



Agenda Report

22-866

Agenda Date: 7/12/2022

REPORT TO COUNCIL AND STADIUM AUTHORITY BOARD

SUBJECT

Action on the Approval of a Municipal Law Enforcement Services Agreement with San Francisco Police Department

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, SWAT, etc.), and volume of sworn and civilian personnel necessary to implement these plans. As a result, agreements were formed with local, State and Federal law enforcement partners to provide these 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 146 public events with attendance of 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 mitigate traffic congestion for event patrons and local traffic, provide a safe venue for attendees, performers and stadium personnel as well as to deter intrusion into neighborhoods while maintaining access to adjacent business properties.

Currently, the Police Department has various agreements with multiple agencies throughout California to provide Per Diem Special Event Police Officers to augment the staffing for events at Levi's Stadium. In addition, Municipal Law Enforcement Services Agreements are in place with the following local agencies to be called upon to provide services, as needed, at Levi's Stadium:

- California Highway Patrol

- Monterey County Sheriff's Office
- San Francisco County Sheriff's Office
- Santa Clara County Sheriff's Office
- Sunnyvale Department of Public Safety

Law enforcement agencies across the country are faced with staffing challenges. As a result, it is incumbent upon our Police Department to continue to expand the number of municipal law enforcement services agreements between the Stadium Authority, the City of Santa Clara, and partner agencies to ensure there are ample resources available when needed.

The proposed agreement allows the San Francisco Police Department, 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, helicopters, tactical vehicles, equipment, and associated supplies to provide the services rendered. The agreement also allows for the San Francisco Police Department 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.

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. In addition, in accordance with the contractual arrangements between the City, Stadium Authority and the team, the team reimburses the City for public safety related expenses incurred for NFL events. For Non-NFL Events, the cost of public safety (including the costs charged by our public safety partners such as San Francisco Police Department) are charged against the Net Non-NFL Revenues of the Stadium Authority.

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

This agreement allows the San Francisco Police Department to provide support services for Levi's Stadium, as requested and available.

Any expenses incurred by the City for the use of the San Francisco Police Department personnel at NFL events would be billed by the City to the Forty Niners, in accordance with the applicable contracts and with Measure J. For non-NFL events, the expenses are deducted from the Stadium Authority's Net Non-NFL Revenues.

COORDINATION

This report was 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

Approve the Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara, and San Francisco Police Department for support services associated with events at Levi's Stadium.

Reviewed by: Pat Nikolai, Chief of Police

Approved by: Rajeev Batra, City Manager/Executive Director

ATTACHMENTS

1. Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara and San Francisco Police Department