



## Agenda Report

18-1093

Agenda Date: 8/28/2018

### REPORT TO COUNCIL

#### SUBJECT

Action on Amendment No. 2 to the Agreement for the Performance of Services with Wilson, Ihrig & Associates for Noise Monitoring Services at Levi's Stadium

#### BACKGROUND

On August 30, 2016, in response to complaints from residents about noise emanating from the San Francisco 49er's football practices, the City Council directed staff to establish a noise monitoring system for Levi's Stadium and training facility.

Following Council direction, the City entered into an agreement on February 7, 2017 with Wilson, Ihrig & Associates to provide noise monitoring services at Levi's Stadium. Since that time the consultant has implemented a noise monitoring program that includes four noise monitoring stations as well as a comprehensive website ([https://seti-media.com/infopopulation/levis\\_stadium/](https://seti-media.com/infopopulation/levis_stadium/)) that provides reporting information from the monitors as well as a portal for residents to issue noise complaints.

In December 2017, Staff processed Amendment No. 1 to this agreement which extended the contract term through the end of 2018.

#### DISCUSSION

The current agreement with Wilson, Ihrig & Associates is set to expire this year and will have expended all dedicated funding upon the termination date. Amending the existing agreement to extend the term and provide additional funding will allow the noise monitoring program to continue (all four current monitoring stations will be continued at this time) so that appropriate policy mediations can take place if deemed necessary from evaluation of the cumulative findings over the life of the program.

#### 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(a) as it has no potential for resulting in either a direct physical change in the environment, or as a reasonably foreseeable indirect physical change in the environment.

#### FISCAL IMPACT

The original agreement, in the amount of \$99,840, was funded by the Santa Clara Stadium Authority. Extending the agreement for another two years would increase the total not to exceed cost by \$150,000 for a total of \$249,840. The current Stadium Authority budget (Other Consulting) includes the initial \$50,000 needed to fund the agreement through the end of the Stadium Authority's 2018/19 Fiscal Year. The remaining \$100,000 will be included as part of the Stadium Authority's FY

2019/2020 budget development process.

**COORDINATION**

This report has been coordinated with the Finance Department, City Attorney's Office, and City Manager'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) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Authorize the City Manager to execute Amendment No. 2 to the Agreement with Wilson, Ihrig & Associates subject to annual appropriations to continue conducting noise monitoring of Levi's Stadium and the 49ers practice facility for an additional cost of \$150,000 to be funded over a two-year term, resulting in a revised total cost not to exceed \$249,840 over the life of the agreement.

Reviewed by: Andrew Crabtree, Director, Community Development Department

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Amendment No. 2 to the Professional Services Agreement with Wilson, Ihrig & Associates