



Agenda Report

22-1394

Agenda Date: 12/6/2022

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT

Action on Stadium Authority Bills and Claims for the Month of October 2022

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 March 27, 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 March 27, 2019, staff received direction to pay Stadium Authority invoices related to SBL sales and services, insurance, and utilities.

At the March 15, 2022 Stadium Authority Board meeting, the Board delegated authority to the Office of the Executive Director and Treasurer to approve budget amendments that move funds from the Legal Contingency to Shared Expenses after the review of adequate documentations for costs. Subsequent to that direction, Stadium Authority staff met with Stadium Manager on April 12, 2022 to review documentation for shared expenses. Following meetings with the Stadium Manager, payments related to compensation that were reviewed and approved were included in the September monthly payment.

Effective August 31, 2022, the Stadium Authority and Stadium Manager agreed to the timely payment of Shared Stadium Expenses and other budgeted expenses in accordance with the Annual Stadium Authority Budget-except for buffet expenses invoiced pursuant to Section 4.6.1 of the Stadium Lease. The Stadium Authority maintains the right to confirm and dispute submitted charges from the 2021-22 fiscal year and onward during a fiscal-year-end reconciliation/true-up, because of any concerns regarding improper allocation, calculation, lack of support, or failure to comply with the Parties' contracts or California law, among other reasons. The Stadium Authority may raise such questions with respect to any charge at any time before a fiscal year-end reconciliation/true-up and the Stadium Manager must assess and respond to such questions in good faith.

Expenses paid in October 2022 include:

- Payment totaling \$186,658.10 to the City of Santa Clara 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))
- Payment totaling \$5,385,381.00 to Stadium Funding Trust for Term A Loan Interest Payment
- Payments totaling \$3,187,360.05 to Forty Niners Stadium Management Co, LLC for the following:
 - \$618,431.00 for April - September 2022 Stadium Manager Expenses - Non-Compensation for Security
 - \$665,281.00 for April - September 2022 Stadium Manager Expenses - Non-Compensation for Stadium Ops
 - \$383,545.00 for April - September 2022 Stadium Manager Expenses - Non-Compensation for Engineering
 - \$105,674.00 for April - September 2022 Stadium Manager Expenses - Non-Compensation for Guest Services
 - \$202,812.00 for April - September 2022 Stadium Manager Expenses - Non-Compensation for Grounds
 - \$135,569.00 for October 2022 Stadium Manager Expenses - Security
 - \$318,933.00 for October 2022 Stadium Manager Expenses - Stadium Ops
 - \$207,406.00 for October 2022 Stadium Manager Expenses - Engineering
 - \$48,914.00 for October 2022 Stadium Manager Expenses - Guest Services
 - \$41,463.00 for October 2022 Stadium Manager Expenses - Grounds
 - \$174,077.00 for October 2022 Stadium Manager Expenses - SBL Sales & Service
 - \$81,710.00 for October 2022 Stadium Manager Expenses - Insurance
 - \$6,745.54 for October 2022 Stadium Manager Expenses - Use of StadCo Tenant Improvements
 - \$51,887.00 for October 2022 Stadium Manager Expenses - Other G&A
 - \$8,333.00 for October 2022 Stadium Manager Expenses - Lender Fees
 - \$85,401.61 for CapEx Proj - Mechanical and Electrical Closet Lighting
 - \$17,223.00 for CapEx Proj - Rust Prevention Mitigation
 - \$33,954.90 for CapEx Proj - Club Space Flooring
- Payments totaling \$20,005.12 to Armanino LLP for CapEx Proj - FMS Project
- Payment totaling \$2,537.50 to ECS Imaging, Inc for the following:
 - \$700.00 for SBL - Ongoing Processing
 - \$1,837.50 for SBL - Session Configuration
- Payments to Hanson Bridgett LLP for August & September 2022 Legal Services
- Payment totaling \$74,281.00 to HKS Architects, Inc for the following:
 - \$422.50 for CapEx Proj - North East Lobby Security Enhancements
 - \$422.50 for CapEx Proj - Security Screening Locations
 - \$1,320.00 for CapEx Proj - Plumbing (PRVs)
 - \$1,948.00 for CapEx Proj - Broadcast Booth Power
 - \$3,120.00 for CapEx Proj - Stadium Event Power Upgrades & Switchgear Electrical
 - \$3,900.00 for CapEx Proj - Automatic Logic Control Building Engineering System
 - \$5,280.00 for CapEx Proj - Stadium Event Power Upgrades & Switchgear Electrical

- \$21,920.00 for CapEx Proj - Stationary Electric Pressure Washers
- \$2,444.00 for CapEx Proj - VFDs
- \$2,916.00 for CapEx Proj - Kitchen Exhaust Fans
- \$3,260.00 for CapEx Proj - Creston Control & Building Operating System Upgrades
- \$27,328.00 for CapEx Proj - Radio Booth Cabling
- Payment totaling \$14,345.10 to HY Floor & Gameline Painting for CapEx Proj - Club Space Flooring
- Payment to Jeffer Mangels Butler & Mitchell, LLP for July 2022 Legal Services
- Payment totaling \$25,000.00 to KPMG LLP for SCSA 2020/21 Audit
- Payment totaling \$245,934.47 to LRG Technologies, Inc for CapEx Proj - CCTV PopUp Trailers
- Payment totaling \$16,800.00 to M. Arthur Gensler Jr. & Associates, Inc for the following:
 - \$5,575.00 for CapEx Proj - Stadium Event Signage
 - \$11,225.00 for CapEx Proj - Updated Stadium Wayfinding Signage
- Payment totaling \$41,580.00 to Mamava Inc for CapEx Proj - Private Lactation Spaces
- Payment totaling \$93,174.58 to Populous Group, LLC for the following:
 - \$20,600.00 for CapEx Proj - Women's Locker Room
 - \$72,574.58 for CapEx Proj - Replace Furniture
- Payment totaling \$51,257.25 to R.E. Cuddie Co. for CapEx Proj - Non-Slip Floor Matting
- Payments totaling \$11,111.08 to Wilson Ihrig for the following:
 - \$5,975.83 for August 2022 Noise Monitoring Services
 - \$5,135.25 for September 2022 Noise Monitoring 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)(5) in that it is an administrative activity that will not result in direct or indirect physical changes in the environment.

FISCAL IMPACT

The fiscal impact to the Stadium Authority is reflected in the amounts itemized above

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>>.

RECOMMENDATION

Approve the list of Stadium Authority Bills and Claims for October 2022.

Reviewed by: Kenn Lee, Treasurer

Approved by: Rajeev Batra, Executive Director

ATTACHMENTS

1. October 2022 SCSA Bills and Claims