

RESOLUTION NO. 19-1 (SOSA)

**A RESOLUTION OF THE SPORTS AND OPEN SPACE
AUTHORITY OF THE CITY OF SANTA CLARA, CALIFORNIA,
AMENDING RESOLUTION NO. 94-1 DESIGNATING THE EX-
OFFICIO SECRETARY OF THE SPORTS AND OPEN SPACE
AUTHORITY**

**BE IT RESOLVED BY THE SPORTS AND OPEN SPACE AUTHORITY OF THE CITY OF SANTA
CLARA AS FOLLOWS:**

WHEREAS, the Sports and Open Space Authority (SOSA) adopted Resolution No. 94-1 on July 5, 1994 amending and restating the By-Laws of the Sports and Open Space Authority of the City of Santa Clara;

WHEREAS, Ordinance No. 1983 was adopted on July 17, 2018 by the Santa Clara City Council, which shifted certain duties and responsibilities from the City Clerk to the Assistant City Clerk; and

WHEREAS, SOSA desires to effectuate Ordinance No. 1983 by amending the SOSA By-Laws to designate the Assistant City Clerk as the ex officio Secretary of the Sports and Open Space Authority.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE SPORTS AND OPEN SPACE
AUTHORITY OF THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the Sports and Open Space Authority hereby finds that the above Recitals are true and correct and by this reference makes them a part of hereof.
2. That the Sports and Open Space Authority hereby amends Sports and Open Space Authority Resolution 94-1 (SOSA) by amending Section 1 ("SOSA Members") of Article II ("Officers") of the By-Laws of the Sports and Open Space Authority to read as follows:

"The governing members of SOSA (SOSA Board) shall be members of the legislative body of the City of Santa Clara (City) by virtue of holding the latter office. The Assistant City Clerk of the City shall be the ex officio Secretary of SOSA. The City Manager of the City shall be the ex officio Contractor Administrator of SOSA. The Director of Finance shall be the ex officio Director of Finance of SOSA."

3. 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 SPORTS AND OPEN SPACE AUTHORITY OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 26TH DAY OF MARCH, 2019, BY THE FOLLOWING VOTES:

AYES: MEMBERS: Chahal, Davis, Hardy, Mahan, O'Neill, and Watanabe, and Mayor Gillmor

NOES: MEMBERS: None

ABSENT: MEMBERS: None

ABSTAINED: MEMBERS: None

ATTEST: *for* 
HOSAM HAGGAG
SECRETARY
SPORTS AND OPEN SPACE AUTHORITY
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Ordinance No. 1983
2. SOSA Resolution No. 94-1

ORDINANCE NO. 1983

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, ADDING A NEW SECTION 2.20.015 (COMPENSATION), AMENDING SECTION 2.20.020 ("DUTIES AND RESPONSIBILITIES") AND AMENDING SECTION 2.20.030 ("ASSISTANT CITY CLERK") OF CHAPTER 2.20 ("CITY CLERK") OF "THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA"

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City Clerk position is an elected position under City Charter Section 600;

WHEREAS, the powers and duties of the City Clerk position are enumerated under City Charter Section 903;

WHEREAS, the City Council may, in its discretion, appoint any other officer or employee of the City as City Clerk and grant such person additional compensation for the performance of such duties, under City Charter Section 903;

WHEREAS, the City Council deems it to be in the best interest of the City of Santa Clara to formally assign professional responsibilities of the City Clerk to a City employee possessing substantive knowledge of professional standards and methods in democratic processes and legislative actions in compliance with federal, state, and local statutes that govern the City Clerk's Office; and

WHEREAS, the City Council hereby designates the Assistant City Clerk as responsible for the day-to-day operations of the City Clerk's Office and expands the assigned duties to include overseeing all professional administrative aspects of the City Clerk's Office.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA, AS FOLLOWS:

SECTION 1: Chapter 2.20 (entitled "City Clerk") of Title 2 (entitled "Administration and Personnel") of "The Code of the City of Santa Clara, California," ("SCCC") is amended to add a new section to be numbered and entitled and to read as follows:

2.20.015 City Clerk – Compensation.

The elected City Clerk shall receive as compensation the sum of two thousand dollars (\$2,000) per month. Commencing on July 1, 2019, and every two years on July 1 thereafter, the compensation of the City Clerk shall be set by a Salary Setting Commission consisting of five members to be

appointed by the Civil Service Commission, as set forth in City Charter Section 702.

SECTION 2: That Section 2.20.020 of Chapter 2.20 of Title 2 of "The Code of the City of Santa Clara, California," ("SCCC") is amended to read as follows:

Except for the following the duties and responsibilities of the City Clerk as set forth in City Charter Section 903 shall performed by the Assistant City Clerk as appointed to do so in Section 2.20.030:

- (a) Be the custodian of the seal of the City
- (b) Have charge of all City elections.

SECTION 3: That Section 2.20.030 (entitled "Assistant City Clerk") of Chapter 2.20 (entitled "City Clerk") of Title 2 (entitled "Administration and Personnel") of "The Code of the City of Santa Clara, California," ("SCCC") is amended to read as follows:

"2.20.030 Assistant City Clerk – Duties and responsibilities.

The position of Assistant City Clerk is hereby created, which position is placed in the unclassified service of the office of the City Clerk. The Assistant City Clerk shall assist the City Clerk in the performance of the Clerk's duties and shall act for the City Clerk in his/her absence. The City Council hereby appoints the Assistant City Clerk pursuant to Section 903 of the City Charter to perform the following duties and responsibilities:

- (a) The recording and maintaining of a full and true record of all the proceedings of the City Council.
- (b) Publishing and attesting the publication of all official notices.
- (c) Administering oaths or affirmations and taking affidavits and depositions pertaining to the affairs of the City.
- (d) The issuance of certified copies of official records as required and requested.
- (e) Officially recording the rights, titles and interests in all real properties acquired by the City.
- (f) The handling of all Council correspondence unless otherwise specifically designated.
- (g) Preparing of the agenda and supplemental material for Council meetings in cooperation with the City Manager.

(h) Routing Council assignments to the respective officers having primary responsibility for their execution.

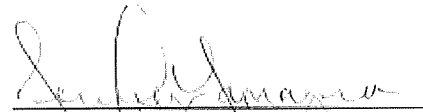
(i) Duplicating and distributing the minutes, ordinances, resolutions, policies and orders of the City Council to the various boards, commissions and administrative officers."

SECTION 4: This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of "The Charter of the City of Santa Clara, California."

PASSED FOR THE PURPOSE OF PUBLICATION this 5th day of JULY, 2018, by the following vote:

AYES:	COUNCILORS:	Davis, Kolstad, O'Neill, and Watanabe and Mayor Gillmor
NOES:	COUNCILORS:	Mahan
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST:




JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

FINALLY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA this 17th day of JULY, 2018, by the following vote:

AYES:	COUNCILORS:	Davis, Kolstad, O'Neill, and Watanabe and Mayor Gillmor
NOES:	COUNCILORS:	Mahan
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST:



JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. None

RESOLUTION NO. 94- 1(SOSA)

RESOLUTION AMENDING AND RESTATING THE BY-LAWS¹
OF THE SPORTS AND OPEN SPACE AUTHORITY OF THE
CITY OF SANTA CLARA

BE IT RESOLVED BY THE SPORTS AND OPEN SPACE AUTHORITY OF THE
CITY OF SANTA CLARA, as follows:

Section 1. That the By-laws of the Sports and Open Space
Authority of the City of Santa Clara [**SOSA or Authority**] are hereby
amended and restated to read as follows:

"BY-LAWS

OF THE SPORTS AND OPEN SPACE AUTHORITY
OF THE CITY OF SANTA CLARA

ARTICLE I - THE AUTHORITY

Section 1. Name of Authority. The name of Authority
shall be the Sports and Open Space Authority of the City of
Santa Clara. It may be referred to as either "SOSA" or
"Authority."

Section 2. Seal of SOSA. The seal of SOSA shall be in
the form of a circle and shall bear the name of SOSA and the
year of its organization.

¹ Resolution No. 3 (SA) - 1/7/75, as amended by:

Resolution No. 12 (SA) - 3/25/75.
Resolution No. 27 (SA) - 10/23/79.
Resolution No. 86-1 (SA) - 5/13/86.

Authority: City Code § 16200 *et seq.*

Section 3. Principal Office. The principal office of SOSA is hereby fixed and established as City Hall, 1500 Warburton Avenue, Santa Clara, California.

Section 4. Mailing Address. The mailing address of SOSA is hereby fixed and established as City Hall, 1500 Warburton Avenue, Santa Clara, California 95050.

Section 5. Gender. Where the context shall so require, all words herein in the masculine gender shall be deemed to include the feminine.

ARTICLE II - OFFICERS

Section 1. SOSA Members. The governing members of SOSA [SOSA Board] shall be the members of the legislative body of the City of Santa Clara [City] by virtue of holding the latter office. The City Clerk of the City shall be the ex officio Secretary of SOSA. The City Manager of the City shall be the ex officio Contractor Administrator of SOSA. The Director of Finance of the City shall be the ex officio Director of Finance of SOSA.

Section 2. Officers. The officers of SOSA shall be a Chair (Chairperson), a Vice-Chair (Vice-chairperson), a Contract Administrator, a Secretary, and a Director of Finance.

Section 3. Chair. The Mayor of the City shall be the ex officio Chair of SOSA. He or she shall preside at all meetings of SOSA. Except as otherwise provided by specific grant of authority, the Contract Administrator and Chair (or

their respective designees) shall sign all contracts, deeds and other instruments made by SOSA.

Section 4. Vice-Chair. The Mayor Pro Tempore of the City shall be the ex officio Vice-Chair of SOSA. The Vice-Chair shall perform the duties of the Chair in the absence or incapacity of the Chair.

Section 5. Contract Administrator. The Contract Administrator of SOSA shall have general supervision over the administration of SOSA's business and (except for the Chair and Vice-Chair) over the officers, subject to the policy direction of the SOSA Board. Service by the Contract Administrator shall be without compensation (other than the payment of necessary expenses not paid for by the City).

Section 6. Secretary. The Secretary shall keep the records of the SOSA, shall act as secretary of the meetings of the SOSA and record all votes, and shall keep a record of the proceedings of SOSA in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to his/her office. He or she shall keep in safe custody the seal of SOSA and shall have power to affix such seal to all contracts and instruments authorized to be executed by SOSA. Service by the Secretary shall be without compensation (other than the payment of necessary expenses not paid for by the City).

Section 7. Director of Finance. The Director of Finance shall have the care and custody of all funds of SOSA and shall make bank deposits in the name of SOSA and invest idle cash consistent with SOSA's Investment Policy. He or she shall

sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of SOSA. Except as otherwise authorized by resolution of the SOSA, all such orders and checks shall be countersigned by the Secretary. The Director of Finance shall keep regular books of accounts showing receipts and expenditures consistent with approved budgets and generally accepted fund accounting principles and practices. He or she shall render to SOSA, periodic and annual budget status, financial and compliance reports indicating the SOSA's transactions and the financial condition of the SOSA. He or she shall manage the SOSA's issuance and maintenance of outstanding bonded indebtedness and other SOSA debt. He or she shall provide a bond for the faithful performance of his/her duties as SOSA may determine. Service by the Director of Finance shall be without compensation (other than the payment of necessary expenses not paid for by the City).

Section 8. Additional Duties. The officers of SOSA shall perform such other duties and functions as may from time to time be required by SOSA or the by-laws or rules and regulations of the SOSA.

Section 9. Personnel. SOSA may, from time to time, employ such personnel as it deems necessary to exercise its power, duties, and functions as prescribed by the City Code § 16-200 et seq., as amended, and all other laws of the State of California applicable thereto. The selection and compensation of independent contractors shall be determined by the SOSA

Board subject to the laws of the State of California. SOSA may also contract for services with the City of Santa Clara.

ARTICLE III - Meetings

Section 1. Ralph M. Brown Act. SOSA shall comply with applicable provisions of the Ralph M. Brown Act [Government Code Section 54950 et seq.] including, but not limited to, those applicable to regular meetings, special meetings, closed sessions, adjourned meetings and hearings.

Section 2. Meeting Place. All meetings of the SOSA Board shall be held at the City Council Chambers, City Hall, 1500 Warburton Avenue, Santa Clara, California, unless it shall adjourn to or fix another place of meeting in a notice to be given thereof.

Section 3. Times of Regular Meetings. The regular meetings of the SOSA Board shall hereafter be held on each Tuesday that there is a regularly scheduled City of Santa Clara City Council meeting. The meetings will be at 7:00 o'clock p.m., or as soon thereafter as the meeting may be convened.

Section 4. Order of Business. The order of business at the regular meetings of the Board, unless a different order of business is determined and decided upon by the SOSA Board, shall be as follows:

Order of Business

1. Roll Call
2. Approval of Minutes
3. Old Business
4. New Business
5. Public Presentations
6. Reports of SOSA Members or Special SOSA Committees
7. Closed Session Requests
8. Report on Closed Session Matters
9. Adjournment

Section 5. Quorum/Vote Necessary for Action.

A majority of the members of the SOSA Board shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. Pursuant to City Code section 16-226, the concurring votes of at least four members of the Board shall be required for the taking of any action.

Section 6. Robert's Rules of Order. Meetings of SOSA shall be conducted under Robert's Rules of Order, Revised, to the extent relevant, except that the votes of Board members who are present but do not vote (abstain) shall be counted only for purpose of establishing a quorum, but not as an affirmative, or negative vote.

ARTICLE IV - AMENDMENTS

Amendments to By-Laws. New by-laws may be adopted or these by-laws may be amended or repealed only by SOSA members, and then by the same vote required of any other action taken by SOSA members."

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I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE SPORTS AND OPEN SPACE AUTHORITY OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 5th DAY OF July, 1994, BY THE FOLLOWING VOTE:

AYES:	AUTHORITY MEMBERS:	Ash, Gillmor, Jeffries, Nadler, Procnier and Chairman Souza
NOES:	AUTHORITY MEMBERS:	None
ABSENT:	AUTHORITY MEMBERS:	DeLozier
ABSTAINED:	AUTHORITY MEMBERS:	None

ATTEST: J. E. Boccione
J. E. BOCCIGNONE
Secretary
Sports and Open Space Authority
of the City of Santa Clara

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