



# City of Santa Clara

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## Agenda Report

18-1510

Agenda Date: 11/13/2018

### REPORT TO COUNCIL

#### SUBJECT

Action on Double-Time Pay to Employees from Certain Bargaining Units and Time and One Half Pay to As Needed Employees who Work on December 31, 2018 and January 7, 2019 at Levi's Stadium

#### BACKGROUND

During the last two fiscal years, the City Council approved side letters for the payment of double time for events held at Levi's Stadium on January 1, 2017 and December 24, 2017.

On July 17, the Stadium Authority Board approved an Assignment and Assumption Agreement (Attachment 1) assigning certain rights to the Bay Area Host Committee (BAHC) regarding the College Football Playoff National Championship Game at Levi's Stadium. The agreement provides that for the January 7, 2019, College Football Playoff National Championship game (Game), if sixty (60) days prior to Game day there are not sufficient Santa Clara employees supporting public safety activities that have volunteered to provide adequate public safety during the Game, as determined by the Stadium Authority Executive Director, the City shall pay employees assigned to work on January 7, 2019 in support of the Game at a double time rate for hours worked. These costs will be fully reimbursed by the BAHC.

#### DISCUSSION

Pursuant to City Council authority, Staff met and conferred with the International Association of Firefighters (Unit 1), Police Officers' Association (Unit 2), International Brotherhood of Electrical Workers (Unit 3), Professional Engineers (Unit 4), Employees' Association (Units 5,7,8), American Federation of State, County and Municipal Employees (Unit 6) and Public Safety Non-Sworn Employees Association (Unit 10) regarding paying the City employees they represent who work the non-NFL football event at Levi's Stadium on December 31, 2018, and the Game on January 7, 2019, double-time pay for their hours worked.

The City subsequently offered double time for hours worked for those two events to the bargaining representatives for each of these employee groups and has reached agreement with the bargaining representatives of these certain bargaining units regarding this offer, as demonstrated in the attached Side Letters (Attachment 2).

In addition, to ensure adequate staffing, the recommendation is that As Needed employees in the job classifications of Per Diem Police Officer Special Events, Per Diem Dispatchers, and Traffic Control Special Events that work these two events be paid time and one half pay their usual hourly rate of pay.

#### 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)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes

in the environment.

### **FISCAL IMPACT**

The estimated incremental cost (double time instead of time and one half pay for regular employees and time and one half pay instead of regular time for As-Needed staffing) will be fully reimbursed by BAHC for the Game or by the Stadium Authority.

To pay the above listed full time City employees and As Needed employees that will work at Levi's Stadium for the football event on December 31, 2018 is approximately \$37,000 based on actual personnel and hours worked on the same game in the prior year. This additional cost was not assumed as part of the FY 2018/19 City or Stadium Authority budget. Therefore, staff will monitor these budgets and return separately to Council/Board for an approval of budget amendments, as needed.

For the College Football Playoff Game on January 7, 2019, the estimated incremental cost is approximately \$81,000 assuming the actual personnel hours worked is similar to the NFL game that had the highest internal city costs last year. These additional costs as well as other costs reimbursable by the BAHC were not assumed as part of the FY 2018/19 City or Stadium Authority budget. Staff will bring forward budget amendments to increase revenue and expenditures in December 2018.

### **COORDINATION**

This report has been coordinated with the Finance Department and 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) or at the public information desk at any City of Santa Clara public library.

### **RECOMMENDATION**

1. Authorize the City Manager to execute side letters to pay double-time to regular City employees from bargaining units 1, 2, 3, 4, 6, 10, and 578 that work the football event at Levi's Stadium on December 31, 2018, and the College Football Playoff Game on January 7, 2019, pursuant to the terms as described in the attached Side Letters.
2. Approve paying time and one half to As Needed Per Diem Special Event Police Officers, Per Diem Dispatchers, and Traffic Control Special Events employees who work the football event at Levi's Stadium on December 31, 2018, and the College Football Playoff Game on January 7, 2019.

Reviewed by: Teresia Zadroga-Haase, Director, Human Resources

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Assignment and Assumption Agreement
2. Side Letters with noted bargaining groups