

Meeting Date: 3/29/11

AGENDA REPORT

City of Santa Clara, California

Agenda Item # 5c SA



Date: March 29, 2011

To: Executive Director for Stadium Authority Action

From: Elizabeth H. Silver, Interim Authority Counsel

Subject: Adoption of a Resolution Setting the Place and Time for Regular Stadium Authority Meetings and Establishing Rules of Procedure for the Stadium Authority

EXECUTIVE SUMMARY:

On February 22, 2011, by City of Santa Clara Resolution No. 11-7825, the Santa Clara Stadium Authority was formed as a Joint Powers Authority to facilitate the Stadium Project and to fulfill the mandates of Measure J, "The Santa Clara Stadium Taxpayer Protection and Economic Progress Act". The Joint Powers Agreement established that the City Council shall serve as board members and the Mayor shall serve as the chairperson of the Stadium Authority.

The Stadium Authority should designate rules of procedure for its meetings and establish the regular Stadium Authority meeting place and time. This Resolution establishes that the Stadium Authority shall follow the Santa Clara City Council Rules of Procedure.

The Resolution also establishes each Tuesday that a regular Council meeting is held as the regular meeting date for the Stadium Authority, and sets the Council Chambers as the meeting location.

Lastly, this Resolution directs the Secretary of the Stadium Authority to complete and file with the Secretary of State a form for listing the Stadium Authority on the State Roster of Public Agencies, pursuant to California Government Code section 53051.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

Adoption of this Resolution will establish procedural rules for the conduct of meetings and comply with State law requirements. There are no known disadvantages at this time.

ECONOMIC/FISCAL IMPACT:

There will be some staff costs associated with Stadium Authority administration. The City will be reimbursed for these costs pursuant to an agreement between the City and the Stadium Authority.

March 29, 2011

Elizabeth H. Silver, Interim City Attorney

Re: Setting the Place and Time for Regular Meetings and Establishing Rules of Procedure

RECOMMENDATION:

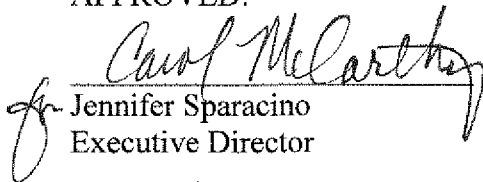
That the Stadium Authority adopt a Resolution setting the place and time for regular Stadium Authority meetings and establishing rules of procedure for the Stadium Authority.



Elizabeth H. Silver

Interim Authority Counsel

APPROVED:



Jennifer Sparacino

Executive Director

Documents Related to this Report:

1 Resolution

I:\AGENDA\AGENDA REPORTS\SA Setting Meetings and Rules 03-29-11.doc

RESOLUTION NO. _____(SA)

**A RESOLUTION OF THE SANTA CLARA STADIUM
AUTHORITY SETTING THE PLACE AND TIME FOR
REGULAR STADIUM AUTHORITY MEETINGS AND
ESTABLISHING RULES OF PROCEDURE**

BE IT RESOLVED BY THE SANTA CLARA STADIUM AUTHORITY AS FOLLOWS:

WHEREAS, on February 22, 2011, by City of Santa Clara Resolution No. 11-7825, the City of Santa Clara authorized the execution of a Joint Powers Agreement (“Agreement”) with the City of Santa Clara Redevelopment Agency to form the Santa Clara Stadium Authority (“Stadium Authority”);

WHEREAS, the Stadium Authority was formed to facilitate the Stadium Project and to fulfill the mandates of Measure J, “The Santa Clara Stadium Taxpayer Protection and Economic Progress Act”;

WHEREAS, the Agreement established that the City Council shall serve as Board Members and the Mayor shall serve as the Chair of the Stadium Authority;

WHEREAS, the Agreement established that the City Clerk shall serve as the Secretary of the Stadium Authority;

WHEREAS, the Agreement established that the City Manager shall serve as the Executive Director of the Stadium Authority, the Finance Director shall serve as the Finance Director/Treasurer/Auditor of the Stadium authority, the City Attorney shall serve as the Stadium Authority Counsel and that other Stadium Authority personnel, may be appointed;

WHEREAS, the Agreement establishes a stipend for meeting attendance in accordance with the stipend policy of the Redevelopment Agency of the City of Santa Clara and provides that the

Stadium Authority may reimburse Board Members for expenses in accordance with a policy established by the Stadium Authority, pursuant to Government Code Sections 6500 et seq.;

WHEREAS, the Stadium Authority may provide by resolution the time and place of holding its regular meetings and may designate rules of procedure; and

WHEREAS, California Government Code Section 53051 requires that within seventy (70) days after the date of its legal existence, the governing body of each public agency shall file with the Secretary of State a statement of certain facts, to be included in the "Roster of Public Agencies."

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE SANTA CLARA STADIUM AUTHORITY AS FOLLOWS:

1. That all meetings of the Stadium Authority shall be held at the City Council Chambers, City Hall, 1500 Warburton Avenue, Santa Clara, California, unless the Stadium Authority adjourns to or fixes another place of meeting in a public notice, and that all meetings of the Stadium Authority shall be held in accordance with Government Code Sections 54950 et seq. ("The Ralph M. Brown Act").
2. The regular meetings of the Stadium Authority shall be held on each Tuesday that there is a regularly scheduled City of Santa Clara City Council meeting. The meetings will be held at 7:00 p.m., or as soon thereafter as the meeting may be convened.
3. That the Stadium Authority shall follow the Santa Clara City Council Rules of Procedure, as amended from time to time, and that the quorum requirements shall be as set forth in the Agreement.
4. The Secretary of the Stadium Authority is hereby directed to complete and file with the Secretary of State a form for listing the Stadium Authority on the State Roster of Public Agencies, pursuant to California Government Code Section 53051.
5. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or

invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The Santa Clara Stadium Authority hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE SANTA CLARA STADIUM AUTHORITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE __ DAY OF _____, 2011, BY THE FOLLOWING VOTE:

AYES: AUTHORITY BOARD MEMBERS:

NOES: AUTHORITY BOARD MEMBERS:

ABSENT: AUTHORITY BOARD MEMBERS:

ABSTAINED: AUTHORITY BOARD MEMBERS:

ATTEST:

ROD DIRIDON, JR.
SECRETARY
SANTA CLARA STADIUM
AUTHORITY

Attachments incorporated by reference:

I. None

F:\RESOLUTIONS\SA Setting Meetings and Rules 03-29-11.doc