

**RESOLUTION NO. 74558**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN OTHER TRANSACTION AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION (TSA) TO ESTABLISH THE RESPECTIVE OBLIGATIONS AND OTHER RESPONSIBILITIES OF THE PARTIES REGARDING THE TERMINAL A IN-LINE CHECKED BAGGAGE EXPLOSIVE DETECTION SYSTEM, AND TO PROVIDE FOR FUNDING BY THE TSA OF NINETY PERCENT (90%) OF ALLOWABLE COSTS OF THE BAGGAGE SCREENING SYSTEM NOT TO EXCEED A TOTAL REIMBURSEMENT OF \$20,300,000, FOR A TERM FROM THE DATE OF EXECUTION THROUGH COMPLETION AND ACCEPTANCE OF THE PROJECT**

**WHEREAS**, the Terminal A in-line checked baggage explosive detection system (EDS) is an element of the Terminal Area Improvement Program; and

**WHEREAS**, the Other Transaction Agreement (OTA) with the Transportation Security Administration (TSA) is a TSA form agreement that provides that the TSA will determine the costs of the EDS Project that are reimbursable by the TSA in accordance with applicable federal cost principles; and

**WHEREAS**, the proposed OTA will provide funding for the baggage screening matrix portion of the system, as well as some of the associated support infrastructure improvements;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager is authorized to negotiate and execute an Other Transaction Agreement with the Transportation Security Administration (TSA), an agency of the United States Department of Homeland Security, to establish the respective obligations and other responsibilities of the City and the TSA regarding the Terminal A In-Line Checked Baggage Explosive Detection System, and to provide for funding by the TSA of ninety percent (90%) of allowable costs of the baggage screening system not to exceed a total reimbursement of \$20,300,000, for a term from the date of execution through completion and acceptance of the project.

ADOPTED this 19<sup>th</sup> day of August, 2008, by the following vote:

AYES: CHIRCO, CHU, CONSTANT, CORTESE, LICCARDO,  
NGUYEN, OLIVERIO, PYLE, WILLIAMS, REED.

NOES: NONE.

ABSENT: CAMPOS.

DISQUALIFIED: NONE.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk