



Agenda Item:

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COUNCIL COMMUNICATION City Manager's Office

GENERAL INFORMATION

Agenda Date: 03/08/04
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Communication No.:

Agenda Item Type: Resolution
No.:

Roll Call

Submitted by: Robert Hagener, Aviation Department

SUBJECT—

Approval Of Modification Number 2 to Reimbursement Agreement With Transportation Security Administration For Law Enforcement Services At The Airport

SYNOPSIS—

TSA has offered Modification Number 2 to the Reimbursement Agreement (RA) that increases the hourly rate for reimbursement for law enforcement services required at the Airport for FY04 and provides authorization of increased total estimates for FY04. TSA's practice is to incrementally fund the RA during the fiscal year through a new modification to the RA each time. The Roll Call authorizes the Aviation Director to sign any future modifications that simply increase the funding to be provided to the City under the Reimbursement Agreement or provide incremental or additional fiscal year funding to the City.

FISCAL IMPACT—

TSA will partially reimburse the City for those law enforcement services provided at the passenger security screening checkpoint.

RECOMMENDATION—

Approval

BACKGROUND—

On September 11, 2001 the nation's air transportation system was used as a means to deliver a terrorist attack on the United States of America. On November 19, 2001, the Aviation and Transportation Security Act established the Transportation Security Administration (TSA) under the direction of the Under Secretary of Transportation for Security. Title 49 of the United States Code, Section 44903(c), requires the Airport Operator establish a security program that provides a law enforcement presence and capability that is adequate to ensure law enforcement presence at the levels required by the TSA.

The City previously entered into a Memorandum of Agreement with the United States Government for reimbursement of law enforcement services at the passenger security checkpoint through December 31, 2003. The government terminated that agreement effective May 31, 2003.

On September 8, 2003, the City Council executed the current Reimbursement Agreement to provide the financial mechanism necessary to seek reimbursement from the U.S. Government for the partial cost of the Airport to provide law enforcement services at the passenger security-screening checkpoint. Partial reimbursement for the costs associated with this service was provided to the Airport only after the City and the Transportation Security Administration have executed the RA.

On September 25, 2003, TSA sent Modification Number 1 exercising the option to extend the Reimbursable Agreement for a one-year period beginning October 1, 2003 and continuing through September 30, 2004. Such modification did not require execution by the City. TSA is now offering Modification Number 2 to the Reimbursement Agreement (RA) that increases the hourly rate for reimbursement for law enforcement services required at the Airport for FY04 and provides authorization of increased total estimates for FY04.