



## Agenda Report

22-1594

Agenda Date: 1/11/2022

### REPORT TO COUNCIL

#### SUBJECT

Action on Bills and Claims Report (CC, HA, SCSA,) for the period October 30<sup>th</sup>, 2021 - December 3<sup>rd</sup>, 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 designee, verifies all documents before payment is issued. Payments are issued through accounts payable checks and wire transfers. It's important to note that items that pertain to the Stadium Authority are billed to the Stadium Manager (ManCo) to pay on behalf of the Stadium Authority for Non-NFL events and the 49ers for NFL events.

The Bills and Claims Report represents the cash disbursements required for operations of the City during the period. The report reflects the payment date, invoice number, description of the payment, funding source, and payment amount for all invoices. The budget control is set by the City Council through the budget adoption process.

#### DISCUSSION

Significant expenditures in this period include:

- Payment to City of San Jose in the amount of \$32,012,87 for San Jose-Santa Clara Regional Wastewater Facility (RWF) for second quarter 2021/22 O&M billing, purchase of recycled water, and various utility payments.
- Payment to Northern California Power Agency in the amount of \$18,835,164 for November 2021 all resources bill and Western Restoration Fund.
- Payment to MSR Public Power Agency/Energy Authority in the amount of \$5,676,180 for October and November 2021 energy purchases and October 2021 Big Horn Plant shaping fee.
- Payment to California Environmental Protection in the amount of \$5,018,506 for bid guarantee for the November 2021 Joint Auction to allow the City to potentially procure up to 276,361 carbon allowances and Certified Unified Program Agency (CUPA) surcharges for the second quarter ended September 30, 2021.
- Payment to Santa Clara Valley Water District in the amount of \$3,676,816 for August and September 2021 Pump Tax, a groundwater charge that is used to pay for the protection and augmentation of water supplies in the basin and October 2021 treated water purchase.

- Payment to Allied Power Group in the amount of \$2,890,175 for major engine overhaul and repair of Gianera Generating Station.

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 \$59,212. The majority of this amount are expenses to the Santa Clara County Sheriff's Department for special law enforcement services for September and October 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 \$105,945,625 were appropriated to various funds with the adoption of the Fiscal Year 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) <<mailto:clerk@santaclaraca.gov>>.

### **RECOMMENDATION**

Approve the list of Bills and Claims for October 30, 2021 - December 3, 2021.

Reviewed by: David Noce, Audit Manager

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Bills and Claims Approved for Payment Report