Santa Clara	2	0.2	5%	2	2/15/2020	System-wide power quality event
9	1	Santa Clara	2	8.4	65%	524	8/17/20-8/18/20	State Emergency Load Shedding
9	2	Santa Clara	2	5.6	60%	400	8/17/20-8/18/20	State Emergency Load Shedding
9	3	Santa Clara	2	2.6	50%	300	8/17/20-8/18/20	Equipment failure
9	4	Santa Clara	2	2.9	1%	20	8/17/20-8/18/20	State Emergency Load Shedding
9	5	Santa Clara	0.23	6.5	7%	10	8/17/20-8/18/20	State Emergency Load Shedding
10	1	Santa Clara	2	9	50%	256	8/17/20-8/18/20	State Emergency Load Shedding
10	2	Santa Clara	2	9	50%	256	8/17/20-8/18/20	State Emergency Load Shedding
10	3	Santa Clara	2	9	50%	256	8/17/20-8/18/20	State Emergency Load Shedding
10	4	Santa Clara	2.06	4	60%	296	8/17/20-8/18/20	State Emergency Load Shedding
10	5	Santa Clara	2.06	4	60%	296	8/17/20-8/18/20	State Emergency Load Shedding
10	6	Santa Clara	2.06	4	60%	296	8/17/20-8/18/20	State Emergency Load Shedding
10	7	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	7	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	8	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	8	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	9	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	9	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	10	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	10	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	11	Santa Clara	3	5	50%	780	8/17/20-8/18/20	State Emergency Load Shedding
10	12	Santa Clara	3	5	50%	780	8/17/20-8/18/20	State Emergency Load Shedding
10	13	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	14	Santa Clara	3	5	50%	780	8/17/20-8/18/20	State Emergency Load Shedding
10	15	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	16	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	17	Santa Clara	2.75	9	70%	625	8/17/20-8/18/20	State Emergency Load Shedding

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

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Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
10	18	Santa Clara	2.75	8.2	70%	525	8/17/20-8/18/20	State Emergency Load Shedding
10	19	Santa Clara	2.75	8.9	70%	615	8/17/20-8/18/20	State Emergency Load Shedding
10	20	Santa Clara	2.75	11.3	70%	975	8/17/20-8/18/20	State Emergency Load Shedding
10	21	Santa Clara	2	4	60%	238	8/17/20-8/18/20	State Emergency Load Shedding
10	22	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	23	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	24	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	25	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	26	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	27	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	28	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	29	Santa Clara	3	11.6	60%	1786		Power bump
10	29	Santa Clara	3	4	60%	616		Power bump
10	29	Santa Clara	3	3.5	60%	539	8/17/20-8/18/20	State Emergency Load Shedding
10	29	Santa Clara	3	3	60%	462		Power bump
10	29	Santa Clara	3	2.7	60%	416		Power bump
10	29	Santa Clara	3	1	60%	154		Power bump
10	29	Santa Clara	3	1	60%	154		Utility outage
10	30	Santa Clara	3	10.1	60%	1555		Utility outage
10	30	Santa Clara	3	5.5	60%	847		Power bump
10	30	Santa Clara	3	4	60%	616		Utility outage
10	30	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	30	Santa Clara	3	2.8	60%	431		Power bump
10	30	Santa Clara	3	1	60%	154		Utility outage
10	30	Santa Clara	3	1	60%	154		Utility outage
10	31	Santa Clara	3	11.5	60%	1771		Utility outage
10	31	Santa Clara	3	4	60%	616		Utility outage
10	31	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	31	Santa Clara	3	3	60%	462		Power bump
10	31	Santa Clara	3	2.7	60%	416		Power bump
10	31	Santa Clara	3	1	60%	154		Utility outage
10	31	Santa Clara	3	1	60%	154		Utility outage
10	32	Santa Clara	3	11.6	60%	1786		Utility outage
10	32	Santa Clara	3	4	60%	616		Utility outage
10	32	Santa Clara	3	3	60%	462		Power bump

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
10	32	Santa Clara	3	3	60%	462	8/17/20-8/18/20	State Emergency Load Shedding
10	32	Santa Clara	3	2.7	60%	416		Power bump
10	32	Santa Clara	3	1	60%	154		Utility outage
10	32	Santa Clara	3	1	60%	154		Utility outage
10	33	Santa Clara	3	11.6	60%	1786		Utility outage
10	33	Santa Clara	3	4	60%	616		Utility outage
10	33	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	33	Santa Clara	3	3	60%	462		Power bump
10	33	Santa Clara	3	2.8	60%	431.2		Power bump
10	33	Santa Clara	3	1	60%	154		Utility outage
10	33	Santa Clara	3	1	60%	154		Utility outage
10	34	Santa Clara	3	11.6	60%	1786		Utility outage
10	34	Santa Clara	3	4	60%	616		Utility outage
10	34	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	34	Santa Clara	3	3	60%	462		Power bump
10	34	Santa Clara	3	2.9	60%	447		Power bump
10	34	Santa Clara	3	1	60%	154		Utility outage
10	34	Santa Clara	3	1	60%	154		Utility outage
10	35	Santa Clara	3	6	40%	450	8/17/20-8/18/20	State Emergency Load Shedding
10	36	Santa Clara	3	2	40%	150	8/17/20-8/18/20	State Emergency Load Shedding
10	37	Santa Clara	3	5.5	40%	412	8/17/20-8/18/20	State Emergency Load Shedding
10	38	Santa Clara	3	5.5	40%	412	8/17/20-8/18/20	State Emergency Load Shedding
10	39	Santa Clara	3	5.5	40%	412	8/17/20-8/18/20	State Emergency Load Shedding
10	40	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
11	1	Santa Clara	2	5.8	25%	390	8/17/20-8/18/20	Power supplier request
11	1	Santa Clara	2	4.1	25%	390	8/17/20-8/18/20	Power supplier request
11	2	Santa Clara	2	4.7	31%	280	8/17/20-8/18/20	Power supplier request
11	2	Santa Clara	2	3.9	31%	280	8/17/20-8/18/20	Power supplier request
11	3	Santa Clara	2	5.6	28%	380	8/17/20-8/18/20	Power supplier request
11	3	Santa Clara	2	4.3	28%	380	8/17/20-8/18/20	Power supplier request
11	4	Santa Clara	2	5.4	43%	605	8/17/20-8/18/20	Power supplier request
11	4	Santa Clara	2	3.5	43%	605	8/17/20-8/18/20	Power supplier request
11	5	Santa Clara	0.23	6	17%	27	8/17/20-8/18/20	Power supplier request
11	5	Santa Clara	0.23	3.5	17%	27	8/17/20-8/18/20	Power supplier request
11	6	Santa Clara	2	4.5	17%	75	8/17/20-8/18/20	Power supplier request

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
11	7	Santa Clara	2	4.7	8%	75	8/17/20-8/18/20	Power supplier request
11	8	Santa Clara	2	4.7	8%	100	8/17/20-8/18/20	Power supplier request
11	9	Santa Clara	2	4.7	9%	100	8/17/20-8/18/20	Power supplier request
11	10	Santa Clara	2	4.8	11%	100	8/17/20-8/18/20	Power supplier request
11	11	Santa Clara	0.23	4.8	7%	30	8/17/20-8/18/20	Power supplier request
12	1	Santa Clara	0.23	2.9	14%	87	8/17/20-8/18/20	Utility outage
12	2	Santa Clara	2	43	8%	160	8/17/20-8/18/20	Utility outage
12	3	Santa Clara	2	42.8	6%	160	8/17/20-8/18/20	Utility outage
12	4	Santa Clara	2	38	15%	420	8/17/20-8/18/20	Utility outage
12	5	Santa Clara	2	24	55%	500	8/17/20-8/18/20	Utility outage
12	6	Santa Clara	2	10	6%	160	8/17/20-8/18/20	Utility outage
12	7	Santa Clara	2	10.4	7%	160	8/17/20-8/18/20	Utility outage
12	8	Santa Clara	2	42.1	30%	250	8/17/20-8/18/20	Utility outage
12	9	Santa Clara	2	41.8	30%	250	8/17/20-8/18/20	Utility outage
12	10	Santa Clara	2	10.3	1%	50	8/17/20-8/18/20	Utility outage
12	11	Santa Clara	2	10	7%	160	8/17/20-8/18/20	Utility outage
13	1	Santa Clara	2	19.8	37%	80.3	Various	Utility power outages; power blips, UPS/board repair
13	2	Santa Clara	2	20.4	37%	82.5	Various	Utility power outages; power blips, UPS/board repair
13	3	Santa Clara	1.25	14.96	43%	527	Various	Utility power outages; power blips, UPS/board repair
13	4	Santa Clara	1.25	14.94	42%	525	Various	Utility power outages; power blips, UPS/board repair
13	5	Santa Clara	1.25	14.92	43%	523	Various	Utility power outages; power blips, UPS/board repair
14	1	Santa Clara	2.7	1.9	22%	90	11/27/2019	Utiilty sag event
14	2	Santa Clara	2.7	1.9	32%	95	11/27/2019	Utiilty sag event
14	3	Santa Clara	2.7	1.9	1%	57	11/27/2019	Utiilty sag event
14	4	Santa Clara	2.7	1.9	34%	99.75	11/27/2019	Utiilty sag event
14	5	Santa Clara	2.7	4.4	41%	422	8/18/2020	Mandatory load transfer
14	6	Santa Clara	2.7	6.3	32%	445	8/18/2020	Mandatory load transfer
14	7	Santa Clara	2.7	4.7	2%	139	8/18/2020	Mandatory load transfer
14	8	Santa Clara	2.7	4.5	48%	123	8/18/2020	Mandatory load transfer
15	1	Santa Clara	2	14	65%	693		
15	2	Santa Clara	2	14	65%	693		
15	3	Santa Clara	2	14	65%	693		
15	4	Santa Clara	2	14				
15	5	Santa Clara	2	14				
15	6	Santa Clara	2.5	14	19%	486		

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
15	7	Santa Clara	2.5	14				
16	1	Santa Clara	2	2.4	2%	45.6	7/31/2020	Utility power outage
16	2	Santa Clara	2	2.4	18%	48	7/31/2020	Utility power outage
16	3	Santa Clara	1.5	2.4	30%	40.8	7/31/2020	Utility power outage
16	4	Santa Clara	1.5	2.4	25%	38.4	7/31/2020	Utility power outage
17	1	San Jose	2	2	14%	80	11/26/2019	Commercial power outage
17	2	San Jose	2	2	14%	80	11/26/2019	Commercial power outage
18	1	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	1	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	2	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	2	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	3	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	3	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	4	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	4	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	5	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	5	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	6	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	6	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
19	1	San Jose	1.5	4	20%	200	8/19/2020	Substation transformer power equipment failure
19	2	San Jose	1.5	4	17%	190	8/19/2020	Substation transformer power equipment failure
19	3	San Jose	1.5	4	50%	290	8/19/2020	Substation transformer power equipment failure
19	4	San Jose	1.5	4	60%	310	8/19/2020	Substation transformer power equipment failure
19	5	San Jose	1.5	4	53%	300	8/19/2020	Substation transformer power equipment failure
19	6	San Jose	1.5	4	40%	280	8/19/2020	Substation transformer power equipment failure
20	1	Santa Clara	3	4.1	42%	410	8/18/2020	State Emergency Load Shedding
20	1	Santa Clara	3	3.5	42%	350	9/7/2020	State Emergency Load Shedding
20	1	Santa Clara	3	1.5	42%	150	8/17/2020	State Emergency Load Shedding
20	2	Santa Clara	3	4.1	37%	410	8/18/2020	State Emergency Load Shedding
20	2	Santa Clara	3	3.6	37%	360	9/7/2020	State Emergency Load Shedding
20	2	Santa Clara	3	2.6	37%	250	8/17/2020	State Emergency Load Shedding
20	3	Santa Clara	3	4.1	40%	410	8/18/2020	State Emergency Load Shedding
20	3	Santa Clara	3	3.6	40%	360	9/7/2020	State Emergency Load Shedding
20	3	Santa Clara	3	1.8	40%	180	8/17/2020	State Emergency Load Shedding
20	4	Santa Clara	3	4.1	38%	410	8/18/2020	State Emergency Load Shedding

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
20	4	Santa Clara	3	3.6	38%	360	9/7/2020	State Emergency Load Shedding
20	4	Santa Clara	3	1.4	38%	150	8/17/2020	State Emergency Load Shedding
20	5	Santa Clara	3	4.2	20%	410	8/18/2020	State Emergency Load Shedding
20	5	Santa Clara	3	1.1	20%	120	8/17/2020	State Emergency Load Shedding
20	6	Santa Clara	3	4.1	17%	410	8/18/2020	State Emergency Load Shedding
20	6	Santa Clara	3	1.3	17%	130	8/17/2020	State Emergency Load Shedding
20	7	Santa Clara	3	4.1	18%	410	8/18/2020	State Emergency Load Shedding
20	7	Santa Clara	3	1.4	18%	140	8/17/2020	State Emergency Load Shedding
20	8	Santa Clara	3	4.1	19%	410	8/18/2020	State Emergency Load Shedding
20	8	Santa Clara	3	1.4	19%	140	8/17/2020	State Emergency Load Shedding
20	9	Santa Clara	3	4.2	15%	420	8/18/2020	State Emergency Load Shedding
20	9	Santa Clara	3	1.1	15%	110	8/17/2020	State Emergency Load Shedding
20	10	Santa Clara	3	4.1	29%	410	8/18/2020	State Emergency Load Shedding
20	10	Santa Clara	3	1.3	29%	130	8/17/2020	State Emergency Load Shedding
20	11	Santa Clara	3	4.3	18%	430	8/18/2020	State Emergency Load Shedding
20	11	Santa Clara	3	1.4	18%	140	8/17/2020	State Emergency Load Shedding
20	12	Santa Clara	3	4.1	19%	410	8/18/2020	State Emergency Load Shedding
20	12	Santa Clara	3	1.4	19%	140	8/17/2020	State Emergency Load Shedding
20	13	Santa Clara	3	4.1	3%	120	8/18/2020	State Emergency Load Shedding
20	13	Santa Clara	3	1.2	3%	40	8/17/2020	State Emergency Load Shedding
20	14	Santa Clara	3	4	2%	120	8/18/2020	State Emergency Load Shedding
20	14	Santa Clara	3	1.3	2%	40	8/17/2020	State Emergency Load Shedding
20	15	Santa Clara	3	4	2%	160	8/18/2020	State Emergency Load Shedding
20	15	Santa Clara	3	1.3	2%	50	8/17/2020	State Emergency Load Shedding
20	16	Santa Clara	3	2	30%	20	8/17/2020	State Emergency Load Shedding
20	16	Santa Clara	3	1.5	30%	20	8/18/2020	State Emergency Load Shedding
20	17	Santa Clara	3	0.9	10%	20	8/17/2020	State Emergency Load Shedding
20	17	Santa Clara	3	0.8	10%	20	8/18/2020	State Emergency Load Shedding

MITIGATION MONITORING OR REPORTING PROGRAM

Memorex Data Center EIR

CITY OF SANTA CLARA

October 2021

P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring or reporting program is to ensure compliance with the mitigation measures during project implementation.

On _____, the City Council certified the Environmental Impact Report (EIR) for the Memorex Data Center project. The Final EIR concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring or Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the EIR concluded that mitigation measures would not be required to reduce significant impacts.

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
Biological Resources				
Impact BIO-1: Tree removal during the nesting season could impact protected raptors and/or other protected migratory birds. Any loss of fertile bird eggs, or individual nesting birds, or any activities resulting in nest abandonment during construction would constitute a significant impact.	**MM BIO-1.1:** Construction shall be scheduled to avoid the nesting bird season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay Area extends from February 1 through August 31. If it is not possible to schedule construction activities between September 1 and January 31, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure no nest shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game Code shall not be disturbed during project construction. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal.	Preconstruction surveys shall be conducted no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April), and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).	The project applicant.	The Director of Community Development and CDFW.

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
Impact BIO-5: Trees to be retained on-site may be injured during project construction activities including demolition and site grading. Additionally, trees adjacent to the proposed overhead transmission line may require substantial pruning to ensure clearance.	**MM BIO-5.1:** Barricades – Prior to initiation of construction activity, temporary barricades would be installed around all trees in the construction area. Six-foot high, chain link fences would be mounted on steel posts, driven two feet into the ground, at no more than 10-foot spacing. The fences shall enclose the entire area under the drip line of the trees or as close to the drip line area as practical. These barricades will be placed around individual trees and/or groups of trees.	Prior to initiation of construction activity.	The project applicant.	The Director of Community Development.
	MM BIO-5.2: Root Pruning (if necessary) – During and upon completion of any trenching/grading operation within a tree's drip line, should any roots greater than one inch in diameter be damaged, broken or severed, root pruning to include flush cutting and sealing of exposed roots should be accomplished under the supervision of a qualified Arborist to minimize root deterioration beyond the soil line within 24 hours.	During and upon completion of any trenching/grading operation within a tree's drip line.		
	MM BIO-5.3: Pruning – Pruning of the canopies to include removal of deadwood should be initiated prior to construction operations. Such pruning will provide any necessary construction clearance, will lessen the likelihood or potential for limb breakage, reduce 'windsail' effect and provide an environment suitable for healthy and vigorous growth.	Prior to construction operations.		
	MM BIO-5.4: Fertilization – Fertilization by means of deep root soil injection should be used for trees to be impacted during construction in the spring and summer months.	During construction in the spring and summer months.		

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
	MM BIO-5.5: Mulch – Mulching with wood chips (maximum depth of three inches) within tree environments should be used to lessen moisture evaporation from soil, protect and encourage adventitious roots and minimize possible soil compaction.	During construction.		
Cultural Resources				
Impact CUL-1: The project would demolish the existing improvements on site and therefore would have a significant and unavoidable impact on a historical resource.	**MM CUL-1.1:** Historic American Buildings Survey (HABS) Recordation. Prior to project implementation, the historical resource will be recorded to Historic American Buildings Survey (HABS) standards established by the National Park Service, as detailed below: • A HABS written report will be completed to document the physical history and description of the historical resource, the historic context for its construction and use, and its historic significance. The report will follow the standard outline format described in the Historic American Buildings Survey Guidelines for Historical Reports in effect at the time of recording. The report shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History. • Large-format, black and white photographs of the historical resource will be taken and processed for archival permanence in accordance with Historic American Building Survey (HAB), Historic American Engineering Record (HAER), and HALS (Historic American Landscapes Survey) Photography Guidelines in effect at the time of recording. The	Prior to project implementation.	The project applicant.	The Director of Community Development.

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
	photographs shall be taken by a professional with HABS photography experience. The number and type of views required will be determined in consultation with the local jurisdiction. • Existing drawings, where available, will be reproduced on archival paper. If existing drawings are not available, a full set of measured drawings depicting existing conditions will be prepared. The drawings shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Architecture or Historic Architecture. • The HABS documentation, including the written report, large-format photographs, and drawings, shall be submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. The documentation shall be prepared in accordance with the archival standards outlined in the Transmittal Guideline for Preparing HABS/HAER/HALS Documentation in effect at the time of recording. A professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History shall manage production of the HABS documentation.			

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
	MM CUL-1.2: Video Documentation. Video documentation of the subject property will supplement HABS documentation by recording the exterior and interior of the industrial complex at 1200 – 1310 Memorex Drive, as it appears, prior to project implementation. Using visuals in combination with active narration, the documentation shall include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. The documentation shall be conducted by a professional videographer, preferably one with experience recording architectural resources, and produced in conjunction with a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth by the Secretary of the Interior's Professional Qualification Standards. It is recommended that the video documentation be preserved in an electronic format that is cross-platform and nonproprietary. Like HABS documentation, archival copies of the video documentation shall be submitted to appropriate repositories, such as the SCCHGS, Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. It may also be shared online via a freely accessible platform such as YouTube. **MM CUL-1.3:** Interpretive Display. Interpretive displays vary widely in size, style, construction, and information capacity. Specifications for a particular interpretive display should consider a number of factors, including but not limited to the nature of the resource, the intended audience, and the			

Impacts	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	location of the display. Although typically located at the subject property, offsite interpretive displays may be appropriate in certain cases, such as when the property is not publicly accessible for security or other reasons. In all instances, interpretive displays should be conducted by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards, in coordination with an exhibit designer. Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200 – 1310 Memorex Drive. Onsite displays should be located in a prominent space, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200 – 1310 Memorex Drive and its operation during the property's period of significance. Because of the nature of the proposed replacement project, however, the subject property may not be easily accessible by the public, and an offsite interpretive display may be recommended in place of or in addition to the onsite display. An offsite interpretive display should be located in a place with a connection to the subject property or its historical context. For example, the Computer History Museum in Mountain View may be an appropriate location for an interpretive display because of the substantial, contextual connection between the museum's mission and the subject property's significance within the development of the modern computer industry. The Computer History Museum also holds hundreds of Memorex Corporation artifacts and records in its			

Impacts	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	repository, which would complement an interpretive display related to the subject property. **MM CUL-1.4:** Oral History Collection. Oral history is a method of gathering and preserving the memories of people and communities, including personal commentaries of historical significance. Best practices for performing oral interviews are outlined by the Oral History Association (OHA), which was founded in 1966 and serves as the principal membership organization for those involved in the field of oral history. The project will prepare an oral history collection that focuses on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. To the extent feasible, at least one former employee of the Memorex Corporation who was employed at the subject property shall be interviewed. A list of guests at the Memorex at Fifty reunion, hosted at the Computer History Museum in Mountain View in 2011, may serve as a preliminary list of potential narrators. Oral history audio and visual files collected as part of a mitigation effort for the 1200 – 1310 Memorex Drive will be conducted by a professional oral historian and preserved in an accessible, electronic format and submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, Oral History Center at the Bancroft Library in Berkeley, and/or the Computer History Museum, which currently houses more than one hundred oral			

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
	history interviews related to the development of the modern computer industry. In the event that no appropriate narrators are identified, or in the event that all potential narrators decline to participate, a memorandum will be prepared to document the project methodology and efforts.			
Impact CUL-2: The project may result in impacts to unknown subsurface cultural resources.	**MM CUL-2.1:** A Native American cultural resources monitor shall be on site to monitor all construction activities disturbing native soils. In the event that prehistoric or historical resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the Native American monitor and a qualified archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. If the find is deemed significant, a Treatment Plan will be prepared by a qualified archaeologist in consultation with a Native American representative and provided to the Director of Community Development. The key elements of a Treatment Plan shall include the following: • Identify scope of work and range of subsurface effects (include location map and development plan), • Describe the environmental setting (past and present) and the historic/prehistoric background of the parcel (potential range of what might be found), • Develop research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information),	During construction activities disturbing native soils. In the event a discovery is made, the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits.	The project applicant.	The Director of Community Development.

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
	• Detail field strategy used to record, recover, or avoid the finds, determined in consultation with a Native American representative (photogs, drawings, written records, provenience data maps, soil profiles, excavation techniques, standard archaeological methods) and address research goals. • Analytical methods, determined in consultation with a Native American representative (radiocarbon dating, obsidian studies, historic artifacts studies [list categories and methods], packaging methods for artifacts, etc.). • Report structure, including a technical and layman's report and an outline of document contents in one year of completion of development (provide a draft for review before a final report), • Disposition of the artifacts, • Appendices: site records, update site records, correspondence, consultation with Native Americans, etc.			
Impact CUL-3: The project could disturb human remains, should they be encountered on the site.	**MM CUL-3.1:** In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American	At the time a discovery is made.	The project applicant.	The Director of Community Development, Santa Clara County Coroner, and NAHC.

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
	Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.			
Geology and Soils				
Impact GEO-6: Paleontological resources could be encountered during construction.	**MM GEO-6:** In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.	At the time a discovery is made.	The project applicant.	The Director of Community Development.
Hazards and Hazardous Materials				
Impact GEO-6: Construction workers could be exposed to contaminated soil and/or groundwater during excavation, grading, and construction activities. Future users of the site could be exposed to hazardous soil vapor.	**MM HAZ-2.1:** For on-site construction activities, the project shall implement the approved Soil Management Plan prepared for the site under the oversight of the Regional Water Quality Control Board. **MM HAZ-2.2:** For off-site construction activities associated with the underground transmission line, a qualified environmental specialist shall collect shallow soil samples within the areas of proposed construction activities and have the samples analyzed to determine if contaminated soil is present with concentrations above established construction/trench worker and residential thresholds. Once the soil sampling analysis is complete, a report of the findings will be provided to the Director of Community Development for review. The report shall indicate whether any off-site	During all construction activities.	The project applicant.	The Director of Community Development, Regional Water Quality Control Board, and SCCDEH.

Impacts	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
	contaminated soils found during sampling are related to the known on-site contamination, or whether they are from a different off-site contamination source. If contaminated soils are found in concentrations above established regulatory environmental screening levels, and are determined to be related to the known on-site contamination, the project shall incorporate the off-site contamination into the approved Soil Management Plan for the site. If the off-site contamination is determined to be unrelated to the known on-site contamination, the applicant shall enter into the Santa Clara County Department of Environmental Health's (SCCDEH) Voluntary Cleanup Program (VCP) to formalize regulatory oversight for remediation of contaminated soil to ensure the site is safe for construction workers and the public after development. The project applicant must remove contaminated soil in order to achieve detection levels acceptable to the SCCDEH. With approval of the SCCDEH, some of the contaminated soil may be allowed to be left in-place buried under hardscape and/or several feet of clean soil. The project applicant shall prepare and implement a Removal Action Plan, Soil Mitigation Plan or other similar report describing the remediation process and to document the removal and/or capping of contaminated soil. All work and reports produced shall be performed under the regulatory oversight and approval of the SCCDEH.			

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
Noise				
Impact NOI-1.1: The project could expose adjacent land uses to excessive noise levels during construction.	**MM NOI-1.1:** The project shall implement a construction noise control plan to regulate the hours of construction, reduce construction noise levels emanating from the site, and minimize disruption and annoyance at existing noise-sensitive receptors in the project vicinity. The control plan would include the following controls: • Construction activities shall be limited to hours between 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or Holidays. • Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment from adjacent properties. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps. • Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. • Unnecessary idling of internal combustion engines should be strictly prohibited. • Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate	During all construction activities.	The project applicant.	The Director of Community Development.

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
	muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors. • Utilize "quiet" air compressors and other stationary noise sources where technology exists. • Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. • Control noise from construction workers' radios to a point where they are not audible at existing residential uses to the north of the project site. • The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. • Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.			

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
	Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.			
Impact NOI-1.2: To avoid impacts related to operation of the proposed data center, the project will be required to incorporate noise reduction measures into the project design.	**MM NOI-1.2:** The building shall include a rooftop screen wall reaching 14 feet in height above the roof, meeting a minimum surface weight of three pounds per square foot (such as one-inch-thick wood, ½-inch laminated glass, masonry block, concrete, or one-inch metal). The screen wall shall extend along the full length of the building's southern façade, a minimum distance of 225 feet north of the southwestern corner of the building along the western façade, and a minimum distance of 135 feet north of the southeastern corner of the building along the eastern façade. **MM NOI-1.3:** Each chiller shall meet a sound power level goal of 100 dBA or less. **MM NOI-1.4:** Each generator shall meet a design goal of 70 dBA or less at a lateral distance of 23 feet and a height of five feet above ground under full load. Generators shall be tested one at a time during daytime hours only. **MM NOI-1.4:** Each generator shall be equipped with an exhaust silencer so that noise from the exhaust would not exceed 63 dBA at a lateral distance of 23 feet and a height of five feet above ground.	Prior to issuance of occupancy permit.	The project applicant.	The Director of Community Development.

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
Transportation				
Impact TRN-1: The project's vehicle miles traveled (VMT) per employee would be above the relevant significance threshold.	**MM TRN-2.1:** The project shall implement a TDM program sufficient to demonstrate that VMT associated with the project would be reduced to 14.14 or less per employee. The TDM program may include, but is not limited to, the following measures which have been determined to be a feasible method for achieving the required VMT reduction: • Provide commute trip reduction marketing and education for all eligible employees. o Implement marketing campaign targeting all project employees and visitors that encourages the use of transit, shared rides, and active modes. Marketing strategies may include new employee orientation on alternative commute options, event promotions, and publications. Providing information and encouragement to use transit, share ride modes, and active modes, reducing drive-alone trips and thereby reducing VMT. • Provide a subsidized or discounted transit program for all eligible employees. o This strategy requires the project employer to subsidize transit passes for participating employees. • Provide a rideshare program for all eligible employees.	Prior to issuance of occupancy permit.	The project applicant.	The Director of Community Development.

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
	○ Organize a program to match individuals interested in carpooling who have similar commute patterns. Strategy encourages the use of carpooling, reducing the number of vehicle trips and thereby reducing VMT. The TDM program shall be submitted and approved by the Director of Community Development and shall be monitored annually to gauge its effectiveness in meeting the required VMT reduction. The TDM program shall establish an appropriate estimate of initial vehicle trips generated by the occupant of the proposed project and shall conduct driveway traffic counts annually to measure peak-hour entering and exiting vehicle volumes. The volumes will be compared to trip thresholds established in the TDM program to determine whether the required reduction in vehicle trips is being met. In addition to monitoring driveway volumes, a survey will be developed as part of the TDM program to determine actual mode splits for employees. The survey will also gather information on usage of individual TDM program components. The results of the annual vehicle counts and survey will be reported in writing to the Director of Community Development. If TDM program monitoring results show that the trip reduction targets are not being met, the TDM program shall be updated to identify replacement and/or additional feasible TDM measures to be implemented. The updated TDM program shall be subject to the same approvals and monitoring requirements listed above.			

MITIGATION MONITORING OR REPORTING PROGRAM MEMOREX DATA CENTER				
Impacts	**Mitigation**	**Timeframe for Implementation**	**Responsibility for Implementation**	**Oversight of Implementation**
	If monitoring and reporting demonstrates that the project is non-compliant (i.e., did not fulfill the requirements of the TDM program, meet the drive-alone reduction targets, etc.), the City as the enforcing agency may impose penalties including fines and/or permit limitations.			

Source: City of Santa Clara. *Final Environmental Impact Report for the Memorex Data Center.* October 2021.

MEMOREX DATA CENTER PROJECT
FINDINGS ON SIGNIFICANT ENVIRONMENTAL IMPACTS

Biological Resources

Impact: **Impact BIO-1:** Tree removal during the nesting season could impact protected raptors and/or other protected migratory birds. Any loss of fertile bird eggs, or individual nesting birds, or any activities resulting in nest abandonment during construction would constitute a significant impact.

Mitigation: **MM BIO-1.1:** Construction shall be scheduled to avoid the nesting bird season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay Area extends from February 1 through August 31.

If it is not possible to schedule construction activities between September 1 and January 31, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure no nest shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).

During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game Code shall not be disturbed during project construction.

A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal.

Finding: The project, with implementation of the above mitigation measure, would reduce impacts to nesting birds (if present) by avoiding construction during nesting bird season or completing pre-construction nesting bird surveys to minimize and/or avoid impacts to nesting birds. **(Less Than Significant with Mitigation Incorporated)**

Facts in Support of Finding: Implementation of Mitigation Measure MM BIO-1.1 would reduce construction impacts to nesting birds to a less than significant level by either avoiding construction activities during the nesting season or conducting preconstruction surveys during the nesting season that would provide the basis for establishing construction-free buffer zones for any active nests that are found to protect the nests from disturbance caused by construction activities. Mitigation Measure MM BIO-1.1 specifically requires that a qualified biologist conduct

such surveys and make recommendations in consultation with the CDFW, ensuring that potential impacts would be fully mitigated.

Impact: **Impact BIO-5:** Trees to be retained on-site may be injured during project construction activities including demolition and site grading. Additionally, trees adjacent to the proposed overhead transmission line may require substantial pruning to ensure clearance.

Mitigation: **MM BIO-5.1:** Barricades – Prior to initiation of construction activity, temporary barricades would be installed around all trees in the construction area. Six-foot high, chain link fences would be mounted on steel posts, driven two feet into the ground, at no more than 10-foot spacing. The fences shall enclose the entire area under the drip line of the trees or as close to the drip line area as practical. These barricades will be placed around individual trees and/or groups of trees.

MM BIO-5.2: Root Pruning (if necessary) – During and upon completion of any trenching/grading operation within a tree's drip line, should any roots greater than one inch in diameter be damaged, broken or severed, root pruning to include flush cutting and sealing of exposed roots should be accomplished under the supervision of a qualified Arborist to minimize root deterioration beyond the soil line within 24 hours.

MM BIO-5.3: Pruning – Pruning of the canopies to include removal of deadwood should be initiated prior to construction operations. Such pruning will provide any necessary construction clearance, will lessen the likelihood or potential for limb breakage, reduce 'windsail' effect and provide an environment suitable for healthy and vigorous growth.

MM BIO-5.4: Fertilization – Fertilization by means of deep root soil injection should be used for trees to be impacted during construction in the spring and summer months.

MM BIO-5.5: Mulch – Mulching with wood chips (maximum depth of three inches) within tree environments should be used to lessen moisture evaporation from soil, protect and encourage adventitious roots and minimize possible soil compaction.

Finding: With implementation of mitigation measures MM BIO-5.1 though MM BIO-5.5, the project would result in a less than significant impact to trees. **(Less Than Significant with Mitigation Incorporated)**

Facts in Support of Finding: The implementation of Mitigation Measures MM BIO-5.1 through MM BIO-5.5 would provide protection measures for existing trees to be retained during construction activities. Implementation of these measures would, therefore, help preserve existing trees.

Cultural Resources

Impact: **Impact CUL-1:** The project would demolish the existing improvements on site and therefore would have a significant and unavoidable impact on a historical resource.

Mitigation: **MM CUL-1.1:** Historic American Buildings Survey (HABS) Recordation. Prior to project implementation, the historical resource will be recorded to Historic American Buildings Survey (HABS) standards established by the National Park Service, as detailed below:[1]

- A HABS written report will be completed to document the physical history and description of the historical resource, the historic context for its construction and use, and its historic significance. The report will follow the standard outline format described in the *Historic American Buildings Survey Guidelines for Historical Reports* in effect at the time of recording. The report shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History.
- Large-format, black and white photographs of the historical resource will be taken and processed for archival permanence in accordance with Historic American Building Survey (HAB), Historic American Engineering Record (HAER), and HALS (Historic American Landscapes Survey) Photography Guidelines in effect at the time of recording. The photographs shall be taken by a professional with HABS photography experience. The number and type of views required will be determined in consultation with the local jurisdiction.
- Existing drawings, where available, will be reproduced on archival paper. If existing drawings are not available, a full set of measured drawings depicting existing conditions will be prepared. The drawings shall be prepared by a professional who meets the Secretary of the Interior's Professional Qualification Standards for Architecture or Historic Architecture.
- The HABS documentation, including the written report, large-format photographs, and drawings, shall be submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. The documentation shall be prepared in accordance with the archival standards outlined in the Transmittal Guideline for Preparing HABS/HAER/HALS Documentation in effect at the time of recording. A professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History shall manage production of the HABS documentation.

MM CUL-1.2: Video Documentation. Video documentation of the subject property will supplement HABS documentation by recording the exterior and interior of the industrial complex at 1200 – 1310 Memorex Drive, as it appears, prior to project implementation. Using visuals in combination with active narration, the

[1] National Park Service, "HABS Guidelines," accessed April 8, 2020, https://www.nps.gov/hdp/standards/habsguidelines.htm.

documentation shall include as much information as possible about the spatial arrangement, circulation patterns, historic use, current condition, construction methods, and material appearance of the historic resource. The documentation shall be conducted by a professional videographer, preferably one with experience recording architectural resources, and produced in conjunction with a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate) set forth by the Secretary of the Interior's Professional Qualification Standards.

It is recommended that the video documentation be preserved in an electronic format that is cross-platform and nonproprietary. Like HABS documentation, archival copies of the video documentation shall be submitted to appropriate repositories, such as the SCCHGS, Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, and/or the Computer History Museum in Mountain View. It may also be shared online via a freely accessible platform such as YouTube.

MM CUL-1.3: Interpretive Display. Interpretive displays vary widely in size, style, construction, and information capacity. Specifications for a particular interpretive display should consider a number of factors, including but not limited to the nature of the resource, the intended audience, and the location of the display. Although typically located at the subject property, offsite interpretive displays may be appropriate in certain cases, such as when the property is not publicly accessible for security or other reasons. In all instances, interpretive displays should be conducted by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards, in coordination with an exhibit designer.

Both onsite and offsite interpretive displays may be appropriate mitigation measures for the demolition of the industrial complex at 1200 – 1310 Memorex Drive. Onsite displays should be located in a prominent space, such as a lobby, where they may be viewed by employees and visitors to the property. Displays should be permanent and should address the history and architectural features of the industrial complex at 1200 – 1310 Memorex Drive and its operation during the property's period of significance.

Because of the nature of the proposed replacement project, however, the subject property may not be easily accessible by the public, and an offsite interpretive display may be recommended in place of or in addition to the onsite display. An offsite interpretive display should be located in a place with a connection to the subject property or its historical context. For example, the Computer History Museum in Mountain View may be an appropriate location for an interpretive display because of the substantial, contextual connection between the museum's mission and the subject property's significance within the development of the modern computer industry. The Computer History Museum also holds hundreds of Memorex Corporation artifacts and records in its repository, which would complement an interpretive display related to the subject property.

MM CUL-1.4: Oral History Collection. Oral history is a method of gathering and preserving the memories of people and communities, including personal commentaries of historical significance. Best practices for performing oral interviews

are outlined by the Oral History Association (OHA), which was founded in 1966 and serves as the principal membership organization for those involved in the field of oral history.

The project will prepare an oral history collection that focuses on the operation of the Memorex Corporation between 1961 and 1971, when the subject property served as the company headquarters. To the extent feasible, at least one former employee of the Memorex Corporation who was employed at the subject property shall be interviewed. A list of guests at the Memorex at Fifty reunion, hosted at the Computer History Museum in Mountain View in 2011, may serve as a preliminary list of potential narrators.

Oral history audio and visual files collected as part of a mitigation effort for the 1200 – 1310 Memorex Drive will be conducted by a professional oral historian and preserved in an accessible, electronic format and submitted to appropriate repositories, such as the Santa Clara County Historical & Genealogical Society (SCCHGS), Silicon Valley Historical Association, Sourisseau Academy for State and Local History at San José State University, Oral History Center at the Bancroft Library in Berkeley, and/or the Computer History Museum, which currently houses more than one hundred oral history interviews related to the development of the modern computer industry. In the event that no appropriate narrators are identified, or in the event that all potential narrators decline to participate, a memorandum will be prepared to document the project methodology and efforts.

Finding: The project would result in a significant and unavoidable impact to the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5, even with incorporation of mitigation measures. **(Significant Unavoidable Impact with Mitigation Incorporated)**

Facts in Support of Finding: As proposed by the project, demolishing the historic resource on the site is a final act. While Mitigation Measures CUL-1.1 through CUL 1.4 would help to retain the memory of the building and its association with the City's history, the loss of the building would remain a significant unavoidable impact.

Impact: **Impact CUL-2:** The project may result in impacts to unknown subsurface cultural resources.

Mitigation: **MM CUL-2.1:** A Native American cultural resources monitor shall be on site to monitor all construction activities disturbing native soils. In the event that prehistoric or historical resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the Native American monitor and a qualified archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. If the find is deemed significant, a Treatment Plan will be prepared by a qualified archaeologist in consultation with a Native American representative and provided to the Director of Community Development. The key elements of a Treatment Plan shall include the following:

- Identify scope of work and range of subsurface effects (include location map and development plan),
- Describe the environmental setting (past and present) and the historic/prehistoric background of the parcel (potential range of what might be found),
- Develop research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information),
- Detail field strategy used to record, recover, or avoid the finds, determined in consultation with a Native American representative (photogs, drawings, written records, provenience data maps, soil profiles, excavation techniques, standard archaeological methods) and address research goals.
- Analytical methods, determined in consultation with a Native American representative (radiocarbon dating, obsidian studies, bone studies, historic artifacts studies [list categories and methods], packaging methods for artifacts, etc.).
- Report structure, including a technical and layman's report and an outline of document contents in one year of completion of development (provide a draft for review before a final report),
- Disposition of the artifacts,
- Appendices: site records, update site records, correspondence, consultation with Native Americans, etc.

Finding: Implementation of the above mitigation measures would avoid and/or reduce significant impacts to unknown buried archaeological resources to a less than significant level by monitoring for resources during demolition activities and following procedures to protect resources (if found). **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The implementation of Mitigation Measure MM CUL-2.1 would require monitoring of all construction activities disturbing native soils by representatives of the Native American community, and the Mitigation Measure was drafted in consultation with representatives of the Tamien Nation. Mitigation Measure MM CUL-2.1 also requires the stoppage of work if buried or previously unrecognized archeological deposits are exposed during construction activities, and the intervention of a qualified archaeologist and Native American monitor to determine the appropriate course of action before resuming construction activities. The involvement of the Santa Clara County Coroner and the NAHC in the case of discovery of human remains would ensure that proper burial procedures would be followed.

Impact: **Impact CUL-3:** The project could disturb human remains, should they be encountered on the site.

Mitigation: **MM CUL-3.1:** In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin or whether an

investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

Finding: Implementation of the above mitigation measures would avoid and/or reduce significant impacts to unknown human remains (if found). **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The implementation of Mitigation Measure MM CUL-3.1 would require the stoppage of work if human remains are discovered during excavation and/or grading activities. The involvement of the Santa Clara County Coroner and the NAHC in the case of discovery of human remains would ensure that proper burial procedures would be followed.

<u>Geology and Soils</u>

Impact: **Impact GEO-6:** Paleontological resources could be encountered during construction.

Mitigation: **MM GEO-6.1:** In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.

Finding: With implementation of the mitigation measure described above, the project would result in a less than significant impact on paleontological resources. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: The implementation of Mitigation Measure MM GEO-6.1 would require work to be halted within 50 feet of any unknown paleontological resource discovered on the project site. A qualified paleontologist would determine appropriate disposition of any resources found. Therefore, impacts to such resources would be avoided.

<u>Hazards and Hazardous Materials</u>

Impact: **Impact HAZ-2:** Construction workers could be exposed to contaminated soil and/or groundwater during excavation, grading, and construction activities. Future users of the site could be exposed to hazardous soil vapor.

Mitigation: **MM HAZ-2.1:** For on-site construction activities, the project shall implement the approved Soil Management Plan prepared for the site under the oversight of the Regional Water Quality Control Board.

MM HAZ-2.2: For off-site construction activities associated with the underground transmission line, a qualified environmental specialist shall collect shallow soil samples within the areas of proposed construction activities and have the samples analyzed to determine if contaminated soil is present with concentrations above established construction/trench worker and residential thresholds. Once the soil sampling analysis is complete, a report of the findings will be provided to the Director of Community Development for review. The report shall indicate whether any off-site contaminated soils found during sampling are related to the known on-site contamination, or whether they are from a different off-site contamination source.

If contaminated soils are found in concentrations above established regulatory environmental screening levels, and are determined to be related to the known on-site contamination, the project shall incorporate the off-site contamination into the approved Soil Management Plan for the site. If the off-site contamination is determined to be unrelated to the known on-site contamination, the applicant shall enter into the Santa Clara County Department of Environmental Health's (SCCDEH) Voluntary Cleanup Program (VCP) to formalize regulatory oversight for remediation of contaminated soil to ensure the site is safe for construction workers and the public after development. The project applicant must remove contaminated soil in order to achieve detection levels acceptable to the SCCDEH. With approval of the SCCDEH, some of the contaminated soil may be allowed to be left in-place buried under hardscape and/or several feet of clean soil.

The project applicant shall prepare and implement a Removal Action Plan, Soil Mitigation Plan or other similar report describing the remediation process and to document the removal and/or capping of contaminated soil. All work and reports produced shall be performed under the regulatory oversight and approval of the SCCDEH.

Finding: Implementation of the above mitigation measures would ensure the project would not exacerbate existing hazardous materials contamination present on the site and would reduce impacts related to such contamination to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Soil and groundwater contamination conditions on the site would be addressed through the implementation of Mitigation Measure MM HAZ-2.1, which requires implementation of the approved Soil Management Plan prepared for the site under the oversight of the Regional Water Quality Control Board. Mitigation Measure MM HAZ-2.2 would require investigations for the presence of hazardous materials along the alignment of the proposed underground transmission line. If contamination is found that is related to the known on-site contamination, the project shall incorporate the off-site contamination into the approved Soil Management Plan for the site (refer to MM HAZ-2.1). If the off-site contamination is determined to be unrelated to the known on-site contamination, MM HAZ-2.2 would require the project to remediate the contamination under the oversight of the SCCDEH

to ensure conditions are safe for construction workers and the public.

Noise and Vibration

Impact: **Impact NOI-1.1:** To avoid impacts related to construction noise, the project will be required to implement a construction noise control plan.

Mitigation: **MM NOI-1.1:** The project shall implement a construction noise control plan to regulate the hours of construction, reduce construction noise levels emanating from the site, and minimize disruption and annoyance at existing noise-sensitive receptors in the project vicinity. The control plan would include the following controls:

- Construction activities shall be limited to hours between 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or Holidays.
- Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment from adjacent properties. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines should be strictly prohibited.
  Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors. Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- Control noise from construction workers' radios to a point where they are not audible at existing residential uses to the north of the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance

coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

Finding: With implementation of identified mitigation measures, the project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project due to construction noise. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Construction impacts such as noise and vibration are considered temporary due to their short-term duration. Regardless, the controls listed under Mitigation Measure MM NOI-1.1 include the establishment of specific hours for construction activities, restrictions on types of construction equipment used, identification of areas for noise-generating activities on the site, construction of physical barriers, and establishment of contact information for identifying who to contact regarding excessive noise problems. Implementation of these specific measures will result in a lessening of the nuisance impact from construction noise on surrounding land uses for the duration of the construction period.

Impact: **Impact NOI-1.2:** To avoid impacts related to operation of the proposed data center, the project will be required to incorporate noise reduction measures into the project design.

Mitigation: **MM NOI-1.2:** The building shall include a rooftop screen wall reaching 14 feet in height above the roof, meeting a minimum surface weight of three pounds per square foot (such as one-inch-thick wood, ½-inch laminated glass, masonry block, concrete, or one-inch metal). The screen wall shall extend along the full length of the building's southern façade, a minimum distance of 225 feet north of the southwestern corner of the building along the western façade, and a minimum distance of 135 feet north of the southeastern corner of the building along the eastern façade.

MM NOI-1.3: Each chiller shall meet a sound power level goal of 100 dBA or less.

MM NOI-1.4: Each generator shall meet a design goal of 70 dBA or less at a lateral distance of 23 feet and a height of five feet above ground under full load. Generators shall be tested one at a time during daytime hours only.

MM NOI-1.5: Each generator shall be equipped with an exhaust silencer so that noise from the exhaust would not exceed 63 dBA at a lateral distance of 23 feet and a height of five feet above ground.

Finding: With implementation of the identified mitigation measures, noise from on-site equipment operations would not result in exceedances of criteria set in Section 9.10.040 of the City of Santa Clara City Code. **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Implementation of Mitigation Measures MM NOI-1.2 through MM 1.5 would require the building design and mechanical equipment

selection to achieve sufficient noise reduction to ensure the project's operational noise would not exceed applicable noise limits at adjacent property lines.

Transportation

Impact: **Impact TRN-2:** The project's vehicle miles traveled (VMT) per employee would be above the relevant significance threshold.

Mitigation: **MM TRN-2.1:** The project shall implement a TDM program sufficient to demonstrate that VMT associated with the project would be reduced to 14.14 or less per employee. The TDM program may include, but is not limited to, the following measures which have been determined to be a feasible method for achieving the required VMT reduction:

- Provide commute trip reduction marketing and education for all eligible employees.
  - Implement marketing campaign targeting all project employees and visitors that encourages the use of transit, shared rides, and active modes. Marketing strategies may include new employee orientation on alternative commute options, event promotions, and publications. Providing information and encouragement to use transit, share ride modes, and active modes, reducing drive-alone trips and thereby reducing VMT.
- Provide a subsidized or discounted transit program for all eligible employees.
  - This strategy requires the project employer to subsidize transit passes for participating employees.
- Provide a rideshare program for all eligible employees.
  - Organize a program to match individuals interested in carpooling who have similar commute patterns. Strategy encourages the use of carpooling, reducing the number of vehicle trips and thereby reducing VMT.

The TDM program shall be submitted and approved by the Director of Community Development and shall be monitored annually to gauge its effectiveness in meeting the required VMT reduction. The TDM program shall establish an appropriate estimate of initial vehicle trips generated by the occupant of the proposed project and shall conduct driveway traffic counts annually to measure peak-hour entering and exiting vehicle volumes. The volumes will be compared to trip thresholds established in the TDM program to determine whether the required reduction in vehicle trips is being met. In addition to monitoring driveway volumes, a survey will be developed as part of the TDM program to determine actual mode splits for employees. The survey will also gather information on usage of individual TDM program components. The results of the annual vehicle counts and survey will be reported in writing to the Director of Community Development.

If TDM program monitoring results show that the trip reduction targets are not being met, the TDM program shall be updated to identify replacement and/or additional

feasible TDM measures to be implemented. The updated TDM program shall be subject to the same approvals and monitoring requirements listed above.

If monitoring and reporting demonstrates that the project is non-compliant (i.e, did not fulfill the requirements of the TDM program, meet the drive-alone reduction targets, etc.), the City as the enforcing agency may impose penalties including fines and/or permit limitations.

Finding: The project's VMT would be reduced to a less than significant level with implementation of MM TRN-2.1. The project, therefore, would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(Less than Significant Impact with Mitigation Incorporated)**

Facts in Support of Finding: Implementation of Mitigation Measure MM TRN-2.1 would reduce the project's VMT to a less than significant level by requiring the project to implement a TDM program sufficient to demonstrate that VMT associated with the project would be reduced to 14.14 or less per employee. Mitigation Measure MM TRN-2.1 includes examples of specific TDM measures that would achieve the necessary VMT reduction. The TDM program would be required to be submitted and approved by the Director of Community Development and shall be monitored annually to ensure its effectiveness in meeting the required VMT reduction.

FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the City to balance the benefits of the Project against its significant unavoidable environmental effects in determining whether to approve the Project. Since the EIR identifies project-level significant impacts of the Project that cannot feasibly be mitigated below a level of significance, the City must state in writing its specific reasons for approving the Project in a "statement of overriding considerations" pursuant to sections 15043 and 15093 of the CEQA Guidelines.

In making the statement of overriding considerations, "CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable'." (CEQA Guidelines, Section 15093(a).)

The City has examined a reasonable range of alternatives to the Project, as more fully documented in the EIR. Based on this examination, the City has determined that (1) there are numerous tradeoffs in impacts associated with the various alternatives, (2) the alternatives would result in varying degrees of achieving the Project goals and objectives, (3) the "No Project Alternative" is the environmentally superior alternative; and, (4) because the CEQA Guidelines Section 15126.6(e)(2) states that if the environmentally superior alternative is the "No Project Alternative", the EIR shall also identify an environmentally superior alternative among the other alternatives, the "Preservation Alternative – Retain Historical Resource" becomes the environmentally superior alternative; however, this alternative would threaten the economic viability and feasibility of the Project.

Project Goals and Objectives

The stated objectives of the Project proponent, Skybox Data Centers, are to:

1. Redevelop the 9.18-acre site with a state of the art data center capable of supporting at least 60 MW of IT power in an environmentally controlled structure with redundant subsystems (cooling, power, network links, storage, fire suppression, etc.) along with sufficient ancillary office and storage space to accommodate the needs of future tenants (estimated to require up to 472,920 square feet of data center space and 87,520 square feet of ancillary space). The data center shall be located near a reliable large power source, and emergency response access, and being located such that it can be protected, to the maximum extent feasible, from security threats, natural disasters, and similar events. The project shall include backup power generation facilities that provide sufficient generation capacity, reliability, and redundancy to meet the needs of future tenants.
2. Provide operational electric power to the proposed data center via an electric substation, and provide other utility infrastructure to serve the project, including water, storm drainage, sanitary sewer, electric, natural gas, and telecommunications. Extend a 60 kilovolt (kV) overhead transmission line to connect the substation to the existing electrical grid.
3. Meet high sustainability and green building standards by designing the data center to meet US Green Building Code LEED and Cal-Green standards for any new construction.

4. Incorporate the most reliable and flexible form of backup electric generating technology considering the following evaluation criteria
    - Commercial Availability and Feasibility. The selected backup electric generation technology must currently be in use and proven as an accepted industry standard for technology. It must be operational within a reasonable timeframe where permits and approvals are required.
    - Technical Feasibility. The selected backup electric generation technology must utilize systems that are compatible with one another.
    - Reliability. The selected backup electric generation technology must be extremely reliable in the case of an emergency loss of electricity from the utility.
    - Industry Standard. The selected backup electric generation technology must be considered industry standard or best practice.
5. Construct a high-quality data center that is marketable and produces a reasonable return on investment for the project applicant and its investors and is able to attract investment capital and construction financing.

These goals and objectives are in conformance with the City of Santa Clara's General Plan land use goals.

Environmental Impact Analysis

The EIR found that the proposed project could have a number of significant environmental impacts, but identified mitigation measures to reduce most of these impacts to less than significant levels. The EIR identified air quality, noise and vibration, geology and soils, hydrology and water quality, biological resources, hazards and hazardous materials impacts that can be reduced to a less than significant level with mitigation measures incorporated into the project. Nevertheless, despite implementing all feasible mitigation measures, the EIR also concluded that the proposed project would have the following significant unavoidable impact that cannot be mitigated to a less than significant level if the project is implemented. Based on the conclusions in the EIR, implementation of the proposed project would result in a Significant Unavoidable impact from the demolition of the existing historical resource on site.

Consistent with CEQA requirements, a reasonable range of alternatives was evaluated that could feasibly avoid or lessen any significant environmental impacts while substantially attaining the basic objectives of the proposed project. The EIR identifies three project alternatives to the proposed development that were considered but rejected. These include: a "Location Alternative" in which the project would be developed on an alternative site; an "Adaptive Reuse of the Historical Resource Alternative" in which the project would reuse the existing structures on the site through renovations that avoid demolition; and, a "Preservation Alternative – Retain Portion of Historical Resource" in which the project would retain a portion of the historical resource on the site, but not enough to avoid the significant impact. The EIR also identifies two other analyzed alternatives. These include a "No Project Alternative" in which there is no new development, with continued operation of the existing uses on the project site and a "Preservation Alternative – Retain Historical Resource" in which the project would retain the majority of the character defining features of the historical resource while demolishing other portions of the existing development not considered character defining features, allowing for the construction of a smaller data center facility without a significant impact.

The CEQA Guidelines state that an EIR shall identify an environmentally superior alternative. The environmentally superior alternatives to the proposed project are the No Project Alternative and the Preservation Alternative - Retain Historical Resource Alternative.

Statement of Overriding Considerations

The City finds that each of the specific economic, legal, social, technological, environmental, and other considerations and the benefits of the Project independently outweigh the remaining significant, adverse impact and is an overriding consideration independently warranting approval. The remaining significant adverse impact identified above is acceptable in light of each of the following overriding considerations:

(i) The Project will provide a data center which is considered a beneficial land use for the City in that they help to meet a growing demand for internet use, and make a significant positive contribution to the City's revenue, while generating a low demand for services and do not exacerbate regional or local traffic congestion.

(ii) The Project will include high quality design, which will be confirmed as part of the Architectural Review process, and variation in architectural style of the structures will enhance the character of the surrounding area, and provide a visually interesting streetscape; and,

(iii) The Project will incorporate environmentally sustainable practices ("green building") in project construction, promoting energy conservation, to offset air quality and global climate change impacts as well as to serve as an example for future projects in the City.

For the foregoing reasons, the City finds that the Project's benefits would outweigh, and therefore override, any adverse environmental impacts that could potentially remain after recommended mitigation measures are implemented. In making this determination, the City incorporates by reference the Findings of Fact set forth above, as well as all of the supporting evidence cited therein and in the administrative record.

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Connect with the
Bay Area Air District:

August 2, 2021

Tiffany Vien, Assistant Planner
Community Development Department
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

RE: Memorex Data Center – Draft Environmental Impact Report

Dear Ms. Vien,

Bay Area Air Quality Management District (Air District) staff has reviewed the Draft Environmental Impact Report (DEIR) for the Memorex Data Center (Project). The Project applicant proposes to demolish the existing buildings on the 9.18-acre site at 1200 Memorex Drive in Santa Clara to construct a four-story, 472,920 square foot data center building with an attached six-story, 87,520 square foot ancillary use office and storage component. To provide an uninterrupted power supply, the Project would include 24 three-megawatt (MW) diesel-fueled generators for the data center, of which 16 generators would be providing 48 MW of backup power generation capacity and eight generators would be providing redundancy, and one 500-kilowatt (kW) diesel-fueled generator for the ancillary use portion of the building.

Since the data center includes backup diesel generators, the Project will require Air District approval of an Authority to Construct and Permit to Operate for the backup diesel generators, and, as such, the Project will be required to comply with all applicable Air District regulations, including, but not limited to, the achieved-in-practice Best Available Control Technology for large emergency backup engines requiring that engines meet U.S. EPA Tier 4 emissions standards. Because diesel combustion produces greenhouse gases (GHGs) and toxic air contaminants (TACs), the Air District encourages the City to go beyond current regulatory requirements and require the project applicant to use cleaner, non-diesel technologies.

Additionally, staff are providing the following recommendations for how the City could enhance its CEQA analysis and minimize emissions from the Project and future proposed data centers.

Consistency with Long-Term State Climate Goals

The DEIR states that "the project would not conflict with plans, policies or regulations adopted for the purpose of reducing the emissions of GHG." However, the DEIR does not evaluate, disclose, nor discuss the Project's consistency with State policies requiring long-term (i.e., 2045 and 2050) reductions in emissions of GHGs. See *Cleveland Nat'l Forest Foundation v. San Diego Ass'n of Governments* (2017) 3 Cal.5th 497, 516 (CEQA analysis should "compare the [project's] projected greenhouse gas emissions ... from 2020 through 2050 with the Executive Order's goal of reducing emissions to 80 percent below 1990 levels by 2050."). Air District staff recommends that the GHG analysis be augmented to include an evaluation, disclosure, and discussion of whether the Project will be consistent with the State's policies beyond 2030. Regardless of whether upon further evaluation the City deems that deployment of 25 diesel backup generators is consistent with the State's carbon neutrality target, the Air District recommends that the City compel the project applicant to adopt alternative zero emitting technologies, procure renewable fuel, commit to otherwise mitigate GHG emissions, or a combination of the three.

Non-Testing/Non-Maintenance Operations

The DEIR should include various scenarios of backup power generation operations beyond routine testing and maintenance. Air District staff has reviewed data regarding backup generator usage during non-testing/non-maintenance operations at several Bay Area data centers. Between September 1, 2019, and September 30, 2020, nearly half of the identified data centers in Santa Clara, San Jose, and Sunnyvale operated backup diesel generators for reasons other than routine testing and maintenance. Many of the data centers operated diesel generators during multiple non-testing/non-maintenance events over the course of this period; operation approached 50 hours for one generator for one event; it appears 40 or more generators operated concurrently at two facilities; and one facility ran diesel generators for approximately 400 hours. Please see Attachment 1 for details of the preliminary information on non-testing/non-maintenance operations that the Air District has received from data centers, which demonstrates the need to evaluate these operations. Air District staff recommends that the DEIR include GHG, criteria pollutant, and TAC impacts due to the non-testing/non-maintenance operations of backup power generators. Various scenarios should be considered for non-testing/non-maintenance operations, including non-zero hours of operation and concurrent generator operations.

Recommendations for Achieving Additional Emissions Reductions

To the extent that further analysis concludes the Project's emissions would be cumulatively considerable or inconsistent with the State's climate goals, the Project may need to incorporate mitigation measures to reduce emissions. Even if the revised analysis does not conclude the Project's emissions will be cumulatively considerable, the Air District encourages the City to compel the applicant to incorporate additional emission reduction measures as a condition of approval of the Project. These recommended measures will help ensure the Project's emissions impacts are reduced by the maximum extent possible to achieve the most health protective air quality for Bay Area residents and to achieve climate protection goals established by the State.

The DEIR identifies the predominant source of the Project's GHG emissions as electricity use (75,354 $MTCO_2e$ per year), which would be provided by the city-operated, publicly-owned utility, Silicon Valley Power (SVP). Although the DEIR states that SVP is on track to meet the 2030 GHG emissions reduction target, the Project could significantly reduce GHG emissions by purchasing all its electricity from renewable sources. Specifically, Air District staff recommends that the Project join SVP's Santa Clara Green Power program and thus commit to purchase 100 percent renewable electricity, or otherwise negotiate an electricity contract with SVP for 100 percent renewables.

The Project, as proposed, would use diesel fuel to power the 25 backup generators. To meet State and regional climate goals, the Air District encourages projects to go above and beyond Air District New Source Review permitting requirements. In September 2018, the Air District launched a Diesel Free by '33 campaign to eliminate diesel emissions. Mayor Lisa Gillmor of the City of Santa Clara signed Diesel Free by '33 to pledge the City's commitment to cut diesel use to zero by the end of 2033. To this end, the Air District recommends the City compel the Project applicant to use the cleanest available technologies such as solar battery power, fuel cells, other non-diesel alternatives, or renewable fuels.

Lastly, Air District staff strongly recommends that the City work with SVP, the Air District, State agencies, and the Project proponents for this and similar proposed data center projects to explore alternative options to reduce GHG emissions. For example, the Air District awarded a Climate Protection Grant of $300,000 to the City of Santa Clara to conduct a pilot project to demonstrate the viability of replacing data center backup diesel generators with electric energy storage systems, and the California Energy Commission has previously provided Electric Program Investment Charge (EPIC) awards for data center microgrids.

We encourage the City to contact Air District staff with any questions and/or to request assistance during the environmental review process. If you have any questions or would like to discuss Air District recommendations further, please contact Josephine Fong, Environmental Planner, at (415) 749-8637 or jfong@baaqmd.gov, or Jakub Zielkiewicz, Advanced Projects Advisor, at (415) 749-8429 or jzielkiewicz@baaqmd.gov.

Sincerely,

Greg Nudd
Deputy Air Pollution Control Officer

Attachment 1: Preliminary Back-Up Diesel Engine Operations (Non-Testing/Non-Maintenance)

cc: BAAQMD Director Margaret Abe-Koga
BAAQMD Chair Cindy Chavez
BAAQMD Director Rich Constantine
BAAQMD Director Rob Rennie

Attachment 1: Preliminary Back-Up Diesel Engine Operations (Non-Testing/Non-Maintenance)

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
1	1	Santa Clara	2	9	5%	90	8/17/20-8/18/20	State Emergency Load Shedding
1	2	Santa Clara	2	8.8	6%	240	8/17/20-8/18/20	State Emergency Load Shedding
1	2	Santa Clara	2	1.2	5%	29	8/17/20-8/18/20	Human error event
1	3	Santa Clara	2	1	1%	5	8/17/20-8/18/20	Human error event
1	4	Santa Clara	2	8.5	25%	390	8/17/20-8/18/20	State Emergency Load Shedding
1	4	Santa Clara	2	1	26%	58	8/17/20-8/18/20	Human error event
1	5	Santa Clara	2	9.1	31%	400	8/17/20-8/18/20	State Emergency Load Shedding
1	6	Santa Clara	2	8.9	21%	300	8/17/20-8/18/20	State Emergency Load Shedding
1	7	Santa Clara	2	8.8	24%	350	8/17/20-8/18/20	State Emergency Load Shedding
1	8	Santa Clara	2	8.8	25%	350	8/17/20-8/18/20	State Emergency Load Shedding
1	9	Santa Clara	2	8.6	22%	325	8/17/20-8/18/20	State Emergency Load Shedding
1	10	Santa Clara	2	9	19%	300	8/17/20-8/18/20	State Emergency Load Shedding
2	1	Sunnyvale	2	12.6	34%	682	Various	Utility inflicted disturbance
2	2	Sunnyvale	2	14.7	41%	795	Various	Utility inflicted disturbance
2	3	Sunnyvale	2	15.3	30%	828	Various	Utility inflicted disturbance
2	4	Sunnyvale	2	13.8	32%	747	Various	Utility inflicted disturbance
2	5	Sunnyvale	2	20.2	26%	1093	Various	Utility inflicted disturbance
3	1	Santa Clara	2	0.5	1%		8/17/20-8/18/20	State Emergency Load Shedding
3	2	Santa Clara	2	1.4	2%		8/17/20-8/18/20	State Emergency Load Shedding
3	3	Santa Clara	2	36.7	40%		8/17/20-8/18/20	State Emergency Load Shedding
3	4	Santa Clara	2.25	0.2	1%		8/17/20-8/18/20	State Emergency Load Shedding
3	5	Santa Clara	2.25	31.7	36%		8/17/20-8/18/20	State Emergency Load Shedding
3	6	Santa Clara	2.25	37.3	36%		8/17/20-8/18/20	State Emergency Load Shedding
4	1	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	2	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	3	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	4	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	5	Santa Clara	2.25	0.4	33%	25	8/16/2020	Lightning strikes to transmission line
4	6	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	7	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	8	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	9	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	10	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	11	Santa Clara	2.25	0.5	33%	32	8/16/2020	Lightning strikes to transmission line
4	12	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
4	13	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	14	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	15	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	16	Santa Clara	2.25	0.6	33%	38	8/16/2020	Lightning strikes to transmission line
4	17	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	18	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	19	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	20	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	21	Santa Clara	2.25	0.4	43%	33	8/16/2020	Lightning strikes to transmission line
4	22	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	23	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	24	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	25	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	26	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	27	Santa Clara	2.25	0.5	43%	41	8/16/2020	Lightning strikes to transmission line
4	28	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	29	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	30	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	31	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	32	Santa Clara	2.25	0.6	43%	49	8/16/2020	Lightning strikes to transmission line
4	33	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	34	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	35	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	36	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	37	Santa Clara	2.25	0.4	52%	34	8/16/2020	Lightning strikes to transmission line
4	38	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	39	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	40	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	41	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	42	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	43	Santa Clara	2.25	0.5	52%	43	8/16/2020	Lightning strikes to transmission line
4	44	Santa Clara	2.25	0.6	52%	51	8/16/2020	Lightning strikes to transmission line
5	1	Santa Clara	2	5	46%	325	8/17/20-8/18/20	State Emergency Load Shedding
5	2	Santa Clara	2	6	58%	400	8/17/20-8/18/20	State Emergency Load Shedding
6	1	Santa Clara	2	41.9	30%	200	8/17/20-8/18/20	utility outage

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
6	2	Santa Clara	2	47.7	22%	180	8/17/20-8/18/20	utility outage
6	3	Santa Clara	2	13	2%	20	8/17/20-8/18/20	utility outage
6	4	Santa Clara	2	37.2	54%	500	8/17/20-8/18/20	utility outage
6	5	Santa Clara	2	37.3	38%	250	8/17/20-8/18/20	utility outage
6	6	Santa Clara	2	41.7	0%	20	8/17/20-8/18/20	utility outage
7	1	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	1	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	1	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	2	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	2	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	2	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	3	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	3	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	3	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	4	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	4	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	4	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	5	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	5	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	5	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	6	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	6	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	6	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	7	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	7	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	7	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	8	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	8	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	8	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	9	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	9	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	9	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	10	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	10	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	10	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
7	11	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	11	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	11	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	12	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	12	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	12	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	13	Santa Clara	2.5	3.5	48%	600	8/18/2020	Power outage
7	13	Santa Clara	2.5	3.5	48%	600	9/6/2020	Power outage
7	13	Santa Clara	2.5	2.5	48%	480	8/14/2020	Power outage
7	14	Santa Clara	2	3.7	45%	220	8/17-8/18	Power outage
7	14	Santa Clara	2	4.9	55%	370	9/6/2020	Power outage
7	15	Santa Clara	2	3.7	45%	210	8/17-8/18	Power outage
7	15	Santa Clara	2	0.4	50%	390	9/6/2020	Power outage
7	16	Santa Clara	2	3.7	45%	220	8/17-8/18	Power outage
7	16	Santa Clara	2	4.9	5%	1.5	9/6/2020	Power outage
7	17	Santa Clara	2	0.2	5%	1.4	8/17-8/18	Power outage
7	17	Santa Clara	2	0.2	5%	0.2	9/6/2020	Power outage
7	18	Santa Clara	2	3.7	40%	210	8/17-8/18	Power outage
7	18	Santa Clara	2	4.9	55%	400	9/6/2020	Power outage
7	19	Santa Clara	2	5.5	50%	360	8/17-8/18	Power outage
7	19	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	20	Santa Clara	2	5.5	50%	370	8/17-8/18	Power outage
7	20	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	21	Santa Clara	2	5.5	50%	370	8/17-8/18	Power outage
7	21	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	22	Santa Clara	2	5.5	50%	370	8/17-8/18	Power outage
7	22	Santa Clara	2	4.9	60%	410	9/6/2020	Power outage
7	23	Santa Clara	2	5.5	20%	150	8/17-8/18	Power outage
7	23	Santa Clara	2	0.7	15%	14	9/6/2020	Power outage
7	24	Santa Clara	2	0.2	5%	1	8/17-8/18	Power outage
7	24	Santa Clara	2	0.1	5%	1	9/6/2020	Power outage
8	1	Santa Clara	2	0.3	5%	2	11/27/2019	System-wide power quality event
8	1	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	2	Santa Clara	2	0.3	5%	2	11/27/2019	System-wide power quality event
8	2	Santa Clara	2	0.3	5%	2	2/15/2020	System-wide power quality event

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
8	3	Santa Clara	2	0.3	6%	2	11/27/2019	System-wide power quality event
8	3	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	4	Santa Clara	2	0.3	7%	2	2/15/2020	System-wide power quality event
8	4	Santa Clara	2	0.2	8%	2	11/27/2019	System-wide power quality event
8	5	Santa Clara	2	0.2	10%	2	11/27/2019	System-wide power quality event
8	5	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	6	Santa Clara	2	0.2	9%	2	11/27/2019	System-wide power quality event
8	6	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	7	Santa Clara	2	0.2	15%	2	11/27/2019	System-wide power quality event
8	7	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	8	Santa Clara	2	0.2	13%	2	11/27/2019	System-wide power quality event
8	8	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	9	Santa Clara	2	0.2	9%	2	11/27/2019	System-wide power quality event
8	9	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	10	Santa Clara	2	0.2	12%	2	11/27/2019	System-wide power quality event
8	10	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	11	Santa Clara	2	0.2	5%	2	11/27/2019	System-wide power quality event
8	11	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	12	Santa Clara	2	0.2	5%	2	11/27/2019	System-wide power quality event
8	12	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	13	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	13	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	14	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	14	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	15	Santa Clara	2	0.2	12%	2	11/27/2019	System-wide power quality event
8	15	Santa Clara	2	0.2	11%	2	2/15/2020	System-wide power quality event
8	16	Santa Clara	2	0.3	10%	2	11/27/2019	System-wide power quality event
8	16	Santa Clara	2	0.2	9%	2	2/15/2020	System-wide power quality event
8	17	Santa Clara	2	0.3	9%	2	11/27/2019	System-wide power quality event
8	17	Santa Clara	2	0.2	9%	2	2/15/2020	System-wide power quality event
8	18	Santa Clara	2	0.2	7%	2	11/27/2019	System-wide power quality event
8	18	Santa Clara	2	0.2	6%	2	2/15/2020	System-wide power quality event
8	19	Santa Clara	2	0.2	10%	2	11/27/2019	System-wide power quality event
8	19	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	20	Santa Clara	2	0.2	9%	2	11/27/2019	System-wide power quality event

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
8	20	Santa Clara	2	0.2	7%	2	2/15/2020	System-wide power quality event
8	21	Santa Clara	2	0.2	17%	2	11/27/2019	System-wide power quality event
8	21	Santa Clara	2	0.2	12%	2	2/15/2020	System-wide power quality event
8	22	Santa Clara	2	0.2	8%	2	11/27/2019	System-wide power quality event
8	22	Santa Clara	2	0.2	8%	2	2/15/2020	System-wide power quality event
8	23	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	23	Santa Clara	2	0.2	5%	2	2/15/2020	System-wide power quality event
8	24	Santa Clara	2	0.2	6%	2	11/27/2019	System-wide power quality event
8	24	Santa Clara	2	0.2	5%	2	2/15/2020	System-wide power quality event
9	1	Santa Clara	2	8.4	65%	524	8/17/20-8/18/20	State Emergency Load Shedding
9	2	Santa Clara	2	5.6	60%	400	8/17/20-8/18/20	State Emergency Load Shedding
9	3	Santa Clara	2	2.6	50%	300	8/17/20-8/18/20	Equipment failure
9	4	Santa Clara	2	2.9	1%	20	8/17/20-8/18/20	State Emergency Load Shedding
9	5	Santa Clara	0.23	6.5	7%	10	8/17/20-8/18/20	State Emergency Load Shedding
10	1	Santa Clara	2	9	50%	256	8/17/20-8/18/20	State Emergency Load Shedding
10	2	Santa Clara	2	9	50%	256	8/17/20-8/18/20	State Emergency Load Shedding
10	3	Santa Clara	2	9	50%	256	8/17/20-8/18/20	State Emergency Load Shedding
10	4	Santa Clara	2.06	4	60%	296	8/17/20-8/18/20	State Emergency Load Shedding
10	5	Santa Clara	2.06	4	60%	296	8/17/20-8/18/20	State Emergency Load Shedding
10	6	Santa Clara	2.06	4	60%	296	8/17/20-8/18/20	State Emergency Load Shedding
10	7	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	7	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	8	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	8	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	9	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	9	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	10	Santa Clara	3	7	40%	1280	8/17/20-8/18/20	State Emergency Load Shedding
10	10	Santa Clara	3	4	40%	731.5	8/17/20-8/18/20	State Emergency Load Shedding
10	11	Santa Clara	3	5	50%	780	8/17/20-8/18/20	State Emergency Load Shedding
10	12	Santa Clara	3	5	50%	780	8/17/20-8/18/20	State Emergency Load Shedding
10	13	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	14	Santa Clara	3	5	50%	780	8/17/20-8/18/20	State Emergency Load Shedding
10	15	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	16	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	17	Santa Clara	2.75	9	70%	625	8/17/20-8/18/20	State Emergency Load Shedding

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
10	18	Santa Clara	2.75	8.2	70%	525	8/17/20-8/18/20	State Emergency Load Shedding
10	19	Santa Clara	2.75	8.9	70%	615	8/17/20-8/18/20	State Emergency Load Shedding
10	20	Santa Clara	2.75	11.3	70%	975	8/17/20-8/18/20	State Emergency Load Shedding
10	21	Santa Clara	2	4	60%	238	8/17/20-8/18/20	State Emergency Load Shedding
10	22	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	23	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	24	Santa Clara	3	5.5	50%	930	8/17/20-8/18/20	State Emergency Load Shedding
10	25	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	26	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	27	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	28	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
10	29	Santa Clara	3	11.6	60%	1786		Power bump
10	29	Santa Clara	3	4	60%	616		Power bump
10	29	Santa Clara	3	3.5	60%	539	8/17/20-8/18/20	State Emergency Load Shedding
10	29	Santa Clara	3	3	60%	462		Power bump
10	29	Santa Clara	3	2.7	60%	416		Power bump
10	29	Santa Clara	3	1	60%	154		Power bump
10	29	Santa Clara	3	1	60%	154		Utility outage
10	30	Santa Clara	3	10.1	60%	1555		Utility outage
10	30	Santa Clara	3	5.5	60%	847		Power bump
10	30	Santa Clara	3	4	60%	616		Utility outage
10	30	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	30	Santa Clara	3	2.8	60%	431		Power bump
10	30	Santa Clara	3	1	60%	154		Utility outage
10	30	Santa Clara	3	1	60%	154		Utility outage
10	31	Santa Clara	3	11.5	60%	1771		Utility outage
10	31	Santa Clara	3	4	60%	616		Utility outage
10	31	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	31	Santa Clara	3	3	60%	462		Power bump
10	31	Santa Clara	3	2.7	60%	416		Power bump
10	31	Santa Clara	3	1	60%	154		Utility outage
10	31	Santa Clara	3	1	60%	154		Utility outage
10	32	Santa Clara	3	11.6	60%	1786		Utility outage
10	32	Santa Clara	3	4	60%	616		Utility outage
10	32	Santa Clara	3	3	60%	462		Power bump

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
10	32	Santa Clara	3	3	60%	462	8/17/20-8/18/20	State Emergency Load Shedding
10	32	Santa Clara	3	2.7	60%	416		Power bump
10	32	Santa Clara	3	1	60%	154		Utility outage
10	32	Santa Clara	3	1	60%	154		Utility outage
10	33	Santa Clara	3	11.6	60%	1786		Utility outage
10	33	Santa Clara	3	4	60%	616		Utility outage
10	33	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	33	Santa Clara	3	3	60%	462		Power bump
10	33	Santa Clara	3	2.8	60%	431.2		Power bump
10	33	Santa Clara	3	1	60%	154		Utility outage
10	33	Santa Clara	3	1	60%	154		Utility outage
10	34	Santa Clara	3	11.6	60%	1786		Utility outage
10	34	Santa Clara	3	4	60%	616		Utility outage
10	34	Santa Clara	3	3.7	60%	569.8	8/17/20-8/18/20	State Emergency Load Shedding
10	34	Santa Clara	3	3	60%	462		Power bump
10	34	Santa Clara	3	2.9	60%	447		Power bump
10	34	Santa Clara	3	1	60%	154		Utility outage
10	34	Santa Clara	3	1	60%	154		Utility outage
10	35	Santa Clara	3	6	40%	450	8/17/20-8/18/20	State Emergency Load Shedding
10	36	Santa Clara	3	2	40%	150	8/17/20-8/18/20	State Emergency Load Shedding
10	37	Santa Clara	3	5.5	40%	412	8/17/20-8/18/20	State Emergency Load Shedding
10	38	Santa Clara	3	5.5	40%	412	8/17/20-8/18/20	State Emergency Load Shedding
10	39	Santa Clara	3	5.5	40%	412	8/17/20-8/18/20	State Emergency Load Shedding
10	40	Santa Clara	2.75	8.3	70%	530	8/17/20-8/18/20	State Emergency Load Shedding
11	1	Santa Clara	2	5.8	25%	390	8/17/20-8/18/20	Power supplier request
11	1	Santa Clara	2	4.1	25%	390	8/17/20-8/18/20	Power supplier request
11	2	Santa Clara	2	4.7	31%	280	8/17/20-8/18/20	Power supplier request
11	2	Santa Clara	2	3.9	31%	280	8/17/20-8/18/20	Power supplier request
11	3	Santa Clara	2	5.6	28%	380	8/17/20-8/18/20	Power supplier request
11	3	Santa Clara	2	4.3	28%	380	8/17/20-8/18/20	Power supplier request
11	4	Santa Clara	2	5.4	43%	605	8/17/20-8/18/20	Power supplier request
11	4	Santa Clara	2	3.5	43%	605	8/17/20-8/18/20	Power supplier request
11	5	Santa Clara	0.23	6	17%	27	8/17/20-8/18/20	Power supplier request
11	5	Santa Clara	0.23	3.5	17%	27	8/17/20-8/18/20	Power supplier request
11	6	Santa Clara	2	4.5	17%	75	8/17/20-8/18/20	Power supplier request

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
11	7	Santa Clara	2	4.7	8%	75	8/17/20-8/18/20	Power supplier request
11	8	Santa Clara	2	4.7	8%	100	8/17/20-8/18/20	Power supplier request
11	9	Santa Clara	2	4.7	9%	100	8/17/20-8/18/20	Power supplier request
11	10	Santa Clara	2	4.8	11%	100	8/17/20-8/18/20	Power supplier request
11	11	Santa Clara	0.23	4.8	7%	30	8/17/20-8/18/20	Power supplier request
12	1	Santa Clara	0.23	2.9	14%	87	8/17/20-8/18/20	Utility outage
12	2	Santa Clara	2	43	8%	160	8/17/20-8/18/20	Utility outage
12	3	Santa Clara	2	42.8	6%	160	8/17/20-8/18/20	Utility outage
12	4	Santa Clara	2	38	15%	420	8/17/20-8/18/20	Utility outage
12	5	Santa Clara	2	24	55%	500	8/17/20-8/18/20	Utility outage
12	6	Santa Clara	2	10	6%	160	8/17/20-8/18/20	Utility outage
12	7	Santa Clara	2	10.4	7%	160	8/17/20-8/18/20	Utility outage
12	8	Santa Clara	2	42.1	30%	250	8/17/20-8/18/20	Utility outage
12	9	Santa Clara	2	41.8	30%	250	8/17/20-8/18/20	Utility outage
12	10	Santa Clara	2	10.3	1%	50	8/17/20-8/18/20	Utility outage
12	11	Santa Clara	2	10	7%	160	8/17/20-8/18/20	Utility outage
13	1	Santa Clara	2	19.8	37%	80.3	Various	Utility power outages; power blips, UPS/board repair
13	2	Santa Clara	2	20.4	37%	82.5	Various	Utility power outages; power blips, UPS/board repair
13	3	Santa Clara	1.25	14.96	43%	527	Various	Utility power outages; power blips, UPS/board repair
13	4	Santa Clara	1.25	14.94	42%	525	Various	Utility power outages; power blips, UPS/board repair
13	5	Santa Clara	1.25	14.92	43%	523	Various	Utility power outages; power blips, UPS/board repair
14	1	Santa Clara	2.7	1.9	22%	90	11/27/2019	Utiilty sag event
14	2	Santa Clara	2.7	1.9	32%	95	11/27/2019	Utiilty sag event
14	3	Santa Clara	2.7	1.9	1%	57	11/27/2019	Utiilty sag event
14	4	Santa Clara	2.7	1.9	34%	99.75	11/27/2019	Utiilty sag event
14	5	Santa Clara	2.7	4.4	41%	422	8/18/2020	Mandatory load transfer
14	6	Santa Clara	2.7	6.3	32%	445	8/18/2020	Mandatory load transfer
14	7	Santa Clara	2.7	4.7	2%	139	8/18/2020	Mandatory load transfer
14	8	Santa Clara	2.7	4.5	48%	123	8/18/2020	Mandatory load transfer
15	1	Santa Clara	2	14	65%	693		
15	2	Santa Clara	2	14	65%	693		
15	3	Santa Clara	2	14	65%	693		
15	4	Santa Clara	2	14				
15	5	Santa Clara	2	14				
15	6	Santa Clara	2.5	14	19%	486		

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Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
15	7	Santa Clara	2.5	14				
16	1	Santa Clara	2	2.4	2%	45.6	7/31/2020	Utility power outage
16	2	Santa Clara	2	2.4	18%	48	7/31/2020	Utility power outage
16	3	Santa Clara	1.5	2.4	30%	40.8	7/31/2020	Utility power outage
16	4	Santa Clara	1.5	2.4	25%	38.4	7/31/2020	Utility power outage
17	1	San Jose	2	2	14%	80	11/26/2019	Commercial power outage
17	2	San Jose	2	2	14%	80	11/26/2019	Commercial power outage
18	1	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	1	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	2	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	2	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	3	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	3	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	4	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	4	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	5	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	5	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
18	6	San Jose	2	1.5	30%	150	8/16/2020	Utility power outage
18	6	San Jose	2	1.5	30%	150	8/25/2020	Utility power outage
19	1	San Jose	1.5	4	20%	200	8/19/2020	Substation transformer power equipment failure
19	2	San Jose	1.5	4	17%	190	8/19/2020	Substation transformer power equipment failure
19	3	San Jose	1.5	4	50%	290	8/19/2020	Substation transformer power equipment failure
19	4	San Jose	1.5	4	60%	310	8/19/2020	Substation transformer power equipment failure
19	5	San Jose	1.5	4	53%	300	8/19/2020	Substation transformer power equipment failure
19	6	San Jose	1.5	4	40%	280	8/19/2020	Substation transformer power equipment failure
20	1	Santa Clara	3	4.1	42%	410	8/18/2020	State Emergency Load Shedding
20	1	Santa Clara	3	3.5	42%	350	9/7/2020	State Emergency Load Shedding
20	1	Santa Clara	3	1.5	42%	150	8/17/2020	State Emergency Load Shedding
20	2	Santa Clara	3	4.1	37%	410	8/18/2020	State Emergency Load Shedding
20	2	Santa Clara	3	3.6	37%	360	9/7/2020	State Emergency Load Shedding
20	2	Santa Clara	3	2.6	37%	250	8/17/2020	State Emergency Load Shedding
20	3	Santa Clara	3	4.1	40%	410	8/18/2020	State Emergency Load Shedding
20	3	Santa Clara	3	3.6	40%	360	9/7/2020	State Emergency Load Shedding
20	3	Santa Clara	3	1.8	40%	180	8/17/2020	State Emergency Load Shedding
20	4	Santa Clara	3	4.1	38%	410	8/18/2020	State Emergency Load Shedding

Preliminary back-up diesel engine operations (non-testing/non-maintenance) for select facilities in Santa Clara, Sunnyvale, and San Jose

September 1, 2019 - September 30, 2020

Facility operator data, based on facility responses to BAAQMD's 9/25/20 data request and follow-up conversations. Data may be refined and additional information may be available during follow-up discussions.

Data Center #	Engine #	City	Engine Size (MW)	Hours of operation (non-testing/non-maintenance)	Estimated engine load percentage during each non-testing/non-maintenance operations	Estimated fuel usage during each non-testing/non-maintanence operation (gallons)	Date	Explanation of non-testing/non-maintenance operation
20	4	Santa Clara	3	3.6	38%	360	9/7/2020	State Emergency Load Shedding
20	4	Santa Clara	3	1.4	38%	150	8/17/2020	State Emergency Load Shedding
20	5	Santa Clara	3	4.2	20%	410	8/18/2020	State Emergency Load Shedding
20	5	Santa Clara	3	1.1	20%	120	8/17/2020	State Emergency Load Shedding
20	6	Santa Clara	3	4.1	17%	410	8/18/2020	State Emergency Load Shedding
20	6	Santa Clara	3	1.3	17%	130	8/17/2020	State Emergency Load Shedding
20	7	Santa Clara	3	4.1	18%	410	8/18/2020	State Emergency Load Shedding
20	7	Santa Clara	3	1.4	18%	140	8/17/2020	State Emergency Load Shedding
20	8	Santa Clara	3	4.1	19%	410	8/18/2020	State Emergency Load Shedding
20	8	Santa Clara	3	1.4	19%	140	8/17/2020	State Emergency Load Shedding
20	9	Santa Clara	3	4.2	15%	420	8/18/2020	State Emergency Load Shedding
20	9	Santa Clara	3	1.1	15%	110	8/17/2020	State Emergency Load Shedding
20	10	Santa Clara	3	4.1	29%	410	8/18/2020	State Emergency Load Shedding
20	10	Santa Clara	3	1.3	29%	130	8/17/2020	State Emergency Load Shedding
20	11	Santa Clara	3	4.3	18%	430	8/18/2020	State Emergency Load Shedding
20	11	Santa Clara	3	1.4	18%	140	8/17/2020	State Emergency Load Shedding
20	12	Santa Clara	3	4.1	19%	410	8/18/2020	State Emergency Load Shedding
20	12	Santa Clara	3	1.4	19%	140	8/17/2020	State Emergency Load Shedding
20	13	Santa Clara	3	4.1	3%	120	8/18/2020	State Emergency Load Shedding
20	13	Santa Clara	3	1.2	3%	40	8/17/2020	State Emergency Load Shedding
20	14	Santa Clara	3	4	2%	120	8/18/2020	State Emergency Load Shedding
20	14	Santa Clara	3	1.3	2%	40	8/17/2020	State Emergency Load Shedding
20	15	Santa Clara	3	4	2%	160	8/18/2020	State Emergency Load Shedding
20	15	Santa Clara	3	1.3	2%	50	8/17/2020	State Emergency Load Shedding
20	16	Santa Clara	3	2	30%	20	8/17/2020	State Emergency Load Shedding
20	16	Santa Clara	3	1.5	30%	20	8/18/2020	State Emergency Load Shedding
20	17	Santa Clara	3	0.9	10%	20	8/17/2020	State Emergency Load Shedding
20	17	Santa Clara	3	0.8	10%	20	8/18/2020	State Emergency Load Shedding

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA TO ADOPT AND CERTIFY AN ENVIRONMENTAL IMPACT REPORT, ADOPT CEQA FINDINGS WITH RESPECT THERETO, ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPT A MITIGATION AND MONITORING PROGRAM FOR THE 1200 MEMOREX DATA CENTER PROJECT LOCATED AT 1200-1310 MEMOREX DRIVE, SANTA CLARA, CALIFORNIA

PLN2019-14055

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on August 8, 2019, Skybox Development LLC ("Applicant") filed a development application for a 9.18-acre site located at 1200-1310 Memorex Drive which is currently occupied by three buildings: a three-story, approximately 350,037 square foot building, a two-story, approximately 45,986 square foot building, and a one-story, approximately 2,944 square foot buildings, landscaping and surface paving ("Project Site");

WHEREAS, the development application involves Architectural Review of the development proposal to construct a four-story, 472,920 square-foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440, electrical substation, surface parking, landscaping and site improvements ("Project"), as shown on the Development Plans, attached hereto and incorporated by this reference;

WHEREAS, the Project includes the demolition of the existing buildings, surface paving and site landscaping;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), and the regulations implementing the Act, specifically 14 Cal. Code of Regs § 15081, this Project was determined to potentially have a significant effect on the environment, resulting in the drafting of an Environment Impact Report ("EIR");

WHEREAS, on July 17, 2020, the City of Santa Clara ("City") distributed a Notice of Preparation of a Draft Environmental Impact Report ("DEIR") and posted the Notice at the Santa Clara County Clerk's office, soliciting guidance on the scope and content of the environmental information to be included in the DEIR;

WHEREAS, in conformance with CEQA, the EIR was circulated for a 45-day public review period to the Santa Clara County Clerk's Office, public agencies that have jurisdiction by law with respect to the Project, and property owners within 300 feet of the Project Site from June 17, 2021 to August 2, 2021, and on August 2, 2021, one comment letter was received from the Bay Area Air Quality Management District (BAAQMD);

WHEREAS, the environmental consultant, David J. Powers and Associates, prepared a "Response to Comments" (RTC) document on the EIR that responds to the BAAQMD's August 2, 2021 comments, and on October 29, 2021 , the City transmitted the RTC document to the BAAQMD;

WHEREAS, the City subsequently prepared a Final Environmental Impact Report ("FEIR"). The FEIR consists of a list of agencies and organizations to whom the DEIR was sent, a list of the comment letters received on the DEIR, revisions to the text of the DEIR, responses to comments received on the DEIR, and a copy of the BAAQMD comment letter;

WHEREAS, the DEIR and FEIR constitute the EIR for the Project;

WHEREAS, the City Council has reviewed the EIR prepared for the Project, the City Staff reports pertaining to the EIR and all evidence received at a duly noticed public hearing on November 9, 2021. All of these documents and evidence are herein incorporated by reference into this Resolution;

WHEREAS, the EIR identified certain significant and potentially significant adverse effects on the environment that would be caused by the Project as proposed;

WHEREAS, the EIR outlined various mitigation measures that would substantially lessen or avoid the Project's significant effects on the environment, as well as alternatives to the Project as proposed that would provide some environmental advantages;

WHEREAS, whenever possible, CEQA requires the City to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects of the Project;

WHEREAS, Public Resources Code § 21081, subdivision (a) requires a lead agency, before approving a project for which an EIR has been prepared and certified, to adopt findings specifying whether mitigation measures and, in some instances, alternatives discussed in the EIR, have been adopted or rejected as infeasible;

WHEREAS, the "CEQA Findings and Statement of Overriding Considerations" attached to this Resolution is a set of Findings of Fact prepared in order to satisfy the requirements of Public Resources Code § 21081, subdivision (a);

WHEREAS, on September 2, 2021 the Historical and Landmarks Commission voted unanimously to recommend the City Council to certify the EIR with an alternative, the "Preservation Alternative - Retain Historical Resource" set forth in Section 7.3.3 of the EIR, selected as the Project;

WHEREAS, as the CEQA Findings of Fact explain, the City Council, reflecting the advice of City staff and input from various state and local agencies, has expressed its intention to approve the proposed Project as described;

WHEREAS, the City Council has determined that the alternatives addressed in the EIR would not be feasible and would not sufficiently satisfy the Project Objectives. The details supporting these determinations are set forth in the CEQA Findings;

WHEREAS, in taking this course, the City Council has acted consistent with the CEQA mandate to look to project mitigations and/or alternatives as a means of substantially lessening or avoiding the environmental effects of projects as proposed;

WHEREAS, many of the significant and potentially significant environmental effects associated with the Project, as approved, can either be substantially lessened or avoided through the inclusion of mitigation measures proposed in the EIR;

WHEREAS, the City Council, in reviewing the Project as proposed, intends to adopt all mitigation measures set forth in the EIR;

WHEREAS, the significant effects that cannot be avoided or substantially lessened by the adoption of feasible mitigation measures will necessarily remain significant and unavoidable;

WHEREAS, Public Resources Code § 21081, subdivision (b) and CEQA Guidelines § 15093 require the City Council to adopt a Statement of Overriding Considerations before approving a project with significant unavoidable environmental effects;

WHEREAS, as detailed in the CEQA Findings, the City Council has determined that, despite the occurrence of significant unavoidable environmental effects associated with the Project, as mitigated and adopted, there exist certain overriding economic, social and other considerations for approving the Project which justify the occurrence of those impacts and render them acceptable;

WHEREAS, on October 29, 2021, the notice of public hearing for the November 9, 2021 City Council meeting was posted in three conspicuous locations within 300 feet of the Project Site, and on October 29, 2021, notice was mailed to interested parties within 1,000 feet of the Project Site boundaries, in accordance with the City Code; and

WHEREAS, on November 1, 2021 the City Council held a duly noticed public hearing to consider the adoption of the EIR and approval of the architectural review of the Project, at which time all interested persons were given an opportunity to provide testimony and present evidence, both in support of and in opposition to the project.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the City Council finds, pursuant to Public Resources Code Section 21081 and California Code of Regulations, Title 14, Section 15091, that many of the proposed mitigation measures described in the EIR are feasible, and therefore will become binding upon the City and affected landowners and their assigns or successors in interest when the Project is approved.

3. That the City Council hereby finds that none of the Project Alternatives set forth in the EIR can feasibly substantially lessen or avoid those significant adverse environmental effects not otherwise lessened or avoided by the adoption of all feasible mitigation measures while satisfying project objectives.

4. That, in order to comply with Public Resources Code Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program as set forth in the attached "MMRP". The Program is designed to ensure that, during project implementation, the City, affected landowners, their assigns and successors in interest and any other responsible parties comply with the feasible mitigation measures identified. The MMRP identifies, for each mitigation measure, the party responsible for implementation.

5. That the FEIR set forth project-level and cumulative environmental impacts that are significant and unavoidable that cannot be mitigated or avoided through the adoption of feasible mitigation measures or feasible alternatives. As to these impacts, the City Council hereby finds that there exist certain overriding economic, social and other considerations for approving the Project that justify the occurrence of those impacts, as detailed in the "CEQA Findings" exhibit attached hereto.

6. That the City Council hereby finds that the EIR completed for this Project has been completed in compliance with CEQA, that the Final EIR was presented to the City Council and the Council reviewed and considered the information contained in the FEIR prior to approving the Project, and the EIR reflects the City Council's independent judgement and analysis.

7. That the City Council hereby adopts the EIR as required by the CEQA Guidelines (14 Cal. Code of Regs. § 15090).

8. That the City Council hereby designates the Planning Division of the Community Development Department as the location for the documents and other materials that constitute the record of proceedings upon which this decision is based and designates the Director of Community Development as the custodian of records.

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 COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 9th DAY OF NOVEMBER 2021, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____

NORA PIMINTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING THE ARCHITECTURAL REVIEW FOR THE 1200 MEMOREX DATA CENTER PROJECT LOCATED AT 1200-1310 MEMOREX DRIVE, SANTA CLARA, CALIFORNIA

PLN2019-14055 (Architectural Review)

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on August 8, 2019, Skybox Development LLC ("Applicant") filed a development application for a 9.18-acre site located at 1200-1310 Memorex Drive which is currently occupied by three buildings: a three-story, approximately 350,037 square foot building, a two-story, approximately 45,986 square foot building, and a one-story, approximately 2,944 square foot buildings, landscaping and surface paving ("Project Site");

WHEREAS, the development application involves Architectural Review of the development proposal to construct a four-story, 472,920 square-foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440, electrical substation, surface parking, landscaping and site improvements ("Project"), as shown on the Development Plans, attached hereto and incorporated by this reference;

WHEREAS, the Project includes the demolition of the existing buildings, surface paving and site landscaping;

WHERAS, City Code Section 18.76.020, subsections (a) and (j) provide that architectural review shall be the responsibility of the Director of Community Development, who has the discretion to refer any architectural review of a project to the City Council, and the Director elected to refer this Project to the Council;

WHEREAS, an Environmental Impact Report (EIR) was prepared for the Project and circulated for public review between June 17, 2021 and August 2, 2021. The City received one comment letter in response to the EIR, and the City prepared responses to that comment letter. The City

Council voted to certify and the adopt the EIR at duly noticed public meeting on November 9, 2021;

WHEREAS, on October 29, 2021, the notice of public hearing for the November 9, 2021 City Council meeting was posted in three conspicuous locations within 300 feet of the Project Site, and on October 29, 2021, notice was mailed to interested parties within 1,000 feet of the Project Site boundaries, exceeding the minimum noticing to interested parties within 300 feet required in accordance with the City Code; and

WHEREAS, on November 9, 2021, the City Council held a duly noticed public hearing to consider the adoption of the EIR and approval of the architectural review of the Project, at which time all interested persons were given an opportunity to provide testimony and present evidence, both in support of and in opposition to the project.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. The City Council makes the following findings regarding the proposed architectural design of the Project:

   A. That any off-street parking areas, screening strips and other facilities and improvements necessary to secure the purpose and intent of Chapter 18.76 of the City Code and the General Plan of the City are a part of the proposed development, in that a total of 113 on-site parking spaces are proposed where a total of 140 are required if the base ratio of 1 space:4000 square feet were followed, but as is typical with data centers, the 1:4000 ratio would result in an excess of parking for operations, and a minor modification to reduce the parking to 113 spaces is appropriate;

   B. That the design and location of the proposed development and its relation to neighboring developments and traffic is such that it will not impair the desirability of

investment or occupation in the neighborhood, will not unreasonably interfere with the use and enjoyment of neighboring developments, and will not create traffic congestion or hazard, in that the exterior building façade provides a mix of materials and textures to create interest and treatment of the southern façade with mature landscaping will minimize visibility of the buildings ;

C. That the design and location of the proposed development is such that it is in keeping with the character of the neighborhood and is such as not to be detrimental to the harmonious development contemplated by Chapter 18.76 and the General Plan of the City, in that the proposal is to redevelop and improve the project site with construction of the data center with a strong, contemporary urban design that would improve the visual character of the zone including many neighboring light industrial uses and mature landscaping planted along he southern border will minimize the visibility of the project from a residential neighborhood south of the project site;

D. That the granting of such approval will not, under the circumstances of the particular case, materially affect adversely the health, comfort or general welfare of persons residing or working in the neighborhood of the Project and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood, in that the project is generally consistent with adjacent industrial and commercial development in terms of visual character and quality, and all environmental impacts were analyzed in an Environmental Impact Report, and after mitigation, any impacts that would have affected public health were reduced to a less-than-significant level.

E. That the proposed development, as set forth in the plans and drawings, is consistent with the City's Community Design Guidelines, in that the development is a modern data center facility that includes a prominent building entrance oriented to the street; the driveway entrances are appropriate in number and location so as to minimally

impact traffic movements on the street; the parking design includes convenient and safe pedestrian pathways; rooftop equipment is screened from view at ground level; trash enclosures and utility boxes are located away from the street and screened from public views; the bulk, scale, and height of the building is consistent with the neighborhood; and mature landscaping will be planted along the southern project boundary to reduce visibility of the Project from the nearby single-family residences.

3. That based upon the development plans and architectural review of the Project, the City Council hereby provides architectural approval of the Project.

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 COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 9th DAY OF NOVEMBER 2021, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____

NORA PIMINTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

PLN2019-14055
1200-1310 Memorex Drive
CONDITIONS OF APPROVAL

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

GENERAL

G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

CD1. Obtain required permits and inspections from the Building Official and comply with the conditions thereof. If this project involves land area of 1 acre or more, the developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to issuance of any building permit for grading, or construction; a copy of the NOI shall be sent to the City Building Inspection Division. A storm water pollution prevention plan is also required with the NOI.
CD2. Submit plans for final architectural review to the Development Review Hearing and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, trash enclosure details, lighting and signage. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Community Development.
CD3. A complete landscape plan that includes, type, size and location of all plant species shall be required as part of architectural review of the project for both the private property and adjacent public right-of-way. Review and approval of the complete landscape plan, including water conservation calculations and irrigation plan shall be required prior to issuance of building permits. Installation of landscaping is required prior to occupancy permits.
CD4. Project site landscaping shall be maintained in good condition throughout the life of the Project and no trees shall be removed without City review and approval. Trees permitted by the City for removal shall be replaced at a 2:1 ratio with 24-inch box specimen tree, or equal alternative as approved by the Director of Community Development.
CD5. Prior to issuance of a demolition permit, Developer/Owner shall have an asbestos survey of the proposed site performed by a certified individual. Survey results and notice of the proposed demolition are to be sent to the Bay Area Air Quality Management District (BAAQMD). No demolition shall be performed without a demolition permit and BAAQMD approval and, if necessary, proper asbestos removal.
CD6. Incorporate Best Management Practices (BMPs) into construction plans and incorporate post construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of permits. Proposed

BMPs shall be submitted to and thereafter reviewed and approved by the Planning Division and the Building Inspection Division for incorporation into construction drawings and specifications.
CD7. An erosion control plan shall be prepared, and copies provided to the Planning Division and to the Building Inspection Division for review and approval prior to the issuance of grading permits or building permits that involve substantial disturbance of substantial ground area.
CD8. Commercial, industrial, and multi-family residential buildings must have enclosures for solid waste and recycling containers. The size and shape of the enclosure(s) must be adequate to serve the estimated solid waste and recycling needs and size of the building(s) onsite, and should be designed and located on the property so as to allow ease of access by collection vehicles. As a general rule, the size of the enclosure(s) for the recycling containers should be similar to the size of the trash enclosure(s) provided onsite. Roofed enclosures with masonry walls and solid metal gates are the preferred design. Any required enclosure fencing (trash area, utility equipment, etc.) if not see-thru, shall have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures shall be locked.
CD9. The Final Storm Water Management Plan (SWMP) must be certified by a third-party consultant from SCVURPP's current list of qualified consultants. Five copies of the approval letter from the certified third party review (wet stamped and signed) must be submitted prior to the issuance of grading or building permit.
CD10. Prior to the issuance final occupancy, the applicant shall enter into Operations and Maintenance (O&M) agreement with the City. The project operator is responsible for the operations and maintenance of the SWMP and stormwater BMPs consistent with the O&M agreement throughout the life of the project. Green infrastructure shall be installed within the public right-of-way consistent with RWQCB requirements.
CD11. The Developer shall comply with the Mitigations Monitoring and Reporting Program identified in the Environmental Impact Report, and shall be incorporated in the Conditions of Approval for this project.
CD12. Construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of a residential use and shall not be allowed on recognized State and Federal holidays.
CD13. Prior to the issuance of building permits, Developer shall submit a parking plan for the management of construction-related parking throughout construction of the development for review and approval of the Director of Community Development. Construction-related parking activity for this development shall be subject to ongoing monitoring by City staff for compliance with the approved parking plan

BUILDING
BD1. Prior to overall construction permit application, submit to the Santa Clara Building Division, 2 copies of an addressing diagram request, to be prepared by a licensed architect or engineer. The addressing diagram(s) shall include all proposed streets and all building floor plans. The addressing diagram(s) shall conform to Santa Clara City Manager Directive #5; Street Name and Building Number Changes, and Santa Clara Building Division Address Policy For Residential and Commercial Developments. The addressing diagram(s) shall indicate all unit numbers to be based off established streets, not alleys nor access-ways to garages. Allow a minimum of 10 working days for initial staff review. Please note city staff policy that existing site addresses typically are retired. Provide digital pdf printed from design software, not scanned from printed paper sheet.

BD2. The construction permit application drawings submitted to the Santa Clara Building Division shall include a copy of the latest Federal Emergency Management Agency (FEMA) Flood Zone Map: https://msc.fema.gov/portal/home. The project drawings shall indicate how the project complies with the Santa Clara Flood Damage Prevention Code.
BD3. The construction permit application drawings submitted to the Santa Clara Building Division shall include Santa Clara Valley Urban Runoff Pollution Prevention Program Low Impact Development (LID) practices http://www.scvurppp-w2k.com/nd_wp.shtml. All projects that disturb more than one acre, or projects that are part of a larger development that in total disturbs more than one acre, shall comply with the Santa Clara Valley Urban Runoff Pollution Prevention Program Best Management Practices (BMP): http://www.scvurppp-w2k.com/construction_bmp.shtml, and shall provide a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). All site drainage and grading permit applications submitted to the Santa Clara Building Division will be routed to a contract consultant for review.
BD4. Informational: no California construction code review is being done at this time. The construction permit application drawings submitted to the Santa Clara Building Division shall include an overall California Building Code analysis, including; proposed use and occupancy of all spaces (16' CBC Ch. 3), all building heights and areas (16' CBC Ch. 5), all proposed types of construction (16' CBC Ch. 6), all proposed fire and smoke protection features, including all types of all fire rated penetrations proposed (16' CBC Ch. 7), all proposed interior finishes fire resistance (16' CBC Ch. 8), all fire protection systems proposed (16' CBC Ch. 9), and all means of egress proposed (16' CBC Ch. 10). All exit stairs shall be continuously min. 2 hr. rated until they exit the building. All parts of all structure supporting or connected to a 2 hr. stairway shall be min. 2 hr. rated. All treads, risers, and stair structure in all exit stairways shall be steel construction. Noncombustible exterior wall, floor, and roof finishes are strongly encouraged.
BD5. The overall project construction permit application shall include the geotechnical, architectural, structural, energy, electrical, mechanical, and plumbing drawings and calculations. Prior to the issuance of the overall project construction permit, a conditions of approval review meeting must be held in city hall, which meeting must be attended by the on-site field superintendent(s). The meeting will not be held without the attendance of the on-site field superintendent(s). The on-site grading permit shall be a separate permit application to the Building Division.
BD6. The construction permit application drawings submitted to the Santa Clara Building Division shall include all accessibility requirements of the 16' CBC Ch. 11 as applicable.
BD7. The construction permit application drawings submitted to the Santa Clara Building Division shall include checklist(s) indicating compliance with the applicable Mandatory Measures of the 16' Cal. Green Building Standards Code (CGBSC). Provide Construction Waste Management (CWM) Plan per the 16' CGBSC guides on pp 59-63 of the CGBSC. Provide a Phase 1 and/ or Phase 2 Hazardous Materials site assessment, as applicable.
Note: The Santa Clara Public Works Department Environmental Programs Division will require compliance with the Santa Clara Construction & Demolition Debris Recycling Program: http://santaclaraca.gov/government/departments/public-works/environmental-programs/commercial-garbage-recycling/construction-demolition-debris-recycling-program.
Note: the Environmental Programs Division may require development projects to register with the Green Halo online waste tracking system: https://www.greenhalosystems.com.
BD8.Note: Temporary Certificates of Occupancy will not be routinely issued, and will considered on a very limited basis only when there is a clear and compelling reason for city staff to consider a TCO.ATCO will be approved only after all applicable City

staff have approved inwriting; Planning, P.W./Engineering, Fire Prev.,Santa Clara Water, Silicon Valley Power, and any other applicable agencies such as the Santa Clara County Health Dept., with the Building Division being the final approval of all TCO.'s

ENGINEERING

E1. Obtain site clearance through Public Works Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Public Works Department at (408) 615-3000 for further information.

E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.

E3. Submit public improvement plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.

E4. The sanitary sewer (SS) discharge information (i.e., building use, square footage, point of connection to the public system, and 24-hour average and peak SS flow graphs for the peak day, showing average daily and peak daily SS flows) submitted by the developer was added to the City's Sanitary Sewer Hydraulic Model (SSHM) to determine if there is enough SS conveyance capacity in the SS trunk system to accommodate the proposed development. The SSHM output indicates that there should be enough SS conveyance capacity to accommodate the proposed development. The SSHM output may change based on pending development applications and future projects. The SSHM output does not guarantee or in any way reserve or hold SS conveyance capacity until developer has Final Approval for the project. For purposes of this condition, "Final Approval" shall mean the final vote of the City Council necessary for all entitlements to be approved, unless a legal challenge is brought to the Council decisions, in which case the Final Approval shall mean the final disposition of the legal challenge.

E5. The sanitary sewer (SS) mains serving the site not included in the Sanitary Sewer Hydraulic Model at Lafayette Street and Mathew Street were monitored in the field by the developer. The field monitoring information along with the SS discharge information submitted by the developer were analyzed by developer's Civil Engineer and determined that said SS mains currently have enough conveyance capacity to accommodate the proposed development. The Civil Engineer's results may change based on pending development applications and future projects. The Civil Engineer's results do not guarantee or in any way reserve or hold SS conveyance capacity until the Developer has final approval for the project.

E6. Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.

E7. Developer shall provide a complete storm drain study for the 10-year and 100-year storm events. The grading plans shall include the overland release for the 100-year storm event

and any localized flooding areas. System improvements, if needed, will be at developer's expense.

E8. Developer shall extend storm drain main fronting site with a stub to convey tributary area for all properties and street to be served by new main.

E9. All storm drain mains and laterals, sanitary sewer mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.

E10. Provide root barriers when the drip line of the mature trees covers the sidewalk. Root barriers for sidewalk protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 1.5' deep, and centered on trees. Root barriers for curb and gutter protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 2' deep, and centered on trees.

E11. Proposed wall and foundation east of proposed SVP substation shall be outside of the soil failure wedge of the public utility mains or the foundation design shall be such that the wall remains structurally sound if all the soil in the failure wedge is removed. Ensure 8' minimum clearance between proposed wall and center of nearest main.

E12. Fiber trench outside of the project frontage along Memorex Drive and Ronald Street shall be located outside of the pavement blacktop, as feasible and as directed by the Director of Public Works or designee, to meet minimum clearances from existing utilities and trees.

E13. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, if any, through Public Works Department, and pay all appropriate fees, prior to start of construction.

E14. Dedicate required on-site easements for any new public utilities and/or emergency vehicle access by means of subdivision map or approved instrument at time of development.

E15. Entire width of Memorex Drive along the property frontage shall be reconstructed.

E16. Entire width of Ronald Street along the property frontage shall be slurry sealed.

E17. Entire width of Di Giulio Avenue along the property frontage shall be cape sealed with digouts.

E18. All proposed sidewalk, walkways, and driveways, shall be per ADA compliant City standard.

E19. Show and comply with City's driveway vision triangle requirements at proposed driveway. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and intersections in order to allow an unobstructed view of oncoming traffic. Contact Traffic Engineering at (408) 615-3000 for further information.

E20. Provide a minimum of 5' wide public sidewalk with 4' wide landscape strip along the property frontage.

E21. Remove midblock crosswalk on Memorex Drive and all associated pedestrian warning signs.

E22. Provide ADA walkways connecting the proposed buildings to public sidewalk.

E23. All proposed driveways shall be City standard ST-8.

E24. Provide on-site crane staging area for loading of mechanical unit(s).

E25. All traffic signing, messages, and symbols shall be thermoplastic.

E26. Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk per City Standard Detail ST-12.

E27. Provide loading/unloading zone on-site.

E28. Protect in place all street signs along project frontage.

E29. On-street parking shall not be counted towards on-site parking requirements.

E30. The developer shall comply with the mitigations in the EIR/TIA.

E31. For the current proposed site development, provide the following minimum bicycle parking spaces at the main entrance and/or high visible area: Combined 561,340 sf of area including 470,920 sf data center and 90,420 sf of ancillary office: 70 Class I Bicycle locker spaces and 24 Class II Bicycle rack spaces.

ELECTRICAL

EL1. On-site SVP trench running through the property must be designed in detailed design with appropriate clearances and any pull boxes as required. Cable pulling calculations will be needed in detailed design (see markups on attached C-400 for approximate location of trench).
EL2. Off-site SVP trench from Property to Existing V-44 will need to be designed in detailed design (see markups on attached C-400 for approximate location). To be included as part of developers work scope.
EL3. SVP duct bank along frontage shall be designed in detailed design to include: Fiber boxes, Secondary Boxes, Streetlight boxes/streetlight foundations as required. Duct bank clearances to existing/new facilities to be 5' and clearance to trees must meet requirements outlined in SD-1235.
EL4. Pole line undergrounding along Di Giulio Ave – if required by the City shall be accommodated and designed for in the detailed design stage. Any new poles, anchors, or substructure required to make this feasible will need to be included as part of detailed Developer drawings.
EL5. Easements for all SVP equipment, duct banks, underground manholes & vaults, substation, substation access, substation grounding grid, low voltage & fiber pull boxes etc will be required. All easements to be approved by SVP.
EL6. Substation Layout & Access requirements to be approved by SVP if still pending.
EL7. Cross parcel distribution for temp power has been approved by SVP for this project.
EL8. Agreements/Studies that need to be completed: a. Substation agreement required to serve load.
b. System Interconnection Study required to analyze impact and need for any additional electric system improvements. SVP charges fee for study. Customer is responsible for cost of mitigating impacts.
EL9. All Clearances are expected to be maintained throughout detailed design. a. EQUIPMENT
i. Ten (10) foot minimum clearance is required in front of equipment access doors. (UG1000 sheet 11)
ii. Five (5) foot minimum clearance from pad is required on sides without equipment access doors. (UG1000 sheet 11)
iii. Eighteen (18) foot minimum width, shall be provided and maintained on one side of the equipment pad to allow an electric dept. line truck to drive up next to the pad for installation and maintenance of equipment. (UG1000 Sheet 11)
iv. Barrier pipes are required only on sides accessible to vehicles. (UG1000 Sheet 12) 1. Thirty (30) inches from side of equipment sides.
2. Forty Eight (48) inches in front of access doors. a. Barrier Pipes in front of access doors shall be removable.
b. CONDUITS i. Five (5) foot minimum longitudinal clearance between new conduits or piping systems (open trench installation) and any existing or proposed SVP conduit system. This is for longitudinal. (UG1250 sheet 5)
ii. Twelve (12) inch minimum vertical clearance between new conduit/pipes installed perpendicular to existing SVP conduits for open trench installations. (UG1000 sheet 36, UG1250 Sheet 6)

iii. Three (3) foot six (6) inches clearance is required from poles for open trench installation. Exceptions are for riser conduit. (UG1250 Sheet 7)
iv. Three (3) foot minimum clearance is required between sign posts, barrier pipes or bollards, fence posts, and other similar structures. (UG1250 sheet 10)
v. Five (5) foot minimum from new splice boxes, pull boxes, manholes, vaults, or similar subsurface facilities. (UG1000 sheet 8)
vi. Five (5) foot minimum clearance from walls, footings, retaining wall, landscape planter, tree root barrier or other subsurface wall or structure. (UG1250 sheet 9)
vii. Five (5) foot minimum clearance is required between fire hydrant thrust block. The thrust block extends 5' foot on either side of the fire hydrant in line with the radial water pipe connected to the hydrant
c. VAULTS/MANHOLES
i. Ten (10) foot minimum clearance is required between adjacent Vaults or Manholes.
ii. Five (5) foot minimum clearance is required between adjacent conduits.
iii. Minimum 36" from face of curb, or bollards required.
d. Poles (Electrolier, Guy Stub poles, service clearance poles, self-supporting steel poles and lighting poles.)
i. Three (3) foot six (6) inches clearance is required from poles for open trench installation. Exceptions are for riser conduit. (UG1250 Sheet 7)
e. Guy Anchors i. Five (5) foot minimum clearance is required between center of anchor line and any excavation area. (UG1250 sheet 15)
f. Treesi. OH 1230 for Overhead Lines
ii. SD 1235 for Tree Planting Requirements near UG Electric Facilities
EL10. Prior to submitting any project for Electric Department review, applicant shall provide a site plan showing all existing utilities, structures, easements and trees. Applicant shall also include a "Load Survey" form showing all current and proposed electric loads. A new customer with a load of 500KVA or greater or 100 residential units will have to fill out a "Service Investigation Form" and submit this form to the Electric Planning Department for review by the Electric Planning Engineer. Silicon Valley Power will do exact design of required substructures after plans are submitted for building permits.
EL11. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
EL12. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
EL13. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter 17.15.050.
EL14. Underground service entrance conduits and conductors shall be "privately" owned, maintained, and installed per City Building Inspection Division Codes. Electric meters and main disconnects shall be installed per Silicon Valley Power Standard MS-G7, Rev. 2.
EL15. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110).
EL16. If the "legal description" (not "marketing description") of the units is condominium or apartment, then all electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside. If they are townhomes or single-family residences, then each unit shall have it's own meter, located on the structure. A double hasp locking arrangement shall be provided on the main switchboard

door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.
EL17. If transformer pads are required, City Electric Department requires an area of 17' x 16'-2", which is clear of all utilities, trees, walls, etc. This area includes a 5'-0" area away from the actual transformer pad. This area in front of the transformer may be reduced from a 8'-0" apron to a 3'-0", providing the apron is back of a 5'-0" min. wide sidewalk. Transformer pad must be a minimum of 10'-0 from all doors and windows, and shall be located next to a level, drivable area that will support a large crane or truck.
EL18. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed Electric Department facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE's or electric easements.
EL19. Any relocation of existing electric facilities shall be at Developer's expense.
EL20. Electric Load Increase fees may be applicable.
EL21. The developer shall provide the City, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the City shall accept the work. Developer shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and
associated equipment necessary to connect a customer to the electrical supply system of and by the City. After completion of the facilities installed by developer, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers, meters, and other equipment that it deems necessary for the betterment of the system (Santa Clara City Code chapter 17.15.210 (2)).
EL22. Electrical improvements (including underground electrical conduits along frontage of properties) may be required if any single non-residential private improvement valued at $200,000 or more or any series of non-residential private improvements made within a three-year period valued at $200,000 or more (Santa Clara City Code Title 17 Appendix A (Table III)).
EL23. Non-Utility Generator equipment shall not operate in parallel with the electric utility, unless approved and reviewed by the Electric Engineering Division. All switching operations shall be "Open-Transition-Mode", unless specifically authorized by SVP Electric Engineering Division. A Generating Facility Interconnection Application must be submitted with building permit plans. Review process may take several months depending on size and type of generator. No interconnection of a generation facility with SVP is allowed without written authorization from SVP Electric Engineering Division.
EL24. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
EL25. All SVP-owned equipment is to be covered by an Underground Electric Easement (U.G.E.E.) This is different than a PUE. Only publicly-owned dry utilities can be in a UGEE. Other facilities can be in a joint trench configuration with SVP, separated by a 1' clearance, providing that they are constructed simultaneously with SVP facilities. See UG 1000 for details.
EL26. Proper clearance must be maintained from all SVP facilities, including a 5' clearance from the outer wall of all conduits. This is in addition to any UGEE specified for the facilities. Contact SVP before making assumptions on any clearances for electric facilities.
EL27. Transformers and Switch devices can only be located outdoors. These devices MAY be placed 5' from an outside building wall, provided that the building wall in that area meets specific requirements. (See UG 1000 document for specifics) EXAMPLE: If there are any doors,

windows, vents, overhangs or other wall openings within 5' of the transformer, on either side, then the transformer MUST be 10' or more away from the building. These clearances are to be assumed to be clear horizontally 5' in either direction and vertically to the sky.
EL28. All existing SVP facilities, onsite or offsite, are to remain unless specifically addressed by SVP personnel by separate document. It is the Developers responsibility to maintain all clearances from equipment and easements. Developer to contact SVP outside of the PCC process for clear definitions of these clearance requirements. Developer should not assume that SVP will be removing any existing facilities without detailed design drawings from SVP indicating potential removals. *Simply indicating that SVP facilities are to be removed or relocated on conceptual plans does not imply that this action has been approved by SVP.*
EL29. SVP does not utilize any sub-surface (below grade) devices in it's system. This includes transformers, switches, etc.
EL30. All interior meter rooms are to have direct, outside access through only ONE door. Interior electric rooms must be enclosed in a dedicated electric room and cannot be in an open warehouse or office space.
EL31. In the case of podium-style construction, all SVP facilities and conduit systems must be located on solid ground (aka "real dirt"), and cannot be supported on parking garage ceilings or placed on top of structures.
EL32. Applicant is advised to contact SVP (CSC Electric Department) to obtain specific design and utility requirements that are required for building permit review/approval submittal. Please provide a site plan to Leonard Buttitta at 408-615-6620 to facilitate plan review.
EL33. Extension of Transmission lines will be aerial to the satisfaction of Silicon Valley Power.

WATER
W1. The proposed development impact to the potable water system will be analyzed using the City's hydraulic modeling program for a fee paid by the Developer. This will determine projected available fire flow capacity and residual pressure form public fire hydrants and on-site fire system connection points at the City's main during a fire event. If there is a deficiency in the existing potable water distribution or storage infrastructure, the developer will be required to upgrade the potable water system as determined and approved by the City. The required potable water system upgrades will be at the developer's expense. The evaluation may change based on pending development applications and future projects. The potable water hydraulic analysis does not guarantee or in any way reserves or holds distribution capacity until developer has Final Approval for the project.
W2. Prior to the issuance of Building Permits, the applicant shall provide documentation of water usage so the Water Division can verify the appropriate size of all proposed water meters greater than 2". Please note that if the existing water services are incapable of supplying the water needs to the site, the existing services shall be abandoned and new separate dedicated water services shall be provided for each use (domestic and irrigation).
W3. Prior to issuance of Building Permits, provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained for open cut trenching.
W4. Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as-built" drawings of the on-site public water utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities Department.

W5. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408) 615-2000.
W6. Fire service line required for commercial and industrial use shall be sized appropriately per fire flow demand and code requirements.
W7. Fire hydrants shall be located two feet behind monolithic sidewalk if sidewalk is present; two feet behind face of curb if no sidewalk is present per City Standard Detail 18. Fire hydrant shall be located in landscaped area within public right-of-way. Location of the proposed fire hydrants shall be approved by the Fire Department and the Water and Sewer Utilities Department.
W8. A dedicated fire service line with an approved backflow prevention device, shall be used for on-site fire hydrants and fire service demand.

POLICE
PD1. None

FIRE
F1. A Phase II environment assessment is required for the project. Based on the historical uses of the parcels for this project, there is a potential concern for environmental contamination and hazardous materials remediation is required. An oversight agreement shall be executed with all appropriate agencies to address potential environmental contamination. Also, as a note, there are facilities that will need to submit hazardous materials facility closures permits/applications prior to them vacating. These should be completed no later than 30-days before facility closures to take effect.
F2. All portions of the building (south wall near the generators) are not with 150 feet from an approved fire department access road. The dimension of 150 feet in relation to fire department access is commonly referred to as hose pull distance. Hose pull is measured along a path that simulates the route a firefighter may take to access all portions of the exterior of a structure from the nearest fire access road. All obstructions such as fences, planters, vegetation, topography, and other structures must be considered when determining whether the building is accessible from a location on the fire access roadway. The Design Team shall submit an Alternate Means and Method Application (AMM) Permit directly to the Fire Department to mitigate deficiencies noted in this review.
F3. The access roads located within the project's property lines shall be recorded as an EVAE. No other instruments will be considered as substitutions such as P.U.E, Ingress/Egress easements and/or City Right-of-Ways.
F4. All the three access entrances shall be provided with automatic gates and shall be provided with Opticom switch.
F5. Fire access roadways shall have a "minimum" unobstructed vertical clearance of not less than 13 feet 6 inches.
F6. All fire department access roadways shall be an all-weather surface designed to support the imposed load of fire apparatus with a gross vehicle weight of 75,000-pounds.
F7. Fire apparatus access roadways shall have a "minimum" inside turning radius of 36 feet or greater.
F8. The grade for emergency apparatus access roadways shall not exceed 10 percent to facilitate fire-ground operations.
F9. Traffic calming devices are not permitted on any designated fire access roadway, unless approved by the Fire Prevention & Hazardous Materials Division.
F10. The FDC shall be on the street front for which the building street name is assigned.

F11. Fire protection water supplies shall be installed and made serviceable prior to the time of construction or prior to combustible materials being moved onsite, unless an approved alternative method of protection is approved by the Fire Prevention and Hazardous Materials Division.
F12. Provisions shall be made for Emergency Responder Radio Coverage System (ERRCS) equipment and the Two-way Communications Systems for Elevator Landings/Areas of refuge, including but not limited to 2-hr pathway survivability in accordance with Santa Clara Emergency Responder Radio Coverage System Standard.

STREETS
Solid Waste
ST1. For projects that involve construction, demolition or renovation of 5,000 square feet or more, the applicant shall comply with City Code Section 8.25.285 and recycle or divert at least sixty five percent (65%) of materials generated for discard by the project during demolition and construction activities. No building, demolition, or site development permit shall be issued unless and until applicant has submitted a construction and demolition debris materials check-off list. Applicant shall create a **Waste Management Plan** and submit, for approval, a Construction and Demolition Debris Recycling Report through the City's online tracking tool at http://santaclara.wastetracking.com/.
ST2. Project applicant shall contact the Public Works Department, Street Maintenance Division at (408) 615-3080 to verify if the property falls within the City's exclusive franchise hauling area. If so, the applicant may be required to use the City's exclusive franchise hauler and rate structure for solid waste services. Project applicant shall submit to the Public Works Department a written approval (clearance) from the designated hauler on the project's Trash Management Plan.
ST3. The applicant shall provide a site plan showing all proposed locations of solid waste containers, enclosure locations, and street/alley widths to the Public Works Department. All plans shall comply with the City's Development Guidelines for Solid Waste Services as specified by development type. Contact the Public Works Department at Environment@santaclaraca.gov or at (408) 615-3080 for more information.
ST4. Building must have enclosures for garbage, recycling and organic waste containers. The size and shape of the enclosure(s) must be adequate to serve the estimated needs and size of the building(s) onsite, and should be designed and located on the property so as to allow ease of access by collection vehicles. Roofed enclosures with masonry walls and solid metal gates are the preferred design. Any required enclosure fencing (trash area, utility equipment, etc.) if not see-thru, shall have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures shall be locked.
ST5. All refuse from all residential, commercial, industrial and institutional properties within the city shall be collected at least once a week, unless otherwise approved in writing (SCCC 8.25.120). Garbage service level required for residential developments (single-family and multi-family) as well as motels and hotels shall be no less than twenty (20) gallons per unit. All project shall submit to the Public Works Department the preliminary refuse service level assessment for approval.

Stormwater
ST6. Prior to City's issuance of Building or Grading Permits, the applicant shall develop a Final Stormwater Management Plan, update the SCVURPPP C.3 Data Form, prepare and submit for approval an Erosion and Sediment Control Plan. *Project's contractor, sub-contractors and if*

applicable, Qualified SWPPP Practitioner (QSP) shall attend a pre-construction meeting prior to the start of construction, which will be coordinated through the Building Division
ST7. The Final Stormwater Management Plan and all associated calculations shall be reviewed and certified by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants, and a 3rd party review letter shall be submitted with the Plan.
ST8. For projects that disturb a land area of one acre or more, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board for coverage under the State Construction General Permit (Order No. 2009-0009-DWQ) prior to issuance of any building permit for grading or construction. A copy of the NOI shall be submitted to the City Building Inspection Division, along with a stormwater pollution prevention plan (SWPPP). Active projects covered under the Construction General Permit will be inspected by the City once per month during the wet season (October – April).
ST9. The applicant shall incorporate Best Management Practices (BMPs) into construction plans and incorporate post-construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of Building or Grading Permits. Proposed BMPs shall be submitted to and thereafter reviewed by the Planning Division and the Building Inspection Division for incorporation into construction drawings and specifications.
ST10. During the construction phase, all stormwater control measures shall be inspected for conformance to approved plans by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants, and *a 3rd party inspection letter (with the signed C.3 Construction Inspection checklist as an attachment) shall be submitted to the Public Works Department (Contact Rinta Perkins, Compliance Manager for a copy of the C.3 Construction Inspection checklist).* As-Built drawing shall be submitted to the Public Works Department. Building occupancy will not be issued until all stormwater treatment measures have been adequately inspected and O&M Agreement is executed. For more information contact Rinta Perkins at (408) 615-3081 or rperkins@santaclaraca.gov
ST11. Soils for bioretention facilities must meet the specifications accepted by the Water Board. If percolation rate test of the biotreatment soil mix is not performed on-site, a certification letter from the supplier verifying that the soil meets the specified mix.
ST12. The property owner shall enter into an Operation and Maintenance (O&M) Agreement with the City for all installed stormwater treatment measures in perpetuity. Applicants should contact Karin Hickey at (408) 615-3097 or KaHickey@santaclaraca.gov for assistance completing the Agreement. For more information and to download the most recent version of the O&M Agreement, visit the City's stormwater resources website at http://santaclaraca.gov/stormwater.
ST13. Developer shall install an appropriate stormwater pollution prevention message such as "No Dumping – Flows to Bay" on any storm drains located on private property.
ST14. Runoff from loading dock must be treated by an oil separator device prior to being discharge into the City's storm drain system.
ST15. Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
ST16. Any site design measures used to reduce the size of stormwater treatment measures shall not be removed from the project without the corresponding resizing of the stormwater treatment measures and an amendment of the property's O&M Agreement.
ST17. Stormwater treatment facilities must be designed and installed to achieve the site design measures throughout their life in accordance to the SCVRUPPP C.3 Stormwater Handbook

(Chapter 6 and Appendix C). They shall be installed using biotreatment soil media that meet the minimum specifications as set forth in this Handbook.
ST18. Developer shall select appropriate plant materials to promote stormwater treatment measure while implementing integrated pest management and water conservation practices in accordance to the SCVRUPPP C.3 Stormwater Handbook (Appendix D).

PARKS AND RECREATION
PR1. City Code Chapter 17.35 applies to anyone who constructs or causes to be constructed a dwelling unit or dwelling units or who subdivides residential property. Since there is no residential component, this project is not subject to the Park and Recreational Land ordinance

HOUSING & COMMUNITY SERVICES
H1. This Project is subject to the Affordable Housing requirements which may be met through payment of an impact fee. The estimated fees are calculated as follow: 560,440 sq ft (proposed) minus 398,967 sq ft (existing) = 161,473 sf. The total impact fee for this project is $322,946. Applicant shall pay impact fees prior to the issuance of the occupancy certificate of the building. Please note that the City's FY 2020-21 Municipal Fee Schedule have been adopted. The impact fee will be increased to $2.14 after June 30, 2020, if project does not receive PCC approval by June 30th, the estimated impact fee will be $345,552.22.

1200 MEMOREX

PCC PACKAGE

SCOPE OF WORK
THE PROJECT PROPOSES TO DEMOLISH THE EXISTING IMPROVEMENTS ON THE SITE TO CONSTRUCT A FOUR-STORY 472,920 SQUARE FOOT DATA CENTER BUILDING WITH AN ATTACHED SIX-STORY 87,520 SQUARE FOOT ANCILLARY USE OFFICE AND STORAGE COMPONENT, FOR A COMBINED SQUARE FOOTAGE OF 560,440.

SKYBOX DATA CENTERS | CORGAN | CRITICAL PROJECT SERVICES, LLC | R+G RUTH AND GOING, INC. Civil Engineering Land Surveying Planning | REED ASSOCIATES LANDSCAPE ARCHITECTURE 477 SOUTH MAFFE STREET SUNNYVALE, CALIFORNIA 94086 | kW mission critical engineering

SHEET INDEX

SHEET NO.	SHEET NAME	PCC PACKAGE - 2019.06.05	PCC PACKAGE V2 - 2019.11.13	PCC PACKAGE V3 - 2020.03.01
00 - PCC				
A-110	SITE PLAN	■	■	■
A-121	LEVEL 1 FLOOR PLAN	■	■	■
A-122	LEVEL 2 FLOOR PLAN	■	■	■
A-123	LEVEL 3 FLOOR PLAN	■	■	■
A-124	LEVEL 4 FLOOR PLAN	■	■	■
A-125	OFFICE LEVEL - FLOOR PLANS	■	■	■
A-126	OFFICE LEVEL - FLOOR PLANS	■	■	■
A-130	ROOF PLAN	■	■	■
A-140	BUILDING SECTION	■	■	■
A-150	ELEVATIONS	■	■	■
A-151	ELEVATIONS	■	■	■
A-152	ELAVATIONS			
A-210	SITE PLAN - MP	■	■	■
A-221	LEVEL 1 FLOOR PLAN - MP	■	■	■
A-222	LEVEL 2 FLOOR PLAN - MP	■	■	■
A-223	LEVEL 3 FLOOR PLAN - MP	■	■	■
A-224	LEVEL 4 FLOOR PLAN - MP	■	■	■
A-225	OFFICE LEVEL - FLOOR PLANS - MP	■	■	■
A-226	OFFICE LEVEL - FLOOR PLANS - MP	■	■	■
A-230	ROOFTOP EQUIPMENT PLAN - MP	■	■	■
A-240	BUILDING SECTION - MP	■	■	■
G-000	COVER SHEET	■	■	■
G-100	PROJECT INFORMATION	■	■	■
H-100	HISTORIC RESOURCE ELEMENTS			■
06-CIVIL-PCC				
C-100	EXISTING SITE CONDITIONS	■	■	■
C-110	EXISTING UTILITY CONDITIONS	■	■	■
C-200	SITE ACCESS AND CIRCULATION PLAN	■	■	■
C-210	FIRE ACCESS AND APPARATUS DIAGRAM	■	■	■
C-211	ADJACENT PARCEL EXISTING FIRE SERVICE PLAN		■	■
C-300	PRELIMINARY GRADING AND DRAINAGE PLAN	■	■	■
C-400	PRELIMINARY SITE UTILITY PLAN	■	■	■
C-500	PRELIMINARY STORMWATER CONTROL PLAN	■	■	■
C-510	STORMWATER CONTROL DETAILS	■	■	■
C-520	PRELIMINARY STORMWATER CALCULATIONS	■	■	■
C-521	PRELIMINARY STORMWATER CALCULATIONS	■	■	■
08-LANDSCAPE-PCC				
L-1.0	LANDSCAPE PLANTING PLAN	■		
L-1.1	LANDSCAPE PLANTING PLAN	■		
L-2.0	LANDSCAPE HYDROZONE PLAN	■		
L-2.1	LANDSCAPE HYDROZONE PLAN	■		
L-100	LANDSCAPE PLANTING PLAN		■	■
L-101	LANDSCAPE PLANTING PLAN		■	■
L-102	EXISTING TREE PLAN		■	■
L-103	LANDSCAPE HYDROZONE PLAN		■	■
L-104	LANDSCAPE HYDROZONE PLAN		■	■
L-105	PRELIMINARY IRRIGATION PLAN			■
L-106	PRELIMINARY IRRIGATION PLAN			■
10 - ELECTRICAL-PCC				
E-100	LEGEND AND ABBREVIATIONS		■	■
E-101	MV ONE-LINE	■	■	■
E-102	ELECTRICAL SITE ROUTING PLAN	■	■	■
E-103	ELECTRICAL SITE DETAILS		■	■
E-104	ELECTRICAL SITE LIGHTING PLAN		■	■
E-105	SITE LIGHTING PHOTOMETRICS		■	■
E-106	LUMINAIRE SCHEDULE		■	■

1200 Memorex - Santa Clara, CA

Development, Design, and Construction Anticipated Milestones

ACTIVITY	DATE
PCC Approval	4/09/2020
CEC CEQA Exemption	12/10/2020
Building Permit Issued	3/12/2021
Demolition Complete	5/24/2021
Grading Complete	6/21/2021
Building Shell Complete	6/13/2022
Interior Finish Out Complete	6/13/2022
Substantial Completion	**9/1/2022**

PROJECT DATA AND CODE INFORMATION

PROJECT DATA		
PROJECT NAME:	1200 MEMOREX	
PROJECT ADDRESS:	1200 Memorex Dr. Santa Clara, CA 95050	
OWNER:	1200 Partners, LLC	
APPLICABLE CODES	NOTE:INCLUDED IN SPECIFICATION SECTION 014100 REGULATORY REQUIREMENTS	
BUILDING CODE:	2016 California Building Code	
ACCESSIBILITY CODE:	2016 California Building Code - Chapter 11B	
ELECTRICAL CODE:	2016 California Electrical Code	
ENERGY CODE:	2016 California Energy Code & 2016 California Green Building Standards	
FIRE CODE:	2016 California Fire Code	
MECHANICAL CODE:	2016 California Mechanical Code	
PLUMBING CODE:	2016 California Plumbing Code	
REGIONAL OR MUNICIPAL CODE:	City of Santa Clara Zoning and Local Amendments	
LIFE SAFETY INFORMATION		**REFERENCE**
		2016 CBC
USE OR OCCUPANCY CLASSIFICATION		
OCCUPANCY:	(S2) STORAGE	
TYPE OF CONSTRUCTION		
CONSTRUCTION TYPE:	II-A	
FIRE PROTECTION REQUIREMENTS		
BEARING WALLS: INT./EXT.	1	
NONBEARING WALLS: INT./EXT.	0 AND 1 @ WEST EXT. WALL	
ROOF / CEILING:	0 AND 1 @ <-20 FEET FROM FLOOR.	
FLOOR/ CEILING:	1	
STRUCTURAL FRAME / COLUMNS:	1	
RATED SEPARATIONS:	1 BUILDING SEPARATION @ 2 HR.	

DESIGN LIMITATIONS	MAX. ALLOWED	MAX. PROVIDED	2 HR. SEPARATION PLAN
HEIGHT:	85' - 0"	83' - 6"	
AREA:	1. 121700 SF	1. 118230 SF	
	2. 117000 SF	2. 14585 SF	
# OF FLOORS:	1. 6	1. 4	
	2. 6	2. 6	

MEANS OF EGRESS	MAX. ALLOWED	MAX. PROVIDED
TRAVEL DISTANCE TO EXIT:		
TOTAL OCCUPANT LOAD:		

EGRESS WIDTH PER OCCUPANT	MIN. ALLOWED	PROVIDED
0.2" STAIRS	0' - 0"	0' - 0"
0.15" DOORS	0' - 0"	0' - 0"

PLUMBING FIXTURE REQUIREMENTS

	FEMALE		MALE		SINGLE USER	
FIXTURE	# REQUIRED	# PROVIDED	# REQUIRED	# PROVIDED	# REQUIRED	# PROVIDED
WATER CLOSETS	#	#	#	#	#	#
URINALS			#	#	#	#
LAVATORIES	#	#	#	#	#	#
SHOWERS	#	#	#	#	#	#

	SERVICE	
	# REQUIRED	# PROVIDED
SERVICE SINKS	#	#
DRINKING FOUNTAINS	#	#

PROJECT NARRATIVE

1200 Memorex

1.1.1 Existing Development

The 9.18-acre project site is located at 1200 Memorex Drive. The site is zoned ML-Light Industrial and has a General Plan designation of Light Industrial. The site is currently developed with three buildings: a three-story approximately 300,000 square foot building, a two-story approximately 46,000 square foot building, and a one-story approximately 2,950 square foot building. Roughly 100,000 square feet of active outdoor uses are located on the eastern portion of the site. Existing uses on the site are light industrial in nature and include operations such as aluminum plating, metal cleaning/polishing, a machine shop, construction contractors, a brewery, material storage, vehicle storage, and hauling. The vehicle storage and hauling operations are primarily located in the outdoor areas on the site.

1.1.2 Proposed Development

The project proposes to demolish the existing improvements on the site to construct a four-story 472,920 square foot data center building with an attached six-story 87,520 square foot ancillary use office and storage component, for a combined square footage of 560,440. The structure would have a height of 87 feet to the top of building parapet. The data center portion of the building would house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 60 megawatts (MW) of information technology (IT) power. The ancillary use portion of the building would be used for office (roughly 51,000 square feet) and storage uses.

Three-quarters of the data center portion of the building would consist of production data hall space, which requires backup power generation, while the other quarter would consist of development data hall space, which does not require backup power generation. Standby backup emergency electrical generators would be installed to provide an uninterrupted power supply to the production data hall space. A total of 24 three-MW diesel-fueled engine generators would be located on the south side of the building, providing 48 MW of backup power generation capacity. Of the 24 proposed generators (16 critical & 8 redundant), 21 units would be located within a ground-level generator yard and three units would be located on the roof of the adjacent loading dock. Mechanical cooling equipment would be located on the roof with metal panel perimeter screening above the building parapet.

The project would also construct a 150 megavolt amps (MVA) electrical substation on the eastern portion of the site. The substation would have three 50 MVA transformers, one of which would be redundant and would only become active if one of the other transformers fails. The substation capacity would be a nominal 100 MVA. The substation would have an all-weather asphalt surface underlain by an aggregate base.

1.1.2.1 *Site Access and Parking*

The site currently has four driveways on Memorex Drive and three driveways on Ronald Street/Di Giulio Avenue, all of which would be removed by the project. Access to the site would be provided by two new driveways on Memorex Drive and one new driveway on Di Giulio Avenue. The project would result in a net decrease in driveways accessing the site, reducing curb cuts and eliminating hazards associated with site distances from current driveways located near intersections and roadway bends.

Based on input from City staff, the project would be classified as a Storage use, which requires one parking space per 5,000 square feet of gross floor area. The office component (Business use), of the project would occupy less than 10 percent of the gross floor area and would be considered an ancillary use to the primary Storage use. As a result, the parking requirements for the Storage use would apply to the entire project. With a gross square footage of 560,440, and a required parking ratio of one space per 5,000 square feet, the project would be required to provide 112 spaces. The project proposes to provide 113 parking spaces in surface parking lots located on the eastern portion of the site. Five parking spaces would be ADA accessible, and 11 parking spaces would be dedicated for clean air vehicles. Electric vehicle charging stations would be located adjacent to the clean air vehicle spaces.

1.1.2.2 *Building Height and Floor Area Ratio Variances*

The project would construct a building with a maximum height of 87 feet to the top of parapet, which would exceed the maximum height of 70 feet allowed under the ML – Light Industrial zoning designation. Additionally, the project would have a floor area ratio (FAR) of 1.40, which would exceed the maximum FAR of 0.6 allowed under the Light Industrial General Plan designation.

The project is requesting variances to allow building heights and FAR above those allowed in the Zoning Ordinance and General Plan. The building height and FAR variances would allow the project to maximize the efficiency of the proposed data center. By consolidating the data center equipment in a single large structure instead of multiple smaller structures, energy efficiency is increased and fewer resources are required for building operation and maintenance. Further, due to the low employment requirement of data centers, the proposed project would result in a decrease in vehicle trips and vehicle miles travelled associated with the site, even with the proposed increases in allowed height and FAR (see discussion below).

1.1.2.3 *Vehicle Trips and Vehicle Miles Travelled*

Data centers result in fewer vehicle trips than typical light industrial uses because the building is primarily occupied by IT equipment and associated mechanical infrastructure. Few employees are required to operate the data center. While the project includes an office component, the office use is ancillary to the data center use and makes up less than 10 percent of the overall building square footage.

A preliminary assessment was completed to determine the net vehicle trip generation resulting from the project. Trip generation rates for existing uses on the site were based on the Institute of Transportation Engineers' (ITE) Trip Generation Manual, Tenth Edition's trip generation rates for general light industrial land uses (land use code 110). Trip generation rates for the proposed project were based on ITE rates for data centers (land use code 160) and general office buildings (land use code 710). The trip rates for existing uses were applied to 348,950 square feet of light industrial building area and roughly 100,000 square feet of active outdoor light industrial uses, resulting in an estimated total of 2,227 existing daily trips. For the proposed uses, the general office building trip rate was applied to the 51,000 square feet of office area, and the data center trip rate was applied to the remaining 509,440 square feet of the project, resulting in an estimated total of 1,001 daily project trips. Based on ITE trip rates, the project would result in a net reduction of 1,226 daily vehicle trips associated with the site. A reduction in daily vehicle trips would also result in a reduction in vehicle miles travelled (VMT). By reducing vehicle trips and VMT associated with the site, the project would result in a net reduction in air pollutants and greenhouse gas emissions associated with vehicle trips, and would reduce traffic congestion in the surrounding area. It should be noted that this assessment is preliminary and will be refined as part of the environmental review completed for the project.

1.1.2.4 *Hazardous Materials Remediation*

Known contamination is present in the soils and groundwater on the site. The contamination is associated with historic uses by the Memorex Corporation, which manufactured magnetic tape on the site through approximately 1993. The site is subject to Regional Water Quality Control Board (RWQCB) oversight and cleanup requirements related to this contamination. Since 1993, uses on the site have included the use and storage of hazardous materials, and it is possible that additional contamination is present on the site in areas that have not been previously investigated. The project would complete soil, soil vapor, and groundwater quality investigations to determine the extent of contamination on the site. It is anticipated that the project would prepare a Site Management Plan (SMP) and a Health and Safety Plan (HSP) to establish appropriate protocols for handling and monitoring contaminated soil, soil vapor, and groundwater, and to determine what remediation measures are necessary. As a result, the project would facilitate the remediation of contamination on the site. Additionally, current uses on the site such as aluminum plating and metal cleaning/polishing likely involve the use and storage of hazardous materials. The proposed data center project would not involve the use or storage of hazardous materials, representing an improvement over existing condition. Further, by developing a data center on the site, the project would eliminate the potential for additional hazardous materials releases to occur from other light industrial uses that may otherwise occupy the site in the future.

1.1.2.5 *Power Usage Effectiveness, Energy Efficiency, and Water Conservation*

Power Usage Effectiveness (PUE) is a metric used to compare the operating efficiency of data center facilities. PUE is defined as the ratio of total power use of a facility to the power used strictly by the information technology (IT) equipment (e.g. PUE=Total Facility Power/IT Equipment Power). For example, with a PUE of 2.0 a data center would use two watts of total power for every one watt of power used by the IT equipment. The annualized PUE for the proposed data center would be less than 1.29, which is on the low/efficient end of the scale for data centers in the area.

The project includes a variety of measures to minimize total power usage of the data center. Due to substantial cooling requirements, the primary method for achieving energy efficiency in data centers is through the cooling system. The proposed data center would maximize efficiency by utilizing direct outside air economization, economized chillers, or DSE cooling units, reducing energy consumption and eliminating the requirement for large quantities of water utilized for cooling purposes by other data centers in the area.

1.1.2.6 *Landscaping and Stormwater Control*

Currently, landscaping on the site is sparse. Mature trees are located on the site's frontage with Memorex Drive, and additional trees and shrubbery are located along portions of the site's perimeter. Although the project would remove some of the existing trees and landscaping on the site, the project would plant replacement trees that would meet or exceed required replacement ratios, resulting in an increase in trees and landscaping on the site.

The project would result in a decrease in the amount of impervious area on the site. Storm drainage runoff from the site's impervious surfaces would be directed to treatment systems before being collected in a series of pipes sized for a 10-year storm event in accordance with the City's design requirements. These pipes would ultimately leave the site, connecting to the existing City storm drainage pipes in Memorex Drive and/or Di Giulio Avenue. No new off-site storm drain facilities are anticipated to serve the project. Since redevelopment of the site would not increase the storm drain runoff compared to existing conditions, the project would have no adverse impact on the existing City storm drainage system downstream of the site.

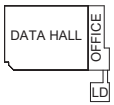
The goal of project is to ensure that the final design incorporates an efficient program of best management practices (BMP's) as appropriate to the site conditions and urban runoff pollution prevention requirements. To this end, development of the property shall comply with the requirements of the California Regional Water Quality Control Board, San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP). The project would implement site design measures, source control measures and treatment systems into the site design in accordance with Provision C.3 of the MRP. The project would also employ treatment control measures (TCMs) as appropriate based upon site specific design to achieve stormwater requirements for urban runoff pollution.

Project Number: 19110.0000

SKYBOX CORGAN RUTH AND GOING, INC. CRITICAL kw REED ASSOCIATES LANDSCAPE ARCHITECTURE

PROJECT INFORMATION

04.09.2020



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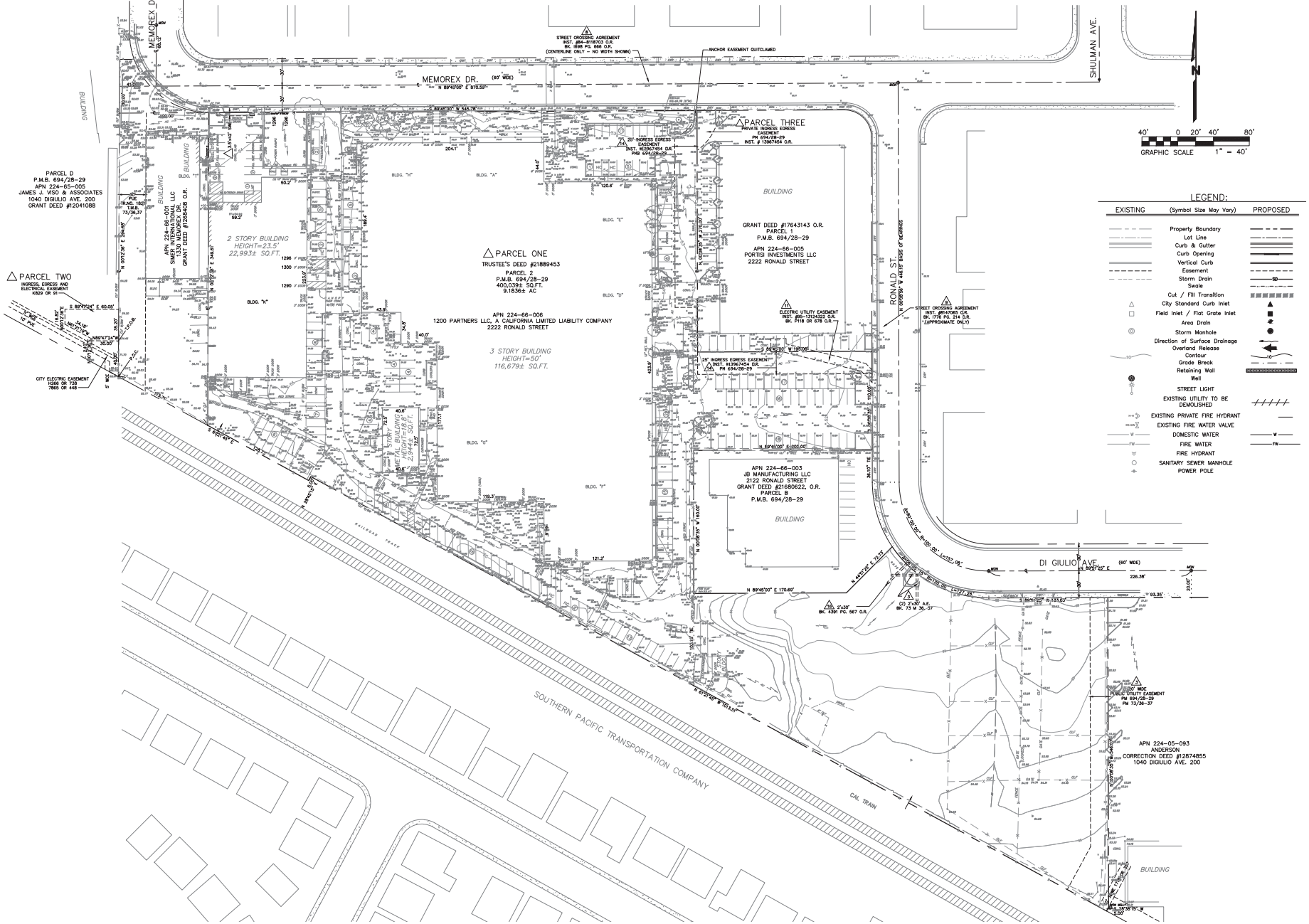

Project Number: 19110.0000

SKYBOX

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CRITICAL PROJECT SERVICES, LLC

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REED ASSOCIATES LANDSCAPE ARCHITECTURE

EXISTING SITE CONDITIONS

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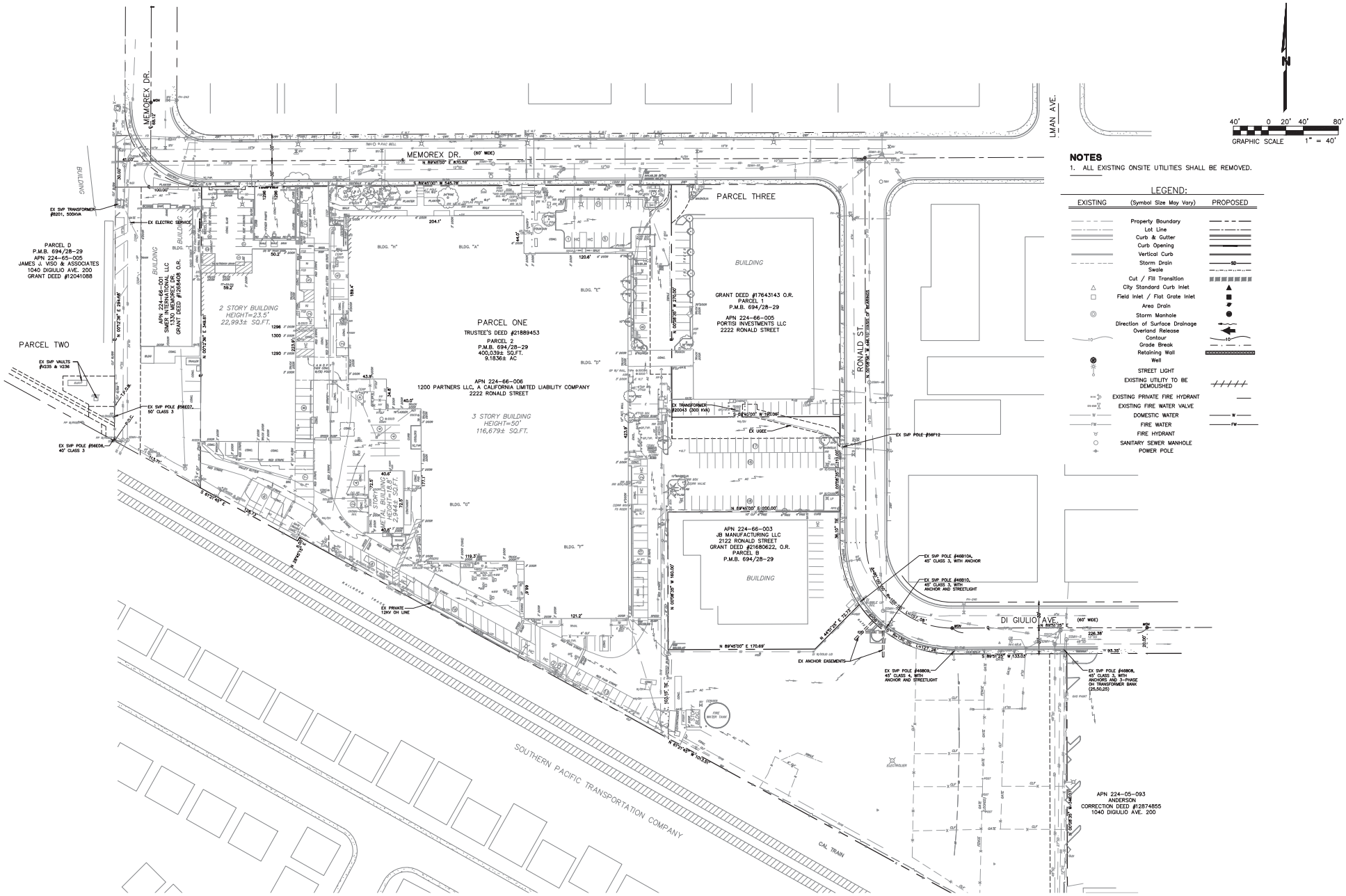

NOTES

1. ALL EXISTING ONSITE UTILITIES SHALL BE REMOVED.

LEGEND:

EXISTING	(Symbol Size May Vary)	PROPOSED
	Property Boundary	
	Lot Line	
	Curb & Gutter	
	Curb Opening	
	Vertical Curb	
	Storm Drain	SD
	Swale	
	Cut / Fill Transition	
	City Standard Curb Inlet	
	Field Inlet / Flat Grate Inlet	
	Area Drain	
	Storm Manhole	
	Direction of Surface Drainage	
	Overland Release	
	Contour	10
	Grade Break	
	Retaining Wall	
	Well	
	STREET LIGHT	
	EXISTING UTILITY TO BE DEMOLISHED	
	EXISTING PRIVATE FIRE HYDRANT	
	EXISTING FIRE WATER VALVE	
	DOMESTIC WATER	W
	FIRE WATER	FW
	FIRE HYDRANT	
	SANITARY SEWER MANHOLE	
	POWER POLE	

Project Number: 19110.0000

SKYBOX DATATECHNICS

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REED ASSOCIATES LANDSCAPE ARCHITECTURE

EXISTING UTILITY CONDITIONS

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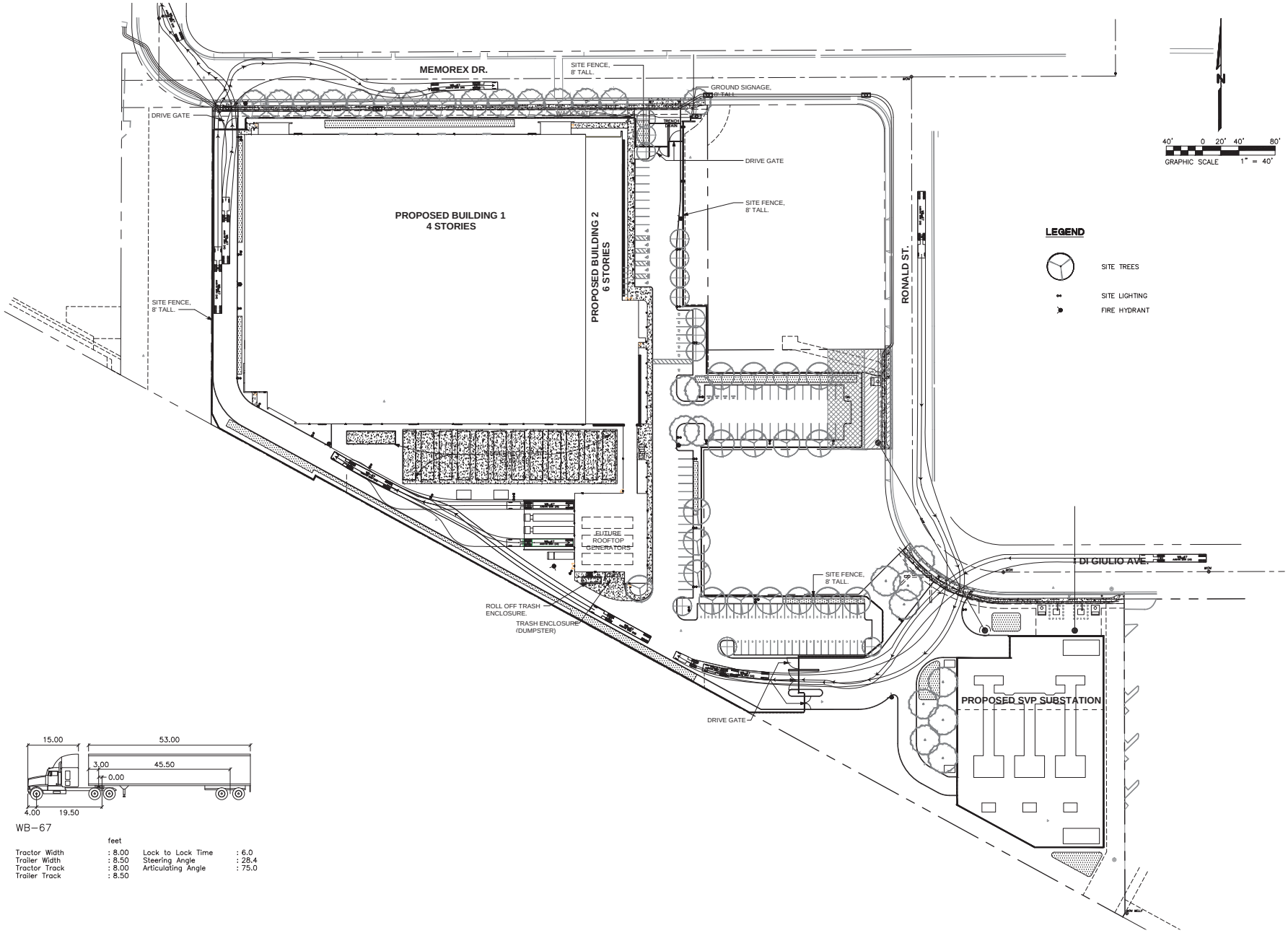

WB-67

	feet		
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 28.4
Tractor Track	: 8.00	Articulating Angle	: 75.0
Trailer Track	: 8.50		

Project Number: 19110.0000

SKYBOX DATA SYSTEMS

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REED ASSOCIATES LANDSCAPE ARCHITECTURE

SITE ACCESS AND CIRCULATION PLAN

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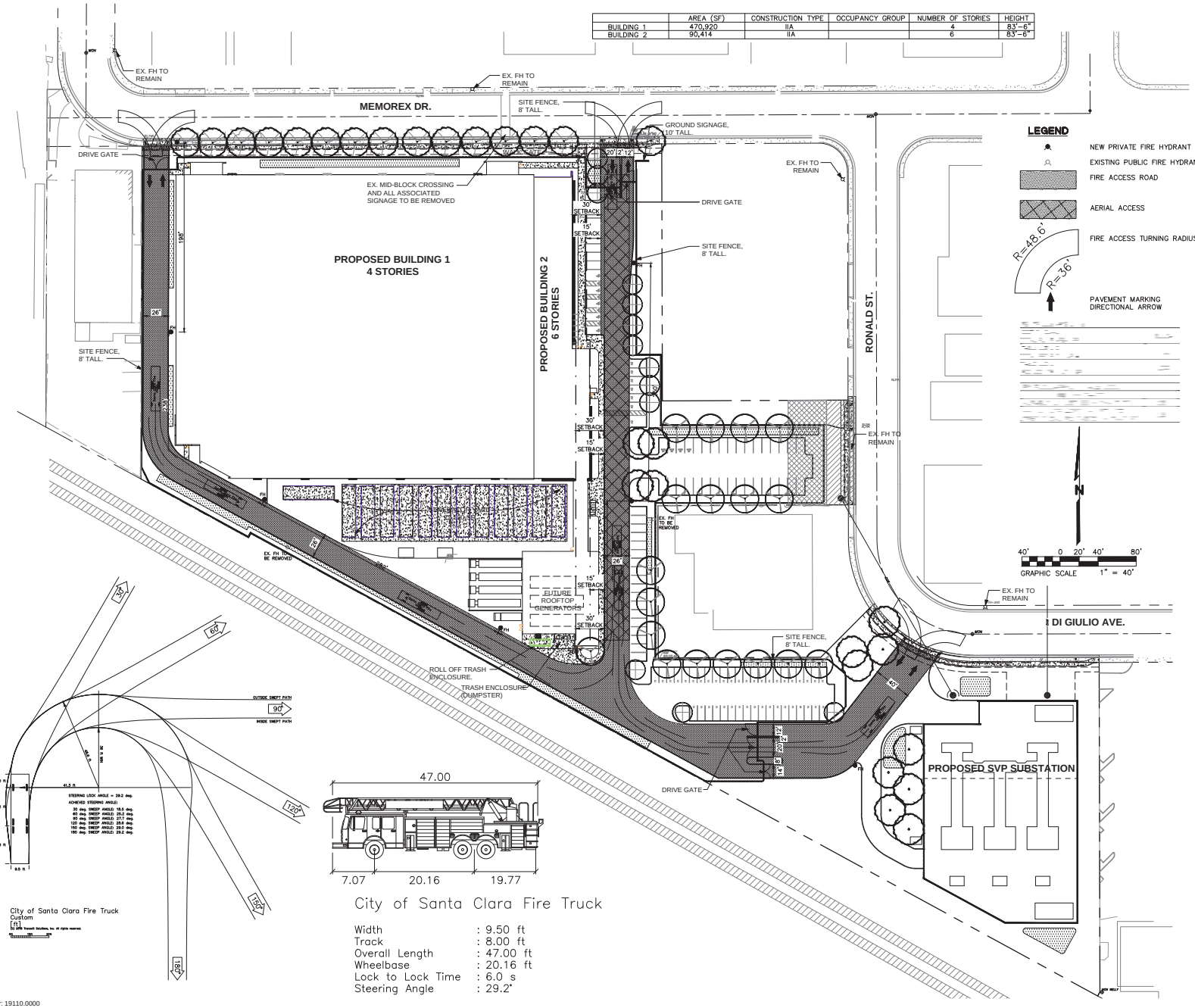
	AREA (SF)	CONSTRUCTION TYPE	OCCUPANCY GROUP	NUMBER OF STORIES	HEIGHT
BUILDING 1	470,920	IIA		4	83'-6"
BUILDING 2	90,414	IIA		6	83'-6"

NOTES

1. SECURITY GATES SHALL BE EQUIPPED WITH OPTICOM SWITCH OR APPROVED ALTERNATIVE FOR FIRE DEPARTMENT ACCESS.
2. SCFD DEFICIENCY: ALL PORTIONS OF THE BUILDING (SOUTH WALL NEAR THE GENERATORS) ARE NOT WITH 150 FEET FROM AN APPROVED FIRE DEPARTMENT ACCESS ROAD. THE DIMENSION OF 150 FEET IN RELATION TO FIRE DEPARTMENT ACCESS IS COMMONLY REFERRED TO AS HOSE PULL DISTANCE. HOSE PULL IS MEASURED ALONG THE PATH THAT SIMULATES THE ROUTE A FIRE FIGHTER MAY TAKE TO ACCESS ALL PORTIONS OF THE EXTERIOR OF A STRUCTURE FROM THE NEAREST FIRE ROAD.
3. AMMR: PROJECT DESIGN TEAM WILL SUBMIT AN AMM TO SCFD, PROPOSING TO INCREASE BLDG FIRE SPRINKLER DENSITY TO SATISFY DEFICIENCY DURING PERMIT DOCS.



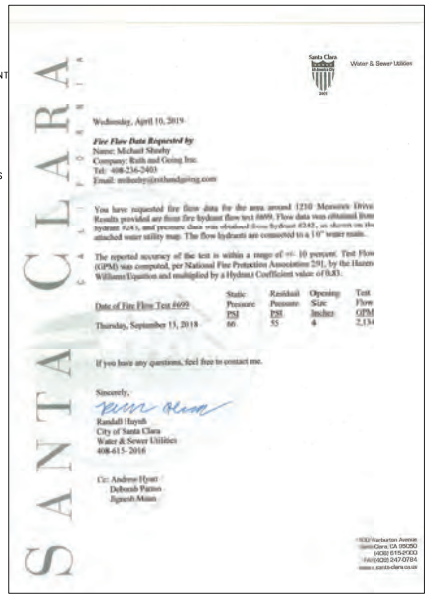
LEGEND

- NEW PRIVATE FIRE HYDRANT
- EXISTING PUBLIC FIRE HYDRANT
- FIRE ACCESS ROAD
- AERIAL ACCESS
- FIRE ACCESS TURNING RADIUS (R=48.6', R=36')
- PAVEMENT MARKING DIRECTIONAL ARROW

City of Santa Clara Fire Truck
Custom
[ft]
N ARK Transit Studios, Inc. All rights reserved.

City of Santa Clara Fire Truck

Width	: 9.50 ft
Track	: 8.00 ft
Overall Length	: 47.00 ft
Wheelbase	: 20.16 ft
Lock to Lock Time	: 6.0 s
Steering Angle	: 29.2°


SANTA CLARA

Santa Clara Water & Sewer Utilities

Wednesday, April 10, 2019

Fire Flow Data Requested by
Name: Michael Shoaby
Company: Ruth and Going Inc.
Tel: 408-236-2403
Email: mshoaby@ruthandgoing.com

You have requested fire flow data for the area around 1210 Memorex Drive. Results provided are from fire hydrant flow test #699. Flow data was obtained from hydrant #283, and pressure data was obtained from hydrant #282, as shown on the attached water utility map. The flow hydrants are connected to a 10" water main.

The reported accuracy of the test is within a range of +/- 10 percent. Test Flow (GPM) was computed, per National Fire Protection Association 291, by the Hazen Williams Equation and multiplied by a Hydrant Coefficient value of 0.83.

Date of Fire Flow Test #699	Static Pressure PSI	Residual Pressure PSI	Opening Size Inches	Test Flow GPM
Thursday, September 13, 2018	60	55	4	2,134

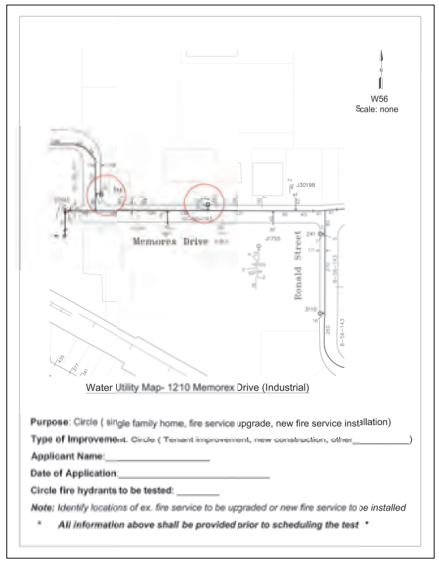
If you have any questions, feel free to contact me.

Sincerely,

Randall Huyth
City of Santa Clara
Water & Sewer Utilities
408-615-2016

Cc: Andrew Hyatt
Deborah Pantos
Jignesh Mistry

1500 Warburton Avenue
Santa Clara, CA 95050
(408) 615-2000
fax (408) 247-0784
www.santaclaraca.gov



Water Utility Map- 1210 Memorex Drive (Industrial)

Purpose: Circle (single family home, fire service upgrade, new fire service installation)
Type of Improvement: Circle (Tenant improvement, new construction, other_____)
Applicant Name:_____
Date of Application:_____
Circle fire hydrants to be tested: _____
Note: *Identify locations of ex. fire service to be upgraded or new fire service to be installed*
* ***All information above shall be provided prior to scheduling the test*** *

Project Number: 19110.0000

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FIRE ACCESS AND APPARATUS DIAGRAM

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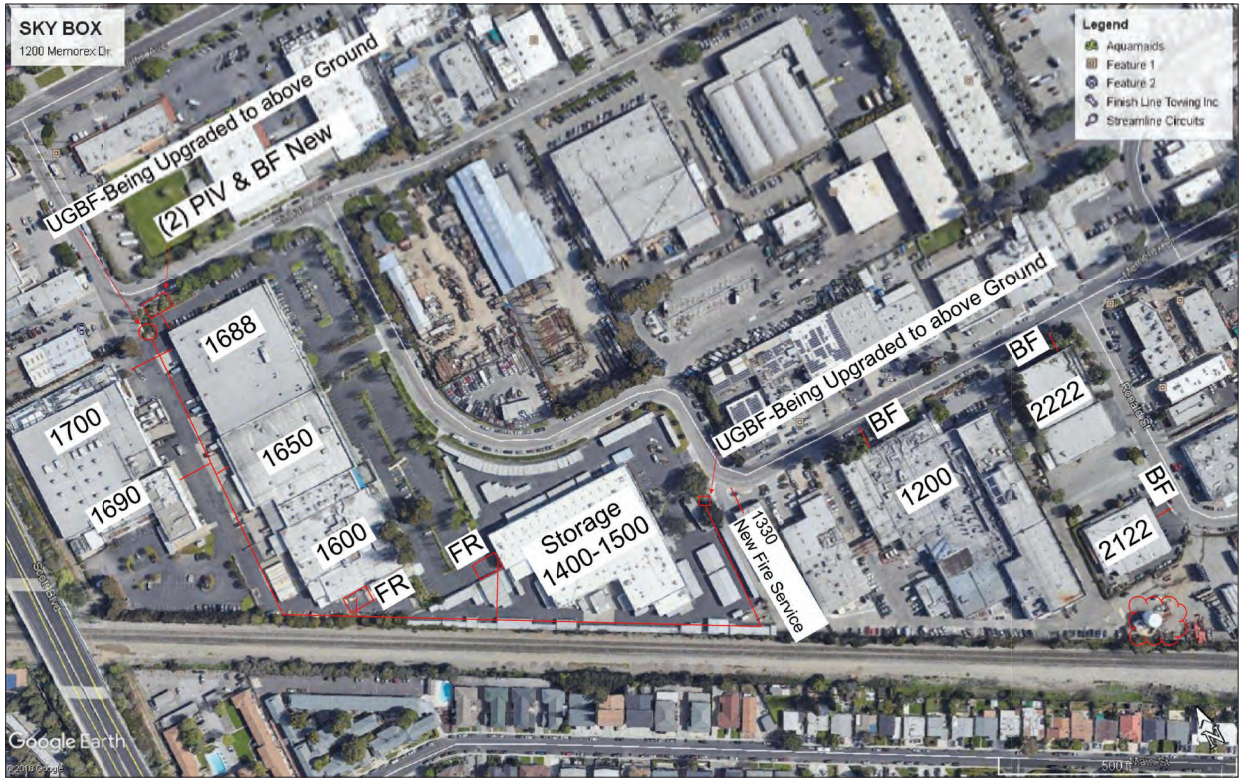

ABBREVIATIONS

1700	ADDRESS NUMBER
BF	CSC BACKFLOW
FR	FIRE RAISER
PIV	POST INDICATOR VALVE
UGBF	UNDERGROUND BACKFLOW

ADJACENT FIRE PERMITS

PERMIT #	ADDRESS
18–1101	1688 & 1700 RICHARD AVE
18–1094	1600, 1650 & 1690 RICHARD AVE

Project Number: 19110.0000

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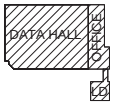
ADJACENT PARCEL
EXISTING FIRE SERVICE PLAN

04.09.2020



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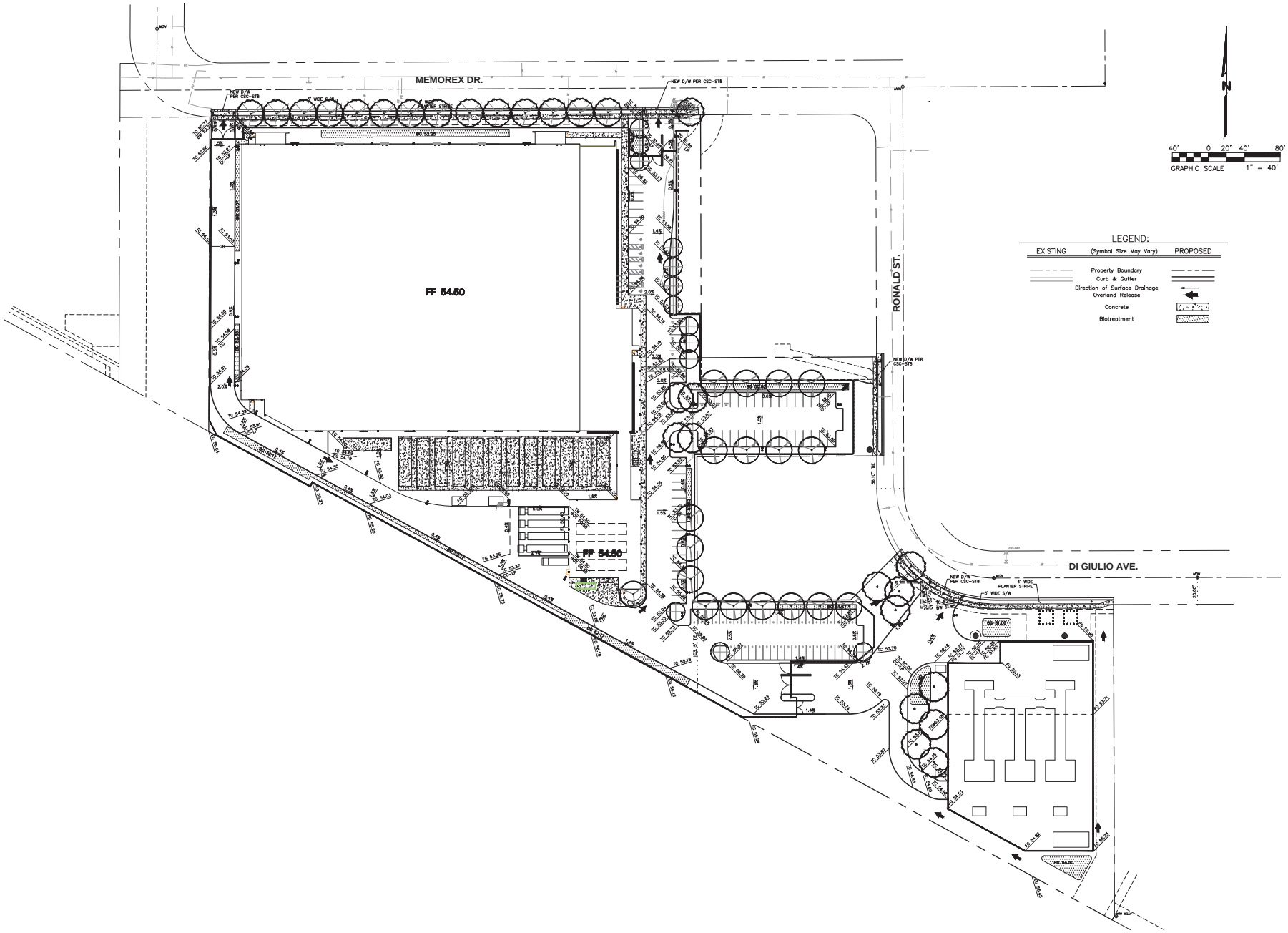

Project Number: 19110.0000

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PRELIMINARY GRADING AND DRAINAGE PLAN

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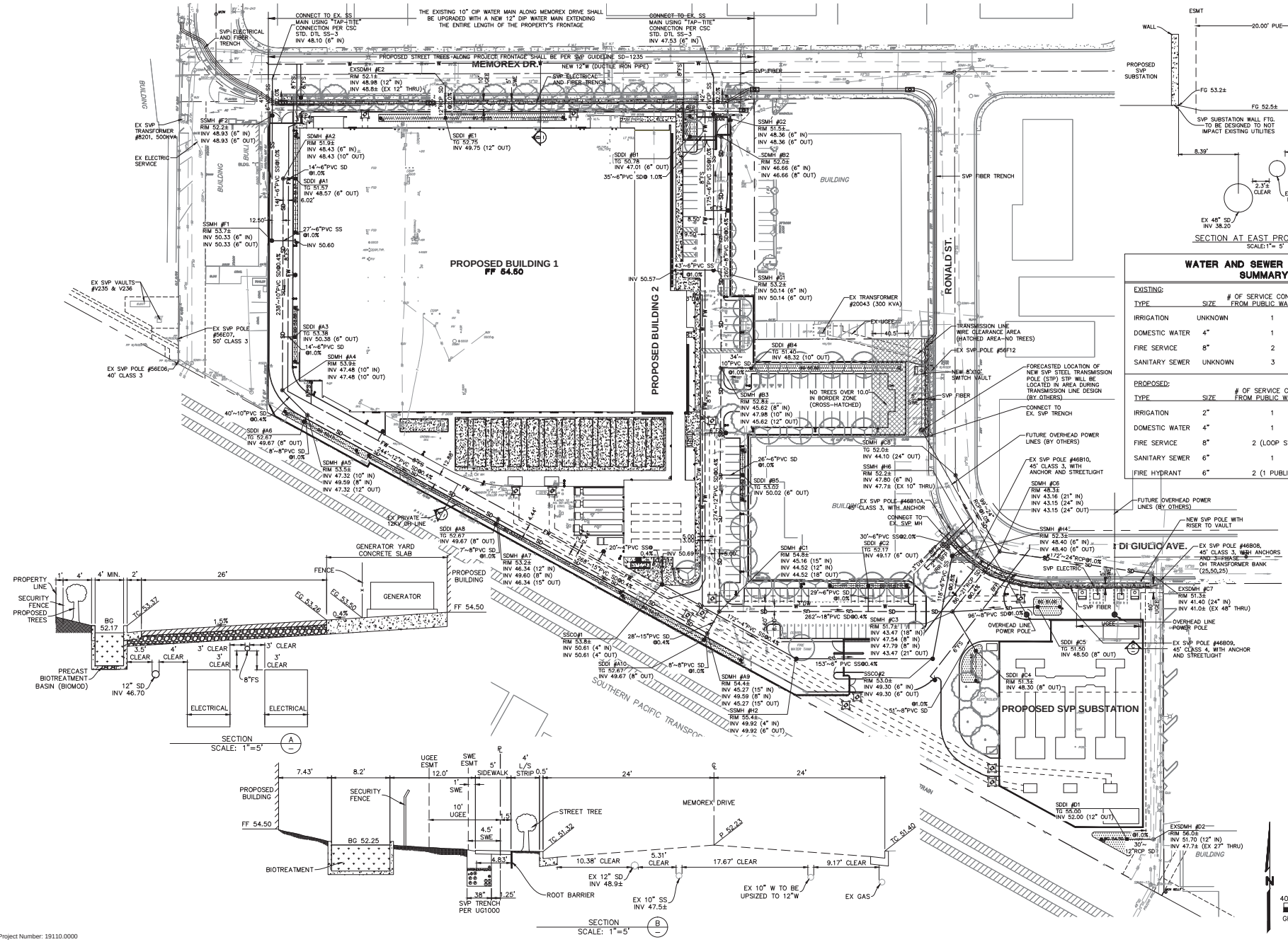

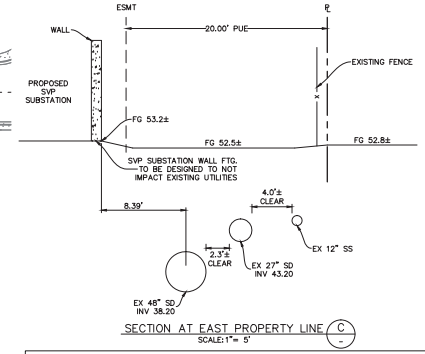

SECTION AT EAST PROPERTY LINE C
SCALE: 1"= 5'

WATER AND SEWER SERVICE LATERAL SUMMARY TABLE

EXISTING:

TYPE	SIZE	# OF SERVICE CONNECTIONS FROM PUBLIC WATER MAIN	DISPOSITION
IRRIGATION	UNKNOWN	1	TO BE ABANDONED PER CSC STANDARDS
DOMESTIC WATER	4"	1	TO BE ABANDONED PER CSC STANDARDS
FIRE SERVICE	8"	2	TO BE ABANDONED PER CSC STANDARDS
SANITARY SEWER	UNKNOWN	3	TO BE ABANDONED PER CSC STANDARDS

PROPOSED:

TYPE	SIZE	# OF SERVICE CONNECTIONS FROM PUBLIC WATER MAIN	MATERIAL
IRRIGATION	2"	1	PVC – PER CSC STANDARDS
DOMESTIC WATER	4"	1	PVC – PER CSC STANDARDS
FIRE SERVICE	8"	2 (LOOP SYSTEM)	PVC – PER CSC STANDARDS
SANITARY SEWER	6"	1	PVC – PER CSC STANDARDS
FIRE HYDRANT	6"	2 (1 PUBLIC/1 PRIVATE)	PVC – PER CSC STANDARDS

NOTES

1. ALL EXISTING ONSITE UTILITIES SHALL BE REMOVED.
2. ALL UTILITIES SHALL MAINTAIN A MINIMUM 12" OF VERTICAL CLEARANCE AT WATER SERVICE CROSSING WITH OTHER UTILITIES, AND ALL REQUIRED MINIMUM HORIZONTAL CLEARANCES FROM WATER SERVICES:
   - 10' FROM SANITARY SEWER UTILITIES
   - 10' FROM RECYCLED WATER UTILITIES
   - 8' FROM STORM DRAIN UTILITIES
   - 5' FROM FIRE AND OTHER WATER UTILITIES
   - 3' FROM ABANDONED WATER SERVICES
   - 5' FROM GAS UTILITIES
   - 5' FROM THE EDGE OF THE PROPOSED OR EXISTING DRIVEWAY.

   SANITARY SEWER, WATER AND RECYCLED WATER UTILITIES SHALL MAINTAIN A MINIMUM HORIZONTAL CLEARANCE OF 10' FROM EXISTING AND PROPOSED TREES. IF TREE ROOT BARRIERS ARE INSTALLED, CLEARANCE FROM TREES REDUCES TO 5' (CLEARANCE MUST BE FROM THE EDGE OF TREE ROOT BARRIER TO EDGE OF WATER FACILITIES).
3. INDIVIDUAL BUILDINGS WITHIN A PARCEL MUST HAVE THEIR OWN DEDICATED SERVICE (FIRE, WATER, AND IRRIGATION). DIFFERENT TYPES OF BUILDING USE (RETAIL, RESIDENTIAL, COMMERCIAL, ETC.) SHALL BE SERVED BY SEPARATE WATER METERS.
4. NO STRUCTURES (FENCING, FOUNDATION, BIOFILTRATION SWALES, ETC.) ALLOWED OVER SANITARY SEWER AND/OR WATER UTILITIES AND EASEMENTS.
5. EASEMENTS ALONG PROJECT FRONTAGE WILL BE FINALIZED DURING PREPARATION OF CONSTRUCTION DOCUMENTS.

40' 0 20' 40' 80'
GRAPHIC SCALE 1" = 40'

Project Number: 19110.0000

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CRITICAL PROJECT SERVICES, LLC
kW mission critical engineering
REED ASSOCIATES LANDSCAPE ARCHITECTURE

PRELIMINARY SITE UTILITY PLAN

04.09.2020

DATA HALL OFFICE

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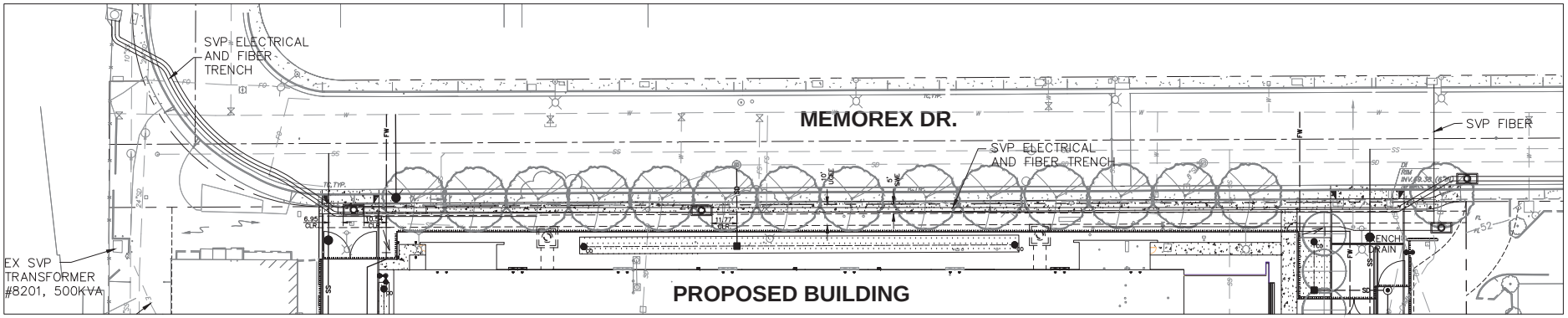

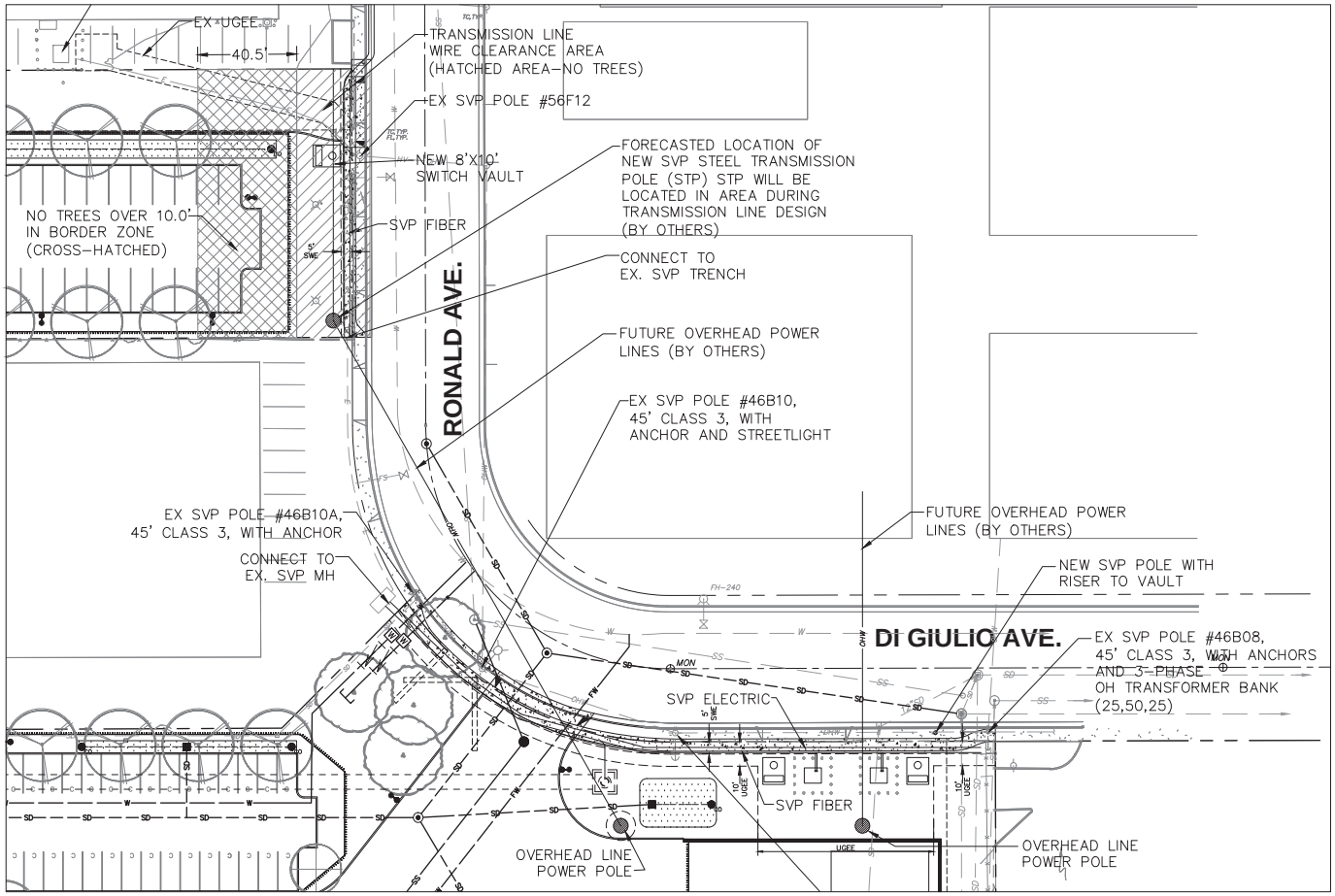

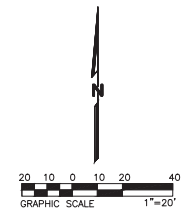

Project Number: 19110.0000

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ENLARGED SVP CLEARANCE PLAN

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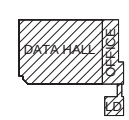

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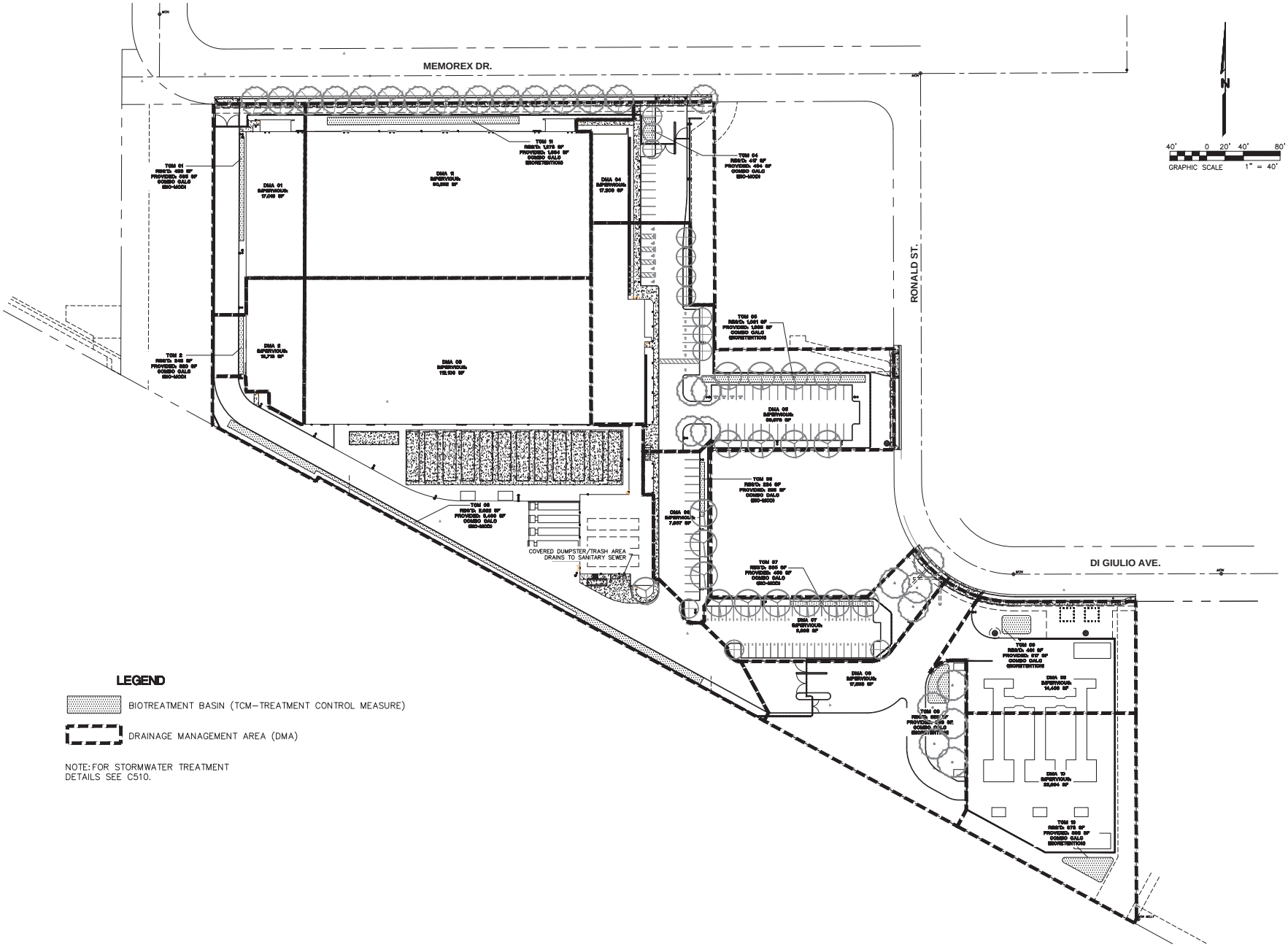

Project Number: 19110.0000

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REED ASSOCIATES LANDSCAPE ARCHITECTURE

PRELIMINARY STORMWATER CONTROL PLAN

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BIOTREATMENT SOIL REQUIREMENTS

- BIORETENTION SOIL MIX SHALL MEET THE REQUIREMENTS AS OUTLINED IN APPENDIX C OF THE C.3 STORM WATER HANDBOOK AND SHALL BE A MIXTURE OF FINE SAND AND COMPOST MEASURED ON A VOLUME BASIS OF 60–70% SAND AND 30–40% COMPOST. CONTRACTOR TO REFER TO APPENDIX C FOR SAND AND COMPOST MATERIAL SPECIFICATIONS.
- PRIOR TO ORDERING THE BIOTREATMENT SOIL MIX OR DELIVERY TO THE PROJECT SITE, CONTRACTOR SHALL PROVIDE A BIOTREATMENT SOIL MIX SPECIFICATION CHECKLIST, COMPLETED BY THE SOIL MIX SUPPLIER AND CERTIFIED TESTING LAB.

STANDARD STORMWATER CONTROL NOTES:

- STANDING WATER SHALL NOT REMAIN IN THE TREATMENT MEASURES FOR MORE THAN FIVE DAYS, TO PREVENT MOSQUITO GENERATION. SHOULD ANY MOSQUITO ISSUES ARISE, CONTACT THE SANTA CLARA VALLEY VECTOR CONTROL DISTRICT (DISTRICT). MOSQUITO LARVICIDES SHALL BE APPLIED ONLY WHEN ABSOLUTELY NECESSARY, AS INDICATED BY THE DISTRICT, AND THEN ONLY BY A LICENSED PROFESSIONAL OR CONTRACTOR. CONTACT INFORMATION FOR THE DISTRICT IS PROVIDED BELOW.
- DO NOT USE PESTICIDES OR OTHER CHEMICAL APPLICATIONS TO TREAT DISEASED PLANTS, CONTROL WEEDS OR REMOVED UNWANTED GROWTH. EMPLOY NON-CHEMICAL CONTROLS (BIOLOGICAL, PHYSICAL AND CULTURAL CONTROLS) TO TREAT A PEST PROBLEM. PRUNE PLANTS PROPERLY AND AT THE APPROPRIATE TIME OF YEAR. PROVIDE ADEQUATE IRRIGATION FOR LANDSCAPE PLANTS. DO NOT OVER WATER.

BIORETENTION NOTES:

1. SEE GRADING PLAN FOR BASIN FOOTPRINT AND DESIGN ELEVATIONS.
2. PLACE 3 INCHES OF COMPOSTED, NON–FLOATABLE MULCH IN AREAS BETWEEN STORMWATER PLANTINGS.
3. SEE LANDSCAPE PLAN FOR MULCH, PLANT MATERIALS AND IRRIGATION REQUIREMENTS
4. CURB CUTS SHALL BE A MINIMUM 18" WIDE AND SPACED AT MAXIMUM 10' O.C. INTERVALS AND SLOPED TO DIRECT STORMWATER TO DRAIN INTO THE BASIN. CURB CUTS SHALL ALSO NOT BE PLACED INLINE WITH OVERFLOW CATCH BASIN.
5. A MINIMUM 0.2' DROP BETWEEN STORM WATER ENTRY POINT (I.E. CURB OPENING, FLUSH CURB, ETC.) AND ADJACENT LANDSCAPE FINISHED GRADE.
6. DO NOT COMPACT NATIVE SOIL / SUBGRADE AT BOTTOM OF BASIN. LOOSEN SOIL TO 12" DEPTH.

PROJECT SITE INFORMATION:

1. **SOILS TYPE:** ______
2. **GROUND WATER DEPTH:** ______
3. **NAME OF RECEIVING BODY:** ______
4. **FLOOD ZONE:** **ZONE X - AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD**
5. **FLOOD ELEVATION (IF APPLICABLE):** ______

OPERATION AND MAINTENANCE INFORMATION:

I. PROPERTY INFORMATION:

I.A. PROPERTY ADDRESS:
1220 MEMOREX DRIVE
SANTA CLARA, CA 95050

I.B. PROPERTY OWNER:
1220 SANTA CLARA PROPCO, LLC

II. RESPONSIBLE PARTY FOR MAINTENANCE:

II.A. CONTACT:
JOHN SHANK

II.B. PHONE NUMBER OF CONTACT:
(408) 872–9500

II.C. EMAIL:
JON@PELIO.COM

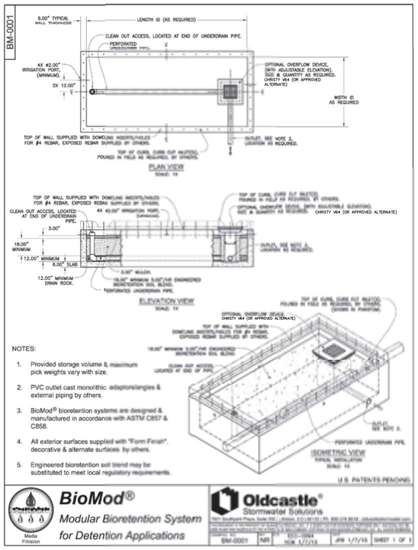
II.D. ADDRESS:
14573 BIG BASIN WAY
SARATOGA, CA 95070

SOURCE CONTROL MEASURES:

1. CONNECT THE FOLLOWING FEATURES TO SANITARY SEWER:
   a. COVERED TRASH/ RECYCLING ENCLOSURES.
   b. COVERED LOADING DOCKS AND MAINTENANCE BAYS.
2. BENEFICIAL LANDSCAPING.
3. USE OF WATER EFFICIENT IRRIGATION SYSTEMS.
4. MAINTENANCE (PAVEMENT SWEEPING, CATCH BASIN CLEANING, GOOD HOUSEKEEPING).
5. STORM DRAIN LABELING.

SITE DESIGN MEASURES:

1. PROTECT EXISTING TREES, VEGETATION, AND SOIL.
2. REDUCE EXISTING IMPERVIOUS SURFACES.
3. CREATE NEW PERVIOUS AREAS:
4. LANDSCAPING
   a. PARKING STALLS.
   b. PRIVATE STREETS AND SIDEWALKS.
5. DIRECT RUNOFF FROM ROOFS, SIDEWALKS, PATIOS TO LANDSCAPED AREAS.
6. CLUSTER STRUCTURES/PAVEMENT.
7. PLANT TREES ADJACENT TO AND IN PARKING AREAS AND ADJACENT TO OTHER IMPERVIOUS AREAS.
8. PARKING:
   a. NOT PROVIDED IN EXCESS OF CODE.



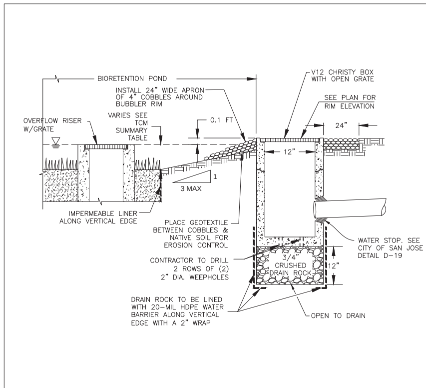
PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE

a. Total Site Area: 9.18 acre	b. Total Site Area Disturbed: [illegible] acre [illegible]				
Impervious Area[1] (IA)	Pre-project (Existing) IA (ft²)	Existing IA Retained As-Is (ft²)	Existing IA Replaced with IA (ft²)	New IA Created (ft²)	Total Post-Project IA (ft²)
Roof	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Surface Parking	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Sidewalks, streets, etc.	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
c. Total Impervious Area	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
d. Total new and replaced impervious area			[illegible]		
Pervious Area (PA)	Pre-project (Existing) PA (ft²)				Total Post-Project PA (ft²)
Landscaping[2]	[illegible]				[illegible]
Pervious Paving	[illegible]				[illegible]
Other (e.g. Green Roof)	[illegible]				[illegible]
e. Total Pervious Area	[illegible]				[illegible]
f. Total Area (IA+PA)	[illegible]				[illegible]
g. Percent Replacement of IA in Redevelopment Projects [illegible]					[illegible] %

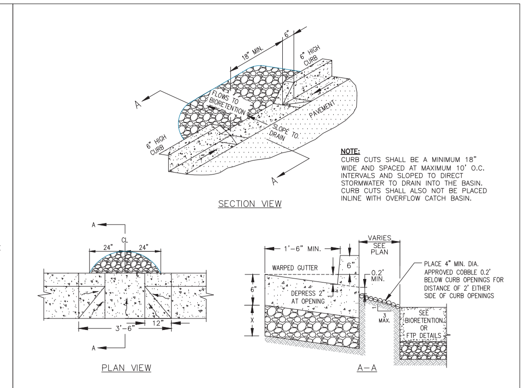
TREATMENT CONTROL MEASURE SUMMARY TABLE

DMA #	TCM #	Location	Treatment Type	LID or Non-LID	Sizing Method	Drainage Area (s.f.)	Impervious Area (s.f.)	Pervious Area (Permeable Pavement) (s.f.)	Pervious Area (Other) (s.f.)	% Onsite Area Treated by LID or Non-LID TCM	Bioretention Area Required (s.f.)	Bioretention Area Provided (s.f.)	Overflow Riser Height (in)	Comments
1	1	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	20,439	17,019	0	3,420	5.11%	433	565	6	
2	2	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	11,358	10,718	0	640	2.84%	248	320	6	
3	3	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	120,939	112,100	0	8,839	30.23%	2,622	3,400	6	
4	4	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	19,400	17,203	0	2,197	4.85%	417	434	11	
5	5	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	50,925	39,678	0	11,247	12.73%	1,061	1,335	7	
6	6	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	10,889	7,957	0	2,932	2.72%	224	295	6	
7	7	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	17,148	9,893	0	7,255	4.29%	335	450	6	
8	8	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	32,265	17,253	0	15,012	8.07%	620	838	6	
9	9	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	23,258	14,409	0	8,849	5.81%	461	617	6	
10	10	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	33,283	22,694	0	10,589	8.32%	673	893	6	
11	11	Onsite	Bioretention lined* w/ underdrain	LID	3. Flow-Volume Combo	60,134	50,252	0	9,882	15.03%	1,273	1,664	6	
					Totals:	400,038	319,176	0	80,862	100.00%				

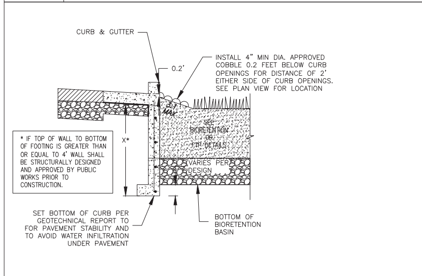
Footnotes:
* "Lined" refers to an impermeable liner placed on the bottom of a Bioretention basin or a concrete Flow-Through Planter, such that no infiltration into native soil occurs.



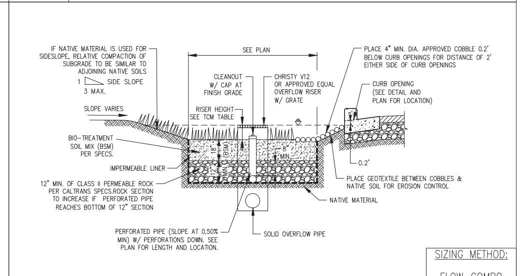
1 BUBBLER BOX DETAIL N.T.S.



2 CURB OPENING N.T.S.



3 CURB ADJACENT TO BIORETENTION N.T.S.



4 BIORETENTION BASIN W/ LINER N.T.S.

TABLE 1 ROUTINE MAINTENANCE ACTIVITIES FOR BIORETENTION AREAS		
NO.	**MAINTENANCE TASK**	**FREQUENCY OF TASK**
1	REMOVE OBSTRUCTIONS, WEEDS, DEBRIS AND TRASH FROM BIORETENTION AREA AND ITS INLETS AND OUTLETS; AND DISPOSE OF PROPERLY.	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
2	INSPECT BIORETENTION AREA FOR STANDING WATER. IF STANDING WATER DOES NOT DRAIN WITHIN 2-3 DAYS, TILL AND REPLACE THE SURFACE BIOTREATMENT SOIL WITH THE APPROVED SOIL MIX AND REPLANT.	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
3	CHECK UNDERDRAINS FOR CLOGGING. USE THE CLEANOUT RISER TO CLEAN ANY CLOGGED UNDERDRAINS.	QUARTERLY, OR AS NEEDED AFTER STORM EVENTS
4	MAINTAIN THE IRRIGATION SYSTEM AND ENSURE THAT PLANTS ARE RECEIVING THE CORRECT AMOUNT OF WATER (IF APPLICABLE).	QUARTERLY
5	ENSURE THAT THE VEGETATION IS HEALTHY AND DENSE ENOUGH TO PROVIDE FILTERING AND PROTECT SOILS FROM EROSION. PRUNE AND WEED THE BIORETENTION AREA. REMOVE AND/OR REPLACE ANY DEAD PLANTS.	ANNUALLY, BEFORE THE WET SEASON BEGINS
6	USE COMPOST AND OTHER NATURAL SOIL AMENDMENTS AND FERTILIZERS INSTEAD OF SYNTHETIC FERTILIZERS, ESPECIALLY IF THE SYSTEM USES AN UNDERDRAIN.	ANNUALLY, BEFORE THE WET SEASON BEGINS
7	CHECK THAT MULCH IS AT APPROPRIATE DEPTH (2 - 3 INCHES PER SOIL SPECIFICATIONS) AND REPLENISH AS NECESSARY BEFORE WET SEASON BEGINS. IT IS RECOMMENDED THAT 2" – 3" OF ARBOR MULCH BE REAPPLIED EVERY YEAR.	ANNUALLY, BEFORE THE WET SEASON BEGINS
8	INSPECT THE ENERGY DISSIPATION AT THE INLET TO ENSURE IT IS FUNCTIONING ADEQUATELY, AND THAT THERE IS NO SCOUR OF THE SURFACE MULCH. REMOVE ACCUMULATED SEDIMENT.	ANNUALLY, BEFORE THE WET SEASON BEGINS
9	INSPECT OVERFLOW PIPE TO ENSURE THAT IT CAN SAFELY CONVEY EXCESS FLOWS TO A STORM DRAIN. REPAIR OR REPLACE DAMAGED PIPING.	ANNUALLY, BEFORE THE WET SEASON BEGINS
10	REPLACE BIOTREATMENT SOIL AND MULCH, IF NEEDED. CHECK FOR STANDING WATER, STRUCTURAL FAILURE AND CLOGGED OVERFLOWS. REMOVE TRASH AND DEBRIS. REPLACE DEAD PLANTS.	
11	INSPECT BIORETENTION AREA USING THE ATTACHED INSPECTION CHECKLIST.	ANNUALLY, BEFORE THE WET SEASON

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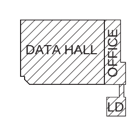
STORMWATER CONTROL DETAILS

04.09.2020



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SIZING FOR VOLUME BASED TREATMENT

DMA # 1
A= 20,439 s.f.
Impervious Area = 17,019 s.f. % Imperviousness= 83.27%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.52512858 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.54980185 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.52512858 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5402402 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 920.16 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 20,439 sq. ft
Impervious Area = 17,019 sq. ft
Pervious Area = 3,420 sq. ft
Equivalent Impervious Area = 342 sq. ft Total Equivalent Impervious = **17,361** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.701201 hrs

Estimate the Surface Area = 365 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 635.90773 cu. ft
Volume in Ponding Area = 284.25838 cu. ft
Depth of Ponding = 0.5031986 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 2
A= 11,322 s.f.
Impervious Area = 10,691 s.f. % Imperviousness= 94.43%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.55872302 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.58328034 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.55872302 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5748302 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 543.30 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 11,322 sq. ft
Impervious Area = 10,691 sq. ft
Pervious Area = 631 sq. ft
Equivalent Impervious Area = 63 sq. ft Total Equivalent Impervious = **10,754** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.8791508 hrs

Estimate the Surface Area = 320 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 383.88677 cu. ft
Volume in Ponding Area = 159.40898 cu. ft
Depth of Ponding = 0.4981531 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 3
A= 120,939 s.f.
Impervious Area = 112,100 s.f. % Imperviousness= 92.69%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.55434321 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.57807407 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.55434321 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5702955 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 5,747.69 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 120,939 sq. ft
Impervious Area = 112,100 sq. ft
Pervious Area = 8,839 sq. ft
Equivalent Impervious Area = 884 sq. ft Total Equivalent Impervious = **112,984** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.8514776 hrs

Estimate the Surface Area = 3400 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 4038.5933 cu. ft
Volume in Ponding Area = 1707.9878 cu. ft
Depth of Ponding = 0.5023493 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 4
A= 19,400 s.f.
Impervious Area = 17,203 s.f. % Imperviousness= 88.68%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.54189933 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.56802577 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.54189933 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5574874 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 901.27 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 19,400 sq. ft
Impervious Area = 17,203 sq. ft
Pervious Area = 2,197 sq. ft
Equivalent Impervious Area = 220 sq. ft Total Equivalent Impervious = **17,423** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.7874366 hrs

Estimate the Surface Area = 434 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 504.06148 cu. ft
Volume in Ponding Area = 397.20974 cu. ft
Depth of Ponding = 0.9152298 ft Depth of Ponding = 11 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 5
A= 50,925 s.f.
Impervious Area = 39,675 s.f. % Imperviousness= 77.91%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.5085352 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.53374374 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.5085352 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5231693 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 2,220.20 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 50,925 sq. ft
Impervious Area = 39,675 sq. ft
Pervious Area = 11,247 sq. ft
Equivalent Impervious Area = 1,125 sq. ft Total Equivalent Impervious = **40,800** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.6158465 hrs

Estimate the Surface Area = 1335 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 1450.0646 cu. ft
Volume in Ponding Area = 785.13511 cu. ft
Depth of Ponding = 0.5731349 ft Depth of Ponding = 6.9 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 6
A= 10,689 s.f.
Impervious Area = 7,957 s.f. % Imperviousness= 73.07%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.49352861 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.51922123 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.49352861 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5077309 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 460.72 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 10,689 sq. ft
Impervious Area = 7,957 sq. ft
Pervious Area = 2,932 sq. ft
Equivalent Impervious Area = 293 sq. ft Total Equivalent Impervious = **8,250** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.5386543 hrs

Estimate the Surface Area = 285 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 312.04293 cu. ft
Volume in Ponding Area = 148.58052 cu. ft
Depth of Ponding = 0.5040018 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 7
A= 17,148 s.f.
Impervious Area = 9,893 s.f. % Imperviousness= 57.69%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.44584476 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.47307558 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.44584476 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.4586749 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 655.45 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 17,148 sq. ft
Impervious Area = 9,893 sq. ft
Pervious Area = 7,255 sq. ft
Equivalent Impervious Area = 726 sq. ft Total Equivalent Impervious = **10,619** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.2933741 hrs

Estimate the Surface Area = 450 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 430.00765 cu. ft
Volume in Ponding Area = 225.43468 cu. ft
Depth of Ponding = 0.5008748 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 8
A= 32,265 s.f.
Impervious Area = 17,253 s.f. % Imperviousness= 53.47%

MAPsite = 14.3 Correction Factor= 1.0288
MAPgage = 13.9

Clay (C): X Sandy Clay (D): Clay Loam (D):
Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type:

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.43276569 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.46041841 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.43276569 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.4452194 inches
Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1ft/12 inch

Design Volume = 1,197.08 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 32,265 sq. ft
Impervious Area = 17,253 sq. ft
Pervious Area = 15,012 sq. ft
Equivalent Impervious Area = 1,501 sq. ft Total Equivalent Impervious = **18,754** sq. ft
Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.2269969 hrs

Estimate the Surface Area = 638 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 777.27883 cu. ft
Volume in Ponding Area = 419.80477 cu. ft
Depth of Ponding = 0.5009603 ft Depth of Ponding = 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

Project Number: 19110.0000

SKYBOX CONSTRUCTION | CORGAN | RUTH AND GOING, INC. | CRITICAL PROJECT SERVICES, LLC | kW mission critical engineering | REED ASSOCIATES LANDSCAPE ARCHITECTURE

PRELIMINARY STORMWATER CALCULATIONS

04.09.2020

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SIZING FOR VOLUME BASED TREATMENT

DMA # 9
A= 23,258 s.f.
Impervious Area = 14,409 s.f. % Imperviousness= 61.95%

MAPsize = 14.3 Correction Factor= 1.0288
MAPpage = 13.9

Clay (D): X Sandy Clay (D): Clay Loam (D):

Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.45905392 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.48565863 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.46906392 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.4722641 inches

Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1/12 inch

Design Volume = 915.33 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 23,258 sq. ft
Impervious Area = 14,409 sq. ft
Pervious Area = 8,849 sq. ft
Equivalent Impervious Area = 885 sq. ft Total Equivalent Impervious = **15,294** sq. ft

Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.3613205 hrs

Estimate the Surface Area = 517 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 807.05615 cu. ft
Volume in Ponding Area = 308.27039 cu. ft
Depth of Ponding = 0.4996279 ft Depth of Ponding > 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 10
A= 33,283 s.f.
Impervious Area = 22,694 s.f. % Imperviousness= 68.18%

MAPsize = 14.3 Correction Factor= 1.0288
MAPpage = 13.9

Clay (D): X Sandy Clay (D): Clay Loam (D):

Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.47637337 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.50455488 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.47637337 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.4921395 inches

Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1/12 inch

Design Volume = 1,364.99 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 33,283 sq. ft
Impervious Area = 22,694 sq. ft
Pervious Area = 10,589 sq. ft
Equivalent Impervious Area = 1,059 sq. ft Total Equivalent Impervious = **23,753** sq. ft

Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.4686976 hrs

Estimate the Surface Area = 893 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 915.58455 cu. ft
Volume in Ponding Area = 449.4054 cu. ft
Depth of Ponding = 0.5032535 ft Depth of Ponding > 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

SIZING FOR VOLUME BASED TREATMENT

DMA # 11
A= 60,134 s.f.
Impervious Area = 50,252 s.f. % Imperviousness= 83.57%

MAPsize = 14.3 Correction Factor= 1.0288
MAPpage = 13.9

Clay (D): X Sandy Clay (D): Clay Loam (D):

Silt Loam/Loam (B): Not Applicable (100% Impervious):

Are the soils outside the building footprint graded/compacted? No Yes/No

If yes, and the soil will be compacted during site preparation and grading, the soil infiltration rate will be decreased. Modify your answer to a soil with a lower infiltration rate (eg. Silt Loam to Clay).
Modified Soil Type

S= 1.00%
UBS Volume for 1% Slope (UBS1%) = 0.52605677 inches (Use Figure B-2)
UBS Volume for 15% Slope (UBS15%) = 0.5507001 inches (Use Figure B-5)

UBS Volume for X% Slope (UBSX%) = 0.52605677 inches (Corrected Slope for the site)

Adjusted UBS = Correction Factor (Step 2) x UBSx% (Step 5)

Adjusted UBS = 0.5411951 inches

Design Volume = Adjusted UBS (Step 6) x Drainage Area (Step 1) x 1/12 inch

Design Volume = 2,712.02 ft^3

COMBO FLOW & VOLUME BIORETENTION CALCULATION

Total Drainage Area = 60,134 sq. ft
Impervious Area = 50,252 sq. ft
Pervious Area = 9,882 sq. ft
Equivalent Impervious Area = 988 sq. ft Total Equivalent Impervious = **51,240** sq. ft

Rainfall Intensity = 0.2 in/hr
Duration = Adjusted UBS (Step 6) / Rainfall Intensity
Duration = 2.7069755 hrs

Estimate the Surface Area = 1664 sq. ft (Typically start with Total Impervious x 0.03)
Volume of Treated Runoff = 1876.143 cu. ft
Volume in Ponding Area = 835.87583 cu. ft
Depth of Ponding = 0.5023292 ft Depth of Ponding > 6 inches (Round up)

If Depth of Ponding is less than 6" the design can be optimized with a smaller surface area. (repeat)
If Depth of Ponding is greater than 12" a larger surface area will be required. (repeat)
If Depth of Ponding is between 6" to 12" this is the range allowable for Bioretention or Flow-Through Planters.

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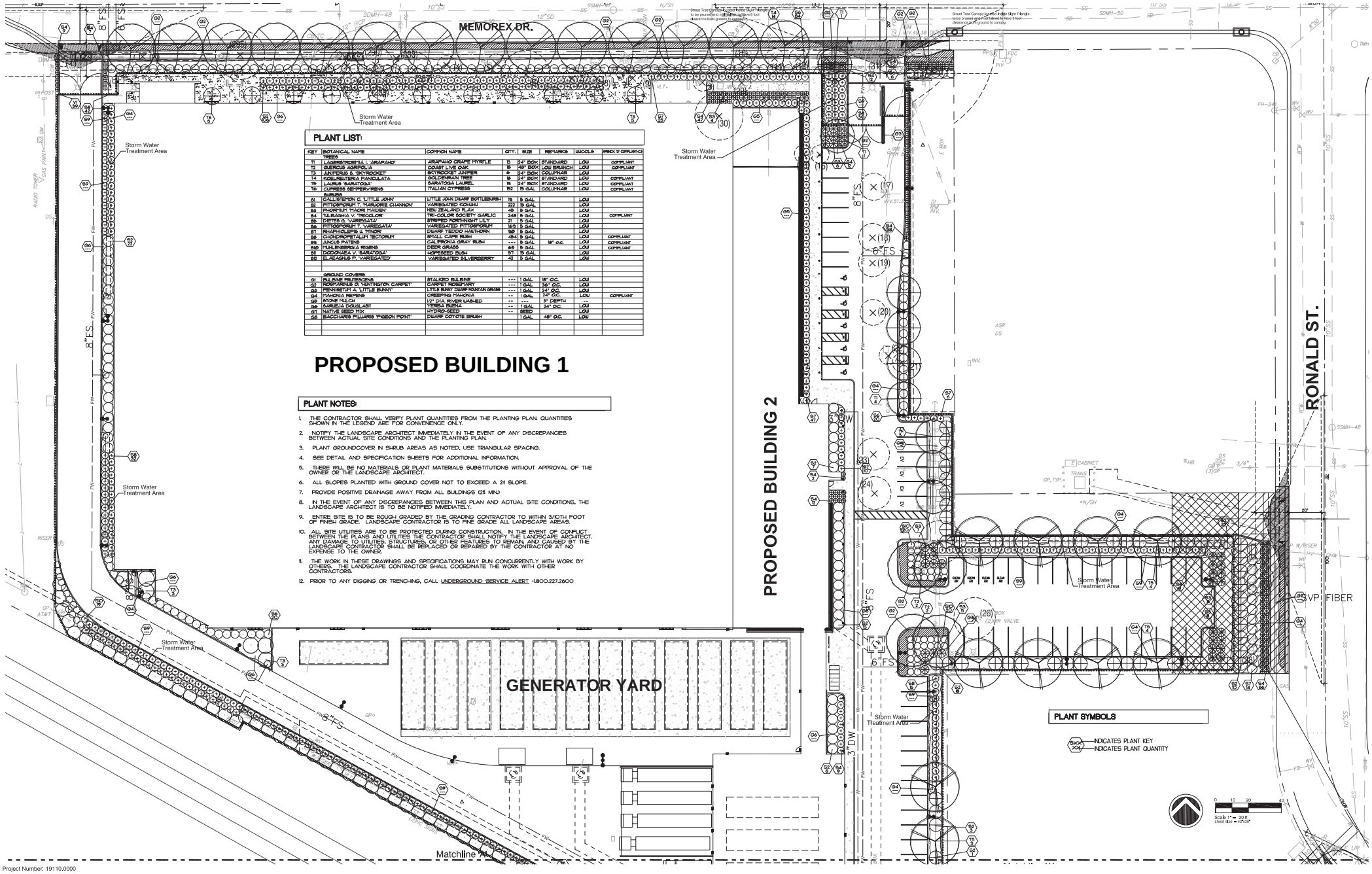

PLANT LIST:

KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	W.UCOLS	#BOX 5' COMPLIANT
	TREES						
T1	LAGERSTROEMIA I. 'ARAPAHO'	ARAPAHO CRAPE MYRTLE	15	24" BOX	STANDARD	LOW	COMPLIANT
T2	QUERCUS AGRIFOLIA	COAST LIVE OAK	18	48" BOX	LOW BRANCH	LOW	COMPLIANT
T3	JUNIPERUS S. 'SKYROCKET'	SKYROCKET JUNIPER	6	24" BOX	COLUMNAR	LOW	
T4	KOELREUTERIA PANICULATA	GOLDENRAIN TREE	18	24" BOX	STANDARD	LOW	COMPLIANT
T5	LAURUS S.'SARATOGA'	SARATOGA LAUREL	15	24" BOX	STANDARD	LOW	COMPLIANT
T6	CUPRESS SEMPERVIRENS	ITALIAN CYPRESS	52	15 GAL	COLUMNAR	LOW	COMPLIANT
	SHRUBS						
S1	CALLISTEMON C. 'LITTLE JOHN'	LITTLE JOHN DWARF BOTTLEBRUSH	19	5 GAL		LOW	
S2	PITTOSPORUM T. 'MARJORIE CHANNON'	VARIEGATED KOHUHU	222	5 GAL		LOW	
S3	PHORMIUM 'MAORI MAIDEN'	NEW ZEALAND FLAX	49	5 GAL		LOW	
S4	TULBAGHIA V. 'TRICOLOR'	TRI-COLOR SOCIETY GARLIC	248	5 GAL		LOW	COMPLIANT
S5	DIETES G. 'VARIEGATA'	STRIPED FORTNIGHT LILY	21	5 GAL		LOW	
S6	PITTOSPORUM T. 'VARIEGATA'	VARIEGATED PITTOSPORUM	165	5 GAL		LOW	
S7	RHAPHIOLEPIS I. 'PINKIE'	DWARF YEDDO HAWTHORN	50	5 GAL		LOW	
S8	CHONDROPETALUM TECTORUM	SMALL CAPE RUSH	454	5 GAL		LOW	COMPLIANT
S9	JUNCUS PATENS	CALIFORNIA GRAY RUSH	---	5 GAL	18" o.c.	LOW	COMPLIANT
S10	MUHLENBERGIA RIGENS	DEER GRASS	65	5 GAL		LOW	COMPLIANT
S11	DODONAEA V. 'SARATOGA'	HOPSEED BUSH	97	5 GAL		LOW	
S12	ELAEAGNUS P. 'VARIEGATED'	VARIEGATED SILVERBERRY	42	5 GAL		LOW	
	GROUND COVERS						
G1	BULBINE FRUTESCENS	STALKED BULBINE	---	1 GAL	18" O.C.	LOW	
G2	ROSMARINUS O. 'LENTINSTON CARPET'	CARPET ROSEMARY	--	1 GAL	36" O.C.	LOW	
G3	PENNISETUM A. 'LITTLE BUNNY'	LITTLE BUNNY DWARF FOUNTAIN GRASS	---	1 GAL	24" O.C.	LOW	
G4	TRACHELO R. REPENS	CREEPING TRACHELO	--	1 GAL	24" O.C.	LOW	COMPLIANT
G5	STONE MULCH	1/2" DIA RIVER WASHED	--	---	3" DEPTH	--	
G6	SALVIA DOUGLASII	YERBA BUENA	--	1 GAL	24" O.C.	LOW	
G7	NATIVE SEED MIX	HYDRO-SEED	--	SEED		LOW	
G8	BACCHARIS PILLARIS 'PIGEON POINT'	DWARF COYOTE BRUSH		1 GAL	48" O.C.	LOW	

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN THE LEGEND ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUNDCOVER IN SHRUB AREAS AS NOTED, USE TRIANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. ALL SLOPES PLANTED WITH GROUND COVER NOT TO EXCEED A 2:1 SLOPE.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS (2% MIN)
8. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THIS PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
9. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GRADING CONTRACTOR TO WITHIN 3/10TH FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
10. ALL SITE UTILITIES ARE TO BE PROTECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN, AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
11. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MAY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
12. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT -1.800.227.2600

Project Number: 19110.0000

SKYBOX
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RUTH AND GOING, INC.
CRITICAL PROJECT SERVICES, LLC
kW mission critical engineering
REED ASSOCIATES LANDSCAPE ARCHITECTURE

LANDSCAPE PLANTING PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT
PATRI JAY REED
No. 5496
EXP. 9/30/2021
STATE OF CALIFORNIA

DATA HALL
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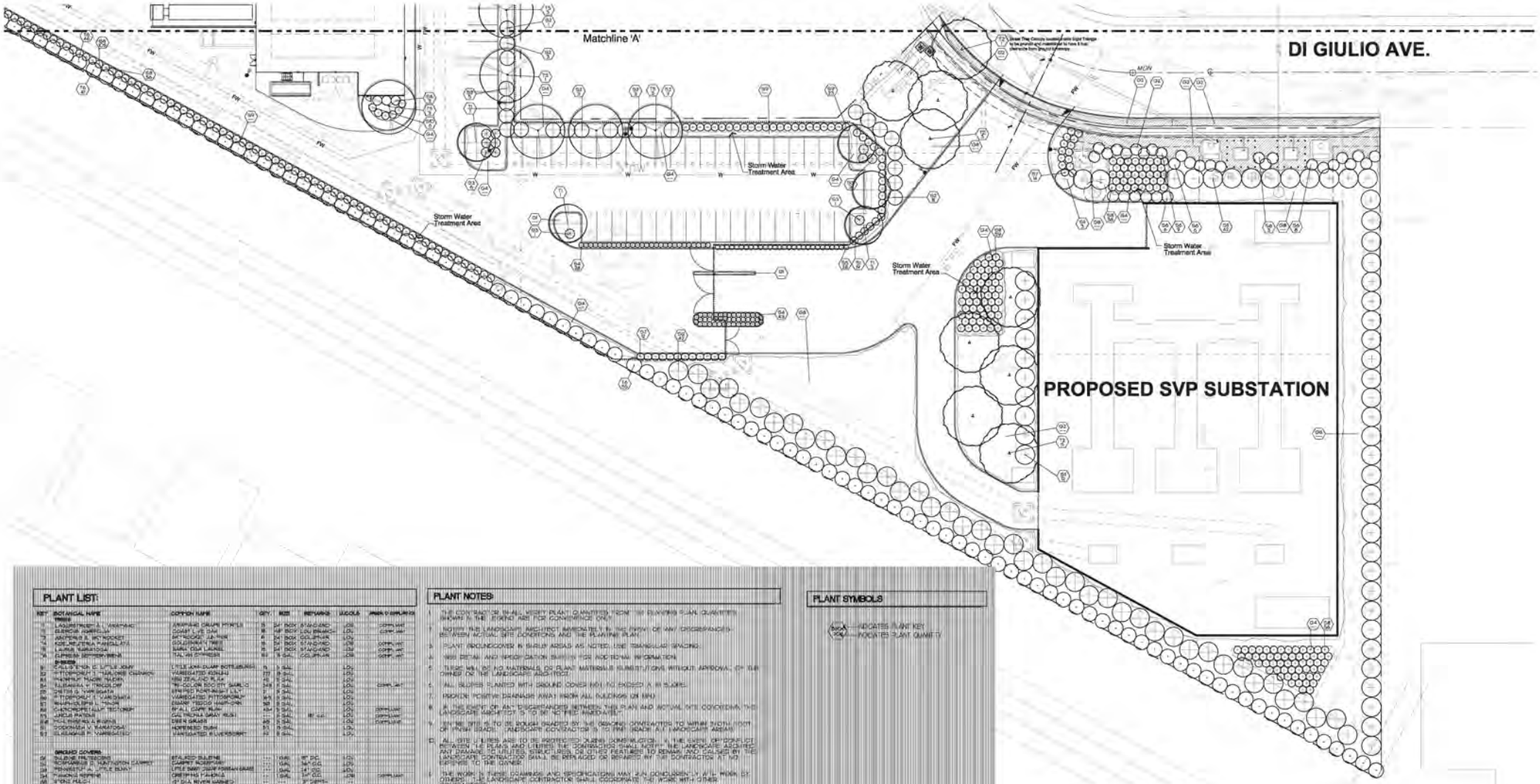

PLANT LIST:

KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	WUCOLS	WMWD WORKSHEET
	TREES						
T1	LAGERSTROEMIA L. 'WATANABE'	ARAPAHO CRAPE MYRTLE	5	24" BOX	STANDARD	LOW	COMPLIANT
T2	QUERCUS AGRIFOLIA	COAST LIVE OAK	8	48" BOX	LOW BRANCH	LOW	COMPLIANT
T3	JUNIPERUS S. 'SKYROCKET'	SKYROCKET JUNIPER	6	24" BOX	COLUMNAR	LOW	
T4	KOELREUTERIA PANICULATA	GOLDEN RAIN TREE	5	24" BOX	STANDARD	LOW	COMPLIANT
T5	LAURUS NOBILIS 'SARATOGA'	SWEET BAY LAUREL	5	24" BOX	STANDARD	LOW	COMPLIANT
T6	CUPRESSUS SEMPERVIRENS	ITALIAN CYPRESS	53	5 GAL.	COLUMNAR	LOW	COMPLIANT
	SHRUBS						
S1	CALLISTEMON C. 'LITTLE JOHN'	LITTLE JOHN BUNNY BOTTLEBRUSH	5	5 GAL.		LOW	
S2	PITTOSPORUM T. 'WILDWOOD CHARM'	VARIEGATED FOREM	77	5 GAL.		LOW	
S3	CHAMAEROP TRACHY. MUNDI	WIND SEA PALM FLAX	15	5 GAL.		LOW	
S4	ELEAGNUS V. 'PINCOLOR'	TRI-COLOR BOG TH SAILOR	149	5 GAL.		LOW	COMPLIANT
S5	PHTIS S. 'VARIGATA'	WHITED KUNFAUGHT LILY	7	5 GAL.		LOW	
S6	PITTOSPORUM T. 'VARIGATA'	VARIEGATED PITTOSPORUM	45	5 GAL.		LOW	
S7	RHAPHIOLEPIS I. 'TRIOM'	EMBER TRIOO HAWTHORN	58	5 GAL.		LOW	
S8	CHONOPETALUP TECTORUM	SMALL CAPE RUSH	454	5 GAL.		LOW	COMPLIANT
S9	JUNCUS PATENS	CALIFORNIA GRAY RUSH	11	5 GAL.	36" O.C.	LOW	COMPLIANT
S10	POLYSTICHUM A. ACULEA	SWORD GRASS	48	5 GAL.		LOW	COMPLIANT
S11	COCKIMASA V. 'SARATOGA'	HOPEMESS BUSH	53	5 GAL.		LOW	
S12	ELEAGNUS P. 'VARIEGATED'	VARIEGATED FLOWERSHRUB	29	5 GAL.		LOW	
	GROUND COVERS						
G1	SILENE PRUTECORS	STALKED SILENE	---	GAL.	36" O.C.	LOW	
G2	ROSMARINUS O. 'MINTUSTON CAMPIT'	CAMPIT ROSEMARY	---	GAL.	36" O.C.	LOW	
G3	PENNISETUM A. 'LITTLE BUNNY'	LITTLE BUNNY FOUNTAIN GRASS	---	GAL.	18" O.C.	LOW	
G4	FRAGARIA CHILOENSIS	CHILEAN STRAWBERRY	---	GAL.	24" O.C.	LOW	COMPLIANT
G5	ZONO HELICT	GOLD BLUE RIVER MARINEO	---	---	3" DEPTH	---	
G6	SLAMICA CONCLAR	TERSILA BUGLE	---	GAL.	24" O.C.	LOW	
G7	NATIVE SEED MIX	HYDRO-SEED	---	SEED	---	LOW	
G8	BACCHARIS PILULARIS 'PIGEON POINT'	DWARF COYOTE BRUSH	---	GAL.	48" O.C.	LOW	

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES "CONTAINER" SHOWN ON PLANTING PLANS QUANTITIES SHOWN IN THE PLANTING ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUNDCOVER IN SHRUB AREAS AS NOTED, USE TRIANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. ALL SLOPES PLANTED WITH GROUND COVER NO LONGER EXCEED A 3:1 SLOPE.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS OR BPU.
8. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
9. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GENERAL CONTRACTOR TO WITHIN TENTH OF FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
10. ALL SITE UTILITIES ARE TO BE INSPECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S NO EXPENSE TO THE OWNER.
11. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MAY BE CONDUCTED IN A NUMBER OF OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
12. PRIOR TO ANY DIGGING OR TRENCHING CALL UNDERGROUND SERVICE ALERT (800)227-2600.

PLANT SYMBOLS

KEY — INDICATES PLANT KEY
QTY — INDICATES PLANT QUANTITY

Scale 1" = 20 ft
Sheet size = 40"x24"

Project Number: 19110.0000

SKYBOX
CORGAN
RG RUTH AND GOBEL, INC.
CRITICAL
kW
REED ASSOCIATES

LANDSCAPE PLANTING PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT
PAUL JAY REED
No. 2008
STATE OF CALIFORNIA

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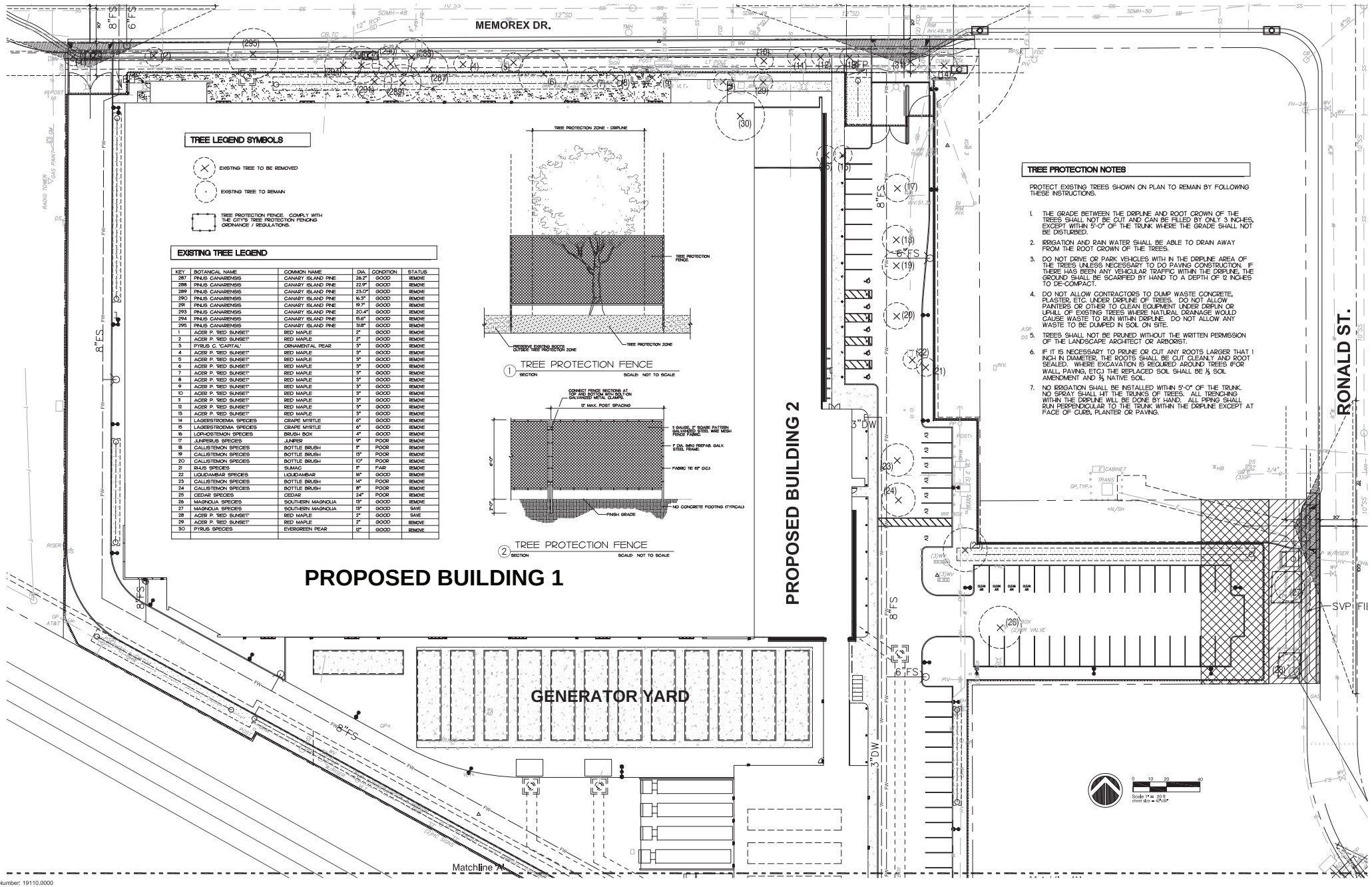

EXISTING TREE LEGEND

KEY	BOTANICAL NAME	COMMON NAME	DIA.	CONDITION	STATUS
287	PINUS CANARIENSIS	CANARY ISLAND PINE	26.2"	GOOD	REMOVE
288	PINUS CANARIENSIS	CANARY ISLAND PINE	22.9"	GOOD	REMOVE
289	PINUS CANARIENSIS	CANARY ISLAND PINE	23.0"	GOOD	REMOVE
290	PINUS CANARIENSIS	CANARY ISLAND PINE	16.3"	GOOD	REMOVE
291	PINUS CANARIENSIS	CANARY ISLAND PINE	19.7"	GOOD	REMOVE
293	PINUS CANARIENSIS	CANARY ISLAND PINE	20.4"	GOOD	REMOVE
294	PINUS CANARIENSIS	CANARY ISLAND PINE	15.6"	GOOD	REMOVE
295	PINUS CANARIENSIS	CANARY ISLAND PINE	31.8"	GOOD	REMOVE
1	ACER P. "RED SUNSET"	RED MAPLE	2"	GOOD	REMOVE
2	ACER P. "RED SUNSET"	RED MAPLE	2"	GOOD	REMOVE
3	PYRUS C. "CAPITAL"	ORNAMENTAL PEAR	3"	GOOD	REMOVE
4	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
5	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
6	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
7	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
8	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
9	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
10	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
11	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
12	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
13	ACER P. "RED SUNSET"	RED MAPLE	3"	GOOD	REMOVE
14	LAGERSTROEMIA SPECIES	CRAPE MYRTLE	6"	GOOD	REMOVE
15	LAGERSTROEMIA SPECIES	CRAPE MYRTLE	6"	GOOD	REMOVE
16	LOPHOSTEMON SPECIES	BRUSH BOX	4"	GOOD	REMOVE
17	JUNIPERUS SPECIES	JUNIPER	9"	POOR	REMOVE
18	CALLISTEMON SPECIES	BOTTLE BRUSH	11"	POOR	REMOVE
19	CALLISTEMON SPECIES	BOTTLE BRUSH	13"	POOR	REMOVE
20	CALLISTEMON SPECIES	BOTTLE BRUSH	10"	POOR	REMOVE
21	RHUS SPECIES	SUMAC	11"	FAIR	REMOVE
22	LIQUIDAMBAR SPECIES	LIQUIDAMBAR	16"	GOOD	REMOVE
23	CALLISTEMON SPECIES	BOTTLE BRUSH	14"	POOR	REMOVE
24	CALLISTEMON SPECIES	BOTTLE BRUSH	8"	POOR	REMOVE
25	CEDAR SPECIES	CEDAR	24"	POOR	REMOVE
26	MAGNOLIA SPECIES	SOUTHERN MAGNOLIA	13"	GOOD	SAVE
27	MAGNOLIA SPECIES	SOUTHERN MAGNOLIA	13"	GOOD	SAVE
28	ACER P. "RED SUNSET"	RED MAPLE	2"	GOOD	SAVE
29	ACER P. "RED SUNSET"	RED MAPLE	2"	GOOD	REMOVE
30	PYRUS SPECIES	EVERGREEN PEAR	12"	GOOD	REMOVE

Project Number: 19110.0000

SKYBOX
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RUTH AND GOING, INC.
CRITICAL PROJECT SERVICES, LLC
kW mission critical engineering
REED ASSOCIATES LANDSCAPE ARCHITECTURE

EXISTING TREE PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT
PAUL JAY BEED
No. 2002
EXP. 9/30/2021
STATE OF CALIFORNIA

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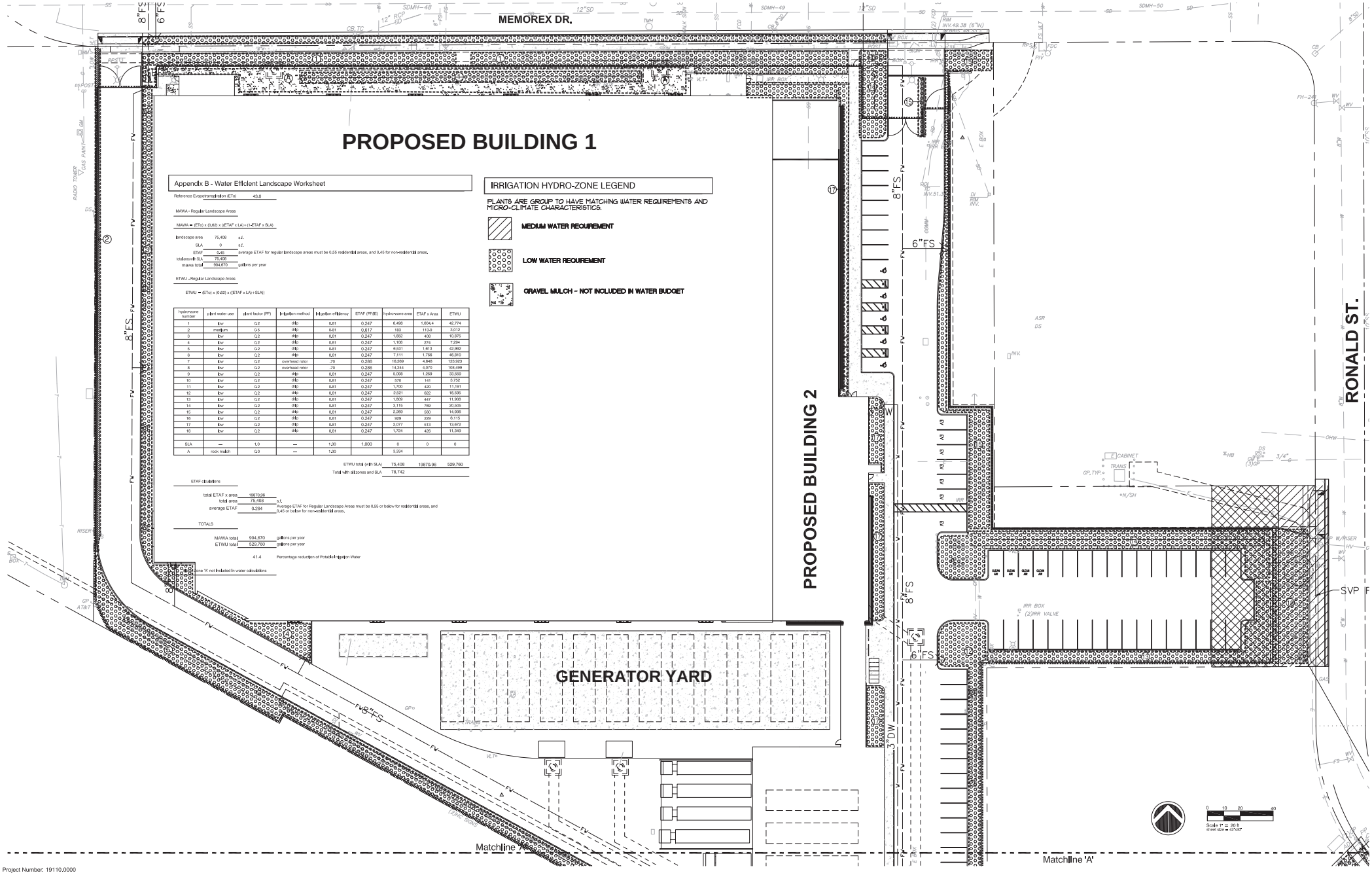

Appendix B - Water Efficient Landscape Worksheet

Reference Evapotranspiration (ETo) 43.0

MAWA - Regular Landscape Areas

MAWA = (ETo) x (0.62) x ((ETAF x LA) + (1-ETAF x SLA))

landscape area	75,408	s.f.
SLA	0	s.f.
ETAF	0.45	average ETAF for regular landscape areas must be 0.55 residential areas, and 0.45 for non-residential areas.
total area with SLA	75,408	
mawa total	994,670	gallons per year

ETWU - Regular Landscape Areas

ETWU = (ETo) x (0.62) x ((ETAF x LA) + SLA))

hydro-zone number	plant water use	plant factor (PF)	irrigation method	irrigation efficiency	ETAF (PF/IE)	hydro-zone area	ETAF x Area	ETWU
1	low	0.2	drip	0.81	0.247	6,495	1,604.4	42,774
2	medium	0.5	drip	0.81	0.617	183	113.0	3,012
3	low	0.2	drip	0.81	0.247	1,662	408	10,875
4	low	0.2	drip	0.81	0.247	1,108	274	7,294
5	low	0.2	drip	0.81	0.247	6,531	1,613	42,992
6	low	0.2	drip	0.81	0.247	7,111	1,756	46,810
7	low	0.2	overhead rotor	.70	0.286	16,269	4,648	123,923
8	low	0.2	overhead rotor	.70	0.286	14,244	4,070	108,499
9	low	0.2	drip	0.81	0.247	5,098	1,259	33,559
10	low	0.2	drip	0.81	0.247	570	141	3,752
11	low	0.2	drip	0.81	0.247	1,700	420	11,191
12	low	0.2	drip	0.81	0.247	2,521	622	16,595
13	low	0.2	drip	0.81	0.247	1,809	447	11,908
14	low	0.2	drip	0.81	0.247	3,115	769	20,505
15	low	0.2	drip	0.81	0.247	2,269	560	14,936
16	low	0.2	drip	0.81	0.247	929	229	6,115
17	low	0.2	drip	0.81	0.247	2,077	513	13,672
18	low	0.2	drip	0.81	0.247	1,724	426	11,349
SLA	—	1.0	—	1.00	1.000	0	0	0
A	rock mulch	0.0	—	1.00		3,334		

ETWU total (with SLA)	75,408	19670.96	529,760
Total with all zones and SLA	78,742		

ETAF calculations

total ETAF x area	19670.96	
total area	75,408	s.f.
average ETAF	0.264	Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

TOTALS

MAWA total	994,670	gallons per year
ETWU total	529,760	gallons per year
	41.4	Percentage reduction of Potable Irrigation Water

Zone 'A' not included in water calculations

IRRIGATION HYDRO-ZONE LEGEND

PLANTS ARE GROUP TO HAVE MATCHING WATER REQUIREMENTS AND MICRO-CLIMATE CHARACTERISTICS.

MEDIUM WATER REQUIREMENT

LOW WATER REQUIREMENT

GRAVEL MULCH - NOT INCLUDED IN WATER BUDGET

Project Number: 19110.0000

SKYBOX

CORGAN

RG RUTH AND GOING, INC.

CRITICAL PROJECT SERVICES, LLC

kW mission critical engineering

REED ASSOCIATES LANDSCAPE ARCHITECTURE

LANDSCAPE HYDROZONE PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL VAN REED No. 2002 EXP. 9/30/2021 STATE OF CALIFORNIA

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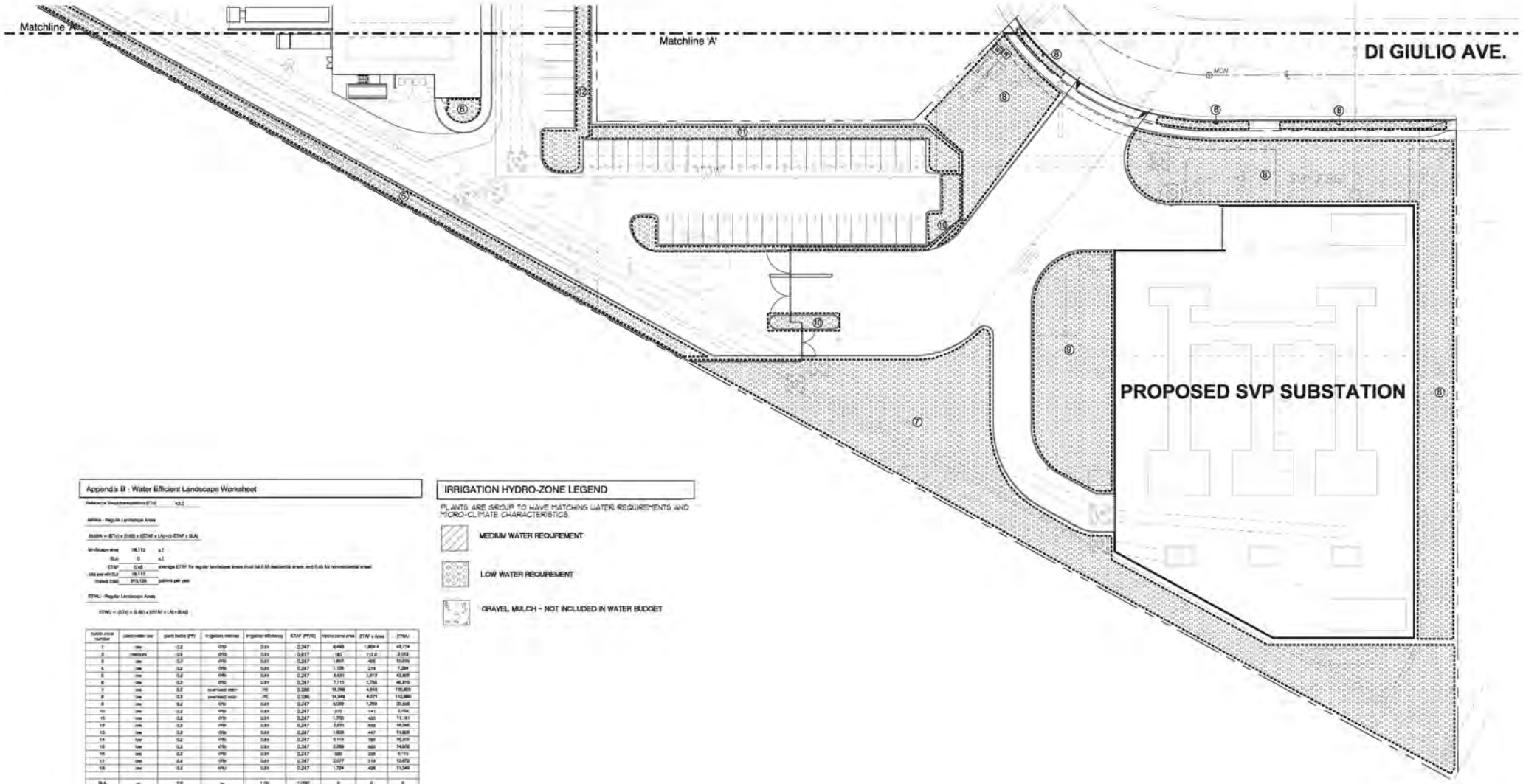

Appendix B - Water Efficient Landscape Worksheet

Reference Evapotranspiration (ETo) 43.0

MAWA - Regular Landscape Areas

MAWA = (ETo) x (0.45) x (ETAF x LA) + (1-ETAF x SLA)

landscape area	78,112	s.f.
SLA	0	s.f.
ETAF	0.45	average ETAF for regular landscape areas must be 0.55 residential areas, and 0.45 for non-residential areas
total area with SLA	78,112	
(total) total	913,128	gallons per year

ETWU - Regular Landscape Areas

ETWU = (ETo) x (0.45) x (ETAF x LA) + (SLA)

hydro-zone number	plant water use	plant factor (PF)	irrigation method	irrigation efficiency	ETAF (PF/IE)	hydro-zone area	ETAF x Area	ETWU
1	low	0.2	drip	0.81	0.247	6,498	1,604.4	42,174
2	medium	0.5	drip	0.81	0.617	183	113.0	2,012
3	low	0.2	drip	0.81	0.247	1,805	405	10,675
4	low	0.2	drip	0.81	0.247	1,108	274	7,284
5	low	0.2	drip	0.81	0.247	6,631	1,612	42,800
6	low	0.2	drip	0.81	0.247	7,115	1,756	46,210
7	low	0.2	overhead color	.75	0.286	16,298	4,648	105,605
8	low	0.2	overhead color	.75	0.286	14,948	4,271	112,880
9	low	0.2	drip	0.81	0.247	5,099	1,259	33,548
10	low	0.2	drip	0.81	0.247	570	141	3,762
11	low	0.2	drip	0.81	0.247	1,770	436	11,181
12	low	0.2	drip	0.81	0.247	2,531	622	16,396
13	low	0.2	drip	0.81	0.247	1,809	447	11,808
14	low	0.2	drip	0.81	0.247	3,115	769	20,320
15	low	0.2	drip	0.81	0.247	2,269	560	14,808
16	low	0.2	drip	0.81	0.247	900	225	5,115
17	low	0.2	drip	0.81	0.247	2,077	513	13,672
18	low	0.2	drip	0.81	0.247	1,724	426	11,349
SLA	—	1.0	—	1.00	1.000	0	0	0
A	rock mulch	0.0	—	1.00		3,984		
					ETWU total (with SLA)	78,113	20072.39	936,130
					Total with all zones and SLA	78,447		

ETAF calculations

total ETAF x area	20072.39	
total area	78,113	s.f.
average ETAF	0.264	Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas

TOTALS

MAWA total	913,128	gallons per year
ETWU total	936,130	gallons per year
	41.6	Percentage reduction of Possible Irrigation Water

Note: Zone 'A' not included in water calculations

IRRIGATION HYDRO-ZONE LEGEND

PLANTS ARE GROUP TO HAVE MATCHING WATER REQUIREMENTS AND MICRO-CLIMATE CHARACTERISTICS

MEDIUM WATER REQUIREMENT

LOW WATER REQUIREMENT

GRAVEL MULCH - NOT INCLUDED IN WATER BUDGET

Scale 1" = 20 ft.
sheet size = 42"x36"

Project Number: 19110.0000

SKYBOX CORGAN RG RUTH AND GOERS, INC. CRITICAL kW REED ASSOCIATES

LANDSCAPE HYDROZONE PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL JAY REED No. 2002 EXP. 9/30/2020 STATE OF CALIFORNIA

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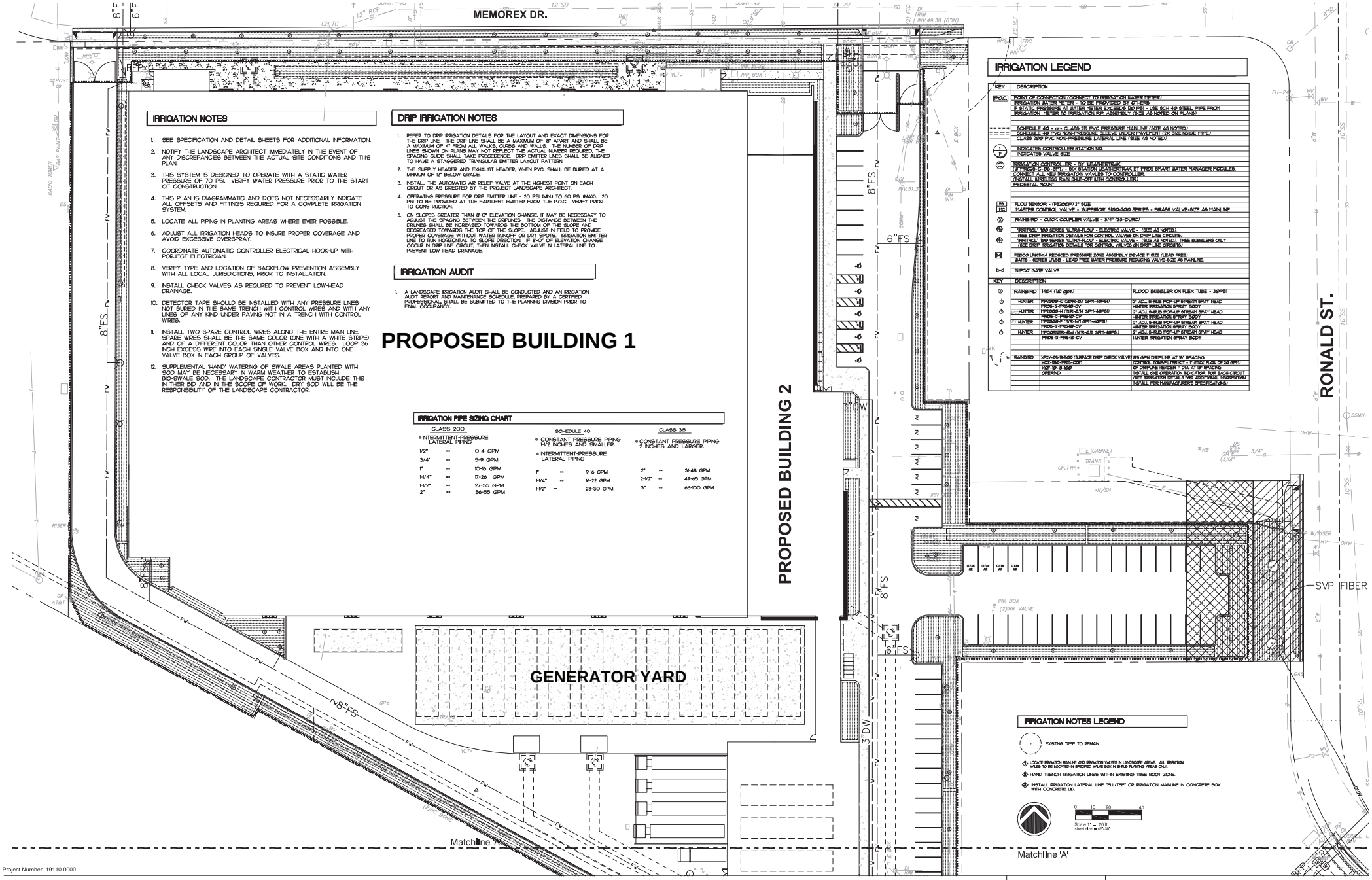

IRRIGATION NOTES

1. SEE SPECIFICATION AND DETAIL SHEETS FOR ADDITIONAL INFORMATION.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE ACTUAL SITE CONDITIONS AND THIS PLAN.
3. THIS SYSTEM IS DESIGNED TO OPERATE WITH A STATIC WATER PRESSURE OF 70 PSI. VERIFY WATER PRESSURE PRIOR TO THE START OF CONSTRUCTION.
4. THIS PLAN IS DIAGRAMMATIC AND DOES NOT NECESSARILY INDICATE ALL OFFSETS AND FITTINGS REQUIRED FOR A COMPLETE IRRIGATION SYSTEM.
5. LOCATE ALL PIPING IN PLANTING AREAS WHERE EVER POSSIBLE.
6. ADJUST ALL IRRIGATION HEADS TO INSURE PROPER COVERAGE AND AVOID EXCESSIVE OVERSPRAY.
7. COORDINATE AUTOMATIC CONTROLLER ELECTRICAL HOOK-UP WITH PORJECT ELECTRICIAN.
8. VERIFY TYPE AND LOCATION OF BACKFLOW PREVENTION ASSEMBLY WITH ALL LOCAL JURISDICTIONS, PRIOR TO INSTALLATION.
9. INSTALL CHECK VALVES AS REQUIRED TO PREVENT LOW-HEAD DRAINAGE.
10. DETECTOR TAPE SHOULD BE INSTALLED WITH ANY PRESSURE LINES NOT BURIED IN THE SAME TRENCH WITH CONTROL WIRES AND WITH ANY LINES OF ANY KIND UNDER PAVING NOT IN A TRENCH WITH CONTROL WIRES.
11. INSTALL TWO SPARE CONTROL WIRES ALONG THE ENTIRE MAIN LINE. SPARE WIRES SHALL BE THE SAME COLOR (ONE WITH A WHITE STRIPE) AND OF A DIFFERENT COLOR THAN OTHER CONTROL WIRES. LOOP 36 INCH EXCESS WIRE INTO EACH SINGLE VALVE BOX AND INTO ONE VALVE BOX IN EACH GROUP OF VALVES.
12. SUPPLEMENTAL "HAND" WATERING OF SWALE AREAS PLANTED WITH SOD MAY BE NECESSARY IN WARM WEATHER TO ESTABLISH BIO-SWALE SOD. THE LANDSCAPE CONTRACTOR MUST INCLUDE THIS IN THEIR BID AND IN THE SCOPE OF WORK. DRY SOD WILL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.

DRIP IRRIGATION NOTES

1. REFER TO DRIP IRRIGATION DETAILS FOR THE LAYOUT AND EXACT DIMENSIONS FOR THE DRIP LINE. THE DRIP LINE SHALL BE A MAXIMUM OF 18" APART AND SHALL BE A MAXIMUM OF 4" FROM ALL WALKS, CURBS AND WALLS. THE NUMBER OF DRIP LINES SHOWN ON PLANS MAY NOT REFLECT THE ACTUAL NUMBER REQUIRED. THE SPACING GUIDE SHALL TAKE PRECEDENCE. DRIP EMITTER LINES SHALL BE ALIGNED TO HAVE A STAGGERED TRIANGULAR EMITTER LAYOUT PATTERN.
2. THE SUPPLY HEADER AND EXHAUST HEADER, WHEN PVC, SHALL BE BURIED AT A MINIMUM OF 12" BELOW GRADE.
3. INSTALL THE AUTOMATIC AIR RELIEF VALVE AT THE HIGHEST POINT ON EACH CIRCUIT OR AS DIRECTED BY THE PROJECT LANDSCAPE ARCHITECT.
4. OPERATING PRESSURE FOR DRIP EMITTER LINE - 20 PSI MIN TO 60 PSI (MAX). 20 PSI TO BE PROVIDED AT THE FARTHEST EMITTER FROM THE P.O.C. VERIFY PRIOR TO CONSTRUCTION.
5. ON SLOPES GREATER THAN 8'-0" ELEVATION CHANGE, IT MAY BE NECESSARY TO ADJUST THE SPACING BETWEEN THE DRIPLINES. THE DISTANCE BETWEEN THE DRLINES SHALL BE INCREASED TOWARDS THE BOTTOM OF THE SLOPE AND DECREASED TOWARDS THE TOP OF THE SLOPE. ADJUST IN FIELD TO PROVIDE PROPER COVERAGE WITHOUT WATER RUNOFF OR DRY SPOTS. IRRIGATION EMITTER LINE TO RUN HORIZONTAL TO SLOPE DIRECTION. IF 8'-0" OF ELEVATION CHANGE OCCUR IN DRIP LINE CIRCUIT, THEN INSTALL CHECK VALVE IN LATERAL LINE TO PREVENT LOW HEAD DRAINAGE.

IRRIGATION AUDIT

1. A LANDSCAPE IRRIGATION AUDIT SHALL BE CONDUCTED AND AN IRRIGATION AUDIT REPORT AND MAINTENANCE SCHEDULE, PREPARED BY A CERTIFIED PROFESSIONAL, SHALL BE SUBMITTED TO THE PLANNING DIVISION PRIOR TO FINAL OCCUPANCY.

IRRIGATION PIPE SIZING CHART

CLASS 200			SCHEDULE 40			CLASS 315		
* INTERMITTENT-PRESSURE LATERAL PIPING			* CONSTANT PRESSURE PIPING 1-1/2 INCHES AND SMALLER.			* CONSTANT PRESSURE PIPING 2 INCHES AND LARGER.		
* INTERMITTENT-PRESSURE LATERAL PIPING								
1/2"	=	0-4 GPM	1"	=	9-16 GPM	2"	=	31-48 GPM
3/4"	=	5-9 GPM	1-1/4"	=	16-22 GPM	2-1/2"	=	49-65 GPM
1"	=	10-16 GPM	1-1/2"	=	23-30 GPM	3"	=	66-100 GPM
1-1/4"	=	17-26 GPM						
1-1/2"	=	27-35 GPM						
2"	=	36-55 GPM						

IRRIGATION LEGEND

KEY	DESCRIPTION
(P.O.C.)	POINT OF CONNECTION (CONNECT TO IRRIGATION WATER METER)
	IRRIGATION WATER METER - TO BE PROVIDED BY OTHERS
	IF STATIC PRESSURE AT WATER METER EXCEEDS 150 PSI - USE SCH 40 STEEL PIPE FROM IRRIGATION METER TO IRRIGATION R.P. ASSEMBLY (SIZE AS NOTED ON PLANS)
	SCHEDULE 40 - or - CLASS 315 PVC PRESSURE MAINLINE (SIZE AS NOTED)
	SCHEDULE 40 PVC NON-PRESSURE SLEEVE UNDER PAVEMENT (2X SIZE INSIDE PIPE)
	CLASS 200 PVC NON-PRESSURE LATERAL LINE (SIZE AS NOTED)
1 / 1	INDICATES CONTROLLER STATION NO. INDICATES VALVE SIZE
C	IRRIGATION CONTROLLER - BY WEATHERTRAK (WTMPRO-C-06-SMT) - BOX STATION WEATHERTRAK BY PROT SMART WATER MANAGER MODULES. CONNECT ALL 120V IRRIGATION VALVES TO CONTROLLER. (INSTALL WIRELESS RAIN SHUT-OFF WITH CONTROLLER) PEDESTAL MOUNT
FS / FC	FLOW SENSOR - (FS2000P) 2" SIZE
	MASTER CONTROL VALVE - "SUPERSORT 3100-1000 SERIES - BRASS VALVE-SIZE AS MAINLINE
	RAINBIRD - QUICK COUPLER VALVE - 3/4" (33-DLRC)
	"WRITROL" 100 SERIES "ULTRA-FLOW" - ELECTRIC VALVE - (SIZE AS NOTED). (SEE DRIP IRRIGATION DETAILS FOR CONTROL VALVES ON DRIP LINE CIRCUITS)
	"WRITROL" 100 SERIES "ULTRA-FLOW" - ELECTRIC VALVE - (SIZE AS NOTED). TREE BUBBLERS ONLY (SEE DRIP IRRIGATION DETAILS FOR CONTROL VALVES ON DRIP LINE CIRCUITS)
	FEBCO LF825Y-A REDUCED PRESSURE ZONE ASSEMBLY DEVICE T SIZE (LEAD FREE)
	WATS - SERIES LF880 - LEAD FREE WATER PRESSURE REDUCING VALVE-SIZE AS MAINLINE
	"NIPCO" GATE VALVE

KEY	DESCRIPTION		
	RAINBIRD	1404 (1.0 gpm)	FLOOD BUBBLER ON FLEX TUBE - 30PSI
	HUNTER	PP2000-Q (10PR-8'x 6GPM-40PSI)	5' ADJ. SHRUB POP-UP STREAM SPRAY HEAD
		PROS-2-PRS40-CV	HUNTER IRRIGATION SPRAY BODY
	HUNTER	PP2000-H (15PR-8'x14 GPM-40PSI)	15' ADJ. SHRUB POP-UP STREAM SPRAY HEAD
		PROS-2-PRS40-CV	HUNTER IRRIGATION SPRAY BODY
	HUNTER	PP2000-F (19PR-14' GPM-40PSI)	21' ADJ. SHRUB POP-UP STREAM SPRAY HEAD
		PROS-2-PRS40-CV	HUNTER IRRIGATION SPRAY BODY
	HUNTER	PP2CORNER-8x4 (14PR-8'x8 GPM-40PSI)	15' ADJ. SHRUB POP-UP STREAM SPRAY HEAD
		PROS-2-PRS40-CV	HUNTER IRRIGATION SPRAY BODY
	RAINBIRD	XFCV-06-18-1000 (SURFACE DRIP CHECK VALVE) 6/6 GPM DRIPLINE AT 18" SPACING	
		XCZ-100-PRB-COM	CONTROL ZONE/FILTER KIT - 1" (MAX. FLOW OF 10 GPM)
		XQF-12-18-100	OF DRIPLINE HEADER 1" DIA. AT 18" SPACING
		OPERIND	INSTALL ONE OPERATION INDICATOR FOR EACH CIRCUIT. TREE IRRIGATION DETAILS FOR ADDITIONAL INFORMATION. INSTALL PER MANUFACTURER'S SPECIFICATIONS)

IRRIGATION NOTES LEGEND

- EXISTING TREE TO REMAIN
- LOCATE IRRIGATION MAINLINE AND IRRIGATION VALVES IN LANDSCAPE AREAS. ALL IRRIGATION VALES TO BE LOCATED IN SPECIFIED VALVE BOX IN SHRUB PLANTING AREAS ONLY.
- HAND TRENCH IRRIGATION LINES WITHIN EXISTING TREE ROOT ZONE.
- INSTALL IRRIGATION LATERAL LINE "ELL/TEE" OR IRRIGATION MAINLINE IN CONCRETE BOX WITH CONCRETE LID.

0 10 20 40
Scale 1" = 20 ft
sheet size = 42x30"

Project Number: 19110.0000

SKYBOX CORGAN RG RUTH AND GOING, INC. CRITICAL PROJECT SERVICES, LLC kW mission critical engineering REED ASSOCIATES LANDSCAPE ARCHITECTURE

PRELIMINARY IRRIGATION PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL JAY REED No. 2002 EXP. 9/30/2021 STATE OF CALIFORNIA

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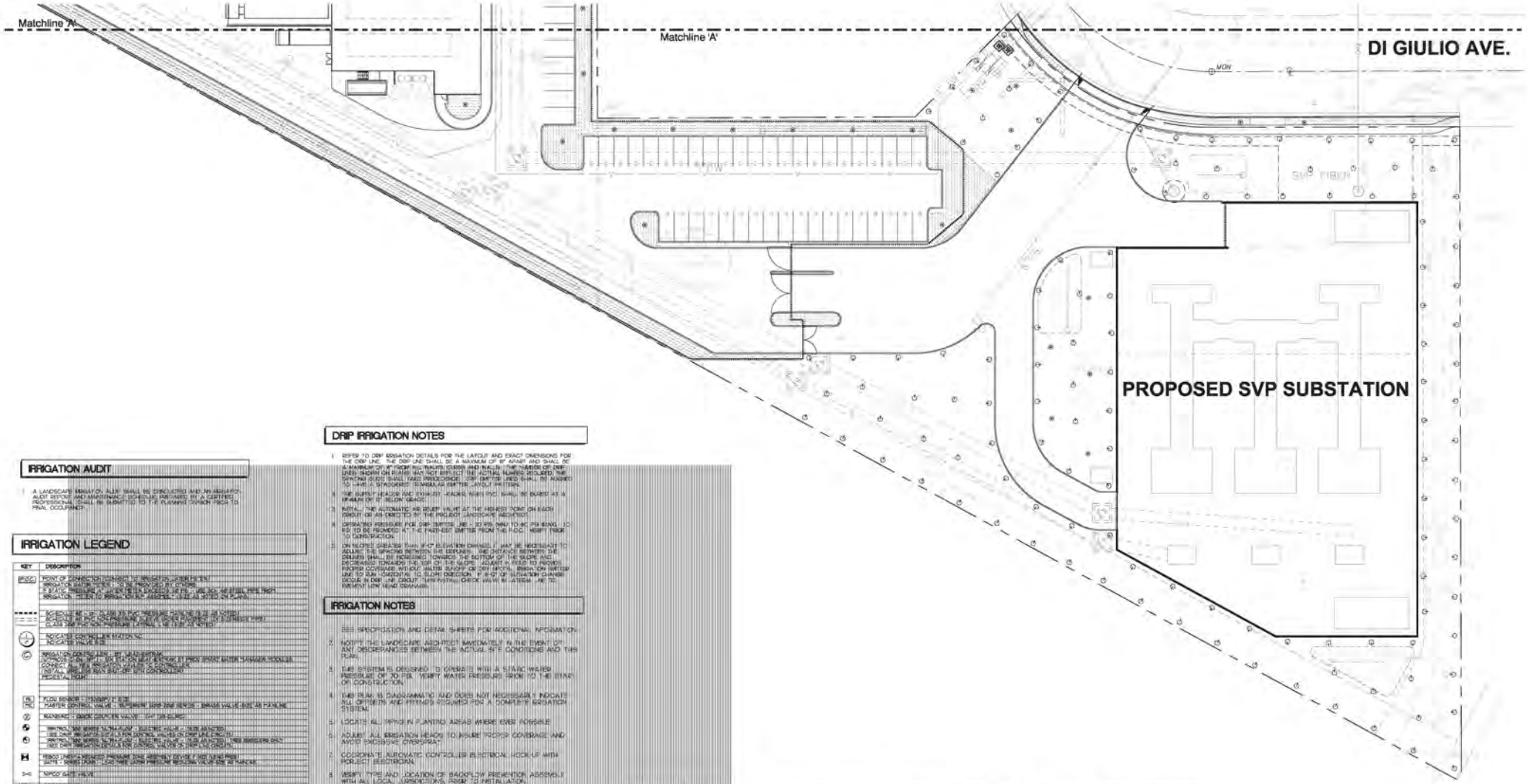

IRRIGATION AUDIT

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IRRIGATION LEGEND

KEY	DESCRIPTION
POC	POINT OF CONNECTION (CONNECT TO IRRIGATION WATER LINE) IRRIGATION WATER METER (TO BE PROVIDED BY OWNER) 2 STATIC PRESSURE 7 - 40 PSI (IF PRESSURE EXCEEDS 80 PSI, USE SCH. 40 PIPE) IRRIGATION METER TO BE INSTALLED BY APPROVED CONTRACTOR AS NOTED ON PLANS
	MAINLINE PIPE: SCH 40 PVC PIPE UNDERGROUND PIPE SIZE AS NOTED MAINLINE PIPE: SCH 40 PVC UNDERGROUND PIPE SIZE AS NOTED SLEEVE PIPE: CLASS 200 PVC NON-PRESSURE LATERAL LINE PIPE SIZE AS NOTED
	INDICATES CONTROL LINE STATION NO. INDICATES VALVE SIZE
	IRRIGATION CONTROLLER - WALL MOUNTED INTERFACE WITH EXISTING CONTROLLER (SEE SPECS) - SEE PLAN ON NEXT SHEET FOR SPRAY WATER HARVESTING MODULES CONTROL LINE - 24 VOLT AC CONNECTIONS (INSTALL AND TEST BACK STOP OFF WITH CONTRACTOR REPRESENTATIVE)
FS / RS	FLOW SENSOR - DESIGNATE FLOW FAIRTER SENTINEL VALVE - NORMALLY OPEN ZONE SENSOR - BRASS VALVE SHOWN FOR PURPOSE
	MAINLINE - BRASS SHUTOFF VALVE - SAY 2-1/2 SCHED
	WATER SAVER SERIES 'ULTRA FLOW' - ELECTRIC VALVE - SEE SPECIFICATIONS (SEE DRIP IRRIGATION DETAILS FOR CONTROL VALVES ON DRIP LINE CIRCUITS)
	WATER SAVER SERIES 'ULTRA FLOW' - ELECTRIC VALVE - SEE SPECIFICATIONS (SEE DRIP IRRIGATION DETAILS FOR CONTROL VALVES ON DRIP LINE CIRCUITS) - THREE SWING ELBOWS ONLY
	REBUILD LANDSCAPE IRRIGATION PRESSURE ZONE ASSEMBLY (DOUBLE CHECK VALVE ASSEMBLY) GATE - SERVICE ZONE - LOCKTAGS LANDSCAPE PRESSURE REDUCING VALVE SIZE AS PLANNED
	10"CO" GATE VALVE

KEY	DESCRIPTION	
	MAINLINE - PVC - 2" SCH 40	PLACED BURIED ON TOP OF PIPE - 12" BELOW
	WATER - PROSPRAY 12 SERIES 6.0 (SPY-12PC) PROS-12 PRESS CO	6" ABOVE WATER UP THROUGH SPRAY HEAD WATER IRRIGATION SPACE - SCH 40
	WATER - PROSPRAY 1 TURF 6.0 (SPY-1PC) PROS-1 PRESS CO	12" ABOVE WATER UP THROUGH SPRAY HEAD WATER IRRIGATION SPACE - SCH 40
	WATER - PROSPRAY 2 TURF 6.0 (SPY-2PC) PROS-2 PRESS CO	12" ABOVE WATER UP THROUGH SPRAY HEAD WATER IRRIGATION SPACE - SCH 40
	WATER - PROSPRAY 4 TURF 6.0 (SPY-4PC) PROS-4 PRESS CO	12" ABOVE WATER UP THROUGH SPRAY HEAD WATER IRRIGATION SPACE - SCH 40
	MAINLINE - PVC - 2" SCH 40	6" ABOVE WATER UP THROUGH SPRAY HEAD WATER IRRIGATION SPACE - SCH 40
	MAINLINE - VICTORIAN - 2" SCH 40 - SEE DRIP DETAILS FOR DRIP LINE CIRCUITS	SEE DRIP DETAILS FOR DRIP LINE CIRCUITS
		SCH 40 - PVC - 2"
		DRIP - 18" - 24"
		OPTIONAL
		INSTALL ONE OPERATION INDICATOR FOR EACH CIRCUIT (SEE IRRIGATION DETAILS FOR ADDITIONAL INFORMATION) INSTALL PER MANUFACTURER'S SPECIFICATIONS

DRIP IRRIGATION NOTES

1. REFER TO DRIP IRRIGATION DETAILS FOR THE LAYOUT AND EXACT DIMENSIONS FOR THE DRIP LINE. THE DRIP LINE SHALL BE A MAXIMUM OF 18" APART AND SHALL BE A MINIMUM OF 18" FROM ALL WALKS, CURBS AND WALLS. THE NUMBER OF DRIP LINES SHOWN ON PLANS MAY NOT REFLECT THE ACTUAL NUMBER REQUIRED. THE SPACING GUIDE SHALL TAKE PRECEDENCE. DRIP EMITTER LINES SHALL BE ADJUSTED TO HAVE A STAGGERED TRIANGULAR EMITTER LAYOUT PATTERN.
2. THE SUPPLY HEADER AND EXHAUST HEADER MUST PVC SHALL BE BURIED AT A MINIMUM OF 12" BELOW GRADE.
3. INSTALL THE AUTOMATIC AIR RELIEF VALVE AT THE HIGHEST POINT ON EACH CIRCUIT OR AS DIRECTED BY THE PROJECT LANDSCAPE ARCHITECT.
4. OPERATING PRESSURE FOR DRIP EMITTER ARE 30 PSI (MIN) TO 40 PSI (MAX). 30 PSI TO BE PROVIDED AT THE FARTHEST EMITTER FROM THE P.O.C. VERIFY PRIOR TO CONSTRUCTION.
5. ON SLOPES GREATER THAN 8"OF ELEVATION CHANGE, IT MAY BE NECESSARY TO ADJUST THE SPACING BETWEEN THE EMITTERS. THE DISTANCE BETWEEN THE EMITTERS SHALL BE INCREASING TOWARDS THE BOTTOM OF THE SLOPE AND DECREASED TOWARDS THE TOP OF THE SLOPE. ADJUST IN FIELD TO PROVIDE PROPER COVERAGE WITHOUT WATER RUNOFF OR DRY SPOTS. IRRIGATION EMITTER LINE TO RUN HORIZONTAL TO SLOPE DIRECTION. IF 8"OF ELEVATION CHANGE OCCUR IN DRIP LINE CIRCUIT, THEN INSTALL CHECK VALVE IN LATERAL LINE TO PREVENT LOW HEAD DRAINAGE.

IRRIGATION NOTES

1. SEE IRRIGATION AND DETAIL SHEETS FOR ADDITIONAL INFORMATION.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE ACTUAL SITE CONDITIONS AND THIS PLAN.
3. THE SYSTEM IS DESIGNED TO OPERATE WITH A STATIC WATER PRESSURE OF 70 PSI. VERIFY WATER PRESSURE PRIOR TO THE START OF CONSTRUCTION.
4. THIS PLAN IS DIAGRAMMATIC AND DOES NOT NECESSARILY INDICATE ALL OFFSETS AND FITTINGS REQUIRED FOR A COMPLETE IRRIGATION SYSTEM.
5. LOCATE ALL PIPING IN PLANTING AREAS WHERE EVER POSSIBLE.
6. ADJUST ALL IRRIGATION HEADS TO INSURE PROPER COVERAGE AND AVOID EXCESSIVE OVERSPRAY.
7. COORDINATE AUTOMATIC CONTROLLER ELECTRICAL HOOKUP WITH PROJECT ELECTRICIAN.
8. VERIFY TYPE AND LOCATION OF BACKFLOW PREVENTION ASSEMBLY WITH ALL LOCAL JURISDICTIONS PRIOR TO INSTALLATION.
9. INSTALL CHECK VALVES AS REQUIRED TO PREVENT LOW-HEAD DRAINAGE.
10. DETECTOR TAPE SHOULD BE INSTALLED WITH ANY PRESSURE LINES NOT BURIED IN THE SAME TRENCH WITH CONTROL WIRES AND WITH ANY LINES OF ANY KIND UNDER PAVING NOT IN A TRENCH WITH CONTROL WIRES.
11. INSTALL TWO SPARE CONTROL WIRES ALONG THE ENTIRE MAIN LINE. SPARE WIRES SHALL BE THE SAME COLOR (ONE WITH A WHITE STRIPE) AND OF A DIFFERENT COLOR THAN OTHER CONTROL WIRES. LOOP 3M INCH EXCESS WIRE INTO EACH SINGLE VALVE BOX AND INTO ONE VALVE BOX IN EACH GROUP OF VALVES.
12. SUPPLEMENTAL HAND WATERING OF SWALE AREAS PLANTED WITH SOD MAY BE NECESSARY IN WARM WEATHER TO ESTABLISH SOD-SWALE SOD. THE LANDSCAPE CONTRACTOR MUST INCLUDE THIS IN THEIR BID AND IN THE SCOPE OF WORK. DRY SOD WILL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.

IRRIGATION PIPE SIZING CHART

CLASS 200		
■ INTERMITTENT PRESSURE LATERAL PIPING		
1/2"	=	0-4 GPM
3/4"	=	5-9 GPM
1"	=	10-16 GPM
1-1/4"	=	17-26 GPM
1-1/2"	=	27-35 GPM
2"	=	36-70 GPM

SCHEDULE 40			CLASS 35		
● CONSTANT PRESSURE PIPING 1-1/2 INCHES AND SMALLER.			● CONSTANT PRESSURE PIPING 2 INCHES AND LARGER.		
● INTERMITTENT PRESSURE LATERAL PIPING					
1"	=	9-16 GPM	2"	=	31-48 GPM
1-1/4"	=	16-12 GPM	2-1/2"	=	49-65 GPM
1-1/2"	=	23-30 GPM	3"	=	66-100 GPM

IRRIGATION NOTES LEGEND

- EXISTING TREE TO REMAIN
- ① LOCATE IRRIGATION MAINLINE AND IRRIGATION VALVES IN LANDSCAPE AREAS. ALL IRRIGATION VALVES TO BE LOCATED IN SPECIFIED VALVE BOX IN SHRUB PLANTING AREAS ONLY.
- ② HAND TRENCH IRRIGATION LINES WITHIN EXISTING TREE ROOT ZONE.
- ③ INSTALL IRRIGATION LATERAL LINE "BLUTEST" OR IRRIGATION MAINLINE IN CONCRETE BOX WITH CONCRETE LID.

Scale 1" = 20'-0"
Elevation = 427.00'

Project Number: 191 10.0000

SKYBOX | CORGAN | RG RUTH AND GOING, INC. | CRITICAL | kW | REED ASSOCIATES LANDSCAPE ARCHITECTS

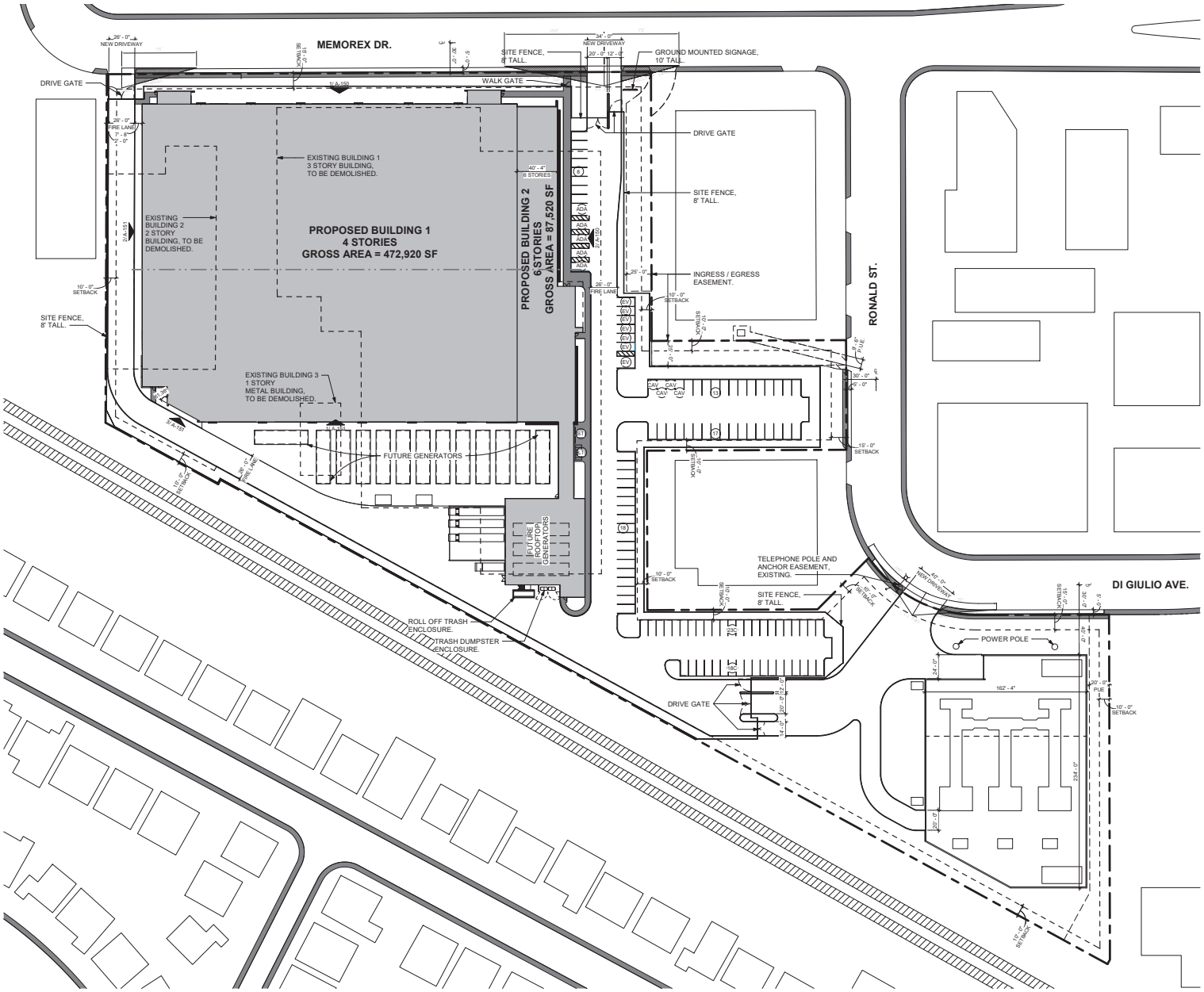
PRELIMINARY IRRIGATION PLAN

04-09-2020

REGISTERED LANDSCAPE ARCHITECT PAUL JAY REED No. 2002 EXP. 11/30/2020 STATE OF CALIFORNIA

DATA HALL | OFFICE | LD

L-106



EXISTING

LOT SIZE - 400,038± SF - 9.18 ACRES

3 EXISTING BUILDINGS - TO BE DEMOLISHED

BUILDING 1 - FACTORY - 3 STORIES @ 116,679± SF BUILDING FOOTPRINT
BUILDING 2 - FACTORY - 2 STORIES @ 22,996± SF BUILDING FOOTPRINT
BUILDING 3 - STORAGE - 1 STORY @ 2,944± SF BUILDING FOOTPRINT

LOT COVERAGE - 142,619± SF - 36%

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF
PROD. DATA HALL - 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL - 6 @ 19,780 SF = 118,680 SF
MECH GALLERY - 24 @ 3,536 SF = 84,860 SF
UPS - 30 @ 2,275 SF =68,250 SF
OPEN OFFICE - 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC. -118,970 SF

* PRODUCTION AND DEVELOPMENT DATA HALLS ARE IDENTIFIABLE BY THEIR BACKUP POWER GENERATION.
- PRODUCTION DATA HALL - BACKUP POWER GENERATION PROVIDED FOR 100% OF LOAD
- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

PARKING

112 REQUIRED SPACES @ 1 PER 5,000 SF
113 PARKING SPACES PROVIDED
56 PARKING SPACES
41 COMPACT PARKING SPACES (C)
11 CLEAN AIR VEHICLE PARKING SPACES (CAV)
7 FUTURE EV CHARGING SPACES (EV)
5 ADA ACCESSIBLE SPACES (ADA)

BICYCLE PARKING - 5% SHORT & LONG TERM
6 SHORT TERM SPACES (ST)
6 LONG TERM SPACES (LT)

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

SITE PLAN

1" = 40'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE

A-110

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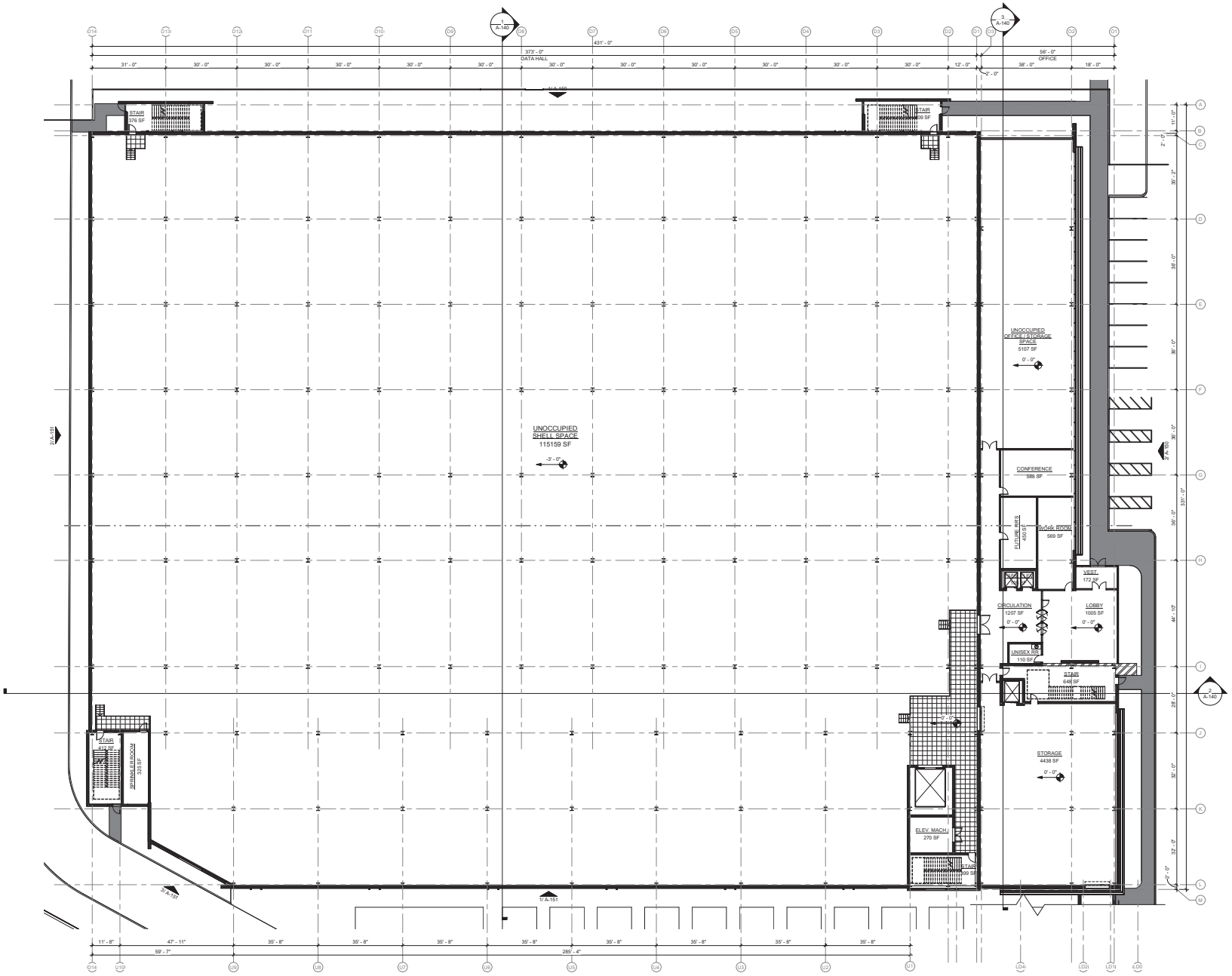

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

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PARPAET - 870" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF

PROD. DATA HALL	- 6 @ 19,780 SF = 118,680SF
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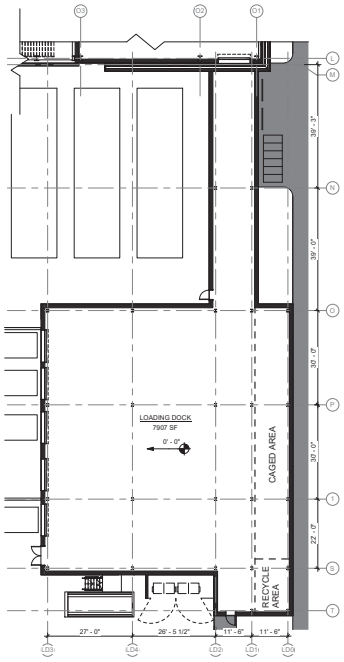


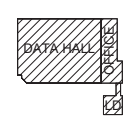
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 1 FLOOR PLAN

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020



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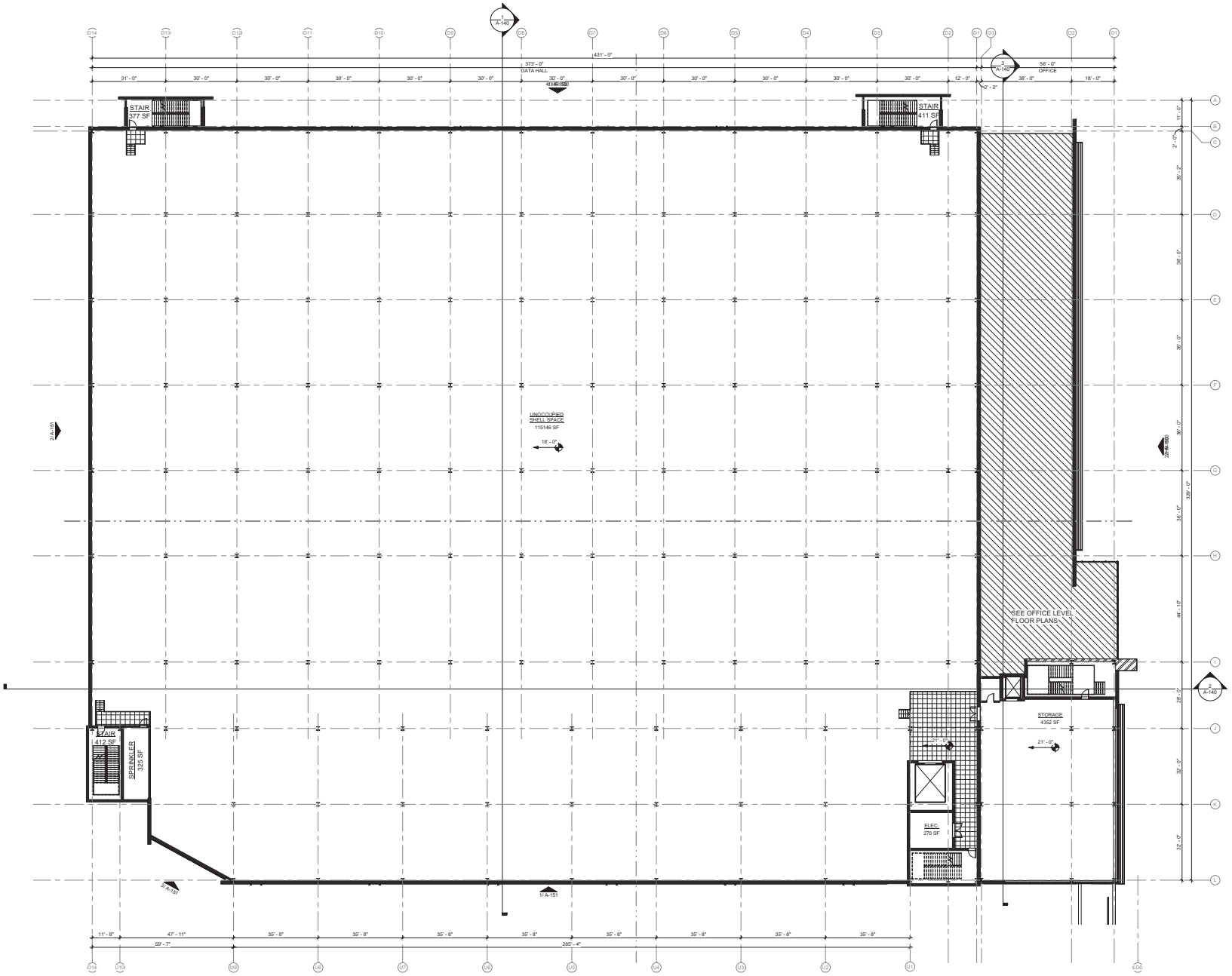

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
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GROSS BUILDING - 560,440± SF

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- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 2 FLOOR PLAN

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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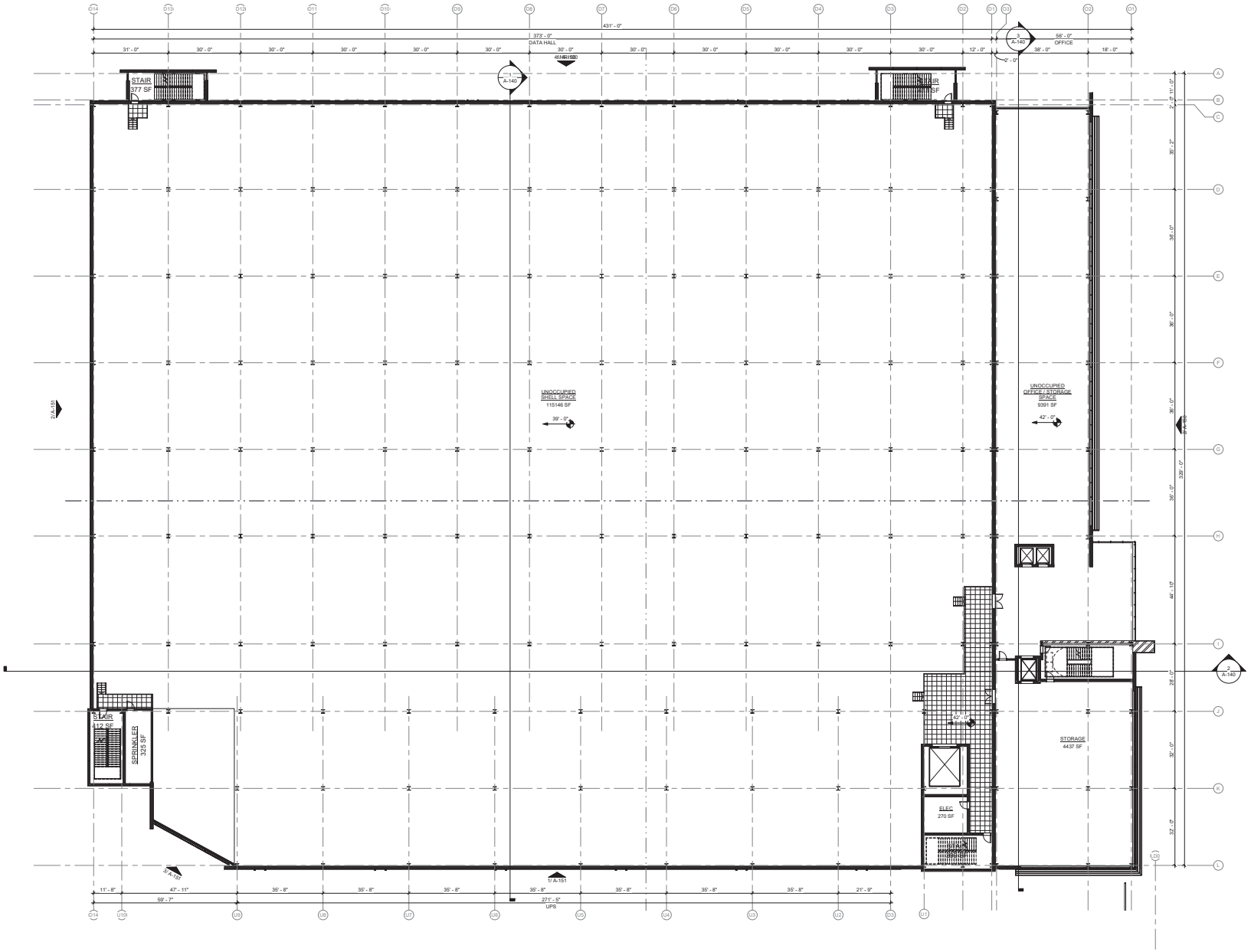

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
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GROSS BUILDING - 560,440± SF

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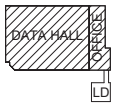
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 3 FLOOR PLAN

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020



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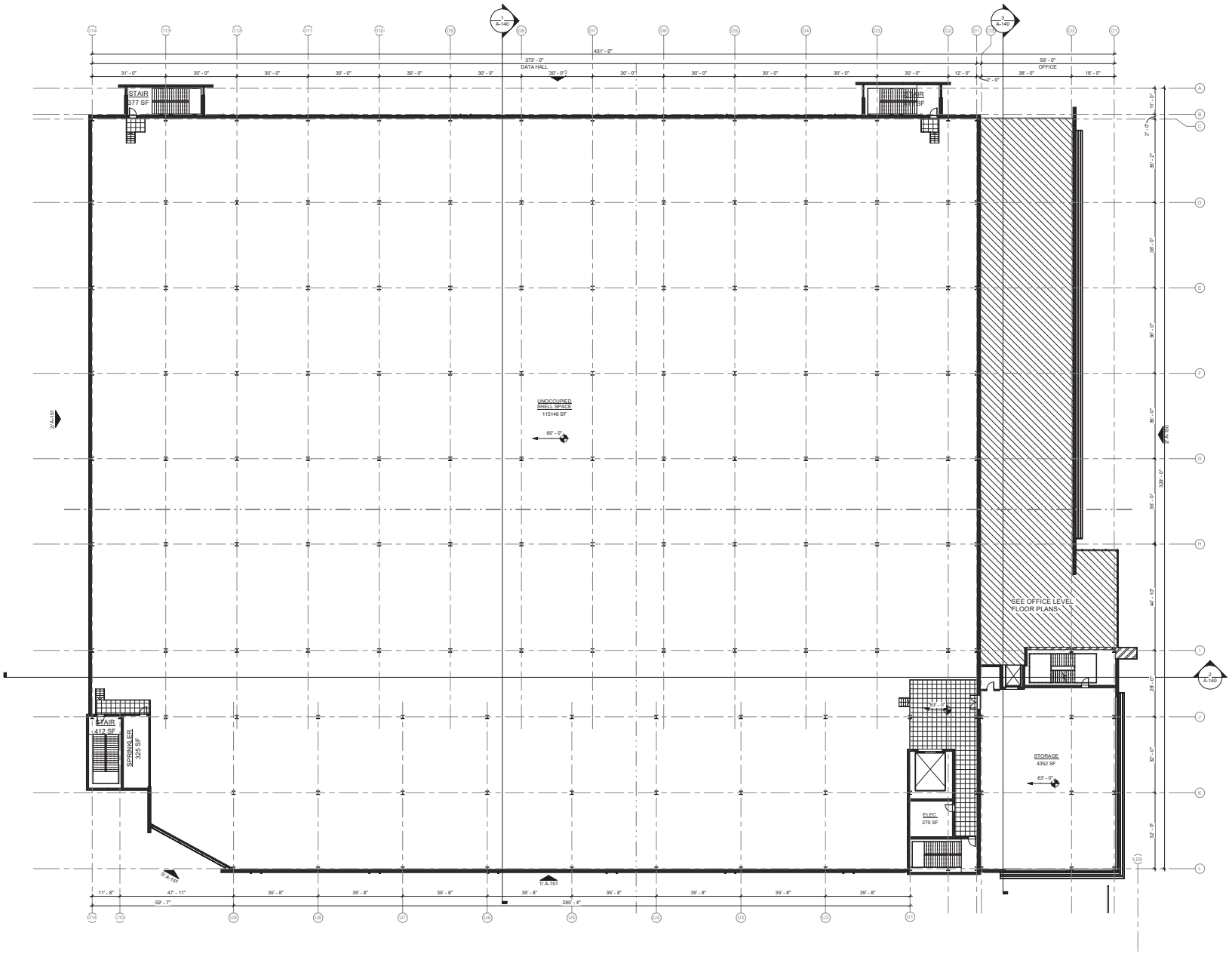

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

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- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 4 FLOOR PLAN

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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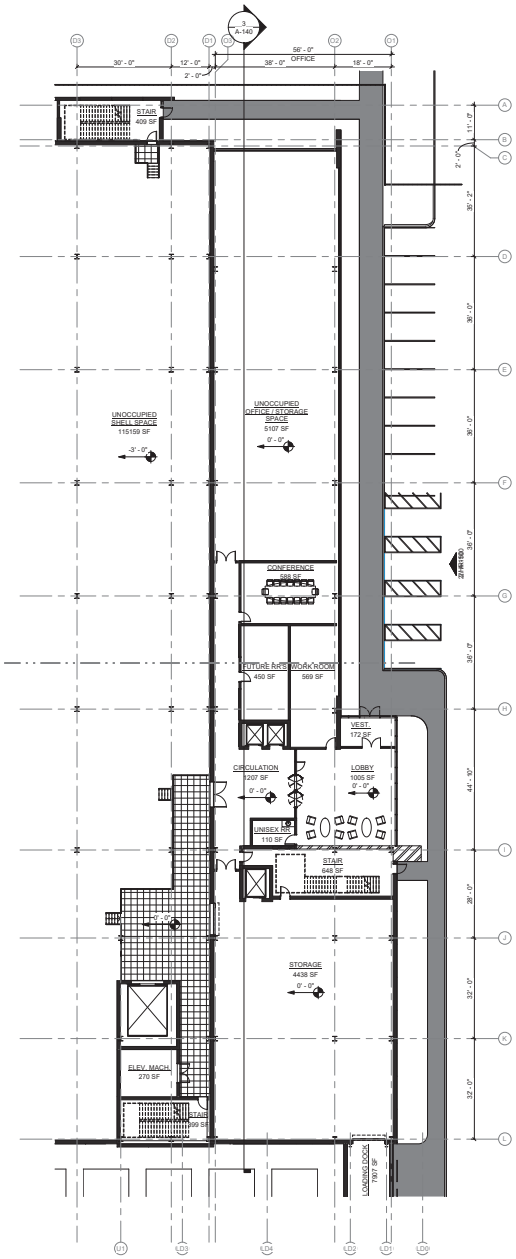
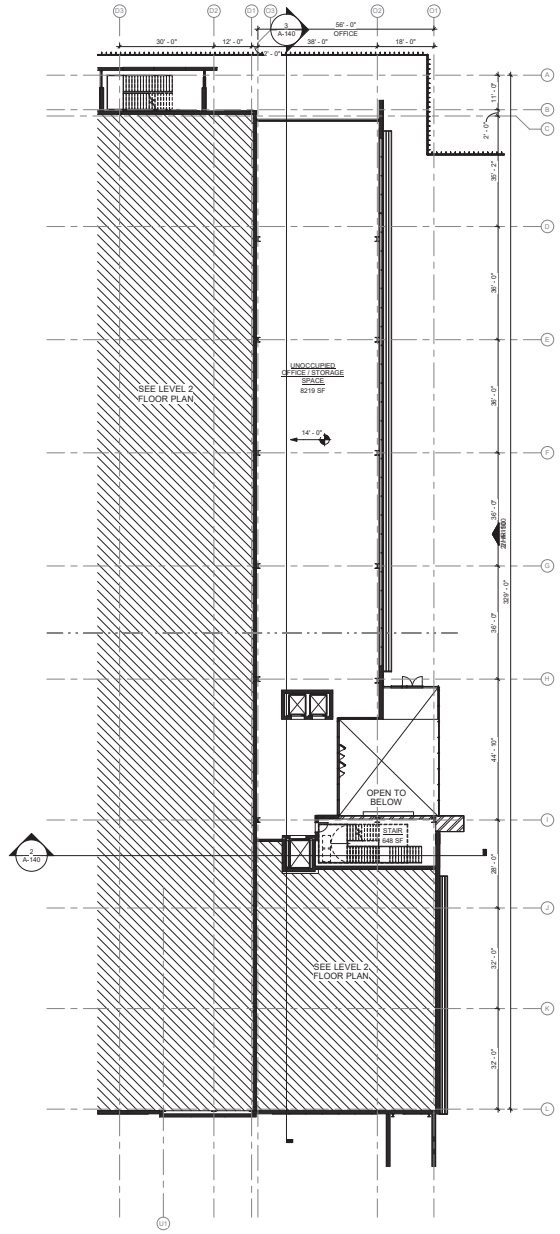
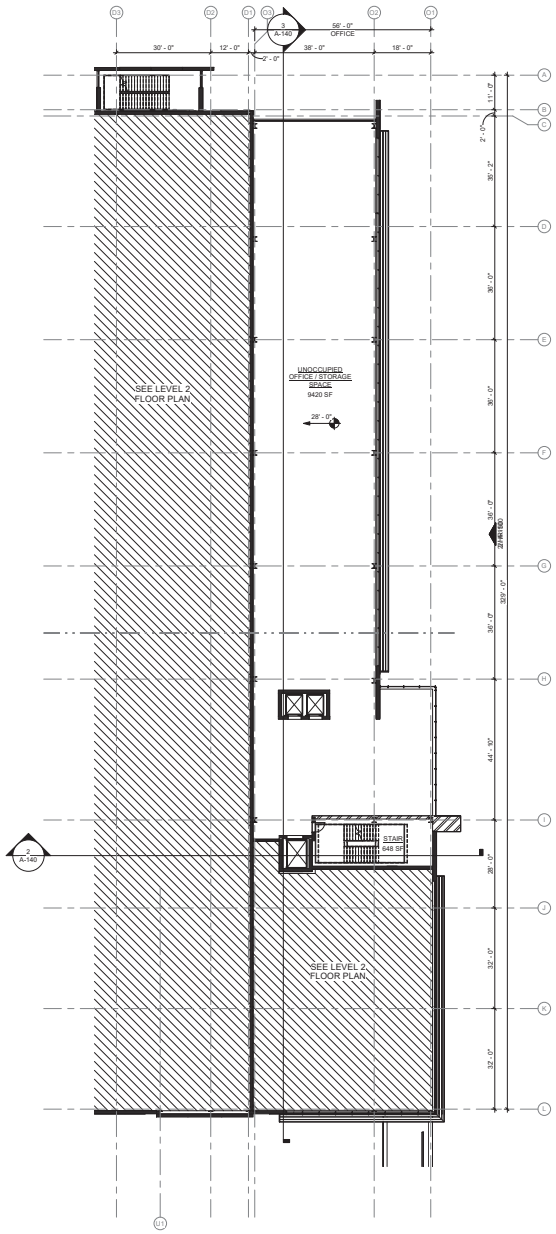


1 LEVEL 1 FLOOR PLAN - OFFICE
1/16" = 1'-0"



2 LEVEL 1.5 FLOOR PLAN - OFFICE
1/16" = 1'-0"



3 LEVEL 2.5 FLOOR PLAN - OFFICE
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

OFFICE LEVEL - FLOOR PLANS

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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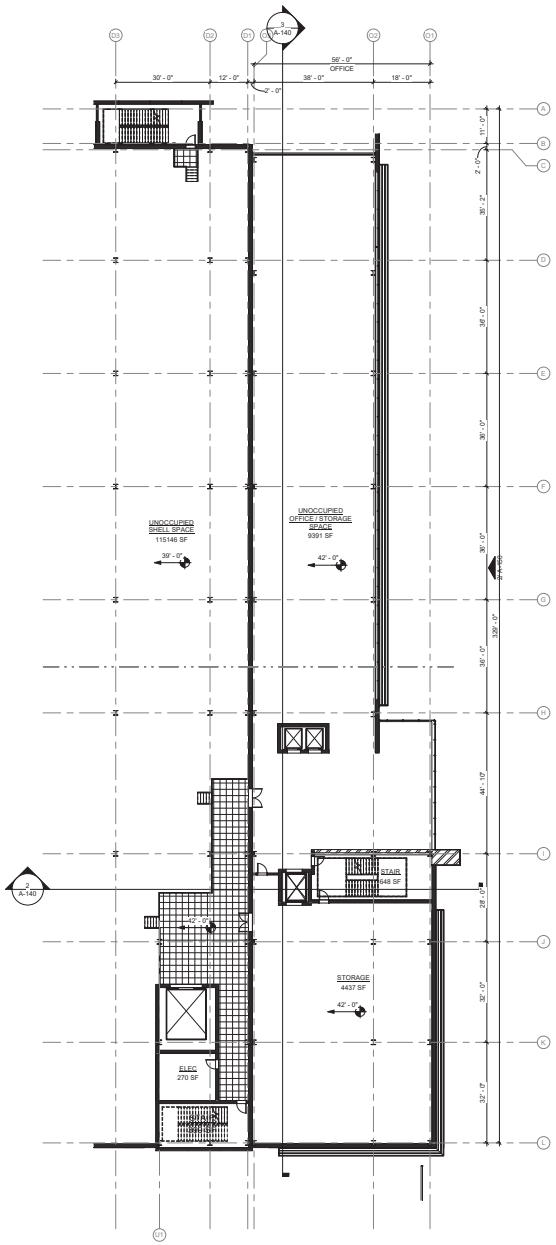
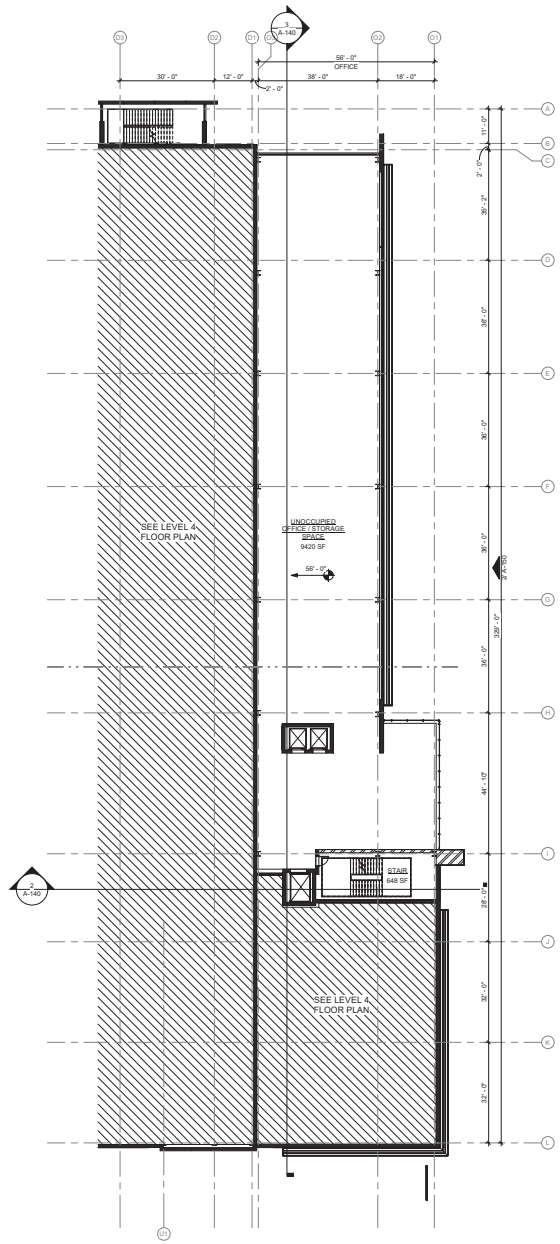
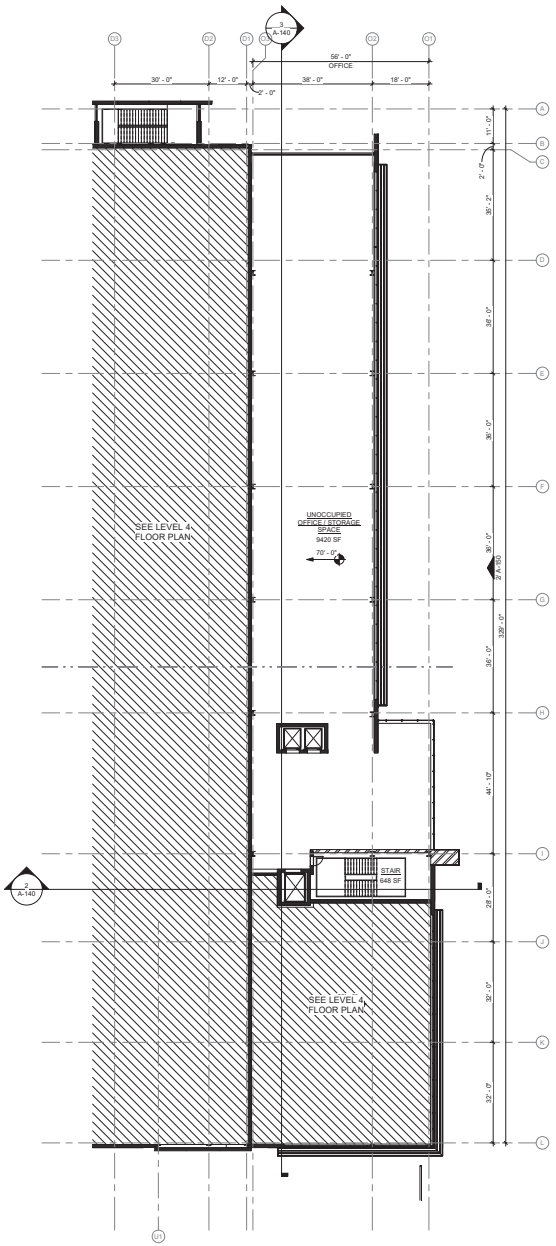


1 LEVEL 3 FLOOR PLAN - OFFICE
1/16" = 1'-0"



2 LEVEL 3.5 FLOOR PLAN - OFFICE
1/16" = 1'-0"



3 LEVEL 4.5 - FLOOR PLAN OFFICE
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

OFFICE LEVEL - FLOOR PLANS

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 REGISTERED DATE 6-30-21 STATE OF CALIFORNIA 4/9/2020

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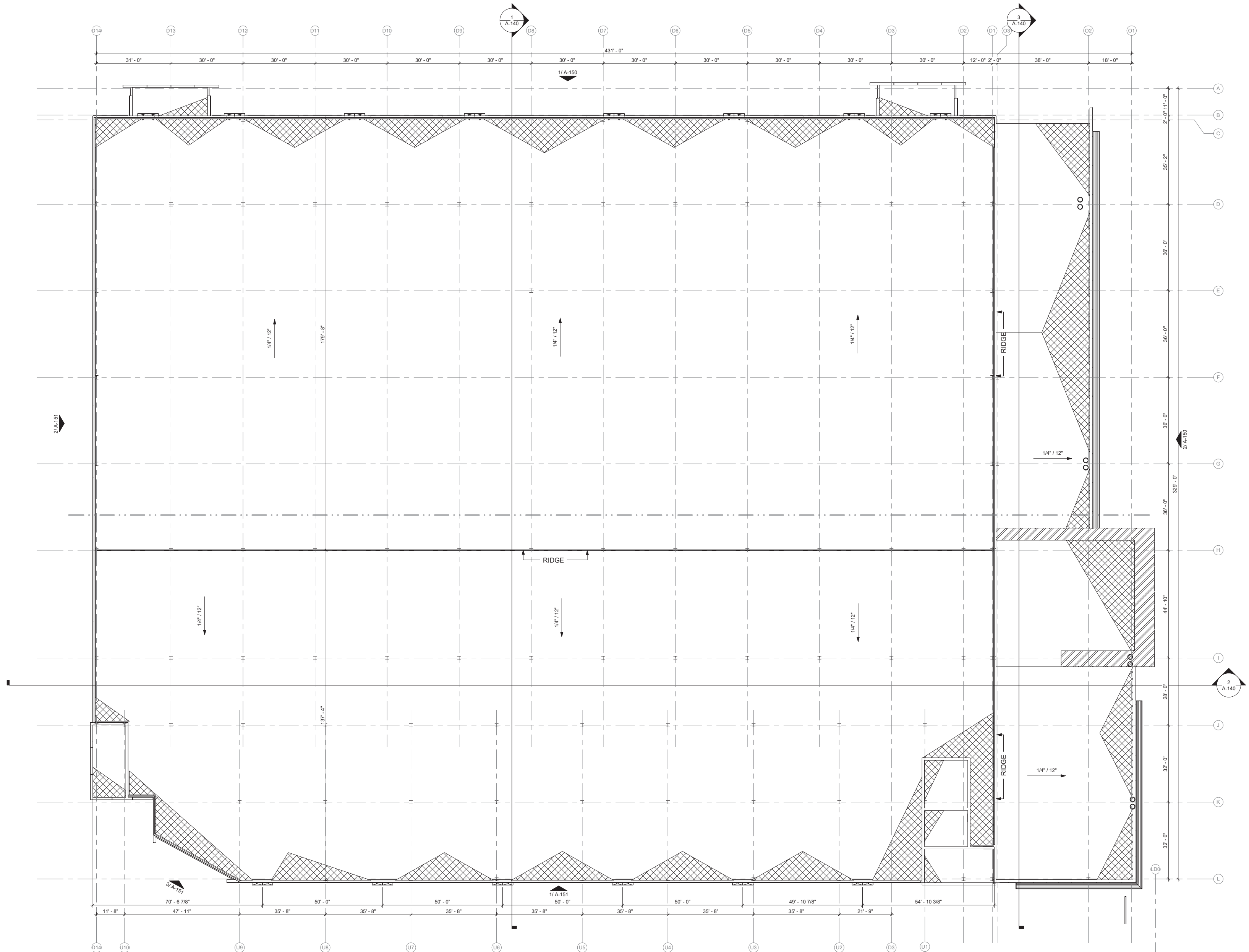

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

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MECH GALLERY	- 24 @ 3,536 SF = 84,860 SF
UPS	- 30 @ 2,275 SF =68,250 SF
OPEN OFFICE	- 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC.	-118,970 SF

* PRODUCTION AND DEVELOPMENT DATA HALLS ARE IDENTIFIABLE BY THEIR BACKUP POWER GENERATION.
- PRODUCTION DATA HALL - BACKUP POWER GENERATION PROVIDED FOR 100% OF LOAD
- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

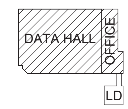
Project Number: 19110.0000

SKYBOX CORGAN R-G CRITICAL kW REED ASSOCIATES

ROOF PLAN

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020



A-130

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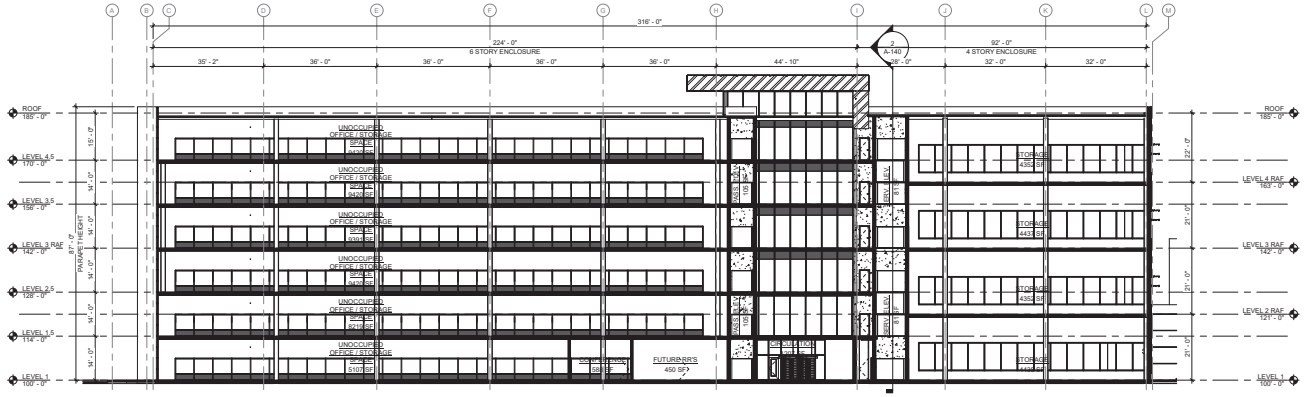
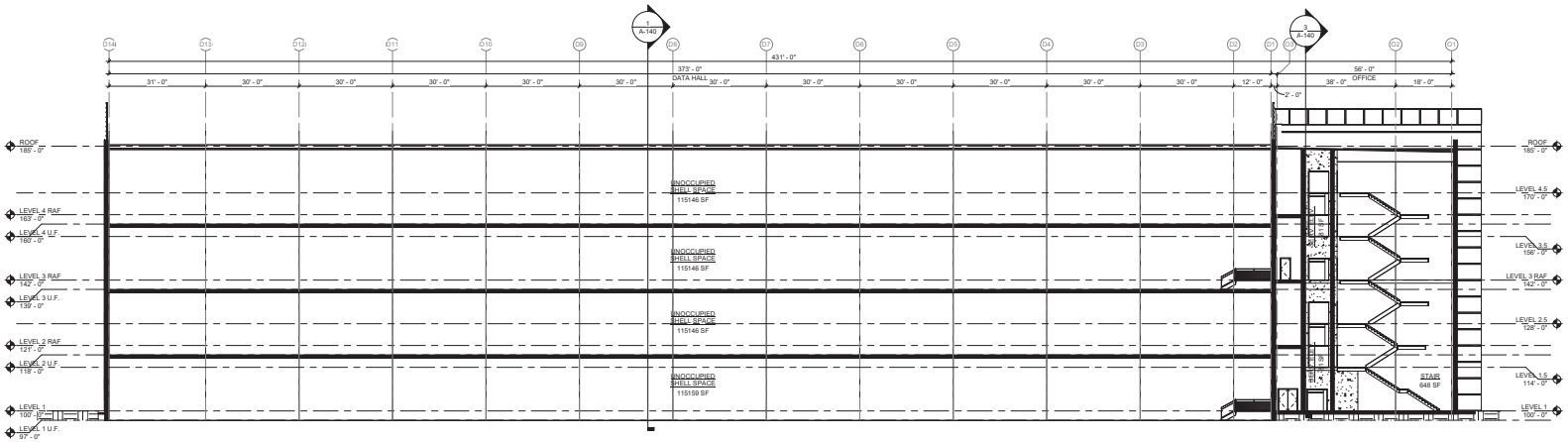
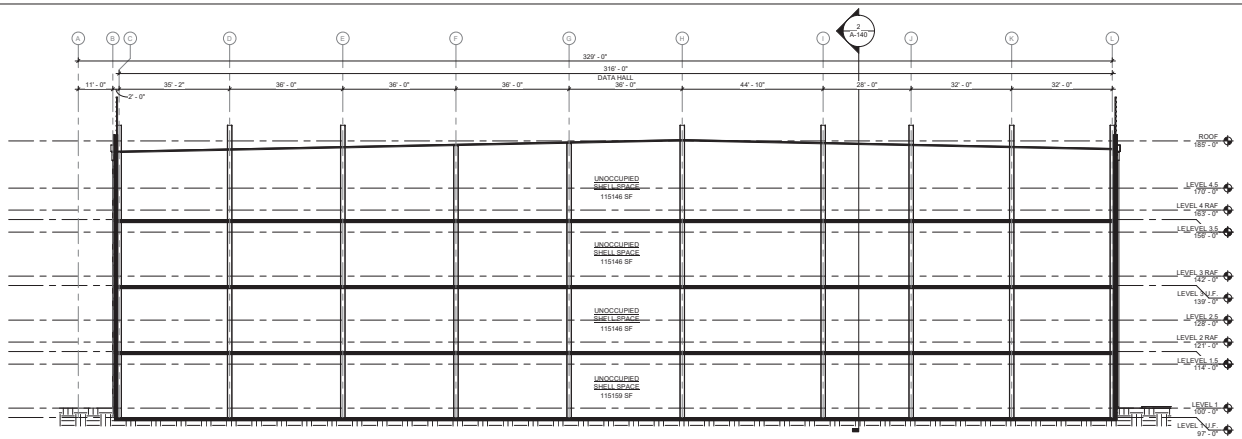


3 OFFICE SECTION - N-S
1/16" = 1'-0"



2 BUILDING SECTION E-W
1/16" = 1'-0"



1 DATA HALL SECTION N-S
N.T.S.

Project Number: 19110.0000

SKYBOX CORGAN RG RUTHS AND GORGE INC. CRITICAL kw REED ASSOCIATES

BUILDING SECTION

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013056 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

A-140

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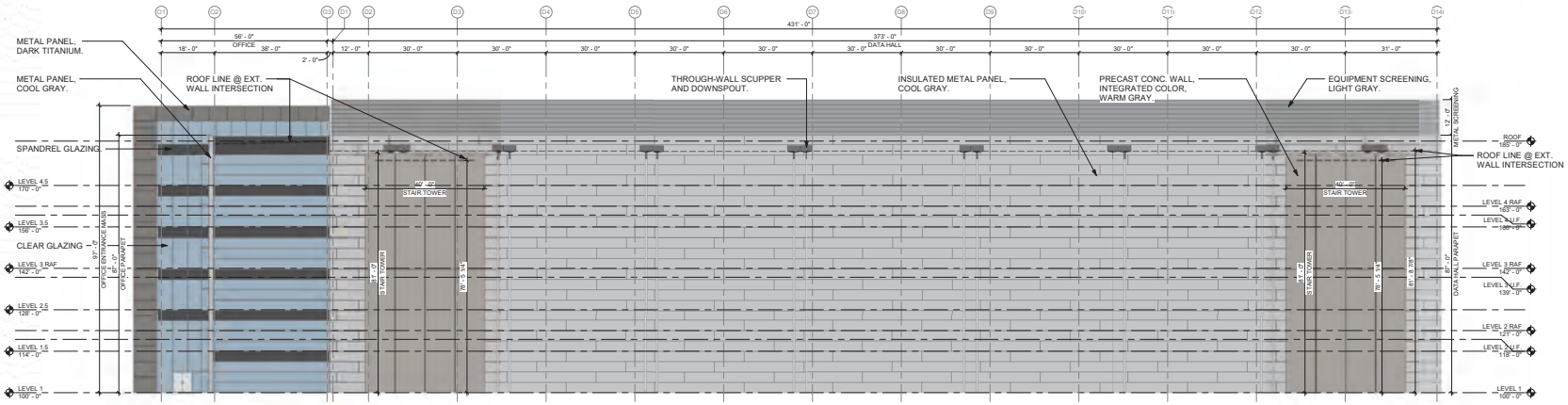
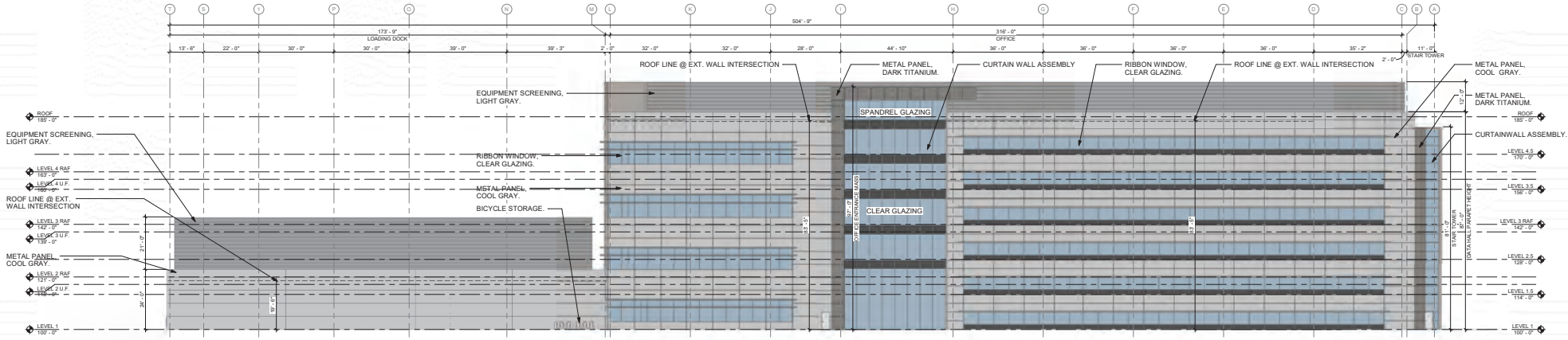


1 NORTH
1/16" = 1'-0"



2 EAST
1/16" = 1'-0"

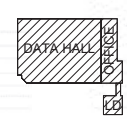
Project Number: 19110.0000

SKYBOX
CORGAN
RG KUTH AND GOING, INC.
CRITICAL
kW
REED ASSOCIATES

ELEVATIONS

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT
JEFFREY H. GYZEN
No. C-013086
REGISTERED DATE: 8-30-07
STATE OF CALIFORNIA
4/9/2020



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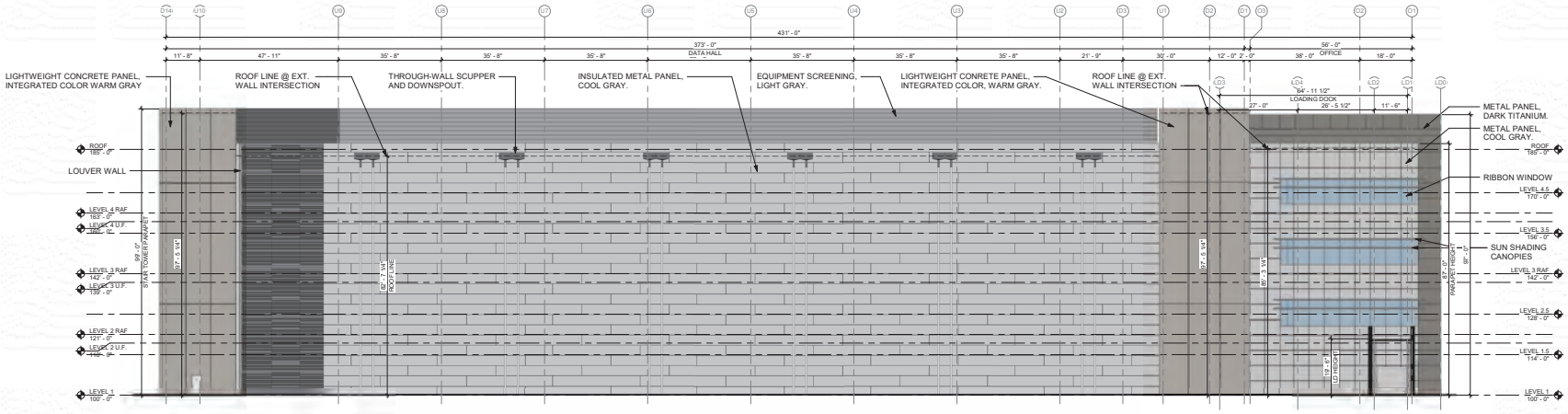
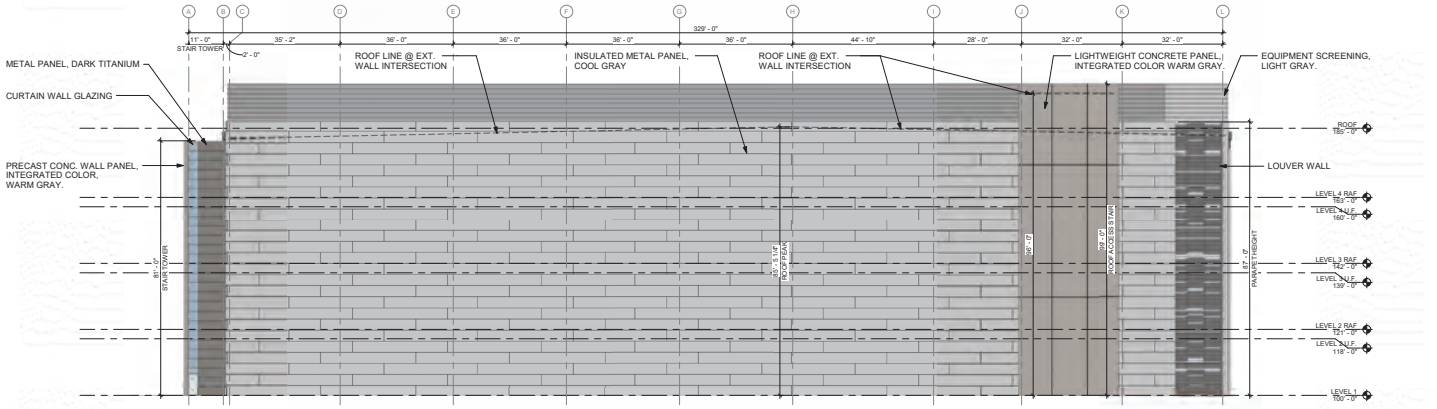
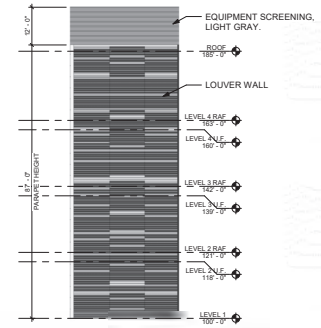


1 SOUTH
1/16" = 1'-0"



2 WEST
1/16" = 1'-0"



3 ELEVATION - SW CORNER
1/16" = 1'-0"

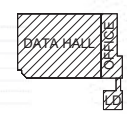
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

ELEVATIONS

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020



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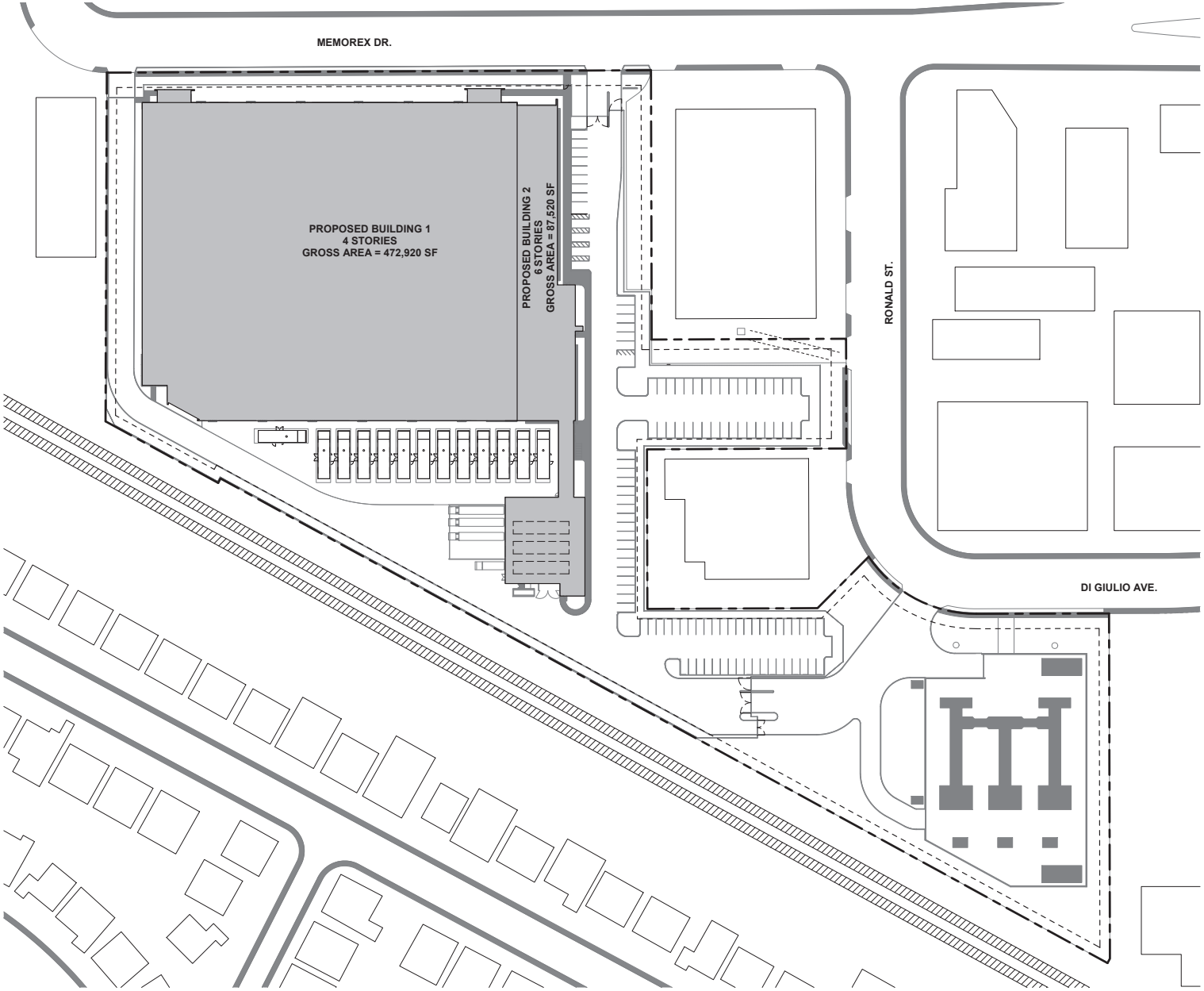

EXISTING

LOT SIZE - 400,038± SF - 9.18 ACRES

3 EXISTING BUILDINGS - TO BE DEMOLISHED

BUILDING 1 - FACTORY - 3 STORIES @ 116,679± SF BUILDING FOOTPRINT
BUILDING 2 - FACTORY - 2 STORIES @ 22,996± SF BUILDING FOOTPRINT
BUILDING 3 - STORAGE - 1 STORY @ 2,944± SF BUILDING FOOTPRINT

LOT COVERAGE - 142,619± SF - 36%

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA
BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF
PROD. DATA HALL - 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL - 6 @ 19,780 SF = 118,680 SF
MECH GALLERY - 24 @ 3,536 SF = 84,860 SF
UPS - 30 @ 2,275 SF =68,250 SF
OPEN OFFICE - 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC. -118,970 SF

* PRODUCTION AND DEVELOPMENT DATA HALLS ARE IDENTIFIABLE BY THEIR BACKUP POWER GENERATION.
- PRODUCTION DATA HALL - BACKUP POWER GENERATION PROVIDED FOR 100% OF LOAD
- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

PARKING

112 REQUIRED SPACES @ 1 PER 5,000 SF
113 PARKING SPACES PROVIDED
56 PARKING SPACES
41 COMPACT PARKING SPACES (C)
11 CLEAN AIR VEHICLE PARKING SPACES (CAV)
7 FUTURE EV CHARGING SPACES (EV)
5 ADA ACCESSIBLE SPACES (ADA)

BICYCLE PARKING - 5% SHORT & LONG TERM
6 SHORT TERM SPACES (ST)
6 LONG TERM SPACES (LT)

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

SITE PLAN - MP

1" = 40'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE

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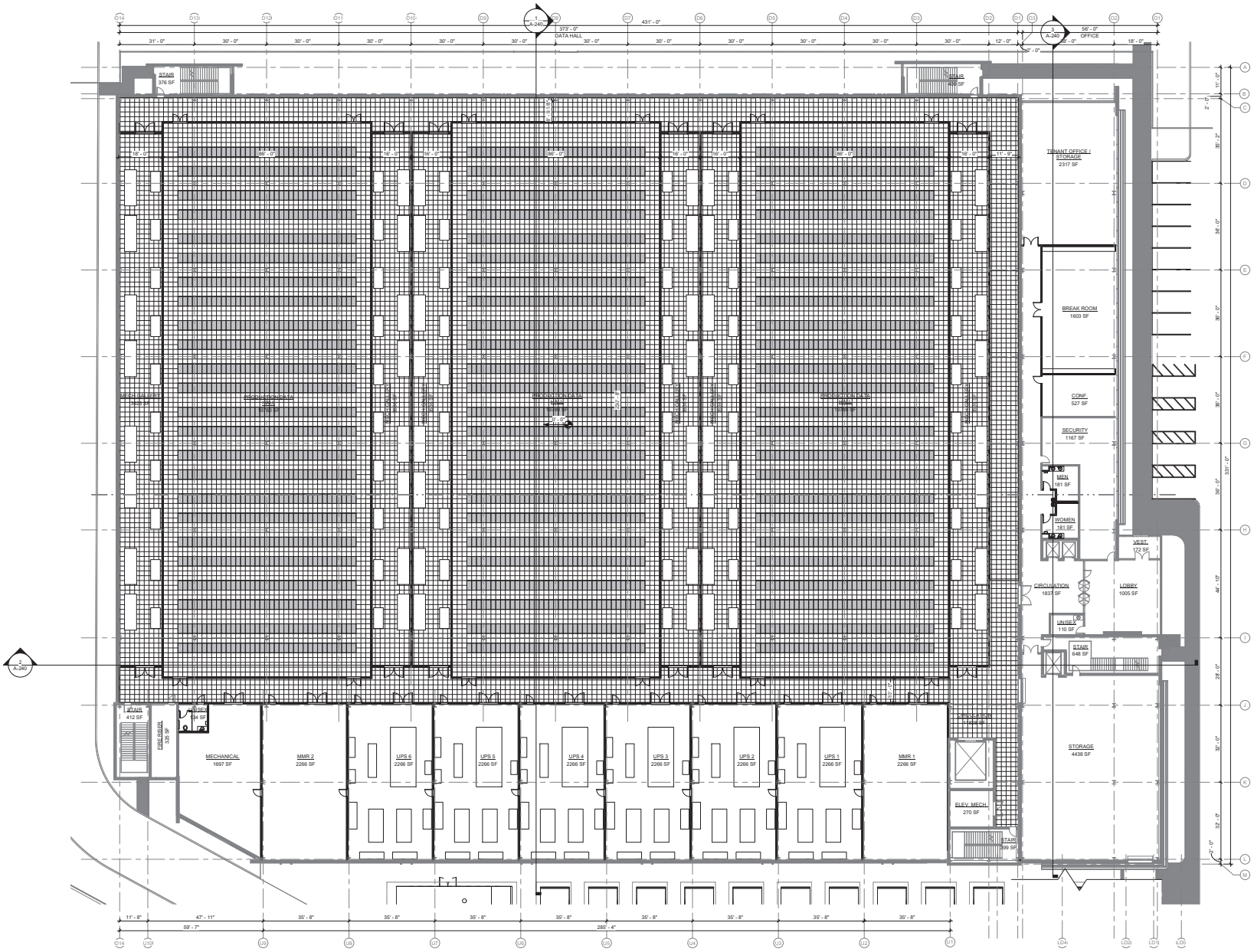

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF

PROD. DATA HALL	- 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL	- 6 @ 19,780 SF = 118,680 SF
MECH GALLERY	- 24 @ 3,536 SF = 84,860 SF
UPS	- 30 @ 2,275 SF =68,250 SF
OPEN OFFICE	- 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC.	-118,970 SF

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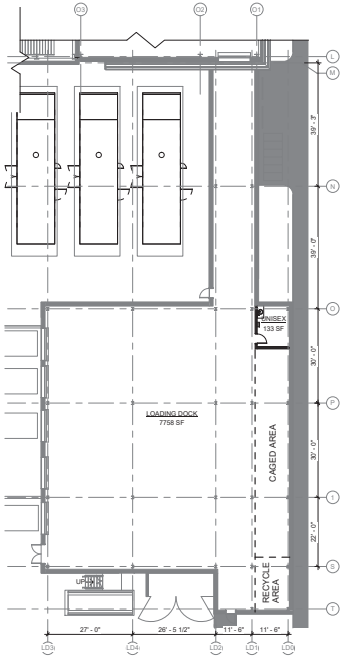


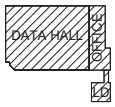
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 1 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020



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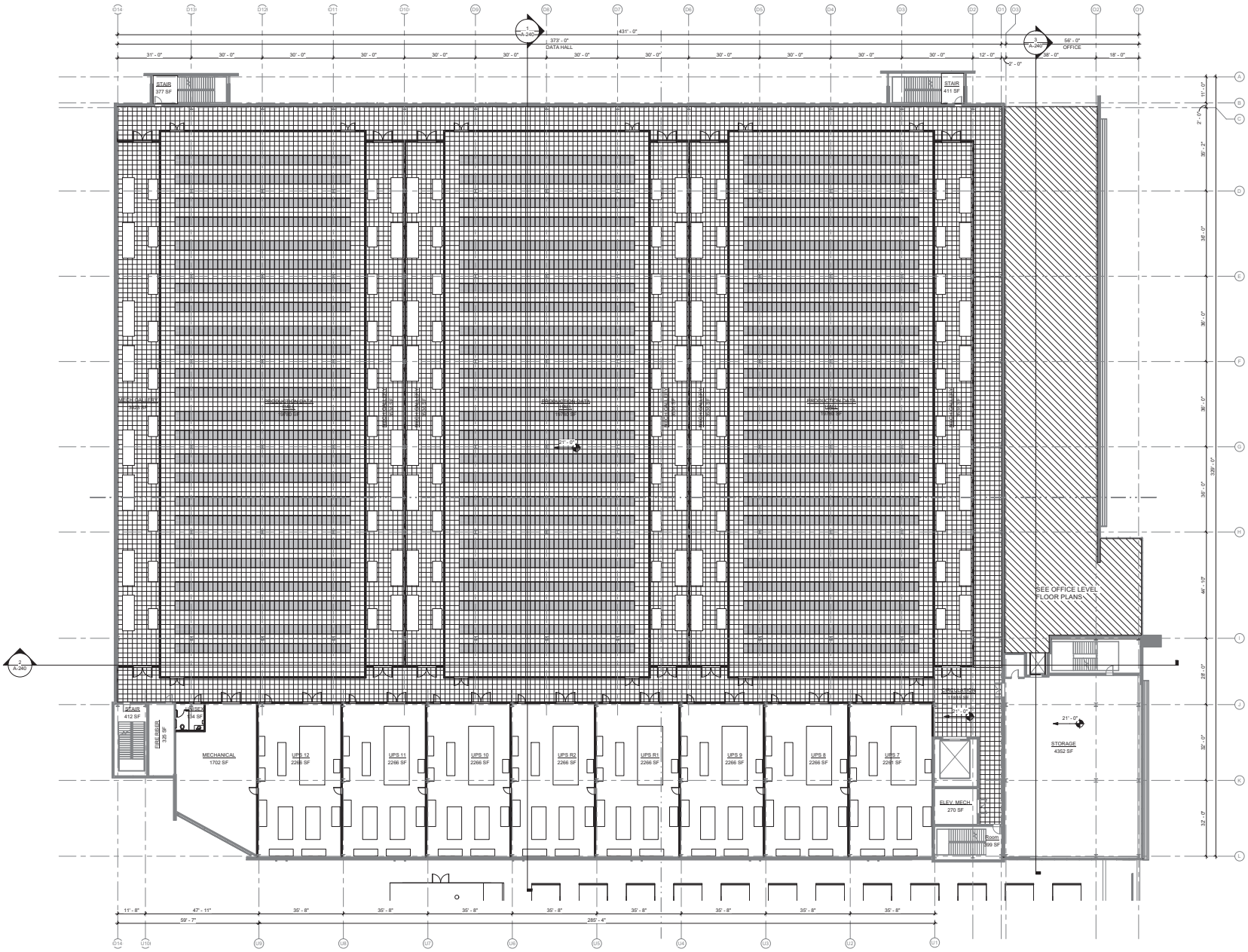

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 870" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF

PROD. DATA HALL	- 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL	- 6 @ 19,780 SF = 118,680 SF
MECH GALLERY	- 24 @ 3,536 SF = 84,860 SF
UPS	- 30 @ 2,275 SF =68,250 SF
OPEN OFFICE	- 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC.	-118,970 SF

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- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

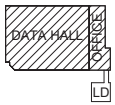
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 2 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020



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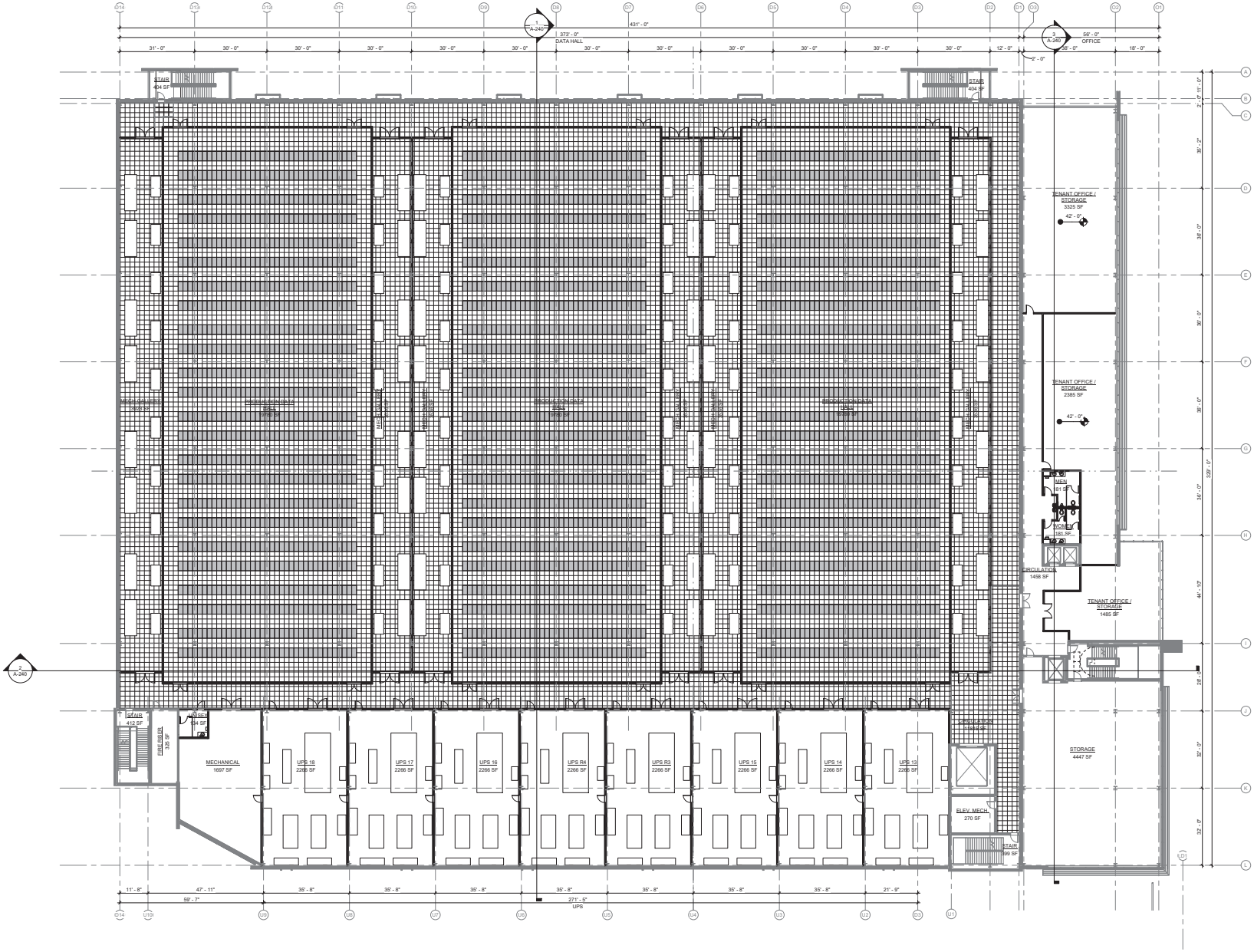

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF

PROD. DATA HALL	- 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL	- 6 @ 19,780 SF = 118,680 SF
MECH GALLERY	- 24 @ 3,536 SF = 84,860 SF
UPS	- 30 @ 2,275 SF =68,250 SF
OPEN OFFICE	- 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC.	-118,970 SF

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- DEVELOPMENT DATA HALL - NO BACKUP POWER GENERATION PROVIDED.

Project Number: 19110.0000

SKYBOX CORGAN R+G RUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES LANDSCAPE ARCHITECTURE

LEVEL 3 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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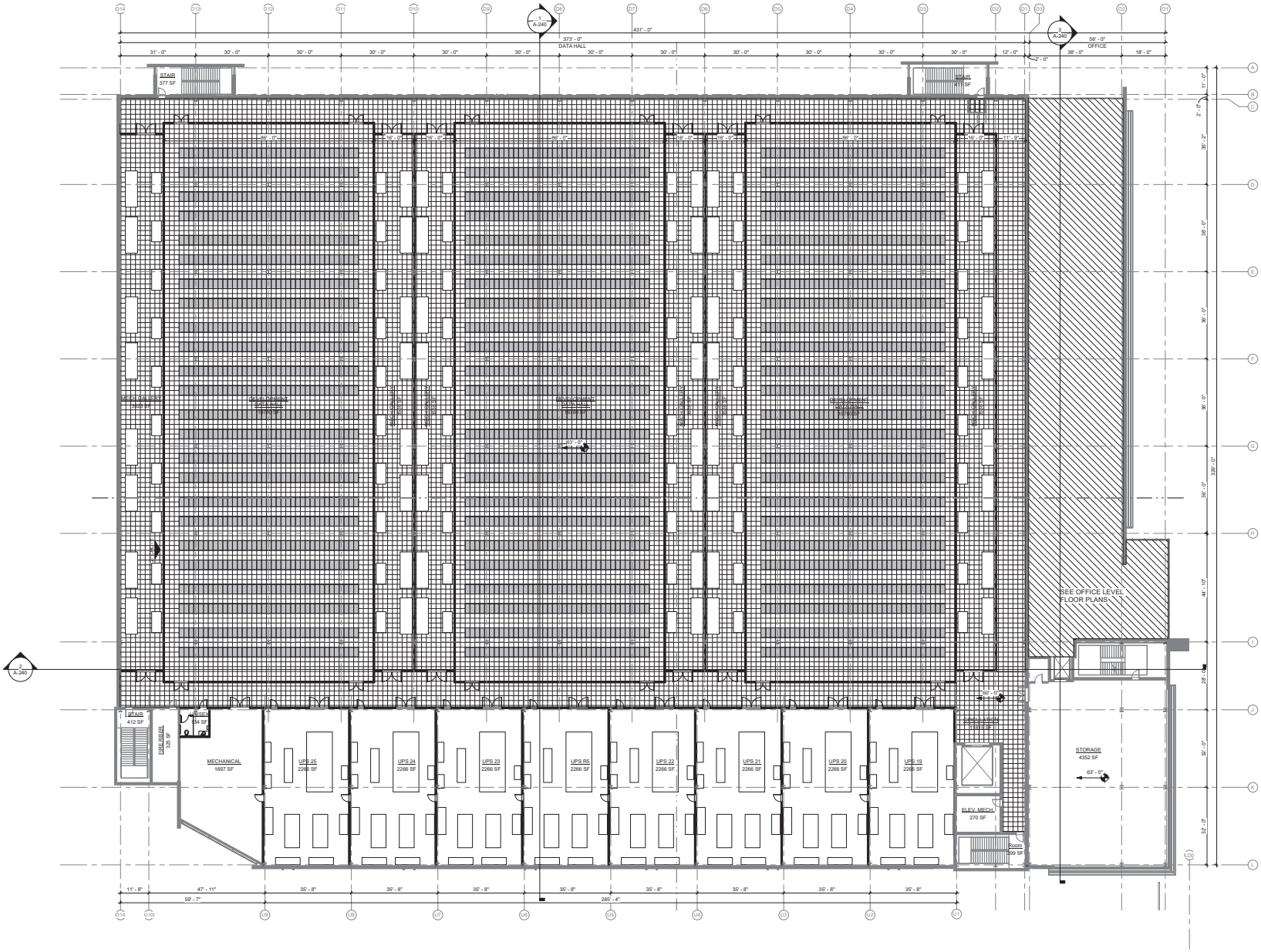

PROPOSED

LOT SIZE - 400,038± SF - 9.18 ACRES

2 PROPOSED BUILDINGS - TYPE IIA

BUILDING 1 - STORAGE II - 4 STORIES @ 118,230± SF GROSS - 472,920 SF±
PARAPET - 87' 0" MID SLOPE OF ROOF - 83' 6"
BUILDING 2 - STORAGE II - 6 STORIES @ 14,585± SF GROSS - 87,520 SF±
PARPAET - 87'0" MID SLOPE OF ROOF - 83' 6"

FAR - 1.40
LOT COVERAGE - 143,300± SF - 36%
OUTDOOR EQUIP STORAGE - 22,300± SF - 6%

GROSS BUILDING - 560,440± SF

PROD. DATA HALL	- 6 @ 19,780 SF = 118,680SF
DEV. DATA HALL	- 6 @ 19,780 SF = 118,680 SF
MECH GALLERY	- 24 @ 3,536 SF = 84,860 SF
UPS	- 30 @ 2,275 SF =68,250 SF
OPEN OFFICE	- 5,100 SF + 8,220 SF + 4 @ 9420 SF = 51,000 SF
MISC.	-118,970 SF

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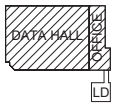
Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

LEVEL 4 FLOOR PLAN - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020



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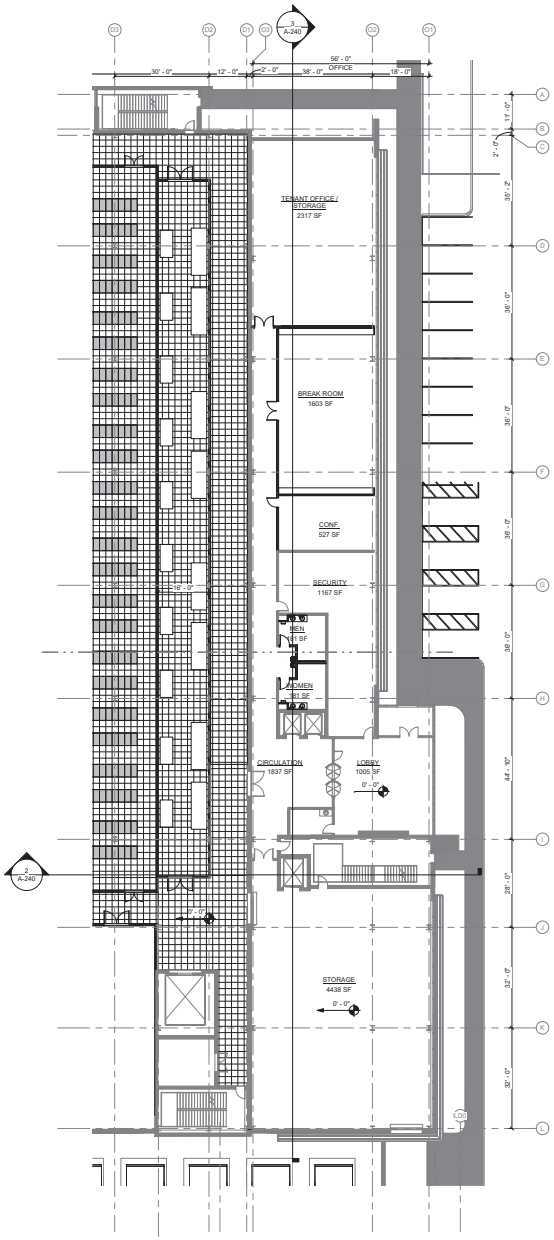
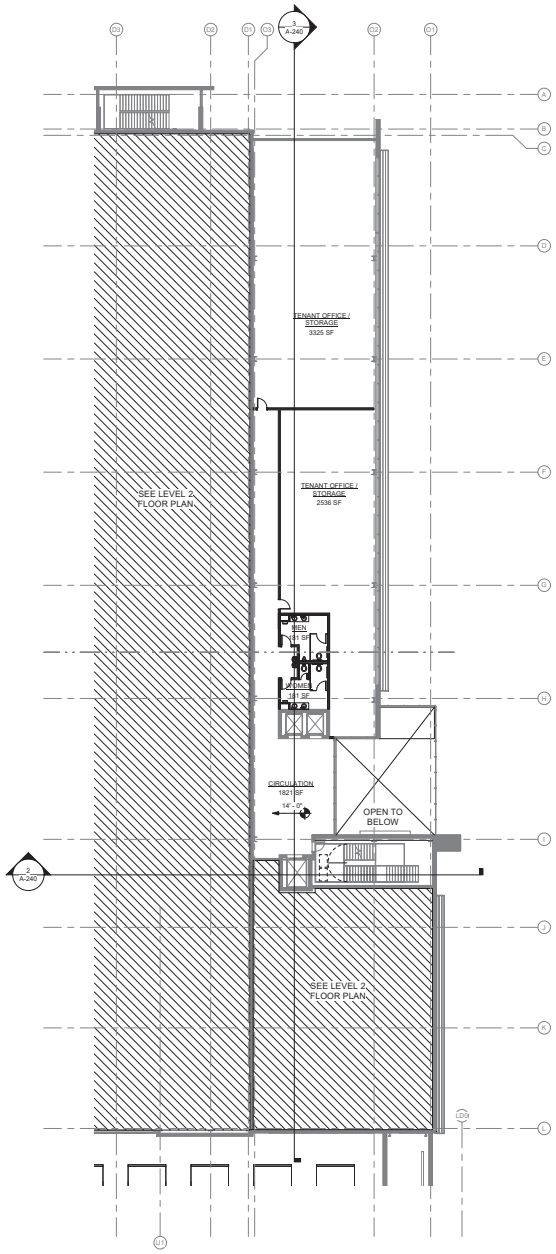
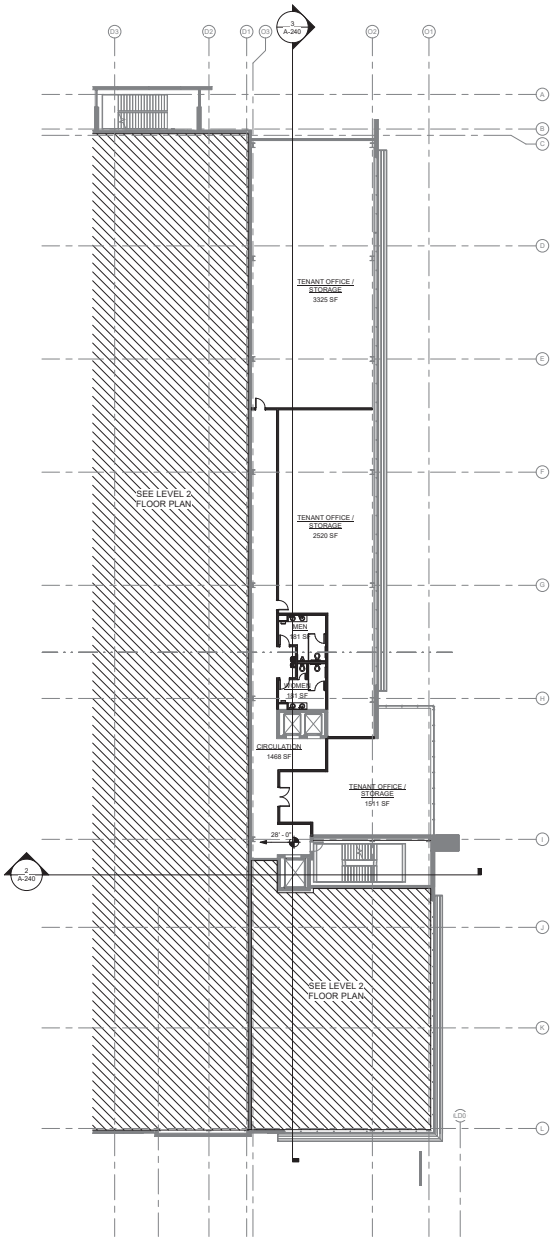


1 LEVEL 1 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



2 LEVEL 1.5 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



3 LEVEL 2.5 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

OFFICE LEVEL - FLOOR PLANS - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013086 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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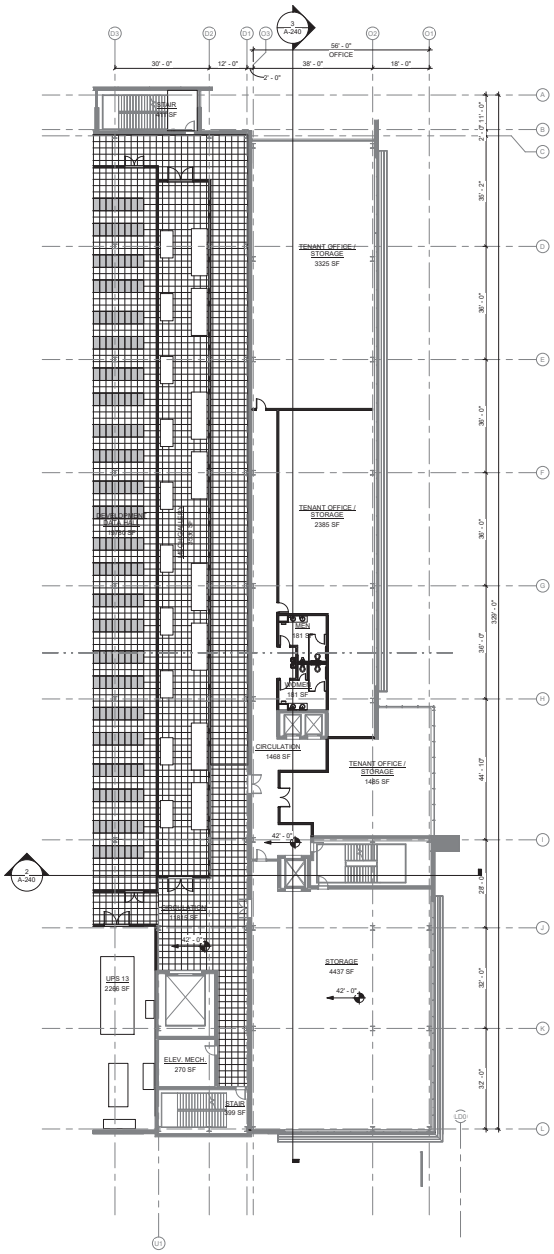
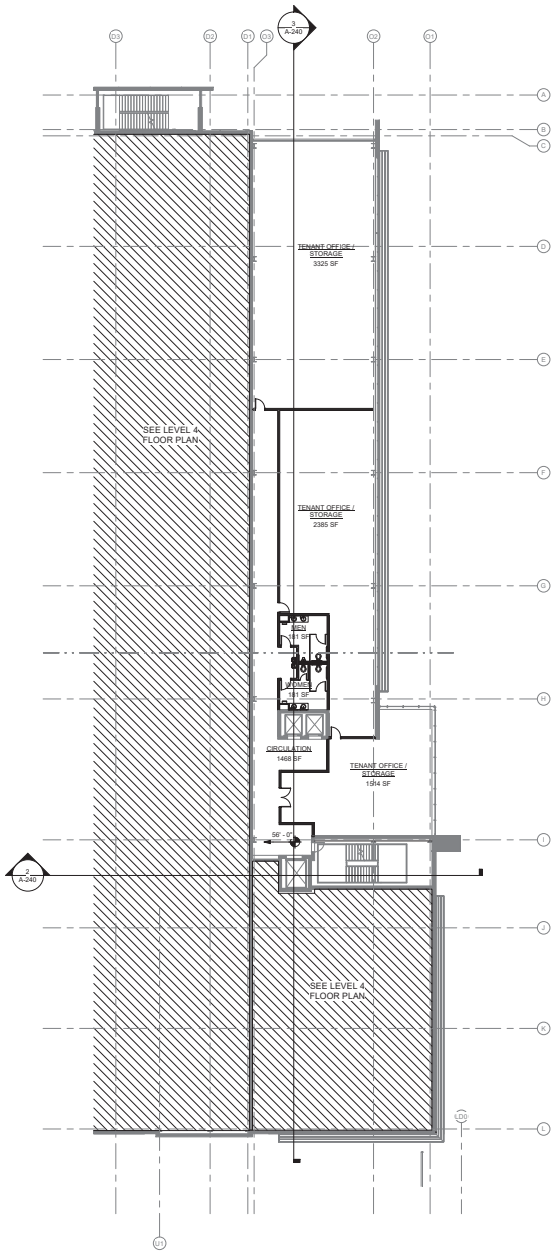
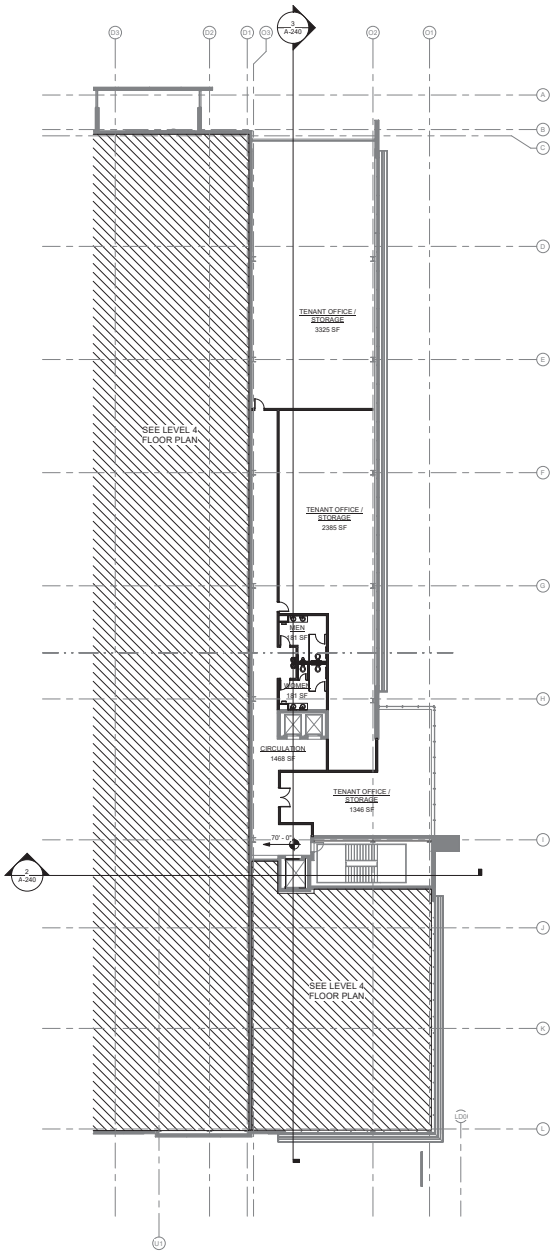


1 LEVEL 3 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



2 LEVEL 3.5 FLOOR PLAN - OFFICE - MP
1/16" = 1'-0"



3 LEVEL 4.5 - FLOOR PLAN OFFICE - MP
1/16" = 1'-0"

Project Number: 19110.0000

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

OFFICE LEVEL - FLOOR PLANS - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT JEFFREY H. GYZEN No. C-013088 STATE OF CALIFORNIA 4/9/2020

DATA HALL OFFICE LD

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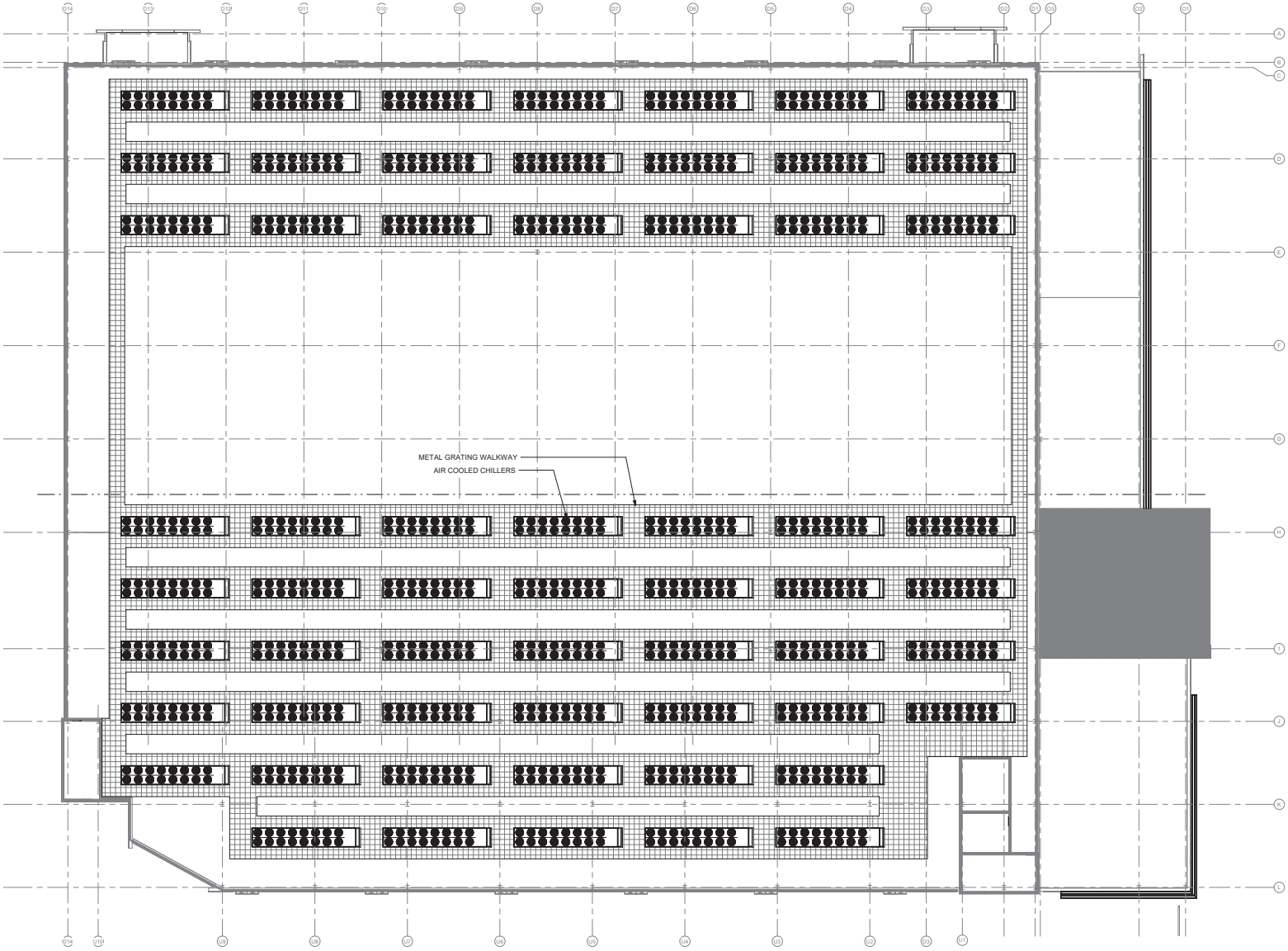


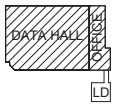
Project Number: 19110.0000

SKYBOX
CORGAN
R G KUTH AND GOING, INC.
CRITICAL
kW
REED ASSOCIATES

ROOFTOP EQUIPMENT PLAN - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT
JEFFREY H. GYZEN
No. C-013088
STATE OF CALIFORNIA
4/9/2020



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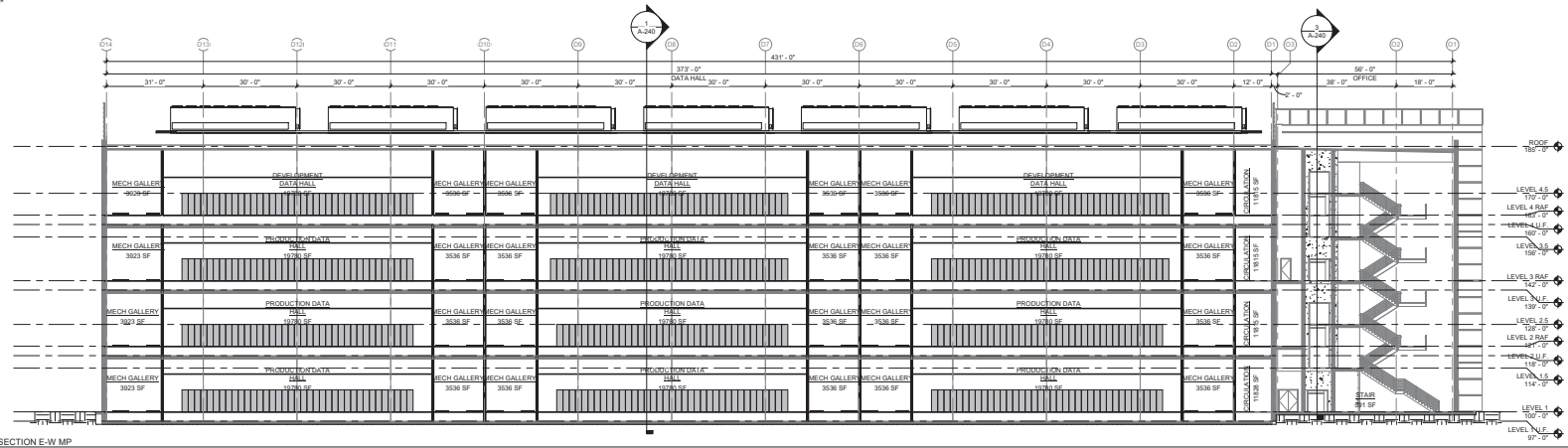
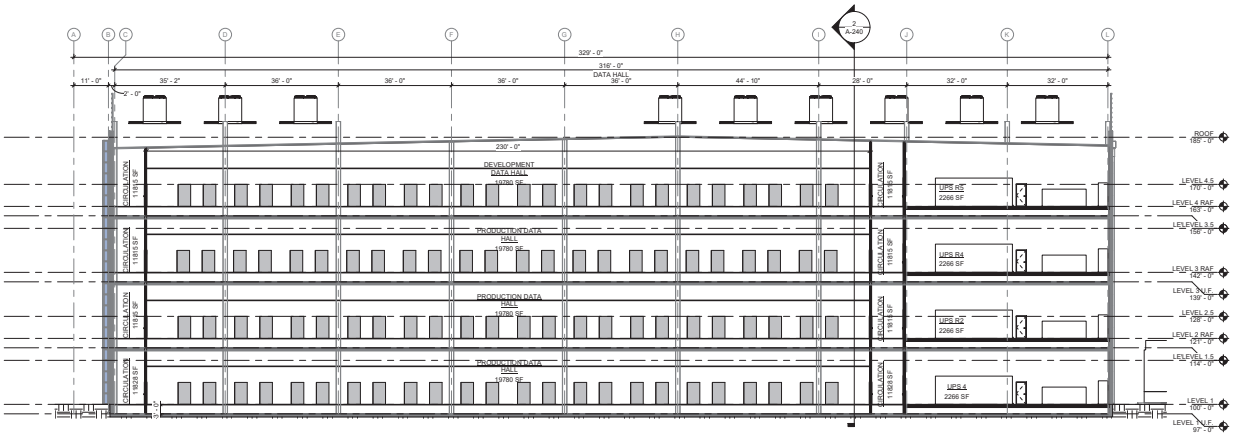
3 OFFICE SECTION - N-S MP
1/16" = 1'-0"



2 BUILDING SECTION E-W MP
1/16" = 1'-0"



1 BUILDING SECTION N-S MP
1/16" = 1'-0"

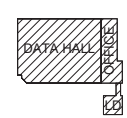
Project Number: 19110.0000

SKYBOX
CORGAN
R+G RUTH AND GOING, INC.
CRITICAL
kW
REED ASSOCIATES LANDSCAPE ARCHITECTURE

BUILDING SECTION - MP

1/16" = 1'-0"
04.09.2020

LICENSED ARCHITECT
JEFFREY H. GYZEN
No. C-013088
REGISTERED DATE
STATE OF CALIFORNIA
4/9/2020



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ONE LINE

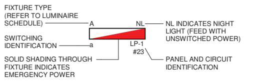
Symbol	Description
	CIRCUIT BREAKER 3 POLE OR AS NOTED
	DRAW OUT CIRCUIT BREAKER 3 POLE OR AS NOTED
	MEDIUM VOLTAGE LOAD INTERRUPTER
	MEDIUM VOLTAGE FAULT INTERRUPTER
	DISCONNECT SWITCH
	FUSED DISCONNECT SWITCH 3 POLE OR AS NOTED
SPD	SURGE PROTECTIVE DEVICE
	AC-DC INVERTER / RECTIFIER
	DC-AC INVERTER
5000-3-CU	FEEDER TAG - REFER TO SCHEDULES
	GROUND
	FUSE - SIZE IN AMPERES
	DIESEL GENERATOR
C41	MOTOR OR OTHER EQUIPMENT ## INDICATES HORSEPOWER UON
	3 PHASE TRANSFORMER DELTA PRIMARY Δ GROUNDED WYE SECONDARY
	CURRENT TRANSFORMERS
	POTENTIAL TRANSFORMER
PQM	POWER QUALITY METER
PM	POWER METER
	SURGE ARRESTER
	TRANSFER SWITCH AUTOMATIC OR MANUAL AS INDICATED
	PANEL BOARD - NAME, VOLTAGE, AND MCB CONFIGURATION AS NOTED
	DISTRIBUTION PANEL, NAME AND RATINGS AS INDICATED
	DC BATTERY
	STATIC TRANSFER SWITCH
K1	BREAKER ABLE TO CLOSE AND KEY WILL BE HELD CAPTIVE
K1	BREAKER LOCKED OPEN AND KEY ABLE TO BE REMOVED
K1 K1 K1	KEY TRANSFER BLOCK
	TAP BOX
K1	ADJUSTABLE SPEED DRIVE
	CONTINUATION
#	KEYED NOTE CALLOUT

LIGHTING

Symbol	Description
\$x	SINGLE POLE SWITCH; WALL MTD. 48" AFF TO CL UON LOWER CASE LETTER INDICATES SWITCHING ZONE
\$3	SWITCH-THREE WAY; WALL MTD. 48" AFF TO CL UON
\$4	SWITCH- FOUR WAY; WALL MTD. 48" AFF TO CL UON
\$D	DIMMING LIGHT SWITCH; WALL MTD. 48" AFF TO CL
\$LS	SINGLE POLE SWITCH FOR CONTROL OF LIFE SAFETY LIGHTS; WALL MTD. 48" AFF TO CL
\$OS	OCCUPANCY SENSOR WALL SWITCH; WALL MTD. 48" AFF TO CL "a,b" INDICATES DUAL-SWITCH, DUAL-RELAY STYLE
	OCCUPANCY SENSOR; CEILING MTD. UON
R EM	EMERGENCY SHUNT RELAY

NOTE: IN CORRIDORS, WHERE SWITCHES ARE INSTALLED ON DRYWALL WITH REVEALS, LOWER SWITCH MOUNTING HEIGHT TO 42" TO COORDINATE WITH REVEAL.

TYPICAL FIXTURE TAGS



POWER

Symbol	Description
	RECEPTACLE - SIMPLEX, 18" AFF TO CL UON
	RECEPTACLE - DUPLEX, 18" AFF TO CL UON
	RECEPTACLE - DUPLEX, 6" TO CL ABOVE COUNTER UON
GFI	RECEPTACLE - DUPLEX, GFI, 18" AFF TO CL UON
	RECEPTACLE - DOUBLE DUPLEX, 18" AFF TO CL UON
	RECEPTACLE - DOUBLE DUPLEX, 6" TO CL ABOVE COUNTER UON
GFI	RECEPTACLE - DOUBLE DUPLEX, GFI, 18" AFF TO CL UON
	SPECIALTY RECEPTACLE - TYPE AS NOTED.
	FLUSH FLOOR BOX, ADDITIONAL REQUIREMENTS AS INDICATED
E	EQUIPMENT CONNECTION, REFER TO ELEC. EQUIP. AND CONTROL SCHEDULE
J	JUNCTION BOX / MISC. EQUIPMENT CONNECTION
	DISCONNECT SWITCH (SAFETY SWITCH); X/X/X = AMP RATING/PHASE/FUSE SIZE NF = NOT FUSED
F C	DRY TYPE TRANSFORMER F = FLOOR MOUNTED C = CEILING MOUNTED (OVERHEAD)

FIRE ALARM

Symbol	Description
F	FIRE ALARM MANUAL PULL STATION - MOUNTED AT 48" AFF TO CENTER OF BOX
	FIRE ALARM HORN/STROBE UNIT*
xx cd C	CEILING MOUNTED FIRE ALARM HORN/STROBE UNIT*
	FIRE ALARM STROBE UNIT - MOUNTED AT 80" AFF TO THE BOTTOM OF THE LENS, OR CEILING MOUNTED WHERE INDICATED
S	SMOKE DETECTOR - PHOTOELECTRIC UON. MOUNTED TO CEILING OR STRUCTURAL DECK UON.
	HEAT DETECTOR, COMBINATION RATE-OF-RISE / 135 DEG F UON
S D	DUCT TYPE SMOKE DETECTOR WITH HOUSING**
MM	ADDRESSABLE MONITORING MODULE***
CM	ADDRESSABLE CONTROL MODULE
	ASSD SAMPLING POINT
BF	SUBSCRIPT TYPE BF - BELOW RAISED FLOOR
AC	SUBSCRIPT TYPE AC - ABOVE SUSPENDED CEILING, OR AT STRUCTURE WHERE NO CEILING PROVIDED
FACP	FIRE ALARM CONTROL PANEL; MOUNTED AT 60" AFF TO CENTER OF BOX
FRA	FIRE ALARM REMOTE ANNUNCIATOR CABINET; MOUNTED AT 60" AFF TO CENTER OF BOX
NAC	NOTIFICATION APPLIANCE CIRCUIT PANEL
ASSD	AIR SAMPLING SMOKE DETECTOR CONTROL PANEL; MOUNTED AT 60" AFF TO CENTER OF BOX UNLESS OTHERWISE NOTED
RTS	REMOTE LED / TEST STATION FOR DUCT DETECTOR
*	ALL AUDIBLE DEVICES SHALL BE MUTLI-TAP dB; LEVEL SHALL BE HIGHEST TAP UON.
**	DUCT DETECTORS ARE FURNISHED BY MECHANICAL CONTRACTOR, MOUNTED BY MECHANICAL CONTRACTOR, AND WIRED BY ELECTRICAL CONTRACTOR
***	FLOW, TAMPER AND PRESSURE SWITCHES ARE PROVIDED BY SPRINKLER CONTRACTOR, WIRED BY ELECTRICAL CONTRACTOR
S AS	AIR SAMPLING SMOKE DETECTOR
S BR	BEAM TYPE SMOKE DETECTOR - RECEIVER
S BT	BEAM TYPE SMOKE DETECTOR - TRANSMITTER
	AUDIBLE NOTIFICATION FOR FIRE ALARM
R	HEAT DETECTOR - RATE OF RISE
	HEAT DETECTOR - LINE TYPE
F	HEAT DETECTOR - FIXED TEMPERATURE

GROUNDING

Symbol	Description
	GROUND BAR
	EQUIPMENT GROUND CONNECTION
	FUTURE EQUIPMENT GROUND CONNECTION
	GROUND ROD
	GROUND TEST WELL
	UNDERGROUND EXOTHERMIC WELD
	PEDESTAL BOND
	GROUND LOOP
	EQUIPMENT GROUNDING OVERHEAD
	EQUIPMENT GROUNDING UNDER SLAB

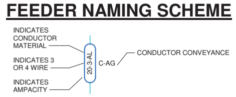
LIGHTNING PROTECTION

Symbol	Description
	CLASS 1 AIR TERMINAL, 1/2" DIA. SOLID ALUMINUM WITH SAFETY TIP. TYPE "A" UNLESS OTHERWISE NOTED: • TYPE "A": 18"L, ADHERED TO INNER SIDE OF PARAPET • TYPE "B": 24"L, ADHERED DIRECTLY TO ROOF
	CLASS 1 ALUMINUM LIGHTNING CONDUCTOR, MAIN SIZE EXCEPT WHERE BONDING CONDUCTORS ARE EXPLICITLY ALLOWED BY CODE : • MAIN CONDUCTOR: MINIMUM 102 LB PER 1000', 26 STRANDS #14 AWG • BONDING CONDUCTOR: MINIMUM 40 LB PER 1000', 10 STRANDS #14 AWG
	COPPER DOWN CONDUCTOR TO BURIED GROUND RING, CONCEALED IN SEAM OF PRE-CAST BUILDING PANELS

ABBREVIATIONS

Abbreviation	Meaning
A	AMPERES
A	ALTERNATE
AB	ABOVE
AC	ALTERNATING CURRENT
AF	AMPERE FRAME
AFF	ABOVE FINISHED FLOOR
AFG	ABOVE FINISHED GRADE
AHU	AIR HANDLING UNIT
ALT	ALTERNATE
AIC	AMPERE INTERRUPTING CAPACITY
ANN	ANNUNCIATOR
ASSD	AIR SAMPLING SMOKE DETECTION
AT	AMPERE TRIP
ASTS	AUTOMATIC STATIC TRANSFER SWITCH
ATS	AUTOMATIC TRANSFER SWITCH
AUTO	AUTOMATIC
AUX	AUXILIARY
AWG	AMERICAN WIRE GAUGE
BFF	BELOW FINISHED FLOOR
BFG	BELOW FINISHED GRADE
BC/BF	DEVICES MOUNTED BELOW SUSPENDED CEILING AND BELOW RAISED FLOOR
BATT	BATTERY
BF	BELOW RAISED FLOOR
BKR	BREAKER
BLDG	BUILDING
C	CONDUIT
CAB	CABINET
CB	CIRCUIT BREAKER
C-BUS	CABLE BUS
CKT	CIRCUIT
CL	CENTER LINE
CLG	CEILING
CO	COMPANY
COL	COLUMN
COMM	COMMUNICATIONS
CONC	CONCRETE
CONN	CONNECTION, CONNECT
COORD	COORDINATE
CRAH	COMPUTER ROOM AIR HANDLER
CUH	CABINET UNIT HEATER
CT	CURRENT TRANSFORMER
CU	COPPER
Δ	DELTA CONNECTION
DB	DECIBEL
DC	DIRECT CURRENT
DET	DETECTOR
DIA	DIAMETER
DISC	DISCONNECT
DIST	DISTRIBUTION
DIV	DIVISION
DN	DOWN
DP	DISTRIBUTION PANEL
DWG	DRAWING
EA	EACH
EF	EXHAUST FAN
EG	EQUIPMENT GROUND
EL	ELEVATION
ELEC	ELECTRIC(AL)
ELU	EMERGENCY LIGHT UNIT
EMER	EMERGENCY
EMT	ELECTRICAL METALLIC TUBING
EMH	ELECTRICAL MANHOLE
ENCL	ENCLOSURE
E.O.	ELECTRONICALLY OPERATED
EPMS	ELECTRICAL POWER MONITORING SYSTEM
EPO	EMERGENCY POWER OFF
EPR	ETHYLENE PROPYLENE RUBBER INSULATION
EQUIP	EQUIPMENT
EUH	ELECTRIC UNIT HEATER
EWC	ELECTRIC WATER COOLER
EWH	ELECTRIC WALL HEATER
EXIST	EXISTING
EXT	EXTERIOR
F	FUSE(D)
FA	FIRE ALARM
FACP	FIRE ALARM CONTROL PANEL
FCU	FAN COIL UNIT
FIXT	FIXTURE
FLA	FULL LOAD AMPERES
FLR	FLOOR
FLEX	FLEXIBLE
FLUOR	FLUORESCENT
FO	FIBER OPTIC
FTR	FUTURE
FURN	FURNISH
G, GND	GROUND
GALV	GALVANIZE(D)
GEN	GENERATOR
GFEP	GROUND FAULT EQUIPMENT PROTECTION (30MA)
GFCI	GROUND FAULT CIRCUIT INTERRUPTER
GFP	GROUND FAULT PROTECTION
GPS	GLOBAL POSITIONING SYSTEM
HD	HEAVY DUTY
HGT	HEIGHT
HH	HAND HOLE
HID	HIGH INTENSITY DISCHARGE
HO	HIGH OUTPUT
HOA	HAND-OFF-AUTOMATIC
HP	HORSEPOWER
HPF	HIGH POWER FACTOR
HPS	HIGH PRESSURE SODIUM
HTR	HEATER
HV	HIGH VOLTAGE
IC	INTERCOMMUNICATION
ID	IDENTIFY, IDENTIFICATION
IMC	INTERMEDIATE METAL CONDUIT
INCAN	INCANDESCENT
INSUL	INSULATION
IPS	INTERRUPTIBLE POWER SUPPLY
IR	PASSIVE INFRARED
JB	JUNCTION BOX
JCT	JUNCTION
KILO	THOUSAND
KA	KILO AMPERES
KCMIL	THOUSAND CIRCULAR MILS
KVA	KILOVOLT-AMPERES
KVAR	KILOVARS
KV	KILOVOLTS
KW	KILOWATTS
LHD	LINEAR HEAT DETECTOR
LI	LONG TIME INSTANTANEOUS
LTG	LIGHTING
LT(S)	LIGHTS
MA	MILLIAMPERE
MAINT	MAINTAINED
MAN	MANUAL
MAX	MAXIMUM
MC	METAL CLAD CABLE
MCB	MAIN CIRCUIT BREAKER
MCC	MOTOR CONTROL CENTER
MCS	MOLDED CASE SWITCH
MCCB	MOLDED CASE CIRCUIT BREAKER
MDP	MAIN DISTRIBUTION PANEL
MEGA	MILLION
MFR	MANUFACTURER
MH	MANHOLE
MIN	MINIMUM
MLO	MAIN LUGS ONLY
MO	MANUALLY OPERATED
MTD	MOUNT(ED)
MTR	MOTOR
MTS	MANUAL TRANSFER SWITCH
MV	MEDIUM VOLTAGE
MW	MEGA WATTS
N	NORTH
NAC	NOTIFICATION APPLIANCE CIRCUIT
NC	NORMALLY CLOSED
NEC	NATIONAL ELECTRICAL CODE
NF	NON-FUSED
NIC	NOT IN CONTRACT
NL	NIGHT LIGHT
N.O.	NORMALLY OPEN
NTF	NEUTRAL TIME PROTOCOL
NTS	NOT TO SCALE
OCPD	OVERCURRENT PROTECTIVE DEVICE
OH	OVERHEAD
OHD	OVERHEAD DOOR
OL	OVERLOAD
OS	OCCUPANCY SENSOR
P	POLE(S)
P	PREFERRED
PC	PHOTOCELL
PB	PUSHBUTTON
PDU	POWER DISTRIBUTION UNIT
PF	POWER FACTOR
PFR	PREFERRED
PL	PILOT LIGHT
PNL	PANEL
PQM	POWER QUALITY METER
PM	POWER METER
PR	PAIR
PREP	PREPARED
PRI	PRIMARY
PVC	POLYVINYL CHLORIDE
PWR	POWER
ΔPH	PHASE
QTY	QUANTITY
RECEPT	RECEPTACLE
RECT	RECTIFIER
REFR	REFRIGERATOR
RGS	RIGID GALVANIZED STEEL CONDUIT
RHW	EPR INSULATED WIRE
RM	ROOM
RMC	RIGID METALLIC CONDUIT
RPP	REMOTE POWER PANEL
SCH	SCHEDULE
SEC	SECONDARY
SFL	SUB-FEED LUGS
SKRU	SOLENOID KEY RELEASE UNIT
SHT	SHEET
ST	SHUNT TRIP
SPC	SPACE
SPKR	SPEAKER
SPR	SPARE
SQ	SQUARE
SS	STAINLESS STEEL
STP	SHIELDED TWISTED PAIR
SUSP	SUSPEND(ED)
SW	SWITCH
SWBD	SWITCHBOARD
SWGR	SWITCHGEAR
T	TRAY
TYP	TYPICAL
U	ULTRASONIC
UC	UNDER COUNTER
UG	UNDERGROUND
UGC	UNDERGROUND COMMUNICATION
UGP	UNDERGROUND POWER
UH	UNIT HEATER
UON	UNLESS OTHERWISE NOTED
UPS	UNINTERRUPTIBLE POWER SUPPLY
UTIL	UTILITY
UTP	UNSHIELDED TWISTED PAIR
V	VOLT(S)
VA	VOLT-AMPERES
VAR	REACTIVE VOLT-AMPERES
VAV	VARIABLE AIR VOLUME
VRLA	VALVE REGULATED LEAD ACID
W	WIRE
W	WATTS
W/	WITH
WG	WIRE GUARD
WP	WEATHERPROOF
WT	WATERTIGHT
XP	EXPLOSION PROOF
XHHW	CROSS LINKED POLYETHYLENE INSULATED WIRE
XFMR	TRANSFORMER
Y	WYE CONNECTION

FEEDER NAMING SCHEME



MATERIAL LEGEND:

AL	ALUMINUM
CU	COPPER

CONVEYANCE LEGEND:

C-AG	ABOVE GRADE CONDUIT
C-BG	BELOW GRADE CONDUIT
C-BUS	CABLEBUS
MC	METAL CLAD CABLE
T	CABLE TRAY

LINE TYPE LEGEND

NEW WORK

FUTURE WORK

EXISTING WORK

Project Number: 19.161

SKYBOX CORGAN R·G CRITICAL kW

LEGEND AND ABBREVIATIONS

As indicated

04.09.2020

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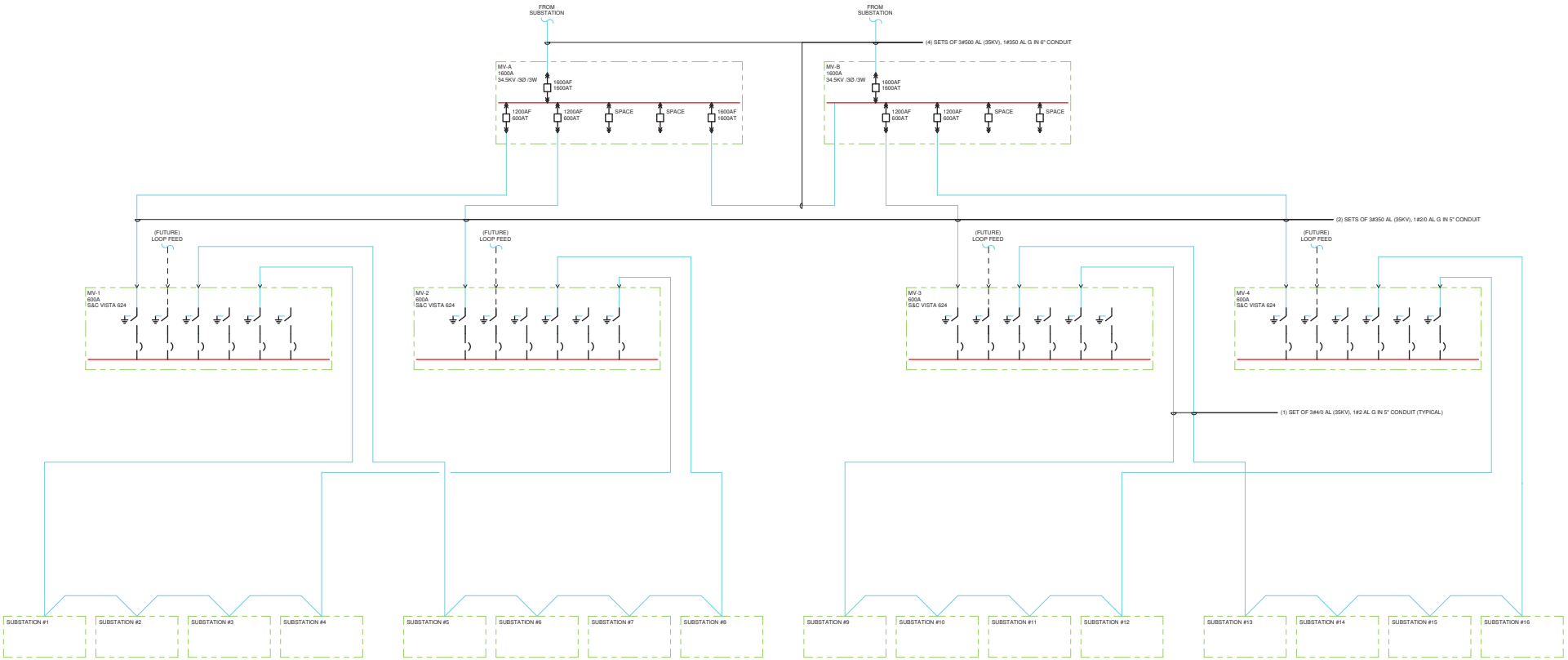

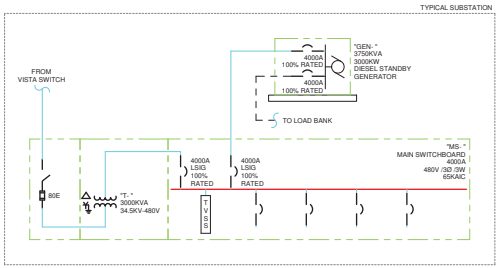

Project Number: 19.161

SKYBOX CORGAN RG KUTH AND GOING, INC CRITICAL kW REED ASSOCIATES

MV ONELINE

N.T.S.

03.17.2020

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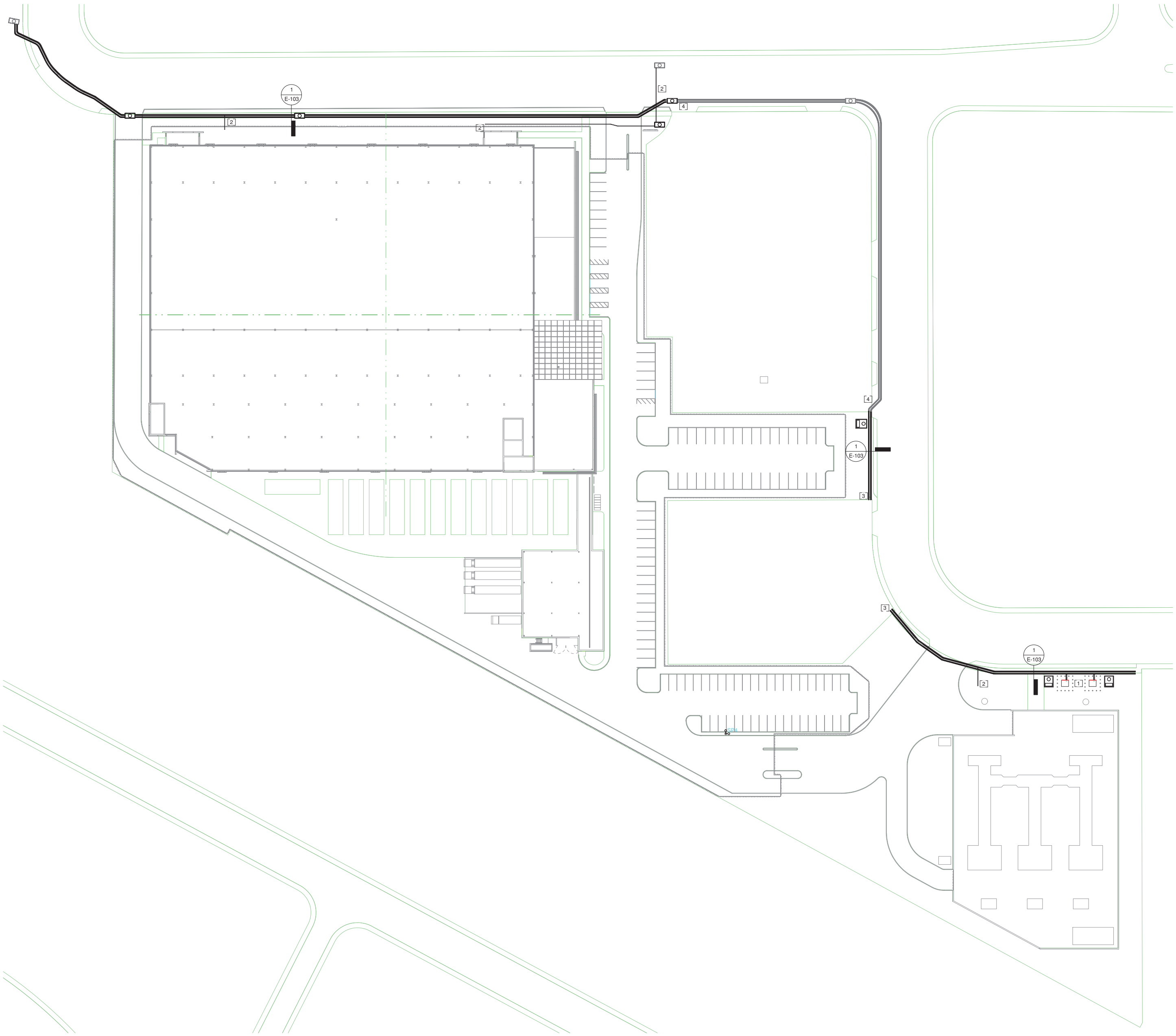

KEYED NOTES

1 PROVIDE TWO (2) SVP PM TRANSFORMER PADS IN VICINITY FOR SVP CONTROL ROOM POWER. DIVERSE 12KV SOURCES REQUIRED. REFERENCE SVP 'UG1000' FOR ADDITIONAL REQUIREMENTS.
2 PROVIDE (1) 4"C FOR SVP FIBER OPTIC CONNECTION.
3 TIE INTO EXISTING DUCTBANK AT INDICATED LOCATION.
4 SCOPE OF WORK BY OTHERS.

Project Number: 19.161

NORTH

ELECTRICAL SITE ROUTING PLAN

1" = 40'-0"

03.17.2020

04/09/2020

DATA HALL

OFFICE

LD

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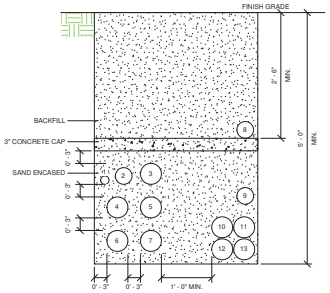

1 UTILITY DUCTBANK - SVP UG1000 - JOINT TRENCH
N.T.S.

Project Number: 19.161

SKYBOX CORGAN RG KUTH AND GOING, INC. CRITICAL kW REED ASSOCIATES

ELECTRICAL SITE DETAILS

N.T.S.
03.17.2020

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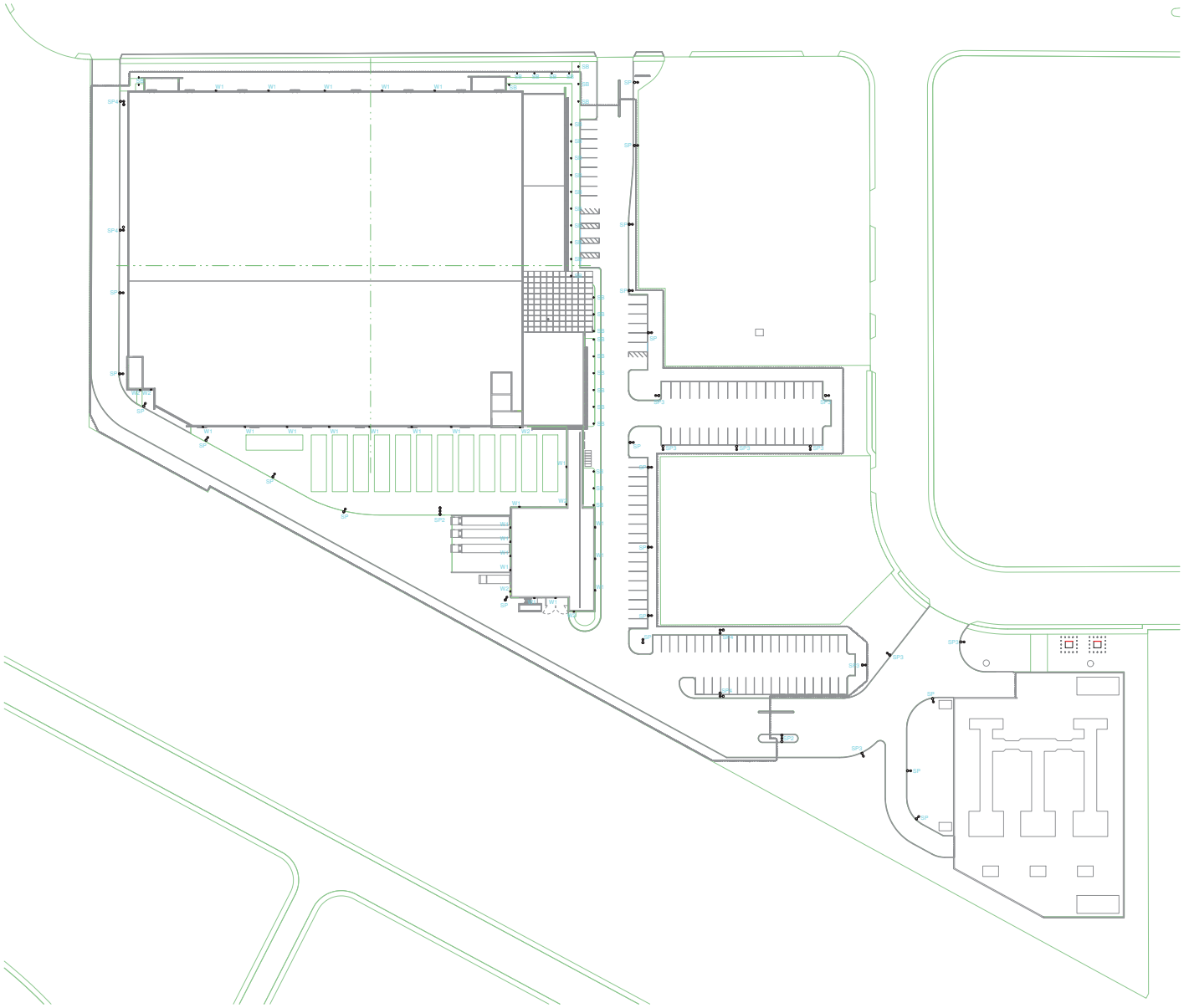

Project Number: 19.161

SKYBOX

CORGAN

R G KUTH AND GOING, INC.

CRITICAL

kW

REED ASSOCIATES

ELECTRICAL SITE LIGHTING PLAN

1" = 40'-0"

03.17.2020

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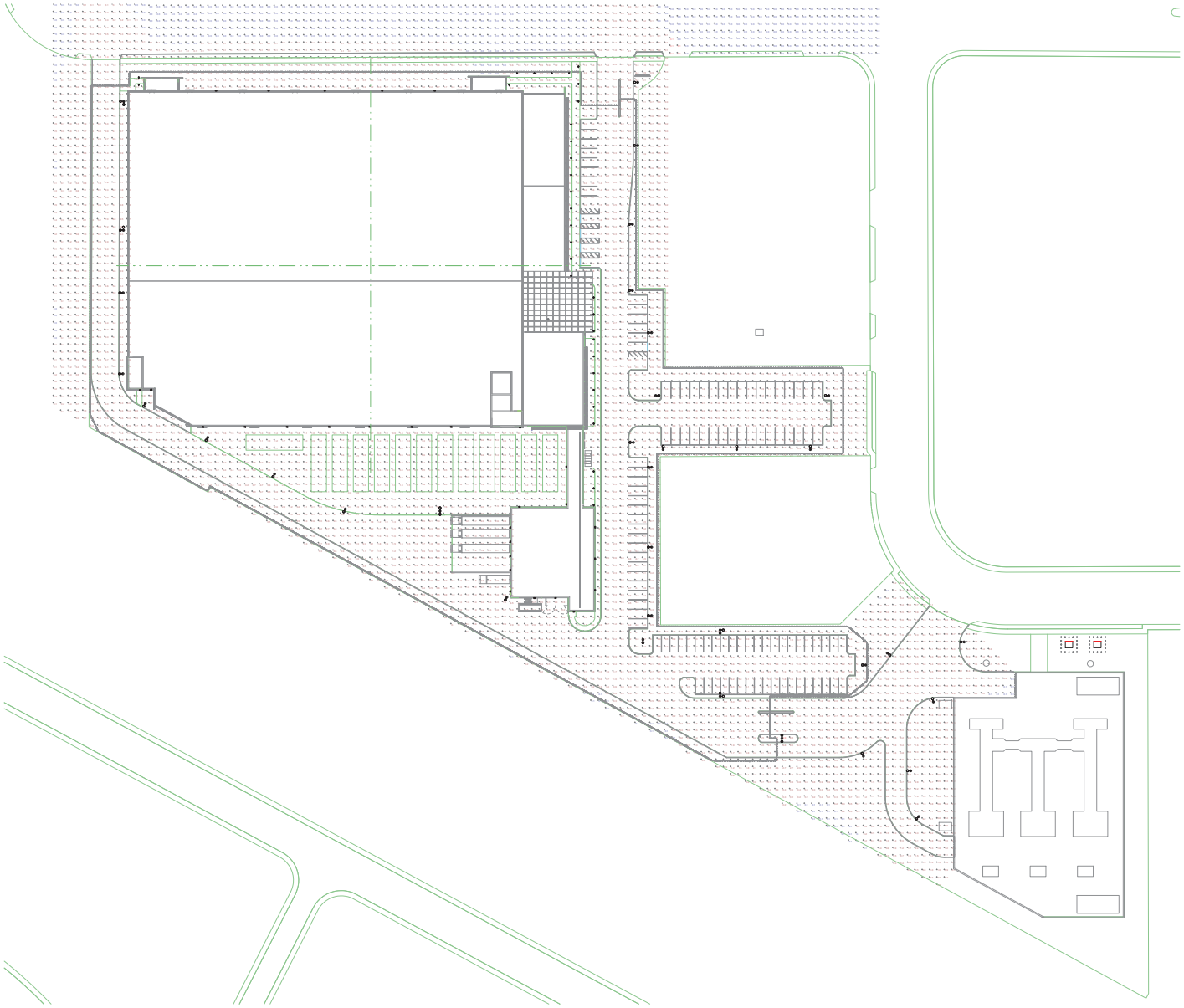

Project Number: 19.161

SKYBOX

CORGAN

RG KUTH AND GOING, INC.

CRITICAL

kW

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SITE LIGHTING PHOTOMETRICS

1" = 40'-0"

03.17.2020

04/09/2020

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LUMINAIRE SCHEDULE								
FIXTURE TYPE	Manufacturer	Cat. No.	Description	Lamp Count	Lamp Type	Input Voltage	Wattage	Mounting
SB	LITHONIA	KBR8 LED 16C 530 40K SYM MVOLT	SPECIFICATION LED BOLLARD WITH SYMMETRIC DISTRIBUTION, 8" DIAMETER, 40" HEIGHT	1	4000K LED MODULE, 1598 LUMEN OUTPUT	MVOLT	28W	MOUNTED 3'-6" ABOVE FINISHED GRADE U.O.N.
SP	SIGNIFY GARDCO	H14L-48L-700-NW-G2-2	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE II OPTIC, GLASS LENS	1	4000K LED MODULE, 8476 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
SP2	SIGNIFY GARDCO	H14L-48L-700-NW-G2-2	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE II OPTIC, GLASS LENS TWO HEAD OPTION 180 DEGREE ORIENTATION	2	4000K LED MODULE, 8476 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
SP3	SIGNIFY GARDCO	H14L-48L-700-NW-G2-3	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE III OPTIC, GLASS LENS	1	4000K LED MODULE, 11446 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
SP4	SIGNIFY GARDCO	H14L-48L-700-NW-G2-2	FORM TEN SQUARE AREA LED, 48 LED's, 4000K CCT, TYPE II OPTIC, GLASS LENS TWO HEAD OPTION 90 DEGREE ORIENTATION	2	4000K LED MODULE, 8476 LUMEN OUTPUT	277V	110W	POLE MOUNTED 25'-0" ABOVE FINISHED GRADE U.O.N.
W1	LITHONIA	WST LED P1 40K VF MVOLT	EXTERIOR LED WALL MOUNT, VISUAL COMFORT, FORWARD THROW	1	4000K LED MODULE, 1500 LUMEN OUTPUT	MVOLT	12W	MOUNTED 16'-0" ABOVE FINISHED FLOOR U.O.N.
W2	LITHONIA	WST LED P1 40K VF MVOLT	EXTERIOR LED DOOR PACK, VISUAL COMFORT, FORWARD THROW	1	4000K LED MODULE, 1500 LUMEN OUTPUT	MVOLT	12W	MOUNTED 1'-0" OVER DOOR U.O.N.

Project Number: 19.161

SKYBOX CORGAN RG KUTH AND GOING, INC

CRITICAL PROJECT STANDARDS LLP kW REED ASSOCIATES LANDSCAPE ARCHITECTURE

LUMINAIRE SCHEDULE

03.17.2020

04/09/2020

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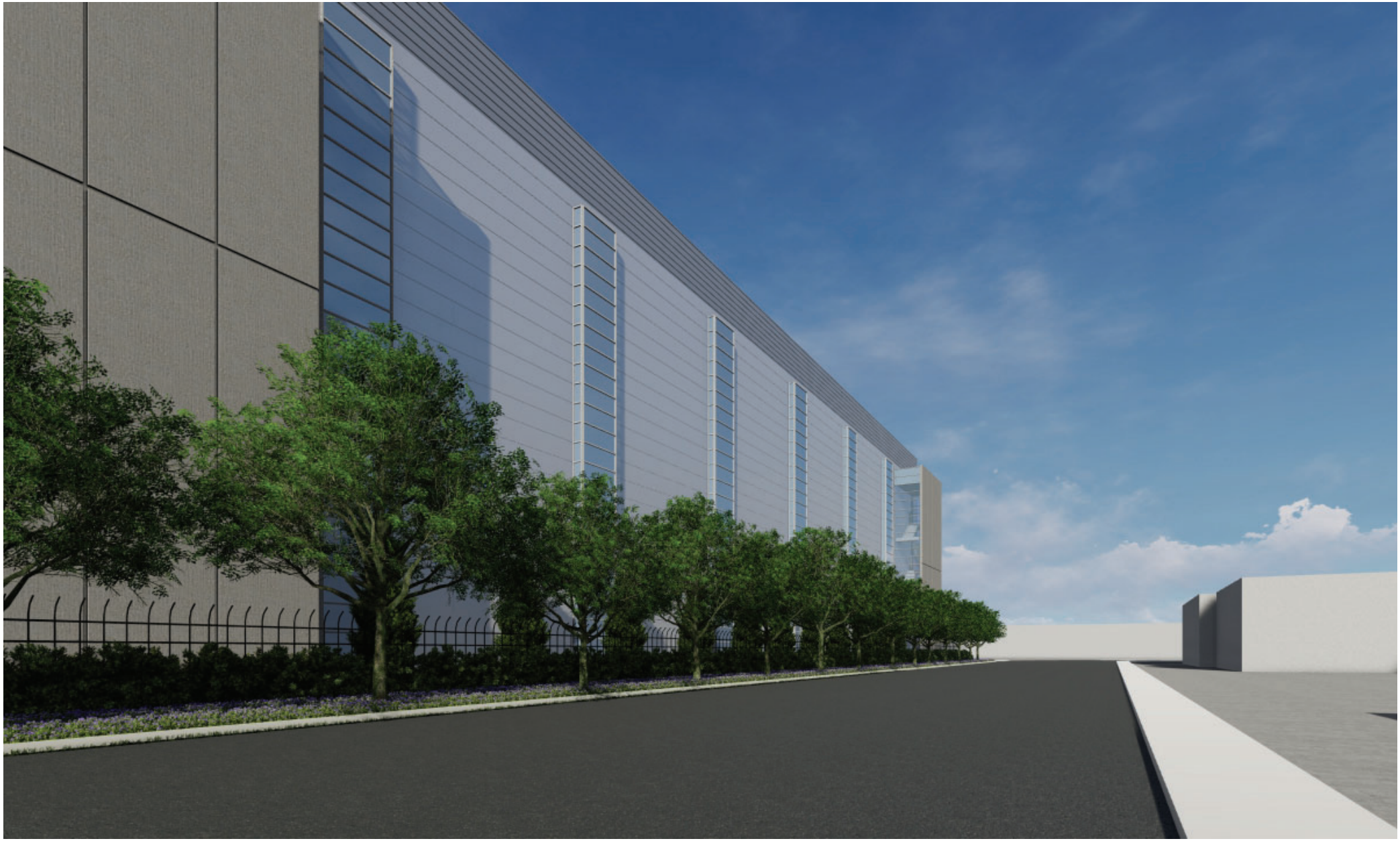
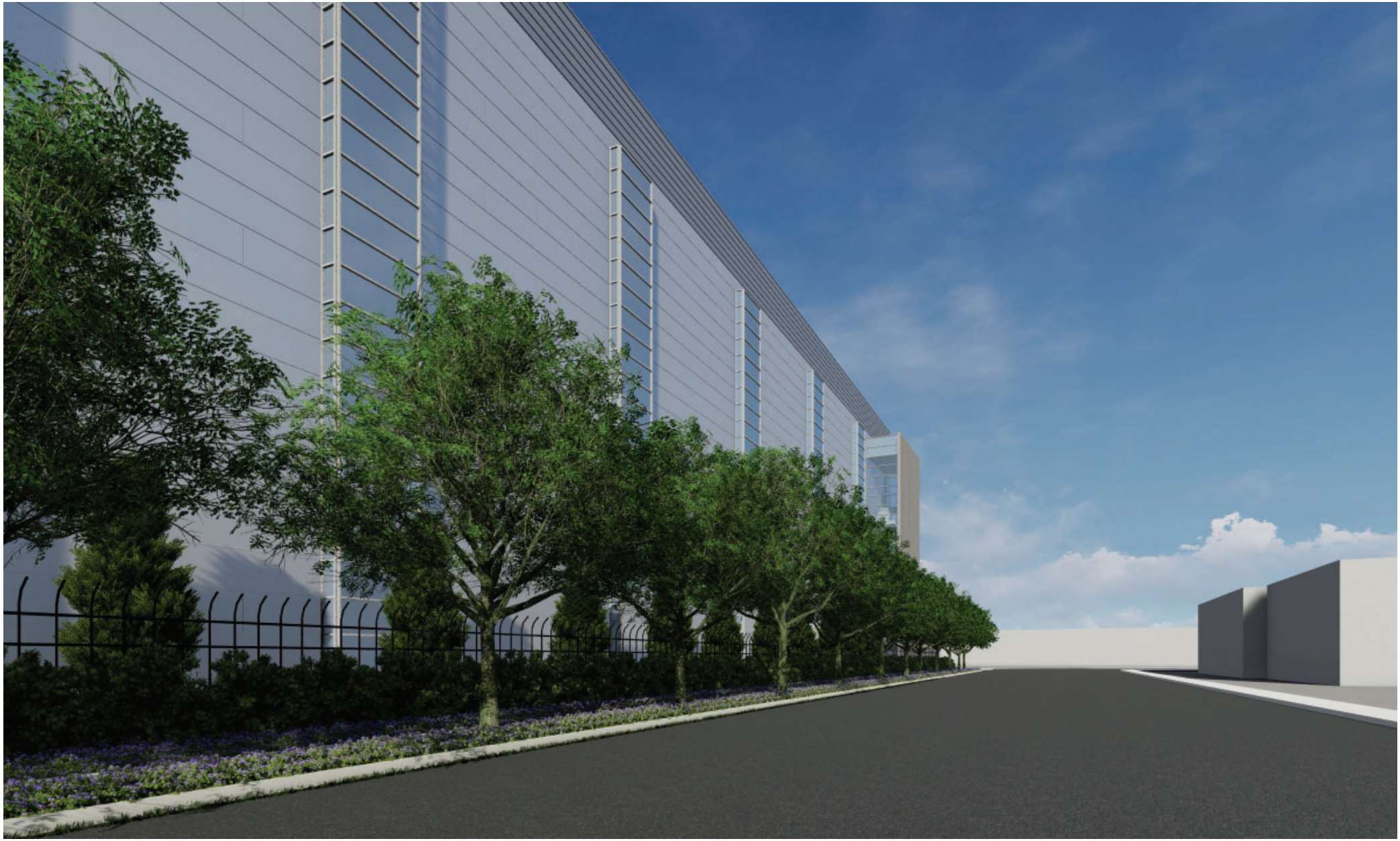
1200 MEMOREX DR

1200 MEMOREX DR.





21-1469 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Adopt a Resolution Approving the California Municipal Finance Authority (CMFA) Issuance of Tax-Exempt Bonds Relating to the Financing of a 59-Unit Multifamily Rental Housing Project for Low-Income Households to be Located in the City of Santa Clara, California at 3941 Stevens Creek Boulevard

COUNCIL PILLAR
Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND
As part of the financing process for affordable housing projects which are seeking to utilize State tax-exempt bonds, the local jurisdiction, in this case the City of Santa Clara, is required by State law to conduct a public hearing. The applicant (CRP Affordable Housing and Community Development) is proposing to build a 59-unit 100% affordable project at 3941 Stevens Creek Boulevard and has applied to the State for tax-exempt bonds to help finance their project. The City is conducting this public hearing as a result of their application to the State.

CRP Affordable Housing and Community Development LLC, a Delaware limited liability company (the “Sponsor”), on behalf of a limited partnership to be created by the Sponsor or an affiliate of the Sponsor” (such limited partnership, the “Borrower”), has specifically requested that the CMFA issue one or more series of revenue bonds in an aggregate principal amount not to exceed $50,000,000, including, but not limited to, revenue bonds issued as part of a plan to finance acquisition, construction, improvement and equipping of a 59-unit multifamily rental housing facility for low-income households, to be located in the City of Santa Clara, California at 3941 Stevens Creek Boulevard, and to be owned and operated by the Borrower.

For all or a portion of the bonds to qualify as tax-exempt bonds, the City of Santa Clara must conduct a public hearing under the Tax Equity and Fiscal Responsibility Act (the “TEFRA Hearing”) to provide the members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for financing the Project. Public notice must be provided to the members of the community prior to the TEFRA Hearing. Following the close of the TEFRA Hearing, an “applicable elected representative” of the City must provide its approval of the issuance of the bonds for financing the Project.

California Municipal Finance Authority
The CMFA was created on January 1, 2004, pursuant to a joint exercise of powers agreement to promote economic, cultural and community development, through the financing of economic development and charitable activities throughout California. To date, over 300 municipalities, including the City of Santa Clara, have become members of CMFA.

The CMFA was formed to assist local governments, non-profit organizations and businesses with the issuance of taxable and tax-exempt bonds aimed at improving the standard of living in California. The CMFA's representatives and its Board of Directors have considerable experience in bond financings.

DISCUSSION

The debts, liabilities and obligations of the CMFA do not constitute debts, liabilities or obligations of the members executing such an agreement. The bonds to be issued by the CMFA for the Project will thus be the sole responsibility of the Borrower, and the City will have no financial, legal, moral obligation, liability or responsibility for the Project or the repayment of the Bonds for the financing of the Project. All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California but are to be paid for solely from funds provided by the Borrower.

The Board of Directors of the California Foundation for Stronger Communities, a California non-profit public benefit corporation (the "Foundation"), acts as the Board of Directors for the CMFA. Through its conduit issuance activities, the CMFA shares a portion of the issuance fees it receives with its member communities and donates a portion of these issuance fees to the Foundation for the support of local charities. With respect to the City of Santa Clara, it is expected that that a portion of the issuance fee attributable to the City will be granted by the CMFA to the General Fund of the City. Such grant may be used for any lawful purpose of the City. The portion sent to the City is approximately $1500 and intended to be applied to City administrative costs.

The City of Santa Clara is already a member with CMFA there are no costs associated with membership in the CMFA, and the City will in no way become exposed to any financial liability by reason of its membership in the CMFA. Outside of holding the TEFRA hearing and adopting the required resolution, no other participation or activity of the City or the City Council with respect to the issuance of the bonds will be required.

Conducting the TEFRA hearing is a procedural action the City is required to take that will allow implementation of the Project, advancing the City's goals and objectives related to the production of affordable housing and consistent with the City's General Plan.

FISCAL IMPACT

There is no cost to the City other than administrative staff time and expense.

COORDINATION

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

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.

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>.

As required by TEFRA regulations, a 15-day notice was published on October 20, 2021 in The Santa Clara Weekly.

RECOMMENDATION

Hold a Tax Equity and Fiscal Responsibility Act public hearing for the issuance of up to $50,000,000 in tax-exempt private-activity bonds by California Municipal Finance Authority (CMFA) for the benefit of CRP Affordable Housing and Community Development LLC.

Reviewed by: Andrew Crabtree, Director of Community Development
Approved by: Deanna J. Santana, City Manager

ATTACHMENT

1. TEFRA Resolution for 3941 Stevens Creek Boulevard

RESOLUTION _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA APPROVING THE ISSUANCE BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $50,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION AND CONSTRUCTION OF A MULTIFAMILY RENTAL HOUSING FACILITY FOR THE BENEFIT OF CRP AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT LLC, AND CERTAIN OTHER MATTERS RELATING THERETO

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, CRP Affordable Housing and Community Development LLC, a Delaware limited liability company (the “Sponsor”), on behalf of a limited partnership to be created by the Sponsor or an affiliate of the Sponsor” (such limited partnership, the “Borrower”), has requested that the California Municipal Finance Authority (the “Authority”) issue one or more series of revenue bonds in an aggregate principal amount not to exceed $50,000,000 (the “Bonds”), including but not limited to revenue bonds issued as part of a plan to finance acquisition, construction, improvement and equipping of a 59-unit multifamily rental housing facility for low-income households (the “Project”), to be located in the City of Santa Clara, California (the “City”) at 3941 Stevens Creek Boulevard, and to be owned and operated by the Borrower;

WHEREAS, the Project is located within the City of Santa Clara (the "City");

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Bonds by the Authority must be approved by the City because the Project is located within the territorial limits of the City;

WHEREAS, the City Council of the City (the "City Council”) is the elected legislative body of the City and is the applicable elected representative under Section 147(f) of the Code;

WHEREAS, pursuant to Section 147(f) of the Code, the City Council has, following notice duly given, held a public hearing regarding the issuance of the Bonds, and now desires to approve the issuance of the Bonds by the Authority; and,

WHEREAS, the City Council understands that its actions in holding this public hearing and in approving this Resolution do not obligate the City in any manner for payment of the principal, interest, fees or any other costs associated with the issuance of the Bonds, and said City Council expressly conditions its approval of this Resolution on that understanding.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the foregoing recitals are true and correct.

2. That the City Council hereby approves the issuance of the Bonds by the Authority, including but not limited to Bonds issued as part of a plan to finance and refinance the facilities described herein. It is the purpose and intent of the City Council that this resolution constitute approval of the issuance of the Bonds by the Authority for the Project, for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of a governmental unit having jurisdiction over the area in which the Project is to be located, in accordance with said Section 147(f) and (b) Section 4 of the Agreement.

3. That the officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing transaction approved hereby.

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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: None

S:\Attorney\RESOLUTIONS\Form Resolution-City.doc

21-1564 **Agenda Date: 11/9/2021**

REPORT TO COUNCIL

SUBJECT
Action on a Written Petition (Council Policy 030) Submitted by Brian Doyle Requesting to Place an Agenda Item at a Future Council Meeting to Discuss FIFA Negotiations

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 received a Written Petition on October 28, 2021 submitted by Brian Doyle (Attachment 2) requesting to place an agenda item on a future council meeting to discuss FIFA negotiations.

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.
3. Any other City Council Action, as determined by the City Council.

RECOMMENDATION
Staff makes no recommendation.

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 October 28, 2021 submitted by Brian Doyle

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

From:	Brian Doyle
To:	Clerk
Cc:	Deanna Santana; Nora Pimentel; Elizabeth Klotz
Subject:	Written Petition re: FIFA negotiations
Date:	Thursday, October 28, 2021 11:45:35 AM

Pursuant to Council Policy 030, I hereby request that the following written petition be placed on the next City Council agenda:

On September 17, 2019, the Stadium Authority Board terminated the Stadium Management Agreement with the San Francisco 49ers. Although the 49ers sued the Stadium Authority in an attempt to prevent the termination, the litigation has still not been resolved. The 49ers' breaches which gave grounds for the termination are serious and remain without remedy. They involve self dealing, breach of fiduciary duty, and violation of conflict of interest laws. Without the Management Agreement, the 49ers have absolutely no right to book non-NFL events.

Despite the fact that he has no right to obligate the Stadium Authority, Al Guido has been representing to FIFA that they will be able to use Levi's Stadium as a venue for the 2026 World Cup matches. Despite the fact that the Management Agreement has been terminated, Mr. Guido has never consulted the Stadium Authority Board about whether he is authorized to grant a license to use the publicly-owned Levi's Stadium.

I hereby request that the City Council and Stadium Authority Board place an item on a future agenda to explain to the public how Mr. Guido can proceed with misrepresenting his authority to FIFA officials. The report to the Board should include answers to the following questions:

1. Has Mr. Guido informed the FIFA officials that the Stadium Authority Board has terminated the Management Agreement, and that therefore he may not be legally authorized to book World Cup matches at Levi's Stadium?
2. Have Mr. Guido's negotiations included potential deals that would benefit entities in which Mr. Guido has an interest?
3. What conversations have any Board Members engaged in about use of Levi's Stadium for the 2026 World Cup, and under what authority have these conversations occurred?

The public deserves to have public discussion of whether a major world

sporting event ought to be held at its publicly-owned stadium in Santa Clara under these extremely disturbing circumstances.

Brian Doyle
District 5 Resident