



Agenda Report

21-1477

Agenda Date: 10/19/2021

REPORT TO COUNCIL

SUBJECT

Action on a Written Petition (Council Petition 030) Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to Discuss the Debt Acquisition Company of America Applying for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch

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. 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. Per the policy, the written request will be submitted on the agenda, in the form substantially provided by the requestor without any staff analysis, including fiscal review, legal review and policy review. If a simple majority of the City Council supports further study of the request, then a full staff analysis shall be prepared within thirty (30) days, unless otherwise directed by the City Council.

DISCUSSION

The City Clerk's Office has received a Written Petition for Council consideration from Councilmember Jain dated October 7, 2021 (Attachment 2) to discuss the Debt Acquisition Company of America (DACA) owns Sargent Ranch which is 6500 acres of nearly pristine open space which encompasses Juristac, considered by the Amah Mutsun Tribal Band to be a very sacred space which held healing ceremonies and dances for centuries.

DACA has applied to the County of Santa Clara for a conditional use permit to build and operate 320-acre sand and gravel quarry at Sargent Ranch. This quarry will violate the serenity of this place which is also a critical wildlife corridor.

The Amah Mustun Tribal Band and Greenbelt Alliance are asking Santa Clara to pass a resolution asking the County to reject the use permit and to preserve Juristac as open space. The cities of Morgan Hill and Santa Cruz have already passed similar resolutions. Also, a group of 279 staff and faculty and 90 students at SCU have signed a letter to deny the mining permits.

FISCAL IMPACT

There is no fiscal impact other than administrative staff time.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board

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

ALTERNATIVES

1. Direct staff to agendize.
2. Note and file this report and take no further action.
3. Any other alternative as approved by Council.

RECOMMENDATION

Staff has no recommendation and seeks Council direction.

Reviewed by: Nora Pimentel, Assistant City Clerk

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Council Policy 030 - Adding an Item on the Agenda
2. Written Petition dated October 6, 2021 submitted by Councilmember Jain