

RESOLUTION NO. 24-9346

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA,
ADOPTING THE EXPENDITURE PLAN RELATED TO THE
ISSUANCE OF GENERAL OBLIGATION BONDS**

WHEREAS, the City of Santa Clara (the “City”) is a municipal corporation and charter city duly organized and existing under the Constitution and laws of the State of California;

WHEREAS, on July 9, 2024, the City Council adopted, by a two-thirds vote of all its members, Resolution No. 24-9341 determining the necessity to incur a bonded indebtedness to finance municipal improvement projects constituting public infrastructure of the City through the issuance of general obligation bonds (the “Bonds”);

WHEREAS, on the date hereof, the City Council adopted, by a two-thirds vote of all its members, an ordinance (“Ordinance”) entitled AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, ORDERING THE SUBMISSION OF A MEASURE INCURRING BONDED INDEBTEDNESS TO THE QUALIFIED VOTERS OF THE CITY OF SANTA CLARA AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, FOR THE PURPOSE OF FINANCING THE COST OF THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF CERTAIN MUNICIPAL IMPROVEMENT PROJECTS CONSTITUTING PUBLIC INFRASTRUCTURE OF THE CITY, SUBJECT TO ACCOUNTABILITY MEASURES AND COMPLIANCE WITH AN ADOPTED EXPENDITURE PLAN”;

WHEREAS, the City Council desires to adopt a plan for the expenditure of bond proceeds (“Expenditure Plan”) that implements the object and purpose of the Bonds as provided in Section 6 of the Ordinance; and

WHEREAS, the approved Expenditure Plan shall be attached to the Ordinance and presented to the voters as part of the measure for the Bonds at the General Municipal Election to be held on November 5, 2024.

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NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. Recitals Correct. The foregoing recitals are true and correct.
2. That the Expenditure Plan attached here as Attachment 1, is hereby approved and adopted and shall be attached to the Ordinance and presented to the voters as part of the measure for the Bonds at the General Municipal Election to be held on November 5, 2024.
3. Effective Date. This Resolution must be adopted by a majority of all members of the City Council and, when adopted, shall take effect 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 16th DAY OF JULY, 2024, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Park, and Watanabe and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST: 
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Expenditure Plan

General Obligation Bond Expenditure Plan

\$400 Million Bond Measure

Project Areas	Total
Streets and Transportation	41,170,000
Street Resurfacing and Rehabilitation	23,000,000
ADA Improvements	10,000,000
Creek Trail Rehabilitation	2,500,000
Bicycle Wayfinding	300,000
Contingency/Escalation/Administration	5,370,000
Fire Stations and Emergency Response	142,235,450
Fire Stations 5 Replacement	27,000,000
Fire Stations 7 Replacement	27,000,000
Fire Stations 9 Replacement/Renovations	9,000,000
Fire Station 1 Replacement/Renovations	58,000,000
Fire Training Tower Renovation	783,000
Various Fire Station Infrastructure Upgrades	1,900,000
Contingency/Escalation/Administration	18,552,450
Police Facilities	43,987,500
Police Department Drone First Responder Infrastructure	3,000,000
Emergency Operations Center Infrastructure	250,000
Police Training Facility	30,000,000
Police Department Facility and Real-Time Crime Center Infrastructure	5,000,000
Contingency/Escalation/Administration	5,737,500
Parks, Library, Senior Center, and Aquatics Facilities	115,258,750
Renovation/Expansion of 3 Public Libraries	9,000,000
Senior Center Expansion/Renovation	9,500,000
Community Aquatic Facility/ISC Renovation/Replacement	45,000,000
Bowers Park Renovations	4,400,000
Earl Carmichael Park Playground Renovations	2,900,000
Warburton Park Playground Renovations	3,000,000
Henry Schmidt Park Playground Renovations	4,325,000
Pickleball Court	1,600,000
Mary Gomez Park Renovations	2,500,000
Aged Parks & Buildings Infrastructure in Critical/Poor Condition	18,000,000
Contingency/Escalation/Administration	15,033,750
Stormdrain System Improvements	46,000,000
Stormdrain System Improvements	16,423,000
Storm Water Retention Basin Remediation	9,209,000
Green Stormwater Infrastructure Design & Construction	6,645,000
Lafayette St. Underpass at Subway Pump Station	4,946,000
Bowers Ave Underpass SDPS Rehabilitation	2,030,000
SDPS Motor and Control Replacement	347,000
Stormdrain Pump Station Outfall Reconstruction Program	250,000
Stormdrain Renovations	150,000
Contingency/Escalation/Administration	6,000,000
Historic Buildings and Beautification	9,200,000
Street/Median Beautification Improvements	4,000,000
Renovations to Historic Buildings	3,000,000
Triton Museum Improvements	1,000,000
Contingency/Escalation/Administration	1,200,000

Bond Issuance Costs	2,000,000
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GRAND TOTAL	\$ 399,851,700
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1. **In General.** This City of Santa Clara plan for the expenditure of bond proceeds (“Expenditure Plan”) was adopted by the City Council on July 16, 2024, by Resolution No. 24-9346, to implement Section 6 of that certain Ordinance No. 2069 adopted concurrently herewith (“Ordinance”). The Ordinance calls for an election by City voters on a ballot measure to approve the issuance of up to \$400,000,000 in bonds (“Infrastructure Bonds”) for purposes of financing the acquisition and construction of public infrastructure on the terms set forth therein. To the extent of any conflict between this Expenditure Plan and the Ordinance, the terms of the Ordinance shall govern. The above chart summarizes the Expenditure Plan’s “Project Categories” (as defined in Section 2, below), and “Infrastructure Projects” (as defined in Section

2. **Project Categories.** The Expenditure Plan includes the following infrastructure expenditure categories (“Project Categories”), each with a designated amount of allocated Infrastructure Bonds proceeds (“Designated Allocations”): Streets and Transportation (\$41,170,000); Fire Stations and Emergency Response (\$142,235,450); Police Facilities (\$43,987,500); Parks, Library, Senior Center and Aquatic Facilities (\$115,258,750); Storm Drain System Improvements (46,000,000); Historic Buildings and Beautification (\$9,200,000); and Bond Issuance Costs (\$2,000,000). Project Categories and/or their respective Designated Allocations may be amended, but only in accordance with the Expenditure Plan Amendment Process set forth in Section 6 of this Expenditure Plan, below. Notwithstanding the foregoing, the Designated Allocation for Bond Issuance Costs shall be treated as a “Budgeted Amount” under this plan, to be updated by staff without a formal Expenditure Plan amendment in accordance with the process set forth in Section 3, below.

3. **Designated Infrastructure Subcategories/Specific Projects.** Within each Project Category, there is a list of designated project subcategories and/or specific projects (“Infrastructure Projects”), including estimated amounts budgeted for each such project subcategory/specific project, and an overall estimate of the projected contingencies, cost escalations and administrative costs necessary for project implementation (“Budgeted Amounts”). Infrastructure Projects may be deleted or added, but only in accordance with the Expenditure Plan Amendment Process set forth in Section 6 of this Expenditure Plan, below. Budgeted Amounts represent City staff’s best estimate of the projected costs for such Infrastructure Projects as of the date of the City’s adoption of this Expenditure Plan. Throughout the duration of the Expenditure Plan staff will monitor the Budgeted Amounts for outstanding projects and, at least [annually], as necessary, staff will revise the Expenditure Plan to update the Budgeted Amounts to be consistent with then projected project implementation costs. Staff updates to Budgeted Amounts will not be considered amendments to the Expenditure Plan requiring the amendment process set forth in Section 6, below.

4. **Phased Implementation.** Infrastructure Projects identified within the Expenditure Plan will be implemented in phases (each a “Project Phase”). Consistent with priorities set by the City Council, staff will develop lists of proposed Infrastructure Projects to be included within each Project Phase. Each Project Phase will be presented for City Council and approval as part of the City’s annual Capital Improvement Program budget process. Additional factors to be considered in the development and timing of each Project Phase, and the sequencing of projects within each Project Phase time period include: (a) the need to balance available staff and contractor resources; (b) the length of the planning, design, and construction phases of each project; (c) disruption to the public as City services and facilities are removed from service to undergo renovations; (d) legal requirements for the expenditure of Infrastructure Bond proceeds (in general, under current federal tax law, the City must expect to spend 85% of each series of Infrastructure Bond funds within three years of their date(s) of issuance); (e) the timing and availability of alternate and supplemental funding sources; (f) local, regional, state or federal permitting requirements; (g) the need to coordinate with outside agencies.

5. **Council Approval Required.** Council approval shall be required for (a) each and every proposed Project Phase for the implementation of the Expenditure Plan; (b) each and every issuance of Infrastructure Bonds to finance a Project Phase; and (c) any proposed amendment to the Expenditure Plan as provided in Section 6. Below.

6. **Amendment of the Plan.** Any proposed substantive amendment to this Expenditure Plan shall be subject to the requirements of Section 13(b)(ii) of the Ordinance. Such requirements shall include prior consideration and input from the “Bond Compliance COC” as provided therein.

7. **Legal Requirements for Capital Projects.** All Infrastructure Project costs paid from Infrastructure Bond proceeds shall consist of capital costs of the acquisition and improvement of real property within the meaning of California law. Any Infrastructure Project costs consisting of furnishings, furniture, equipment, software, ordinary maintenance (such as repairs, painting, resurfacing, striping or slurry seals), or other non-capital costs shall be paid by the City from other funds.