

RESOLUTION NO. 17-4 (STADIUM AUTHORITY)

A RESOLUTION OF THE SANTA CLARA STADIUM AUTHORITY CONSENTING TO A SERVICE AGREEMENT BETWEEN FORTY NINERS STADIUM MANAGEMENT COMPANY AND LANDMARK EVENT STAFFING SERVICES, INC. FOR EVENT SECURITY SERVICES.

BE IT RESOLVED BY THE SANTA CLARA STADIUM AUTHORITY AS FOLLOWS:

WHEREAS, the Santa Clara Stadium Authority ("Authority"), a joint exercise of powers entity, created through Government Code Section 6500 *et seq.*, engaged in activities that led to the development and commencement of operation of a 68,500 seat stadium suitable for professional football ("Stadium Project") on a property located at Tasman and Centennial Drive ("Stadium Site"); and

WHEREAS, the Authority, Forty Niners SC Stadium Company, LLC, a Delaware limited liability company ("StadCo"), and Forty Niners Stadium Management Company LLC, a Delaware limited liability company ("Stadium Manager"), are parties to a certain Stadium Management Agreement effective as of March 28, 2012, as amended by that certain First Amendment to Stadium Management Agreement dated as of November 13, 2012, that certain Second Amendment to Stadium Management Agreement dated as of May 9, 2013, and that certain Third Amendment to Stadium Management Agreement dated as of June 19, 2013, and that certain Fourth Amendment to Stadium Management Agreement dated as of March 18, 2014 (as the same may be, further amended from time to time, the "Stadium Management Agreement"), pursuant to which the Stadium Manager manages the operation of the Stadium year-round on behalf of the Authority and StadCo for the term and on the basis specified in the Stadium Management Agreement; and,

WHEREAS, the Stadium Management Agreement provides the Stadium Manager with the responsibility to solicit and select the professional service vendors for Stadium operations and

authorizes Stadium Manager to enter into professional services agreements in compliance with the Stadium Authority's procurement policies; and,

WHEREAS, the Stadium Manager has conducted a Request for Proposal process and selected a service vendor for security services in general conformance with the Stadium Authority's Procurement Policy and desires to enter into Service Agreement on behalf of StadCo and Stadium Authority for those services; and,

WHEREAS, the Stadium Manager has selected Landmark Event Staffing Services, Inc. to provide security services for Stadium events; and,

WHEREAS, the Authority has determined that the Service Agreement with Landmark Event Staffing Services is in the best interest of the Stadium Authority and desires the Stadium Manager to enter into a Service Agreement; and,

WHEREAS, the Staff Report and Stadium Manager oral presentation provide additional information upon which the findings and actions set forth in this Resolution are based.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE SANTA CLARA STADIUM AUTHORITY AS FOLLOWS:

1. That the Board of the Authority hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. The Board of the Authority hereby consents to the Stadium Manager entering into Service Agreement with Landmark Event Staffing Services, Inc. on behalf of the Authority, substantially in the form on file with the Authority Secretary, with such revisions as are reasonably determined necessary by the Executive Director, such determination to be conclusively deemed to have been made by the execution of such agreement by the Authority signatory.

3. Consent to the contract is limited to the term of five years. The Stadium Manager shall not authorize an extension to the contract beyond five years without further express consent of the Stadium Authority.

4. The Executive Director is hereby authorized to take such further actions as may be necessary or appropriate to carry out the Authority's obligations pursuant to this Resolution.

5. The Authority Secretary shall certify to the adoption of this Resolution.

6. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara, California, hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

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7. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE SANTA CLARA STADIUM AUTHORITY, AT A REGULAR MEETING THEREOF HELD ON THE 17th DAY OF APRIL 2017, BY THE FOLLOWING VOTE:


AYES: BOARD MEMBERS: Caserta, Davis, Kolstad, Mahan, O'Neill, and Watanabe and Mayor Gillmor

NOES: BOARD MEMBERS: None

ABSENT: BOARD MEMBERS: None

ABSTAINED: BOARD MEMBERS: None

ATTEST:

for 

ROD DIRIDON, JR.
SECRETARY OF THE STADIUM AUTHORITY
SANTA CLARA STADIUM AUTHORITY

Attachments incorporated by reference: None