

RESOLUTION NO. 1123-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE IN SUPPORT OF THE EFFORTS OF THE AMAH MUTSUN TRIBAL BAND TO PRESERVE SARGENT RANCH/JURISTAC AS OPEN SPACE

BE IT RESOLVED BY THE CITY OF SUNNYVALE AS FOLLOWS:

WHEREAS, the City of Sunnyvale is located on the ancestral lands of Tamyen-speaking Ohlone peoples, whose descendants today belong to the Muwekma Ohlone Tribe, Amah Mutsun Tribal Band and other tribal nations;

WHEREAS, the Amah Mutsun Tribal Band, Muwekma Ohlone Tribe and other Ohlone people survived two centuries of violent persecution and displacement during the Spanish, Mexican and American periods and today are working diligently to restore their Indigenous practices, regain stewardship of their lands and heal from historical trauma;

WHEREAS, the Debt Acquisition Company of America, doing business as Sargent Ranch Management Company, has applied to the County of Santa Clara for a conditional use permit for a proposed sand and gravel mining operation with aggregate processing facilities on 403 acres of Sargent Ranch, within an area known as *Juristac* to the Amah Mutsun Tribal Band;

WHEREAS, Juristac is the location of numerous historic ceremonial and sacred sites, comprising a landscape of paramount cultural and spiritual importance to the Amah Mutsun Tribal Band;

WHEREAS the Amah Mutsun Tribal Band maintains that the 403 acres of proposed mining pits, overburden piles, roads, and processing facilities would irreparably harm Mutsun cultural resources, landscape features, and the spiritual integrity of Juristac;

WHEREAS, the Tribal Council of the Amah Mutsun Tribal Band has taken a unanimous stand in opposition to the Sargent Quarry Project and is requesting the support of surrounding communities in efforts to protect their sacred grounds;

WHEREAS, the city councils of the City of Morgan Hill, City of Santa Cruz and City of Santa Clara have unanimously adopted resolutions supporting the efforts of the Amah Mutsun Tribal Band to preserve the entirety of Juristac as open space;

WHEREAS, in November of 2021 the Santa Clara County Human Rights Commission voted unanimously to recognize the desecration of the Amah Mutsun sacred site of Juristac as a significant human rights issue and to recommend that the County of Santa Clara deny approval of permits for the proposed mine;

WHEREAS, Sargent Ranch/Juristac is an open space area of exceptional regional significance and habitat value as recognized by the Santa Clara Valley Habitat Agency, the Santa Clara Valley Open Space Authority, and regional conservation organizations;

WHEREAS, the Sargent Ranch area is identified in the Santa Clara Valley Habitat Conservation Plan and other regional habitat connectivity studies as a critically important wildlife corridor linking the Santa Cruz Mountains, Gabilan Mountains, and Diablo Range;

WHEREAS, the City of Sunnyvale seeks to be a regional leader in environmental sustainability [General Plan 2-34] and climate action, which includes support for regional open space and habitat preservation and support for Indigenous stewardship of biologically and culturally significant ancestral lands as part of a comprehensive climate action strategy;

WHEREAS, the City of Sunnyvale supports the rights of Indigenous peoples to access, maintain, and protect their religious and cultural sites, as enshrined in Article 12 of the United Nations Declaration on the Rights of Indigenous Peoples.

NOW, THEREFORE IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. That the City Council of the City of Sunnyvale supports the efforts of the Amah Mutsun Tribal Band to preserve Sargent Ranch/Juristac as open space in perpetuity and to regain access to their cultural and spiritual sites at Juristac.
2. That the City Council of the City of Sunnyvale urges the County of Santa Clara to deny approval of permits for the proposed Sargent Quarry Project
3. That the City Council of the City of Sunnyvale urges the County of Santa Clara to find funding for a conservancy agency to purchase and preserve Sargent Ranch/Juristac as open space.

Adopted by the City Council at a regular meeting held on June 7, 2022, by the following vote:

AYES: KLEIN, HENDRICKS, LARSSON, MELTON, CISNEROS, DIN, SPITALERI
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE
RECUSAL: NONE

ATTEST:

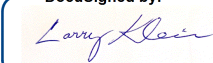
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DAVID CARNAHAN
City Clerk

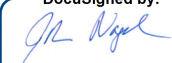
(SEAL)

APPROVED:

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LARRY KLEIN
Mayor

APPROVED AS TO FORM:

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JOHN A. NAGEL
City Attorney