

Meeting Date: 12/8/09

AGENDA REPORT

Agenda Item # SB2-B



City of Santa Clara, California



Date: December 4, 2009

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

From: Assistant City Manager/Assistant Executive Director

Subject: Overview of Proposed 49ers Stadium Ballot Measure Including Council Determination of Election Date and Related Election Costs

EXECUTIVE SUMMARY:

On the December 8, 2009 Council Agenda is a report from the City Clerk providing options and costs regarding a potential ballot measure for either April 13, 2010 or June 8, 2010 pertaining to a proposed publicly owned National Football League stadium being constructed in the City's North Bayshore area. As approved by Council at their June 2, 2009 meeting, the Term Sheet between the City, its Redevelopment Agency and the San Francisco 49ers (49ers) proposes that the stadium would be the home for the 49ers under a long-term lease. As outlined in the City Clerk's report included on this agenda, the Council could schedule a proposed stadium ballot measure for an April 2010 special election or Council could choose to bring a ballot measure forward to the next State primary election, on June 8, 2010.

Should Council certify the Environmental Impact Report (EIR) at their December 8, 2009 meeting, staff is proposing to bring forward to Council for their consideration on December 15, 2009 ballot language for a Council initiated stadium measure. The proposed Council initiated ballot measure language will be consistent with critical issues contained in the Term Sheet. In addition, at the December 15th meeting Council will be asked to consider the required EIR mitigation monitoring or reporting program and respective findings.

As mentioned by the City Manager at the November 24, 2009 Council meeting, staff has recently been informed by the San Francisco 49ers that a group of community representatives are seriously considering moving forward with an initiative process to bring a stadium ballot measure to the registered voters of Santa Clara no later than June 2010. The Notice of Intent to circulate an initiative petition has not yet been filed with the City Clerk. In anticipation of this possible initiative measure the Interim City Attorney has provided Council with an overview of the initiative process on this agenda.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

With Council approval of the Term Sheet in June 2009 and now Council consideration of the certification of the stadium EIR it is timely and appropriate to the longer term schedule of a proposed stadium opening in 2014 to set an election date and determine appropriate ballot measure language.

ECONOMIC/FISCAL IMPACT:

The cost of a special election on the proposed stadium held in April 2010 for the City to put on a single ballot measure is approximately \$650,000. A single ballot measure consolidated with the June 2010 primary

election would cost approximately \$150,000. This is a significant cost differential and given that a successful June election result would not delay the proposed schedule for the stadium opening in 2014, there does not appear to be a strong rationale to moving the election date forward two months to April 2010 and expending an additional \$500,000 in election costs proposed to be paid from public funds. Staff will return to Council at their December 15, 2009 meeting with a funding source recommendation.

RECOMMENDATION:

Of the two election date options presented by the City Clerk, staff recommends that the Council:

1. Direct the City Manager to create ballot measure language and other reports needed for Council consideration at the December 15, 2009 Council meeting and to consolidate the stadium ballot measure with the June 8, 2010 Primary Election; and
2. Refer to the City Manager/Executive Director the identification of a funding source for a stadium ballot measure for the December 15, 2009 Council/Redevelopment Agency meeting.



Ronald E. Garratt
Assistant City Manager

APPROVED:



Jennifer Sparacino
City Manager/Executive Director