



Executive Director's
Report to the

Board of Harbor Commissioners

DATE: JANUARY 9, 2014

FROM: PORT POLICE

**SUBJECT: RESOLUTION NO. _____ - MEMORANDUM OF UNDERSTANDING/
AGREEMENT BETWEEN THE FEDERAL LAW ENFORCEMENT
TRAINING CENTERS AND CITY OF LOS ANGELES HARBOR
DEPARTMENT REGARDING THE REGIONAL MARITIME LAW
ENFORCEMENT TRAINING CENTER**

SUMMARY:

The City of Los Angeles Harbor Department (Harbor Department) is proposing to enter into a Memorandum of Understanding/Agreement (MOU/A) with the Federal Law Enforcement Training Centers (FLETC). This partnership will further the cooperative relationship to partner and develop training standards and strategies for the protection of America's waterways and ports. The MOU/A will also provide training opportunities for Federal, State, local, and other law enforcement agencies who until recently were not able to collectively enhance professional skills in response to routine and emergency maritime matters.

FLETC's public safety training resources are internationally recognized, but its ability to accommodate non-Federal students is limited. To fill this gap, FLETC is requesting to partner with the Harbor Department at the Regional Maritime Law Enforcement Training Center (MLETC). The MLETC West Coast training venue enables FLETC to provide training options to its often one-year waiting list of non-Federal agencies. In turn, partnering with FLETC is vital for the Harbor Department to increase its pool of potential students to MLETC, thereby increasing the opportunity to generate revenues to offset operating costs of the training center.

Training in maritime law enforcement and counterterrorism techniques will be conducted at the MLETC located at 300 E. Water Street, Wilmington, California. The MOU/A will become effective upon its full execution and is for a term not to exceed five years.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Approve the Memorandum of Understanding/Agreement between the Federal Law Enforcement Training Centers and the City of Los Angeles Harbor Department regarding the Regional Maritime Law Enforcement Training Center;
2. Authorize the Interim Executive Director to execute and the Board Secretary to attest to the proposed Memorandum of Understanding/Agreement for and on behalf of the Board; and
3. Adopt Resolution No. _____.

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DISCUSSION:

Background/Context – FLETC is a Federal interagency training organization within the United States (US) Department of Homeland Security (DHS) whose primary mission and focus is to train Federal, State and local first responders in law enforcement and counterterrorism techniques that directly support the homeland security and infrastructure protection priorities of the US government. It is headquartered in Glynco, Georgia and trains some 70,000 students per year at five training campuses. FLETC's Marine Training Branch offers a specialized Marine Law Enforcement Training Program for officers whose jurisdictions include navigable waterways. State and local agencies are given opportunities to receive FLETC training as only space permits and the waiting list often exceeds one year. The need is very great and the resources at FLETC are limited. To aid in filling this gap FLETC approached the Harbor Department with a request to partner with the MLETC.

In 2009, the Port Police Division (Port Police), in partnership with FLETC, the Los Angeles County Sheriff's Department, Los Angeles Police Department, and Long Beach Police Department began to develop the State of California's first maritime training courses specifically dedicated to training State and local first responders in maritime law enforcement and counterterrorism techniques. In support of this curriculum development, the DHS approved several grant rounds to the Harbor Department for the development and construction of a state-of-the-art training facility known as the MLETC (Transmittal 3) and the purchase of instructional vessels. The California Commission on Peace Officer Standards and Training (POST) has certified the courses. Local agencies that participate in course development continue to serve as part of the cadre of FLETC-certified instructors at MLETC.

On April 25, 2011, the Harbor Department entered into a one-year MOU/A (Transmittal 2) with FLETC on behalf of DHS to establish a cooperative relationship and form the foundation for future agreements relating to specific provisions of services, personnel and equipment, and enable the MLETC to provide the training program to law enforcement agencies. The Harbor Department and FLETC wish to continue this partnership, and develop training standards and strategies for the protection of America's waterways and ports. This program will provide training opportunities for Federal, State, local, rural, tribal, territorial and other first responder agencies, including the fire service and medical communities.

In the Harbor Department's 2012-2017 Strategic Plan, Initiative 4 of the 1st Strategic Objective of Competitive Operations, is to develop a self-sustaining internationally recognized law enforcement training center for port and maritime professionals. The metric by which to measure this goal is to ensure that training center operating revenues meet or exceed expenses. Partnering with FLETC will enable the Harbor Department to attract paying students and thereby generate revenues to offset MLETC operating costs. That premise is based upon the facility being completely functional, with all classrooms and training equipment available for use. Currently, the construction of the MLETC is nearing completion. Once the facility is completely functional and the relationship with FLETC has matured, the intent is to build student attendance sufficient

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to where there are continuing revenues. Additional business relationships are being developed to generate revenue. Port Police have been working with the Real Estate Division to establish a Temporary Entry and Use Permit fee scale for temporary, periodic, and short-term use of MLETC.

The MLETC itself provides many benefits for the Port of Los Angeles. This facility allows the Harbor Department to train employees on site. The Port stakeholders benefit from an enhanced public safety presence and improvements in performance and coordination with the public safety community (police, fire, emergency medical service, etc.). Additionally reduced travel and training costs for staff who formerly attended maritime courses outside the Port may reduce cost, along with an anticipated reduction of variable and costs as proficiency of the MLETC increases. The Harbor Department will benefit from a greater public safety presence at the Port, which will serve as an additional deterrence against terrorism, and criminal acts, improve force readiness for all hazards and reinforce the Port's position as a world-class port.

Harbor Department staff estimates that the currently definable portion of the variable costs per student is about \$520. However, this does not include overhead allocations of fixed asset costs and classroom related variable costs that have an uncertain useful life. No costs allocation approach have yet been determined for these latter two items. In addition, no fees yet have been collected due to the facility not being ready for complete occupancy and no business agreements have been established. The facility is expected to become fully operational by spring 2014, and the agreement under consideration will support a launch of the funding mechanism. The goal will be that once the facility is operational and ongoing classes are in session, revenues collected will offset the costs of operating MLETC. Agreements will be negotiated and will facilitate an offset of ongoing costs required to operate MLETC.

Under this MOU/A (Transmittal 1), FLETC will:

- Assign a Senior Instructor/Regional Coordinator to coordinate and manage, develop course costs, administer student registration, and deliver law enforcement training;
- consult, collaborate and provide subject matter expertise with regard to curriculum development, delivery of maritime law enforcement training programs and Marine Simulator Training;
- assist the Harbor Department with assessments to determine staffing levels, equipment and assets required to conduct law enforcement/first responder training;
- assist the Harbor Department and POST with establishing California standards for maritime law enforcement training; and
- FLETC will be solely responsible for its employee(s) and any related employment expenses.

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The Harbor Department will:

- Provide facilities and connectivity to support FLETC-conducted training at MLETC;
- provide access and use of maritime training vessels and other resources to facilitate training, and for use during program delivery;
- provide an instructor cadre qualified through FLETC's instructor training programs to conduct maritime law enforcement training for officers;
- collaborate with FLETC to project an annual schedule of programs to be delivered at MLETC;
- partner with FLETC on future training initiatives;
- utilize FLETC curriculum as the foundation for MLETC training; and
- ensure all participants in any training sign a waiver form (Transmittal 1, Exhibit A).

FLETC will execute the MOU/A subsequent to BOHC approval. Upon full execution the MOU/A will become effective for a period not to exceed five years, and will be evaluated annually.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of a MOU/A with FLETC for maritime law enforcement and counterterrorism training at the MLETC. As an administrative activity, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.

ECONOMIC BENEFITS:

This Board action will have no employment impact.

FINANCIAL IMPACT:

All expenses related to the operation of the MLETC are funded through the Port Police annual budget and homeland security grants. Additional funding appropriations will be required each subsequent fiscal year the center operates and such appropriations will be requested to be budgeted as part of the annual budget adoption process. The Harbor Department and FLETC will enter into a separate expense reimbursement agreement(s) at a later date, per Federal policy. The parties will work together in good faith to determine reimbursable expenses in an ongoing manner.

At such time that reimbursement agreements are effective, all revenues shall be deposited into an appropriate account designated by Finance.

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CITY ATTORNEY:

The Office of the City Attorney has prepared and approved the Memorandum of Understanding/Agreement as to form and legality.

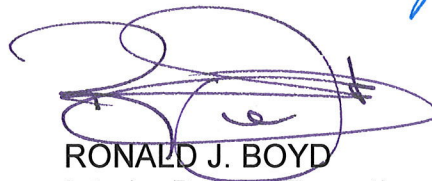
TRANSMITTALS:

1. Memorandum of Understanding/Agreement
2. Memorandum of Understanding/Agreement dated April 25, 2011
3. Map of Maritime Law Enforcement Training Center

FIS Approval: WR (initials)
CA Approval: gm (initials)

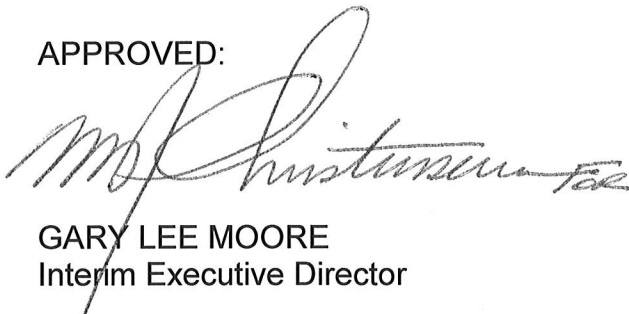


RONALD J. BOYD
Chief of Police



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