



City of Palo Alto

City Council Staff Report

(ID # 5581)

Report Type: Consent Calendar

Meeting Date: 4/6/2015

Summary Title: Track Watch Contract Amendment and Budget Amendment Ordinance

Title: Adoption of a Contract Amendment with Val Security and a Budget Amendment Ordinance in the Amount of \$175,000 to Increase the Project Safety Net Fund and Decrease the Stanford Medical Center Development Agreement Fund

From: City Manager

Lead Department: Community Services

Recommendation

Staff recommends that Council approve:

- An Amendment Number Four to the contract with Val Security, increasing compensation by \$298,000 (or from \$225,000 to \$523,000 over four year 2011-2015) in payment of additional services that were and are to be rendered in FY 2015.
- A Budget Amendment Ordinance (BAO) in the amount of \$175,000 offset with the Stanford Medical Center Development Agreement Fund – Community Health and Safety Reserve.

Background

Since 2009, the City has used the services of contract security guards in response to the teen deaths that have occurred at the rail line. A guard has been stationed at the Charleston and East Meadow crossings from 6:15 pm to 1:15 am during the November 2009 – October 2014 time frame. Between 2009 and 2011 five teen deaths occurred on the rail line, all in the vicinity of the two crossings mentioned above. The monthly cost for security services was approximately \$5,000.

No additional teen deaths occurred at the rail line until four incidents between October 2014 and March 2015. After the first teen death in October 2014, security coverage was increased to begin at 3:00 pm (high school dismissal time) and the Churchill crossing near the Palo Alto High School campus was added as a precaution. The second death occurred in early November. Subsequent newspaper reports incorrectly listed a location south of the California Avenue Cal Train station as the location of the death. It was also reported to Community Services staff that some teens had been

gathering and a memorial had been erected at the California Avenue Cal Train station; the Palo Alto Police Department dismantled the memorial as best practices protocol recommends.

The Project Safety Net (PSN) Leadership Team along with Public Safety staff recognized that the community was at high risk of additional suicides. In consultation with the PSN Leadership Team, Public Safety and City Manager's Office, Community Services staff increased track security coverage to include the California Avenue Cal Train Station and have security guards on duty all hours the Cal Train and freight trains are in operation: 4:15 am – 2:30 am (or until the last freight train passes through Palo Alto, which may occur at an earlier time). Since November 2014, security guards have been stationed at four locations on the rail line (Churchill, East Meadow and Charleston crossings and the California Avenue Cal Train Station.)

Discussion

Staff amended the current contract with Val Security to quickly increase staff levels at rail intersections. This resulted in increased expenditures of \$123,000 between October 2014 and March 2015. Due to the urgency of responding to the teen deaths in fall, the City Manager, at his discretion, authorized this spending above the Val Security approved contract amount of \$225,000.

The current cost of services is \$40,500/month. Although the third teen suicide in January 2015 did not occur at the rail line, staff believes that it is imperative to keep the current level of track security coverage at the rail line. Palo Alto is once again experiencing a teen suicide cluster and the rail line has been the dominant location of the deaths. Since the first death in the most recent cluster, staff has been alerted by Palo Alto Unified School District staff and local psychologists of additional teens at high risk of suicide who have referenced the rail line.

Whenever Community Services Department staff was notified of these heightened risks, the Palo Alto Police Department, San Mateo County Sheriff's Department (who has jurisdiction over the rail line) and the security guards have been notified to be on high alert. Community Services Department staff, the City Manager's Office, Palo Alto Police Department, and the Project Safety Net Leadership Committee feel that the current level of coverage is both warranted and the responsible thing for the City to do. On March 6, 2015, representatives from the City of Palo Alto (Jim Keene – City Manager, Dennis Burns – Police Chief, Ken Dueker, Director of Emergency Operations, Rob de Geus – Director of Community Services, Claudia Keith – Chief Communications Officer, and Richard Hackmann – Management Analyst) met with leadership staff from Caltrain (Jim Harnett – CEO, Gigi Harrington – Deputy CEO, Safety & Security, Chuck Harvey, Deputy CEO of Operations, Jayme Ackermann – Communications Manager, and Lt. Vicky O'Brien – Caltrain Transit Police.) They discussed safety improvements along the rail corridor such as higher fencing as well as shrub and tree removal. They also discussed ways in which the City and Caltrain can work together on media coverage

and the need to revisit the media guidelines with Peninsula reporters to ensure more responsible coverage of corridor incidents. Caltrain expressed interest in supporting Palo Alto's efforts on mental health initiatives. Caltrain also requested that the City shift the management of the Track Watch contract from the Community Services Department to the Police department; that change will occur soon.

Resource Impact

The current FY 2015 CSD budget includes \$75,000 for Track Security. The funding source for Project Safety Net (PSN) expenses are funded by the \$2 million Stanford Medical Center Development Agreement Fund – Community Health and Safety allocation for Project Safety Net. To date, the entire Track Security budget, in addition to other existing FY 2015 PSN approved funding in the amount of \$123,000 was allocated to pay for part of the additional Track Security services for FY 2015. With the existing funding, the services of the current contract will be paid pending approval of the Amendment No. 4 contract amendment. In order to pay for current invoices for this critical service, the City Manager authorized payments in the amount of \$123,000 in advance of this staff report seeking authorization to exceed the contract amount of \$225,000.

In order to fully meet projected Track Security expenses for 2015 from March 1 until June 30 at the current level of service, staff is requesting approval of a Budget Amendment Ordinance (BAO) of \$175,000. The BAO recommends funding this expense from the Stanford Medical Center Development Agreement Fund – Community Health and Safety allocation.

Policy Implications

Due to the current teen suicide crisis, the City Manager, at his discretion due to public safety concerns, authorized spending above the Val Security contract limit of \$225,000 by \$123,000. This staff report retro-actively seeks Council authorization for spending past \$225,000 for FY 2015 for expenses that has occurred and is anticipated.

Attachments:

- Attachment A: Budget Amendment Ordinance (DOCX)
- Attachment B: Amendment 4_Val Security_Rail Line Security Services (DOC)

Ordinance No. XXXX

ORDINANCE OF THE COUNCIL OF THE CITY OF PALO ALTO AMENDING THE BUDGET FOR FISCAL YEAR 2015 TO PROVIDE ADDITIONAL APPROPRIATION OF \$175,000 FROM THE STANFORD MEDICAL CENTER DEVELOPMENT AGREEMENT FUND TO THE COMMUNITY SERVICES DEPARTMENT PROJECT SAFETY NET PROGRAM TO PROVIDE FOR ADDITIONAL CONTRACT SERVICES FOR THE TRACK WATCH PROGRAM

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. The Council of the City of Palo Alto finds and determines as follows:

A. Pursuant to the provisions of Section 12 of Article III of the Charter of the City of Palo Alto, the Council on June 16, 2014 did adopt a budget for Fiscal Year 2015; and

B. Since 2009, the City of Palo Alto has used contract security guard services at the Charleston and East Meadow crossings to provide rail safety and security to prevent teen suicide and accidental death; and

C. In November 2014, in response to increased frequency of teen suicides, the City of Palo Alto Project Safety Net Track Watch program increased track security coverage to include the California Ave station and Churchill crossing; and

D. Due to the enhanced level of service currently provided, the existing appropriation for the Track Watch program will need to be increased by \$175,000 to maintain the current service level through the end of the fiscal year.

SECTION 2. Therefore, the sum of One Hundred Seventy Five Thousand Dollars (\$175,000) is hereby appropriated to the Community Services Department Project Safety Net Program and the ending fund balance in the Stanford Medical Center Development Agreement Fund is decreased by One Seventy Five Thousand dollars.

SECTION 3. As provided in Section 2.04.330 of the Palo Alto Municipal Code, this ordinance shall become effective upon adoption.

SECTION 4. The Council of the City of Palo Alto hereby finds that this is not a project under the California Environmental Quality Act and, therefore, no environmental impact assessment is necessary.

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INTRODUCED AND PASSED: Enter Date Here

AYES:

NOES:

ABSENT:

ABSTENTIONS:

NOT PARTICIPATING:

ATTEST:

City Clerk

APPROVED AS TO FORM:

Senior Assistant City Attorney

Mayor

APPROVED:

City Manager

Director of Administrative Services

Director of Community Services