



# City of Santa Clara

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## Agenda Report

22-272

Agenda Date: 3/22/2022

### REPORT TO STADIUM AUTHORITY BOARD

#### SUBJECT

Action on Stadium Authority Bills and Claims for the Month of December 2021

#### BOARD PILLARS

Enhance Community Engagement and Transparency

Ensure Compliance with Measure J and Manage Levi's Stadium

#### BACKGROUND

Disbursements made by the Stadium Authority are based on invoices submitted for payment. Prior to payment, staff reviews all disbursement documents to ensure that they are in compliance with the goods or services provided.

The Bills and Claims listing represents the cash disbursements required of normal and usual operations during the period. Budget control is set by the Stadium Authority Board through the budget adoption process.

#### DISCUSSION

On April 30, 2019 the Stadium Authority Board directed staff to stop payment of any Stadium Authority invoices for services unless there is substantial documentation of services rendered, which must also be in compliance with State law and City Code. Since April 30, 2019, staff received direction to pay Stadium Authority invoices related to SBL sales and services, insurance, and utilities.

At the March 23, 2021 Stadium Authority Board meeting, the Executive Director was delegated authority to approve budget amendments of \$4.2 million to move funds from the Legal Contingency line item to Shared Expenses after the review of adequate documentations for costs based on Board direction. Subsequent to that direction, Stadium Authority staff met at Levi's Stadium on March 30, 2021 to review documentation for shared expenses. After follow-up meetings with the Stadium Manager, payments related to compensation that were reviewed and approved for monthly payment, totaling \$4.2 million for the fiscal year.

In addition, at the March 23, 2021 Stadium Authority Board meeting, the Board approved staff recommendations to direct the Stadium Manager to provide a procurement plan/schedule that demonstrates the ability to manage the Stadium with the proper standard of care and that addresses the highest priority projects while balancing the potential need for City resources. Subsequent to that direction, the Stadium Manager has submitted requests to the Board for approval; to be awarded purchase order(s) related to capital projects.

Significant expenses in December 2021 include:

- Payments totaling \$221,483.24 to the City of Santa Clara for the following:

- \$195,292.31 for reimbursement of General and Administrative (G&A) City payroll costs (e.g.: Executive Director's Office (City Manager's Office), Counsel's Office (City Attorney's Office), and Treasurer's Office (Finance Department))
- \$23,330.65 for the Senior and Youth Fees collected (\$0.35 per ticket) for one National Football League (NFL) game.
- \$2,643.12 for reimbursement of SCSA CapEx Costs - Vehicle Upfits
- \$217.16 for reimbursement of SCSA CapEx Costs - PPE (Nomex Bottoms)
- Payment totaling \$257,517.21 to Forty Niners SC Stadium Co, LLC for CFD Advance Payment - Interest
- Payments totaling \$14,550.38 to Armanino LLP for CapEx Project - FMS Project
- Payment totaling \$135.00 to Contractor Compliance and Monitoring, Inc for November 2021 Labor Compliance Services
- Payments totaling \$41,175.67 to Dell Marketing L.P. for the following:
  - \$39,358.62 for CapEx Project - Security Command Center Equipment
  - \$1,817.05 for SCSA Laptop (City Manager's Office)
- Payment totaling \$61,514.42 to Fisher Scientific Co. LLC for CapEx Project - Tru Defender Chemical Detector
- Payment totaling \$52,241.85 to J.S. Held LLC for June - August 2021 Audit Services
- Payment totaling \$1,984.43 to L.N. Curtis & Sons for CapEx Project - PPE (Nomex Bottoms)
- Payment totaling \$3,700.00 to Wilson Ihrig for October 2021 Noise Monitoring Services
- Payments totaling \$185,924.21 for September - November 2021 Legal Services

Certain information such as names of law firms have been redacted from the Bills and Claims report. The Supreme Court of California in *Los Angeles County Board of Supervisors v. Superior Court*, (2016) 2 Cal.5th 282, held that invoices specifying the amounts billed by a law firm to a client fall within the scope of attorney-client privilege while the matters are active. In accordance with the Supreme Court's ruling, the names of law firms retained by the Stadium Authority have been redacted from the public report to maintain confidentiality of billing records for legal services.

### **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**

There is a \$841,647.55 fiscal impact to the Stadium Authority.

### **COORDINATION**

This report has been coordinated with the Stadium Authority Counsel'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>>.

**RECOMMENDATION**

Approve the list of Stadium Authority Bills and Claims for December 2021.

Reviewed by: Kenn Lee, Treasurer

Approved by: Office of the Executive Director

**ATTACHMENTS**

1. December 2021 SCSA Bills and Claims