

Meeting Date: 12/15/09

Santa Clara



# AGENDA REPORT

City of Santa Clara, California

Agenda Item # 6B-1



**Date:** December 11, 2009

**To:** City Manager/Executive Director for Council/Redevelopment Agency Information

**From:** Assistant City Manager/Assistant Executive Director

**Subject:** Proposed Options for Reviewing this Evening's Agenda Materials Re: Environmental Impact Report Findings and Council Initiated Ballot Measure

Following Council actions taken at their December 8, 2009 meeting where they certified the proposed professional football stadium Environmental Impact Report (EIR) and set a June 8, 2010 date for a stadium ballot measure, Council will consider this evening items resulting from last weeks actions. Specifically, Council will be reviewing the EIR's Mitigation, Monitoring, or Reporting Program (MMRP) and related findings and considering language for a Council initiated ballot measure.

The City Clerk has received a Notice of Intent to Circulate an Initiative Petition titled "The Santa Clara Stadium Taxpayer Protection and Economic Progress Act" signed by three residents of the City of Santa Clara. The San Francisco 49ers have submitted a letter to staff for inclusion on the agenda to allow them to briefly review the substance of the initiative petition. It should be noted that staff and 49ers representatives have worked together to conform the Ordinance portion of the community-based initiative with the Council initiated ballot language.

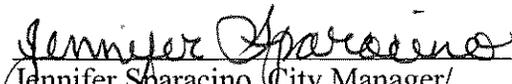
The Council can consider various options in how they review the stadium related materials on this evening's agenda:

Option 1: Take under review the staff's report dealing with the EIR's required Mitigation, Monitoring or Reporting Program and related findings followed by a review of the proposed Council initiated ballot measure and ballot question and related ballot measure funding; or

Option 2: Have the 49ers present the initiative petition filed with the City Clerk and briefly address the substance of the initiative. If Council is satisfied with the community initiated petition process then it would not be necessary for Council to take action on the MMRP and related findings. Additionally, if Council determines that the Ordinance portions of the community initiative petition and the Council initiated ballot measure are sufficiently similar, then Council could continue discussion of their ballot measure language and the EIR's MMRP and related findings to a later date in January/February 2010 to allow the initiative petition process to proceed to qualification for the June 2010 ballot.

Approved:

  
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Ronald E. Garratt, Assistant City Manager/  
Assistant Executive Director

  
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Jennifer Sparacino, City Manager/  
Executive Director

**Documents related to this report: None**