



Legislation Text

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File #: 22-0633, Version: 1

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**REQUEST FOR CITY COUNCIL ACTION**

DATE: 08/03/2022

TO: Honorable Mayor and City Council Members

FROM: Police Department

**SUBJECT:**

Fifth Amendment to the Aviation Program Agreement between the City of Riverside and the City of Corona, formerly known as the Helicopter Program.

**EXECUTIVE SUMMARY:**

City Council consideration to approve the Fifth Amendment to the Aviation Program Agreement between the City of Riverside and the City of Corona. The use of aviation in law enforcement tactics has been present for several decades and allows for a unique approach to assist law enforcement ground units with different types of incidents; for example, combatting crime, conducting area checks, searching for lost people, and providing a more comprehensive view of an ongoing event for officer safety. Helicopters enable law enforcement to be on scene and overhead in an incident quicker than ground units. The ability to incorporate aviation into law enforcement assists with police operations, law enforcement patrols, and police and community safety.

**RECOMMENDED ACTION:**

**That the City Council:**

- a. Authorize the City Manager, or his designee, to execute the Fifth Amendment to the Aviation Program Agreement between the City of Riverside and the City of Corona, formerly known as the Helicopter Program.
- b. Authorize the Chief of Police, pursuant to his delegated authority to maintain and manage the Fifth Amended Aviation Program Agreement as noted in section 8.3 of this agreement.
- c. Authorize the City of Corona to issue a claim form payment of funds in the amount of \$120,000 to the City of Riverside.
- d. Authorize the City Manager, or his designee, to approve change orders up to 10% of the original Aviation Program Agreement amount as provided by Corona Municipal Code Section [3.08.080\(I\)](#).

## **BACKGROUND & HISTORY:**

Studies have shown a positive correlation between helicopter use in police operations, including patrols, officers, and community safety. The City of Corona originally purchased a helicopter in 2002, but due to budget reductions, the City sold the helicopter in 2009. The City of Corona Police Department had no contracted air support until July 2014, when a Helicopter Program Agreement was entered into with the City of Riverside.

That agreement provided 559 hours of air support to the City of Corona, utilizing Riverside Police Department aircraft at a total amount of \$399,292. As part of the initial agreement, the City of Corona also funded and supplied one Police Officer to serve as a Tactical Flight Officer with the air unit. Both parties amended and maintained this agreement until it was revised in July 2018. In the revised July 2018 amendment, "Aviation" replaced the word "Helicopter"; and the hours were reduced to only provide an as-needed emergency response for a total of \$100,000 annually. The City of Corona still provided the Tactical Flight Officer. This agreement remained in effect until April 2020. At that time, the City of Corona Police Department amicably terminated the agreement with the City of Riverside due to staffing shortages. The assigned Corona Police Department Tactical Flight Officer returned to Patrol.

In June 2020, the Corona Police Department did not renew or extend our contract for flight hours with the Riverside Police Department. This decision was based on mutual personnel shortages, flight hour restrictions that the Riverside Police Department was facing, and other mutual budget priorities.

In July 2021, the City Council approved the Fourth Amendment to the Aviation Program Agreement with the City of Riverside, and this agreement was entered and signed with the City of Riverside in September 2021. The agreement provided 120 annual flight hours for a total of \$120,000 for Fiscal Year 2022.

## **ANALYSIS:**

The Riverside Police Department has provided air support assistance to the Corona Police Department for the past year on as-needed emergency response. This response is based upon availability for day and nighttime operations. The Corona Police Department sees benefit in renewing our contractual flight time with the Riverside Police Department to assist with maintaining prompt response times and ensuring the safety of our community and officers as outlined in Goal 4 of the City of Corona's Strategic Plan. The Aviation Program acts as a force multiplier by providing visual overwatch before officers arrive on the scene during critical incidents.

The Fifth Amended Aviation Program Agreement would allow for average flight hours of 10 hours a month at the cost of \$1,000 per hour for as-needed emergency response, for a total amount of \$120,000 for 120 annual hours. The agreement provides actual billable hours, and the ultimate payment is dependent upon use. A contingency plan allows for an additional 10 percent (12 additional hours) of helicopter service if needed up to \$12,000. To maintain fiscal accountability, approval for the request of the helicopter will be at a Sergeant or Watch Commander level to ensure the critical need of the request. Finally, this agreement does not require staffing of a City of Corona Tactical Flight Officer, allowing that Police Officer to remain in Patrol.

At any time during the terms of this agreement, either party has the right to terminate the agreement with or without cause, upon thirty (30) days written notice to the other party. The City Attorney has reviewed and approved as to form the proposed Fifth Amendment to the Aviation Agreement.

**FINANCIAL IMPACT:**

This one-year Aviation Program Agreement compensation is \$120,000. This amount will be paid by the City of Corona in two equal installments annually. Per the Agreement, the first payment is due July 15, 2022, and the second payment is due January 15, 2023. However, the first payment will not be issued until the Agreement has been approved by City Council.

Funding for the payments will come from the Police Department's Asset Forfeiture Fund (250) and is budgeted in the Fiscal Year (FY) 2023 Police Department's Operating Budget. Any costs above \$120,000, up to 10% of the agreement, which is \$12,000, during FY 2023 will be paid out of the Police Department's Operating Budget. No additional appropriation is needed.

**ENVIRONMENTAL ANALYSIS:**

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action of the Aviation Program flying for 10 hours a month is minimal and there is no possibility this will have a significant effect on the environment. Therefore, no environmental analysis is required.

**PREPARED BY:** MICHELLE ADAMS, MANAGEMENT ANALYST II

**REVIEWED BY:** ROBERT NEWMAN, CHIEF OF POLICE

**Attachments:**

1. Exhibit 1 - Fifth Amended Aviation Program Agreement between the City of Riverside and the City of Corona