



Agenda Report

21-935

Agenda Date: 7/13/2021

REPORT TO COUNCIL

SUBJECT

Action to Approve Amendment No.2 to the Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara and the City of Sunnyvale

COUNCIL PILLAR

Ensure Compliance with Measure J and Manage Levi's Stadium

BACKGROUND

Prior to the opening of Levi's Stadium in 2014, the Police Department worked with the National Center for Spectator Sports Safety and Security and the Department of Homeland Security to develop comprehensive safety and traffic management plans for the venue and surrounding area.

Through the planning process, the Police Department acknowledged our organization did not have the specialized expertise (e.g. ability to close highway off-ramps and corresponding traffic management skills), resources (e.g. air operations, crowd control, etc.), and sheer volume of sworn and civilian personnel necessary to implement a comprehensive public safety plan for a venue of this size, and in this location. As a result, agreements were formed with local, State and Federal law enforcement partners to augment the Police Department's resources with additional services.

The Police Department relies heavily on sworn and civilian professionals to provide a safe and enjoyable experience for stadium personnel, athletes/entertainers, event attendees, surrounding businesses, and nearby residents. The staffing needs vary from event to event based on event type, day of the week, time of the day, anticipated attendance, dignitaries present, intelligence gathered from similar events, etc.

DISCUSSION

Levi's Stadium has been the host to 120 public events with attendance of over 20,000 since its opening, plus five nationally televised events without fans in 2020.

As the lead law enforcement agency, the Police Department secures local, State and Federal resources, as necessary, to support efforts to mitigate traffic congestion for event patrons and local traffic, provide a safe venue for attendees, performers and stadium personnel, as well as prevent intrusion into neighborhoods while maintaining access to adjacent business properties.

In anticipation of the re-opening of Levi's Stadium following a seventeen month hiatus as a result of the coronavirus pandemic, the Police Department has been working hard behind the scenes to renew existing service agreements and expand upon the number of municipal law enforcement services agreements between the Stadium Authority, the City of Santa Clara, and partner agencies.

The Stadium Authority, City of Santa Clara and the City of Sunnyvale originally entered into a service agreement on June 24, 2014 (Attachment 1). Amendment No. 1 (Attachment 2) of this agreement was modified on March 29, 2016 and expired on June 30, 2021.

Amendment No. 2 (Attachment 3) extends the term of the original agreement through June 30, 2026. It allows the City of Sunnyvale, as called upon and available, to provide supplemental special detail law enforcement services for events taking place at the stadium and surrounding areas. Requests for services could include personnel, tactical vehicles, equipment, and associated supplies to provide the services rendered. The agreement also allows for City of Sunnyvale personnel responding to requests for services to transmit and broadcast communications on the Santa Clara Police Department's dispatch frequency, licensed by the Federal Communications Commission.

Currently, the Police Department has various agreements with multiple agencies throughout California to provide Per Diem Special Event Police Officers. Locally, the following agencies can be called upon to provide services, as needed, at Levi's Stadium:

- California Highway Patrol
- City of Campbell Police Department
- City of Gilroy Police Department
- City of Milpitas Police Department
- City of Morgan Hill Police Department
- City of Mountain View Police Department
- City of Palo Alto Police Department
- City of Santa Cruz Police Department
- Los Altos Police Department
- Monterey County Sheriff's Office
- San Francisco County Sheriff's Office
- Santa Clara County Sheriff's Office
- Town of Los Gatos Police Department

The Santa Clara Stadium Taxpayer Protection and Economic Progress Act, commonly referred to as Measure J, requires all public safety costs related to stadium operations to be reimbursed to the City of Santa Clara by the Stadium Authority. In addition, the contractual arrangement between the Stadium Authority and the San Francisco 49ers requires that the team reimburse the Stadium Authority for public safety related expenses incurred for NFL events.

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.

FISCAL IMPACT

This agreement allows the City of Sunnyvale to provide support services for Levi's Stadium, as requested and available.

Any expenses incurred by the City of Santa Clara for the use of the City of Sunnyvale would be billed to the Stadium Manager, in accordance with the applicable contracts and with Measure J.

COORDINATION

This report is coordinated with the Finance Department and 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

Action to Approve Amendment No.2 to the Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara, and the City of Sunnyvale for support services associated with special events at Levi's Stadium.

Reviewed by: Patrick Nikolai, Chief of Police

Approved by: Deanna J. Santana, City Manager/Executive Director

ATTACHMENTS

1. Original Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara and the City of Sunnyvale
2. Amendment No. 1 to the Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara and the City of Sunnyvale
3. Amendment No. 2 to the Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara and the City of Sunnyvale