




City Council Meeting



Item 7, RTC 23-852
Action on Proposed Council Policy 053 - Santa Clara Convention Center and Levi's Stadium Policy for Operational Tours for Designated City/Stadium Authority Officials

September 12, 2023



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Santa Clara Convention Center & Levi's Stadium



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Background

- Santa Clara Convention Center and Levi's Stadium are respectively owned by the City and Stadium Authority.
- October 2022 Santa Clara County Civil Grand Jury Report included discussion of Levi's Stadium operational tours and Recommendation 5a:

The City/Stadium Authority should adopt a policy and outline procedures for elected and appointed officials to conduct operational tours of the Stadium. This document should be published on the City's website to properly inform the public. This recommendation should be implemented by February 1, 2023.

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Background Cont.

- On December 8, 2022, the Council/Board responded it would implement Recommendation 5a by adopting a policy that outlined appropriate procedures for elected officials to conduct operational tours of all City or Stadium Authority assets by July 31, 2023.
- Additional time beyond the July 31st deadline was required to allow the new City Manager and City Attorney sufficient time to familiarize themselves with the issues and existing processes to bring forth a proposed policy.

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Purpose of Policy

- Operational tours of the Convention Center and Levi's Stadium will benefit the City Council and Stadium Authority Board in their official roles as the respective governing boards of these publicly owned facilities that are operated by third party management companies.
- Proposed policy establishes clear guidelines and procedures for how tours will be conducted in compliance with state and local ethics laws.

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City/Stadium Authority Officials Covered

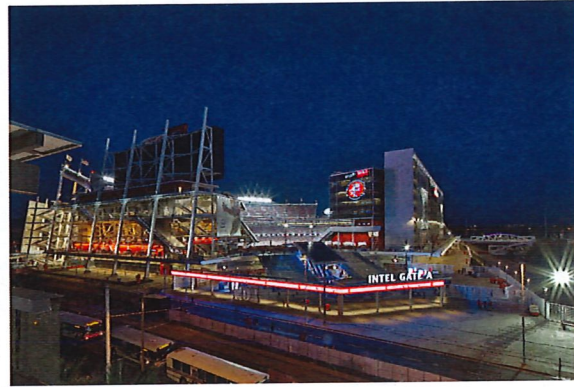
- Policy applies only to City officials elected to the City Council and concurrently serve as members of the Stadium Authority Board.
- No other City/Stadium Authority officials or employees will have access to operational tours of the Convention Center and Levi's Stadium without approval from City Manager/Executive Director or designee.

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Informational Purposes



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Informational Purposes

- City/Stadium Authority employees and/or contracted operator of the Convention Center or Levi's Stadium may provide an operational tour.
- Every tour will be designed to provide touring officials an opportunity to observe various operations occurring at or around the facility premises before, during and after an event.
- Emphasis on providing information that will be useful to officials in their decision-making capacity.


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Tours During Live Ticketed Events



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Tours During Live Ticketed Events

- Tours of seating areas reserved for ticket holders with or without special access privileges may occur but are limited to 30 minutes in any such area and one hour total for all such areas during a tour.
- Food/beverage provided and consumed by official, other than what is routinely provided to City staff working at events during breaks, is subject to applicable gift limits and requirements under state and local law.

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Tours During Live Ticketed Events

- Officials may not attend more than 2 operational tours held during a live ticketed event within any consecutive 12-month period.
- Officials that purchased or obtained tickets to a live ticketed event may request a tour at such event. Those tours will follow the rules in the Policy, except such tours will not count towards the 2-tour limit within a 12-month period.
- Officials may invite a guest to attend a tour, subject to prior approval from City Manager/Executive Director, but such guests will be excluded from areas that may pose security risks and must follow the rules set forth in the Policy.

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No Gifts

- No materials, merchandise or gifts shall be offered or accepted during operational tour.
- Excludes access badges (including access to parking) and printed facility-related informational materials.

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Reporting

- Officials attending a tour that is subject to SCCC Chapter 2.160
 - Calendars of Certain City Officials must include the tour as a listed and disclosed meeting.

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Brown Act Compliance

- No more than 3 officials may participate in the same operational tour to avoid the creation of a “meeting” under the Brown Act.

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Exemptions

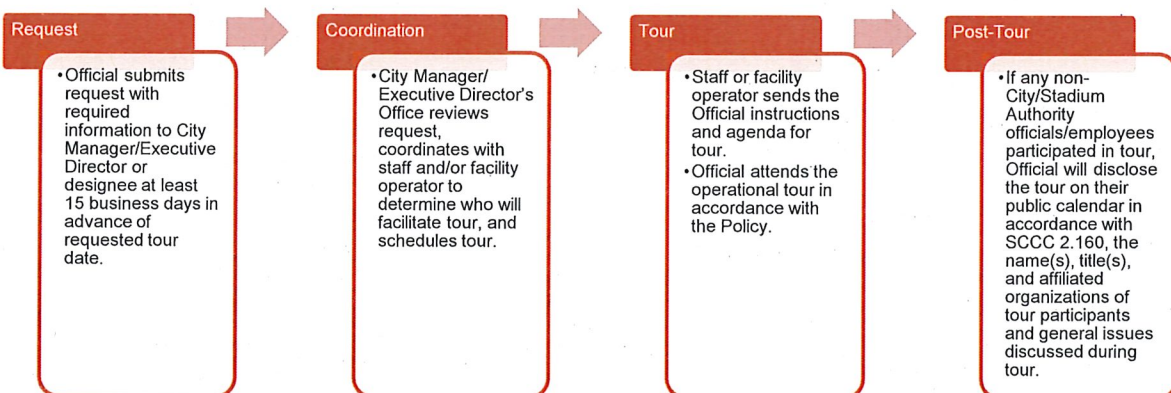
- Policy not intended to prohibit officials from purchasing ticket to attend an event, receiving ticket to attend an event from a third party subject to applicable state and local laws, or attending an event open and generally accessible to the public.
- Policy also not intended to apply to City/Stadium Authority employees. City/Stadium Authority employees at the Convention Center or Stadium attending a live ticketed event as part of their scope of employment are not subject to the terms of the Policy.

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Procedure



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Recommendation

- Adopt a Resolution approving Council Policy 053 - Santa Clara Convention Center and Levi's Stadium Policy for Operational Tours for Designated City/Stadium Authority Officials.

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