

Meeting Date: 2/9/10

AGENDA REPORT

Agenda Item # 6B-1



City of Santa Clara, California



Date: February 4, 2010

To: City Manager/Executive Director for Council/Redevelopment Agency Action

From: Assistant City Manager

Subject: Request for Approval of Proposed Ballot Question and Appropriation of Funds to Place a Measure Pertaining to a Proposed NFL Stadium on the June 8, 2010 Ballot

EXECUTIVE SUMMARY:

On January 12, 2010 the proponents of the "Santa Clara Stadium Taxpayer Protection and Economic Progress Act" submitted 261 voter initiative ballot petitions totaling 8,043 raw signatures to the City Clerk's Office. At the January 26, 2010 meeting, Council accepted the County of Santa Clara Registrar of Voters (ROV) random sampling of 500 signatures for the voter initiative and directed creation of the appropriate Resolutions for Council consideration to order a special election for the June 8, 2010.

Pursuant to the California Elections Code, it is the prerogative of the City Council to set forth the wording of the ballot question as it is to appear on the ballot. The question must conform to rules specified in the Elections Code and be no more than 75 words in length. Council delegated drafting of the proposed ballot language to the City Manager with Council consensus to include participation and input from a Council agreed-to subcommittee comprised of Mayor Mahan, Councilmember Kennedy and Councilmember Matthews. The City Manager met with the Council subcommittee last week to receive their input. The proposed ballot question is 60 words in length ("City of Santa Clara" is considered as one word), as follows:

"Shall the City of Santa Clara adopt Ordinance Chapter 17.20 for leasing City property for a stadium for professional football and other events; no use of City general or utility funds for construction; utility payment for optional electric substation relocation; capping Redevelopment Agency funds for construction; payment of construction cost overruns by a private party; and payment of rent to City's General Fund?"

Also at the January 26, 2010 meeting, Council referred to the City Manager the identification of a funding source for a ballot measure pertaining to a proposed NFL stadium in Santa Clara. In consultation with the City's Redevelopment Agency counsel, it has been determined that Redevelopment Agency funds can be appropriated for this election cost. The proposed stadium resides in the Bayshore North Redevelopment Area, and a portion of stadium construction financing is proposed from the Redevelopment Agency.

As another Council action from the above referenced meeting, Council directed the City Clerk and City Attorney to create the necessary Resolutions for Council consideration to order a special election for June 8, 2010. Those Resolutions follow this report on this evening's agenda.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

Council appropriation of funding allows the Council to continue moving forward toward the goal of allowing the citizens of Santa Clara to vote on a stadium measure by appropriating the necessary funds to pay for placing such a measure on the June consolidated ballot.

ECONOMIC/FISCAL IMPACT:

At the December 15, 2009 meeting, the City Clerk, working with the County Registrar's Office, determined that the City-proposed ballot measure language would cost an estimated \$174,418 to place on the June 8, 2010 ballot, and a total of \$192,418 for the overall election costs. However, the text of the voter-led initiative that will be placed on the ballot is much longer than the draft of the City-proposed ballot measure, increasing from 11 pages to 35 pages as estimated by the County Registrar's Office. For that reason, the County Registrar's Office informed the City Clerk that they believe the voter-led initiative would cost approximately \$342,676 to place on the June 2010 ballot. The City Clerk estimates that the overall election costs will be \$380,410, which includes \$2,734 for signature verification, \$342,676 to place the measure on the June 8, 2010 ballot and \$35,000 for the printing, publishing and miscellaneous costs related to the ballot measure. In order to account for any unforeseen miscellaneous costs, staff is proposing an appropriation not to exceed \$390,000.

As mentioned previously, Redevelopment Agency funds can be appropriated for this election cost, as the proposed stadium resides in the Bayshore North Redevelopment Area and a portion of stadium construction financing is proposed from the Redevelopment Agency. Funds are available from FY 09/10 Redevelopment Agency tax increment revenue (account 941-9011-50100) for transfer to the Redevelopment Agency contractual services (account 901-9011-87870-[A]-49010) in an amount not to exceed \$390,000.

RECOMMENDATION:

That the Council/Agency:

1. Approve the ballot question for the June 8, 2010 election and incorporate the language into the appropriate Resolutions necessary to hold the election;
2. Approve an appropriation of \$390,000 in Redevelopment Agency contractual services (account 901-9011-87870-[A]-49010) and transfer from Redevelopment Agency available tax increment revenue (account 941-9011-50100) for funds to place a ballot measure pertaining to a proposed NFL stadium in Santa Clara on the June 8, 2010 ballot.



Ronald E. Garratt
Assistant City Manager/Assistant Executive
Director for Redevelopment Agency

APPROVED:



Jennifer Sparacino
City Manager/Executive Director for
Redevelopment Agency



Pam Morrison
Administrative Analyst to the City Manager

Certified as to Availability of Funds: ^{OK} _{ST}
941-9011-50100 \$ 390,000.00



Gary Ameling
Director of Finance/Redevelopment Agency
Treasurer

Documents Related to this Report: none