



## Agenda Report

18-562

Agenda Date: 6/12/2018

### REPORT TO COUNCIL

#### SUBJECT

Consideration of an Amendment No. 3 to the Agreement with the California Highway Patrol

#### BACKGROUND

On May 6, 2014, the City Council approved a standard agreement with the California Highway Patrol (CHP) for traffic management and support services provided by the CHP for special events at Levi's Stadium. CHP duties may include: traffic management, air operations, SWAT, and crowd control. The City has agreed to indemnify and defend the State for claims resulting from injury or damage caused by City employees. The term of the original agreement was July 1, 2014 through June 30, 2016, totaling \$1,724,811. When this agreement was initially established, the Police Department estimated twenty-three (23) events that would require CHP services.

On July 14, 2015, Amendment No. 1 increased the funding of the original agreement by \$1,000,000 to \$2,724,811 over the same term to address the increase in events over the preliminary projection. The City Council approved the amendment to address the revised projection of forty-five (45) events scheduled during the contract period.

On July 19, 2016, the City Council approved Amendment No. 2 to extend the term of the agreement with the CHP for an additional 24 months, retroactive to June 30, 2016 and extending through June 30, 2018. Amendment No. 2 increased the agreement by \$1,700,000, for a total not to exceed amount of \$4,424,811.

#### DISCUSSION

The San Francisco 49ers National Football League season consists of ten home games (two pre-season and eight league games). Depending on the team's performance, there is potential for up to two additional home games each season. The NFL sets the schedule, which is generally released in the spring.

Forty Niners Stadium Management Company, LLC (ManCo) is responsible for the day-to-day operations at the stadium, including seeking out and marketing third party, non-NFL events. The Police Department receives notification of events planned at the venue, large and small, after ManCo has secured a contract with a promoter, at which point the Police Department begins to create an event specific Public Safety Plan. This plan is fluid until the day of the event based on intelligence being gathered.

Levi's Stadium has been the host to 85 major events since 2014. At the time of this report, 16 major events were confirmed for the 2018/2019 contract year. It is unknown at present how many additional events ManCo will secure over the proposed contract term.

DATE	EVENT
July 22, 2018	San Jose Earthquakes vs. Manchester United
August 4, 2018	International Champions Cup
TBD (August 9-13, 2018)	San Francisco 49ers vs Dallas Cowboys
August 30, 2018	San Francisco 49ers vs Los Angeles Chargers
September 16, 2018	San Francisco 49ers vs Detroit Lions
September 29, 2018	OTR II (Jay Z/Beyonce)
October 7, 2018	San Francisco 49ers vs Arizona Cardinals
October 21, 2018	San Francisco 49ers vs Los Angeles Rams
November 1, 2018	San Francisco 49ers vs Oakland Raiders
November 12, 2018	San Francisco 49ers vs New York Giants
November 30, 2018	Pac-12 Championship Game
December 9, 2018	San Francisco 49ers vs Denver Broncos
December 16, 2018	San Francisco 49ers vs Seattle Seahawks
December 23, 2018	San Francisco 49ers vs Chicago Bears
TBD (December 26-28, 2018)	Foster Farms Bowl
January 7, 2019	College Football National Championship

The CHP has been an essential public safety partner for Levi's Stadium. CHP has provided vehicles, radios, personnel and other necessary equipment to provide critical services for Highway 101 and Route 237, which they have jurisdiction over.

Amendment No. 3 in the amount of \$1,500,000 extends the term of the agreement for traffic management services and support related services by an additional twenty-four months, from July 1, 2018 through June 30, 2020.

### **FISCAL IMPACT**

Amendment No. 3 adds \$1,500,000, for a maximum amount not to exceed \$5,924,811 and will allow the CHP to continue to provide necessary traffic management and related services for Levi's Stadium.

### **COORDINATION**

This report has been coordinated with the Finance Department and City Attorney's Office.

### **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 fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

### **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 report to City Council 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>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Approve Amendment No. 3 to the California Highway Patrol Standard Agreement, in the amount of \$1,500,000, for a total not to exceed amount of \$5,924,811, and extending the term of the agreement to June 30, 2020, for traffic management and support services for special events at Levi's Stadium.

Reviewed by: Michael J. Sellers, Chief of Police

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. State of California, Standard Agreement, 7/1/14-6/30/16
2. Standard Agreement Amendment No. 1 dated 7/14/15
3. Standard Agreement Amendment No. 2 dated 7/19/16
4. State of California, cover letter to Standard Agreement Amendment No. 3 dated 4/20/18
5. State of California, Standard Agreement, Amendment No. 3 through 6/30/20