



January 9, 2023

Honorable Beth McGowan
Presiding Judge
Santa Clara Superior Court
191 North First Street,
San Jose, CA 95113

Dear Presiding Judge McGowan,

Please see the attached Dissent Response to the Report to Council which has been submitted in response to the Grand Jury Report entitled, "Unsportsmanlike Conduct: Santa Clara City Council." This Dissent Response is being submitted by Mayor Lisa Gillmor and Councilmember Kathy Watanabe.

Per California Penal Code sections 933(c) and 933.05, this dissent responds to the City of Santa Clara's formally adopted response to the October 10, 2022 Santa Clara County Civil Grand Jury Report, "Unsportsmanlike Conduct: Santa Clara City Council."

Thank you for your time and consideration.

Sincerely,

/s/ Lisa M. Gillmor
Lisa M. Gillmor
Mayor
City of Santa Clara
Chair, Santa Clara Stadium Authority Board

/s/ Kathy Watanabe
Kathy Watanabe
Councilmember, District 1
City of Santa Clara
Member, Santa Clara Stadium Authority Board

Attachment

cc: Rajeev Batra, City Manager/Executive Director
Steve Ngo, Interim City Attorney/Stadium Authority Counsel

DISSENT RESPONSE TO COUNCIL MAJORITY RESPONSE

SUBJECT

Mayor Lisa Gillmor and Councilmember Kathy Watanabe dissent in response to the Council majority response to the October 10, 2022 Santa Clara County Civil Grand Jury Report: “Unsportsmanlike Conduct: Santa Clara City Council,” as approved on December 8, 2022.

BACKGROUND

On October 10, 2022, Santa Clara County Civil Grand Jury (“Grand Jury”) transmitted a letter to the City of Santa Clara along with a report (“Report”) entitled “Unsportsmanlike Conduct: Santa Clara City Council.” On December 8, 2022, the City Council/Stadium Authority Board met publicly to discuss a formal proposed response to the Report. The City Attorney prepared the formal proposed response after a public meeting in November to specifically receive input on the Council’s response to the Report.

On December 8, the City Attorney led a discussion about the proposed response which followed California Penal Code § 933(c) which requires that a governing body of a particular public agency or department which has been the subject of a Grand Jury final report respond within 90 days to the presiding judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body. The City Attorney communicated that California Penal Code § 933.05 contains guidelines for responses to Grand Jury findings and recommendations. Accordingly, the Council reviewed the proposed response within the context of the four possible actions which were compliant with State law.

At the December 8, 2022 meeting, the City Attorney stated that Councilmembers could independently submit a dissent response if there was disagreement with the proposed responses as approved by the Council majority.

There is indeed disagreement and, accordingly, the following is submitted by Mayor Lisa Gillmor and Councilmember Kathy Watanabe (hereinafter, “Council Minority”) as our combined dissent response to the Council majority’s approved response. This dissent response should be included and/or attached to the Grand Jury’s files, Report, and/or Council majority’s response. We respectfully request that it be attached as part of the formal record on this matter.

DISCUSSION

Our dissent response is structured into two categories: (1) integrity of process to develop a formal City Council response and (2) addition of a “***Dissent Response***” section included in the format utilized by the City Attorney.

INTEGRITY OF PROCESS TO DEVELOP A FORMAL CITY COUNCIL RESPONSE

We disagree with the Council majority's response because it lacks basic elements of integrity that any formal governmental report should contain and is rooted in unsubstantiated assertions of a legitimate judicial agency. For example,

(1) **UNSUBSTANTIATED ATTACKS ON A JUDICIAL SYSTEM** -- Putting aside that the institution of the Civil Grand Jury has legitimately existed for centuries with a valid lawful structure, overseen by the judicial arm of our government structure, the Council majority has chosen to attack for their own political convenience the Grand Jury institution, Civil Grand Juror individually, and Superior Court's oversight and procedures. At the root of the Council majority's response, and as stated various times in the media, is that the Civil Grand Jury acted illegitimately and that it did not uphold its judicial responsibilities.

We do not believe that the Council majority is correct in its various statements and sentiments made on the dais, as part of a formal Council meeting, that the Civil Grand Jury was derelict in its duties, did not execute its authorities appropriately, and/or any such allegations that resulted in the Council majority's comments that the report is inherently flawed. Just because they disagree with the findings and recommendations, it does not mean that the Civil Grand Jury did not uphold its lawful role.

Despite having two and a half months to issue convincing evidence, the Council majority offered no evidence to substantiate their criticism of such statements and, therefore, we believe that the continued Council majority statements lack integrity.

(2) **ALLEGATIONS OF POLITICALLY MOTIVATED CONSPIRACY** -- The Council majority asserts/alleges that the Report resulted in dozens of individuals and the judicial structure conspiring to issue a Report favoring the political opposition to them and that the Grand Jury acted politically to issue an "October surprise" and/or as an attempt to skew the mayoral election results. This allegation grossly, negligently, and wrongly asserts political interference by a function under the authority of the California Superior Court.

We believe that any allegation of political conspiring that resulted in dozens of individuals, and a judicial arm of government, corruptly acting to develop the Report should absolutely be accompanied by valid evidence that proves their allegation. Other than their hollow words, the Council majority has not provided any evidence that there was conspiring action to issue a Report unfavorable to their political inclinations, an "October surprise", or to skew mayoral election results. The burden is on the Council majority to prove their allegations. They cannot and we do not believe that it happened at all. Further, the repeated allegations of the Council majority severely harm the Grand Jury as an institution, jurors, and Superior Court. To be clear, we do not believe at all that any institution or individual engaged in any of the Council majority's assertions and to continue with this narrative without evidence lacks integrity.

(3) **OVERFLOW OF HEARSAY, POLITICAL THEATER, AND LIES** -- Despite having two and a half months to submit evidence to substantiate all of their allegations and attacks on the Report, this Council majority has not presented any

materials, evidence, facts, records, or data to prove that their narrative is correct and truthful: nor did the City Attorney require any when the Council majority disagreed with the Report's findings and/or recommendations.

Unlike anyone commanded to testify to the Grand Jury under oath and penalty of perjury, the Council majority has never been subjected to the same standard and has no doubt exercised their right to freedom of speech, whether factual or not. The Council majority has only presented hearsay on the dais or in the media for their political benefit and, to our knowledge, has not presented materials to the City Attorney to contradict the Report's findings or their allegations. While the Council majority criticizes the methodology used by the Grand Jury, the methodology put in place by the Council majority and City Attorney in response to the Report is not based on evidence, materials, or proof to contradict the Grand Jury.

For example, we are aware that Councilmember Hardy continues issuing untruthful statements about her authorship of a critical document for City's FIFA support (that other members of the Council majority continue to untruthfully repeat). Hardy's untruthful statements are not substantiated by our own first-hand knowledge of the events leading up to the authoring of Council document, staff's actions, and the actual documented record (e.g., former city manager and staff emails and notes). However, for her and the Council majority's political favor, they used this narrative to convince the electorate that they authored a document that protected the City's interest relative to FIFA support, when it was the former City Manager that took such protective and responsible action. It is true that Hardy requested that it be added to the Council agenda and submitted her own resolutions that was inadequate: and, it is also true that the former City Manager used Mayor Gillmor's 2017 FIFA letter of support to develop the Resolution and that the former City Manager specifically added the Measure J protections that Councilmember Hardy's draft DID NOT include. Simply put, Councilmember Hardy continues to lie to the public and take credit for a document that she did not author. When confronted publicly if she had actually authored the Resolution, she told another lie that she and a City Attorney staff person authored it. Councilmember Hardy confirms that she was interviewed by the Grand Jury and this means that she may have: (1) lied to them, as she continues to lie in public or (2) violated the Charter by committing Councilmanic interference by working directly with a staff member that directly reports to the City Manager (since there was no City Attorney at the time).

Another example is that Councilmember Jain asserted on the dais that the Grand Jury did not have access to various financial records that he named during the public meeting, but he made such statements without any proof or actual legitimate evidence of what the Grand Jury had in their possession. This type of hearsay builds on the Council majority's political theater that the Grand Jury's Report is inherently flawed.

It is also worth noting that this is not the first time a member of the Council majority has used a Grand Jury report for political theater. For example, the Council majority used a recent Grand Jury Report (e.g., Public Records management) to show that the City has disagreed with findings and recommendations as an example of their opposition to a Grand Jury report not being unusual. In this instance, City staff publicly provided various examples of contradictory material evidence of all of the actions taken to implement process improvements, its schedule for completion,

compliance with State laws, etc.. More importantly, the City cooperated with the Grand Jury and continued its work to improve the response to public record requests. At that time, City staff presented significant and sufficient contradictory evidence in public to demonstrate that the City could only partially agree or disagree with the Grand Jury's findings. As background, Councilmember Becker submitted the complaint and immediately called for the former City Manager's termination in the media when the report was publicly issued. With this Report, Councilmember Becker has been very vocal that the Report has deemed the Council majority guilty before they could respond and how the Report results in "character assassination." Councilmember Becker has been very vocal that there should be no conclusions about his character, ethics, and any wrong doing until he can respond within the required 90 days; however, he did not practice the same standard of ethics and fairness in the earlier example that he now mandates for himself. This is because Councilmember Becker is attempting to use the Grand Jury as a political tool and to create whatever political narrative he thinks will benefit his interests. Using the Grand Jury reports to create political theater for your own political interests lacks integrity.

We believe that the Council majority's response continues the overflow of hearsay, lies, and political theater which lack integrity.

(4) LOW BAR TO ISSUE REBUTTAL AND WAS NOT UNDER OATH OR PENALTY OF PERJURY -- To conduct its work, the Grand Jury possesses authority to issue subpoenas, access to limitless confidential information and records, and to examine any and all topics under its purview, as it so determines. Accordingly, it has already been made public by certain Councilmembers that they were the subject of Grand Jury interviews and topics which were discussed, their responses and observations.

Criticizing the Grand Jury's authority, intention, or cause comes with great peril and the burden is on the Council majority to prove the Grand Jury's work is incomplete or incorrect. This Council majority is absent the knowledge of the complete universe of information used by the Grand Jury to issue its Report. In this case, the Grand Jury clearly documented the methodology that it used to develop its "watchdog" findings contained in the report and determined, under the legal methodology required by the Super Court standards, that sufficient evidence existed to make findings. Specifically, the Grand Jury's methodology is stated below:

METHODOLOGY -- The Civil Grand Jury conducted more than ten interviews; reviewed City ordinances and policies; studied legal opinions and legal documents; reviewed more than 700 emails; watched videos of City Council meetings; examined councilmembers' public calendars; reviewed portions of the City's charter and ordinance code, the City's Ethics and Values Program, and the Council Policy Manual; reviewed public Stadium Authority financial documents; reviewed multiple media articles; and consulted with legal experts. The Civil Grand Jury used these sources of information to develop facts, findings, and recommendations. (Source: Unsportsmanlike Conduct: Santa Clara City Council)

Based on the above methodology, we are aware that the Civil Grand Jury:

- (a) Used its subpoena powers, where individuals are commanded to appear (voluntarily or involuntarily) and testify in court[1] under oath and “penalty of perjury”[2];
- (b) Reviewed volumes of confidential records (e.g., deliberative, attorney/client confidential, legal opinions, draft documents, and email exchanges, personnel, etc.), as noted;
- (c) Reviewed public meetings, public documents, etc.
- (d) Interviewed individuals that it deemed necessary to perform its watchdog responsibilities; and,
- (e) As stated, consulted with legal experts.

In contrast, the Council majority issued statements without any retributions for false statements, no evidence to support their statements, and negligent allegations. It is disheartening, and professionally irresponsible, that the Interim City Attorney did not require a higher bar from Councilmembers in order for him to legitimately accept contradictory “facts” on record and in support of the final Council majority’s response. As stated above, it already is clear that Councilmember Hardy lied in support of her allegations and Councilmembers Jain and Becker used hearsay and political theater to criticize the Grand Jury’s methodology and/or the content of the Report.

In contrast, as a former Grand Juror, Mayor Gillmor confirms that the judicial process requires individuals to testify under oath, to tell the whole truth, and under penalty of perjury. Statements made by individuals should be substantiated by other individuals and/or documents. Upon evidentiary thresholds being met, a Grand Jury can substantiate testimony, facts, etc.

The Council majority was not under oath when it publicly discussed this report and used a very low bar of maintaining integrity for its response. For example, and as already referenced, when Mayor Lisa Gillmor called Councilmember Hardy out on her continued lies about the FIFA letter, Councilmember Hardy partially corrected her countless lies on the matter and concurrently added a new lie to the matter. The Interim City Attorney and Council majority should have required clarification to make sure that its response was based on the highest level of transparency and integrity. Because of known false and unsubstantiated Councilmember statements and assumptions used to substantiate the Council majority’s response, we disagree with the final response.

[1] Disobedience of a subpoena is punishable by fine, imprisonment, or both.

[2] Perjury under California Penal Code Section 118 PC is a felony offense that can carry prison sentences of up to four years and could include substantial court fines. An allegation of aggravated perjury may apply if the act of perjury led to the conviction and execution of another person.

DISSENT RESPONSE

GROUP 1

Finding 1a: The City Council Voting Bloc meets regularly, and as often as weekly, with lobbyists for the 49ers. While these councilmembers report the date, some of the attendees, and a topic of the meeting, there is no requirement to disclose the substance of those discussions, and the councilmembers do not disclose the content of these meetings.

Response: Council Minority agrees.

Finding 1b: The meetings are typically held serially, with three councilmembers in one meeting and two in the next.

Response: Council Minority agrees.

Finding 1c: The frequency of meetings of the City Council Voting Bloc with the 49ers lobbyists has created concern about the City Council's governance and leaves the impression that the City Council Voting Bloc is meeting in a manner to subvert the Brown Act's open meeting requirements. This has led to distrust amongst councilmembers as well as between the councilmembers and their constituents.

Response: Council Minority agrees.

Recommendation 1a: Prior to voting on any 49ers-related matters and to prevent violations of the Brown Act, the City councilmembers should publicly disclose on the record if they have met with a 49ers lobbyist regarding a topic on the meeting agenda, the name of the lobbyist(s), the date of the meeting, all individuals present,

and any information provided by the lobbyist(s). This recommendation should be implemented by February 1, 2023.

Response: Council Minority agrees.

Recommendation 1b: The City should expand its existing calendar ordinance, City of Santa Clara Ordinance No. 1950, to require minutes of all meetings, including the attendees, agenda, duration, and a detailed summary of matters discussed, to be posted online with the calendar. This recommendation should be implemented by February 1, 2023.

Response: Council Minority agrees.

Recommendation 1c: To restore public trust, the City should require that meetings with 49ers lobbyists be recorded so the public can be assured that these closed-door, frequent, and proximal meetings to the City Council meetings do not violate the Brown Act. This recommendation should be implemented by February 1, 2023.

Response: Council Minority agrees.

Recommendation 1d: The City should establish an open governance commission to evaluate the City's current open government practices and make recommendations for improvement. This recommendation should be implemented by February 1, 2023.

Response: Council Minority agrees.

GROUP 2

Finding 2: There is concern that the City Council Voting Bloc is getting real-time influence from 49ers lobbyists during City Council meetings.

Response: Council Minority agrees.

Recommendation 2: The City should require councilmembers to be visible at all meetings either in person or on camera.

Response: Council Minority agrees.

GROUP 3

Finding 3a: ManCo has not provided sufficient financial accounting to the City/Stadium Authority as required.

Response: Council Minority agrees.

Finding 3b: The City has identified several fire and safety violations that ManCo has not remediated.

Response: Council Minority agrees.

Finding 3c: The agreement with ManCo is designed to result in Performance Rents payable to the Stadium Authority for non-NFL events; however, expenses from those events result in no income payable to the Stadium Authority.

Response: Council Minority agrees.

Finding 3d: Despite ManCo's lack of financial transparency, failure to schedule non-NFL events in a fashion that yields a financial benefit to the City/Stadium Authority, and repeated unabated fire and safety violations, the City recently agreed to keep ManCo as the operator of the Stadium.

Response: Council Minority agrees.

Recommendation 3a: The City/Stadium Authority should hire a certified public accounting firm to conduct a comprehensive audit of Stadium Authority finances and the financial documents submitted by ManCo, to begin no later than February 1, 2023 and annually thereafter.

Response: Council Minority agrees.

Recommendation 3b: The City/Stadium Authority should advocate for a third-party referee to oversee all of ManCo's management activities. This third party should report on a quarterly basis at City Council meetings the status of fire and safety remediation efforts, to begin no later than February 1, 2023.

Response: Council Minority agrees.

Recommendation 3c: The City/Stadium Authority should allocate staff to oversee Stadium operations. This should include finances, management policy

development, and regular website updates of the City's financial reporting documents. This will facilitate a better awareness of ManCo's day-to-day operations. This recommendation should be implemented by February 1, 2023.

Response: The Board has implemented Recommendation 3c since the 2014/15 fiscal year. However, since the firing of the City Attorney in September 2021 and the City Manager in March 2022, there has not been proper oversight by a person with institutional knowledge of ManCo's day-to-day operations.

GROUP 4

Finding 4: FIFA and the 49ers have announced that 2026 FIFA World Cup matches will be held at the Stadium. The former City Manager raised concerns about the lack of information and potential risks the event could pose to the City/Stadium Authority.

Response: Council Minority agrees. The former City Manager was also fired for no cause after raising these concerns.

Recommendation 4a: The City/Stadium Authority should request that the 49ers provide a report on the status of the commitments made to the FIFA event. This recommendation should be implemented by February 1, 2023.

Response: Council Minority agrees.

Recommendation 4b: The City/Stadium Authority should evaluate if the FIFA event poses risks to the City/Stadium Authority, including specifically the risks outlined by the former City Manager regarding security costs and the nature of declarations required of the host city.

Response: Council Minority agrees.

Recommendation 4c: The City and Stadium Authority should take no further action regarding FIFA until the information in 4a and 4b is made public.

Response: Council Minority agrees.

GROUP 5

Finding 5: The City/Stadium Authority has a protocol for initiating and completing operational tours of Levi's Stadium. Several councilmembers have not used this protocol and have conducted operational tours on game days, which has raised

concerns about whether these councilmembers have accepted gifts in violation of the Political Reform Act and City policy. These actions have also created the appearance of a lack of transparency, which has fostered distrust between City councilmembers, toward the City staff, and most importantly, with the residents of the City.

Response: Council Minority agrees.

Recommendation 5a: The City/Stadium Authority should adopt a policy and outline procedures for elected and appointed officials to conduct operational tours of the Stadium. This document should be published on the City's website to properly inform the public. This recommendation should be implemented by February 1, 2023.

Response: Council Minority agrees.

Recommendation 5b: The consequence for not adhering to the proper protocols for operational tours should result in an evaluation whether the City of Santa Clara Council Policy Manual, Admonition and Censure Policy should be invoked.

Response: Council Minority agrees.

Recommendation 5c: The City should hire an independent consultant to evaluate and publicly report on whether councilmembers have violated City Policy No. 050, "Gifts to Appointed and Elected Officials." This recommendation should be implemented by February 1, 2023.

Response: Council Minority agrees.

GROUP 6

Finding 6: The relationships between the City, Stadium Authority, StadCo, and ManCo are creating ethical dilemmas and governance challenges. The governing body for the City now consists of the City Council Voting Bloc, which (1) has received significant campaign contributions from 49ers lobbyists, (2) meets regularly with 49ers lobbyists behind closed doors, and (3) has engaged in actions that suggest loyalty to the 49ers above the City.

Response: Council Minority agrees.

Recommendation 6a: The City should hire a qualified legal and ethical consultant to evaluate the challenges presented by the unique relationship between the City

and 49ers and prepare a public report on the findings and recommendations. This recommendation should be implemented by February 1, 2023. {SR779907}

Response: Council Minority agrees.

Recommendation 6b: The consultant should be tasked with looking at the unique challenges presented by the likely chance that the 49ers lobbyists will continue to influence elected officials and City governance. The consultant should specifically be tasked with evaluating the benefits of mechanisms like an oversight body or commission, auditors, and changes to the ordinance code and other governing documents that better ensure accountability and transparency in the relationship with the 49ers.

Response: Council Minority agrees.

GROUP 7

Finding 7: Although the City consulted with Markkula Center for Applied Ethics and boasts of having model ethics rules, those rules were developed before the complexities created by the passage of Measure J. The City's current policies, like the Admonition and Censure Policy, do not work where the challenges are presented by a minority of the City Council membership.

Response: Council Minority agrees.

Recommendation 7a: The City should add to the City Code of Ethics & Values and the Admonition and Censure Policy a procedure to enable the public to file a complaint and testify at a public hearing to help remediate ethics violations. This should include a procedure for public admonishment, revocation of special privileges, or censure. This recommendation should be implemented by February 1, 2023.

Response: Council Minority agrees. The Council 030 Policy has been abused by the Voting Bloc creating an untenable amount of assignments for City staff.

Recommendation 7b: The City should establish an independent Public Ethics Commission, with guidance from the Markkula Center for Applied Ethics, to help ensure that all public officials conduct government decision-making processes in an ethical, transparent and unbiased manner without favor. This recommendation should be implemented by February 1, 2023.

Response: Council Minority agrees.

Recommendation 7c: The City should require councilmembers to attend additional training in good governance provided by a third party such as the Markkula Center for Applied Ethics no later than February 1, 2023, and once a year thereafter. The training should include the Brown Act with emphasis on issues such as serial meetings, closed sessions, the fiduciary duty of government officials, filing Form 700s, and other issues related to good governance.

Response: Council Minority agrees.



**City of
Santa Clara**
The Center of What's Possible

Mayor

Lisa M. Gillmor

Council Members

Dominic J. Caserta
Debi Davis
Patrick Kolstad
Patricia M. Mahan
Teresa O'Neill
Kathy Watanabe

① August 31, 2017

John Kristick
Executive Director
2026 United Bid Committee
420 5th Avenue, 7th Floor
New York, NY 10018

Dear Mr. Kristick,

The City of Santa Clara would like to declare its strong interest in being a host city for the 2026 World Cup. In the event that North America is selected by FIFA to continue in the selection process, I am pleased to confirm that the City of Santa Clara/Levi's Stadium will submit a proposal to host one or more matches of the 2026 World Cup.

- ② There is no better place than this new stadium and surrounding South Bay venues to host soccer. Home to luxury hotels, world-class training facilities, and year-round sunshine, the U.S. Men's National Team held its training camp for the 2014 FIFA World Cup in this very region. International soccer powers Manchester United, FC Barcelona, Liverpool FC and AC Milan have all trained here in our region over the last couple of years.
- ③ Santa Clara's Levi's Stadium near California's Great America theme park and the Santa Clara Convention Center provides easy access to public transportation, highways, and the San Jose, Oakland and San Francisco International Airports. We are a world-class city with a high-tech venue that is ready for the opportunity to host this premier event. We unequivocally support this bid and look forward to welcoming you to our beautiful city.

On behalf of the City, thank you for giving us the opportunity to participate in this exciting process. We wish the United Bid Committee the best of luck and look forward to submitting our proposal.

Sincerely,

Lisa Gillmor
Mayor
City of Santa Clara

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
SUPPORTING THE CITY OF SANTA CLARA IN ITS EFFORTS TO
BE SELECTED AS A HOST CITY FOR THE 2026 FIFA WORLD
CUP**

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

WHEREAS, The Fédération Internationale de Football Association (FIFA) World Cup is a quadrennial multi-city festival where culture, diversity, and sport are expressed by thousands of fans, athletes, and community legacy and sustainability initiatives; it is the premier global soccer event watched by over 3.2 billion fans worldwide; and

WHEREAS, the United Bid Committee representing North America is competing with the country of Morocco for the right to host the 2026 FIFA World Cup,

① **WHEREAS,** on August 31, 2017, Mayor Lisa M. Gillmor signed a letter to the United Bid Committee confirming that the City of Santa Clara/Levi's Stadium will submit a proposal to host one or more matches of the 2026 FIFA World Cup; and

② **WHEREAS,** there is no better place than Levi's Stadium and surrounding South Bay venues to host soccer; the City of Santa Clara is home to luxury hotels, world-class training facilities, and year-round sunshine; the U.S. Men's National Team held its training camp for the 2014 FIFA World Cup in this very region; international soccer powers Manchester United, FC Barcelona, Liverpool FC and AC Milan have all trained here in our region over the last several years; and

③ **WHEREAS,** Santa Clara's Levi's Stadium is near California's Great America theme park and the Santa Clara Convention Center and provides easy access to public transportation, highways, and the San Jose, Oakland and San Francisco International Airports; the City of Santa Clara is a world-class city with a high-tech venue ready for the opportunity to host this premier event; and

④ **WHEREAS,** 2026 FIFA World Cup matches would be a Santa Clara Stadium Authority Non-NFL event and both the City of Santa Clara and Santa Clara Stadium Authority must be

insulated from any financial losses in accordance with voter-approved Measure J: The Santa Clara Stadium Taxpayer Protection and Economic Progress and required in Government Guarantees requirements, respectively.

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

1. That the Santa Clara Mayor and City Council do hereby support the City of Santa Clara being selected as a host city of the 2026 FIFA World Cup in Santa Clara, California.

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 _____, 2022, 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. Letter to 2026 United Bid Committee