

Sam

# Request 26-35 Closed



## Request

Please provide all documents, emails, text messages, correspondence, memoranda, plans, agreements, ordinances, and permits in the City's records relating to the property located at 1980 Saturn Street in the City of Monterey Park from January 2024 to the present.

### Timeline Documents

**Request closed** Anyone with access to this request

Provided records to requester in response to their request.

January 26, 2026, 8:28am by Staff

**Message to requester** Requester: Staff

The City conducted a search of its records and did not locate any publicly available documents pursuant to your request.

There are no publicly available documents for 1980 Saturn Street.

You may conduct a [building permit search online](#).

This concludes the city's response.

**ORDINANCE NO. 2246**

**AN INTERIM ORDINANCE EXTENDING URGENCY ORDINANCE NO. 2245 - PROHIBITING PERMITS FOR LAND USE ENTITLEMENTS WITHIN THE MCCASLIN BUSINESS PARK TO CONSIDER ADOPTING A SATURN PARK SPECIFIC PLAN IN ACCORDANCE WITH THE MONTEREY PARK LAND USE ELEMENT OF THE GENERAL PLAN**

The City Council for the City of Monterey Park does ordain as follows:

SECTION 1: This Ordinance is adopted pursuant to Government Code §§ 36937, 65858, and other applicable laws.

SECTION 2: *Findings.* The City Council finds, determines and declares as follows:

- A. The City may adopt and enforce all laws and regulations not in conflict with the general laws and the City holds all rights and powers established by California law.

Ordinance No. 2246  
Page 3 of 7

- K. A review of the 2020 LUE, the Certified Housing Element (March 30, 2023), and MPMC Chapter 21.14 shows that the existing zoning regulations are inconsistent with the voters' vision for Saturn Park; the zoning regulations must be reconciled with the most recent voter directives in Measure JJ, the California Legislature's directives (as reflected in the City's Certified Housing Element), and California law.
- L. In April 2024, the Planning Commission considered conceptual renderings and land uses for Saturn Park during two meetings. Thereafter, on May 22, 2024, the City Council created the SPARC to receive and implement community input for drafting a Saturn Park Specific Plan ("SPSP").
- M. On May 23, 2024, representatives from 1980 Saturn met with the Mayor, City Manager, City Attorney, Assistant City Manager, and Community Development Director to plan for a data center at that location – which is a permissible use pursuant to MPMC Chapter 21.14 but inconsistent with the 2020 LUE land use designation for Saturn Park. Additionally, on January 11, 2024, the City's Community Development Department received applications for a conditional use permit and design review for a data center proposed at 1977 Saturn Street.
- N. As set forth in the City Council staff report dated June 5, 2024, it is anticipated that the SPARC would conclude its meetings in August or September of 2024 and provide the City Council with its

Search does not cover Limited Liability Partnerships (LLPs) or General Partnerships (GPs). To obtain copies of Limited Liability Partnership (LLP) or General Partnership (GP) filings, submit the paper [Business Entity Records Order Form](#).

### Search Tips

- Search by **entity name** or **entity number** (remove "C" from number).
- Performs a "keyword" search.
- Results limited to the **500 closest matches**.
- **Advanced Search**
  - Use for **Publicly Traded Disclosure Search**.
  - **Refine search** by specific entity type or grouping (e.g. Nonprofit Mutual Benefit Corporation or All Corporations), entity status, and/or Initial Filing Date range.
  - **Begins with** filter for refined queries.
  - View **more than the 500 default results**.

### Important Notes

- **Disclaimer:** All information provided "as is." The data provided is not a complete or certified record. The California Secretary of State's office is not responsible for any loss, consequence, or damage resulting directly or indirectly from reliance on the accuracy, reliability, or timeliness of the information provided.
- **Need help?** For more information, select [Forms](#) on the menu, view the [Help Guide](#) or [Video Library](#). To contact the California Secretary of State's office, view the [Contact Information](#).

1980 Saturn



Advanced

Results: 1

Entity Information :	Initial Filing Date	Status :	Entity Type :	Formed In	Agent :
HMC StratCap 1980 Saturn, LLC (202463914418)	09/20/2024	Active	Limited Liability Company - Out of State	DELAWARE	CORPORATION SERVICE COMPANY WHICH WILL DO BUSINESS IN CALIFORNIA AS CSC - LAWYERS INCORPORATING SERVICE

HMC StratCap 1980 Saturn, LLC  
(202463914418)



Request Certificate

Initial Filing Date 09/20/2024

Status Active

Standing - SDS Good

Standing - FTB Good

Standing - Agent Good

Standing - VCFCF Good

Formed in DELAWARE

Entity Type Limited Liability Company - Out of State

Principal Address 660 STEAMBOAT ROAD GREENWICH, CT 06830

Mailing Address 660 STEAMBOAT ROAD GREENWICH, CT 06830

Statement of Info Due Date 09/30/2026

Agent 1595 Corporation CORPORATION SERVICE COMPANY WHICH WILL DO BUSINESS IN CALIFORNIA AS CSC - LAWYERS INCORPORATING SERVICE

CA Registered Corporate (1305) Agent Authorized Employees, KOY SAECHAO 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA

REBECCA VANG 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA

ALEX JENKINS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA

WENDY HARRIS

Summary

AIN: 5265-026-060

Situs Address:  
1980 SATURN ST  
MONTEREY PARK CA 91755-7417

Use Type:  
Commercial  
Parcel Type:  
Regular Fee Parcel  
Tax Rate Area:  
06383

Parcel Status: ACTIVE  
Create Date: 02.04.1992  
Delete Date:  
Tax Status: CURRENT  
Year Defaulted:  
Exemption: None  
Misfortune & Calamity Status: N/A



Please set a location or search for an address.

Building 0103 & Land Overview

Use Code:	1703	# of Units:	0	Year Built:	1985
Design Type:	1700	Beds/Baths:	0/0	Effective Year:	1985
Quality Class:	AX	Building SqFt:	414,158	Land SqFt:	0

Parcel Map / Map Index

	2026 Roll Preparation	2025 Current Roll	RC	Year	2001 Base Value
Land	\$ 8,533,373	\$ 8,366,052	T	2001	\$ 5,552,000
Improvements	\$ 34,694,547	\$ 34,014,262	T	2001	\$ 22,573,000
<b>Total</b>	<b>\$ 43,227,920</b>	<b>\$ 42,380,314</b>			<b>\$ 28,125,000</b>

Assessor's Responsible Division  
District: Law of Administration  
Region: 23  
Cluster: 23575 ALHAMBRA

HM of Administration  
500 W Temple St. Room 180  
Los Angeles, CA 90012-2770

Phone: (213) 974-3108  
Toll Free: 1 (888) 907-2111  
M-F 8:00 am to 5:00 pm



Events History

OWNERSHIP PARCEL CHANGE

Show Re-Assessable Only

Recording Date	Seq.#	Re-Assessed	Doc.#	OC1	OC2	Doc.Type	Doc.Reason	# Parcels	%	Ver. Code	DTT Sale Price	Assessed Value
10/04/2024	50	Yes	0680257	3	5	Y	A	1	00%-0	M	\$ 33,500,000	\$ 42,300,314
Sequence Number: 50 Document Number: 0680257 Ownership Code 1: 3 - Review Not Required Ownership Code 2: 5 - Reappraisable Document Type: Y - Sale for Consideration - Full DTT Document Reason Code: A - Good Transfer - Typical Change in Ownership # of Parcels Transferred: % Interest Transferred: 00%-0 Verification Code: M - PCOR-Multiple Parcels												
10/27/2022	50	No	1022824	3	7	V	6	4	00%-0		0	\$ 40,734,637
12/06/2000	56	Yes	1892737	3	5	4	A	2+	00%-0	B	0	\$ 20,125,000
03/02/2000	50	Yes	0000000	3	0	W	A	1	00%-0	T	5.0	\$ 20,125,000

Home

Search

Forms

Help

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- Performs a "keyword" search.
- Results limited to the **500 closest matches**.
- **Advanced Search**
  - Use for **Publicly Traded Disclosure Search**.
  - **Refine search** by specific entity type or grouping (e.g., Nonprofit Mutual Benefit Corporation or All Corporations), entity status, and/or Initial Filing Date range.
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  - **View more than the 500 default results**.

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- **Need help?** For more information, select [Forms](#) on the menu, view the [Help Guide](#) or [Video Library](#). To contact the California Secretary of State's office, view the [Contact Information](#).

1977 Saturn

Advanced ▾

Results: 2

Entity Information :	Initial Filing Date ▾	Status ▾	Entity Type :	Formed In ▾	Agent ▾
HMC StratCap 1977 Saturn, LLC (B20250050264) >	03/28/2025	Active	Limited Liability Company - Out of State	DELAWARE	CORPORATION SERVICE COMPANY WHICH WILL DO BUSINESS IN CALIFORNIA AS CSC - LAWYERS INCORPORATING SERVICE
1977 SATURN LLC (200717310104) >	06/21/2007	Terminated	Limited Liability Company - Out of State	DELAWARE	CT CORPORATION SYSTEM

HMC StratCap 1977 Saturn, LLC  
(B20250050264)



Request Certificate

Initial Filing Date	03/28/2025
Status	Active
Standing - SOS	Good
Standing - FTB	Good
Standing - Agent	Good
Standing - VCPCF	Good
Formed In	DELAWARE
Entity Type	Limited Liability Company - Out of State
Principal Address	660 STEAMBOAT ROAD, 1ST FLOOR GREENWICH, CT 06830
Mailing Address	660 STEAMBOAT ROAD, 1ST FLOOR GREENWICH, CT 06830
Statement of Info Due Date	03/31/2027
Agent	1505 Corporation CORPORATION SERVICE COMPANY WHICH WILL DO BUSINESS IN CALIFORNIA AS CSC - LAWYERS INCORPORATING SERVICE
CA Registered Corporate (1505) Agent Authorized Employees(1)	KOY SAECHAO 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA REBECCA VANG 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA ALEX JENKINS 2710 GATEWAY OAKS DRIVE, SACRAMENTO, CA



# United States of America



Market	Asset	Planned IT capacity	Installed IT capacity
Dallas	DAL1	4.5 MW	4.5 MW
Kansas City	KCM1	7.5 MW	7.5 MW
Chicago	CHI1	32.0 MW	32.0 MW
Los Angeles	LAX1	33.0 MW	-
	LAX2	33.0 MW	-

**Note 20. Fair value measurement (continued)**

A higher discount rate or terminal yield will lead to a lower fair value. A higher growth rate will lead to a higher fair value. The discount rate is the most significant input into the valuation of investment property and therefore most sensitive to changes in valuation.

A 50 basis point increase in discount rate would result in a decrease in the fair value of investment property by \$75.7 million and a 50 basis point decrease in discount rate would result in an increase in the fair value of investment property by \$85.0 million.

A 50 basis point increase in market capitalisation rate would result in a decrease in the fair value of investment property by \$99.3 million and a 50 basis point decrease in market capitalisation rate would result in an increase in the fair value of investment property by \$119.2 million.

List of the investment properties and addresses:

<b>Property Name</b>	<b>Address</b>
Kansas City 1 (KCM1)	Olathe, Kansas City, Kansas, US
Dallas Fort Worth 1 (DAL1)	Richardson, Dallas, Texas, US
<del>Chicago 1 (CHI1)</del>	<del>Chicago, Illinois, US</del>
Los Angeles 1 (LAX1) and Los Angeles 2 (LAX2)	Monterey Park, Los Angeles, US

*Contingent consideration sensitivity:* The liability is expected to be settled within 12 months from the reporting date. As a result, the impact of discounting is considered immaterial, and no adjustment has been made to the fair value.

**Note 21. Contingent liabilities**

The Stapled Group had no contingent liabilities as at 31 December 2025 and 30 June 2025.

**Note 22. Commitments**

Significant capital expenditure contracted for in relation to investment properties at the end of the reporting period but not recognised as liabilities is as follows:

	<b>Consolidated</b>	
	<b>31 Dec 2025</b>	<b>30 Jun 2025</b>
	<b>\$m</b>	<b>\$m</b>
<i>Capital commitments</i>		
Capital expenditure	113.5	5.7
	<u>113.5</u>	<u>5.7</u>

As at 31 December 2025, capital commitments above include capital works on the SYD1 and isek assets.

**Note 23. Related party transactions**

*Board of directors and Responsible entity*

As detailed in note 1, DigiCo Infrastructure REIT is a stapled group comprising of HMC Digital Infrastructure Limited and its controlled entities and HMC Digital Infrastructure Trust and its controlled entities. The board of directors of HMC Digital Infrastructure Limited and directors of Equity Trustees Limited as the responsible entity of HMC Digital Infrastructure Trust are responsible for the governance and management of DigiCo Infrastructure REIT.

*Investment Manager and Asset Manager*

DigiCo Infrastructure REIT is externally managed. The Stapled Group has appointed HMC Digital Infrastructure Asset Management Pty Ltd (the 'Asset Manager') and HMC Digital Infrastructure Investment Management Pty Ltd (the 'Investment Manager') to provide certain asset management and investment management services to the Stapled Group in accordance with the Asset Management Agreement and Investment Management Agreement ('Management Agreements'). The Asset Manager and Investment Manager are wholly owned subsidiaries of HMC Capital Limited (ASX: HMC).

# FY25 Highlights

## Key Investment Highlights

- In August 2025, SYD1 was granted 'Certified Strategic' data centre status under the Australian Government Hosting Certification Framework (HCF). 'Certified Strategic' is the highest level of certification under the Australian Government HCF process and reinforces DGT's role as a cornerstone of Australia's critical digital infrastructure.
- DGT now has a national footprint of HCF-certified sites across both NSW and QLD, with HCF certification for ADL1 underway and expected by Q2 FY26.
- Senior industry hires across sales, commercial and asset management teams to expand the data centre team, drive commercial execution, enhance customer delivery and position the business for growth.

## Development Highlights

- SYD1: Densification & Optimisation (D&O) program is underway and progression continues on the 88MW project.
- BNE3 and ADL1: Growth opportunities of 20MW and 8MW respectively, positioning DGT for further growth in Australia<sup>1</sup>.
- CHI1: Commencement of contracted rental billing on Phases 1 and 2, with Phase 3 to follow in FY26.
- LAX1/LAX2: Remain on track for 66MW of capacity from independent data centres with first construction completion in 2028.

## Operational Highlights

- 2.6MW of renewals across the Australian portfolio at an average premium of 8.2%.
- Contracted utilisation across the portfolio of 86%, with the U.S. portfolio fully contracted.
- Australian pipeline and demand has exceeded expectations since acquisition, with requirements for contract sizes of 5-10MW.

## Financial Highlights

FY25 Annualised  
Underlying EBITDA

**\$99m**

Ahead of Prospectus & PDS guidance



FY25 DPS

**10.9c**

per security

In line with Prospectus & PDS



Net asset value of

**\$4.53**

per security



Gearing of

**35%**

At the bottom of the 35% - 45%  
target range



<sup>1</sup> BNE3 has been renamed (previously BNE4) at a site of 7000 sqm located in proximity adjacent to BNE1 & BNE2.

## Australia's sovereign platform for global compute

On behalf of the Board of Directors, we are pleased to present the DigiCo Infrastructure REIT (DGT) Financial Report for the period ended 30 June 2025 (FY25). This has been a pivotal year for DGT - our first financial period as a listed entity - and one in which we delivered above Prospectus & PDS (PDS) guidance, secured important Government certifications, grew our development pipeline and strengthened our team. FY25 has laid the foundations for DGT to become a long-term leader in sovereign digital infrastructure across both Australia and the United States. Key highlights include:

### Financial Highlights

- Annualised Underlying EBITDA of \$99 million, above PDS guidance of \$97 million
- FY25 PDS of 10.9c per security, in line with PDS
- Liquidity of \$740 million comprising cash of \$425 million and undrawn facilities of \$315 million
- Net asset value per security of \$4.53 as at 30 June 2025
- Gearing of 35% at the bottom of the 35 - 45% target range

Our disciplined financial approach ensures that we are not only meeting near-term commitments but also positioning the business to pursue attractive growth opportunities in FY26 and beyond.

### Operational Highlights

FY25 was marked by significant progress in our operations and portfolio optimisation. The granting of 'Certified Strategic' Hosting Certification Framework (HCF) status for Sydney 1 (SYD1) was a milestone achievement and reinforces DGT's role as a cornerstone of Australia's critical digital infrastructure. Alongside this, we maintained a stable and diversified customer base and achieved the following key operational highlights:

- 2.6MW of renewals across the Australian portfolio at an average premium of 8.2%
- Contracted utilisation across the portfolio of 86%, with the U.S. portfolio fully contracted
- Australian pipeline and demand has exceeded expectations since acquisition, with requirements for contract sizes of 5-10MW+

### Developments

FY25 saw material progress on our growth pipeline, with a balance of brownfield densification, greenfield expansion, and stabilised assets:

- SYD1: Densification & Optimisation (D&O) program is underway and progression continues on the 88MW project
- BNE3 and ADL1: Growth opportunities of 20MW and 8MW respectively, positioning DGT for further growth in Australia
- CHI1: Commencement of contracted rental billing with full completion expected in FY26
- LAX1/LAX2: Remain on track for 66MW of capacity from independent data centres with first construction completion in 2028

Collectively, these projects position DGT to deliver more than 150MW of future expansion capacity across its portfolio, with material value to be unlocked through disciplined execution.

1. BNE 3 has been renamed (previously, BNE 4 at time of PDS); certification is physically adjacent to BNE 1 & BNE 2

## Significant changes in the state of affairs

### IPO and capital raise

During the financial period, DigiCo Infrastructure REIT undertook an IPO to raise capital and list DigiCo Infrastructure REIT on the Australian Securities Exchange (ASX).

In accordance with the replacement Prospectus and Product Disclosure document dated 5 December 2024, the following significant events occurred:

- DigiCo Infrastructure REIT was listed on the ASX on 13 December 2024;
- DigiCo Infrastructure REIT raised \$2,745.6 million of equity issuing 549.1 million Stapled Securities at \$5.00 per Stapled Security.

### Business acquisitions

On 17 December 2024, the Stapled Group completed the acquisition of a 100% interest in iseek, for consideration of \$413 million (being the enterprise value), including \$250 million in Stapled Securities of DigiCo Infrastructure REIT (valued at \$250 million at DigiCo Infrastructure REIT's initial public offering (IPO) offer price of \$5.00 per Stapled Security). iseek is an entity involved in the provision of data centre, cloud and managed connectivity services to Government and Enterprise customers in Australia.

### Asset acquisitions

On 18 December 2024, the Stapled Group acquired a 100% interest in Global Switch Australia Holdings Pty Ltd (now named 'HDI SYD1 Holdings Pty Limited') for consideration of \$2,044 million (representing an enterprise value of approximately \$1,937 million, net of cash and other working capital, as at 18 December 2024). The acquired assets comprise a large-scale data centre campus located in Sydney, now referred to as SYD1.

The acquisition provided the Stapled Group ownership of two adjacent buildings - Sydney East (SYDE) and Sydney West (SYDW) and other equipment such as power distribution units, automatic static transfer switches (ASTS), triple filters, cooling generators and other related assets. In accordance with the Stapled Group's accounting policy for business combinations, the 'concentration test' was applied and satisfied, as substantially all of the fair value of gross assets acquired is concentrated in a single group of similar identifiable assets including interconnected adjacent buildings - SYDE and SYDW and related equipment which are critical to perform data centre services. Therefore, the transaction has been accounted for as an asset acquisition.

On 17 December 2024, the Stapled Group completed the acquisition of the following assets for \$1,296 million in the USA:

- Chicago property (CHI1) comprising a partly constructed data centre and future cost to complete;
- Kansas City property (KCM1) comprising a stabilised data centre asset;
- Dallas property (DAL1) comprising a stabilised data centre asset; and
- Los Angeles properties (LAX1 and LAX2) comprising two greenfield data centre development assets.

Refer to note 34 of the consolidated financial statements for further details of the business acquisitions and note 13 for further details of the asset acquisitions.

There were no other significant changes in the state of affairs of the Stapled Group during the financial period.

**Note 27. Fair value measurement continued****Valuation techniques for fair value measurements categorised within level 2 and level 3****Derivative financial instruments**

Derivative financial instruments have been valued using observable market rates. This valuation technique maximises the use of observable market data where it is available and relies as little as possible on entity specific estimates.

**Investment properties**

The fair value of investment properties has been measured using the discounted cash flows approach. The valuation model considers the present value of net cash flows to be generated from the property, taking into account the expected rental growth rate, void periods, occupancy rate, lease incentive costs such as rent-free periods and other costs not paid by tenants. The expected net cash flows are discounted using risk-adjusted discount rates. Among other factors, the discount rate estimation considers the quality of a building and its location, tenant credit quality and lease terms. The investment properties are revalued annually based on assessments by an independent valuer having recent experience in the location and category of investment property being valued. Valuations are based on current prices in an active market for similar properties of the same location and condition, subject to similar leases and takes into consideration occupancy rates and returns on investment.

**Contingent consideration**

Contingent consideration is valued at each reporting date based on the discounted cash flow approach. The valuation model considers the present value of the expected future payments, discounted using a risk-adjusted discount rate.

Refer to note 13 for movements in investment properties for the current reporting period.

The level 3 assets and liabilities unobservable inputs and sensitivity are as follows:

Description	Unobservable inputs	Range (weighted average) 30 June 2025
Investment properties	(i) Discount rate	7.1% to 7.6% (7.3%)
	(ii) Terminal yield	2.0% to 2.3% (2.2%)

The period of expected rental growth before terminal yield is 7 years.

A higher discount rate or terminal yield will lead to a lower fair value. A higher growth rate will lead to a higher fair value. The discount rate is the most significant input into the valuation of investment property and therefore most sensitive to changes in valuation.

A 50 basis point increase in discount rate would result in a decrease in the fair value of investment property by \$138.0 million and a 50 basis point decrease in discount rate would result in an increase in the fair value of investment property by \$168.0 million.

List of the investment properties and addresses:

Property Name	Address
Kansas City 1 (KCM)	Olathe, Kansas City, Kansas, US
Dallas Fort Worth 1 (DAL1)	Richardson, Dallas, Texas, US
Chicago 1 (CHI)	Chicago, Illinois, US
Los Angeles 1 (LAX1) and Los Angeles 2 (LAX2)	Monterey Park, Los Angeles, US

*Contingent consideration sensitivity:* The liability is expected to be settled within 12 months from the reporting date. As a result, the impact of discounting is considered immaterial, and no adjustment has been made to the fair value.

## Note 35. Interests in subsidiaries

The consolidated financial statements incorporate the assets, liabilities and results of the following principal subsidiaries of the Stapled Group in accordance with the accounting policies described in note 2:

Name	Principal place of business/ Country of incorporation	Ownership interest 30 June 2025 %
<b>Subsidiaries of HMC Digital Infrastructure Limited:</b>		
HMC Digital Infrastructure Holding Company Pty Ltd	Australia	100.00%
HMC Digital Infrastructure Company Pty Ltd	Australia	100.00%
HMC DC Company Pty Ltd	Australia	100.00%
HDI Finance Company Pty Ltd	Australia	100.00%
HDI Acquisition Company Pty Ltd	Australia	100.00%
HDI SYDI Holdings Pty Limited	Australia	100.00%
HDI SYDI Pty Limited	Australia	100.00%
HDI SYDI Property Holdings Pty Limited	Australia	100.00%
HDI SYDI Property Pty Limited	Australia	100.00%
HDI Acquisition Company No. 2 Pty Ltd	Australia	100.00%
Box HoldCo Pty Ltd	Australia	100.00%
Box FinCo Pty Ltd	Australia	100.00%
iseek Pty Ltd	Australia	100.00%
KDCR Australia No. 1 Pty Ltd	Australia	100.00%
KDCR Australia Trust No 1	Australia	100.00%
iseek Facilities Pty Ltd	Australia	100.00%
LD2R Pty Ltd	Australia	100.00%
Your DC Pty Ltd	Australia	100.00%
Your DC Investments Pty Ltd	Australia	100.00%
Your DC Investments Trust	Australia	100.00%
YourFibre Pty Ltd	Australia	100.00%
<b>Subsidiaries of HMC Digital Infrastructure Trust:</b>		
HMC Digital Infrastructure USA, LLC ('HDI USA')	United States of America	100.00%
HMC Digital Infrastructure OP HoldCo, LLC <sup>1</sup>	United States of America	100.00%
HMC Digital Infrastructure OP, LP <sup>1</sup>	United States of America	100.00%
HMC DigCo US TRS, LLC <sup>1</sup>	United States of America	100.00%
HMC Data Center HoldCo 1, LLC <sup>1</sup>	United States of America	100.00%
HMC Data Center 1, LLC <sup>1</sup>	United States of America	100.00%
Eli Grove Data Center 1 Power LLC <sup>1</sup>	United States of America	100.00%
HMC Data Center HoldCo 2, LLC <sup>1</sup>	United States of America	100.00%
HMC Data Center 2, LLC <sup>1</sup>	United States of America	100.00%
HMC Data Center HoldCo 3, LLC <sup>1</sup>	United States of America	100.00%
HMC Data Center 3, LLC <sup>1</sup>	United States of America	100.00%
HMC Stratcap Data Center Saturn, LLC <sup>1</sup>	United States of America	100.00%
HMC Stratcap 1977 Saturn, LLC <sup>1</sup>	United States of America	100.00%
HMC Saturn HoldCo, LLC <sup>1</sup>	United States of America	100.00%
HMC Stratcap 1980 Saturn, LLC <sup>1</sup>	United States of America	100.00%

<sup>1</sup>HMC Digital Infrastructure Trust directly holds over 99.9999% of the interests in HDI USA. The remaining interest in this entity is held by 124 preferred shareholders, who are required by state law to satisfy the US REIT rules that a US REIT be held by at least 100 shareholders. The 124 preferred shareholders hold, in aggregate, less than 0.0001% of the interests in HDI USA, which in total are valued at \$124,000. HMC Digital Infrastructure Trust holds 100% of the ordinary shares of HDI USA. Under the terms of issue, the 124 preferred shareholders are entitled to a coupon of 12.0% (see 'consultation'). The preferred shares do not carry voting rights (other than in respect of matters such as amendments to their terms of issue).



© Mapbox © OpenStreetMap Improve this map



**This data center may not be available**  
According to our data, this data center is currently listed as: **Planned**

Data Centers - USA - California - Los Angeles

# DigiCo Los Angeles LAX1

DigiCo Infrastructure REIT  
1977 Saturn St  
91755 Monterey Park  
California, USA

[Visit Website](#)



## DigiCo Infrastructure REIT

Data Center Operator at  
DigiCo Los Angeles LAX1  
1977 Saturn St  
Site Code: LAX1  
Headquartered in Sydney, NSW

**Data Centers** 13

- Overview
- Specs
- Ecosystem
- Location
- Request Quote

- ✓ Suites
- ✓ Cages
- ✓ Private Cabinets

HMC Capital is planning a new data center in Los Angeles, California, on a 15.8-acre site at 1977 Saturn Street in Monterey Park. The project, known as the 1977 Saturn Data Center, will involve demolishing existing structures to construct a 218,400-square-foot single-story facility with an on-site substation. The center is expected to have 14 emergency diesel engines, each 4MW, for a total capacity of 56MW.

Construction is scheduled to begin in September 2025, with completion anticipated by August 2027. The site was previously occupied by a two-story commercial office building and a utility structure, which have been vacant since 2016. HMC acquired the property in late 2024 for \$39 million, along with an adjacent site at 1980 Saturn Street for \$33.5 million.

### EVENTS

This data center has timeline events listed. Typically events are related to M&A history, rebranding, capacity expansions etc.

#### Apr 2025 - Stage Change

HMC Capital plans new 56MW data center in Los Angeles



Saturn St

Paterson Grande Dr

© Mapbox © OpenStreetMap Improve this map



**This data center may not be available**

According to our data, this data center is currently listed as: **Planned**

Data Centers · USA · California · Los Angeles

# DigiCo Los Angeles LAX2

DigiCo Infrastructure REIT  
1980 Saturn St  
91755 Monterey Park  
California, USA

[Visit Website](#)



## DigiCo Infrastructure REIT

Data Center Operator at  
DigiCo Los Angeles LAX2  
1980 Saturn St  
Site Code: LAX2  
Headquartered in Sydney, NSW

- Overview
- Specs
- Ecosystem
- Location
- Request Quote

- ✓ Suites
- ✓ Cages
- ✓ Private Cabinets

LAX2 is located in Monterey Park, within the western San Gabriel Valley region of Los Angeles County and approximately 16 kilometres from downtown Los Angeles. It is located in an area with high connectivity to global subsea cables and Silicon Valley, which is home to high growth companies in finance, media and entertainment and technology and telecommunications sectors. The Southern California data centre market is supported by a diverse connectivity ecosystem facilitating access to domestic and international carriers as well as IT managed service providers.

LAX2 is expected to commence the power allocation and development approval process in 2025.

**Data Centers** 13

To: Mayor and City Council

Date: 3-4-26

Re: **Agenda Item 11B: Urgency Ordinance Amending Ordinance No. 2272 to extend Moratorium on Data Centers for 10 months and 15 days**

From: Carrie, Monterey Park resident

Carrie

I am requesting that the Council consider making the following amendments to the Urgency Ordinance to extend the temporary moratorium. Many of the changes I am requesting are consistent with how Ordinance No. 2272 was amended before it was adopted.

**1. [SAME] Amend Section 2C to add language consistent with Urgency Ordinance No. 2272**

Staff's proposed language is below. Please add the underlined language, which was included in the interim ordinance adopted on 1-21-26 (Ordinance No. 2272).

- C. While the provisions of the development agreement law (Government Code §§ 65864–65869.5) make it plain that any decision regarding data centers within Saturn Park are completely discretionary for the City Council, additional regulations governing data center provide certainty to the public and private property owners regarding the City's overall expectations for developing such land uses. Such regulations were first considered by the City Council on November 6, 2024 and should be reexamined to protect public health, safety, and welfare. The City requires additional time to study which regulations are in the public interest.

**2. [NEW] Amend Section 3 to add additional bases that CEQA does not apply and to request that staff file a Notice of Exemption**

SECTION 3: *Environmental Assessment*. Adopting the draft Urgency Ordinance is exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes temporary rules and procedures for minor alterations in land use. The Urgency Ordinance, therefore, is categorically exempt from further CEQA review under CEQA Guidelines § 15305. Further, the adoption of the Urgency Ordinance is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the Ordinance is for general policies and procedure-making. This Ordinance does not authorize any new development entitlements. Any proposed project that will utilize the changes set forth in this Ordinance is subject to environmental review as part of the entitlement review of the project. The Ordinance will not adversely impact the environment and is therefore exempt from the provisions of CEQA. Lastly, this Ordinance is exempt from CEQA under CEQA Guidelines Sections 15307 and 15308 because it is adopted to protect natural resources and the environment by preventing potential environmental impacts associated with new data center uses, including impacts upon energy use, noise, and air quality, while the City studies what regulations are appropriate, and it does not authorize any physical development.

Staff should also be directed to file a Notice of Exemption with the County Clerk in order to reduce the statute of limitations to raise a CEQA challenge from 180 days to 35 days.

### **3. [SAME] Amend end of Section 4C to delete requiring preparation of an EIR**

As I discussed at the 1-21-26 Council meeting, it is contrary to the purposes of a moratorium to place a pause on the processing of pending data center applications, and the accepting of new data center applications, while simultaneously directing the City Manager to require that any applicant with a pending data center application prepare an EIR. Please delete that portion of Section 4C as indicated below.

- C. . . . Accordingly, the City Manager, or designee, is directed to require that any applicant with a pending data center application prepare an EIR in accordance with applicable law to fully inform decision-makers regarding potential significant impacts of such land uses.

### **4. [NEW] Amend Section 4E regarding what City Mgr. and City Atty are being asked to do**

Section 4E of the draft Ordinance appears to have been amended from the language used in Ordinance No. 2272 because it is unclear what the Council will direct staff to do today via Agenda Item 12A. Instead of the language currently proposed, I am suggesting the underlined language below.

- E. The City Manager and City Attorney are directed to consider and study what regulations regarding data centers are necessary in Saturn Park as well as Citywide to protect the public interest, health, safety, and welfare ~~draft regulations that are substantially similar to those previously considered on November 6, 2024 to govern data centers within Saturn Park.~~ Noticing for a public hearing to consider adopting such proposed regulations should occur in accordance with applicable law ~~forthwith~~ to ensure timely public input regarding such regulations and provide certainty to private property owners contemplating data center developments within Saturn Park or elsewhere in the City regarding the City's expectations and regulation of such land uses.

**MEMORANDUM**

To: Elizabeth Yang, Major; Henry Lo; Mayor Pro Tem; Jose Sanchez, Thomas Wong, and Vincent T. Ngo, Monterey Park City Council Members; Inez Alvarado, City Manager; and Karl H. Berger, City Attorney

CC: Maychelle Yee, City Clerk

RE: Agenda Item 12.A: Support Data Center Prohibition – Ballot + Ordinance Measure Needed

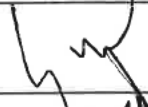


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The health, safety, and quality of life of Monterey Park residents is too important for half measures. I urge the Council to act decisively and comprehensively to ensure data centers are prohibited citywide, both now and in the future.

NAME	SIGNATURE	PHONE	E-MAIL	DATE
Stanley Thompson		[REDACTED]	[REDACTED]	3/4/2026
Mouji Therin		[REDACTED]	[REDACTED]	3/4/26
Nguyen Binh		[REDACTED]	[REDACTED]	3/4/26

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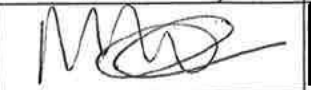

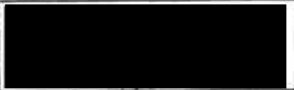


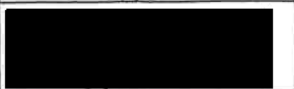
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Todd Yasuda				3/4/26
Madisen Yasuda				3/4/26
Cole Yasuda				3/4/26

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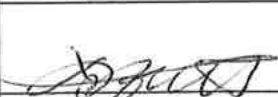


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NAME	SIGNATURE	PHONE	E-MAIL	DATE
AI TEN Ho		[REDACTED]	[REDACTED]	3/3/26
Abrey Hornuchii		[REDACTED]	[REDACTED]	03/03/26
Young Markin		[REDACTED]	[REDACTED]	3/4/26

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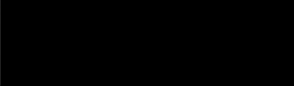
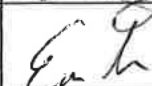
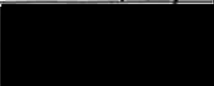
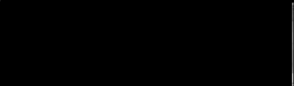
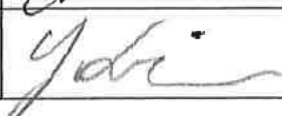

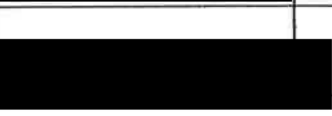
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NAME	SIGNATURE	PHONE	E-MAIL	DATE
Cindi Kusuda				3-1-2026
CRISTY BRIZUELA				3-1-26 2026
Enrique Sosa				3-1-26
Y Kim				3/4/26

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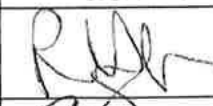



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Regina Gonzalez		[REDACTED]	[REDACTED]	3/4/2026
ARTILA MORGAN		[REDACTED]	[REDACTED]	3/4/2026
Charles Morgan		[REDACTED]	[REDACTED]	3/4/2026
DyLée Morgan		[REDACTED]	[REDACTED]	3/4/2026

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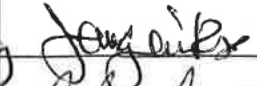



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Michelle Kang		[REDACTED]	[REDACTED]	3/3/26
Julianne Acevedo		[REDACTED]	[REDACTED]	03/04/26
BARRY CHU		[REDACTED]	[REDACTED]	3/4/26
Alexis Estrada		[REDACTED]	[REDACTED]	3/4/26

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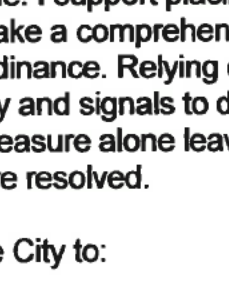
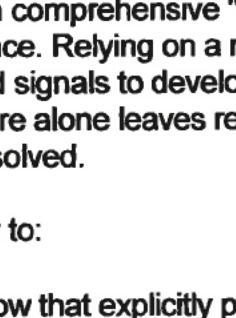
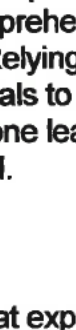
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NAME	SIGNATURE	PHONE	E-MAIL	DATE
Nhu Phan		[REDACTED]	[REDACTED]	3/4/26
Peter Phan		[REDACTED]	[REDACTED]	3/4/26
Lanith Phan		[REDACTED]	[REDACTED]	3/4/26
Ethan Phan		[REDACTED]	[REDACTED]	3/4/26

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Rigoberto Barrera	<i>Rigoberto Barrera</i>	[REDACTED]	[REDACTED]	3-3-26
Dealin Fraire	<i>Dealin Fraire</i>	[REDACTED]	[REDACTED]	3-3-26
Asher Wallen	<i>Asher Wallen</i>	[REDACTED]	[REDACTED]	3-3-26
Ethyl Carleton	<i>Ethyl Carleton</i>	[REDACTED]	[REDACTED]	3/3/26

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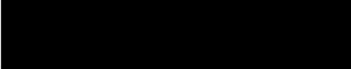


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NAME	SIGNATURE	PHONE	E-MAIL	DATE
LINDA BELL				3/3/2026
Hajera Qawi				3/3/26
ANTONIO PIEBRA				3/3/26
Debby Perez				3/3/26

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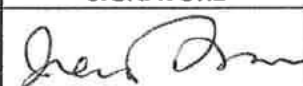








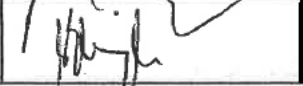

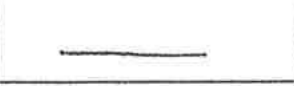
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NAME	SIGNATURE	PHONE	E-MAIL	DATE
Irene Poon				3/3/2026
Imelda Guerrero				3/3/26
Azad Aramy				3/3/26
Martinez Hegido				3/3/26

**MEMORANDUM**

To: Elizabeth Yang, Major; Henry Lo; Mayor Pro Tem; Jose Sanchez, Thomas Wong, and Vincent T. Ngo, Monterey Park City Council Members; Inez Alvarado, City Manager, and Karl H. Berger, City Attorney

CC: Maychelle Yee, City Clerk

RE: Agenda Item 12.A: Support Data Center Prohibition – Ballot + Ordinance Measure Needed

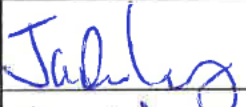



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As a Monterey Park resident, this is a request to urge the City to take strong, immediate action to prohibit data centers citywide. I support placing a data center prohibition on the ballot, but I am writing to ask that the City take a comprehensive "belt and suspenders" approach that includes both a ballot measure and an ordinance. Relying on a moratorium or a ballot measure alone is insufficient – a moratorium is temporary and signals to developers that applications will eventually be processed, while a ballot measure alone leaves residents unprotected until after an election is held and any legal challenges are resolved.

Specifically, I am asking the City to:

- Pass a citywide ordinance now that explicitly prohibits data centers in all forms and sizes – including AI data centers, hyper scale data centers, and any similar use – and applies citywide, not just to specific areas.
- Not rush an incomplete measure just to make a June election deadline but to instead make sure that the ballot is as strong as possible for maximum protection of Monterey Park.
- Strengthen the ballot language to make direct changes to the Municipal Code and General Plan by number and section, rather than vaguely directing the Council to "promptly" implement changes later, which creates legal vulnerability.
- Close existing loopholes in the current ballot language that could allow smaller data centers under one acre to proceed.

The health, safety, and quality of life of Monterey Park residents is too important for half measures. I urge the Council to act decisively and comprehensively to ensure data centers are prohibited citywide, both now and in the future.

NAME	SIGNATURE	PHONE	E-MAIL	DATE
Jackie Vargas		[REDACTED]	[REDACTED]	3/1/26
Sal Vargas		[REDACTED]	[REDACTED]	3/1/26
Savannah Vargas		[REDACTED]	[REDACTED]	3/1/26
Maria Sanchez		[REDACTED]	[REDACTED]	3/1/26

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To: Elizabeth Yang, Major; Henry Lo; Mayor Pro Tem; Jose Sanchez, Thomas Wong, and Vincent T. Ngo, Monterey Park City Council Members; Inez Alvarado, City Manager; and Karl H. Berger, City Attorney

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NAME	SIGNATURE	PHONE	E-MAIL	DATE
Zitazefat		[REDACTED]	[REDACTED]	3/1/26
Alex Zefat		[REDACTED]	[REDACTED]	3/1/26
Maring Agodagan		[REDACTED]	[REDACTED]	3/1/26
Angel Reyes		[REDACTED]	[REDACTED]	3/1/26



Received 7:40pm  
3/4/2026. [Signature]

March 4, 2026

+1.714.424.2854  
jpugh@sheppard.com

File Number: 89AF-371175

**VIA ELECTRONIC MAIL**

City Council  
City of Monterey Park  
320 W. Newmark Avenue  
Monterey Park, CA 91754  
Email: c/o City Clerk,  
MPClerk@montereypark.ca.gov

Re: Data Center Moratorium and Ballot Proposition – Agenda Items 11.B & 12.A

Dear City Council Members:

We represent HMC StratCap 1977 Saturn, LLC (“Applicant”) regarding its data center project (“Project”) located at 1977 Saturn Street (“Project Site”) in the City of Monterey Park (“City”). We reviewed the City’s agenda package for the March 4, 2026 hearing. As expected, the City continues its attack on the Project while claiming that its actions are not targeted at the Applicant. The administrative record proves otherwise.

In addition, our discussion below further demonstrates that the City is unlawfully scheming to kill the Project while trying to simultaneously cloak its moves with claims of legislative immunity and ultimately shifting decision-making about the Project to the ballot to avoid litigation risks. The City’s staff reports, draft resolutions and ordinances, and even the proposed proposition, are clearly biased, lack impartiality, and are riddled with false statements. All of this is simply pretext for denial of the Project one way or another. The Council’s proposed actions exacerbate the City’s litigation risks.

In any case, our request of the City Council is: (1) do not extend the data center moratorium; and (2) do not proceed with a ballot proposition, for June 2026, to ban data centers citywide. We object to both proposed actions. Proceeding with these actions is not supported by evidence or law.

**I. There is No Legitimate Evidence or Purpose to Extend the Moratorium.**

Item 11.B on the City’s March 4, 2026 agenda proposes to amend, and extend, existing Urgency Ordinance No. 2272 until January 21, 2027. This is yet another biased City tactic to delay and undercut the Project into an eventual denial. As you know, the City has previously found that the Project did not result in significant impacts on the environment and therefore does not pose a threat to the public health, safety or welfare. In addition, the City has not provided

any evidence to support its claim that data centers – proposed in the City – threaten public health. Moreover, the City has not provided evidence of any significant change in conditions or circumstances, related to the Project specifically, or data centers generally, that warrants extending the moratorium. In fact, the only thing that has changed between November 19, 2025 (i.e., when the City found that the only data center proposed in the City would not have an impact on the environment) and now is that a group of opposition activists have threatened the political future of the City Councilmembers. That occurrence triggered the City's reversal of its prior evidence-based position on the Project. Now, the City has built a glasshouse of ordinances, ballot propositions, and sham findings that reverse the City's prior findings in California Environmental Quality Act ("CEQA") documents, and planning department determinations based on the municipal code, that demonstrated a moratorium is not warranted. Plainly speaking, and as demonstrated in the record, this was done for the sole and specific purpose of defeating the Project. The City's claims otherwise are hollow – and its leadership knows that fact is true.

Furthermore, we point out that the litigation risk here is real regardless of the City's claim of "legislative immunity." Legislative power is not fully unfettered nor immune from the law. While normally courts may choose not to inquire into legislative motive, legislative purpose is a factor to be considered in determining whether a City's land use actions are invalid as discriminatory. The principle limiting judicial inquiry into the legislative body's police power objectives does not bar scrutiny of discrimination against a particular parcel of property. The law provides that a city cannot unfairly discriminate against a particular parcel of land, and the courts may properly inquire as to whether the scheme implemented by the City here has been applied fairly and impartially. Be honest with yourselves – you know the web spun here is not impartial. The record is chock full of examples of discriminatory purpose. We intend to expose that point widely if the City continues forcing the Applicant to litigate this matter.

The proposed ordinance amending Ordinance No. 2272 is merely one example of the deceit and discrimination against the Project. Below are more specific examples of how the City's proposed moratorium extension is discriminatory. To start with, the City Attorney is trying to cover his tracks by amending the moratorium from applying only to Saturn Park (which clearly targeted the Project Site at 1977 Saturn Street) to now applying citywide . . . even though there are no other data centers being proposed or considered within the City. Next, the City continues claiming (in Section 2.C) that "any decision regarding data centers within Saturn Park are completely discretionary for the City Council." That statement is not true and is meant to cloud the truth that the decision to approve a data center in Saturn Park involves both legislative actions and quasi-judicial actions, which further curtail the City Council's discretion. Here, the City Council is abusing its discretion on both fronts. Also, the City's fake finding (in Section 2.D) that the moratorium extension is necessary "to prevent frustration of these studies and the implementation of new regulations [for data centers] . . . requires enactment of this Ordinance" is nonsense. The City is rushing a ballot proposition forward concurrently with the proposed moratorium extension. If passed, that proposition would preclude the City from developing data centers, let alone data center regulations. So, in essence, the moratorium has locked the Applicant in place (even prohibiting the processing of its application) while the City escalates its attack with a ballot proposition. The City's findings are a façade meant to appear legitimate, but are so clearly not. Likewise, the City's baseless finding (in Section 2.E and 4.C) that the moratorium is necessary to protect the City from the energy, noise, air quality, and aesthetics impacts of a data center lack merit and supporting evidence. The City produced a detailed CEQA document that proves otherwise. In contrast to that scientific and project-specific evidence, the best evidence (included in its staff reports) the City can seem to muster for the

moratorium is rehashed press articles about data centers in Virginia and Texas, which are wildly inapplicable compared to the design, size, technology, and operational characteristics of the Project in the City. Wholly inaccurate evidence is not substantial evidence.

Likewise, the City's claims about the duration of the moratorium lack important context for several reasons. One, this is the second time the City imposed a moratorium on data centers in the City. As the record shows, and our prior letters demonstrate, the City first imposed a moratorium on the Project in June 2024. That moratorium was clearly designed to pressure the Applicant into negotiations with the City about entitlements and exactions for the City's benefit. Miraculously (or more accurately, consequently), once the City extracted its desired position from the Applicant, the City terminated the moratorium, and continued processing the Project. Now, approximately 18 months later, the City is yet again using virtually the same moratorium to stop processing the Project, and ultimately kill it with a ballot proposition. Accordingly, the City's claims (in Section 2.G and Section 4) that the moratorium(s) are "short duration" and "will not in any way deprive any persons of rights granted by state or federal laws" are flatly false. The City's repeated use of moratoriums to initially stall the Applicant's administrative process, and then to halt the process completely (until January 2027) while the City introduces a Project-killing ballot proposition (for a June 2026 vote), are a clear pattern of targeted discrimination and abuse of power. The City's actions and regulation have: (a) undermined the Applicant's distinct investment-backed expectations; (b) imposed harsh economic effects on the landowner; and (c) are laced with ill-willed character of government action, which collectively ripens this situation into a takings claim.

We incorporate all prior arguments and evidence in the record regarding the unlawfulness of the moratoriums. For the reasons therein and above, we request that the City Council not extend the existing moratorium.

## **II. The City's Proposed Ballot Proposition is Prejudiced and Not Impartial.**

The City's proposed data center measure is facially, and unlawfully, prejudiced against data centers. The Elections Code requires the statement of the measure to be a true and impartial synopsis of the purpose of the proposed measure, and it shall be in language that is neither argumentative nor likely to create prejudice for or against the measure.

Here, just as it has done throughout the administrative process for the Project, the City is setting up the ballot proposition with bias. The proposition is impermissibly partisan. We expect the City Attorney's forthcoming "impartial analysis" of the proposition to be equally misleading and biased in favor of prohibiting data centers. Specifically, the proposition (captioned "Community Act Prohibiting Data Centers") states that "[s]hall the ordinance amending the City of Monterey Park General Plan to prohibit data centers citywide to protect air quality, drinking water resources, and public health; prevent impacts to electricity and water rates; with the prohibition of data centers continuing until ended by the voters, be adopted?" The proposition is written in a manner that would greatly prejudice voters in favor of the measure, and it presents the classic Hobson's choice of: either protecting resources, health, and utility rates; or permitting data centers. That intentional paradox is deceitful by the City, and unlawful and untrue for several reasons.

To start with, the language signals to voters the City Council's view of how they should vote (i.e., to "prohibit" data centers), and it casts an unfavorable light upon data centers by coupling data centers with lightning rod issues such as environmental impacts, utility rates, and

public health; and all of that is against the backdrop of the City's own administrative record that demonstrates the data center proposed in the City has none of those impacts. Accordingly, the proposition disparages data centers and favors the City's particular partisan position to deny the Project and prohibit all data centers.

In addition, the text of the ballot question contains a more extensive flaw rendering it inconsistent with the applicable Elections Code provisions. The central phrasing of the ballot question (including the operative words ". . . to prohibit data centers citywide to protect . . .") pits data centers against other issues voters may care about even though the City has not provided evidence of the causal relationship between the data center and the lightning rod issues weaved into the narrative of the proposition. In other words, the proposition promotes the prohibition of data centers by implying that voters must approve the measure (and thereby prohibit data centers) if they want to protect air quality, drinking water resources, public health and utility rates. The City's biased and untrue construction of the ballot proposition is a sufficiently egregious deviation from the prescribed form that falls outside the limits of substantial compliance. Courts have blocked similarly crafted propositions. Therefore, on its face, and especially when viewed within the context of the City's other biased actions, the proposed ballot proposition is unlawful.

Technically speaking, the City's administrative record contains detailed quantitative evidence that proves the Project does not significantly impact the environment. For example, the Initial Study/Mitigated Negative Declaration ("IS/MND") and its related expert technical reports conclude that: (1) neither construction nor operation of the Project would result in exceedances of air quality standards; (2) the water demand of the Project is less than office uses on the Project Site, and the Project was designed with highly-efficient water-saving technology; (3) there were no other identified public health effects of the Project, and in fact, in many instances the data center use would be less impactful than other land uses; and (4) there is no evidence in the record that the Project would adversely impact electricity or water rates. Instead, the electricity provider (Southern California Edison) concluded that it could service the Project with existing energy resources and all infrastructure costs associated with the Project would be paid for by the Applicant. Not only is the City's phrasing of the proposition flawed, but the technical merit of the claims within the proposition are flatly false. Therefore, the City's claim that this action reasonably relates to regional welfare is not supportable, and hence it cannot be assumed that a land use ordinance can never be invalidated as an enactment in excess of the police power.

Furthermore, express evidence in the record thus far (which would be supplemented by evidence discovered during the course of litigation) will demonstrate that the City's ballot proposition is directed at the Applicant's development and that its specific purpose was to prevent the Project. That is prohibited by law. As one simple example, aligning with additional case law on this issue, the City only months earlier duly enacted an ordinance to expressly permit data centers in Saturn Park and on the Project Site consistent with the applicable general plan land use designation (Innovation/Technology) and municipal code zoning (Saturn Park Innovation/Technology Zone) for the express purpose of permitting the Project. Now, the City Council has later attempted, without any significant change in circumstances and without considering appropriate planning criteria, to effectively rezone the Project Site (via the ballot proposition) for the purpose of defeating the Project. We trust that a court would, consistent with legal precedent, find that type of subsequent rezoning invalid as arbitrary and discriminatory.

Finally, we reserve all rights to challenge the City's actions related to the ballot proposition on all applicable legal grounds.

**III. The City's Proposed Data Center Ban is Inconsistent with its Support of Proposed State Laws.**

As a related matter, the City is expressing its support for California Legislature bills addressing data center regulations. We recognize that data center regulations are evolving at the State level. However, to our knowledge none of those State bills propose banning data centers. Thus, the City's actions here are not aligned with State law and are instead aligned with a discriminatory abuse of power targeted to kill the Project and reach far beyond smart legislative actions related to data center regulations generally. Below are select examples that prove this point.

First, proposed Assembly Bill 1577 requires primarily, among other things, monthly reporting by data center owners of power usage effectiveness ("PUE"), water usage effectiveness, and fuel consumption. This bill does not propose a data center ban. And, as we have pointed out in prior letters, and as is evidenced in the IS/MND, the Project is a state-of-the-art data center with a highly effective PUE, extremely efficient water use, and minimal use of onsite fuels. Thus, the Project is aligned with the intent of AB 1577.

Second, proposed Senate Bill 886 is geared primarily towards ratepayer protections and establishes criteria for large load customers (which is defined as customers with peak demand of at least 75 megawatts) to bear responsibility for transmission facility upgrades triggered by a facility interconnection. This bill does not propose a data center ban. The Project is only approximately 49 megawatts and therefore would not be subject to this law because the Project is too small. Moreover, the Applicant has already negotiated with Southern California Edison to pay for the construction of transmission facilities needed for the Project. Thus, the Project is aligned with the intent of SB 866.

Third, proposed Senate Bill 887 would specify that data centers are not ministerial projects exempt from CEQA and would allow data centers (that require at least 50 megawatts for peak load) to qualify as environmental leadership development projects for purposes of CEQA streamlining. This bill does not propose a data center ban. Here, the Project was not processed ministerially and did not seek an exemption from CEQA, and again, the Project is too small (49 megawatts) for SB 887 to apply. More telling, SB 887 recognizes the importance of data centers in California's economy, proclaiming "[a]s the nation's technology, innovation and environmental leader, it is critical that the Legislature develop standards to encourage technology development while protecting California residents . . .". That is a balanced legislative approach recognizing the importance of data centers and environmental regulation. In stark contrast, the City's flat-out ban of data centers – even relatively small data centers such as the Project – is a draconian political reaction to misinformation fed to the public (and elected officials) by a group of agitators. To be clear, we recognize and appreciate the legitimate residents of the City who have expressed concern. That is why the Applicant was willing to further evaluate the Project and further demonstrate its merits. Nonetheless, the City's actions here are not aligned with proposed State law.

Fourth, proposed Senate Bill 978 would primarily establish special rate structures for large-scale energy users for facilities with operational requirements of at least 75 megawatts and would require data centers to pay upfront costs for transmission capacity, use clean back-

up generation, and employ a living wage workforce. This bill does not propose a data center ban. Here, again, the Project is too small (49 megawatts) for SB 978 to apply. Moreover, the Project would pay for upfront transmission facility cost, could establish cleaner back-up energy, and has already committed to labor agreements. Accordingly, even though SB 978 would not apply, the Project is aligned with its intent.

Overall, these examples demonstrate a clear point – the City is overreaching with its proposed data center ban.

#### IV. Conclusion

For all of these reasons, we urge the City Council to reject any extension of the moratorium and to decline to proceed with the proposed June 2026 ballot measure. As we have established, the City's current course is unsupported by substantial evidence, inconsistent with the City's prior CEQA and land use determinations, and reflects a targeted and discriminatory effort to frustrate and ultimately defeat a single pending project – thereby materially increasing the City's exposure to legal risk. If the City nonetheless moves forward, the Applicant will take all steps necessary to protect its rights and to challenge the City's conduct on all available grounds.

Sincerely,



James E. Pugh  
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4936-9769-8195.2

cc:

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