



Legislation Text

File #: 20-1943, **Version:** 1

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE: October 28, 2020
COUNCIL DISTRICT(S): 2
DEPARTMENT: Department of Aviation
EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a one-year lease agreement, with two one-year renewal options, with the United States Customs and Border Protection ("CBP") for approximately 2,500 square feet of space at Dallas Love Field (the "Airport") to support its operations at the Airport - Estimated amount \$350,000.00 annually - Financing: Aviation Fund (see Fiscal Information section)

BACKGROUND

Dallas Love Field Airport (the "Airport") is currently designated as a User Fee Airport through the United States Customs and Border Protection ("CBP") Service. As part of the designation, CBP requires that a secure facility be provided for its operations. On September 8, 2010, the City Council authorized a contract for the construction of a CBP facility at the Airport, and subsequently on December 8, 2010, authorized a memorandum of understanding with CBP detailing its operations at the new facility.

On September 9, 2015, the City Council authorized two leases with The Braniff Centre, LP ("Braniff Centre") for commercial and aviation uses at the Airport. Each of the two leaseholds included a portion of the existing CBP facility. While the CBP facility was located within Braniff Centre's leasehold areas, all rights and obligations relating to the CBP facility were subject to the City's memorandum of understanding with CBP.

However, CBP recently notified the Department of Aviation that its facilities must remain under the exclusive control of the Airport and cannot be part of another leasehold. In an effort to comply with this requirement, the City is proposing to exclude the area occupied by CBP from both leases and revert that area to the control of the Airport.

Under the proposed new lease agreement, the City of Dallas agrees to reimburse the CBP for the expenses related to the service. These expenses include at least one inspector assigned to work at the facility between the hours of 8:00 am and 5:00 pm, Monday through Friday. Any service provided outside of the regular hours may be subject to overtime hours. In addition, the agreement requires the City of Dallas to reimburse the CBP for all required communications and data services hardware. The City must also make provisions for handling international garbage, according to federal regulations. The reimbursement costs will be recovered from International Arrivals Fees the Airport collects.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 26, 2011, City Council authorized an ordinance amending Chapter 5 of the Dallas City Code to establish international arrival fees for certain aircraft landing at Dallas Love Field and using United States Customs and Border Protection services by Resolution No. 11-0304.

On December 8, 2010, City Council authorized a Memorandum of Agreement with the U.S. Customs and Border Protection Agency by Resolution No. 10-3053.

On September 8, 2010, City Council awarded a contract for the construction of the CBP facility by Resolution No. 10-2322.

FISCAL INFORMATION

Estimated annual cost of \$350,000.00 to be recovered from International Arrival Fees.

Fund	FY 2021	FY 2022	Future Years
Aviation Fund	\$350,000.00	\$350,000.00	\$350,000.00

MAP

Attached