

1 [Behested Payment Waiver - Fire Apparatus]

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3 **Resolution authorizing the Mayor, the Mayor's Chief of Staff, Chief of Public Safety,**
4 **Assistant Chief of Public Safety, Policy Advisor, and the Chief of the Fire Department to**
5 **solicit donations from various private entities and organizations to support the**
6 **procurement of fire apparatus for six months from the effective date of this Resolution,**
7 **notwithstanding the Behested Payment Ordinance.**
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9 WHEREAS, As a result of the COVID pandemic, the fire apparatus industry
10 encountered many challenges, both fiscally and operationally, due to factors such as inflation,
11 supply chain issues, and labor shortages; and

12 WHEREAS, In recent years, there has also been consolidation in the industry of fire
13 apparatus manufacturers that attempted to create efficiencies but have led to supply issues
14 for apparatus among other negative impacts; and

15 WHEREAS, These issues have resulted in difficulties procuring fire apparatus for the
16 Fire Department (SFFD), resulting in significant cost increases for fire apparatus, increased
17 delivery delays for apparatus that have been purchased or are under construction, and
18 reduced competition in the overall market; and

19 WHEREAS, Combined with reduced funding available as a result of the City's recovery
20 from the pandemic, the SFFD has had extreme difficulties obtaining apparatus to replace
21 aging and outdated units in its fleet; and

22 WHEREAS, The Mayor and SFFD seek a waiver of the City's Behested Payments
23 Ordinance (Campaign and Governmental Code, Sections 3.600 et seq.) for the Mayor, the
24 Mayor's Chief of Staff, Chief of Public Safety, Assistant Chief of Public Safety, Policy Advisor,
25 and the Chief of SFFD for a period of six months from the effective date of this Resolution so

1 that they may solicit donations from private entities and organizations to support the
2 procurement of fire apparatus; and

3 WHEREAS, The parties receiving this waiver have agreed to report to the Board of
4 Supervisors donations to the City that were solicited under this waiver; such reports will
5 identify the donor, the amount of the donation, and the interested relationship the donor has
6 with the department that solicited the donation; the department or office will submit the reports
7 to the Board within 60 days of the expiration of the six-month period authorized by this waiver;
8 now, therefore, be it

9 RESOLVED, That under Section 3.620(f) of the Campaign and Governmental Conduct
10 Code, the Board of Supervisors hereby waives application of the Behested Payment
11 Ordinance as to the Mayor, the Mayor's Chief of Staff, Chief of Public Safety, Assistant Chief
12 of Public Safety, Policy Advisor, and the Chief of SFFD for a period of six months from the
13 effective date of this Resolution to fundraise from private entities and organizations to support
14 the procurement of fire apparatus; and, be it

15 FURTHER RESOLVED, That granting this waiver under Section 3.620(f) serves the
16 public interest by supporting SFFD in procuring much-needed fire apparatus; and, be it

17 FURTHER RESOLVED, That granting this waiver under Section 3.620(f) does not
18 create an appearance of impropriety.
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