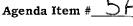
Meeting Date: <u>05-10-1</u>/

AGENDA REPORT

Santa Clara Stadium Authority







Date:

May 10, 2011

To:

Executive Director for Stadium Authority Action

From:

Elizabeth H. Silver, Interim Authority Counsel

Subject:

Adoption of a Resolution Authorizing Execution of Certain Agreements by the Executive

Director for the Stadium Authority up to and including \$50,000

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 attached Resolution designates authority to the Executive Director to approve and execute agreements on behalf of the Stadium Authority up to and including \$50,000, equal to that of the City Manager.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

Designating signature authority to the Executive Director similar to that of the City Manager, will expedite the smooth operation of the Stadium Authority's business and prevent unnecessary delay. There are no known disadvantages at this time.

ECONOMIC/FISCAL IMPACT:

There is no cost to the Stadium Authority other than staff time and expense.

RECOMMENDATION:

That the Stadium Authority adopt a Resolution authorizing execution of certain agreements by the Executive Director of the Stadium Authority up to and including \$50,000.

Elizabeth H. Silver

Interim Authority Counsel

APPROVED:

Executive Director

Documents Related to this Report:

1 Resolution

I:\AGENDA\AGENDA REPORTS\Stadium Authority Designating Signature Authority 05-10-11.doc

Rev. 02/26/08

RESOLUTION NO. ___ (STADIUM AUTHORITY)

A RESOLUTION OF THE SANTA CLARA STADIUM AUTHORITY AUTHORIZING EXECUTION OF CERTAIN

AGREEMENTS BY THE EXECUTIVE DIRECTOR

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

WHEREAS, from time to time, due to unforeseen circumstances and/or the need to act quickly to

secure an opportunity beneficial to the interests of the Santa Clara Stadium Authority (the

"Authority"), which may not be able to be secured if a decision must wait until the next regular

Authority Board meeting, it becomes necessary and practical for the Executive Director to have the

authority to approve and execute certain routine documents on behalf of the Authority;

WHEREAS, the Authority Board deems it to be efficient, as well as the proper and economical use

of staff's and the Executive Director's time to approve and execute certain documents on behalf of

the Authority in order to expedite the smooth operation of the Authority's business and prevent

unnecessary delay; and,

WHEREAS, the Authority Board deems that it is in the Authority's best interest to extend the scope

of the Executive Director's signature authority to be equal to that of the City Manager of the City of

Santa Clara with respect to approving and executing service agreements.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE SANTA CLARA STADIUM

AUTHORITY AS FOLLOWS:

1. Service Contracts – Signature Authority.

A. The Executive Director is authorized to purchase professional, non-professional and

personal services ("Service Agreements") required by the Authority and to execute Agreements for

such services on behalf of the Authority in amounts up to and including fifty thousand dollars

(\$50,000) per Agreement, subject to approved budgetary amounts. Service Agreements with a value

above this dollar limit shall be referred to the Authority Board for approval before being executed by

the Executive Director.

B. The Executive Director is authorized to delegate all or a portion of the authority to

execute such Service Agreements to specified employees at her/his discretion. Such delegation of

authority shall be made in writing.

C. Such Service Agreements are subject to final review and approval of the Authority

Counsel for form and content.

D. Any future modifications to the maximum amount of the value of the Service

Agreements which the Executive Director is authorized to execute shall be adjusted, as needed, by

resolution.

2. 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 City of Santa Clara Housing 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.

Santa Clara Stadium Authority Resolution/Delegation of Authority to Sign Documents Rev: 03-07-11; Typed: 04-26-11

3.	Effective date.	This resolution shall b	become effective immediately.
I HERI	EBY CERTIFY	THE FOREGOING T	O BE A TRUE COPY OF A RESOLUTION PASSED
AND .	ADOPTED B	Y THE SANTA CLA	RA STADIUM AUTHORITY, AT A REGULAR
MEETING THEREOF HELD ON THE DAY OF, 2011, BY THE FOLLOWING			
VOTE:			
AYES:	:	BOARD MEMBERS:	
NOES:	;	BOARD MEMBERS:	
ABSE	NT:	BOARD MEMBERS:	
ABSTA	AINED:	BOARD MEMBERS:	
		ATTEST:	ROD DIRIDON, JR. SECRETARY OF THE STADIUM AUTHORITY SANTA CLARA STADIUM AUTHORITY

Attachments incorporated by reference: None I;\RESOLUTIONS\Stadium Authority Delegation of Authority to Sign Documents 05-10-11.doc

RESOLUTION NO. 11-10 (STADIUM AUTHORITY)

A RESOLUTION OF THE SANTA CLARA STADIUM AUTHORITY AUTHORIZING EXECUTION OF CERTAIN

AGREEMENTS BY THE EXECUTIVE DIRECTOR

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

WHEREAS, from time to time, due to unforeseen circumstances and/or the need to act quickly to

secure an opportunity beneficial to the interests of the Santa Clara Stadium Authority (the

"Authority"), which may not be able to be secured if a decision must wait until the next regular

Authority Board meeting, it becomes necessary and practical for the Executive Director to have the

authority to approve and execute certain routine documents on behalf of the Authority;

WHEREAS, the Authority Board deems it to be efficient, as well as the proper and economical use

of staff's and the Executive Director's time to approve and execute certain documents on behalf of

the Authority in order to expedite the smooth operation of the Authority's business and prevent

unnecessary delay; and,

WHEREAS, the Authority Board deems that it is in the Authority's best interest to extend the scope

of the Executive Director's signature authority to be equal to that of the City Manager of the City of

Santa Clara with respect to approving and executing service agreements.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE SANTA CLARA STADIUM

AUTHORITY AS FOLLOWS:

1 <u>Service Contracts – Signature Authority.</u>

> Α. The Executive Director is authorized to purchase professional, non-professional and

personal services ("Service Agreements") required by the Authority and to execute Agreements for

such services on behalf of the Authority in amounts up to and including fifty thousand dollars

(\$50,000) per Agreement, subject to approved budgetary amounts. Service Agreements with a value

above this dollar limit shall be referred to the Authority Board for approval before being executed by

the Executive Director.

B. The Executive Director is authorized to delegate all or a portion of the authority to

execute such Service Agreements to specified employees at her/his discretion. Such delegation of

authority shall be made in writing.

C. Such Service Agreements are subject to final review and approval of the Authority

Counsel for form and content.

D. Any future modifications to the maximum amount of the value of the Service

Agreements which the Executive Director is authorized to execute shall be adjusted, as needed, by

resolution.

2. 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 City of Santa Clara Housing 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.

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Rev: 03-07-11; Typed: 04-26-11

3. <u>Effective date</u>. 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, AT A REGULAR MEETING THEREOF HELD ON THE 10th DAY OF MAY, 2011, BY THE FOLLOWING VOTE:

AYES:

BOARD MEMBERS:

Gillmor, Kennedy, Mahan, McLeod and Moore

and Chairperson Matthews

NOES:

BOARD MEMBERS:

None

ABSENT:

BOARD MEMBERS:

Kolstad

ABSTAINED:

BOARD MEMBERS:

None

ATTEST:

ROD DIRIDON, JR.

SECRETARY OF THE STADIUM AUTHORITY SANTA CLARA STADIUM AUTHORITY

Attachments incorporated by reference:

None