



Legislation Details (With Text)

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**On agenda:** 7/9/2019      **Final action:**  
**Title:** Action on Referrals from the June 3, 2019 Economic Development, Communications and Marketing Committee Meeting  
[EDCM Committee referral 6/3/19 - Items 19-689, 19-691, and 19-715]

**Sponsors:**

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**Code sections:**

**Attachments:** 1. All Vision, LLC Agreement

Date	Ver.	Action By	Action	Result
7/9/2019	1	City Council and Authorities	Concurrent	

**REPORT TO COUNCIL**

**SUBJECT**

Action on Referrals from the June 3, 2019 Economic Development, Communications and Marketing Committee Meeting  
**[EDCM Committee referral 6/3/19 - Items 19-689, 19-691, and 19-715]**

**BACKGROUND**

The Economic Development, Communications and Marketing Committee (Committee) met on June 3, 2019. During the meeting the Committee referred three items to staff for further review and analysis.

**Referral # 1**

The Committee referred staff to review if any legal restrictions exist for the City to post or advertise events that happen in Santa Clara in some form and in a central location on the City’s Website and, also, promote on the City’s social media outlets. (e.g., community calendar).

**Referral #2**

The Committee referred to the City Attorney’s Office a status report on the City’s existing billboard contract and the termination status of the contract. Although the Committee did not formally refer analysis of revenue generating billboards, it was a topic of discussion and potential referral after receipt of the above referral.

**Referral #3**

The Committee referred the request to procure additional resources to support proactive communications and marketing of local activities with the goal of more resident awareness of municipal services and activities. *Note: As this was originally discussed at Committee before the*

*budget deliberations were closed, staff had an opportunity to integrate this into the June 4, 2019 Budget Study Session and the Council has already expressed support by consensus.*

## **DISCUSSION**

**Referral # 1: Do any legal restrictions exist for the City to post or advertise events that happen in Santa Clara in some form and in a central location on website and distribute on social media sites?**

### Workload Assessment

Staff hours to complete analysis or assignment: 100+

Tradeoffs: In consultation with the City Attorney's Office, several more important projects would have to be put on hold if this referral were given a high priority. Projects that would have to be delayed would include: amendments to the City's sign code, Zoning Code updates, updating and strengthening the City's procurement and contract management process. The City Attorney's recommendation is to place this referral in a low priority category to be completed sometime in 2020, as this requires first amendment research, prevailing work/practices completed on this topic by other governmental agencies, and policy development on this topic.

**Referral # 2: Status report on the City's existing billboard contract and the termination status of the contract.**

### Workload Assessment

Staff hours to complete analysis or assignment: 5 hours

Tradeoffs: CAO can provide a response to this referral if Council approves the assignment. Additionally, the Billboard contract is attached to this report for Council's own review.

**Referral # 3: Communications and Marketing Consultant Support**

Staff hours to complete analysis or assignment: 6 months

Tradeoffs: Implementing this directive would take approximately six months to administer a competitive procurement process, negotiate contract terms, and seek Council approval. Impacting the timing of implementing this directive is that the City is already underway on several high profile mission-critical procurements that would need to be concurrently administered while already sustaining the normal day-to-day procurement needs of the City, e.g., negotiating solid waste and recycling contracts; Convention Center Food & Beverage contract which must be completed within a very tight time frame to ensure no disruption in food and beverage service at the Convention Center; and, significant corrective action which may include revoking the 49ers Management Company's delegated procurement authority and absorbing it within the City's procurement infrastructure (both capital and operational procurements). The first two mission-critical procurements are to preserve vital business operations and, in the case of solid waste and recycling, are focused on public health and safety. The Stadium Authority procurement workload focuses on several years of non-compliance and violations of local and state procurement laws. Implementation of this directive will be implemented once the above three mission critical work efforts are further stabilized and sufficient capacity exists to begin this procurement; unfortunately, given current workload priorities and limited resources, make this goal unachievable until the above matters are further along.

## **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California

Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

### **FISCAL IMPACT**

At this time, there is no fiscal impact for this action, however, there may be based on council direction.

### **COORDINATION**

This report has been coordinated with the City Attorney's office.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

### **ALTERNATIVES**

1. Approve all referrals;
2. Approve one referral;
3. Approve two referrals;
3. Disapprove referrals; or
4. Modify referrals as deemed appropriate by Council.

### **RECOMMENDATION**

Staff makes no recommendation.

Approved by: Deanna J. Santana, City Manager and Brian Doyle, City Attorney

### **ATTACHMENTS**

1. All Vision, LLC Agreement