

RESOLUTION NUMBER R- 315366
DATE OF FINAL PASSAGE FEB 15 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE MAYOR OR HIS
DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN THE
CITY OF SAN DIEGO AND BELL TEXTRON INC. TO
PURCHASE ONE BELL 412EPX FIRE/RESCUE HELICOPTER

WHEREAS, the City of San Diego Fire Rescue Department (SDFD) Air Operations Section responds to more than 400 emergencies annually, on a 7-day/24-hour basis; and

WHEREAS, after the 2014 Bernardo Firestorm, the City of San Diego (City) After Action Report (AAR) recommended the City increase the number fire/rescue helicopters to three to ensure SDFD's ability to provide aerial fire suppression and rescue; and

WHEREAS, the SDFD Air Operations Section is currently operating with a fleet of two fire/rescue helicopters; and

WHEREAS, SDFD desires to purchase one Bell 412EPX fire/rescue helicopter to replace Copter 1, a 1980 Bell 212HP helicopter that is beyond economical repair. Copter 1 was decommissioned in 2023; and

WHEREAS, on September 27, 2023, the Purchasing Agent approved a sole source for acquiring the Bell 412EPX fire/rescue helicopter under San Diego Municipal Code (SDMC) section 22.3016; and

WHEREAS, the total cost of the acquisition to be financed, including deposit, outfitting, and taxes, is projected to not to exceed \$17.3 million; and

WHEREAS, an amount not to exceed \$1.0 million to be advanced from the General Fund in Fiscal Year 2024 for the initial deposit payment is necessary to order the helicopter; and

WHEREAS, the City's Equipment and Vehicle Financing Program (EVFP) is the most cost-effective tool to finance the helicopter purchase; and

WHEREAS, the helicopter purchase is contingent on the City securing financing through a separate procurement process and City Council approval action; and

WHEREAS, the lender will be procured by the Department of Finance, Debt Management Division, through a request for proposal and approved by City Council; and

WHEREAS, upon approval by the City Council in a separate action, the City EVFP will reimburse the General Fund for the advanced payment and finance the total costs not to exceed \$17.3 million, which includes \$14.2 million for the helicopter, \$1.8 million for outfitting/completion, and \$1.3 million for the sales tax, over a 10-year term through lease purchase financing; and

WHEREAS, any surveillance technology to be outfitted will comply with the Transparent and Responsible Use of Surveillance Technology Ordinance (TRUST Ordinance), codified in Chapter 2, Article 10, of the SDMC; and

WHEREAS, the subsequent lease payments will come from SDFD's budget within the General Fund for the applicable fiscal year; and

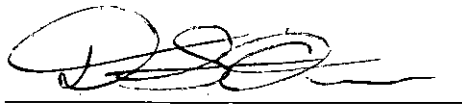
WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor or his designee is authorized to execute for and on behalf of the City an agreement between the City of San Diego and Bell Textron Inc. to purchase one Bell 412EPX fire/rescue helicopter; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$1.0 million to be advanced from the General Fund in Fiscal Year 2024 for the initial deposit payment necessary to order one Bell 412EPX fire/rescue helicopter. Upon delivery of the helicopter, the payment of the remaining balance will be advanced from the General Fund, with the expectation that, with the future approval of the City Council, the City Equipment Vehicle Financing Program (EVFP) will reimburse the General Fund for the advanced payment and finance the total costs not to exceed \$17.3 million, which includes \$14.2 million for the helicopter, \$1.8 million for outfitting/completion, and \$1.3 million for the sales tax, over a 10-year term through lease purchase financings. The subsequent lease payments will come from the Fire-Rescue Department budget within the General Fund, contingent upon the approval of the appropriation ordinance for the applicable fiscal year and the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Daniel Stuart Orloff
Deputy City Attorney

DOI:jdf
01/26/2024
Or.Dept: Fire Rescue
CC No. 103284076
Doc. No. 3544875

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 13 2024

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 2/15/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 103284076
DEPT. NO.: **B A: 9913**

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$1,000,000.00

Purpose: For the initial deposit to purchase a Bell 412EPX fire/rescue helicopter
Estimated proceeds of \$1.0 million from the sale of Copter 1 components will be deposited into the General Fund in Fiscal Year 2024 to support the appropriation increase for the advanced deposit

Date: January 8, 2024

By: Alyssa Yopez *Alyssa Yopez*
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original Amount
1		100000		330081	OTHR-0000000-GG	9913	9913000011		\$1,000,000.00
TOTAL AMOUNT									

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____

Vendor: _____

Purpose: _____

Date: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original Amount
1									
TOTAL AMOUNT									

FUND OVERRIDE

Passed by the Council of The City of San Diego on FEB 13 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 15 2024.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy
For Connie Patterson

Office of the City Clerk, San Diego, California

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