

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

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

**SUBJECT:** SEE BELOW

**DATE:** August 31, 2007

Approved

*Deanna Jutra*

Date

*9/5/07*

Council District: Citywide

**SUBJECT: TRANSPORTATION SECURITY ADMINISTRATION AIRPORT LAW ENFORCEMENT EXPLOSIVE DETECTION CANINE AGREEMENT**

## RECOMMENDATION

Adoption of a Resolution:

- (a) Authorizing the City Manager to negotiate and execute Assistance Modification Number Eleven to the Cooperative Agreement with the Transportation Security Administration (TSA) to partially reimburse Airport funded Police Department costs for four explosive detection canine teams starting October 1, 2007 for a total amount not to exceed \$200,000 per year at the Norman Y. Mineta San José International Airport and,
- (b) Authorizing the City Manager to negotiate and execute Assistance Modifications to the Cooperative Agreement for future years in an annual amount not to exceed \$200,000 on the same terms and conditions as the Cooperative Agreement.

## OUTCOMES

Approval of this eleventh assistance modification to the Cooperative Agreement with TSA will provide partial funding to the current requirements on the use of TSA-certified explosive detection canine teams.

## BACKGROUND

On April 9, 2002, the City Council approved a resolution authorizing the City Manager to negotiate and execute a Cooperative Agreement with the TSA to partially reimburse Airport funded Police Department costs for three explosive detection canine teams for a total cost of \$120,000 per year, for a period of five years. Several Assistance Modifications were approved by TSA to provide yearly funding for the Cooperative Agreement.

On April 11, 2006, the City Council approved Resolution No. 73127, authorizing the City Manager to negotiate and execute Assistance Modification number seven with the TSA to partially reimburse Airport funded Police Department costs for four explosive detection canine teams for a total cost of \$200,000 per year, through April 16, 2007.

Modification Assistance numbers eight to ten were approved by TSA to provide yearly funding as well as to extend the Cooperative Agreement from April 16, 2007 to September 30, 2007. Since the extension was for no more than six months without increase in the annual grant amount, the City Manager had authority to execute the period extension.

### **ANALYSIS**

Currently, the Airport has four explosive detection canine teams. The current Cooperative Agreement with TSA, which expires on September 30, 2007, provides for a \$50,000 reimbursement per team for a total of \$200,000. TSA has just approved Assistance Modification number 11 to provide partial funding for the period October 1 to December 31, 2007 in the amount of \$42,000. It is anticipated that TSA will provide additional funding for the remainder of the federal fiscal year (October 1 to September 30) and will maintain the \$200,000 annual funding level for the four explosive canine teams for an indefinite period of time. The proposed resolution will authorize the City Manager negotiate and execute Assistance Modifications to the Cooperative Agreement for future years in an annual amount not to exceed \$200,000, so long as the Assistance Modifications are on the same terms and conditions as the Cooperative Agreement.

### **EVALUATION AND FOLLOW-UP**

As the Airport operations increase there may be a need to increase the number of explosive detection canine teams and to request TSA to increase the annual grant funding. If/when that becomes necessary; a recommendation to negotiate and execute a cooperative agreement with the TSA will be presented to City Council at that time.

### **COST IMPLICATIONS**

Costs incurred in the implementation of this program are funded by the Airport Maintenance and Operating Fund.

### **PUBLIC OUTREACH**

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

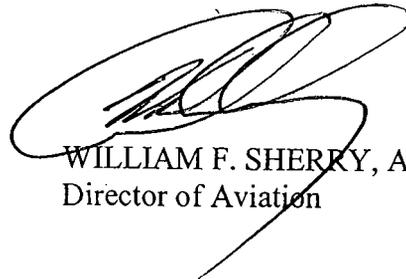
This item does not meet the above criteria requiring additional notification; however, it will be posted on the City's Council Agenda Website for the September 18, 2007 Council Meeting.

**COORDINATION**

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

**CEQA**

Resolution Nos. 67380 and 71451, File No. PP07-181.

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

Please direct questions to William Sherry, Director of Aviation, at (408) 510-7669