ORDINANCE NO. 2005

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, AMENDING SECTIONS 17.30.080 ("BEST VALUE SELECTION PROCEDURES"), 17.30.090 ("FORMAL BIDDING PROCEDURE"), AND 17.30.120 ("SERVICE CONTRACTS-SIGNATURE AUTHORITY") OF TITLE 17 ("DEVELOPMENT") OF "THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA"

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

WHEREAS, the Santa Clara Stadium Authority Executive Director's authority to execute contracts has been delegated to the Stadium Manager for the Forty Niners Stadium Management Company;

WHEREAS, the Forty Niners Stadium Management Company has failed to provide adequate assurance that it is using the delegated authority in compliance with the law; and,

WHEREAS, the Santa Clara Stadium Authority Board acting as the City Council has determined that the public deserves accountability and transparency of all contracts for the procurement of goods and services with Stadium Authority funds.

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

SECTION 1: That Subsection (f) of Section 17.30.080 (entitled "Best value selection procedures") of Chapter 17.30 (entitled "Stadium Authority Procurement Policy") of Title 17 (entitled "Development") of "The Code of the City of Santa Clara, California" is amended to read as follows:

"(f)   Board Approval. All contracts or agreements to acquire supplies, materials, and equipment shall require the approval of the Stadium Authority Board."

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SECTION 2: That Subsection (h) of Section 17.30.090 (entitled "Formal bidding procedure") of Chapter 17.30 (entitled "Stadium Authority Procurement Policy") of Title 17 (entitled "Development") of "The Code of the City of Santa Clara, California" is amended to read as follows:

"(h) Board Approval. All contracts or agreements to acquire supplies, materials, and equipment shall require the approval of the Stadium Authority Board."

SECTION 3: That Section 17.30.120 (entitled "Service contracts – Signature authority") of Chapter 17.30 (entitled "Stadium Authority Procurement Policy") of Title 17 (entitled "Development") of "The Code of the City of Santa Clara, California" is amended to read as follows:

"17.30.120 Service contracts – Signature authority.

The Executive Director shall have no authority to execute contracts with third parties for services provided to the Stadium Authority. All Stadium Authority contracts shall be approved by the Stadium Authority Board prior to execution by the Executive Director."

SECTION 4: **Savings clause**. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

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SECTION 5: **Effective date**. 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 17TH day of SEPTEMBER, 2019, by the following vote:

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

ATTEST:

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

FINALLY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA this 8TH day of OCTOBER, 2019, by the following vote:

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

ATTEST:

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None