



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: William F. Sherry, A.A.E.

SUBJECT: SEE BELOW

DATE: June 6, 2007

Approved

Ray Wines

Date

6/8/07

COUNCIL DISTRICT: City-Wide

SUBJECT: TRANSPORTATION SECURITY ADMINISTRATION LAW ENFORCEMENT OFFICER REIMBURSEMENT PROGRAM COOPERATIVE AGREEMENT

RECOMMENDATION

Adoption of a resolution authorizing the City Manager to apply for federal funding, and execute a Cooperative Agreement (CA) with the Transportation Security Administration to fund eligible costs for deployment of law enforcement officers (LEOs) at each airport passenger-screening location at the Norman Y. Mineta/San Jose International Airport (Airport) in the estimated amounts in excess of the City Manager's contract authority of approximately \$1,109,000 per year or approximately \$5,545,000 for the period October 1, 2007 to September 30, 2012.

OUTCOME

Approval of this recommendation will allow the Airport to receive federal grant to partially fund the cost of providing the required security mandate by the TSA and to reduce airport operating and maintenance costs.

BACKGROUND

After the events of September 11, 2001, several security mandates were issued by the TSA in order to ensure the security of the traveling public and the nation's transportation system. One of these mandates is to require each airport operator to provide a law enforcement presence and capability at the Airport that is adequate to ensure the safety of the passengers. This CA will provide funds to offset portion of the eligible security costs for LEOs at security checkpoints starting October 1, 2007 to September 30, 2012.

ANALYSIS

The purpose of the CA is to reimburse the Airport for costs associated with providing LEOs at each airport security passenger-screening location when mandated by the TSA. Since August

2006, the Airport has been on an Orange Alert code which requires that a LEO is present at each of the security passenger-screening location. It is anticipated that the Orange Alert code will stay for an indefinite period of time. This LEO reimbursement program would provide reimbursement for actual direct costs of the police officers' salaries with a not to exceed hourly rate of \$29.96. The average hourly overtime rate of police officers assigned at the airport security passenger-screening locations is approximately \$77.

Contingent upon supplemental funding being available, additional consideration may be given to airports with cost in excess of not to exceed hourly rate of \$29.96. For this reason, staff intends to submit a grant funding request based on actual average overtime pay of police officers assigned at the Airport in order to maximize grant funding. Currently, the Airport is providing approximately 1,200 hours per month of LEO time to support the security passenger-screening locations and these are all done on overtime hours. The estimated cost of this mandated measure is approximately \$1,109,000 per year or approximately \$5,545,000 for the period October 1, 2007 to September 30, 2012. Any level of federal funding for this mandated security measure would significantly reduce the airport security costs.

POLICY ALTERNATIVES

Not applicable.

PUBLIC OUTREACH/INTEREST



Criteria 1: Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**



Criteria 2: Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**



Criteria 3: Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This memo is posted on the City's website for the June 26, 2007 Council Agenda.

COORDINATION

This memo has been coordinated with the TSA, the City Attorney's Office, and the City Manager's Budget Office.

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Transportation Security Administration Law Enforcement Officer Reimbursement Program Cooperative Agreement

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COST SUMMARY/IMPLICATIONS

The grant funding, if awarded, will be used to offset the cost of providing a mandated security measure at the various security passenger-screening locations at the Airport. The estimated maximum annual reimbursement of \$1,109,000 will reduce Airport operating and maintenance costs.

BUDGET REFERENCE

A separate action to recognize additional funds will be made after approval of the TSA CA. Funding to pay for police overtime associated with the mandated requirement is currently budgeted in the Airport Maintenance and Operations Funds and the General Fund.

CEQA

Not Applicable.


for WILLIAM F. SHERRY, A.A.E.
Director of Aviation

Please direct questions to William Sherry, Director of Aviation, at (408) 501-7669.