



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Julia H. Cooper

SUBJECT: SEE BELOW

DATE: November 10, 2021

Approved

Date

11/12/2021

REPLACEMENT

SUBJECT: ACTIONS RELATED TO POLICE DEPARTMENT COUNCIL ITEMS AND PURCHASE ORDERS FOR INSPECTION, MAINTENANCE AND REPAIR SERVICES FOR POLICE HELICOPTER

REASON FOR REPLACEMENT

This replacement memorandum updates the recommendation language with two separate resolutions for the action and background for clarity, as recommended by the City Attorney's Office.

RECOMMENDATION

- (a) Adopt a resolution resuming the practice of placing items related to the Police Department on the consent calendar using the Administration's standard criteria of cost, significance, and public interest to determine whether an item is appropriate for the consent calendar and ending the practice of agendizing all Police Department items for the regular agenda instead of the consent calendar as directed by the City Council on June 12, 2020.
- (b) Adopt a resolution authorizing the City Manager to:
 - (1) Execute a purchase order with DFC, Inc., dba Advanced Helicopter Services, (Woodland, CA) for inspection, maintenance, and repair services for the Police Department's helicopter for a twelve-month term starting on or about November 17, 2021 and ending on or about November 16, 2022 in an amount not-to-exceed \$400,000; and
 - (2) Execute additional purchase orders for ongoing services as necessary, subject to the appropriation of funds.

OUTCOME

To ensure routine purchases for the San José Police Department (Police Department) can be expeditiously reviewed and approved by the City Council, and to keep the Police helicopter properly maintained and operating at an optimal level to ensure public and pilot safety.

BACKGROUND

Police Department Council Items - Recommendation (a):

On June 12, 2020¹, the City Council approved a recommendation based on a Council memorandum issued by Councilmember Lan Diep that required all Council actions approving requests from the Police Department, such as the purchase of new equipment or acceptance of equipment from the Pentagon, be agendaized on the City Council's regular agenda rather than the consent calendar. City staff is seeking to end this practice and to resume the practice of using City Administration's standard criteria of cost, significance, and public interest to determine if it is appropriate to place items on the consent calendar. Such purchases would include the inspection, maintenance, and repair services for the police helicopters, as described further in this memorandum. Adoption of the resolution enables staff to place such requests related to the Police Department on the consent calendar when this criteria is met.

Required Services for the Police Helicopter - Recommendation (b):

The Police Department requires inspection, maintenance and repair services for its helicopter that supports ground and investigatory operations. These services are critical to ensure the safe operation of the Police helicopter for the benefit of the community and the safety of the pilots.

The Federal Aviation Administration ("FAA") and Airbus, the manufacturer of the helicopter, have set guidelines for inspections and maintenance of the helicopter to ensure the helicopter is performing at an optimal level. In addition to the yearly inspections and maintenance requirements on the airframe, the helicopter requires repair and overhaul services on the engine.

ANALYSIS

Advanced Helicopter Services is the only service center in northern California authorized to service both the airframe and the engine. Although there are two (2) other service providers who could work on the airframe, best practice and industry standard by agencies who govern aviation, such as the FAA and National Transportation Safety Board, is to use one (1) provider for all maintenance service of an aircraft. Using multiple mechanic shops could create points of failure in the mechanical service as each mechanic shop would need to have extensive knowledge of the

¹ Link to 6/12/20 Council Memorandum from Councilmember Lan Diep:
<http://sanjose.legistar.com/gateway.aspx?M=F&ID=10e6c001-fc89-4c52-90bb-99e3fbacca76.pdf>

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work done by the other. Also, any lack of information could lead to significant liability issues for the City in the event of a crash. Having one provider familiar with the entire maintenance record of the aircraft and the ability to check all the aircraft's systems is critical to proper troubleshooting and correction of possible issues that may arise. Based on these factors, the City Chief Purchasing Officer determined a unique situation exists that make the application of a competitive procurement contrary to the public interest.

CONCLUSION

Approval of this recommendation will ensure routine purchases for the Police Department can be expeditiously reviewed and approved by the City Council and allow the Police helicopter to be maintained properly and operate at an optimal level to ensure public and pilot safety.

EVALUATION AND FOLLOW-UP

This memorandum will not require any follow-up from staff.

CLIMATE SMART SAN JOSÉ

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the November 16, 2021 Council Meeting.

COORDINATION

This memo was coordinated with the Police Department, City Attorney's Office, and the City Manager's Budget Office.

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

FISCAL/POLICY ALIGNMENT

This Council item is consistent with the City’s 2021-2022 Adopted Operating Budget City Areas Delivery Framework: “To provide prevention and emergency response services for crime, fire, medical, hazardous, and disaster related situations.”

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION: \$400,000

2. COST ELEMENTS:

Helicopter Inspection, Maintenance and Repair Services	\$346,509
<u>Contingency Amount</u>	<u>53,191</u>
TOTAL	\$400,000

3. SOURCE OF FUNDING: General Fund (001)

4. FISCAL IMPACT: The helicopter inspection, maintenance and repair services will be fully funded from the fund noted above.

BUDGET REFERENCE

The table below identifies the fund and appropriations to fund the purchase order and contingency costs recommended as part of this memo.

Fund #	Appn #	Appn. Name	Total Appn.	Amt. for Recommendation	2021-2022 Adopted Budget Page*	Last Budget Action (Date, Ord. No)
001	0502	Police Non-personal/Equipment	\$31,087,914	\$400,000	VIII - 308	6/22/2021 Ord. 30621

* The 2021-2022 Adopted Operating Budget was approved on June 15, 2021 and adopted on June 22, 2021 by the City Council.

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CEQA

Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment

/s/

JULIA H. COOPER

Director of Finance

For questions, please contact Jennifer Cheng, Deputy Director, at jennifer.cheng@sanjoseca.gov.