

Mayor & Council have put us in a position where we get the worst of all worlds.

At the direction of Mayor & Council, Santa Clara city staff spent half a million dollars, countless staff hours & nine long months shaking the city's piggy bank, looking under the sofa cushions, and finding every possible nickle the city could cough up **if** we were to subsidize a stadium for the SF 49ers. And they have effectively told the San Francisco 49ers that this money is theirs for the taking.

We've put all our cards on the table... When was the last time you **initiated** negotiations with your best & final offer?

Mayor & Council are allowing the York family & the San Francisco 49ers LLC to hire, pay for, and provide all oversight for the Environmental Impact Report. Council have turned down -- not once, but twice -- the opportunity to take ownership of the EIR and control of our future liabilities. But instead, they have decided to allow a for-profit business to call the shots, putting our future at risk for their profits.

And now, Mayor & Council are considering putting all the key negotiation points into a ballot initiative -- but none of the key costs to the city!

They want to provide the illusion that they are giving Santa Clarans a say over their future. But this will be an advisory vote, only. Further, it will have none of the key points resolved -- not even something so basic as lease payments to the General Fund.

City policy is pretty clear on lease payments to the General Fund. They should be at the same rate as the best & highest use. The SF 49ers want the city's General Fund to receive no lease payments at all. This is a \$55 million gap. City staff have said lease payments won't be resolved for close to a year. It won't be part of the ballot initiative, and the electorate deserves to know just how much this debacle will cost the General Fund that could be used to maintain library hours & book collections, keep police substations open, and generally provide the core services you would expect of a city like Santa Clara.

FRIENDS OF SIERRA MADRE et al., Plaintiffs and Appellants,
v.
CITY OF SIERRA MADRE et al., Defendants and Appellants.
No. S085088.
Supreme Court of California.
March 29, 2001

<http://ceres.ca.gov/ceqa/cases/2001/SierraMadre-2001.html>

In the decision it states:

We conclude, therefore, that initiative measures generated and placed on the ballot by a public agency are not exempt from CEQA. Before placing any such measure that may lead to voter approval of a project on the ballot, the agency must comply with CEQA. If compliance leads to the preparation and consideration of an EIR, when that process is final the information contained in the EIR must be made available to the electorate for its consideration prior to the election.

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