



CITY COUNCIL STAFF REPORT



December 5, 2023

ITEM TITLE

Purchase Agreement: Approve Master Services and Purchasing Agreement and Quotes with Axon Enterprise, Inc. to Purchase Body Worn Cameras, Taser Electronic Control Weapons, and In-Car Cameras

Report Number: 23-0314

Location: No specific geographic location

Department: Police

G.C. § 84308: No

Environmental Notice: The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

Recommended Action

Adopt a resolution approving Master Services and Purchasing Agreement and quotes with Axon Enterprise, Inc. to purchase Body Worn Cameras, Taser Electronic Control Weapons and In-Car Cameras and related services and authorizing the Mayor to execute same.

SUMMARY

Following a public solicitation process, the Police Department recommends purchasing Body Worn Cameras, Taser Electronic Control Weapons and In-Car Cameras, and related services, from Axon Enterprise, Inc.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a “Project” as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

The City's Police Department has been a national leader in the research and deployment of Body Worn Cameras (BWCs) and prioritizing the deployment of less lethal weapons. The Police Department has extensively researched and tested BWCs since 2010 and was one of the first departments in the country to deploy BWCs throughout its patrol division in 2014.

In California and throughout the nation, BWCs have become a part of many officers' standard uniforms. While body and dashboard cameras are not mandatory in the state, many law enforcement agencies have used these cameras as tools of transparency and a way to keep officers and the public safe. City Council has approved prior agreements with Axon Enterprise Inc. (formerly Taser International) for BWCs, related hardware (e.g. charging stations, battery packs, etc.) and limited cloud-based storage services to store BWC video footage based on current City retention schedules. The Police Department has worked with the Finance Department to secure funding to pay for the existing agreements in full over the course of the life of each agreement.

Request for Proposal (RFP) Process

Pursuant to Section 2.56 of the Chula Vista Municipal Code outlining the City's procurement process, Request for Proposal (RFP) # P03-2023 was issued on December 2, 2022, for BWCs, Data Storage and Related Product Support Services.

The current agreement for BWCs with Axon Enterprise, Inc., expired on June 30, 2022. As such, the Police and Finance Departments requested a contract extension with Axon Enterprise, Inc. for another 12-month period covering July 1, 2022, to June 30, 2023. Due to additional time needed to complete the RFP process, another extension was accepted covering July 1, 2023, until the execution of the proposed contract.

In addition to the BWCs, the proposed quotes also included the purchase of Taser Electronic Control Weapons (ECW) for police officers. ECWs, commonly known as a "Taser Weapon", represent a critical less lethal option for officers serving in any capacity, uniformed or plain clothes. The Police Department negotiated with Axon to provide the latest Taser ECWs for our officers and projected data storage needs.

During the RFP process, the Police Department evaluated written proposals and conducted extensive product testing prior to selecting the most responsive and responsible bidder for the RFP. As a result of this lengthy process, the Police Department recommends purchasing BWCs, Taser Electronic Control Weapons and In-Car Cameras and related services from Axon Enterprise, Inc.

Conformance with Privacy Protection and Technology Transparency Policy

In accordance with Council Policy 112-04 Privacy Protection and Technology Transparency Policy, public safety officer body-worn cameras are not considered Surveillance Technology, therefore a Surveillance Technology Impact Report (STIR) is not required. The associated Use Policy is included in this report as attachment 5 (CVPD Policy 448 – Portable Audio/Video Recorders). This policy provides guidelines for the use of portable audio/video recording devices by members of the Police Department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, handheld or integrated into portable equipment.

Additionally, the In-Car Cameras function similarly to Body Worn Cameras. The cameras are not constantly recording and are activated the same way a BWC is, therefore it is not considered Surveillance Technology and a STIR is not required. The associated Use Policies are included as attachment 5 (CVPD Policy 448-Portable Audio/Video Recorders) and (CVPD Policy 445 – Mobile Audio Video).

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware of, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

Approval of this resolution will approve the Master Services and Purchasing Agreement and three quotes with Axon Enterprise, Inc. to purchase BWCs, Taser Electronic Control Weapons and In-Car Cameras and authorize the Mayor to sign the four documents. These quotes cover a five-year period.

BWCs, taser electronic control weapon and in-car camera costs in the amount of \$827,012 for Year 1 of the agreement are already identified in the Police Department’s fiscal year 2023-24 Asset Forfeiture budget, resulting in no additional appropriations and no net fiscal impact to the General Fund.

ONGOING FISCAL IMPACT

The table below outlines BWC, taser and in-car camera costs, including related unlimited storage fees, for the five-year agreement term.

DESCRIPTION	QUANTITY	CY 2024	CY 2025	CY 2026	CY 2027	CY 2028	5-YR TOTAL
Body Worn Camera TAP Bundle	290	\$399,789	\$399,789	\$399,789	\$399,789	\$399,789	\$1,998,944
TASER 10 Certification Bundle	150	\$184,017	\$184,017	\$184,017	\$184,017	\$184,017	\$920,083
Fleet 3 Advanced	89	\$243,206	\$237,112	\$237,112	\$237,112	\$237,112	\$1,191,652
ANNUAL TOTAL		\$827,012	\$820,917	\$820,917	\$820,917	\$820,917	\$4,110,680

The first three years of the agreement will be funded by Asset Forfeiture fund balance. The Police Department will work with the Finance Department to allocate the necessary funds to cover the BWCs, taser electronic control weapon and in-car camera costs during the term of the agreement. Based on anticipated funding in the Asset Forfeiture fund, the ongoing costs may need to be funded by the General Fund after Year 3. However, should funds become available in the Asset Forfeiture fund, those funds will continue to fund the remainder of the agreement costs.

Appropriations for the ongoing costs related to this program will be considered by City Council as part of the development of the relevant fiscal year budget process.

ATTACHMENTS

1. Axon quote # Q-447373-45231.997CM to purchase 290 Body Worn Cameras
2. Axon quote # Q-502144-45212.913CM to purchase 150 Taser Electronic Control Weapons
3. Axon quote # Q-501843-45215.740CM to purchase 89 In-Car Cameras
4. Axon Master Services and Purchasing Agreement
5. CVPD Policy 448 – Portable Audio/Video Recorders
6. CVPD Policy 445 – Mobile Audio Video

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