



Legislation Text

File #: 20-1169, **Version:** 1

Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for an Other Transaction Agreement with the Department of Homeland Security, Transportation Security Administration, Law Enforcement Officer Reimbursement Program, for partial reimbursement of Long Beach Airport costs associated with providing onsite qualified law enforcement services at the Airport passenger screening checkpoint; and

Authorize City Manager, or designee, to execute any and all amendments, modifications, and new agreements for Long Beach Airport's continued participation in the Law Enforcement Officer Reimbursement Program, so long as there are no materially significant modifications or impacts. (District 5)

On November 19, 2001, the Transportation Security Administration (TSA) was authorized to carry out Chapter 449 of Title 49 United States Code relating to civil aviation security, including responsibility for screening passengers and property at airports, and for mandating the deployment of Law Enforcement Officers (LEO) personnel at each airport security passenger-screening location to ensure passenger safety and to counter risks to transportation security. Pursuant to 49 U.S.C. 44903(c) and 49 C.F.R. Part 1542, each airport operator is required to establish an air transportation security program that provides a law enforcement presence and capability at the airport to adequately ensure the safety of passengers.

Since 2007, the Long Beach Airport (Airport) has participated in TSA's Law Enforcement Officer Reimbursement Program (LEORP), which provides for partial reimbursement for the costs associated with LEO presence in the Airport passenger screening checkpoint (Checkpoint). The Checkpoint is staffed daily by a LEO for approximately 16.5 hours from 5:30 a.m. to 10:00 p.m. The current agreement provides reimbursement of \$20 per hour or approximately \$120,450 annually. The current agreement will terminate on December 31, 2020.

In November 2019, the Airport submitted a new application to continue participation in the program and prevent any lapse in reimbursement funding. On October 21, 2020, the Airport was notified of its acceptance for continuation in the LEORP and provided with a new agreement for execution. Subject to continued federal funding availability and at the discretion of TSA, the new agreement will provide for up to five additional years of reimbursement funding. The hourly reimbursement rate is subject to change. Either party may terminate the agreement at any time by providing 30 days prior written notification. It is anticipated that the new agreement will commence on January 1, 2021.

This matter was reviewed by Deputy City Attorney Richard F. Anthony on November 2, 2020

and by Budget Analysis Officer Julissa José-Murray on November 12, 2020.

City Council action is requested on December 8, 2020, to expedite the execution of the Other Transaction Agreement in anticipation of a January 1, 2021 commencement date. Failure to execute the new agreement prior to its commencement date may result in loss of funding.

Public safety costs at the Airport are significant and offset by a variety of funding sources including Airport operating revenue. TSA will support reimbursement of actual costs not to exceed \$20 per hour. Based on previous awards and subject to annual federal appropriation, continued participation in the LEORP is estimated to provide reimbursement of LEO costs of approximately \$120,450 annually in the Airport Fund Group in the Airport Department for five additional years. No match is required to participate in the program. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

Approve recommendation.

CYNTHIA GUIDRY
DIRECTOR, LONG BEACH AIRPORT

APPROVED:

THOMAS B. MODICA
CITY MANAGER