



City of Santa Clara, California



Date: June 12, 2009

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

From: Administrative Analyst to the City Manager

Subject: Process and Timeline for Creating a Charter Review Committee to Review Charter Language Relating to Competitive Bidding for Public Works Projects (Charter Section 13.10) as it Relates to the Construction of a Stadium

EXECUTIVE SUMMARY:

At the June 2, 2009 Council meeting, Council directed the City Manager to return with a report for City Council action to proceed with the creation of a Charter Review Committee. The purpose of the Charter Review Committee is to determine if existing City Charter language requiring competitive bidding for Public Works projects can be modified to allow for some focused, limited use of a design/build process not subject to competitive bidding in some or all of the construction of an NFL stadium. Any recommended Charter revision would be limited solely to the stadium project and no other future Public Works projects in the City.

Consistent with past practice, it is recommended that Council proceed with the establishment of a Charter Review Committee consisting of 16 members: each Council Member to select one individual (7), one member to be appointed by the Citizen's Advisory Committee, one member to be appointed by the Chamber of Commerce, and seven at-large members to be selected by City Council through an application/interview process. Selection of the at-large members will be accomplished by advertising the vacancies in a manner similar to that used for Board and Commission vacancies. Interested parties, including those directly recommended by individual Council members, will be required to submit a letter of interest and qualifications no later than August 12, 2009. Informal interviews will be held on August 18 at 5:30 pm, with selection of members immediately following at the Council meeting. The complete roster of committee appointees is subject to approval by the full City Council. Interested applicants must be Santa Clara residents and registered voters, as is required for all City Boards and Commissions.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

Using this approach to select the members of the Charter Review committee will allow for both expeditious establishment of the committee and citizen participation. This approach worked successfully in the charter review held in 1999/2000. A disadvantage is that the recruitment of at-large members will add additional time to the process.

ECONOMIC/FISCAL IMPACT:

Staff administrative services will be needed to support committee meetings.

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RECOMMENDATION:

That the City Council/Redevelopment Agency approve the process and timeline for creating a Charter Review Committee to review charter language relating to competitive bidding for Public Works projects (Charter Section 13.10) as it relates to the construction of a stadium.



Pam Morrison

Administrative Analyst to the City Manager

APPROVED:



Jennifer Sparacino

City Manager/Executive Director for
Redevelopment Agency

Documents Related to this Report:

1) *None*

DISCUSSION:

Council has directed that a Charter Review Committee be formed for the purpose of determining if existing City Charter language requiring competitive bidding for Public Works projects can be modified to allow for some focused, limited use of a design/build process not subject to competitive bidding in some or all of the construction of an NFL stadium. In order to allow sufficient time for recruitment and selection of committee members, development of the Charter revision, and finalization of the language for possible placement on a Spring 2010 ballot, the following timeline and meeting dates are suggested:

Beginning immediately: Press release and promotion of Charter Review Committee vacancies
August 12, 2009: Deadline for submittal of applications (available from City Clerk)
August 18, 2009: Informal interviews at 5:30 pm with City Council; selection of committee members and approval of full committee roster immediately following at the Council Meeting

Thursday, August 20, 2009: Initial Committee Meeting, 5:30 – 7 pm, Council Chambers

Subsequent meetings (all to be held in the Council Chambers from 5:30 – 7 pm):

Thursday, September 3, 2009

Thursday, September 17, 2009

Thursday, October 1, 2009 (if needed)

October 1, 2009: Anticipated completion of Committee's proposed recommendations to City Council for possible revisions to Charter

October 27, 2009: Agenda Report with Committee's proposed recommendations on Council Agenda for Council action